

No .GS/AIRASA/MR/III/2015

NEW Delhi,
9.12.2015

Smt. Sanjay Mukerjee
Financial Commissioner,
Railway Board,
New Delhi.

Respected Sir,

Sub : Request for necessary action to grant of Group B gazetted status Sr. to Section Officer (Accounts), Sr TIA & Sr. ISA on par with the Section Officers of organized Accounts Cadre, audit & CSS who are equally placed and enjoying the status.

Ref : Our earlier representations to FC (Railways) and ED/PC-1,Railway Board and Presentations to former MR 's.

Among all the section Officers of organized Accounts Cadre, Audit, State and Central Secretariat, only Railway Section Officers TIA's & ISA's have been denied Group. B gazetted Status.

Railway Section Officers, TIA's & ISA's are more qualified, their job content is more responsible, more skilled and more heavy and their training and qualifying criteria is of higher standard than their gazetted peers

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9.12.2015

Shri Suresh Prabhu
Hon'ble Minister for Railways
Govt. of India.
Rail Bhavan
New Delhi

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Railway Section Officers TIA's & ISA's are Selected through an all India examination in two parts with preliminary and final having eight papers conducted by Ministry of Railways. Lesser qualified ones in CSS are designated as Gazetted and enjoy the status. Despite all the talk about the Railway Section Officers being "Pillars of Railway Finance Organization", they are denied their rightful 'status' and made to demoralize and feel shy in public and among the equals and lesser officials due to their deprivation of 'Rank' which has no financial implication and has not got even a single rupee, additional expenditure or set up.

Still they are denied 'Group B' rank citing the reason that they failed in a court case fought for 'status' twenty years ago which is very unfortunate.

The Petitions Committee of Parliament headed by the MP (Lok Sabha) Shri. Anand Gethe had taken up the matter and sought clarifications from Railway Board.

On 4th Sept 2015 we have won a court case in the CAT Patna Bench vide OA No.233 of 2011 where in the Hon'ble Court has directed the railways to extend the benefit of gazetted group B status to the applicant with effect from 1.1.2006. Thereby we request your good self to implement Group B Status to all So's / TIA's / ISA's. (Copy enclosed)

Now that your goodself has assumed charge as Hon'ble MR and since a new government which would recognize merit has assumed power at the Centre, we appeal with enormous hope that justice at last would be done and Railway Section Officers (Accounts) TIA's & ISA's would get their rightful status of Group .B gazetted which more than satisfies every qualifying criteria.

Looking forward to your favourable decision and instructions in anticipation.

Thanking you,I remain

Yours Sincerely

REJI GEORGE
General secretary

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New Delhi
09.12.2015

Shri .Suresh Prabhu,
Hon'ble Minsiter for Railways
Govt.of India
Rail Bhavan
New Delhi

Respected Sir,

Sub : Affording full benefit of the decision of the group of ministers Meeting (GOM headed by then Honb'le Home Minister Shri.L.K. Advani, by granting pay arrears from 1.01.1996 to 18.02.2003 to Railway Accounts Staff, duly implementing supreme court judgment dt 7.7.2014.

Ref: Review Petition (Civil) No .1494 of 2013 and SLP(C)No.1587-88/2014.

AIRASA congratulates you on assuming charge as Hon'ble Minister for Railways and we share our joy in the new Govt's taking over the reins of New Delhi. Removing an anomaly and injustice meted out to the Railway Accounts Staff consequent on the implementation of fifth pay commission, Committee of Group of Ministers (GOM) with Smt. Vasunthara Raje Scindhia, MOS for PMO & DOPT as Convener headed by the Hon'ble Minister for Home Affairs.

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Shri . L.K. Advani recommended improved scales for Accounts staff with effect from 1.01.1996 and the same was accepted and sanction was accorded by the cabinet chaired by the Hon'ble Minister Shri . Atal Bihari Vajpayiji .

But later, when it was implemented, actual date of effect was given as 19.02.2003 instead of the original date of 01.01.1996.

Aggrieved Accounts staff approached various tribunals and courts and favourable verdicts were granted by almost all forums.

Railway's appeal against it was dismissed by kerala High Court, Patna High Court and Supreme Court. Subsequent Review petitions were also dismissed by Patna High court and Supreme Court. Railway Board yet again filed another Review Petition before supreme Court as a sort of vengeance against the staff and the same came for hearing on 7th July 2014.

The Supreme Court vide its order dated 07.07.2014 has upheld the High Court Patna's Judgement dated 09.04.2014 and while stating that the right of other claimants should be adjudicated on its own merit as and when any such claim is raised, "the apex Court meant other Central government departments. Pl refer our memorandum dt 14.10.2014 copy enclosed .

It is hence requested that needless litigation on this issue be avoided whereby the staff of Accounts department need not approach the court of law for an identical remedy or relief and instructions for payment of V th PC arrears to the entire Account staff is issued.

The above issue should be resolved in the light of judgement of High Court Patna dated 9.4.2010 which has clearly stated, in Para 8 of its judgement, that the writ petition is in a representative category for all employees of the Accounts establishment of the Indian Railways all of whom shall get the benefits of appropriate pay scales w.e.f 1.1.96 with payment of arrears of Salary.

With Profound hope, we look towards your goodself to end this injustice and to allow the Accounts Staff to enjoy the full benefit of the recommendation of the GOM headed by Shri L.K. Advaniji and Cabinet Sanction accorded by the Prime Minister Shri Vajpayiji.

The Government Advocate's submission to supreme Court while seeking time that it required to ascertain the opinion of the new government should turn a new leaf and become a boon for the staff.

Kindly act on time and re-render justice to the Accounts Staff as has been done by the then NDA Govt. at the Centre.

Thanking you,I remain

Yours Sincerely

REJI GEORGE
General secretary