

REPORT  
OF THE  
STUDY GROUP ON  
RAIL TRANSPORT

५०००



सत्यमेव जयते

नव विभाग  
Deptt. of Labour  
जय प्रलेख एवं संस्करण केंद्र  
Lab. DOC. & Ref. Centre  
दिनांक.....  
Date.....

**NATIONAL COMMISSION ON LABOUR**

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## FOREWORD

The National Commission on Labour appointed the Study Group for Rail Transport Industry in its attempt to understand the changes in conditions of labour in that industry since Independence. This was one of the series of Study Groups set up for different industries. The Study Group was required to analyse available information and project its thinking on labour problems in the Rail Transport industry for the years to come taking into account the possible developments in the industry.

The views expressed in the report are the views of the Study Group. In examining them for framing its final recommendations, the Commission will attach due importance to these views coming as they do from knowledgeable persons in the Rail Transport industry. In the meanwhile, the report is being published by the Commission with a view to seeking comments on it from persons/institutions interested in the development of that industry.

The Commission is grateful to the Chairman and Members of the Study Group individually for completing their work within the time limit fixed for them. The Commission is also grateful to all persons/institutions who may have helped the Study Group in reaching conclusions.

**P. B. Gajendragadkar**  
*Chairman*

National Commission on Labour,  
D-27, South Extension, Pt. II,  
New Delhi-16.

## MEMBERS

1. Director, Establishment,  
Railway Board,  
New Delhi.
2. Chief Personnel Officer,  
Northern Railway,  
New Delhi.
3. Deputy Director,  
Establishment (Labour),  
Railway Board,  
New Delhi.
4. Shri A. P. Sharma,  
10-B, Rajendra Nagar,  
Patna-16.
5. Shri Keshav H. Kulkarni,  
Joint General Secretary,  
National Federation of  
Indian Railwaymen,  
17, Janpath,  
New Delhi-1.
6. Shri J. P. Chaubey,  
c/o All India Railwaymen's  
Federation,  
Lucknow.
7. Shri Umraomal Purohit,  
General Secretary,  
Western Railway Employees' Union,  
Grant Road,  
Railway Station (East),  
Bombay-7 (W.B.)

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## INTRODUCTION

On 24th December 1966, Government of India decided to set up a National Commission on Labour. In accordance with the terms of its reference, the Commission is required to review broadly the changes in the conditions of labour since Independence and to make appropriate recommendations. In order to examine the material available in the country on recent experience of different industries and on important aspects of labour problems facing the country, the National Commission on Labour has set up a number of Study Groups. In so far as Railways are concerned, this Commission has constituted a Study Group on Rail Transport vide their Memorandum No. 3 (32)/67—NCL dated 19th June, 1967.

2. The Study Group on Rail Transport has been directed by the Commission to ascertain facts from available literature on the subject, draw conclusions and suggest solutions to the problems posed by the Group for the consideration of the Commission. The Commission may also pose problems for consideration of the Group from time to time.

3. The following persons have been appointed to constitute the Study Group on Rail Transport with Headquarters at New Delhi:—

- (1) Director, Establishment, Convenor  
Railway Board,  
New Delhi.
- (2) Chief Personnel Officer, Member  
Northern Railway,  
New Delhi.
- (3) Deputy Director, Member-  
Establishment (Labour), Railway Secretary  
Board, New Delhi.
- (4) Shri A. P. Sharma, Member  
10-B, Rajendra Nagar,  
Patna-16.

- (5) Shri Keshav H. Kulkarni, Member  
 Joint General Secretary,  
 National Federation of Indian  
 Railwaymen, 17, Janpath,  
 New Delhi-1.
- (6) Shri J. P. Chaubey, Member  
 C/o All India Railwaymen's  
 Federation, Lucknow.
- (7) Shri Umraomal Purohit, Member  
 General Secretary,  
 Western Railway Employees'  
 Union, Grant Road,  
 Railway Station-(East),  
 Bombay-7 (W. B).

4. At the first meeting of the Study Group held on 27-7-1967, it was decided that the Study Group may broadly follow the pattern of subjects listed in the Questionnaire issued by the National Commission on Labour. The Study Group accordingly decided to take up for consideration the following subjects:—

- (i) Recruitment and Induction,
- (ii) Conditions of Work,
- (iii) Wages,
- (iv) Trade Unions and Employers' Organisations,
- (v) Industrial Relations,
- (vi) Incentive and Productivity,
- (vii) Social Security,
- (viii) Labour Legislation,
- (ix) Rural and Unorganised Labour, and
- (x) Labour Research and Information.

5. Under each Chapter the factual data relating to the existing position is given in the first portion of the Chapter and the conclusions arrived at by the Study Group have been given at the end of each Chapter.

## Chapter I

# RECRUITMENT AND INDUCTION

## I. RECRUITMENT

### Class III Services

6.1 *General.*- Direct recruitment to Class III Services on Railways is ordinarily made to the lowest grade of the category concerned. Direct recruitment to intermediate grades is also made on a limited scale in certain specified categories e.g., Accounts Clerks, Gr. Rs. 130-300, certain posts in the Printing Presses, Draftsmen etc. The Railway Administrations have also been authorised to recruit Engineering Graduates to the extent of 25% of the vacancies in Grade Rs. 335-425/485 in categories like Inspectors of Works, Design Assistants, Signal Inspectors, Block Inspectors, etc. The Railway Administrations seek Railway Board's approval for making direct recruitment in other intermediate grades, not specifically referred to above, if there are no suitable staff who can be promoted against those vacancies. The qualifications for such posts are approved by the Railway Board.

6.2 *Procedure for recruitment.*- Direct recruitment to fill Class III posts on the Indian Railways is made through Railway Service Commissions set up at Allahabad, Bombay, Calcutta and Madras or by Railway Administrations where specifically authorised by the Railway Board, for example, Recruitment Committee for the Northeast Frontier Railway.

6.3 All vacancies in posts and services, whose authorised scales of pay rise above Rs. 375/- per month, recruitment for which is made through the Railway Service Commissions or by the Railway Administrations and are treated as by open competition and on all-India basis, are advertised in the list of newspapers approved by the Ministry of Home Affairs for advertisements issued by the Union Public Service Commission. All the other posts in the lower grades are advertised at the discretion of the Railway Service Commissions or Railway Administrations in English, Hindi and the regional language newspapers commonly read in the area where such vacancies

exist. The Employment Notices are supplied to the nearby Employment Exchanges for exhibition. Such advertisements indicate the category of posts, the division/district/region of the Railway where vacancies exist and also other general conditions for appointment to the posts. It is also clearly indicated in the advertisements for categories like Stenographers, Typists, Draughtsmen, Tracers, etc., which do not involve outdoor work or work at inconvenient hours in the night, that women are equally eligible.

*Note 1.*—With a view to give wider publicity to the recruitment of Nurses and Midwives, copies of Employment Notices are also sent to the relevant Nursing and Midwives' Training Centres in the areas concerned.

2. With regard to recruitment in the artisan categories, a copy of the Employment Notice is supplied to the Resettlement Directorate of the Ministry of Defence for the purpose of employment of Ex-Servicemen. The Ex-Servicemen nominated by the Resettlement Directorate are considered for employment on Railways along with other candidates.

6.4 Candidates are required to apply with reference to the specific Employment Notices of Commissions or Railways on printed application forms obtainable at all important Railway stations or from the offices of the Commissions on payment of Rs. 2/- per form or 0.50 nP. in the case of Scheduled Castes/Scheduled Tribes.

6.5 Varying age limits have been prescribed for recruitment to the different categories of staff in class III to suit the requirements of individual jobs. Lower age limits have been prescribed for apprentices in order to ensure that they are trained while sufficiently young and by the time they are adults, they come in position against the working posts. By way of illustration, age limits for certain categories are given below:—

<i>Apprentices</i>	<i>Age limits</i>
(i) Trade Apprentices	15-18
(ii) Apprentice Mechanics	15-19



(iii) Apprentice Train Examiners	15-19
(iv) Apprentice Assistant Bridge Inspectors (Matriculates)	16-19
(v) Trainee Foremen	16-20
(vi) & (vii) Traffic/Commercial Apprentices (Graduates)	20-24
<i>Other categories</i>	<i>Age limits</i>
(viii) Trains Clerks	18-21
(ix) Ticket Collectors	18-21
(x) Commercial Clerks	18-21
(xi) Clerks	18-21
(xii) Typists	18-28
(xiii) Stenographers	18-30
(xiv) Sanitary Inspectors	18-25
(xv) Probationary A.S.Ms	18-21
(xvi) Signallers	18-25
(xvii) Asstt. Draughtsmen (Civil Engg.)	20-30
(xviii) Draughtsmen (-do-)	20-30
(xix) Head Draughtsmen	20-30
(xx) Tracers (Mech. & Tech. Deptts.)	18-25
(xxi) Draughtsmen B ( -do- ) (Diploma Holders)	18-28
(xxii) Engineering Graduates	20-30
(xxiii) Asstt. I.O.Ws	18-28
(xxiv) Firemen	20-30
(xxv) Matrons—Sisters-in-charge	upto 45 yrs.
(xxvi) Law Assistants	„ 30 yrs.
(xxvii) School Teachers	below 40 yrs.

6.6 The names of successful candidates, who are recommended by the Railway Service Commissions or selected by the Railway Administrations for appointment on Indian Railways, are exhibited on Notice Boards in the Commission's Offices, Employment Exchanges concerned and are given for publication as news items in the newspapers. Appointment of a candidate on selection by a Commission or a Railway Administration is subject to his qualifying in the prescribed medical examination and to his being otherwise suitable for the service under Government.

### Class IV Railway Services

7.1 The following procedure is usually applied in respect of recruitment of class IV Railway servants other than Rakshak/Sainik employed in the Railway Protection Force who are governed by the provisions of Railway Protection Force Act and Rules (1959):-

(i) *General* : The recruitment is made on intervals of one year to two years.

The units for recruitment normally are the divisions or districts, major workshops, locosheds, Carriage and Wagon Sick Lines, P.W.I. lengths, etc. Recruitment for each category is made separately. If necessary, there may be more than one unit for recruitment in a division or a district.

No direct recruitment is made to higher grade in Class IV except

- (a) in certain categories where serving employees in lower grades do not offer, and
- (b) where they cannot be trained in time in the case of expansion or for embarking on new Projects.

(ii) *Academic qualifications - literacy as a qualifying condition* :

- (a) Academic qualifications are insisted upon only for those categories for which it is essential for the proper execution of duties. Literacy is taken to mean ability to read and write simple sentences in any language. It is not necessary to relate it to passing of prescribed examination or standard. The minimum standard is not the same for all class IV services. It is higher for a person who ultimately gets promoted as a Fireman and later as a Driver than, say, for a person who remains a Khalasi.
- (b) For all other categories, literacy is not insisted upon, but as amongst the candidates considered suitable for appointment, preference is given to literate candidates. The standard of literacy required is taken to mean ability to read and write simple sentences.

Casual Labour, even if illiterate, are given preference at the time of their selection by the Selection Boards for appointment against regular posts.

(iii) *Age limits and physical fitness* :—

(a) The age limit for recruitment to categories for which literacy is a qualifying condition is between 18 and 25 years. Preference, however, is given to candidates between the age group of 18 to 23 years.

(b) In order to restrict the number of applicants and discourage the wrong type of candidates for posts requiring essentially manual work, such as Gangmen and Hamals for which literacy has not been prescribed as a qualifying condition, minimum qualification based on physical fitness is prescribed to ensure that the process of recruitment is easier. This is as follows :

(1) A maximum age limit of 25 years is prescribed.

(2) The physical fitness of a candidate is the deciding factor for employment. Railway Administrations are to ensure that each candidate is in good bodily health and free from any defect likely to interfere with the efficient performance of the duty of the post to which the candidate is appointed. The Medical Examiners use their discretion as to the scope of general physical fitness examination in each case and judge the cases on their merits taking into consideration the prospective duty of the candidates.

c) The upper age limit is relaxable upto 5 years in the case of Scheduled Castes and Scheduled Tribes candidates.

(iv) *Method of recruitment* :—Employment notice giving total number of vacancies, number of vacancies reserved for Scheduled Castes and Scheduled Tribes, scale of pay, qualifications prescribed, etc., as well as the last date for receipt of applications is prepared in due time and issued to Employment Exchange within the recruitment unit and to the recognised Associations of the Scheduled Castes and Scheduled Tribes, so that adequate publicity is given with a view to attracting maximum

number of local residents. Copies of these notices are also exhibited on Notice Boards outside Railway office, etc., situated in the area of recruitment.

The employment notice prescribes a simple application form to be filled up in Hindi or in the regional language of the area.

Where literacy is an essential qualification, applications from the candidates nominated by Employment Exchanges or registered by Employment Exchanges in terms of succeeding sub-para only are eligible for consideration. These may be limited in proportion to the total vacancies available in the recruitment unit concerned. In other cases, where literacy is not required for competence in the job and is not prescribed, applicant applying directly to the Railway Administration should also be considered and registration at an Employment Exchange is not obligatory.

For the convenience of serving railway employees, applications from their sons/immediate dependents are received by the Railway Administration direct. They are got registered in an Employment Exchange by deputing a Welfare Inspector, if necessary, for this purpose and thereafter become eligible for consideration along with others. It is not necessary that their names should be nominated by the Employment Exchange concerned. In cases where the Employment Exchanges do not accept applications from such candidates and they require the candidate concerned to appear before them in person for registration of his application, such applicants are considered without their getting registered at the Employment Exchange. At the time of selection, no discrimination can be made between a candidate applying direct to the administration and the one nominated by the Employment Exchange and only the most suitable ones are selected for appointment.

The number of applicants to be called for interview does not generally exceed 3 to 5 times the number of vacancies to be filled.

As Class IV vacancies generally attract local residents, the applications of such candidates received by the administrations are given full consideration at the time of selection.

The Selection Board for recruitment consists of two Railway officers and an outsider who is a retired gazetted officer of integrity, Headmaster of a High School or Principal of a College. The Railway Officers are an Assistant Personnel Officer and an Officer of the Branch concerned. The applications are first screened by a Personnel Officer or any other officer or a committee of officers nominated for this purpose and not by the Selection Board. Interviews and tests are conducted by the Selection Board.

The outsider coopted as a member of the Selection Board is nominated from an approved list of four or five names to be obtained from the State Governments concerned. The tenure of these non-official members is two years and before it is due to expire, a fresh list is obtained from the State Governments. The non-official members are issued a free first class railway return journey Pass and also permitted the free use of railway rest house, if available.

- (v) *Panels* :—The list of selected candidates is pasted on important Notice Boards throughout the area of recruitment after each selection. The list contains as many names as are likely to be needed against the bare anticipated vacancies in the course of six months or one year following the selection depending on the frequency of recruitment.

7.2 *Transfers to other categories* :—Gangmen can be transferred to the Mechanical Engineering and Transportation (Power) Department, Traffic and Commercial Deptt., and to the works side of Engineering Department. Such transfers do not, however, exceed 10% of the annual intake of gangmen nor 10% of the annual intake in the relevant recruitment categories of each of these departments to which gangmen are transferred. Khalasis of the Stores Department may likewise be transferred to the mechanical workshops, but are reckoned against the same

10% annual quota of vacancies in the workshops as is open for absorption of gangmen. These Railway servants are required to be suitable in the following aspects, i. e.

- a) be literate where necessary ;
- b) possess physical standards prescribed for recruitment to that department/workshop ;
- c) be less than 28 years of age, this limit being relaxed by 3 years in the case of persons belonging to Scheduled Castes and Scheduled Tribes ; and
- d) have the aptitude for work to which they are to be transferred.

8.1 *Special representation* : The policy for reserving a certain percentage of direct appointments to Government service for redressal of communal inequalities was introduced in 1925. A specific quota for Scheduled Castes of 8 1/3% was introduced only in 1943 with a promise that the question of raising this percentage would be considered as soon as a sufficient number of qualified candidates were found to be available. In 1946, this promise was fulfilled and the reservation in favour of Scheduled Castes was raised to 12½% so as to bring it in accord with the population ratio. Even after Independence the principle of reservations was continued by an order issued on 21st August 1947.

8.2. Under the constitutional provisions, a special representation in services has been provided for Scheduled Castes and Scheduled Tribes. A reservation quota of 12½% for Scheduled Castes and 5% for Scheduled Tribes is provided for recruitment against vacancies which carry scales of pay rising above Rs. 375 per month. For vacancies against all other posts in the lower grades, varying percentages of reservation have been prescribed for different Railways as these are based on the percentage which the population of Scheduled Castes/Scheduled Tribes bears to the overall population of the area traversed by a particular Railway, the minimum for Scheduled Tribes being 5%.

8.3 The vacancies remaining unfilled in a particular recruitment year are carried forward for the two subsequent recruitment years. This is, however, subject to the overall limit of 45% of the vacancies in a year.

8.4 The maximum age limits prescribed for appointment to a service or post are increased by 5 years in the case of candidates belonging to the Scheduled Castes/Scheduled Tribes.

8.5 Applicants belonging to the Scheduled Castes and Scheduled Tribes for Class IV Services, even though they are not sons/immediate dependents of serving Railway employees, are given the benefits of getting their applications registered at the Employment Exchange concerned through a Welfare Inspector.

8.6 Applications from Scheduled Castes and Scheduled Tribes candidates for admission to recruitment examination or for selection are not rejected for minor defects or for lack of any detail that may be required and which can be conveniently furnished later before final selections are made.

#### 9.1 **Employment of physically handicapped persons :**

Physically handicapped persons sponsored by the Special and ordinary Employment Exchanges for employment against Class III and Class IV posts are considered sympathetically. They are medically examined by the Chief Medical Officer or the Distt./Divl. Medical Officer to find out whether the person concerned is fit for any post on the Railway.

9.2 If a person concerned is found fit, he is offered employment in Class III and Class IV services according to his qualifications and his otherwise being suitable based on his ability to perform the duties pertaining to the post offered as recommended by the Medical Authority and as verified by the Department concerned.

9.3 The handicapped persons, as are considered suitable for appointment in Class III categories, can be directly appointed without the agency of the Railway Service Commission.

9.4 The present unemployment situation does not affect the protection given to the physically handicapped persons as these persons continue to be employed on Railways against categories in which the ban on recruitment does not apply.

#### 10.1 **Casual Labour, Substitutes and Temporary hands :**

Substitutes, casual and temporary workmen, have prior claim over others to permanent recruitment. In showing

preference to casual labour over other outsiders, due consideration and weightage is given to the knowledge and experience gained by them. Other conditions being equal, total length of service as casual labour, either continuous or in broken periods, irrespective of whether they have attained the temporary status or not, is taken into account so as to ensure that casual labour who are senior by virtue of longer service are not left out.

10.2 Casual workmen who acquire temporary status as a result of having worked on other than Projects for more than 6 months or other casual labour with more than 6 months' service are considered for regular employment without having to go through Employment Exchanges. Such of the workmen as join service before attaining the age of 25 years are allowed relaxation of maximum age limit prescribed for Class IV posts to the extent of their total service which may be either continuous or in broken periods.

10.3 A register is maintained by all Divisions/Districts concerned to indicate the names of casual labour, who have rendered 6 months' service, either continuous or in broken periods, for the purpose of future employment as casual workmen and also as regular employees, provided they are eligible for regular employment. The names are recorded strictly in the order of their taking up casual appointment at the initial stage and for the purpose of empanelment for regular class IV posts, they are, as far as possible, selected in the order maintained in the aforesaid registers. Further, a casual labour is given a card to be retained by him in which the following particulars are indicated by the supervisory official concerned under his signature, affixing official seal or designation-

1. Name of the employee (in Block letters).
2. Father's name
3. Date of birth.
4. Age at initial casual employment .. Yrs..months
5. Personal marks of identification.
6. Date of engagement.
7. Date of termination.
8. Nature of job on each occasion.



9. Signature of Supervisor.

10. Name in full and Designation of Supervisor.

**11.1. Categories in which labour is in short supply.**

There is no shortage of qualified candidates in general. The only shortage is for candidates for the posts of sub-Fire Station Officers, nurses and dispensers on the Railways.

**12.1 Lack of mobility in the supply of labour :**

The question mainly relates to recruitment of labour in Class IV posts. As labour is recruited locally and is restricted to the local area, the question of lack of mobility does not normally arise on Railways.

**13.1. Employment of women:** Statutory provisions, including international conventions, present no particular difficulty in the employment of women on Railways.

**14.1. On-the-Job Training:** The existing programmes for on-the-job training of workers on Railways are considered quite sufficient and do not need any improvement. Training facilities also exist in the various Railway Training Schools for Apprentices in the various categories, for example, Train Examiners, Chargemen, Signal Inspectors, Block Inspectors, Permanent Way Inspectors and Inspectors of Works, etc. Besides this, staff are given study leave as per rules when they are sent for training. They are also sent abroad under the various schemes, for example, Colombo Plan and other Technical Cooperation Schemes. The staff are also given incentive in the form of lump sum payment of Rs. 200/- and advance increments on their qualifying in the technical qualifications, for example, A.M.I.E., Electrical, Mechanical, Civil Engineering, etc. or Accountancy Examinations.

## II. PROMOTION

### Promotion from Class IV to Class III

**15.1 Transportation (Traffic and Commercial Department)-** All Railway servants in the lowest grade of Rs. 70-85 are eligible for consideration for promotion to higher grades in both the Transportation and Commercial Branches. For this purpose, applications are invited from amongst categories eligible for promotion from both the branches. All railway servants who apply only are considered. An ad hoc seniority list is then

prepared on the basis of length of continuous service in the grade and suitable men are selected and placed on a panel for training. Systematic and adequate training and examination or test generally precede actual promotions.

15.2 *Civil Engineering Department.* Trolley-men, gatemen and chowkidars are grouped with gangmen and are eligible for promotion as keymen and mates, provided they have rendered a minimum of three years' service either as gangmen or trolley-men or gatemen or chowkidars or in terms of total service in all these categories. The posts of permanent way Mistry can also be filled by promotion from gangmates and keymen.

15.3 *Medical Department.*- All Railway servants employed in the hospitals like hospital attendants, orderlies, dispensary peons, stretcher bearers, watchmen, safaiwalas or sanitary cleaners, etc., are eligible for promotion as dressers and laboratory attendants. For this purpose, the eligible Railway servants are screened by holding a suitability test to determine whether they are educationally upto the required standard and have the necessary aptitude. The Railway servants considered suitable are then given training as may be necessary which they have to successfully complete before they are finally promoted.

15.4 *Signal and Telecommunication Engineering Department.*- 50% of vacancies in skilled grades are open for promotion of semi-skilled artisans/basic tradesmen provided they attain the standards prescribed in the relevant trade test. The Railway Administrations give systematic training to unskilled men for promotion to semi-skilled posts. Systematic training is also given to semi-skilled artisans for promotion to skilled categories. The period of training is prescribed by the individual Railway Administration. In individual cases, the period of training may be reduced.

15.5 *Mechanical Engineering Department.*-

- (i) Every unskilled staff in running sheds and carriage and wagon depots is eligible for promotion to higher grades like semi-skilled/basic tradesmen in their respective branches, i.e., running sheds or carriage and wagon depots, as the case may be, subject to his acquiring the necessary qualification. No category is excluded from such consideration

and no sub-grouping within the respective branches is allowed. Unskilled staff in running sheds is also eligible for consideration for transfer to posts of cleaners upto the age of 30 years, relaxable upto 35 years in the case of persons belonging to Scheduled Castes and Scheduled Tribes, subject to being otherwise eligible for such consideration but on two occasions only and their having the necessary aptitude and satisfying the medical and educational qualifications.

- (ii) 25% of annual vacancies of Apprentice Mechanics are filled from amongst skilled workmen of not more than 23 years of age at the time of selection.
- (iii) (a) 25% of the vacancies of Firemen Grade 'A' are filled by promotion of Firemen Grade 'B' upto the age of 35 years, such promotion being effected departmentally on a selection basis. Educational qualifications can be relaxed, if necessary. Where candidates are not available in the cadre of Firemen Grade 'B' to the extent of 25% of the vacancies of Firemen Grade 'A', Railway Administrations may select candidates from amongst Second Firemen (in the next lower grade) who are considered suitable for promotion to the posts of Firemen Grade 'B' provided the persons concerned are upto the requisite educational standards laid down for the post and are also under 30 years of age. In such cases, they are given specialised training for a year or two before their being posted to working posts of Firemen Grade 'A'.
- (b) Firemen Grade 'B', having already gained experience, are not required to be given full training as for Apprentice Firemen Grade 'A'. In their case, training prescribed is as under and they should be certified as fit before promotion as Firemen Grade 'A'.

- |                                    |    |         |
|------------------------------------|----|---------|
| (1) Boiler Washout                 | .. | 1 month |
| (2) Repacking, Oiling and Greasing | .. | 1 month |

- |                           |              |
|---------------------------|--------------|
| (3) With Fitters          | ... 4 months |
| (4) With Boiler Makers    | .. 2 months  |
| (5) With Engine Examiners | .. 2 months  |

15.6 *Electrical Engineering Department*—For promotion of semi-skilled staff to skilled grades and further on to the posts of Mistries and Chargemen in this department, the procedure prescribed for the staff of Mechanical Engineering Department is applied.

**15.7 Promotion of Safaiwalas or Sanitar Cleaners formerly known as Sweepers** :—In departments like Mechanical Engineering, Transportation, etc, where the cadre of Safaiwalas or sanitary cleaners is comparatively small, such staff are eligible for promotion to higher grades like semi-skilled grades, pointsmen etc., along with other railway servants in the department in the scale Rs. 70-85. Resultant vacancies of Safaiwalas or sanitary cleaners in these departments are filled by drawing men from their cadre from the Medical/Civil Engineering Department as the case may be.

**15.8 Promotion to skilled categories** :—Semi-skilled artisans and basic tradesmen are eligible for promotion to skilled grades if they pass the prescribed trade test. Railway Administrations try to regulate the recruitment for skilled grades to ensure that for at least 50% of vacancies over a period, trade apprentices are recruited, the balance of vacancies as far as possible (but not exceeding 50%) being open for promotion of semi-skilled artisans/basic tradesmen. Semi-skilled artisans for whom there is no channel of promotion are usually transferred as basic tradesmen in other trades to provide an avenue of promotion. In ordering such transfers, due consideration is paid to the interests of the staff working in the respective trade. It is also ensured that the persons transferred are really fitted for work in the other trade.

### Promotion to Class III

16.1 Railway servants in class IV categories for whom no regular avenue of promotion exists, are eligible for promotion against 25% of the vacancies in the lowest grade of Commercial Clerks, Ticket Collectors, Trains Clerks, Number Takers, Time Keepers, Fuel Checkers, Office Clerks, Accounts Clerks, Typists and Stores Clerks etc., subject to the following conditions, viz:

- (i) All promotions should be made on the basis of selection. They are required to appear in written tests, which assess the educational attainments of candidates and are followed by interviews where considered necessary. Class III categories referred to above are linked with specified categories in the lower grades on broad affinity of work to form groups for promotion to ensure that the prospects are made equal in the different groups. The test is correlated to the standards of proficiency that can reasonably be expected from Railway servants who are generally non-matriculates. The aim of the examiners is to assess the general suitability of the Class IV Railway servants offering themselves for promotion to Class III posts from the point of view of their knowledge of English and their general standard of intelligence.
- (ii) Written test consists of one paper of 3 hours' duration divided into two parts—part 'A' to test the working knowledge of the railway servant of English language and part 'B' his general standard of intelligence and proficiency through questions in Arithmetic, General Knowledge mainly pertaining to Railway matters and matters immediately pertaining to the work he has been acquainted with during his Railway service. In drawing up the questions, it is ensured that they are not set at such a standard as to make it impracticable for a Class IV railway servant of average intelligence and normal standards of efficiency to qualify in the test.
- (iii) Oral test is designed to adjudge other factors of suitability if so considered necessary by the General Manager.
- (iv) Selections are not restricted to four times the number of vacancies but kept open to all eligible candidates who would like to be considered for such selection.
- (v) All those who qualify in written and oral test, the qualifying percentage of marks being prescribed by the General Manager, are arranged in the order of their seniority for promotion against the yearly vacancies available for them in Class III categories.

(vi) Class IV Railway servants to be eligible for promotion to Class III posts should have put in a minimum of 5 years of continuous service. This does not apply to Scheduled Castes and Scheduled Tribes candidates.

(vii) (a) The standard of training imparted to the Class IV railway servants selected for Class III posts is the same as for direct recruits for the same Class III categories and, in the case of failures in the first attempt, such employees are given a second chance to qualify.

(b) Class IV railway servants, to be promoted as typists, should have a minimum speed of 40 words per minute in type-writing as for direct recruits.

(c) Class IV railway servants, when promoted to class III posts in the Accounts Department, are required to go through the same training and test and subject to the conditions of service as are in force for the new recruits. During the period of their training, they get as stipend the pay that they would have normally drawn on promotion to class III. All allowances like Dearness Allowance, Compensatory and House Rent Allowance are allowed to them at the scales applicable, had the stipend been treated as pay.

### **Grade-to-Grade Promotion within Class III**

17.1 *Selection and non-selection posts.*- A list of 'selection' and 'non-selection' posts has been appended in Annexure I. In the case of running staff, running allowance as represented by 50% of the basic pay in the pre-authorized scales of pay and 40% in respect of authorized scales of pay is added to the pay scale for the purpose of classifying posts as selection posts. Any deviation from the above list requires the prior approval of the Railway Board.

17.2 *Procedure for promotion of Accounts Clerks against 'non-selection' posts.*-

(a) A railway servant may be promoted to fill any post, whether a selection post or a non-selection post, only if he is considered fit to perform the duties attached to the post. The General Manager or the

Head of a Department or Divisional Superintendent is authorised to prescribe the passing of specified departmental or other tests as condition precedent to a Railway servant being considered fit to hold specified posts; such rules are published for the information of the staff concerned.

- (b) For the purpose of promotion to the post of clerk grade I in the Accounts Department, the seniormost Appendix 2 qualified person available on the date of occurrence of a vacancy, is promoted to that vacancy. Persons officiating as clerks grade I are not reverted merely to give place to senior persons passing Appendix 2 examination subsequently, but if any junior man has to revert in the normal course, he cannot have a prior claim over his senior for subsequent promotion by virtue of his having officiated as clerk grade I earlier than his senior. For this purpose of making a permanent appointment, the claims of all the qualified persons whether they are already officiating in the grade in which confirmation is to be made or are filling a post in a lower grade, have to be considered. A senior person qualifying afterwards is naturally eligible only against a permanent vacancy occurring after the date on which he/she qualifies and becomes eligible against posts that may still be available for him/her. The confirmation of the staff should be ordered regularly at least once a year, which is the normal interval between two Appendix 2 examinations and before the results of every succeeding Appendix examinations are published. In other words, if junior persons who had qualified in an earlier examination, have given satisfaction as officiating clerks grade I over a reasonable period, their confirmation can be ordered against permanent vacancies of clerks grade I which may arise before the results of the next Appendix 2 examinations are announced.

### 17.3 Other Ministerial Staff.-

- (a) Non-selection posts are filled by promotion of

the seniormost suitable railway servant, suitability whether of an individual or a group of railway servants being determined by the authority competent to fill the posts on the basis of the record of service and/or departmental tests, if necessary. A senior employee may be passed over only if he/she has been declared unfit for holding the post in question. A declaration of unfitness should ordinarily have been made some time previous to the time when the promotion of the Railway servant is being considered.

- (b) When, in filling a non-selection post, a senior railway servant is passed over, the authority making the promotion shall record briefly the reasons for such supersession.
- (c) In respect of non-selection posts, whether they are open to different categories of staff or a single category only, the following principles are followed: —
  - (i) The number of candidates to be called for a suitability test should be equal to the actual vacancies existing and the anticipated vacancies so that the persons who have passed such a test will not have to wait for promotion for a long period.
  - (ii) If sufficient number of suitable candidates is not available, further candidates to meet the shortfall are called up in continuation, but the original test and the continuation tests are all completed within six months. If this period is exceeded, any further test assumes the character of a fresh suitability test for which those who failed in the original test also become eligible for reconsideration.
  - (iii) An employee who has passed a suitability test once is eligible for the higher post when a vacancy arises and need not be called up a second time.



#### 17.4 Procedure for promotion to Selection Posts : -

- (a) Selection posts are filled by a positive act of selection made with the help of selection boards from amongst the staff eligible for selection. The Railway servants considered eligible for selection do not ordinarily fall in grades lower than two grades below the post to which promotion is being made.
- (b) The selection for promotion to a selection post is made on the basis primarily of merit.
- (c) Promotion to selection posts is approved by the competent authority in accordance with the recommendations of a selection board in the manner detailed below. If in any case, such authority is unable to accept the recommendation, a reference is made to the General Manager, who may, if necessary, constitute a fresh selection board at a higher level and whose decision in the matter is final.

#### 17.5 Selection Boards : -

- (a) Selection Boards are constituted for the purpose of making recommendations to the competent authority in respect of the Railway servants considered by it as suitable for filling a selection post.
- (b) The competent authority to constitute Selection Board is the General Manager or Head of Department or other competent authority, not lower than a Divisional Superintendent or a Divisional/District Officer to whom powers may have been delegated in this behalf.

#### 17.6 Constitution of Selection Boards : -

- (a) Selection Boards consist of not less than three officers.
- (b) When a Selection Board consists of only three officers, none of the members, if possible, be directly subordinate to any other.
- (c) For selection posts of Rs. 350-475 and above, the

Selection Board consists of officers of Junior Administrative rank. For all other selection posts, the Selection Board consists of officers not lower in rank than senior scale. In either case the Selection Board may include a Personnel Officer in the next lower rank who is nevertheless an equal member of the Selection Board. The presence of a Personnel Officer on a Selection Board is very desirable but not compulsory.

- (d) If for any reason the competent authority is unable to comply with the provisions of this paragraph, it should make a report of the facts to the General Manager.

**17.7 Procedure to be adopted by Selection Boards: -**

- (a) When a Selection post is to be filled, the authority empowered to constitute a Selection Board directs the Board to assemble and make recommendations. It also nominates the officer who shall act as the Chairman of the Board.
- (b) Before the Board assembles to make the selection, the papers connected with the proposed selection, the names of the candidates to be considered, the confidential reports, if any, on such candidates and other relevant data concerning them are circulated for the information of the members of the Board, as also the qualifications prescribed for the particular post under consideration.
- (c) The Selection Board examines the service record and confidential reports (if kept) of the staff eligible.
- (d) Eligible staff upto four times the number of existing and anticipated vacancies plus 25% thereof for unforeseen vacancies are called for written and/or viva voce tests. (Anticipated vacancies connote only those which are likely to arise due to normal wastage during the currency of the panel). If this

number can be obtained in the grade immediately lower, there would be no need to go to the grades further lower down. If the requisite number of staff on this basis is not available in the grade next to the grade for which the selection is being held, the Administration could go to lower grades in order to make up four times the number required to be called up for selection but in no case can the eligibility be extended to staff in grades lower than the third. Persons employed against fortuitous, short-term or stop-gap promotions to the eligible grades made otherwise than in accordance with the regular approved method of promotion will not be eligible for consideration. It is desirable to hold written tests as part of a selection in respect of all initial selection grade posts in the different channels of promotion, but in every case a viva voce test is held. If a written test is proposed to be held, advance intimation has to be given to all eligible candidates.

- (e) Selection is made primarily on the basis of overall merit, but for the guidance of Selection Boards, the factors to be taken into account and their relative weight are laid down below:—

	Maximum marks	Qualify- ing marks
(i) Professional ability.	50	30
(ii) Personality, address, leadership and academic/technical qualifications.	25	
(iii) Record of Service	25	

NOTE: (1) The item "Record of service" also takes into consideration "Seniority" of the employees, but no separate allotment of marks need be made on this account.

(2) Candidates must obtain a minimum of 30 marks in professional ability and 60% marks on the aggregate for being placed on the panel.

(f) The importance of an adequate standard of professional ability and capacity to do the job must be kept in mind and a candidate who does not secure 60% marks in professional ability cannot be placed on the panel even if on the total marks secured he qualifies for a place. Good work and a sense of public duty among the conscientious staff are recognised by awarding more marks both for record of service and for professional ability.

(g) For general posts, i.e. those outside the normal channel of promotion, for which candidates are called from different categories, the selection test is an open competitive test. The number of candidates to be called for written and/or viva voce tests is ordinarily limited to the senior eligible staff to the extent of four times the number to be placed on the panel, the number to be called from each category being regulated by a quota to be prescribed by the Railway.

(h) The names of selected candidates are arranged in order of seniority, but those securing a total of more than 75% marks are classed as "outstanding" and are placed at the top of the list, in order of their respective seniority.

(i) The list is put up to the competent authority for approval, Where the competent authority does

not accept the recommendations of a Selection Board, the case is referred to the General Manager, who may constitute a fresh Selection Board at a higher level, or issue such other orders as he considers appropriate.

- (j) After the competent authority has accepted the recommendations of the Selection Board, the names of the candidates selected are notified to the candidates.

**17.8 Currency of panels :—**

- (i) Panels drawn by a Selection Board and approved by the competent authority remain current for two years from the date of approval by the competent authority or till these are exhausted whichever is earlier.
- (ii) An employee who once officiates against a non-fortuitous vacancy in his turn on the panel is not required to appear again for fresh selection.
- (iii) In case an employee lower in the panel has officiated whereas one higher in the panel has not officiated for reasons beyond latter's control, the latter employee will not be required to appear for fresh selection.

**Promotion from Class III to Class II**

18.1 The following provisions apply in respect of promotion of non-gazetted Class III staff employed on Indian Railways or other Railway Administrations to Class II posts other than those in Railway Protection Force Organisation :—

*Conditions of eligibility*

- (a) For selection to Class II posts in Civil Engineering, Transportation (Power) and Mechanical Engineering, Transportation (Traffic) and Commercial, Signal and Telecommunication, Electric and Stores Departments :
- (i) Only permanent staff are eligible.
- (ii) All staff in grade Rs. 335-425 and above provided they have rendered a minimum of 3 years' non-

fortuitous service after reaching the stage of Rs. 335/- either in those grades or in a lower grade.

*Note* : (1) Irrespective of the above-mentioned conditions, in the case of Engineering Departments, permanent staff who are in possession of an Engineering Degree (or the equivalent thereof) and who have put in at least 3 years' service in Class III can also be given a chance to appear in the Selection.

(2) If the General Manager considers that item (ii) above would not constitute an adequate field of choice, permanent staff who have rendered a minimum of three years' non-fortuitous service in the grade Rs. 250-380 (AS) and above after reaching the stage of Rs. 335/- are also made eligible.

(3) In case a junior employee is called up for a selection by virtue of his satisfying the relevant minimum service conditions, all his seniors are also automatically eligible, irrespective of whether or not they satisfy the relevant minimum service conditions.

(b) For selection to Class II posts of Assistant Personnel Officers/Assistant Secretary :

(i) Only permanent staff are eligible.

(ii) All staff in grade Rs. 335-425 and above provided they have rendered a minimum of three years' non-fortuitous service after reaching the stage of Rs. 335/- either in these grades or in lower grade.

(iii) Junior Accountants in scale Rs. 270-435 (A)

(iv) Stenographers in scale Rs. 210-425 (A)

(v) Inspectorial and Depot staff in scale Rs. 250-380 (A)

(vi) Office Clerks in scale Rs. 210-380 (A)

Staff referred to in items (iii) to (vi) are eligible only on completion of three years' service after reaching the stage of Rs. 335/-.

*Note* : Only those who volunteer are called for selection.

18.2 *Size of Panel* :—The number of candidates to be placed on the panel does not exceed the number of existing vacancies together with the number of vacancies anticipated during the course of the succeeding two years.

18.3 *Constitution of Selection Board* :

- (i) Selection Boards consist of four Heads of Departments including the Chief Personnel Officer (where such a post exists) and the Head of the Department concerned.
- (ii) In respect of Production Units, Selection Boards may consist of only three Heads of Departments including the Deputy General Manager (where such a post exists) and the Head of the Department concerned. The Deputy General Manager will represent the Personnel Branch. He may also represent the Department to which he substantively belongs. If considered necessary, the assistance of a Head of Department may be obtained from the adjacent Railway, e. g., Eastern Railway in the case of Chittaranjan Locomotive Works, Southern Railway in the case of Integral Coach Factory and North Eastern Railway in the case of Diesel Locomotive Works.

18.4 *Procedure to be adopted by Selection Boards* :

Selection is made primarily on the basis of overall merit, but for the guidance of Selection Boards the factors to be taken into account and their relative weight are laid down below:—

	Maximum marks	Qualify- ing marks
(a) (i) Professional ability	50	30
(ii) Record of Service	25	15
(iii) Personality, address, leadership and aca- demic/technical qua- lifications	25	15
Total	100	60

- (b) (i) Professional ability is adjudged through a written test which forms part of the selection.

- (ii) The General Manager may, however, waive the written test in the case of isolated posts if he is satisfied that such a test is unnecessary or impracticable, or as in the case of the Accounts Department, where professional ability has already been tested through a competitive examination.

The question papers for the written examination are designed to test the ability of candidates to tackle the practical problems they are likely to face rather than their theoretical knowledge.

- (c) Personality, address and qualities of leadership are assessed at a *viva voce* test. In case a written test is not held for adjudging professional ability, this also is assessed at the *viva voce* through questions with a practical bias.
- (d) Marks for record of service are given on the basis of confidential reports and relative service records. Integrity of character receives special consideration.
- (e) The successful candidates are arranged in three groups as under :—
- (i) Those getting 80% and above : Outstanding
  - (ii) Those getting between 70% and 79% : Very Good
  - (iii) Those getting between 60 and 69% : Good

Their names are arranged in the order of seniority within each group.

18.5 *Currency of Panels* :— Panels drawn by a Selection Board and approved by the General Manager are current for two years. Class III staff who have once been empanelled for promotion to Class II and have officiated in Class II in non-fortuitous vacancies need not be called up for the subsequent selection.

18.6 *Separate panels for particular branches of Departments not to be framed* : Except where specially authorised by the Railway Board, separate selections should not be held for particular branches of a Department. One panel is drawn up for



a Department as a whole. In the event of a candidate considered suitable only for a particular branch of a Department, his name may be recommended for promotion in that particular branch but his name should be borne in the common panel framed. When such persons become due for promotion, vacancies are found for them by making suitable adjustments to the extent feasible amongst officers considered fit to hold posts in more than one Branch.

18.7 Reservation for Scheduled Castes and Scheduled Tribes in all promotions by selection from Class IV to Class III and from grade to grade in Class III or in Class IV, if any, is provided subject to the condition that there is no direct recruitment to the grade. Reservation for Scheduled Castes and Scheduled Tribes is also made in categories of posts filled by promotion on the results of competitive examinations limited to departmental candidates. In all promotion categories where reservation is provided, the uniform percentage of  $12\frac{1}{2}$  for Scheduled Castes and 5 for Scheduled Tribes is applied.

### III. CASUAL LABOUR

19.1 Casual Labour on Railways can be employed only in the following types of cases, viz.,

(i) *Staff paid from contingencies except those retained for more than 6 months continuously*: — Such of those persons who continue to do the same work for which they were engaged or other work of the same type for more than six months without a break are treated as temporary after the expiry of six months of continuous employment.

(ii) Labour on projects, irrespective of duration, except those transferred from other temporary or permanent employment ;

(iii) Seasonal labour who are sanctioned for specific work of less than six months' duration. If such labour is shifted from one work to another of the same type, e.g., relaying, and the total continuous period of such work at any one time is more than six months' duration, they should be treated as temporary after the expiry of six months of continuous employment. For the purpose of determining the eligibility of labour to be treated

as temporary, the criterion is the period of continuous work put in by each individual labour on the same type of work and not the period put in collectively by any particular gang or group of labourers.

*Note:* 1. A project is taken as construction of new lines, major bridges, restoration of dismantled lines and other important open line works like doubling, widening of tunnels etc., which are completed within a definite time-limit. The General Manager, in consultation with the Head of the Department concerned, and the F.A. & C.A.O. decide whether a particular work would be treated as a project or not. In deciding whether a particular open line work should be treated as a project or not, the test to be applied is whether the work is required for the day-to-day running of the railway, as distinct from the provision of large-scale additional facilities to improve the carrying capacity of the railway.

*Note:* 2. Once any individual acquires temporary status, after fulfilling the conditions indicated in (i) or (iii) above, he retains that status so long as he is in continuous employment on the Railways. In other words, even if he is transferred by the administration to work of a different nature, he does not lose his temporary status.

*Note:* 3. Except in the case of persons employed against regular posts of gangmen on night patrol duties, labour employed against regular vacancies, whether permanent or temporary, are not to be employed on casual labour terms.

*Note :* 4. Casual Labour should not be deliberately discharged with a view to causing an artificial break in their service and thus prevent their attaining the temporary status.

*Note:* 5. The term "same type of work" should not be too rigidly interpreted so as to cause undue suffering to casual labour by way of break in service because of a slight change in the type of work in the same

unit. The various types of work to be considered as same type of work may be grouped as under :

- (1) Track renewals and linking—ballasting, re-sleepering, relaying etc.
- (2) Masonry and concrete work—work on building, bridges, quarters, platforms etc.
- (3) Steel work—erection of bridge girders, sheds, shelters etc.
- (4) Earthwork—foundations, banks, platforms etc.
- (5) Fitting, smithy, carpentry and such other artisan work and helpers.
- (6) All work performed by the unskilled casual labourers working under the same I.O.W., P.W.I. and Bridge Inspector etc. should be treated as the same type of work.
- (iv) Casual labourers should not be employed/retained in service beyond the age of 58 years.
- (v) On the open lines, the trolley-men should not be casual labourers.

## 19.2 Wages :

(a) Except in the case of emergencies like breaches or accidents etc., where wages can be paid at a higher rate depending on the availability of labour and other circumstances, the casual labour employed on railways falls in either of the following categories, namely :

- (1) Labour governed by the Minimum Wages Act, e. g.,
  - (i) those who are employed on road constructions or any building operations ; or
  - (ii) those who are employed in stone-breaking or stone-crushing.

(2) Labour not governed by the Minimum Wages Act

(b) Labour governed by the Minimum Wages Act are to be remunerated in accordance with the provision of that Act. The rates prescribed by the State Govts. under the Minimum Wages Act do not apply in their case.

(c) Labour not governed by the Minimum Wages Act is

remunerated on a daily rate ascertained from the locality or the State Government concerned where necessary. If such rates are not available, they are remunerated at 1/30th of the minimum of the Authorised Scales of pay plus dearness allowance applicable to corresponding categories of railway staff subject to the condition that where the rates of wages so arrived at are lower than the minimum wages fixed by the State Government concerned for comparable scheduled employment, the rate of wages shall be the minimum wages fixed by the State Government.

(d) For specialised labour such as earth-moving plant drivers, mechanics, drivers, rivetters, bridge serangs, bridge khalasis etc., for whom local market rates are not available and it is not possible to recruit them at the daily rate derived from the minimum of the appropriate authorised scale of pay plus dearness allowance, special rates can be sanctioned by the General Managers in consultation with the F.A. & C.A.Os.

(e) Powers to fix wages with reference to the daily rate derived from the minimum of the appropriate authorised scale plus dearness allowance, in cases where the local market rate is not available, can be exercised by the Head of the Department concerned in consultation with the F.A. & C.A.O.

*Note:* 1. No casual labour gets less than Rs. 1.50 per day, even though the rate at a particular locality is less than the amount.

*Note:* 2. In order that the rates fixed by the local authorities from time to time are not lost sight of, a review should be undertaken every year after ascertaining the rates from the local authorities or the State Government concerned.

*Note:* 3. The General Managers are further empowered to fix the rates, if circumstances so warrant, at a particular locality upto 33-1/3% over the rates fixed under the Minimum Wages Act or those fixed by the local authority.

19.3 The employment of casual labour has been a long-standing practice on the Railways who have to undertake works of sporadic, seasonal and casual nature throughout the year.

The casual labour is also engaged on large scale construction works/projects which are completed within a specified period. All such labour employed on construction works/projects cannot be absorbed in the maintenance and operation of the assets created once the construction or project is over.

All casual labour are recruited locally in the area where the work has to be undertaken. On completion of the work, they are discharged, while some of them are also absorbed in the regular cadre.

The casual labour employed for works of casual nature are paid at the market rates for the first 6 months. Once they complete continuous service of 6 months, they are granted pay etc., like regular temporary railway employees.

The casual labour employed on construction projects are employed throughout on daily wages. When the work is over, they are all discharged from service unless alternative employment could be found elsewhere on the Railway. It would not be feasible to have a large number of regular railway employees for such works and the system of employment of casual labour has to continue.

As for disadvantages, sometimes such labour is irregular in attendance and they also tend to desert work at short notice or even without notice. Casual labour is, however, recruited not on account of comparative advantages and disadvantages of such recruitment but in circumstances which make such engagements inescapable i.e., on Construction Projects and other works of purely casual nature with the specific limited duration. As a step towards de-casualisation of such labour, whenever regular vacancies arise for which they are suitable, they are given preference for regular employment.

## CONCLUSIONS

20.1 The Study Group came to the following conclusions :

- 1) The maximum age for recruitment to class III and Class IV staff, other than that for Apprentices, should be 25 for categories where at present it is less than this limit.

- (2) In regard to the recruitment to skilled categories, the proportion for direct recruitment should be limited to 25% and the balance 75% should be available to the serving employees awaiting promotion.
- (3) Recruitment to Class IV services should be held once a year and the number of candidates on the panel should be limited to the actual requirement and anticipated vacancies during the course of the year. If in any panel there are persons who have not been offered appointments, they should be offered appointments and their number will be taken into account in fixing the number of vacancies for the next panel. The results of selection should be communicated to the successful candidates as in the case of Class III.
- (4) The present practice of 'carry-forward' in respect of vacancies reserved for Scheduled Castes and Scheduled Tribes should be discontinued.
- (5) In the Selection Board, there should invariably be a Personnel member who should be of the same rank as other members of the Board. Where this is not possible, a Personnel Officer of lower rank may be appointed as at present. None of the members should be directly a subordinate to any other.
- (6) Record of service which carries 25 marks out of a total of 100 at present takes into consideration seniority of the employees. It is considered that 15 marks out of the 25 should be specifically allotted for seniority alone. The names on the panel should be arranged in the order of merit in the descending order of marks.
- (7) The question of wages to Casual Labour was examined. The merits of payment at market rates, vis-a-vis at the minimum of the Authorised Scales of Pay including Dearness Allowance, were discussed in detail. It was pointed out by the labour representatives that there is no justification for a differentiation in the rate of payment for Casual Labour and the regular employees and both categories should be considered as Central

Government employees entitled to the Authorised Scales of pay for the number of days they work. The present practice of paying the Casual Labour at the market rate is inadequate and not satisfactory and there is no authentic machinery available with the civil authorities to assess the local market rates in reference to the prevailing cost of living index. The Railway Administration also does not seek yearly revision with the rise and fall in the cost of living index. There is already a provision in the Railway rules that wherever market rates are not available and where the trade is not covered under the Scheduled Employments under the Minimum Wages Act, the Casual Labour can be paid at 1/30th of the minimum of the Authorised Scales of Pay. In view of the circumstances explained above, the Authorised Scales of Pay can be the only satisfactory arrangement to make payment to Casual Labour whether employed on open line or Projects.

At present, there is no provision for giving temporary status to Casual Labour in Projects as in the case of Casual Labour on open line and in the former case they continue to work for years as Casual Labour. It is, therefore, only fair that Casual Labour in Projects should be given temporary status as applicable to the Casual Labour on the open line. Further, in the private industry, under the Industrial Employment (Standing Orders) Act, any worker with 90 days' continuous service, attains temporary status. Therefore, there is no reason why the Railway which is the biggest national enterprise, should lag behind any private industry. It is, therefore, recommended that Casual Labour in Railways, whether in Projects or on open line, should be given the status of temporary employees on completion of 90 days' continuous service.

The Government representatives, however, pointed out that while there may be justification for ensuring that Casual Labour rates do not fall below minimum wages, which may be prescribed by the Government taking all aspects into account, a distinction in the rate of payment between regular employees and casual labour is fully justified in the context of the purely local nature

of recruitment of Casual Labour and the temporary nature of the work. Payment of Casual Labour therefore, at market rates or in its absence at the minimum of the Authorised Scale of Pay plus D. A. subject to any limitation under the Minimum Wages Act, would appear to be fair. Casual Labour, who may be absorbed later in regular vacancies, should as far as possible be given some weightage for their service as Casual Labour in regard to the initial fixation of pay on absorption.

(8) The Labour representatives desired that any remarks in Confidential Reports, which will have the effect of adversely affecting a man's promotion, should be deemed as 'adverse' remarks.



## Chapter II

### CONDITIONS OF WORK

#### 21.1. Conditions of work in factories:—

The main provisions of the Factories Act 1948 inter alia relate to:-

- (i) Safety and Welfare,
- (ii) Hours of work, rest intervals, weekly offs, etc.,
- (iii) Employment of young persons and women,
- (iv) Annual leave with wages,
- (v) Occupational diseases and
- (vi) Overtime payment

and these are applicable to workshop staff who are governed by this Act. Railway servants working in running sheds are excluded from the purview of this Act.

Railway servants working in establishments where Factory Act is applicable are governed by the leave rules applicable to other Railway servants. These leave rules are far more liberal than the leave rules provided under the Act.

#### 21.2 Conditions of work in employment other than factories-

Conditions of work in employments other than in factories are mainly regulated by the Hours of Employment Regulations. According to these Regulations, Railway servants are classified as supervisory, excluded, intensive; continuous and essentially intermittent. Overtime is allowed to the last three categories as and when the hours of work in a month exceed the prescribed limits.

#### 21.3 Labour employed by contractors:—

The employment of contractors' labour on Railways is generally confined to goods and/or parcel handling, coal handling, ash handling or cinder picking, engineering construction and, to a limited extent, in workshops for removal of scraps, ash, etc. All such labour under the terms of the contract are governed by various clauses regarding fair wages, Hours of Employment Regulations, Workmen's Compensation Act etc.

These are specifically provided in the agreements entered into between the contractor and the Railway Administration. The Railway Administration does not take upon itself any responsibility, but indemnifies itself against risk of accidents etc. and consequent payment, if any, under the Workmen's Compensation Act.

#### 21.4 Statutory benefits and provisions.—

The statutory provisions are.—Hours of Employment Regulations; Factories Act 1948; Payment of Wages Act, 1936; Workmen's Compensation Act, 1923; Minimum Wages Act, 1948; and the Industrial Disputes Act, etc. The statutory benefits flowing therefrom are regulation of working hours and the payment of overtime dues; payment of wages on due dates; compensation for injuries suffered in the course of and during employment; minimum rate to be fixed as wages; and guarantee of employment and payment of compensation bonus if an employee is retrenched.

#### 21.5 National and festival holidays:—

There are only three national holidays, viz., 26th January, 15th August and 2nd October, which are necessarily to be included in the list of holidays on all the Railways. The remaining holidays are 13 in the case of office staff and 12 in the case of workshop staff. There is no difference in the total number of holidays from region to region, but the difference is only due to the nature of the festival observed in a locality. The number of holidays granted may also differ from category to category. The position on Railways is broadly as follows—

(i) *Workshop Staff.* Workshop staff observe 15 paid holidays in a year, but are not entitled to any casual leave. Of these, 3 National holidays mentioned above are to be necessarily observed by them. The remaining 12 days are decided at the beginning of the year in consultation with the workers.

(ii) *Office Staff.* Administrative Offices observe 16 closed holidays including the three national holidays and in addition get two restricted holidays. They get, in addition, casual leave for 12 days in a year.

(iii) *Other Staff.* The other Railway staff who work in continuous shifts like Station Masters, Guards, Drivers, Ticket

Collectors, etc., generally get no holidays excepting the three National holidays for working on which they are given monetary compensation. They get 15 days casual leave in addition.

In so far as earned leave is concerned, all staff are entitled to one month's leave in a year.

**22.1 Accidents and their prevention.**—The rate of accidents on Railways involving deaths or injuries is not high. The main causes of accidents to workers are as follows:—

- (a) Disregard of the instructions about the use of safety devices,
- (b) defective methods of working,
- (c) defective instruments, jigs and tools,
- (d) deaths or injuries in the course of performance of duties pertaining to the working of trains, maintenance of rolling stock and track, resulting from a variety of causes including disregard of general and subsidiary rules.

Railways are imparting training with special emphasis on safety to all new entrants who are required to perform duties connected directly or indirectly with the movement of trains. They also organise refresher courses for those who are already in service.

**22.2** As regards Workshop Staff, following are the detailed methods for achieving the objective of making staff safety conscious—

- (i) All apprentices in workshops during their apprenticeship undergo a series of lectures on 'safety consciousness and methods of preventing accidents'. These include trade apprentices who become skilled workers on completion of their training and apprentice mechanics who man supervisory posts at the end of their training period.
- (ii) For other workshop staff, training in safe methods of working is imparted by the supervisors through training centres attached to the workshops.
- (iii) Safety seminars are conducted at the System Technical Schools in consultation with the Ministry of Labour.

- (iv) Safety posters are exhibited at prominent points in all workshops specially where chances of accidents are grave, for example, Machine Shop, Foundries, Black-Smith Shops and Saw Mills etc.
- (v) Slogan boards are also put up in all shops to make workers safety conscious.
- (vi) Films made on safety measures/devices are exhibited.
- (vii) All accidents are investigated thoroughly and preventive action taken to avoid these accidents in future.
- (viii) In certain workshops, Safety Council meetings consisting of management, supervisors and workers are also held at regular intervals to ensure that prompt action is taken in regard to hazards in the workshops which might cause accidents.

### 23.1 Health services on the Railways.-

The Railways provide comprehensive medical and health care services free of cost to all railway employees including factory/workshop labour, permanent or temporary, and their families, as also such dependents as are eligible for passes. Such facilities are available to apprentices other than trade apprentices recruited under Apprentices Act 1961 and to the staff of the Staff Benefit Fund Committees, Railway Institutes, Consumer Cooperative Societies formed on Railways and Railway Officers' Clubs. Such facilities are also available to the staff of the Cooperative Canteens, Cooperative Credit Societies/Banks, etc., or to the members of their families on a per capita charge basis. Preventive care is given free of cost to casual labour. Casual labour employed on projects are allowed free medical care facilities provided that there are no non-railway medical facilities available at the site where the labour is employed and bulk of the casual labour is recruited from an area other than the area of employment. Free outpatient medical attention is also available to licenced porters at stations where decasualisation scheme has been introduced.

23.2 The health care services are both curative and preventive. The curative services are carried on

through hospitals, sanatoria, health units, chest clinics, dental clinics and maternity centres etc. These also include specialised treatment. Apart from these institutions, there are line doctors and mobile dispensary vans to attend to staff at wayside stations.

23.3 Preventive services include control and eradication of communicable diseases, environmental sanitation, prevention of food adulteration, provision of health clinics, student health services, family planning, and industrial health.

23.4 Immunisation and inoculations are also given and anti-malaria campaign, control of water supplies, etc. are also included.

### CONCLUSIONS

24. The Study Group came to the following conclusions:—

(1) In the context of considerable increase in the quantum and nature of the pattern of traffic, it is very necessary that the review of classification of staff under the Hours of Employment Rules should be a continuous process and should equally be a quick one.

(2) The differences in treatment amongst the various categories of staff in the matter of grant of holidays is justified because of the nature of work they are required to perform.

One of the labour representatives pointed out that workshop staff are not now getting any Casual Leave and they should also be eligible to avail of the same number of days of Casual Leave as other staff.

(3) Conditions should be such as to encourage staff to avail of leave due to them in the course of the year. Refusal of leave should be more an exception than a normal feature. In order that employees are encouraged to take leave, a further facility may be given to them by allowing them to encash the leave due to them to the extent of leave actually availed of by them subject to a minimum of one month, provided the leave thus availed of is spent outside the headquarters for the purpose of recuperating the health of the employees; the leave account in such cases will be debited with the actual leave availed of and the leave encashed

(4) In regard to accidents and their prevention, detailed instructions exist as to the various types and manner of keeping

safety devices including periodic inspections by the nominees of the Chief Inspector of Factories. While the instructions are more or less exhaustive, there is considerable scope for improvement in **actual** implementation as well as tightening up and making the inspections of the Factory Inspectors effective. Improvement in this direction is bound to have very beneficial effect in reducing the number of accidents.

Organised labour should be associated in laying down safety standards in railway workshops.

Safety Committees, which should include representatives from recognised Union, should be formed and their function should be to review periodically the accidents taking place with a view to evolve necessary preventive measures and also to look for possible causes for accidents.

(5) Some scheme should be devised to ensure minimising, as far as possible, the painful effects associated with the worker's occupation as well as promoting measures which are designed to create optimum working conditions so as to increase the capacity for work and general sense of well-being. Whether this expert medical aid should be given under Railway Ministry or the Health Ministry is a matter of detail.

*Chapter III***WAGES****I. GENERAL**

25. The principles which govern the structure of emoluments of the Central Government employees are equally applicable in the case of Railway servants, notwithstanding the fact that the latter are industrial employees. Their pay structure conforms mostly to the pattern obtaining in other departments of the Government of India. In order therefore to appreciate the position as to how the conception of determining wages has undergone a change from time to time, a brief history of the structure of wages as it developed would require recapitulation.

**Royal Commission (1912--15)**

26. For about thirty years, the basic structure of salaries continued to conform to the pattern recommended by the Royal Commission on the Public Services in India (1912--15) presided over by Lord Islington; and the principles underlying that pattern were enunciated by the Islington Commission as follows :

“The only safe criterion is that Government should pay so much and so much only to their employees as is necessary to obtain recruits of the right stamp, and to maintain them in such a degree of comfort and dignity as will shield them from temptation and keep them efficient for the term of their service. Whilst, therefore, we have noted the rise in prices which has taken place, we have not based on this any general recommendation.

Where we have advised changes in salary it has been to meet inequalities of remuneration prejudicial to efficiency, to fulfil expectations reasonably founded on formal announcements made by Government, and to improve recruitment, where the existing terms have been shown to be insufficient to obtain a satisfactory personnel.”

### Royal Commission (1923--24)

27. The Royal Commission on the Superior Civil Services in India (1923--24) known as Lee Commission fully agreed with this principle and recommended certain relatively minor improvements in emoluments. It also made some improvements in the shape of some allowances and in conditions of service on the ground that a great rise in prices had taken place since the scales of pay were fixed on the recommendations of the Islington Commission. This was done with the twin objectives of removing disparity of remuneration to the extent possible as between a commercial and an official career and also to make service career attractive.

### Vardachariar Commission (1946-47)

28. The Vardachariar Commission re-examined the principles of wage determination and came to the following conclusions :--

- (i) The test formulated by the Islington Commission has only to be literally interpreted to suit the conditions of the present day and to be qualified by the condition that in no case should a man's pay be less than a living wage.
- (ii) The general educational qualifications and training required of holders of particular offices have also to be taken into account.
- (iii) The nature of duty and responsibility of the office and the necessity of enabling the holder of an office to maintain its status and dignity cannot be ignored.
- (iv) The employees should be reasonably above want, although the high wages by themselves are not absolute safeguards against corruption.
- (v) A fair relativity between rates of pay of certain classes of civil servants and comparable outside rates, with particular reference to the long-term trends in wage levels in the country should, as far as possible, be maintained.

29. Amplifying their above view, the Commission observed that a Government which proposed to sponsor minimum wage legislation for private industry must also be ready to give the benefit of that principle to its own employees. They,



however, recognised that the application of the minimum wage rule has always to be subject to limitations imposed by the general economy of the country and should not impose an unduly heavy burden on the tax payer. While considering the question of maximum salary, the Commission was of the view that the State should not compete with private enterprise in respect of prize jobs but at the same time, the salaries of public servants should not be much below the standard of remuneration payable to men of capacity in private service posts similar in nature and responsibility. The Vardachariar Commission introduced this principle as a matter of social policy that the lowest rate of remuneration should not be lower than a living wage, and that the highest salaries also as a matter of social policy be kept down as far as possible consistent with the essential requirements of recruitment and efficiency. The minimum and the maximum having been so determined, the intermediate salaries were fixed largely on considerations of maintaining or establishing satisfactory vertical relativities within a service or a hierarchy of services, and horizontal relativities between one set of services and another.

30. The Commission recommended that the structure of emoluments and conditions of service should be so designed as to ensure recruitment at different levels of persons with requisite qualifications and abilities and to keep them efficient. The real question before them, therefore, was not one of the objective but of principles that had to be adopted if the objective was to be achieved. There was the further question whether the criterion of efficiency was enough or whether the emoluments and conditions of service should be such as to satisfy certain social and ethical standards as well.

#### **Jagannadha Das Commission (1957--59)**

31. The Jagannadha Das Commission, in discussing the wage principles with reference to which the remuneration of government servants should be determined, laid down the following empirical tests for application to wage fixation :—

- (a) Whether at the current rates of emoluments and with the conditions of service as they are, the Government are getting recruits of the requisite standard,

(b) Whether public services are generally continuing to be efficient through their service,

(c) Whether there are not many premature retirements or resignations in order to take other employment.

32. Although the Das Commission did not accept the view that the Government should act as a 'model employer' in the sense that they paid higher wages and salaries than other good employers for comparable work and were ahead of other such employers also in the provision of generous conditions of service and fringe benefits, all the same, having accepted the social application of regulating wages and conditions of employment in the Private Sector, the Commission felt that the Government had necessarily to be guided in their capacity as employers, by the objectives, principles, and standards which they prescribe or even commend to other employers. The Central Government are already the biggest single employer in the country and employment under them is still expanding. The effectiveness of their wage policy, and labour policies generally, will depend, in no small measure, on their actions and outlook as employer.

33. While discussing the minimum remuneration payable to Central Government employees, this Commission considered the recommendations of the 15th Session of the Indian Labour Conference. They came to the conclusion that the minimum wage worked out according to the recommended formula is not feasible economically and financially vide paras 7-11 of Chapter VII of the Second Pay Commission's Report. The need-based minimum should relate to the current level of the country's economy and should be fixed with reference to the living standards of the community in general.

34. In the opinion of the Das Commission, a combination of social and economic considerations is as much appropriate in determination of the higher wages as in determining the minimum wage or salary. The social considerations in this case exercise an influence in the opposite direction : while they would operate in one case to raise the floor, they would operate in the other to keep down the ceiling of the salary structure. In the matter of minimum wage, the requirement of social policy is that an employee should be assured the satisfaction of certain

human and social needs ; in regard to the highest salaries, the requirement is that the salaries while sufficient to attract persons with the requisite talents and qualifications, and to retain them in service with their efficiency and keenness unimpaired, need not be such as would compare with the highest salaries in outside employments. Once the demands of efficiency of the public service are satisfied, it is considerations of social justice and values appropriate to the social order aimed at that should have decisive weight ; and these considerations require limitation of disparities and their reduction as far as possible.

35. In the determination of intermediate salaries, sound and equitable internal relativities have been considered to be the most important single principle by the Commission. The starting salaries should be based on qualifications prescribed for recruitment. This is based on the assumption that the qualifications are determined by the real requirements of the particular service - an assumption which the Commission have not always found to be correct. They, therefore, felt that the internal relativities should be determined with care and should be sound and fair.

36. Among the economic factors which should be included among the principles with reference to which the remuneration of government servants should be determined, it has been suggested that along with the 'model employer' principle and the principle of social or distributive justice, the increase in the national output, as reflected in a rise of the real (national) income per capita should be taken into account in determining the new structure of remuneration. Further, it was considered that another economic factor which should be accepted as of crucial importance in the determination of salaries and wages is the level of the cost of living. It was suggested that not only should that be taken into account in setting the rates of wages and salaries except in the case of higher grades - but that a link between consumer prices and remuneration should be established as an integral part of the principles of wage and salary determination. The Das Commission, after examining all the aspects of the question, came to the conclusion that except in the broad sense of being an indicator of the level and the state of the economy, and thus of the resources which - though subject to

various limitations - the Government can draw upon for their needs, the trend (the annual output, which may sometimes fall, has no practical relevance because rates of remuneration of Government servants cannot, in any case, be revised annually) of national productivity cannot be accepted as a factor by itself for the determination of salaries and wages of Government servants. The Commission however accepted that the level of consumer prices is among the main factors to be considered in determining rates of remuneration of Government servants.

37. The observations of the Commission are summarised below: -

“We have discussed the various principles with reference to which the remuneration and conditions of service of Government servants could be determined, and we have stated our conclusions, including that the social and ethical as well as economic considerations are relevant to the determination of the minimum and the maximum salaries; that the internal relativities should be determined with care, and should be sound and fair; and that the whole structure of remuneration and conditions of service should be fair to the community as well as to the employees. We have, in effect, formulated not one but a number of principles. The principles supplement one another; but there is no fixed order in which they are to be applied. There may, in fact, be cases in which the principles, if applied independently, would lead to divergent conclusions; but they are not intended to be so applied. We look at the principles essentially as a statement of the basic considerations which have to be taken into account together, and harmonized to the utmost extent possible. Further, the principles are to be applied against the background - among other circumstances - of the economic conditions in the country, and the implications and requirements of developmental planning.”

#### **Concept of pay structure by both the Pay Commissions.**

38. In setting the pattern of pay structure, Varadachariar Commission suggested a long time scale for the entry grade

except in the case of grades at the bottom of the Public Service where the work was of a kind which did not improve in quality with the lapse of time e.g. crude labour or mere attendance, for whom the shorter scale of 11 years as compared to 20 years for the former was considered adequate. In regard to the promotion grade, a short scale was preferred.

39. While the general approach to the length of pay scales recommended by the Das Commission was not dissimilar to that of the Varadachariar Commission, they considered it appropriate to recommend a certain number of short scales for some of the workshop categories. They took a somewhat different view of the length of the scale for the lowest grade of employees and made the following observation in this connection :—

“While it is true that the work of the great majority of those who are at present on the scale of Rs. 30-1/2-35 is not capable of continuous improvement, it is, in our view, capable of deterioration if there is no economic incentive to keep the employee interested in his work. Where there is an adequate promotion outlet, that would provide the necessary incentive ; and also would the provision of a selection grade. But where there is neither, the employee may feel frustrated and become apathetic. In fact, even where there is a reasonable promotion outlet, it may be desirable to have a comparatively long scale for an entry grade in order to accommodate the employee who fails to develop the potentiality which would justify promotion, but who, nevertheless, continues to perform useful, if relatively simple, duties.”

40. With a view to provide incentive to employees having no outlet or very limited outlets for promotion to higher posts, a percentage of higher grade posts—usually 10%—was recommended by the Commission even though there was no change in the duties. In order to maintain efficiency of service, the Commission recommended an Efficiency Bar somewhere about the 10th year in scales which are to run for more than 15 years or so,

and a second Efficiency Bar at a later stage in scales which are to run for 20 years or longer.

41. In recommending overlapping scales, the Commission considered that these overlapping scales would do no harm if the following conditions were satisfied :

- (i) The size of increments in the higher of the two overlapping scales is larger, particularly above the stage at which the employee in the lower grade is normally promoted to the higher grade ; and
- (ii) The rule for fixation of pay on promotion provides for a certain minimum increase in pay on promotion.

#### **Dearness Allowance**

42. The principles governing the grant of dearness allowance came to be reviewed by two high powered bodies (namely, First and Second Pay Commissions); later by Shri S.K. Das who constituted the Single-man Tribunal called Das Commission and still later by Gajendragadkar Commission which are the latest on the subject are given below : —

- (1) Dearness allowance is intended to protect the employees whose salary is at or a little above the subsistence level and not to neutralise the erosion in the real wages and salaries paid to all the Government employees irrespective of the level of their salaries.
- (2) The increase in additional dearness allowance should be made with reference to every 10 point rise in the 12 months' average of the price index.
- (3) There will be automatic adjustment of dearness allowance with the increase in the price index.
- (4) The scales of dearness allowance to be paid to the staff as draw basic pay ranging from 70 to 575 per month, are as set out in the table below : —

*Total dearness allowance payable when the  
average of the Index reaches*

Pay range (Basic pay without D.A)	185	195	205	215	225	235
Rs	Rs	Rs	Rs	Rs	Rs	Rs
70-109	53	59	65	71	77	83
110-149	77	84	91	98	105	112
150-209	98	106	114	122	130	138
210-399	119	128	137	146	155	164
400-449	130	140	150	160	170	180
450-499	120	120	153	164	175	186
500-575	120	120	120	120	180	192

\*These are the current rates in force from 1st Nov. 1967.

(5) In the event of a fall in prices, reduction in dearness allowance be made at the same rates and under the same conditions as for the rise in prices.

(6) The aforesaid recommendations may remain in force until the expiry of two years from the date of their acceptance or until the 12 months' average of the All India Working Class Consumer Price Index (1949 is equal to 100) reaches 245, whichever is earlier.

(7) On the expiry of the two years as aforesaid, or immediately after the 12 months' average of the index reaches 245, whichever is earlier, the Government may undertake the revision of pay scales of all the employees and sanction suitable interim relief pending such pay revision.

## II. CRITERIA FOR FIXING REMUNERATION AS GIVEN BY THE INLAND TRANSPORT COMMITTEE OF THE INTERNATIONAL LABOUR ORGANISATION

43. During the 8th Session of the Inland Transport Committee of the International Labour Organisation, the following criteria for fixing remuneration were laid down:—

“When negotiations are undertaken for the purpose of

determining pay scales, the following considerations, among others, should be taken into account.

- a) increases in cost of living ;
- b) pay scales should be adequate not only to meet essential needs, but should as far as possible also allow for progressive improvements in the workers' standard of living in line with national trends ;
- c) the pay scales should bear a reasonable comparison with those for jobs in other industries calling for similar skills and similar degrees of responsibility, due regard being had to conditions of service and fringe benefits ;
- d) the desirability of encouraging the entry of skilled workers into railways and encouraging those interested to take full advantage of training or retraining schemes leading to improved qualifications and pay ;
- e) pay scales and other elements in remuneration, including fringe benefits, should be such as to enable the worker to receive a fair share of the benefits of increased productivity in railways.

The pay structure in railways is likely to be substantially influenced by factors external to railways and these may have to be taken into account in the light of conditions prevailing in each country. These factors may include, amongst others :

- a) the possible impact of national development plans on remuneration ;
- b) general policies on incomes and prices, which may in certain cases have an over-riding impact on the pay structure ;
- c) the real national product ;
- d) the need for workers in a special category, and in particular for skilled workers, which could affect the differentials within the pay structure ;
- e) any national regulations fixing minimum wages on a broader basis ;



- f) the practice followed for taking into account changes in the cost of living.

Payments in addition to basic pay, which vary according to national practice, should—

- a) not be on such a scale or be so varied that they seriously affect the basic scale or give rise to anomalies ;
- b) be as fair as possible ;
- c) be as simple as possible to assess and administer.

Among the various forms of additional payments, consideration might usefully be given to the following.

- a) Premiums or bonuses may be paid related to the productivity or efficiency of a worker or of a limited group of workers; in such cases it is desirable that a sufficiently direct relationship be maintained between the efforts of the worker or of a group of workers to ensure that the premium or bonus constitutes a real incentive to productivity or efficiency. It is desirable to review such schemes at intervals to make sure that they continue to serve the purposes for which they were instituted. In certain cases, it may be found expedient to incorporate them into basic pay.
- b) Increases in pay may be granted on the basis of good service records.
- c) Increments may be granted, irrespective of promotion, on the basis of seniority.
- d) Additional compensation may be granted to offset certain costs incurred by the worker, such as living in areas where the cost of living is above national average.
- e) The inconvenience of certain work may be compensated by supplements in so far as compensation therefore is not already embodied in the basic pay. Such cases may include supplementary compensation for working on the customary weekly rest day or on public holidays, or for working outside a previously established roster, for working at night or under

arduous conditions, including exposure to extreme climate conditions and compensation for dirty work.

- f) Traditional practices may call for special bonuses, such as end-of-year or holiday bonuses.

### III. SALIENT FEATURES OF WAGE POLICY ON RAILWAYS

44. On Railways, scales have been allotted, as already stated in the opening paragraph, on the basis of recommendations of Pay Commissions appointed by the Government from time to time. They examined the principles which should govern the structure of emoluments and conditions of service and recommended what changes in the structure of emoluments and conditions of service of different classes of employees were desirable. For this, they invited organisations of employees and other organisations, institutions or individuals who might be interested to send memoranda of their views on matters relating to the pay structure. Labour organisations are associated with the allotment of scales through Permanent Negotiating Machinery meetings which discuss the matters across the table. There is a provision to settle disputed cases by reference to Tribunals for arbitration. Recently, a scheme for Joint Consultative Machinery and Compulsory Arbitration has been introduced by the Government of India.

45. The pay structure of railway servants conforms broadly to the pattern obtaining in other government departments. The classification and salary is as under :—

<u>Classification</u>	<u>Pay</u>
	ranging between
Administrative posts	Rs. 1,300-3,500
Class I posts	Rs. 400-1,250
Class II posts	Rs. 350-900
Class III posts	Rs. 110-575
Class IV posts	Rs. 70-110
Workshop staff—Highly skilled, skilled, semi- skilled & unskilled	] As for Class III & IV.

The scales are fixed on the basis of worth of charge within the frame-work of recommendations of the Pay Commission. Staff through their Federations can represent their cases for change of classification and their pay scales.

### **Fringe benefits**

46. The fringe benefits may be defined as the benefits accorded to a worker other than his wage and allowances. On Railways, these benefits include the following :—

1. Provision of Government accommodation (rent-free or otherwise).
2. City Compensatory and Local allowance.
3. Children education allowance.
4. Free uniforms to children of Railway employees, in Railway Primary Schools, drawing pay of Rs. 228/- and below.
5. Reimbursement of tuition fees.
6. Free medical attendance and treatment.
7. Hill allowance, Remote Locality allowance, Bad Climate allowance, Rallying allowance, etc.
8. Travel concessions.

These benefits are in substitution for higher money earnings. Precise data to determine to what extent such benefits affect operation/production costs is not available. These will necessarily add up to the working expenses or production costs of an industry, but such benefits do repay to the industry their value in the shape of a contented work force and may lead to increased productivity.

### **Minimum Wages Act, 1948**

47. This legislation which has been enacted by the Government of India in order to prevent exploitation of unorganised labour mainly aims at securing minimum rates of wages in those categories of employments where wages are low. In so far as Railways are concerned, persons employed in the following two scheduled employments are covered by provisions of this Act :—

- (i) Construction or maintenance of roads or in building operations ;
- (ii) Stone breaking and stone crushing.

Railway servants employed on these two scheduled employments who are on time-scales of pay and governed by the provisions of the Indian Railways Establishment Code and also the provisions of Chapter VI-A of the Indian Railways Act, have been specifically exempted in view of the fact that their conditions of employment are not less favourable than those prescribed in the Minimum Wages Act. There has however been no difficulty in the administration of Minimum Wages Act in so far as the departmental casual labour employed in the two scheduled employments on the Railways are concerned.

48. It will thus be seen that the wage policy of Railways has been based with reference to the policy adopted by the Government of India. Subsequent marginal changes if any have been made largely as a result of negotiations with the organised labour.

#### CONCLUSIONS

49. The Study Group have drawn the following conclusions :—

- (1) For fixing wages, the principles adopted by the Inland Transport Committee of International Labour Organisation should be generally followed. (Para 43).
- (2) Wages of Railwaymen should be decided separately and not necessarily connected with the wages of other civil servants, as conditions of service on railways and in other civil services are quite different.
- (3) Minimum wage for Railwaymen should be the need-based wage as decided by the Tripartite Committee of the 15th Labour Conference.
- (4) Dearness Allowance should be revised periodically, say, every six months which should be on the basis of the cost of living index during the previous six months. This will remain in force for the succeeding six months when it will be reviewed again.
- (5) In the payment of dearness allowance, full neutralisation should be allowed.
- (6) Fringe benefits should be defined as representing those benefits which are universally admissible to all employees and are capable of evaluation in terms of money.

### Chapter IV

## TRADE UNIONS ON INDIAN RAILWAYS

### INTRODUCTION

50. Trade Union movement on the Indian Railways is as old as the labour movement in India. After Independence, the Indian Railways were re-organised into zonal systems, and with the Railways' re-organisation, the trade unions also followed the pattern of the re-organised set-up of Railways.

#### Trade Union Structure on Railways

51. The All India Railwaymen's Federation and the Indian National Railway Workers' Federation merged into the National Federation of Indian Railwaymen in 1953. But this unity could not be maintained for long and the organisation separated again into two distinct units viz., the All India Railwaymen's Federation and the National Federation of Indian Railwaymen. Further efforts made at unity did not bear any fruit.

52. Each of the two Federations, viz., the National Federation of Indian Railwaymen and the All-India Railwaymen's Federation, has an affiliated union on each of the Zonal Railways as well as on the two manufacturing units viz. the Chittaranjan Locomotive Works and the Integral Coach Factory. Both the Federations and their constituent Unions on the zonal railways, excepting those in the Chittaranjan Locomotive Works and Integral Coach Factory—are recognised by the Railway Administrations.

53. The structure of the trade unions on the Zonal Railways coincides with the administrative set-up. Wages and working conditions and, generally, all matters of policy are decided by the Railway Board. Hence, all issues concerning these subjects are dealt with at the all-India level, i.e. between the Federations and the Railway Board. The zonal Unions correspond/or discuss with the respective General Managers, on all staff matters which are capable of being decided at the Railway level. The Divisional Branch or similar other authority

corresponds/or discusses with the Administration at the Divisional level. All these negotiations with Organised Labour are held under the Permanent Negotiating Machinery Scheme, details of which are given in the Chapter on Industrial Relations.

### **Recognition of Trade Unions**

54. At present, the Zonal trade unions, on satisfying certain prescribed conditions, are accorded recognition by the Railway Administration. These conditions broadly are:

- (i) it must consist of a distinct class of railway employees and must not be formed on the basis of any caste, tribe or religious denomination or of any group within or section of such caste, tribe or religious denomination;
- (ii) all railway employees of the same class must be eligible for membership;
- (iii) it must be registered under the Indian Trade Unions Act;
- (iv) its membership should not be less than 15 per cent of the total number of non-gazetted staff employed on the Railway concerned;
- (v) it should not be sectional, i.e. unions composed either of one category or a limited category of workers should not be recognised; and
- (vi) it should not be, in the opinion of the Railway Administration, likely to engage itself in subversive activities.

• 55. The recognition, apart from entitling the concerned trade unions to discuss with the Administration in respect of staff matters, enables them to have certain facilities from the Railway Administration in the conduct of business of the unions. Some of these facilities are complimentary railway passes for office-bearers, passes for union meetings, special casual leave to attend union meetings, railway accommodation to house trade union offices, administrative telephone link, allowing workers in active service on deputation to trade unions as full time workers, etc. etc,

### **Multiplicity of Trade Unions**

56. Of late, at the instance of some political parties, other Labour Organisations also have sprung up, but the existing two Federations being strong and representative, there is hardly any possibility of the new organisations mustering strength. Multiplicity of Trade Unions divides the ranks of labour and creates difficulties both for the working class and the industry. A united movement at the national level will do greater good, but this cannot be imposed on the basis of legislation or from any outside influence. It should be allowed to develop on the basis of mutual relationship, common objective, methods and procedures.

### **Category-wise Unions**

57. An unwholesome development in the railway trade union field in the recent past has been the coming up of category-wise organisations formed to serve sectional interests. Most of these are not even registered under the Indian Trade Unions Act. Such category-wise organisations narrow down the trade union functions. In an industry like Railways, the problems of any single category cannot be decided in isolation. All the employees, whatever their category, belong to one Administration and their conditions of work are governed by the same rules and regulations. The work of all categories in the Railways is interdependent and inter-linked. Thus, their legitimate interest would be safer only when all such categories function as a whole for the good of all. Formation of category-wise unions on the Railways would push hundreds of men in minor categories into a position of utter vulnerability. Above all, such organisations catering only to sectional interests, are not adequate to realise the aspirations of the workers.

### **Trade Union Leadership**

58.1 Outsiders in the Trade Unions have played a notable part in building up Trade Union movement on the Railways. At present, outsiders could be taken in a union up to the extent of 50% of the office bearers as provided for in the Indian Trade Unions Act, 1926.

58.2 Trade Union movement on the Railways is by and large more organised than in any other industry. Rank and file Trade Union leadership on the Railways is by and large

more prominent than in any other industry, mainly because of the prevalence of a high standard of education amongst the Railway employees generally.

### CONCLUSIONS

59. The Study Group have drawn the following conclusions-

- (1) To discourage multiplicity of Unions, the first step in the present context would be that no further Union be recognised where already there are two recognised Unions affiliated to either Federation.
- (2) The present policy of not recognising category-wise Unions should continue; in fact, any tendency towards formation of category-wise Unions should be positively discouraged.
- (3) In order to encourage the consolidation of Trade Union movement on Railways, constant efforts should be made to bring about unity in organised Labour by developing mutual relationship and common objective, methods and procedure, with a view to have finally only one recognised representative body of railwaymen.
- (4) The labour representatives felt that in view of the growing nature of Trade Union activities, facilities at present allowed to recognised Trade unions in matters such as travel, accommodation, leave, etc. require to be greatly liberalised.
- (5) The labour representatives felt that, but for the association of the outsiders, the Trade Union movement on Railways would never have reached its present dimensions. They considered that the fact that their association with Trade Unions for a generation has resulted in creating self-reliance among the workers is a sufficient justification for continuance of outsiders.

At present there is not enough encouragement for the development of rank and file leadership, especially at the lower levels of the Administration. With more facilities and conducive atmosphere, the rank and file could play a more prominent part in the railway trade union movement. Government representatives, how-



ever, felt that the case of government servants can best be represented by workers themselves. In fact, this principle has been accepted in the Scheme of Joint Consultative Machinery. The Government representatives therefore suggested that the development of rank and file leadership should be encouraged so that the affairs of the Unions are entirely managed by the Railway employees themselves.

60.1. Compared to any other industry in the world, the railway industry in India has enjoyed almost stable industrial peace during the last decade and a half. In the year 1965-66, not even a single man-day was lost as a result of strike or lock-out. This accomplishment has no doubt been possible with an appreciable understanding on the part of the Unions and the workers at large, that the Railways, the life-line of the economy of this country, must be maintained running smoothly at all costs, especially looking to the defence and development needs of the country.

60.2. Normally, the state of relationship in an industry is measured by the extent of industrial conflicts in the industry. But this need not necessarily be taken as a standard formula.

#### Industrial Disputes Act

61. The Industrial Disputes Act was enacted with a view to facilitate settlement of industrial disputes through peaceful means. The Act is also applicable to the Indian Railways.

#### Procedure for the Working of Permanent Negotiating Machinery on Railways

62.1. In January 1952, a Permanent Negotiating Machinery was set up on Railways in agreement with the organised labour viz. both the All India Railwaymen's Federation and the Indian National Railway Workers' Federation for maintaining contact with labour and resolving disputes and differences which may arise between them and the Administration.

62.2. This machinery consists of three tiers: one at the Railway level, the recognised unions having access to District Industrial Officers and subsequently to Officers at the headquarters including the General Managers; at the next tier, matters not settled at the Railway level are taken up by the respective Federations with the Railway Boards and the

## *Chapter V*

# **INDUSTRIAL RELATIONS ON RAILWAYS**

## **GENERAL**

60.1 Compared to any other industry the Railways, in spite of their huge size, have enjoyed almost stable industrial peace during the last decade and a half. In the year 1965-66, not even a single man-day was lost as a result of strike or lock-out. This accomplishment has no doubt been possible with an appreciable understanding on the part of the Trade Unions and the workers at large, that the Railways, the life-line of the economy of this country, must be maintained running smoothly at all costs, especially looking to the defence and development needs of the country.

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62.2 This machinery consists of three tiers: one at the Railway level, the recognised unions having access to District/Divisional Officers and subsequently to Officers at the headquarters including the General Managers; at the next tier, matters not settled at the Railway level are taken up by the respective Federations with the Railway Board; and the third

tier in which if agreement is not reached between the Federation and the Railway Board and the matters are of sufficient importance, reference may be made to an *ad hoc* Tribunal composed of representatives of the Railway Administration and labour presided over by a neutral chairman.

62.3 The following detailed procedure is laid down for the working of this machinery:—

- (i) At the district or divisional level, the District or Divisional Officers should meet the branches of the recognised Unions which may be established in the district or divisions, at least once in two months and oftener if necessary. Each workshop will be considered as a district. The particular branches which should meet the District or Divisional Officers as prescribed above should be agreed upon between the General Manager and the Union. The detailed procedure of arranging these meetings should be agreed upon with the Union but this should include a provision that the branch should supply in sufficient time before the meeting, the subjects which it proposes to raise at the meeting with memoranda setting out its point of view. This would enable the District or Divisional Officer to examine the questions and be prepared to take part in a useful discussion.
- (ii) At the railway headquarters, the General Manager or the Chief Personnel Officer should meet the unions at least once a quarter and oftener if necessary.
- (iii) All disciplinary matters and subjects like promotion, transfer, etc. of individual members of the staff which do not involve any general principle will be excluded from the scope of the discussions at all these levels, except at the discretion of the officers concerned. Where, however, unions have been given certain privileges in these matters, these will not ordinarily be curtailed. If, in an integrated unit, there is disparity between the existing privileges in this matter and agreement cannot be reached with

the unions on a uniform application of some procedure, the matter should be referred to the Railway Board for further instructions.

(iv) At the district and railway levels, subjects will comprise those which are within the powers of the officers concerned.

(v) Questions concerning pay scales, allowances, etc., will only be discussed between the Federations and the Railway Board and not at lower levels.

(vi) At the Centre, negotiations will be between the Railway Board and the two Federations and for this purpose, there will be quarterly meetings between the Railway Board and the Federations.

(vii) When a matter which is raised for discussion at the district level is not settled by agreement, it may be raised at the Railway level, for further negotiation. Similarly, a matter not settled at the Railway level may be brought up by the Federations to the Railway Board for discussion.

(viii) All subjects brought up for discussion at the various levels should be disposed of as expeditiously as possible.

(ix) If, after discussion between the Railway Board and the Federations, agreement is not reached between the two sides on any matters of importance, such matters may be referred to an ad hoc Railway Tribunal which will be set up for dealing with them at the Centre. This Tribunal will consist of an equal number of representatives of Railway Labour and the Railway Administration with a neutral chairman. The Tribunal will be enabled to make investigations as they deem necessary before they give their decision. The detailed procedure which the Tribunal should adopt for conducting its proceedings and submitting its decisions may be drawn up as and when the occasion arises.

(x) It will be open to Government to accept, reject or modify the decision of the Tribunal and

where the matters in dispute affect the workers under Ministries other than the Railway Ministry, those Ministries will be consulted as to:—

- (a) Whether they have any objection to the disputes being referred to the Railway Tribunal; or
- (b) Whether they would like the disputes to be referred to an *ad hoc* Tribunal on which they will also be represented.

- (xi) On matters which have been settled by agreement or in which Government ultimately accept the decision of the Tribunal, it will not be open to the Federation to raise the same issues again for a period of two years. In those cases in which Government have rejected or modified the decision of the Tribunal, the issue may be raised at the end of the year.

62.4 Since the Permanent Negotiating Machinery was established, only one *Ad hoc* Tribunal (one-man Tribunal comprising of Justice Sankar Saran) was appointed in 1953. Out of the items originally referred to the 1953 *Ad hoc* Tribunal, quite a number of issues were later settled with Labour by discussions across the table and deemed as withdrawn from the purview of the Tribunal.

### **Scheme for Joint Consultative Machinery & Compulsory Arbitration**

63. With the object of promoting harmonious relations and of securing the greatest measure of cooperation between the Government in its capacity as employer, and the general body of its employees in matters of common concern, and with the object, further, of increasing the efficiency of the public service, the Government of India have established a machinery for joint consultation and arbitration of unresolved differences. The essential features of the scheme for setting up such a machinery are prescribed below:

#### **Salient Features of the Scheme.**

64. 1 The Scheme visualises:

- (i) Joint National Council;

- (ii) Joint Departmental Council; and
- (iii) Joint Regional/Office Council.

64.2 On the Railways, the Scheme is being implemented at the level of Departmental Council and above.

64.3 The National Council will deal with matters affecting all Central Government employees, such as, Dearness Allowance, pay of common categories like office clerks, etc., while a Departmental Council will deal only with matters affecting the staff in a particular Ministry.

64.4 Outsiders are not permitted to be included on the staff side under the Scheme of Joint Consultative Machinery. However, an honourably retired employee can be a member of the Joint Council (National or Departmental). As an exception, however, outsiders have been permitted in the Departmental Council on Railways. In the National Council, Cabinet Secretary will be the Chairman and in the Departmental Council, the official Head of the Ministry will be the Chairman of the Council. The staff side in the Joint Councils forms one negotiating Unit irrespective of the fact that they might be belonging to different Federations/Associations. The representation will be as follows:—

(a) *National Council.*

Official Side	....	Upto 25 Members.
Staff Side	....	Upto 60 Members,

(b) *Departmental Councils on Railways.*

Official Side	....	5 to 10 Members.
Staff Side.	....	Upto 30 Members.

64.5 In the J.C.M. Scheme, matters are to be concluded at the meetings themselves and not reserved for later decision. If there is no agreement between the two sides and a final disagreement is recorded, it will be referred to arbitration if it relates to one of the compulsorily arbitrable subjects if so desired by either side. The compulsory arbitration shall be limited to

- (a) Pay and Allowances ;
- (b) Weekly Hours of Work; and
- (c) Leave.

65. In spite of the introduction of the Joint Consultative Machinery, Permanent Negotiating Machinery for the Railways has its own importance and it will be in the interest of both the labour and the management that the machinery is further strengthened so that it forms the basis of amicable relations between the Administration and the Labour.

### CONCLUSIONS

66. The Study Group have drawn the following conclusions:-
- (1) Cordial relationship with Labour is of vital importance for an industry like the Railways. The need to develop and maintain this should be realised by authorities at all levels, particularly by those at lower levels as they come into closer and personal contact with labour.
  - (2) Personnel department must be considered as a specialised department so that officers from various departments possessing special flair for personnel work should alone be posted to man these posts *after* being given suitable training in personnel work. Officers posted to this department must have a minimum period of tenure and their performance in this department must be taken into account for assessment of their fitness for promotion in their own department.
  - (3) The Labour representatives felt that though it could not be said that the Permanent Negotiating Machinery had failed, it could equally be said that it had not achieved the laudable purpose with which it was set up mainly because it lacks the three characteristics of an effective Consultative Machinery viz., avoidance of opposite approach, free and frank discussion and final settlement of disputes.
  - (4) The Labour representatives mentioned that all disputes must be settled by collective bargaining. In default of a settlement, the dispute should be referred for arbitration or compulsory adjudication for a final settlement and the decision should be binding on both the parties. The Railway representatives, however, pointed out that collective bargaining is a fundamental plank

## Chapter VI

### INCENTIVE SCHEME AND PRODUCTIVITY

#### SALIENT FEATURES

67. The Indian Railways introduced a system of payment by results in Chittaranjan Locomotive Works in 1954, which is a production unit. In December, 1959, this system was extended to all major Railway mechanical workshops after having discussions with the organised labour. The signal and civil workshops were covered in December, 1961. The salient features of the system of payment by results are as follows:—

- (1) Time is a yardstick for measuring work and productivity is based on that unit.
- (2) (a) The allowed times are computed from the basic data built by analytical method and include allowances for general handling where necessary and fatigue and an overall allowance of 33-1/3 per cent for profit, so that a workman of average ability is able to earn 33-1/3 per cent over and above his basic wages in respect of the period spent on piece-work jobs.
- (b) Instead of actual basic pay of the employees a standard basic wage is assumed for each category of staff as shown below:—

Category	Actual scales of pay	Hourly rate
Chargeman Gr. I	Rs. 335-15-425	147 P.
Chargeman Gr. II	Rs. 250-10-290-15-380	120 P.
Chargeman Gr. III	Rs. 205-7-240-8-280	90 P.
Highly Skilled Gr. I	Rs. 175-6-205-7-240	95 P.
Mistry Gr. I	Rs. 150-5-175-6-205-7-240	89 P.
Mistry Gr. II	Rs. 130-5-175-6-205-7-212	77 P.
Highly Skilled Gr. II	————do————	77 P.
Skilled Grade		
above Rs. 143/—	Rs. 147-4-171-4-175-5-180	72 P.



## Skilled Grade

up to Rs. 143/— Rs. 110-3-131-4-143 50 P.

Semi-skilled Rs. 75-1-85-2-95-3-101-3-110 30 P.

Unskilled Rs. 70-1-80-1-85 23 P.

- (c) Ceiling limit on profit is fixed at 50% of standard basic wages earned in respect of each piece-work job.
- (d) Real rates of pay of artisans for the purpose of calculating piece-work profit is based on 208 working hours per month throughout the year.

When a start was made with the Incentive Scheme in C.L.W., the 'hourly rates' for the various categories of artisan staff and their Supervisors were worked out by adopting the mean of the prescribed scales of pay excluding D.A. of the categories concerned and dividing the mean of each pay scale by 208. Later, on introduction of the Authorised scales of pay as also on sanction of subsequent increases in the rates of D.A., the 'hourly rates' originally determined under the prescribed scales of pay were suitably revised upward in proportion to the percentage increase which had occurred in the total emoluments (mean of the pay scale + DA) of the categories concerned under the Authorised scales of pay over the corresponding total emoluments (mean of the Pay scale plus DA) under the prescribed scales of pay. In the case of Supervisory Chargemen, however, no increase in their 'hourly rates' determined originally under the prescribed scales of pay was allotted on the consideration that the hourly rates in force yielded sufficient incentive to these Supervisors and no further revision was called for.

- (3) Supervisors and essential indirect workers (in the shops in which piece work system is working) participate in piece work profits. Mistries earn the average percentage of profit earned by the direct workers in the particular shops. Chargemen and essential indirect workers get profit at 80% of that figure.

- (4) The basic wages of an artisan are guaranteed irrespective of his piece work result, but losses incurred during any particular month are adjusted against profits made during the same month.
- (5) Only that work which conforms to laid-down standards and passes inspection is paid for.
- (6) (a) Provision exists for any worker to request the Administration in the prescribed manner to investigate the allowed time at any time.  
 (b) When losses are being frequently incurred or when profits nearabout the maximum are being earned consistently by the majority of the workers, the causes contributing to this result are analysed and defects discovered, if any, set right.
- (7) The Administration reserves the right to vary the standard timings if improved machine tools are installed or other time-saving devices are introduced and also if there is any error in computation or in printing.
- (8) In case an operator changes the method of manufacture on his own initiative resulting in quicker production and intimates the new method to the administration, he is compensated by the grant of a reward equivalent to the expected saving in terms of his standard basic wages for months if on investigation the new method is found to have the advantage claimed and the allowed time is revised accordingly. In cases, however, where the methods are changed by the operator resulting in quicker production without bringing the same to the notice of the administration, he is not entitled to this reward. In such cases, times can be suitably changed by the Administration.
- (9) Shop Chargemen and Mistries are directly responsible for
  - (i) lack of work and
  - (ii) lack of tools.

Therefore, for the idle time arising out of those two

cases, proportionate deductions on the following basis are made from the amount of piece-work profit earned by the Chargeman/Mistry concerned.

Idle time of productive workers	Percentage of piece-work benefits to be debited to chargeman/mistry.
1. 2% and above but less than 5%	10%
2. 5% and above but less than 15%	20%
3. 15% and above.	No piece-work profits.

(10) Depending upon the nature of manufacturing repair activities, individual or group incentives should be introduced.

(11) If on any job it is found by practical experience that the time saved is either inadequate or negative, it is a subject that has to be investigated by the management of its own motion and not left to be pointed out by the union.

(12) The time rated categories should be reduced to the minimum.

(13) The wage incentive should provide extra earnings only after the prescribed level of efficiency has been achieved.

(14) It is essential that the incentive payments are made only after the quality and the output are inspected and passed by suitable inspectorial staff appointed by the management.

#### Steps to be taken to introduce the system of payment by results.

68. To ensure positive participation of labour in incentive schemes, it is essential that the management takes the labour into confidence and enters into an agreement on the essentials of the proposed scheme. The administration guarantees that there will be no fear of retrenchment. The normal wages are protected. Booking of idle time on account of the following items is duly provided, viz.,

- (1) Machine repairs,
- (2) No Power,
- (3) Lack of Tools.
- (4) Lack of materials,

- (5) Waiting for work,
- (6) Failure of crane,
- (7) Miscellaneous.

This idle time is deducted from the "duty hours" of the workmen when assessing his piece-work results.

Essential steps necessary for the implementation of the incentive scheme are as follows:—

- (a) Installation of Production Control Organisation comprising rate fixing, planning and progress and inspection. A nucleus can be created and enlarged to suit the needs of industry progressively as the scheme is introduced.
- (b) Systematic training of the Supervisors of the Shop in the various facets of scheme, to enable them to understand and implement the scheme effectively.
- (c) Assessment of load to ensure that the scheme does not suffer for want of continuity of load.
- (d) Creating the suitable stores organisation with up-to-date inventory control system to ensure that raw materials, storage and distribution of finished products are planned to meet the requirements of enterprise.
- (e) Proper maintenance of machines, tools, jigs, fixtures and drawings.

#### **Methods adopted to increase productivity**

69. Railway workshops have adopted a system of awards for suggesting schemes and outstanding work which improves productivity and has a direct recurring financial saving. Sometimes cash awards of the values of Rs. 10 to 20 are given on the spot by the Works Manager for good work done by the workers. This helps the workers to stick to their jobs and put in their best to increase the output.

#### **CONCLUSIONS**

70. (1) Labour representatives desired that the norms should be negotiable.

(2) Labour representatives also desired that hourly bonus rate should be fixed more rationally by dividing the actual

emoluments (for the purpose of simplification we may take mean of the Authorised Scale plus Dearness Allowance) by 208.

(3) Labour representatives further desired that indirect workers, such as those employed in Tool Rooms, Millwright Shops, should also participate in the Incentive Scheme.

- (a) Installation of Production Control Organisation comprising site fixing, planning and progress and inspection. A nucleus can be created and enlarged to suit the needs of industry progressively as the scheme is introduced.
- (b) Systematic training of the Supervisor of the Shop in the various facets of scheme, to enable them to understand and implement the scheme effectively.
- (c) Assessment of load to ensure that the scheme does not suffer for want of continuity of load.
- (d) Creating the suitable store organisation with up-to-date inventory control system to ensure that raw materials, storage and distribution of finished products are planned to meet the requirements of enterprise.
- (e) Proper maintenance of machines, tools, jig, fixtures and drawings.

#### Methods adopted to increase productivity

49. Railway workshops have adopted a system of award for suggesting schemes and outstanding work which improves productivity and has a direct recurring financial saving. Some lines each month of the value of Rs. 10 to 20 are given to the spot by the Works Manager for good work done by the workers. This helps the workers to stick to their jobs and put in their best to increase the output.

#### CONCLUSIONS

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- (2) Labour representatives also desired that bonus bonus should be fixed more rationally by dividing the actual

## Chapter VII

### SOCIAL SECURITY

71.1 Within the scope of the term "social security", presumably the following two aspects need be commented upon:—

- (i) Measures taken by the Government to protect the interest of the workers while in service ; and
- (ii) post-retirement benefits provided for by the Government in the interest of the welfare of the workers.

72.1 Under item (i) above, the following items may broadly be grouped:-

- (a) Labour legislation governing the service conditions of workers; and
- (b) other social security measures.

72.2. As regards Labour Legislation, this subject itself forms a part of Chapter VIII and therefore no comments are given here. As regards the other social security measures like medical, sickness benefits, etc., and post-retirement benefits, the position is given below in the following paragraphs:

#### (1) Medical care and sickness benefits.—

- (a) *Medical care*:— The Railways provide comprehensive medical and health care services free of cost to all railway employees including factory/workshop labour, permanent or temporary, and their families, as also such dependents as are eligible for passes.

Such facilities are available to apprentices other than trade apprentices recruited under Apprentices Act 1961, and to the staff themselves of the Staff Benefit Fund Committees, Railway Institutes, Consumer Cooperative Societies formed on Railways and Railway Officers' clubs. Such facilities are also available to the staff of the cooperative canteens, Cooperative Credit Societies-Banks, etc., or to the members of their families on a per

capita charge basis. Preventive care is given free of cost to casual labour. Casual Labour employed on projects are allowed free medical care facilities provided that there are no non-railway medical facilities available at the site where the labour is employed and bulk of the casual labour is recruited from an area other than the area of employment. Free outpatient medical attention is also available to licensed porters at stations where decasualisation scheme has been introduced. Medical care has been made available at certain specified places to the retired railway employees and their dependent children under the "Retired Railway Employees' Contributory Health Scheme" on payment of (additional) charges prescribed by the Board.

The health care services are both curative and preventive. The curative services are carried on through hospitals, health units, chest clinics, dental clinics and maternity centres etc. Apart from these institutions, there are line doctors and mobile dispensary vans to attend to staff at wayside stations.

Preventive services include control and eradication of communicable diseases, environmental sanitation, prevention of food adulteration, provision of health clinics, student health services, family planning, and industrial health.

(b) *Hospital Leave*—is granted to all railway servants including temporary staff, other than Gazetted staff, while under medical treatment for illness or injuries sustained on duty. There is no limit to the amount of leave that may be granted. In case of staff governed by Fundamental Leave Rules, the total period of hospital leave and any other leave, when combined with the former leave, should not exceed 28 months.

(c) *Maternity leave*—A female railway servant is entitled to maternity leave on full pay for a period upto the end of three months from the date of its commencement or to the end of six weeks from the date of confinement, whichever is earlier. Such leave is not debited against the leave account. Maternity

leave under this rule is also granted in cases of miscarriage, including abortion, subject to the following conditions:—

- (i) the leave does not exceed six weeks; and
- (ii) the application for the leave is supported by a certificate from the authorised medical attendant.

Maternity leave may be combined with leave of any other kind, but any leave applied for in continuation of the former is granted, if supported by medical certificate. Leave of any other kind in continuation of maternity leave is also granted in the case of illness of a new-born baby, subject to the female railway servant producing a medical certificate from the authorised medical attendant to the effect that the condition of the ailing baby warrants mother's personal attention and her presence by the baby's side is absolutely necessary.

**(2) Unemployment benefits.**

Unemployment benefit as such is not prevalent on the Railways, but retrenchment benefit as admissible under the Industrial Disputes Act 1947 is available to railway servants.

**(3) Employment injury benefit, invalidity benefit and alternative employment to medically unfit railway servants.**

(a) *Employment injury benefit*—if an employee is injured in performance of his duties as a result of risk of office, he is given the undernoted benefits:—

(i) If he is governed by the Workmen's Compensation Act: If the employee is permanently disabled as a result of injury, a lump sum compensation as laid down in Schedule IV of the Workmen's Compensation Act, 1923 is payable. If however, the injury results in only temporary disablement, a half-monthly payment is made at the rates laid down in Schedule IV referred to.

(ii) If he is not governed by the Workmen's Compensation Act:

A lump sum gratuity and a monthly injury pension calculated with reference to the pay of the employee is payable.

(b) *Invalidity benefit*—If an employee is permanently invalidated, he is given benefits as indicated against Old Age benefit proportionate to the length of service rendered.



(c) *Alternative employment to medically unfitted staff.*—

It is mandatory on the Railway Administrations to offer alternative employment on reasonable emoluments to the railway servant who has failed to conform to the requisite standard of physical fitness for the post which he occupies but not incapable of performing other duties. Such medically unfitted staff are not discharged, but are granted leave. Such leave is granted according to ordinary rules, but where the Railway servant has not got six months' leave to his credit, this leave shall be made up to six months by grant of extraordinary leave without pay. During the period of leave so granted, they are offered alternative employment for which they may be found suitable. It is also ensured that there is no appreciable drop in their emoluments.

The pay of medically unfitted railway servant in the alternative post is fixed as near as possible to his existing emoluments. This may be at a stage corresponding to the pay previously drawn in the post held in substantive capacity or the officiating pay if he was not likely to revert therefrom, whichever is higher. If there is no stage in the post in which he is absorbed, he is given the stage just below the pay previously drawn by him and the difference is given as personal pay subject to the condition that maximum of the scale is not exceeded. Medically unfitted railway servants absorbed in another category on a lower pay, on subsequent promotion to higher posts are allowed, by grant of advance increments, the same or nearabout the same pay as has been drawn by them before being declared medically unfit, in their original appointment, including officiating appointment, if it is certified that but for being medically incapacitated the railway servant would have continued in the officiating appointment and would have normally been confirmed against the post, if the post was permanent or if the post was a temporary one sanctioned for a period of one year or more, would have held the same for the duration of the currency of the same. For running staff, fixation is based

on basic pay plus 50% thereof if on the prescribed scales or 40% thereof if in authorised scales of pay.

73. **Old age benefit, family benefit and survivors' benefit:—**

(a) *Old age benefit*

(i) **Permanent employees.** When a railway servant retires from service on reaching the age of compulsory retirement or some other prescribed age or on rendering the prescribed years of service, he is given retirement benefits, which could as well be called old age benefits, as indicated below:—

**Monthly recurring pension**

An employee who retires from service under the rule relating to compulsory retirement etc. and his qualifying service is not less than 10 years, is allowed a monthly pension which is based on the following formula.

Employee's emoluments (based on average of last 3 years' service subject to a maximum of Rs. 1,800/—)	X	No. of 1/2 years of qualifying service (Maximum of 60)
		160

The pension is subject to the maximum limit of Rs. 675/— per month.

Where service is less than 10 years, a lump-sum gratuity is paid.

**Lump-sum gratuity—called the  
Death-cum-retirement gratuity**

This is allowed in addition to the monthly pension (or lump-sum gratuity referred to above), and is based on the length of qualifying service. It is calculated in the following manner.

<u>*Employee's emoluments</u> 4	X	No. of 1/2 years of qualifying service subject to maxi- mum of 60
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\*Subject to a maximum of Rs. 1800/-

The amount of gratuity is subject to a maximum of Rs. 24,000/—

(ii) **Temporary employees**—Such employees, on retirement from service, are allowed terminal gratuity at the following scale:—

- |  |   |
|--|---|
| A. Service 3 years or more but less than 5 years.  | 1/2 month's pay for each completed yr. of service in excess of 3 years' service.  |
| B. Service 5 years or more but less than 10 years. | One month's pay for the first 3 completed years' service plus 1/2 month's pay for each subsequent completed year's service. |
| C. Service 10 years or more                        | One month's pay for each completed year of service subject to a maximum of Rs. 12,000.                                      |

(iii) **Contributory Provident Fund** — The above benefits are admissible in the case of pensionable railway employees. There is, however, quite a large number of employees who were in service on 15.11.57 i. e. the date on which pension scheme was introduced on the Railways and who have elected to continue under the contributory provident fund system of retirement benefits. In their case, the following benefits are admissible—

**Government contribution**—payable to all employees whether permanent or temporary.

A lump sum amount representing the contribution made by the Government to the Provident Fund Account of the employees together with interest thereon is payable. The amount of Government contribution is equal to the amount of compulsory subscription of the employee to the State Railway Provident Fund which is at the rate of 8-1/3% of employee's monthly emoluments.

**Special contribution to Provident Fund—payable to permanent employees.**

A special contribution, in addition to the contribution referred to above, is made to the Provident Fund Account of the employee on his retirement from service if his services are considered by the Controlling Officer to be good, efficient and faithful. The amount of special contribution is calculated in the following manner:—

Employee's pay X No. of completed 1/2 years of service  
4 subject to a maximum of 60.

The amount is subject to a maximum of Rs. 35,000/—

**Gratuity—payable to temporary employees.**

The gratuity, in addition to the contribution referred to above, is payable in the case of temporary railway servants in the following cases:—

- (1) on discharge from service arising directly or indirectly from a reduction of establishment ;
- or
- (2) on retirement on account of permanent incapacity due to bodily or mental infirmity.

The amount of gratuity is as follows—

- (1) If service does not fall short of fifteen years, half a month's pay for each completed year of service, but not exceeding fifteen months' pay.
- (2) If service falls short of fifteen years, half a month's pay for each completed year of service but not exceeding six months' pay.

(b) & (c) *Family benefit and survivor's benefit.*

- (i) **Pensionable employees:** If an employee who has not specifically elected to be governed by the old Family Pension benefit dies while in service with not less than one year's continuous service or after retirement on pension, his/her widow/husband/minor children are allowed a family pension. The family pension is tenable in the case of widow/husband till the date of her/his death or in the case of minor children till the date of majority viz., 18 years in the case of sons and 21 years in the case of daughters to

the marriage of the latter if earlier. The family pension is allowed on the following scale:—

*Pay of the Railway servant.*

*Monthly pension of widow/widower/children.*

- |  |   |
|--|---|
| 1. Rs. 800 and above.                  | 12 per cent of pay subject to a maximum of Rs. 150                        |
| 2. Rs. 200 and above but below Rs. 800 | 15 per cent of pay subject to a maximum of Rs. 96 and a minimum of Rs. 60 |
| 3. Below Rs. 200.                      | 30 per cent of pay subject to a minimum of Rs. 25                         |

If, however, the employee dies while in service after not less than seven years' continuous service, his family is given family pension at 50% of the basic pay last drawn, subject to a maximum of

- (a)  $1\frac{1}{2}$  times the pension admissible normally in the case of families entitled to compensation under the Workmen's Compensation Act; and
- (b) twice the pension admissible normally in the case of families not entitled to compensation under the Workmen's Compensation Act.

The enhanced family pension as aforementioned is payable for a period of seven years after the date of the death of the employee or till the date on which the employee would have attained the age of superannuation but for his death, whichever period is shorter. Thereafter the family pension is payable at the normal rates

If the deceased employee was permanent, a Death-cum-Retirement Gratuity is also paid at the rate indicated on page (79) subject to the following minima

- |   |                         |
|---|-------------------------|
| (a) If, at the time of death, qualifying service is not more than one year.                 | Two months' emoluments. |
| (b) If, at the time of death, qualifying service is more than 1 year but less than 5 years. | Six months' emoluments. |

- (c) If, at the time of death, Twelve months' emoluments  
qualifying service is  
5 years or more.

If the deceased employee was temporary, a death gratuity is paid to the family at the following scale.

<i>Completed years of service at the time of death.</i>	<i>Death gratuity.</i>
One year or more but less than 3 years	1 month's pay.
3 years or more but less than 5 years	3 months' pay.
5 years or more but less than 10 years	4 months' pay
10 years or more	One month's pay for each completed year of service, subject to a maximum of 12 months' pay or Rs. 12,000—whichever is less.

An amount equal to two months' emoluments/pay of the employee is deducted from the amount of gratuity where available, in consideration of the grant of family pension.

- (ii) **Non-pensionable employees.** The family is paid the Government contribution to provident fund as would have been paid to the employee himself had he retired from service.

If the deceased employee was permanent, a special contribution is paid at the rate indicated on page 81 subject to the following minima:—

- (a) If the subscriber had not completed one year's service: The amount by which Government contribution together with interest thereon standing to his credit in the fund falls short of two months' pay.

- |   |   |
|---|---|
| (b) If the subscriber had completed one year's service but not five years' service. | The amount by which the Government contribution together with interest thereon standing to his credit in the fund falls short of six months' pay. |
| (c) If the subscriber had completed 5 years' service or more.                       | Twelve months' pay.   |

In case the deceased employee was temporary, the family is paid a gratuity at the following scale:—

- |  |   |
|--|---|
| (a) After completion of one year's service but before completion of three years' service.  | One month's pay.  |
| (b) After completion of three years' service but before completion of five years' service. | Three months' pay.  |
| (c) After completion of five years' service.   | Half a month's pay for each completed year of service subject to a minimum of twelve months' pay. |

#### CONCLUSIONS

74. (1) A greater encouragement should be given to Railway employees to build their own houses while in service, so that, apart from solving the housing problem of Railway staff to some extent, it will also ensure that Railway employees when they retire will have a place to live.
- (2) The facility of lock-up dispensaries, that is, dispensaries where medicines are in stock with a Dispenser on duty and which are visited by a Doctor once in a few days, should be encouraged at places which are inaccessible.

## Chapter VIII

**LABOUR LEGISLATION**

75. The Railways are concerned with the following important Central Labour Laws on different subjects:—

- (1) Wages, safety, hours of work, overtime, periodic rest, etc.—
  - i) Payment of Wages Act, 1936
  - ii) Minimum Wages Act, 1948
  - iii) Factories Act, 1948
  - iv) Chapter VIA of the Indian Railways Act, 1890.
- (2) Industrial relations—
  - i) Industrial Disputes Act, 1947
  - ii) Indian Trade Unions Act, 1926
  - iii) Industrial Employment (Standing Orders) Act, 1948.
- (3) Social security—
  - i) Workmens' Compensation Act, 1923
  - ii) Employees' Provident Fund Act, 1952
  - iii) Employees' State Insurance Act, 1948
- (4) Miscellaneous—
  - i) Employment of Children Act, 1938

76. The salient features of these enactments are given below :—

(1) **Payment of Wages Act.**

76.1.1. The main purpose of the Payment of Wages Act is to ensure regular payment of wages and to prevent the exploitation of wage earners by prohibiting arbitrary fines and deductions from wages. The Act applies to persons employed in factories, on Railways, etc., getting below Rs. 400/- per month as "wages" i.e., all remuneration including pay, dearness allowance, overtime allowance, mileage allowance, leave salary, house rent and local allowances, etc., expressed in terms of money excluding travelling allowance.



76.1.2 The Act provides for:

- (i) fixation of wage period not exceeding one month,
- (ii) payment of wages before the expiry of the 10th day after the last day of the wage period in undertakings employing more than 1,000 persons; and
- (iii) permissible deductions as indicated below:
  - (a) fines
  - (b) absence from duty; damage or loss of goods or loss of money; housing accommodation; authorised amenities and services supplied to the employee; recovery of advances or adjustment of overpayment of wages; income-tax; court attachment of pay; subscriptions to repayment of advances from Provident Fund; towards payments of dues of Cooperative Societies or to a Postal Life Insurance Policy; payment of life insurance premium or purchase of Government or postal securities or for being deposited in Post Offices towards any savings scheme;

Additional deductions authorised with effect from 1.2. 1965:

payment of insurance premia on Fidelity Guarantee Bonds or losses sustained by a railway administration on account of acceptance by the employed person of counterfeit or base coins or mutilated or forged currency notes or on account of failure to invoice, to bill, to collect or account for appropriate charges due in respect of fares, freight, demurrage, wharfage and crantage etc. or on account of any rebates or refund incorrectly granted.

All these deductions are subject to the condition that the total deduction including those made on account of recovery of dues of cooperative societies should not exceed 75% of the total monthly wages of an employee and where the deductions do not include dues of any cooperative society, the total deductions must not exceed 50% of the wages payable to an employee.

76.1.3. The paymaster appointed under Section 3 (c) of the Act is responsible for the payment of wages and for the compliance with the provisions of this Act. For any contravention of the provisions related to timely payment of wages and the permissible deductions, the Act provides for the imposition of fine upto Rs. 500/—and for any contravention of the provisions regarding fixation of wage period, payment of wages in current coins/notes and display of abstracts of the Act, a fine upto Rs. 200/—.

76.1.4. The Central Government in the Ministry of Labour are responsible to watch the proper implementation of the provisions of this Act on Railways.

76.1.5. The claims arising out of deductions from wages or delay in payment of wages are decided by the Authorities appointed under the Act. The application for such claims can be made by the employee himself, or any lawyer, or any Trade Union official or any Inspector etc.

## (2) Minimum Wages Act, 1948.

76.2.1. This Act mainly aims at securing minimum rates of wages in those categories of employments where wages are low, in order to prevent exploitation of un-organised labour. The concerned employments for whom minimum wages are to be fixed are given in the Schedule to the Act and the State Government or the Central Government can add to this list of employments. In so far as the Railways are concerned, the Act applies to workers employed either departmentally or through contractors in the following employments:—

- i) Employment on road construction or in building operations and this covers new constructions as well as repairs and maintenance of existing roads, buildings, bridges, tunnels, overhead tanks etc. but excludes the construction or maintenance of permanent way;
- ii) employment in stone breaking or stone crushing.

76.2.2. Railway servants who are on the time scale of pay and who are governed by the provisions of the Indian Railway Establishment Code and the Hours of Employment Regulations have been exempted from the scope of this Act for a period of five years upto April, 1971. Thus the provisions of this

76. 2.8. During the years 1952 and 1954 the Ministry of Labour notified the minimum wage rates for the two scheduled employments on Railways and these are at present applicable to the departmental casual labour and contract labour concerned. It is the sole responsibility of the contractor to see that the provisions of the Act are fulfilled once the contract agreement has been executed.

76. 2.9. In addition to the minimum wage fixed statutorily under the Minimum Wages Act, Railway Board have also considered the question of wage rates of casual labour, governed by the Minimum Wages Act or otherwise, and have decided that if circumstances so warrant, casual labour, whether employed in scheduled or unscheduled employments, may be paid at a rate in excess of the rate prescribed under the Minimum Wages Act or in excess of the rate prescribed by the local authority. The increased rates of wages payable to casual labourers in accordance with this decision may be fixed by the General Managers/Chief Administrative Officers in consultation with F.A. & C.A.O. if the excess is up to 33-1/3 per cent over the rates fixed under the Minimum Wages Act or those fixed by the local authority. Cases where the rate of wages proposed to be fixed is in excess of 33-1/3 per cent require the prior approval of the Railway Board.

### (3) Factories Act, 1948.

76. 3.1 The Factories Act is a comprehensive piece of labour legislation containing provisions relating to various aspects of conditions of work and service generally of factory workers. The Act is applicable to all Railway Workshops but excludes running sheds. The Act prescribes health, safety and welfare requirements in a factory, lays down the limit of working hours, the rate of overtime, the rate of leave to be earned by factory workers etc. Most of the aspects of labourers' condition during working hours are covered by this legislation. The responsibility for ensuring the fulfilment of the statutory requirements is that of the 'occupier', that is, the person who has ultimate control over the affairs of the factory.

76. 3.2 The regulations in regard to health lay down specific standards of cleanliness, prescribe the methods of disposal of

wastage and effluents, prescribe standards of ventilation and temperature and lighting, prohibit overcrowding, enjoin provision of drinking water, latrines and urinals, etc. The safety regulations relate to fencing and casing of machinery, the operation of self-acting machines, hoists, lifts and other lifting tackles, revolving machinery etc. and the precautions against dangerous fumes, explosive or inflammable dust, gas etc. The welfare aspects of the Act enjoin the provision of washing facilities, first aid equipment, canteens, shelters and lunch rooms and creches where women are employed.

76.3.3. The limitation of hours of work, the prescribing of weekly holidays etc., in respect of factory workers are important, particularly because of the differences between the Factory Act provisions and the provisions in the Indian Railways Act. Under the Factories Act, the weekly limit is 48 hours, the daily maximum being 9 hours. Also, continuous work shall not exceed 5 hours. After 5 hours, there must be an interval of rest of at least half an hour. For working beyond 9 hours on a day or 48 hours in a week, overtime is payable at twice the normal rate of wages—wages here include Pay, Dearness, City compensatory and House Rent allowances. The first day of the week shall be paid holiday. If, however, a worker performs duty on the holiday, he shall be given a holiday on one of the three days immediately before or after.

76.3.4. There are provisions relating to child workers, and relating to annual leave to all workers, with both of which Railways are not much concerned. Railway servants, including workshop staff, are governed by leave rules prescribed by Governments which are more liberal than those provided under the Factories Act. They have, therefore, been exempted from the provisions of this Act in this respect.

76.3.5. The Act is administered and enforced by the State Governments. They have power to prescribe detailed statutory rules supplementary to the main Act. They can appoint Inspectors under the Act who have specific statutory powers to enter factories, inspect them and exercise any powers vested by State Governments.

76.3.6. The Railway Running Sheds were excluded

from the scope of Factories Act, 1948 on the basis of the recommendations made by Justice Rajadhyaksha in his Award, 1947 on the ground that some of the sheds were covered by that Act and certain others were covered by the provisions of Chapter VIA of the Indian Railways (Amendment) Act, 1930, while in others the provisions of both Factories Act and the Railways Act in respect of hours of work etc. were applicable to different sections of staff and there was no uniformity in the matter. However, after the exclusion of running sheds from the scope of the Factories Act, weekly hours of work of the staff employed in Loco Sheds and Carriage and Wagon Depots who are classified as "Continuous" under Chapter VI A of the Indian Railways (Amendment) Act, 1956 and who are otherwise required to work up to 54 hours per week on an average in a month, were reduced to 48 hours a week and overtime is paid at  $1\frac{1}{2}$  times of the hourly rate on weekly basis, instead of the hours being averaged over a month.

#### (4) Chapter VI A of the Indian Railways Act.

76.4.1. The existing provisions of Chapter VI A of the Indian Railways Act as amended in 1956 are mainly based on the recommendations made in the Award given in the year 1947 by Justice Rajadhyaksha. Under this Act, Railway employees are classified as (1) intensive, (2) continuous, (3) essentially intermittent and (4) excluded.

76.4.2. Briefly, following is the definition for each of these classifications:

##### (i) *Intensive.*

A railway servant is classified as Intensive when his duty is of strenuous nature involving continuous concentration or hard manual labour with little or no period of relaxation. He is rostered for six hours' duty.

##### (ii) *Essentially Intermittent.*

The duty of an essentially intermittent railway servant is not of a continuous nature and is interspersed with periods of inaction. His daily duty of 12 hours should not have periods of inaction for less than 6 hours.

(iii) *Excluded.*

Railway staff holding supervisory position, working in confidential capacity, doctors, matrons, and midwives in the medical department and those who have exceptionally light nature of duty are classified as Excluded. No fixed roster is applicable in their case.

(iv) *Continuous.*

All other railway servants employed in a continuous process are classified as Continuous.

The daily duty is for about 8 hours. A vast majority of railway servants are covered by this classification.

76.4.3. Intensive class have a statutory maximum of 45 hours a week on an average over a month, the continuous class a maximum of 54 hours a week on an average over a month and the essentially intermittent class a maximum of 75 hours a week. They are to have a periodic rest of 30 hours a week for continuous and intensive, 24 hours a week for essentially intermittent, and 24 hours a fortnight for excluded (class IV non-supervisory staff). The running staff and others have also been brought within the scope of the Act with maximum hours applicable to continuous workers. They are, however, entitled to rest of at least four periods of not less than 30 consecutive hours each, or at least five periods of not less than 22 consecutive hours each including a full night.

76.4.4. The time during which an employee may be waiting at the place of duty and not resting is included in the hours of work. Overtime work is discouraged, but when it becomes necessary, payment is made at  $1\frac{1}{2}$  times the ordinary rate of pay which now includes pay, dearness and city compensatory allowance but excludes house rent allowance. An important change has since been introduced in regard to the payment of overtime allowance. Employees classified as "intensive" or "continuous" in the past could earn overtime allowance only after they had worked beyond 45 or 54 hours respectively per week on the average in a month viz. they were allowed

overtime allowance after they had work over 193 or 231 hours respectively in one month. Now the orders are that overtime to employees classified as "intensive" or "continuous" would be paid on half-monthly basis instead of the weekly hours being averaged over a month.

76.4.5. The number of class III and class IV staff as on 31.3.67 under each of these classifications is indicated below:—

<i>Classification</i>	<i>No. of staff</i>
(a) Intensive	2,467
(b) Continuous	9,09,931
(c) Essentially intermittent	1,46,592
(d) Excluded	50,527

76.4.6. Under these regulations, if any railway servant is employed in contravention of the provisions, referred to above, the Railway authorities concerned can be punished with a fine which may extend up to Rs. 500/-.

76.4.7. The Chief Labour Commissioner and officers working under him have been appointed as Supervisors to watch the proper implementation of the provisions of Chapter VI A of the Indian Railways Act.

### (5) Industrial Disputes Act, 1947.

76.5.1. The Act provides for the machinery towards the peaceful settlement of industrial disputes. The main provisions of this Act relate to works committees for settlement of individual grievances and day-to-day difficulties in workshops, conciliation, adjudication and arbitration machinery, rights and obligations regarding strikes and lock-outs and compensation for lay-off and retrenchment.

76.5.2. In so far as the Railways are concerned, an understanding has been reached between the Railway Ministry and the Ministry of Labour who are responsible to check the implementation of the provisions of this Act on the Railways and other Central Government undertakings, that in view of the fact that Permanent Negotiating Machinery is functioning on Railways for settlement of grievances of Railway employees which may arise from time to time, the Ministry of Labour will

not interfere in the industrial disputes on Railways unless the Permanent Negotiating Machinery has proved a failure.

76.5.3. Thus the Railways have to pay specific attention to the provisions of the Act relating to the payment of lay-off and retrenchment compensation.

76.5.4. As regards lay-off, compensation not exceeding 45 days' in a year is payable if a worker had put in 240 days' work in the preceding 12 months. The rate of compensation is 50% of the basic wage and dearness allowance.

76.5.5. Regarding retrenchment of workers, no workman who has been in continuous service for not less than one year can be retrenched by an employer until one month's notice in writing or pay in lieu thereof is given to him, indicating reasons for retrenchment. No such notice is, however, necessary if the retrenchment is under an agreement which specifies a date for termination of service. An employer desiring to effect retrenchment must give notice in the prescribed manner to the appropriate Government.

76.5.6. A worker is required to put in 240 days' work during a period of 12 months, before he becomes entitled to retrenchment compensation. The rate of compensation is 15 days' average wages for each completed year of service or any part thereof in excess of six months/120 days.

76.5.7. On account of closure due to circumstances beyond the control of employers, the maximum compensation payable to workmen has been limited to their average pay for three months.

76.5.8. Undertakings engaged in construction work and those closing down within two years on account of the completion of its work, will not be required to pay compensation to their workers.

76.5.9. For any contravention of the provisions of the Act relating to payment of lay-off compensation and retrenchment benefits, the Act provides for the imposition of a fine upto Rs. 1,000/—or with imprisonment or with both.

#### **(6) Indian Trade Unions Act 1926.**

76.6.1. All Railway employees, except those employed in Railway Schools imparting technical training or academic education, are governed by the Trade Unions Act, 1926.



76.6.2. No Union is recognised unless it is registered under the Trade Unions Act. The number of outsiders who can hold office in the recognised Trade Unions is regulated by the provisions of this Act and should not exceed 50 % of the total number of office-bearers.

76.6.3. Membership figures of the unions on Railways, as given by the Registrar of Trade Unions, are generally accepted by the Railway Administrations for the purpose of recognition etc., though it is open to the Railway to get the membership figures verified through its own agency.

**(7) Industrial Employment (Standing Orders) Act, 1948.**

76.7.1. The Industrial Employment (Standing Orders) Act was enacted in early 1946 to regulate the conditions for recruitment, discharge, disciplinary action, holidays, leave etc. of workers in industrial undertakings employing 100 or more workmen. The conditions of service on these matters have to be framed on the lines of the model standing orders prescribed by the Central Government under the Act and thus have to be certified by the certifying officers appointed by the Government. There is a saving clause in the Act providing for the appropriate Government to grant exemption to any Industrial Establishment. Since the conditions of service of Railway employees are generally prescribed by the well-defined code rules, the Ministry of Labour in their notification dated 7.4.1956 granted exemption to all Industrial Establishments under the control of the various Indian Railways. Thus, all persons employed on Railways are exempted from the provisions of this Act.

76.7.2. In 1956 this Act was amended incorporating therein that the provisions of the Act do not apply to such workers in the establishments who are governed by the Fundamental and Supplementary Rules, Central Civil Services (Classification, Control and Appeal) Rules 1965 or the Indian Railway Establishment Code, or any other rules or regulations that may be notified by the appropriate Government in the official gazette.

76.7.3. In so far as casual labour is concerned, the model rules prescribed under this Act only state that workmen

employed on work of casual nature shall be treated as casual labour and such labour shall be provided with a casual card.

76.7.4. Thus all persons employed on railways including casual labour are at present exempted from the provisions of Industrial Employment (Standing Orders) Act, 1948. The conditions of employment of casual labour are generally based on the decisions of the government as a result of the recommendations made by the Second Pay Commission.

### (8) Workmen's Compensation Act, 1923.

76.8.1. The object of the Act is to enforce the obligation upon employers to pay compensation for accidents arising out of and in the course of employment resulting in death or total or partial disablement for a period exceeding 3 days. No compensation is, however, payable if the injury, not resulting in death, is caused by the wilful default of a worker, e.g. due to influence of drinks, drugs, wilful disobedience etc. Besides, in the case of workers who contract certain occupational diseases (mentioned in Schedule III to the Act), compensation is payable. The Act applies to (1) certain categories of railway service; any (2) to workers whose monthly wage does not exceed Rs. 500/-, employed in and capacity specified in Schedule II to the Act. Schedule II includes factories, mines, mechanically propelled vehicles, construction work and certain other hazardous occupations.

76.8.2. The amount of compensation payable depends on the nature of the injury and the average monthly wage of the worker concerned. For injuries which result in death or in permanent total disablement or partial disablement, Schedule IV to the Act provides for payment of lump sum compensation. The rates of compensation have been revised w.e.f. 1st February 1963 and these rates are approximately double of the old rates. In the case of death, the rate of compensation prescribed varies from Rs. 1,000 in the case of persons in the lowest wage group (below Rs. 10/- per month) to Rs. 10,000 in the case of those in the highest wage groups (above Rs. 400/- per month). For permanent total disablement, the rate of compensation ranges from Rs. 1,400 to 14,000. For permanent partial disablement, compensation is calculated on the basis

of percentage loss of earning capacity as laid down in the Schedule I to the Act. The Act also lays down that half-monthly payments shall be made for the workers in the case of temporary disablement. The rate of payment varies from half a month's wages in the case of workers getting less than Rs. 10/- per month to Rs. 87.50 in the case of those getting more than Rs. 400/- per month. The regular railway servants are also entitled, under the Railway Rules, to hospital leave to cover their absence from duty. The leave salary payable to such staff granted hospital leave is inclusive of half-monthly payments due under the Workmen's Compensation Act.

76.8.3. There are various other provisions in the Act concerning medical examination, for the administration of the compensation schemes by Commissioners, for settlement of disputed cases, by them, for disposal of a case, etc.

**(9) Employees' Provident Fund Act, 1952  
and the Scheme framed thereunder.**

76.9.1. The Employees' Provident Fund Act, 1952 provides for the institution of provident funds for employees in :

- (i) factories engaged in industries mentioned in Schedule I to the Act where 20 or more persons are employed; and
- (ii) establishments as may be notified by the Central Government and in which 20 or more persons are employed.

The rate of provident fund contribution is 6-1/2 per cent of basic wages, retaining allowance (if any) and dearness allowance including cash value of any food concession. The Central Government have been vested with general powers to apply and enhance the rate of contribution to 8% in industry or class of establishments covered under the Act. In fact, the statutory rate of contribution to provident fund has been enhanced to 8 per cent of pay in respect of certain industries.

76.9.2. All those employees employed in an establishment covered under the Act who have completed one year's continuous service, viz., who have actually worked in the establishment for not less than 240 days during a period of 12 months and

76.10.3. All factories and other concerned establishments on Railways have been granted exemption by the Government of India (Ministry of Labour and Employment) from the provisions of this Act on the considerations that the facilities relating to matters covered by this Act that are otherwise available to the railway employees concerned are on the whole not less favourable than those prescribed in this Act. So far as the sickness or maternity benefits are concerned, railway rules already provide for grant of adequate leave with full pay or half pay, as the case may be. During medical treatment of injuries sustained, railway employees are also allowed hospital leave either on full pay or half pay. Adequate medical facilities are also available for the staff on Railways. In so far as the dependents' benefits are concerned, railway employees are generally covered by the Workmen's Compensation Act which provide for payment of compensation to dependents of railway employees killed in accidents arising out of and in the course of their employment and also to the employees themselves disabled permanently or temporarily, as the case may be. Accordingly, so far as the Railways are concerned, the provisions of the Employees' State Insurance Act, 1948 are not of much importance to them, for the Act is still not applicable to any section of the Railway staff.

#### (11) Employment of Children Act, 1938

76.11.1. The Act prohibits the employment of children under the age of 15 years in occupations connected with the transport of passengers, goods or mails, by a railway. Apprentices are, however, excluded from these provisions. The employment of children on Railways even through contractors is prohibited under this Act and necessary provision to this effect is included in contract agreements. The Central Industrial Relations Machinery ensures the proper implementation of this Act on Railways.

#### CONCLUSIONS

77. The Study Groups' conclusions regarding Labour Legislation are as follows:—

(1) Effective steps should be taken to stop litigation in a Trade Union so that the regular functioning of a Trade Union is not

stopped because of internal factions; if necessary by providing legislative machinery.

(2) Unrecognised Unions should have no *locus standi*.

(3) Multiplicity of Trade Unions tend to weaken the labour movement. In order to avoid the multiplicity of Unions, the Trade Unions Act may be amended to provide that unless the Union has a membership of a certain minimum percentage, say not less than 10% of workers employed in an industry, it should not be eligible for registration under the Trade Unions Act.

(4) The Labour representatives pointed out that labour has been denied the following benefits because of non-observance of labour laws, or exemptions given from certain labour laws, and also suggested certain liberalisation as mentioned below in the existing labour enactments:

#### A. Non-observance of Labour Laws

(1) *Payment of Wages Act.*

Enforcement officers of the Ministry of Labour do not proceed with prosecutions against the Railways with the result that there are a number of cases of non-payment and delayed payment of wages under the Payment of Wages Act.

(2) *Minimum Wages Act.*

(a) The casual workmen are not issued wage slips as provided for in the Minimum Wages Act.

(b) There should be a periodical review of the Minimum Wages prescribed under this Act.

(3) *Chapter VIA of the Indian Railways (Amendment) Act, 1946.*

There is considerable delay in carrying out either the prescribed reviews in the classifications under the Hours of Employment Regulations or on receipt of applications from staff against wrong classification. Reclassification is given effect to from the date of decision and not from the original date of a complaint. This should have effect from the date of revision or the date on which the review was due.

(4) *Industrial Disputes Act.*

Casual labourers and substitutes are laid off without following the procedure and without payment of compensation as

provided for in the Industrial Disputes Act and the Enforcement Machinery of the Ministry of Labour does not take up [such cases.

(5) *Workmen's Compensation Act*

The provisions of this Act relating to half-monthly payments in the case of injuries sustained by workmen on duty are usually not observed on the Railways.

**B. Denial of facilities on account of exemptions given from different labour laws**

(1) *Factories Act, 1948*

(i) With the exemptions granted to Loco Running Sheds and Carriage & Wagon Depots, the minimum facilities, such as Canteens, Tiffin Rooms, Drinking Water facilities, Wash and Bath facilities etc., are not being provided in these establishments.

(ii) In respect of the "Essentially Intermittent" staff in Loco Running Sheds and Carriage & Wagon Depots, the weekly hours of work prescribed under the Factories Act, namely 48 hours, have not been applied.

(2) *Industrial Employment (Standing Orders) Act, 1946*

The service conditions of a large number of casual labourers have not been prescribed.

(3) *Employees' Provident Fund Act, 1952*

A large number of casual labourers, substitutes etc., have become ineligible for subscribing to the provident fund. Though in terms of the exemption order, which was granted, the railway administrations should continue to maintain statements and returns, collect contributions and pay inspection charges, these are not being followed.

(4) *Employees' State Insurance Act, 1948*

A large number of casual labourers employed on railways are not afforded the benefits granted under this Act.

**C. Liberalisation suggested in the existing labour enactments.**

(1) *Minimum Wages Act*

(a) The workers employed in the maintenance of buildings

and repairs of buildings are not taken as those employed in building operations.

- (b) Construction or maintenance of roads should be deemed to include rail-roads also.

(2) *Factories Act*

A medical inspectorate should be set up under the Factories Act whose functioning should be to keep a watch on unhealthy surroundings, hazard to health and occupational diseases.

(3) *Chapter VI of the Indian Railway (Amendment) Act, 1956.*

With the passage of time, the Hours of Employment Regulations have become out-dated. The increase in the volume of traffic and socio-economic changes need a thorough revision of classification. The classification like "excluded" has no justification now in view of the changes mentioned above. For any category, the hours of employment should not exceed 12 hours in a day. All workers, irrespective of their classification, should be assured of a weekly day of rest.

(4) *Workmen's Compensation Act, 1923.*

- (i) Workmen's Compensation Act being in the nature of a social security measure, compensation should be payable in respect of all employment injuries.
- (ii) The onus of proving that the safety devices and rules were not observed by a workman in an accident should lie on the employer.
- (iii) The rates of compensation under the Workmen's Compensation Act in respect of accidents which may occur for reasons beyond the control of an employee should be higher.
- (iv) The rate of compensation for disability under the Act should be substantially increased.

In regard to these observations of the Labour representatives, Government representatives felt that in regard to the enforcement of enactments relating to Railways, the position has been quite satisfactory. Preventive measures are effectively and

adequately taken while corrective measures to rectify the deficiencies and infringements, as soon as pointed out by the Central Industrial Relations Machinery or otherwise brought to the notice of the Railways, are applied promptly.



*Chapter IX***RURAL AND UNORGANISED LABOUR**

78. Study Group did not have any special recommendations to make on this chapter.

Chapter X

LABOUR RESEARCH AND INFORMATION

79. The Study Group came to the conclusion that an Industry of the magnitude of Railway should set up its own Research Cell for a regular socio-economic survey of the Railway workers.

**LIST OF  
"SELECTION" AND "NON-SELECTION" POSTS\***

Sl. No.	Categories of posts	Prescribed scale of pay Rs.	Authorised scale of pay Rs.	Classification
<b>TRANSPORTATION AND COMMERCIAL DEPARTMENT</b>				
1.	Section Controller Grade II	200—10—300	250—10—290 —15—380	Selection
2.	Section Controller Grade I	260—15—350	335—15—425	Non-selection
3.	Chief Controller Grade II/Dy. Chief Controller	300—20—400	370—20—450 —25—475	Selection
4.	Chief Controller Grade I	360—20—500	450—25—575	Selection
5.	Asstt. Transporta- tion Inspector	150—7—185 —8—225	205—7—240 —8—280	Non-selection
6.	Transportation Ins- pector Gr. IV	200—10—300	250—10—290 —15—380	Selection
7.	Transportation Ins- pector Gr. III	260—15—350	335—15—425	Selection
8.	Transportation Ins- pector Gr. II	300—20—400	370—20—450 —25—475	Non-selection
9.	Transportation Ins- pector Gr. I	360—20—500	450—25—575	Selection
10.	Asstt. Movement Inspector	150—7—185 —8—225	205—7—240 —8—280	Selection
11.	Movement Inspec- tor Gr. IV	200—10—300	250—10—290 —15—380	Non-selection
12.	Movement Inspec- tor Gr. III	260—15—350	335—15—425	Selection

Pelase see Ch. I, Para 17.1 of the Report

Sl. No.	Categories of posts	Prescribed scale of pay Rs.	Authorised scale of pay Rs.	Classification
13.	Movement Inspector Gr. II	300—20—400	370—20—450 —25—475	Non-selection
14.	Station Master/ Asstt. Station Master	150—225 100—185	150—280	Non-selection
15.	Station/Cabin Masters/ Asstt. Station/ Cabin Masters	200—10—300	250—10—290 —15—380	Selection
16.	Dy. Station Supdt./ Station Master/ Asstt. Station Master	260—15—350	335—15—425	Non-selection
17.	Dy. Station Supdt./ Station Master	300—20—400	370—20—450 —25—475	Non-selection
18.	Station Supdt.	360-20-500	590-30-830 -35-900	Selection
19.	Yard Supervisor/ Asstt. Yard Master	150-7-185 -8-225	205-7-240 -8-280	Non-selection
20.	Yard Master / Asstt. Yard Master	260-15-350	335-15-425	Non-selection
21.	-do-	200-10-300	250-10-290 -15-380	Selection
22.	Yard Master	300-20-400	370-20-450 -25-475	Selection
23.	Chief Yard Master	360-20-500	450-25-575	Selection
24.	Head Signaller Gr. II/ Senior Signaller	150-7-185 -8-225	205-7-240 -8-280	Non-selection
25.	Head Signaller Gr. I	200-10-300	250-10-290 -15-380	Selection
26.	Telegraph Inspector Gr. III/Asstt. Telegraph Inspector	150-225 100-185	205-7-240 -8-280	Non-selection

Sl. No.	Categories of posts	Prescribed scale of pay Rs.	Authorised scale of pay Rs.	Classification
27.	Telegraph Inspector Gr. II/Telegraph Master	200-10-300	250-10-290 -15-380	Selection
28.	Chief Telegraph Inspector/Telegraph Inspector Gr. I	260-15-350	335-15-425	Non-selection
29.	Chief Telegraph Inspector	300-20-400 360-20-500	370-20-450 -25-475	Selection
30.	Head Trains Clerk	150-7-185 -8-225	205-7-240 -8-280	Non-selection
31.	-do-	200-10-300	250-10-290 -15-380	Selection
32.	Guards Gr. 'A'	150-7-185 -8-225	205- 7-240 -8-280	Selection

### COMMERCIAL DEPARTMENT

33.	Asstt. Claims Inspector/Asstt. Claims Prevention Inspector	150-7-185 -8-225	205-7-240 -8-280	Non-selection
34.	Claims Inspector Grade IV/Claims Prevention Inspector Grade IV	200-10-300	250-10-290 -15-380	Selection
35.	Claims Inspector Gr. III/Claims Prevention Inspector Gr. III	260—15—350	335—15—425	Non-selection
36.	Claims Inspector Gr. II/Claims Prevention Inspector Gr. II	300—20—400	370—20—450 —25—475	Selection
37.	Claims Inspector Grade I	360—20—500	450—25—575	Non-selection

Sl. No.	Categories of posts	Prescribed	Authorised	Classification
		scale of pay Rs.	scale of pay Rs.	
38.	Asstt. Commercial Inspector (Goods, Parcel and Weightment, Road Transport weightment) crane control Demurrage Inspector Goods Van Inspector	150—7—185 —8—225	205—7—240 —8—280	Non-selection
39.	Commercial Inspector Grade IV/ Goods Inspector	200—300	250—380	Selection
40.	Commercial Inspector Grade III/ Goods Inspector	260—350	335—425	Non-selection
41.	Commercial Inspector Gr. II	300—400	370—475	Selection
42.	Commercial Inspector Grade I	360—500	450—575	Non-selection if there is no grade of Rs. 370—475; otherwise Selection
43.	Asstt. Rates Inspector	150—225	205—280	Non-selection
44.	Rates Inspector Gr. IV	200—300	250—380	Selection
45.	Rates Inspector Gr. III	260—350	335—425	Non-selection
46.	Rates Inspector Gr. II	300—400	370—475	Selection
47.	Rates Inspector Gr. I	360—500	450—575	Non-selection

Sl. No.	Categories of posts	Prescribed scale of pay Rs.	Authorised scale of pay Rs.	Classification
48.	Head Booking/Luggage Parcel/Goods Clerk	150—225	205—280	Non-selection
49.	Chief Booking/Luggage Parcel/Goods Clerk	200—300	250—380	Selection
50.	Booking/Parcel/Parcel & Luggage/Goods Supervisor	260—350	335—425	Non-selection
51.	Ticket Inspector/TTEs Ticket Collectors/Head Ticket Collectors/Chief Ticket Inspectors/Head TTEs.	200—300	250—380	Selection
52.	Chief Ticket Inspector TTE & CTTI	260—350	335—425	Non-selection
53.	Senior Special Ticket Inspector	360—500	370—475	Non-selection
54.	Chief Ticket Inspector	300—400	370—475	-do-
55.	Conductors	150—225	205—280	Non-selection
56.	Conductors	200—300	250—380	Selection
57.	Enquiry-cum-Reservation Clerks.	100—185	150—240	Selection
58.	Head Enquiry/Head Enquiry & Reservation Clerks	150—225	205—280	Non-selection
59.	Supervisor, Enquiry and Reservation or Chief Enquiry and Reservation Clerk	200—300	250—380	Selection

Sl. No.	Categories of posts	Prescribed scale of pay	Authorised scale of pay	Classification
		Rs.	Rs.	
60.	Chief Supervisor, Enquiry and Reservation Clerk	300—400	370—475	Selection
61.	Asstt. Transit/Transshipment Inspector	150—225	205—280	Non-selection
62.	Transit/Transshipment Inspector 'B'	200—300	250—380	Selection
63.	Transit/Transshipment Inspector 'A'	260—350	335—425	Non-selection
64.	Chief Transshipment Inspector.	360—500	450—575	Selection

#### CIVIL ENGINEERING DEPARTMENT

1.	Asstt. Bridge Inspector	150—225	205—280	Selection for those from ranks
2.	Bridge Inspector 'C'	200—300	250—380	Selection
3.	Bridge Inspector 'B'	260—350 300—400	335—485	Non-selection. Where scale Rs. 250—380 does not exist, scale Rs. 335—485 will be selection
4.	Bridge Inspector 'A'	360—500	450—575	Selection
5.	Asstt. Inspector of Works	150—225	205—280	Selection for those from ranks
6.	Inspector of Works Gr. III	200—300	250—380	Selection



Sl. No.	Categories of posts	Prescribed scale of pay Rs.	Authorised scale of pay Rs.	Classification
7.	Inspector of Works Gr. II	300—400 260—350	335—485	Non-selection. Where scale Rs. 250—380 does not exist, scale Rs. 335—485 will be selection.
8.	Inspector of Works Gr. I	360—500	450—575	Selection
9.	Asstt. Permanent Way Inspectors	150—225	205—280	Selection for those from ranks.
10.	Permanent Way Inspector Gr. III	200—300	250—380	Selection
11.	Permanent Way Inspector Gr. II	300—400 260—350	335—485	Non-selection Where scale. Rs. 250—380 does not exist, scale Rs. 335-485 will be selection.
12.	Permanent Way Inspector Gr. I	360—500	450—575	Selection
13.	Drainage Inspector	150—225	205—280	Selection if filled from more than one category
14.	Drainage Inspector	200—300	250—380	Non-selection where Rs. 205—280 grade is a selection grade.
15.	Asstt. Tubewell Inspector	200—300	250—380	Selection

Sl. No.	Categories of posts	Prescribed scale of pay Rs.	Authorised scale of pay Rs.	Classification
16.	Water and Drainage Inspector	300—400	370—475	Selection
17.	Surveyor Gr. III	150—225	205—280	Non-selection
18.	Surveyor Gr. II	200—300	250—380	Selection
19.	Surveyor Gr. I	260—350 300—400	335—485	Non-selection
20.	Supdt. Drawing Office/Chief Draftsman/Chief Design Asstt./Technical Asstt./Hd. Planner/Estimator	360—500	450—575	Selection
21.	Head Draftsmen 'A' /Sr. Jig. & Tool Designer/Hd. Design Asstt./Sr. Design Asstt./Hd. Planner and Estimator/ Hd. Estimator/ Hd. D'men 'B' etc.	300—400 260—350	335—485	Non-selection
22.	Sr. D'men 'B' / D'men 'A' / Design Asstt. 'B' / Planner and Estimator.	150—225 200—300	205—380	Selection in the case of promotees.

#### MEDICAL DEPARTMENT

1.	Nursing Sister	150—225	210—320	Non-selection
2.	Sister-in-Charge	200—300	250—380	Selection
3.	Matrons Gr. III		250—380	Selection
4.	Matrons Gr. II		370—475	Non-selection
5.	Matrons Gr. I		450—575	Selection
6.	Health Inspector Gr. II		205—280	Non-selection

Sl. No.	Categories of posts	Prescribed scale of pay Rs.	Authorised scale of pay Rs.	Classification
7.	Health Inspector Gr. I		250-380	Selection
8.	Chief Health Inspector		335-425	Non-selection
9.	Malaria Inspector	150-225	205-280	Non-selection
10.	Senior Malaria Inspector	200-300	250-380	Selection

## ELECTRICAL DEPARTMENT

1.	Chargemen 'C' / Asst. Chargemen	150-225	205-280	Selection
2.	Chargemen 'B' / Foremen 'C'	200-300	250-380	Non-selection
3.	Chargemen 'A'	260-350	335-425	Selection
4.	Asstt. Foremen	260-350	335-425	Selection
5.	Foremen 'B' / Asstt. Foremen 'A'	300-400	370-475	Non-selection
6.	Foremen 'A'	360-500	450-575	Selection
7.	Electrical Ins- pector	150-225	205-280	Selection if from Minis- tries
8.	Electrical Ins- pector	200-300	250-380	Selection
9.	Electrical Ins- pector	260-350	335-425	Selection
10.	Electrical Ins- pector	300-400	370-475	Selection
11.	Electrical Ins- pector	360-500	450-575	Selection
12.	Chief Traction Power Controller	360-500	450-575	Selection
13.	Progress Chasers	150-225	205-280	Non-selection

Sl. No.	Categories of posts	Prescribed scale of pay Rs.	Authorised scale of pay Rs.	Classification
14.	Asstt. Progress Supervisors	200-300	250-380	Selection
15.	Progress Supervisors	260-350	335-425	Non-selection
16.	Progress Supervisors	300-400	370-475	Selection
17.	Fuel Watcher	200-300	250-380	Non-selection
18.	Electrical Supervisor	200-300	250-380	Selection
19.	Supt. Drawing Office/ Chief Draftsmen/ Chief Design Asstt./ Technical Asstt. /Hd. Planner/ Estimator.	360-500	450-575	Selection
20.	Head Draftsmen 'A' / Sr. Jig & Tool Designer./ Hd. Design Asstt./ Sr. Design Asstt. Hd. Planner and Estimator/ Hd. Estimator/ Hd. D.men 'B' etc.	300-400 260-350	335-485	Non-selection
21.	Sr. D'men 'B'/ D'men 'A'/ Design Asstt. 'B'/ Planner and Estimators.	150-225 200-300	205-380	Selection in the case of promotees.

### SIGNAL AND TELECOMMUNICATION DEPARTMENT

1.	Chargemen/Asstt. Chargemen/Supervisor Inspection & Progress/Progressmen	150—225	205—280	Selection if from Ministries
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Sl. No.	Categories of posts	Prescribed scale of pay Rs.	Authorised scale of pay Rs.	Classification
2.	Asstt Foremen/ Progressmen/Char- gemen / Supervisor Inspection & Pro- gress.	200—300	250—380	Non-selection
3.	Chief Wireless Traffic Inspector	260—350 300—400	335—485	Non-selection
4.	Do	360—500	450—575	Selection
5.	Wireless Inspectors	160—250 200—300	210—380	Non-selection
6.	Do.	260—350 300—400	335—485	Selection
7.	Supdt. Drawing Office/Chief Drafts- men/Chief Design Asstt/Technical Asstt./Hd. Planner/ Estimator.	300—500	450—575	Selection
8.	Head Draftsmen 'A'/Sr. Jig & Tool Designer/Hd. De- sign Asstt/Sr. De- sign Asstt./Head Planner and Esti- mator/Hd. Estimator /Hd. D'men 'B' etc	300—400 260—350	335—485	Non-selection
9.	Sr. D'men 'B'/ D'men 'A'/Design Asstt. 'B' /Planner and Estimator.	150—225 200—300	205—380	Selection in the case of promotee
10.	Asstt. Block Signal Inspector	150—225	205—280	Selection from ranks
11.	Block Signal Ins- pector Gr. IV	200—300	250—380	Selection
12.	Block Signal Ins- pector Gr. III	260—350	335—425	Non-selection

Sl. No.	Categories of posts	Prescribed scale of pay Rs.	Authorised scale of pay Rs.	Classification
13.	Block Signal Inspector Gr. II	300—400	370—475	Selection
14.	Block Signal Inspector Gr. I	360—500	450—575	Selection
<b>MECHANICAL DEPARTMENT</b>				
1.	Power Controller Gr. II	260—350	335—425	Selection
2.	Power Controller Gr. I	300—400	370—475	Non-selection
3.	Chargemen Gr. 'C'	150—225	205—280	Selection from ranks
4.	Inspector Progress/Fore cast/Progressmen/'C' men Fitting side/Chargemen Gr. 'B'	200—300	250—380	Non-selection
5.	Chargemen Gr. 'A'/Sr. Chargeman.	260—350	335—425	Selection
6.	Foremen 'B' (Planning/Progress/Inspection)/Boiler Maker Foremen.	300—400	370—475	Selection
7.	Foremen 'A' (Planning/Progress/Inspection)/Shop Supdt.	360—500	450—575	Selection
8.	Drivers Gr. 'B'	160—300	210—380	Selection
9.	Drivers Gr. 'A'	260—350	335—425	Selection
10.	Boiler Maker Foremen/Boiler Inspector Gr I	260—350	335—425	Selection
11.	Boiler Maker Foremen Gr II/Boiler Inspector	300—400	370—475	Non-selection

Sl. No.	Categories of posts	Prescribed scale of pay Rs.	Authorised scale of pay Rs.	Classification
12.	Boiler Maker Foremen Gr III/Shop Supdt.	360—500	450—575	Selection
13.	Carriage & Wagon Inspector Gr III	260—350	335—425	Selection
14.	Carriage & Wagon Inspector Gr. II	300—400	370—475	Selection where such posts exist
15.	Carriage & Wagon Inspector Gr. I	360—500	450—575	Non-selection if there are posts in scale Rs. 370—475; otherwise selection
16.	Carriage Cleaning Inspector	200—300	250—380	Selection
17.	Train Examiners Gr 'C'	150—225	205—280	Selection for promotees in lower Gr Rs 180—240
18.	Train Examiners Gr 'B'	200—300	250—380	Selection
19.	Train Examiners Gr. 'A'	260—350	335—425	Non-selection
20.	Head Train Examiners	300—400	370—475	Selection
21.	Chief TXRs./Carriage Foremen	360—500	450—575	Selection
22.	Loco Inspector Gr. 'D'	200—300	250—380	Selection
23.	Loco Inspector Gr. 'C'	260—350	335—425	Non-selection
24.	Loco Inspector Gr. 'B'	300—400	370—475	Selection

Sl. No.	Categories of posts	Prescribed scale of pay Rs.	Authorised scale of pay Rs.	Classification
25.	Shed Loco Inspector	360—500	450—575	Non-selection
26.	Fuel Inspector (Landing & Statistical)	200—300	250—380	Selection
27.	Fuel Inspector (Landing & Statistical) Gr. 'C'	260—350	335—425	Non-selection
28.	Fuel Inspector (Landing & Statistical) Gr. 'B'	300—400	370—475	Selection
29.	Fuel Inspector (Landing & Statistical) Gr. 'A'	360—500	450—575	Non-selection
30.	Staff Inspector	300—400	370—475	Selection
31.	Staff Inspector	360—500	450—575	Non-selection
32.	Jr. Coal Allotment Inspector	260—350	335—425	Selection
33.	Sr. Coal Allotment Inspector	300—400	370—475	Selection wherever it exists, otherwise staff in scale Rs. 335—425 may be given a channel of promotion to the post of Jr. Fuel Inspector in scale Rs. 370—475 on selection basis



Sl. No.	Categories of posts	Prescribed scale of pay Rs.	Authorised scale of pay Rs.	Classification
34.	Asstt. Planning Supdt. (Metric)	300—400	370—475	Non-selection
35.	Inspector Progress	150—225	205—280	Selection from ranks
36.	Inspector Progress	200—300	250—380	Selection
37.	Inspector Progress	260—350	335—425	Non-selection
38.	Inspector Progress	300—400	370—475	Selection
39.	Chief Inspector Progress	360—500	450—575	Selection
40.	Lecturer	360—500	450—575	Selection
41.	Fitter Inspector	300—400	370—475	Non-selection
42.	Gas & Water Inspector	300—400	370—475	Selection
43.	Supervising Boiler Maker	200—300	250—380	Selection
44.	Supervising Boiler Maker	260—350	335—425	Non-selection
45.	Trial Inspector	200—300	250—380	Selection
46.	Yard Supervisor	260—350	335—425	Selection
47.	Timber Ward Keeper	200—300	250—380	Selection
48.	Loco Instructor	200—300	250—380	Selection
49.	Inspector Production	200—300	250—380	Selection
50.	Light In-charge	200—300	250—380	Selection
51.	Cypher Controller	260—350	335—425	Selection
52.	Chief Inspector Forecast	300—400	370—475	Non-selection
53.	Trial and Experimental Inspector	300—400	370—475	Non-selection
54.	Inspector (Power and Stock)/Rolling Stock Instructor	300—400	370—475	Selection

Sl. No.	Categories of posts	Prescribed scale of pay Rs.	Authorised scale of pay Rs.	Classification
55.	Transportation Inspector (Power)	360—500	450—575	Selection
56.	Assistant Water Softening Inspector	200—300	250—380	Selection
57.	Water Softening Inspector	260—350	335—425	Non-selection
58.	Senior Out-door Machinery Inspector	360—500	450—575	Selection
59.	Millwright Inspector	360—500	450—575	Selection
60.	Junior Out-door Machinery Inspector	300—400	370—475	Non-selection
61.	Assistant Technical Instructor	300—400	370—475	Selection
		STORES	DEPARTMENT	
1.	Ward Keepers	150—225	210—320	Non-selection
2.	Asstt. Store Keepers Gr. I/Asstt. Stationery Supdt.	200—300	270—380	Selection
3.	Depot Store Keeper Gr. II/Stationery Supdt.	260—350	335—485	Selection
4.	Depot Store Keeper Gr. I	360—500	450—575	Non-selection
5.	General Foreman	150—225	205—280	Non-selection
6.	Asstt. Shipping Inspector	150—225	205—280	Selection
7.	Asstt. Foremen (Printing)		335—425	Selection

Sl. No.	Categories of posts	Prescribed scale of pay Rs.	Authorised scale of pay Rs.	Classification
8.	Foremen Gr. II (Printing)		370—475	Non-selection
9.	Foremen Gr. I (Printing)		450—575	Non-selection
10.	Chargemen Gr. III (Printing)	80—160 100—185	150—240	Selection
11.	Chargemen Gr. II (Printing)	125—185 150—280	205—280	Non-selection
12.	Chargemen Gr. I (Printing)		250—380	Non-selection
13.	Chargemen Main- tenance (Printing)		205—280	Selection
14.	Chargemen Main- tenance (Printing)		250—380	Selection
15.	Head Reader (Printing)		205—280	Selection
16.	Head Mechanic I		205—280	Non-selection
17.	Clothing Inspector		250—380	Selection

**CLERICAL SUPERVISORS IN ALL (OTHER  
THAN ACCOUNTS) DEPTTS**

1.	Head Clerk	160—250 200—300	210—380	Non-selection
2.	Office Supdt. Gr. III	260—350	335—425	Selection
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3.	Office Supdts. Gr. II	300—400	350—475	Non-selection
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4.	Office Supdts. Gr. I	360—500	450—575	Selection

## CLERICAL SUPERVISORS IN ACCOUNTS DEPARTMENT

Sl. No.	Categories of posts	Prescribed scale of pay Rs.	Authorised scale of pay Rs.	Classification
1.	Sub-Heads	160—250 200—300	210—380	Non-selection
2.	Stock Verifiers	Do.	210—380	Non-selection
3.	Junior Accountants /Jr. Cost Accountants	200—350	270—435	Selection
4.	Sr. Accountants/Sr. Cost Accountants	350—500	435—575	Selection
5.	Jr. Inspectors of Stores/Station Ac- counts	200—350	270—435	Selection
6.	Sr. Inspectors of Stores/Station Ac- counts	350—500	435—575	Selection
7.	Senior Pay Clerks	160—250	210—320	Non-selection
8.	Sub-Cashier/H.Q. Pay Master	200—350	270—435	Selection
9.	Divl./Regional Cashier & Pay- masters	250—400	335—485	Non-selection
10.	Asstt. Chief Ca- shier	360—500	450—575	Selection
11.	Inspector of Pay Clerks	160—250 160—220 200—350	250—380	Selection
12.	Finger Print Exa- miner	150—225	205—280	Non-selection
13.	Head Finger Print Examiner	200—300	250—380	Non-selection

## ADMINISTRATION DEPARTMENT

Sl. No.	Categories of posts	Prescribed scale of pay Rs.	Authorised scale of pay Rs.	Classification
1.	Junior Statistical Inspectors/Compilation Inspector	200—300	250—380	Selection
2.	Sr. Statistical Inspector	260—350	335—425	Selection
3.	Statistical Inspector/ Instructor/Statistician/ Chief Statistical Inspector	300—400	370—475	Non-selection
4.	Sr. Statistical Inspector	360—500 350—500	450—575	Selection
5.	Junior Law Assistant	200—300	250—380	Selection
6.	Senior Law Assistant	260—350	335—425	Non-selection
7.	Law Supdt./Chief Law Asstt..	300—400	370—475	Selection
8.	Law Supdt.	360—500	450—575	Selection
9.	Asstt. Welfare Inspector	160—220	210—320	Selection
10.	Welfare Inspector Gr. IV	200—300	250—380	Non-selection
11.	Welfare Inspector Gr. III	260—350	335—425	Selection
12.	Welfare Inspectors Gr. II	300—400*	370—475	Non-selection
13.	Welfare Inspectors Gr. I	360—500	450—575	Selection
14.	Photographers/ Cine Cameramen	125—180 150—225	175—280	Non-selection

\*If there are less than three posts in this scale or there is no post in the scale Rs. 360-500/450-575 on a Rly., the former should be treated as Selection posts.

Sl. No.	Categories of posts	Prescribed scale of pay Rs.	Authorised scale of pay Rs.	Classification
15.	Senior Photographers/Cine Camera-men	200—300 260—350	250—425	Selection
16.	Chief Photographers	300—400 360—500	350—575	Non-selection if filled exclusively by promotions of staff in grade Rs. 250—425 (A. S.). If there is no Photographer in scale Rs. 250-425 and photographers in scale Rs. 170—280 are to be considered, then it should be selection post Selection
17.	Asstt. Adjudication Inspector	150—225		Selection
18.	Inspector Adjudication	260—350		Selection
19.	Chief Inspector Adjudication	300—400		Non-selection
20.	Chief Inspector Adjudication	360—500		Selection
21.	Hours of Employment Regulation Inspector	300—400		Non-selection
22.	Hours of Employment Regulation Inspector	360—500		Selection

Sl. No.	Categories of posts	Prescribed scale of pay Rs.	Authorised scale of pay Rs.	Classification
23.	Personnel Inspector grade IV	200—300	250—380	Non-selection
24.	Personnel Inspector grade III	260—350	335—425	Selection
25.	Asstt. Personnel Inspector	150—225	205—280	Selection
26.	Publicity Assistant	150—225	210—380	Selection
	Advertising Assis- tant	160—250 200—300		
27.	Senior Publicity Asstt. 'B' Senior Advertising Asstt. 'B'	260—350	335—425	Selection
28.	Senior Publicity Asstt. 'A' Senior Advertising Asstt. 'A'	300—400	370—475	Non-selection
29.	Chief Publicity Asstt. Chief Advertising Asstt.	360—500	450—575	Selection

#### STENOGRAPHERS IN ALL DEPARTMENTS

1.	Confidential Asstts./ Stenographers	260—350	210—425	Selection
2.	Stenographers	200—300		
3.	Stenographers	—	130—300	Non-selection