



# N F I R

## National Federation of Indian Railwaymen

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Affiliated to :

Indian National Trade Union Congress (INTUC)  
International Transport Workers' Federation (ITF)

No. IV/NFIR/SCM/Pt. VI

Dated: 05/03/2017

**The Secretary,**  
JCM (Staff Side),  
13-C, Ferozshah Road,  
New Delhi

Dear Brother,

Sub: Agenda Items for next meeting of Standing Committee of NC (JCM)-reg.

Ref: Ministry of Personnel, Public Grievances & Pensions, DoP&T's letter No.  
F. No. 3/3/2016-JCA dated 1<sup>st</sup> March 2017.

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Please find enclosed the items to be included in the agenda for meeting.

**Encl: Two**

Yours fraternally,

  
(Dr. M. Raghavaiah)  
General Secretary

Copy to the General Secretaries of affiliated Unions of NFIR.

Sub: Counting full service of Temporary casual labourers for pensionary and retirement benefits in Railways-reg.

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The Staff Side had discussed its demand for counting full service of temporary status of casual labourers for pensionary and retirement benefits at the level of Railway Ministry. Consequently, the Railway Ministry had agreed and accordingly proposal was sent to the Ministry of Finance and DoP&T seeking clearance. Unfortunately, the MoF/DoP&T have not accorded approval:-

In this connection, the Staff Side brings following key points for consideration.

- (a) The Casual Labourers in Railways had attained temporary status on completion of prescribed days of continuous working and got the benefits admissible to temporary Railway/Government employees such as regular Pay Scale, Medical facility etc.,
- (b) The Railway Administrations have however taken abnormally long periods to absorb them as regular staff although regular posts were vacant.
- (c) The status of casual labourers in railways after acquiring temporary status (termed as Temporary employee) is exactly similar to the substitutes in whose case, the total service from the date of attainment of temporary status is counted for reckoning qualifying service for pensionary benefits.
- (d) Various CATs, High Courts and even the Apex Court have given decisions against the differential treatment between the casual labour and substitutes particularly when both attained temporary status and directed to treat them at par so far as reckoning the service from the date of temporary status till the date of regularization for pensionary benefits etc.,
- (e) The SLPs filed by the Union of India before the Apex Court in a few cases of casual labourers were dismissed and the Hon'ble Supreme Court had directed the Union of India to calculate Pension and other retiral benefits payable to the retiring/retired employees, taking into account the 100% temporary status service.

The Staff Side, therefore, requests to consider the above valid points and accord approval for counting total temporary status service of Casual Labourers for pensionary benefits in Railways.

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Sub: Modified Assured Career Progression Scheme (MACPS) for the Central Government Employees – Arbitrary revision of benchmark from “Good” to “Very Good”-reg.

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The Staff Side brings to the notice of the Government that after introduction of the Modified Assured Career Progression Scheme (MACPS) w.e.f. 01<sup>st</sup> June 2009, the JCM (Staff Side) took up the issue relating to the benchmark laid down for granting financial upgradation under the scheme at the level of DoP&T and discussed in the Joint Committee Meetings and National Advisory Committee Meetings held on 17/07/2012 and 27/07/2012, urging to reconsider the benchmark concept taking into consideration the norms laid down for promotion of staff. After discussions, the DoP&T vide O.M. No. 35034/3/2008-Estt. (D) (Vol. II) dated 1<sup>st</sup> November 2010 & 4<sup>th</sup> October 2012 had issued instructions that the benchmark maintained for filling the vacancy through promotion by selection/non-selection/fitness be adopted for granting financial upgradation.

The Staff Side however, expresses its disappointment over the decision (Resolution No. 1-2/2016-IC dated 25<sup>th</sup> July 2016) of the Ministry of Finance (Department of Expenditure) introducing the benchmark “Very Good” for granting financial upgradation. The Government could have taken into consideration the bilateral agreement reached with the JCM (Staff Side) and the decision communicated vide DoP&T O.M. dated 1<sup>st</sup> November 2010 and 4<sup>th</sup> October 2012 for continuance of the standard prescribed already for granting MACP. Ignoring the said decision and introducing the benchmark concept of “Very Good” is an unjustified action when bilateral agreement had already been reached with the JCM (Staff Side).

The Staff Side therefore urges to review for cancellation of upgraded bench mark decision.

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