



भारतीय रेलवे मजदूर संघ

(भारतीय मजदूर संघ की अखिल भारतीय औद्योगिक इकाई)

BHARATIYA RAILWAY MAZDOOR SANGH

BRMS

(All India Industrial Unit of Bharatiya Mazdoor Sangh)

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No.BRMS/PG/SSE_JE/2024

Dated: 04.11.2024

**Shri Ashwini Vaishnav ji,
Hon'ble Minister for Railways,
Rail Bhawan,
New Delhi-110001.**

Sub: Long pending demands of SSEs/JEs of Indian Railways – Upgradation of their status to Group 'B'.

Respected Sir,

Kindly recall the meeting with the joint delegation, consisting of the office bearers of BMS/BRMS and All India Railway Engineers Federation (AIREF), held on 30th November, 2024 in your chamber at Rail Bhawan. We are thankful for giving such an opportunity to listen the long pending demands of SSEs/JEs cadre of Indian Railways.

2. In the meeting the demands of the SSEs/JEs was discussed in detail in a cordial and positive atmosphere; hence, we are hopeful that you will take immediate positive steps to resolve these demands.

3. However, the demands of the SSEs/JEs are once again reiterated in short as under:

- i. After implementation of RBE-155/2022, 50% of SSEs in L-7 have been upgraded to L-8. However, they have not been given any functional status and designation. The issue for allotting Gazetted status to SSEs was included in the 48th meeting of NC-JCM vide agenda Serial No. 20. The Chairman of NC-JCM cum Cabinet Secretary asked to the Chairman, Railway Board and DoE to resolve the issue expeditiously. There would be no financial implications if SSEs at L-8 are allotted Gazetted status. Therefore, SSEs Up-graded to L-8 vide RBE-155/2022 should be given Gazetted status with designation SSE(Gaz).
- ii. SSEs at Level-7 & JEs at Level-6 of Indian Railways should be given Group B Non-Gaz status at par with JEs of all other Ministries of Union of India and State Governments.
- iii. All SSEs at L-8 (in place of 50% as notified vide RBE-155/2022) should be granted at L-9 after 4 years as per Railway Board's proposal given vide letter no: PC-VII/2019/RSRP/3 dtd:17.09.2021 and approved by Department of Expenditure, MoF vide ID no:36(1)/E.III(B)/2015 dtd:01.11.2022.

- iv. On being recruited by RRBs and appointed by Railways JE/SSEs undergo mandatory professional training for one/two years. This training period is taken into consideration as a regular service for allowing them annual increments, eligibility for appearing Departmental examinations and retirement benefits. Hon'ble Supreme Court, High Courts and CAT/Cuttack bench have pronounced Judgements to consider Training Period for MACP benefits. Therefore, this in-service Training period of JE/SSEs should be counted for computing pay up-gradation under MACP scheme.

However, **a copy of the memorandum received from the All India Railway Engineers Federation (AIREF) to the Secretary/Bharatiya Mazdoor Sangh (BMS) is attached herewith for ready reference.**

4. Your personnel intervention is solicited on above issues to resolve the long pending demands and keep the morale high for these dedicated employees, who are directly involved for ensuring smooth and safe operation of Indian Railways.

With warm regards,

Yours sincerely,



(Mangesh M Deshpande)
Secretary General/BRMS

Encl: As above.

Copy to: 1. The Chairman & CEO, Railway Board, Rail Bhawan, New Delhi.
2. The Director General/HR, Railway Board, Rail Bhawan, New Delhi.



ऑल इण्डिया रेलवे इंजीनियर्स फेडरेशन ALL INDIA RAILWAY ENGINEERS FEDERATION

(An apex body representing Railway Engineers Associations of Zones & PUs)

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No: AIREF/Memorandum/BMS/2421

Date:29.10.2021

To

Shri Ashok Kumar Shukla Ji,
National Secretary, Bharatiya Mazdoor Sangh
& Pravari Railway Sector, New Delhi.

Sub: Request for your kind interference to accord justice to Railway Engineers (JEs/SSEs).

Respected Sir,

All India Railway Engineers Federation (AIREF) would like to wish you a very happy Deepavali.

AIREF represents about 70 thousand Railway Engineers (Junior Engineers & Senior Section Engineers) with qualification of diploma and degree in engineering of Indian Railways.

Junior Engineers (JEs) and Senior Section Engineers (SSEs) of Indian Railways play pivotal role in every core of activity of planning, designing, manufacturing, maintenance and operations of Railway. They control the human resources of more than 5-6 lakhs of subordinate staff of Indian Railways and about 50 lakhs of contractual/outsourced manpower. Most of them are qualified i.e. diploma/degree holders in engineering. They undergo mandatory Training for their specialized nature of duties and classified as “Excluded” category who shoulder responsibility for 24 hours a day. They are instrumental for safe and timely movement of thousands of passengers and goods trains daily and to implement the vision of the Government for infrastructural developments.

However, **these devoted and hard-working category of Railway employees have remained deprived from their rightful social status since decades.** We wish to bring your kind notice to our following few grievances and seek your kind cooperation for bringing them to the kind notice of appropriate authorities for their favorable redressal please.

I. Group B Gaz status to SSEs at L-8 and Gr B NG status to SSEs at L-7 and JEs at L-6.

National Council JCM had included it in its Agenda of 48th meeting to “Grant of Gazetted status to Senior Section Engineers of Ministry of Railways.” at Serial No. - 20 & Item no- NC/48/12/21 vide DOP&T letter no- 3/4/2021-JCA dated 16.06.2021. In the said meeting, after due consideration, the Chairman of NC-JCM cum Cabinet Secretary was pleased to ask to Chairman, Railway Board and DoE to resolve the issue expeditiously. These instructions have not yet been implemented by the Railways.

DOP&T's guideline since 2009 on classification of Post clearly suggested for upgradation of employees above Level-6 in Group – B. However, Railway has not yet implemented this guideline of DOP&T, the nodal agency of Central Government on personnel matter, stating that these guidelines are not applicable to Railways.

After continuous representation by AIREF at different levels, an in-house high-level committee was formed to consider the demand for classification of Gr-B (Gaz/Non-gaz) on dtd. 12.06.2018. After taking views of all recognized and un-recognized federations/associations, 180 representations and about 7400 e-mails and examining the issue in consultation with various stakeholders, the committee recommended to give Group-B (Non-Gaz) status to employees having GP-4600(L-7) & above with no financial implication. Instead of implementing the same, unfortunately Railway Board did not accept its own committee's proposal without any justification.

After intervention of Hon'ble MR, Railway Board has issued RBE no- 155/2022 according to which, 50% of employees in Level-7 are being upgraded to Level-8. Even after implementation of RBE-155, the stagnation issue of SSEs at Level-7 could not have been addressed, as 50% of SSEs so upgraded to Level-8 have not given any functional status with a separate designation and higher responsibilities. An Engineer joining as SSE retires from service as SSE only even after getting one promotion from Level-7 to Level-8.

It is not out of place to indicate that sanctioned Group B posts in Indian Railways is only 5,577 which is only 0.29% against a national average of about 7% and this is the lowest % age in comparison to all other ministries of GOI. Such poor strength of Gr. B posts in IR prevents the career aspirations of thousands of Railway Engineers struggling throughout in Group C status.

II. Inclusion of Training Period for MACP.

On being appointed by the Railways, JEs and SSEs have to undergo a mandatory Professional Training prior to their joining regular duties. This period of Training is taken into

consideration as a regular service for allowing them annual increments, eligibility for appearing Departmental examinations and retirement benefits. It is a matter of disappointment that this in-service Training Period for JE/SSEs is not computed as qualifying service for grant of financial upgradation under MACP scheme. It has several times been requested to the Railways for granting upgradation under MACP scheme duly counting this mandatory pre-appointment training period as regular service in light of orders passed by Hon'ble High Court in various cases which was also upheld by Hon'ble Supreme Court of India.

However, the Railways have preferred not to consider the Training period as qualifying service for granting benefit under MACP scheme to JEs & SSEs. In this connection, one of constituents AIREF, East Coast Railway Engineers Association (ECoREA) was constrained to approach Hon'ble CAT, Cuttack Bench, Cuttack for redressal of the grievance.

After hearing the respective parties at length and the matter on merit, the Hon'ble Tribunal was pleased to pronounce its verdict for the **O.A. No-485/2021** vide order dt. 15.11.2023. The Hon'ble Tribunal relying on earlier settled decisions by Hon'ble CAT, Hon'ble High Court and Hon'ble Supreme Court on the issue held that **the applicants are entitled to count their qualifying services for the purpose of financial upgradation under MACP w.e.f. their respective dates of joining in the training after being qualified through RRB.** Accordingly, the Hon'ble Tribunal has quashed the order passed by ECoRly dt. 18.08.2021 in this regard and has directed the Railways to revisit the grant of MACP by counting the qualifying service, to fix their pay and to pay the differential amount within a **stipulated period of 180 days.**

The above order of Hon'ble CAT/CTC has been challenged by E. Co. Railway at Hon'ble Odisha High Court, which could have been accepted through a favourable Administrative Order.

III. Allowing L-9 (GP-5400) to all SSEs upgraded to L-8 vide RBE-155/2022, after 4 years.

From 5th CPC, Railway Engineers have been neglected due to step-motherly attitude of Railway Board. As per the provisions detailed in notification for RBE-155/2022, only 50% of the SSEs upgraded to L-8 from L-7 at Phase-I will be further upgraded to L-9 after 4 years. However, the upgradation of L-9 after 4years in L-8 was allowed for Accountants for 100% staff from retrospective date 01.01.2016. By the time SSEs get into L-8 and L-9 through RBE-155/122, they already reach Level-8 (GP-4800) & Level-9 (GP-5400) under MACP scheme.

Hence, they will not be benefited by this notification. The provision of 50% of 50% staff getting into L-9 has been notified arbitrarily by the Railways against the approval accorded by MoF and own proposal.

Therefore, it is requested to kindly consider to put forth the following demands at appropriate level to accord justice to JEs & SSEs working round the clock in Indian Railways.

1. **Allot Gr.B (Gaz) status to SSEs upgraded to Level-8 vide RBE-155/2022 with Designation "SSE(Gaz)" without changing any functional and operational requirements of Railways complying the agenda Serial No. - 20 & Item no- NC/48/12/21 vide DOP&T letter no- 3/4/2021-JCA dated 16.06.2021 of 48th meeting of NC-JCM.**
2. **Review the recommendations of SAG level in-house committee formed on dtd.12.06.2018 for Classification of Railway Employees in view of implementation of RBE-155/2022 and allot Gr. B (Non-Gaz) status to SSEs at Level-7 & Junior Engineers at Level-6 of Indian Railways at par with JEs of all other ministries.**
3. **Count in-service Training period of JE/SSEs for computing pay up-gradation under MACP scheme as per judgments of Supreme Court, High Courts and CAT/Cuttack bench.**
4. **Allot L-9 (GP-5400) to all SSEs (in place of 50%) upgraded to L-8 from L-7 vide RBE-155/2022, after 4 years.**

With regards,
Yours sincerely,

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(Er. B. P. Dash)
Secretary General, AIREF.