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GOVERNMENT OF INDIA
MINISTRY OF RAILWAYS
(RAILWAY BOARD)

NO.E(NG)I/93/PM9/10

New Delhi, dated 20/12/93

The General Manager(Accounts)
Southern Railway
MADRAS.

Sub:- Promotion of JAAs to AAs.

Ref:- Your Railway's letter No.
P(R)608/P/Vol.X dated 28.6.93.

With reference to para 5 of your letter quoted above, attention is invited to Board's letter No.E(NG)I/91/PM9/2 dated 24/3/1992 wherein it was clarified that the practice of giving adhoc promotion to Appendix II qualified JAAs with 3 years service who come on request transfer on bottom seniority if the senior employees were not found eligible for promotion for want of three years service as JAAs was not in order. Railways were advised that in such a situation, posts should be operated in the lower grade till eligible candidates become available for promotion. In view of these directives, it was not in order to give any weightage for the service rendered by such transferees in the parent unit, giving protection to the seniors who had not rendered 3 years service as JAA. In view of this, the earlier practice on Southern Railway which was followed due to misapprehension of the rules cannot be re-introduced. However, the past cases decided otherwise need not be reopened.

2. As far as the suggestion contained in para 6 of the letter referred to above is concerned, the matter has been considered carefully by the Board but it has not been found feasible of acceptance.

3. Please acknowledge receipt.

K.B. Lall
(K.B. LALL)
DIRECTOR ESTABLISHMENT (N)
RAILWAY BOARD.

COPY TO:-

The General Managers(Accounts), All Indian Rlys(except S.Rly) & Production Units along with a copy of Southern Railway's letter under reference, for information.

भारत सरकार
रेल मंत्रालय रेलवे बोर्ड

सं. ई०एन. जो. १/१३/पो. एम. १/१०

नई दिल्ली, दिनांक २०.१२.१९९३

महाप्रबंधक रेलवे,
दक्षिण रेलवे,
मद्रास.

विषय:- कनिष्ठ लेखा सहायकों को लेखा सहायक में प्रदोन्नति.

संदर्भ:- आपको रेलवे का २८.५.९३ का पत्र सं. पी०आर०
६०८/पो/वाल्फू. १०.

आपके उपरोक्त पत्र के पैरा ५ के संदर्भ में बोर्ड के २४.३.१९९२ के पत्र सं. ई०एन. जो. १/११/पो. एम. १/२ को ओर ध्यान आकर्षित किया जाता है, जिसमें यह स्पष्ट किया गया था कि कनिष्ठ लेखा सहायक के रूप में तीन वर्ष को लेखा के अभाव में वरिष्ठ कर्मचारियों का प्रदोन्नति के लिए पात्र न होने की स्थिति में निम्नतम वरिष्ठता पर स्थानान्तरण के अनुरोध पर आर ३ वर्ष को लेखा वाले वरिष्ठता ११ प्राप्त कनिष्ठ लेखा सहायकों को तदर्थ प्रदोन्नति देने की प्रक्रिया लही नहीं थी।

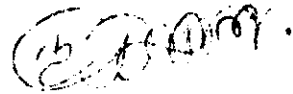
रेलों से कहा गया था कि ऐसी स्थिति में, उद्योग को निम्न ग्रेड में तब तक परिवर्तित किया जाना चाहिए जब तक कि प्रदोन्नति के लिए पात्र उम्मीदवार उभर न हो जाएं। इन निर्देशों को देखते हुए, कनिष्ठ लेखा सहायकों के रूप में तीन वर्ष को लेखा पूरी न करने वाले वरिष्ठ कर्मचारियों को संरक्षण देते हुए, ऐसे स्थानान्तरितों द्वारा मूल इकाई में को भरी लेखाओं के लिए कोई तरजीह देना लही नहीं था। इसे दृष्टिगत करते हुए, दक्षिण रेलवे पर पूर्व प्रक्रिया, जिसे नियमों के अभाव के कारण अपनाया गया था, को पुनः लागू नहीं किया जा सकता। बडरहाल, स्थिति में निर्दोष मामलों को पुनः ओपन की आवश्यकता नहीं है।

२. अतः तक उपरोक्त संदर्भित पत्र के पैरा ६ में अन्तर्विष्ट सुझाव का संबंध है, बोर्ड द्वारा मामले पर ध्यानपूर्वक विचार किया गया है लेकिन इसे स्वीकार

- 2 -

करना व्यवहारिक नहीं माना गया है.

3. कृपया मावती दें.



के. डी. जायसवाल

निदेशक, स्थापना अराज. रेलवे बोर्ड.

प्रतिलिपि,

बड़ा प्रबंधक लेखा, सभी भारतीय रेलों, दक्षिण रेलवे को छोड़कर तथा सभी उत्पादन इकाइयों को दक्षिण रेलवे के संदर्भाधीन प्रभुत्व की प्रति के साथ सूचनार्थ प्रेषित.



दक्षिण रेलवे
SOUTHERN RAILWAY

Office of the
General Manager
Madras 600 003.

No.P(R)608/P/Vol.X

Dated: 28.5.1993.

The Secretary (Establishment) (N),
Railway Board,
Rail Bhavan,
NEW DELHI - 110 001.

Sub: Promotion of JAAs to AAs.

1.1 When employees are transferred from one seniority unit to another, they are given the bottom-most seniority in the cadre in the new Unit. In the case of mutual transfer, the seniority of the employee is fixed based on the provisions of Para 310 of IREM. Thus when the employees come on such transfers, they rank junior to the employees already on the cadre to which they are transferred, but they may draw a higher pay. Such employees do not confer any benefit on the seniors by way of stepping up of the pay, as would be the case if a junior belonging to the cadre draws higher salary due to fortuitous circumstances. This question is well settled.

1.2 The Establishment Code defines 'Cadre' as 'the strength of service or part of service sanctioned as a separate unit'. Board have clarified vide Para (i) of their letter No.E(NG)I/85/PM1/12/RRC dated 23.3.89 that the services has to be rendered in the new cadre. It, therefore, follows that any minimum service for promotion should be rendered in the new seniority unit irrespective of the length of service rendered in the seniority unit from which an employee is transferred.

2.1 A minimum service criteria was prescribed for safety category in 1982. Consequent on the acceptance of the recommendations of the Railway Reforms Committee in 1987, the minimum service criteria was also laid down for each promotion for other categories also which was equally applicable to all the employees irrespective of whether they are in the reserved list or not.

2.2 Board in 1984 decided in the case of Safety category, continuous adhoc service immediately preceding regular service will count for the period

of minimum qualifying service. To overcome the anomaly when some of the juniors in the cadre qualified for promotion as they had the requisite period of minimum service prescribed for such promotion, due to the fact that they had the benefit of the period of their 'ad hoc' service, whereas the seniors did not qualify for promotion because of the minimum service criteria, Board also decided that in case junior is eligible for promotion based on 'ad hoc' service, his seniors will also be eligible for promotion, even though they might not have completed the minimum prescribed service in the lower grade vide Board's letter No.E(NG)/I/75/PMI-44 dt. 26.5.84. This relaxation which initially covered only the safety category was subsequently extended to cover non-safety categories in February 1987 vide Board's letter No.E(NG)I/PS/PMI/13 (RRC) dt. 19.2.87.

3. In the case of Accounts Department the minimum service required for promotion from JAA to AA is three years as per Railway Board's letter No.E(NG)I/PS/PMI/13 (RRC) dated 19.2.87 (Para 2 (iv)), and further clarified vide Board's letter No.E(NG)I/85/PMI/13/RRB dt. 23.8.89 (item-e). Consequent on the restructuring of the Accounts Department with effect from 1.4.87, 80% of the combined strength of AAs and JAAs are in the higher grade of AAs. Hence, more vacancies arise in the AAs grade than in the JAAs grade.

4. JAAs transferred on their own request would generally have put in some years' service in the previous seniority unit in view of the fact that some Zonal Railways generally prescribe a minimum period of service before the staff are considered for Inter-Railway transfers and as there are waiting lists for Inter-Railway, Inter-Divisional and Inter-Departmental request transfers. Even after such requests are considered, it will take time to get the request processed before the employee is transferred. In view of the above many of the JAAs when they were transferred to the new seniority unit on their own request would have rendered even the prescribed minimum service or would generally be better placed in fulfilling the criteria of the minimum service of three years for promotion in case the service in the old cadre from which they were transferred are counted. As brought out in Para 1 of this letter, it would not be correct to count such service in their earlier seniority unit for the purpose of promotion in their new unit. The employee on request transfer

would qualify for promotion in his new unit only after he puts in the minimum three years service in the new unit. However in the Accounts Department of Southern Railway the services rendered by the employee in earlier cadre (seniority unit) are counted by taking recourse to the stipulation for dealing with 'ad-hoc' service envisaged in the Board's letter of 19.2.87 and such staff have been promoted. Thus, though the senior to such staff in the new seniority unit did not satisfy the criteria of the minimum qualifying service such seniors had also been promoted waiving the criteria of the required service for all of them. This appears to have taken place due to misapprehension. Even if such promotions have been permitted under misapprehension when Board clarified vide Para (i) of their letter No.E(NG)I/85/PM1/13/RRC dated 23.3.89 that the service has to be rendered in the new cadre, the continued promotion, taking into account the period of service rendered by the employee in the seniority unit from which they were transferred, should have been reviewed and stopped. When this discrepancy in practice attracted attention in February 1993, such promotions have not been ordered from February 1993.

5. The organised labour contend that the promotions should be ordered taking into account the service rendered in the earlier seniority unit of staff who come on request transfer and applying the proviso of 19.2.87 all the seniors even though they do not satisfy the minimum service criteria should be promoted as was the case right from 1987 and this should be continued. When this came for consideration in the PNM Meeting with GM, the organised labour suggested that in case this is to be reviewed and existing practice of promotion taking into account the service in previous unit is discontinued, the issue should be referred to the Board for their consideration and decision.

6. Attention of Board is also drawn to the restructuring orders contained in Railway Board's letter No.PC III/91/CRC/1 dt. 27.1.93. These restructuring orders envisage creation of additional posts of SO(A)s in the revised ratio of 1:6 in case of General Accounts and 1:7 in case of Traffic Accounts. These additional posts of Section Officers have been created by surrender of equal no. of posts of Accounts Clerk in Grade Rs.950 - 1500 in terms of Railway Board's letter No.PC III/93/CRC/1 dated 18.3.93. The additional

posts of SO(A)s have been filled by promotion of Appendix III qualified Accounts Assistants awaiting promotion. The resultant vacancies of AAs could not be filled by promotion of JAAs due to non-availability of eligible JAAs with the requisite 3 years service. Even though Board have permitted filling of restructured vacancies by relaxation of the minimum service condition of 2 years to 1 year in the case of other categories, in the case of AAs no such relaxation has been given. In view of the fact that there are 106 vacancies of AAs which remain to be filled due to non-availability of eligible JAAs with the requisite 3 years service, it is suggested for kind consideration of Board to relax the minimum service for promotion from 3 years to 2 years. There are 170 JAAs who have completed 2 years of service as on 1.3.93 and none who has completed 3 years of service as JAA.

7. Board are requested to communicate their decision on the suggestions contained in Paras 5 and 6 above.

for GENERAL MANAGER
(Accounts).

Copy to: CPO/MAS for information. This has reference to Minutes recorded against Subject No.64/92 discussed in the PNM Meeting by GM with the representatives of SRMU held on 30.3.93 & 31.3.93.