



## FEDERATION OF RAILWAY OFFICERS' ASSOCIATIONS

President

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FROA/2018/1

dated 20.03.2018

To

**Chairman**

Railway Board

New Delhi

**Sub. : Tenure of deputation of IR officers with Railway PSUs/  
Organisations**

- Ref. : 1) DoPT's OM No. 2/3/2015-Estt. (Pay-II) dated 20/06/2015  
2) DoPT's OM No. 2/6/2016-Estt. (Pay-II) dated 17/02/2016  
3) Railway Board's letter No. 2017/E(O)II/41/11 dated 16/02/2018

Dear Sir,

1. Railway PSUs/Organizations have been successfully implementing various projects/programmes of Ministry of Railways. As most of their activities require Railway centric expertise and domain knowledge, a large number of Railway officers are being deputed to these organizations. The issues of tenure of deputation of IR officers with these Railway PSUs/Organizations have been extensively deliberated during the past decade. Ministry of Railways used to send large number of requests to DoPT for extension of deputation tenures upto 7 years and beyond. Vide reference (1) above, DoPT delegated the powers to MoR for approving extension of the tenure of deputation upto 7 years for two PSUs namely RVNL and DFCCIL, in view of the importance of the projects being handled by them. Subsequently DoPT vide reference (2) above revised the deputation policy of the entire Central Government permitting extension of deputation upto 7 years "with the approval of the Minister of the borrowing Ministry/Department". The policy also permits extension of deputation beyond 7 years under certain prescribed circumstances. In view of this new policy, Railway Board permitted some PSUs to have initial notified tenure of 5 years in place of 3 years so that the tenures can normally be extended upto 7 years.

*Shukla*

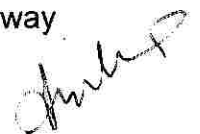
2. However, Railway Board has now made a review of the policy of the Central Government and vide reference (3) above has advised that “*tenure of deputation of Railway officers PSUs and other organizations may as a rule be restricted to 5 years*”. Suo moto review of the Central Government policies on service matters without any stakeholder consultation and framing of restrictive rules in variance to the well-considered policies laid down by Central Government through DoPT usually results in difficulties to affected entities as well as officers and leads to vexatious litigation.

3. On several occasions in the past, Ministry of Railways have advocated for longer tenure of deputations in Railway PSUs/organizations. When powers of approval have got delegated to MoR for this purpose, it is indeed an irony that MoR is taking a contrary view.

4. DoPT's OM dated 17/02/2016 at reference (2) accords primacy to “borrowing Ministry/Department”. FROA learns that borrowing PSUs and Organizations have been regularly requesting Railway Board for tenures of deputation upto 7 years. MoR being both the lending as well as the borrowing Ministry should be too happy to support its own PSUs/Organizations. When the Central Government is proactively promoting “ease of doing business”, MoR has chosen to place avoidable hindrances to its own PSUs/Organizations vide letter dated 16/02/2018 (Reference 3).

5. The context cited in the letter dated 16/02/2018 for such a restrictive rule is that “a large number of requests” are being received for extension of deputation tenure of Railway officers beyond the 5th year. Ministry of Railways is indeed a large Ministry and has a number of PSUs/Organizations under its administrative control. There are eight organized Group-A Railway Services, each having a special domain knowledge, and hence the number of officers under deputation would naturally be more vis-à-vis other Ministries. But for these deputations, the cadres will face enormous stagnation and the PSUs/Organizations would have huge HR crisis. Therefore, it is quite normal that a large number of requests would be received by MoR for tenure extension. The solution of this problem lies in creating more efficient methods to expeditiously approve such extensions and not in restricting tenures. Moreover, denial of extension beyond 5th year, besides hampering the activities in PSUs/Organizations, will result in much more paper work in issuing more vacancy notices and processing more applications.

6. Considering the above FROA demands that Railway Board should review its letter dated 16/02/2018 and bring out rules which are in line with the policy of Central Government as notified vide DoPT's OM dated 17/02/2016. Pending such review, no coercive methods be adopted against Railway

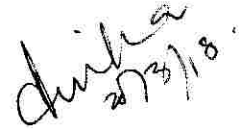


PSUs/Organizations nor the officers caught in the cross-correspondence between the PSUs/Organizations and Ministry of Railways should be harmed in any manner.

7. FROA appreciates the simplification/streamlining of deputation procedures as contained in Board's letter dated 07/03/2018. It however requests for relaxation of item 3.1 (d) of the said letter in line with DoPT's instructions.

8. However, FROA does not want to question the administrative discretion of MOR to recall/prematurely repatriate the deputationists on administrative grounds.

With regards,



*Secretary General FROA*

- Copy : 1) PS to Hon'ble MR  
2) PS to Hon'ble MoS (S) and Hon'ble MoSR (G)  
3) FC, ME, MRS, MS, MT, MTR  
4) Secretary, Railway Board  
5) CMD/MD, Railways PSUs, CRIS & RLDA