

# Voice of Rail Engineers

Official Journal of

INDIAN RAILWAYS TECHNICAL SUPERVISORS ASSOCIATION

Vol. 13 & 14 Issue – 6 & 1 Nov 2020 – Feb 2021 Price: Rs.20 Annual Subscription: Rs.100

## IRTSA appeals to DG(HR) on lacunas of e-Privilege Pass/PTO in HRMS Module

**Sub: Introduction of e-Privilege Pass/PTO in HRMS Module-Hardship faced by employees.**

Ref: Railway Board's letter No.PC-VII/2020/HRMS/6 dated 14.08.2020, 16.11.2020 & 22.01.2021.

1) Indian Railways have launched e-Privilege Pass/PTO module on 24<sup>th</sup> August 2020 through Human Resource Management System. This facility is expected to help Railway employees in using their pass hassle free and simultaneously make working of all officials involved in issuance of Pass smooth.

2) Issuance of manual pass was initially restricted upto 31.10.2020. Later the deadline was extended upto 31.12.2020. Further in exceptional and emergency cases where e-Pass could not be issued due to non-completion of data entry or any other unforeseen technical problems which could not be resolved within a stipulated time frame, physical passes may be issued till 28.02.2021.

3) Instead of creating a hassle free system, employees are put into severe hardship due to multiple problems faced by them in getting their privilege passes and PTOs as listed below,

a) For many of the employees, their details and their eligible family members' details are either missing or entered wrongly in the pass module.

b) Generation of OTP during the time of reservation at PRS counters is causing severe problem.

c) In mobile application of HRMS no provision is available for the employee to apply directly for e-Pass, view the status of his application, download the e-pass and do the reservation by generation of OTP.

d) Provision for cancellation of reservation and doing the reservation for the second time is not available in the module.

e) HRMS Pass Module is not accepting same station code or same Municipal area twice.

f) Extant break journey and enroute policy during booking on Privilege pass is not followed.

g) Entitlement for Mail & Express AC Chair car is not available in HRMS module. So employees are not able to reserve through IRCTC web site and PRS counters.

h) Many Special Trains operated throughout Indian Railways are not available in e-pass module of HRMS.

..... Continued on page-3

## IRTSA appeals to Finance Minister to reconsider the decision on freezing of DA & DR rates

In a detailed memorandum submitted to Finance Minister, it was stated that, Central & State Governments are able to implement corona preventive measures seamlessly, keeping the Government machinery with full efficiency, more particularly implementation of major infrastructure improvement works, etc successfully because of untiring effort put up by Central & State Government employees.

Railwaymen are working on the forefront risking their lives to keep passenger, freight & parcel services operational for ensuring transport of passengers and uninterrupted supply of essential commodities across the country. Indian Railways have taken up many special tasks to fight against COVID-19 pandemic.

In the memorandum justified reasons for de-freezing the rates of DA and DR were explained. The reasons include, DA is part of pay awarded for compensating for the erosion in the real value of the salary, the loss because of freezing of rates of DA and DR would be amount to 1.5 months of pay & pension, Lower and middle class employees and pensioners are hard pressed to meet their liabilities due to heavy inflation etc. were explained.

Memorandum further explained that, Central Pay Commissions had recommended for revision of DA and DR every six months, Fair Wages Committee recommended for continuance of dearness allowance to neutralize wholly or atleast substantially the increase in the cost of living and right to receive Salary and Pension every month is part of the service conditions emanating from Article 309 of the Constitution of India

.... Continued on page-4

## ADVANCE NOTICE FOR CEC MEETING OF IRTSA AT RCF KAPURTHALA ON 22<sup>ND</sup> JUNE, 2021

Next CEC Meeting of IRTSA shall be held on 22.06.2021 at RCF/Kapurthala, in the Community Hall RCF/Kapurthala. Detailed Agenda will follow soon.

CEC meeting will be followed by Farewell dinner of Sh. M. Bhatnagar Zonal Secretary RCF (retiring on 30-06-2021) at the Community Hall RCF/Kapurthala.

All CEC Office Bearers & CEC Members of IRTSA are requested to attend the Meeting & the Farewell Party to be arranged by RCF Unit of IRTSA.

**Voice of Rail Engineers** – (Previously Published as “THE RAIL SUPERVISOR”)

Editor-in-Chief: Er. Harchandan Singh, GS / IRTSA

Central Head Quarter: 32, Phase-6, Mohali, Chandigarh – 160055

Email - [gsirtsa@yahoo.com](mailto:gsirtsa@yahoo.com) Multifarious Website- [www.irtsa.net](http://www.irtsa.net)

Chairman Editorial Board, Er. M. Shanmugam, President / IRTSA

Manager: **K.V.Ramesh**, G3 – Likith Homes, 3, Lakshmanan Nagar West Street, Peravallur, Chennai – 600082. Mobile: 09003149578. Email: [rameshirtsa@yahoo.co.in](mailto:rameshirtsa@yahoo.co.in).

**“SUCCESS COMES TO THOSE WHO BELIEVE”**



**Editorial****National Rail Plan (NRP) prologue to complete privatization of Train operation in India**

**Locos, Wagons & A/C coaches proposed to be owned & maintained fully by private.**

**No additional capital investment requirements for PUs & Workshops considered in NRP.**

First edition of Indian Railway Administration & Finance—An Introduction: 1976, describes main objectives of Railway Management are to provide transport for both passengers and goods adequate to meet demand in areas where railway operation confers optimum benefit to the economy, having due regard to the Government's policy of development of backward areas and to provide rail transport at the lowest cost, safety of operation & least amount of pollution of the environment.

While the objectives of Indian Railways are still very much relevant, with a vision to develop Indian Railways as a world class system which shall be able to cater to the demand by keeping pace with growth and to compliment the economic development, Ministry of Railways has envisioned the preparation of National Rail Plan (NRP) for India keeping the year 2050 as the horizon. But the draft plan proposed for indiscriminate privatization in train operation.

Draft report Vol-I National Rail Plan for Indian Railways submitted in Dec 2020 brought out plan for the year up to 2051. Survey, projection of traffic, improvements, financial requirements, financing options etc. are given in the draft report.

Passenger traffic, Freight Traffic, High Density Network, Highly utilised network, Dedicated Freight Corridors, High Speed Rails, Flyovers, Bypasses, Signalling, Passenger Terminal development, Freight Terminal Development, Port Connectivity, Industrial corridor connectivity, Rolling stock procurement, etc. are studied and investment up to Rs.38.2 lakh crore is projected.

Goods wagons and locomotives proposed for 100% private holding. All maintenance activities will be in the hands of private.

All premium and A/C trains proposed to be operated by Private Train operators. Private Train Operators' share is assumed as 16.7% of total passenger rail network. An approximation made equal to the proportion of total trains that are fully AC. With the private ownership of rolling stock, maintenance of such rolling stock could also be shifted to the private sector. IR could opt to procure such rolling stock for 10-15 year-leases with option to renew the lease or purchase outright

Report says that, Private Train operation model will be based on train sets with service offerings entirely focused on AC coaches, it is essentially for premium inter-city travel. Therefore, financing for additional Non-AC (sleeper/General) coaches and MEMU/DEMU coaches could continue with the existing mechanism, i.e., a finance lease with IRFC.

There are around 24 terminals (station clusters) that handle more than 2,00,000 passengers per day in Indian Railways. These 24 terminals/ station clusters are proposed to be taken up for upgradation immediately treating them stand-alone individual business units. The report also identified 90 more stations for upgradation. In these stations Indian Railway trains and all passengers may require to pay 'station access fee'. . . . . Continued on page - 4

**IRTSA appeals to Finance Minister to withdraw the proposal of taxing the interest on PF deposits over 2.5 lakh**

**Sub: Rationalisation of Tax free Income on Provident Funds.**

**Ref: Annex to Part B of Budget Speech - Direct Tax Proposals.**

1) In the beginning of Budget Speech you have expressed your heartfelt gratitude to the working class stating that *"Even as a large section of citizens stayed home, milk, vegetable, and fruit-suppliers, health and sanitary workers, truck drivers, railways and public transport workers, bank employees, electricity workers, our annadatas, police, firemen, and the armed forces, all had to go about their work as normal, but with the additional anxiety of the virus hanging over them"*.

2) While entire nation was passing through a tough time due to Covid-19 pandemic, Government employees shouldered the responsibility of preventing spreading of Corona virus risking their health. Some of them have met with tragic end.

3) Government has announced various stimulus packages for all sectors at the time of pandemic. Government has also announced various measures for reducing tax burden on various sectors in the budget.

4) Unfortunately for Government employees no financial relief was announced. Rather, steps have been taken in opposite direction. Freezing of rates of Dearness Allowance from 1<sup>st</sup> January 2020 to 31<sup>st</sup> June 2021, 50% cut in overtime allowance and TA & DA, recovery of Transport allowance paid for the months of work from home, increase in the prices of essential commodities etc. have put heavy financial constraints on the salaried class.

5) Many of the salaried class also required to spend additionally on computers, laptops, smart mobile phones etc. for their wards to enable them attend on-line classes.

6) While all salaried class were in expectation of some relief from the tax burden on them, to our shock, it has been proposed in budget to restrict tax exemption on the interest earned on the employees' contribution to various provident funds beyond annual contribution of Rs. 2.5 lakh.

7) Government says that 0.27 percent of EPF individual account holders have net worth of Rs.62,500crore. Government says largest account is having Rs.103 crorebalance. These extraordinary EPF accounts cannot be the benchmark for normal salaried class employees' PF.

8) Over the years tax burden on salaried class is on the rise. It is pertinent to mention that, Income tax collection (14%) is the second major contributor after GST (15%) in total income of Government other than borrowings and other liabilities.

**9) It is therefore requested that, budget proposal to restrict tax exemption for the interest earned on the employees' contribution to various provident funds beyond annual contribution of Rs. 2.5 lakh may please be withdrawn.**

**Readers, Zones & Sub-units - Please send Annual Subscription @ Rs.100 PA for "Voice of Rail Engineers"**

**To: Er. K.V.Ramesh, G3 – Likith Homes, 3, Lakshmanan Nagar West Street, Peravallur, Chennai 600082.**

**Mobile:09003149578 Email: rameshirtsa@yahoo.co.in**

**Rail Engineers visit IRTSA Website: <http://irtsa.net> for latest updates**

## New IRTSA office bearers of Izatnagar, NWR

President	Er. Mukesh Sharma	SSE/Prg
Working President	Er.M.K.Sharma	SSE/Paint
Vice President	Er.VerendraRathore	SSE/MTS
President	Er.Raja Ram	SSE/DEMU
	Er.Bhavesh Kumar	SSE/Pipe Sec
	Er. Chetan Singh	SSE/PM
Secretary	Er. Pankaj Kumar Kushwaha	SSE/welding
Treasurer	Er. Ghanshyam Gupta	SSE/Smithy
Auditor	Er. Ajay Kishore	SSE/M&P
Joint Secretary	Er. Anil Katiar	SSE/BG
Secretary	Er. Dinesh Sharma	SSE/Wheel
	Er. Suman	SSE/CRS
	Er. Raj Dhar Sharma	SSE/Pipe Sec
Organising Secretary	Er. ArshadRasheed	SSE/Insp
	Er. R.K.Raman	SSE/Plg
	Er. R.K.Yadav	SSE/Wagon
	Er. JugalJishore	SSE BG
	Er. Amit Kumar	SSE/CRS
	Er. Ramesh Yadav	SSE/BG
	Er. SanjaiKannoija	SSE/Wagon
	Er. Ramanuj Gupta	SSE/MTS
	Er. SanjeevAgarwal	JE/Tender
	Er. VaibhavShukla	JE/Wheel
	Er. Tejpal Singh	SSE/PR

## Medical Insurance to all Railway Employees, Rly Board seeks information from Zones & PUs

Railway Board has asked following information from Zonal railways and Production Units latest by 4<sup>th</sup> January 2020, vide its letter No.E(W)2020/Misc/Dash Board-GIS, dated 30.12.2020, to be put up to the committee constituted to examine the issue.

- 1) The total expenditure per annum being incurred by the medical department of each Zonal railway and PU
- 2) Expenditure incurred during 2019-20 on private hospitals.
- 3) Total number of pay levels in each of the following levels
  - i. Level 1 to 5
  - ii. Level 6
  - iii. Level 7 to 11
  - iv. Level 12 & above

## 2<sup>nd</sup> MACPS on completion of 20 years treating the scheme w.e.f 1.1.2006

**JUDGMENT OF HIGH COURT OF DELHI AT NEW DELHI, W.P. (C) 10028/2020, Date of Decision: 19th January, 2021**

**The benefit of the 2<sup>nd</sup> MACP has to be given from the date of completion of 20 years of service by treating the MACP scheme as applicable with effect from 1<sup>st</sup> January 2006 onwards**

In its judgment High court of Delhi gives the benefit of the 2<sup>nd</sup> MACP to the Petitioner in the pay scale of Sub-Inspector @ Rs. 9300-34800/- with Grade Pay of Rs. 4200/- upon completion of 20 years of regular service with the CRPF, from his respective due date of year by treating the MACP as applicable since 01<sup>st</sup> January 2006 onwards.

## RAILWAYS PROPOSES REVISION OF LIST OF SUPERVISORY STAFF

**Railway Board written twice to Zones & PUs asking for details**

**First letter dated 16.10.2020 was followed by letter dated 02.02.2021**

The issue of revision of list of Supervisory staff is under consideration in Board's office. As the Railways are aware, the list of Supervisory Staff was prepared with the approval of Ministry of Labour and Employment and issued in 1962 vide Board's letter No. H(S)1-58/Adj/9 dated 05.09.1962. The second list of Supervisory Staff was revised in the year 1972 in consultation with both AIRF and NFIR and sent to Ministry of Labour in 1972 for their approval. While the response from Ministry of Labour is awaited, Ministry of Railways notified the Railway Servants (Hours of Work and Period of Rest) Rules 2005 in consultation with Ministry of Labour and Ministry of Law. However, the matter was kept pending in this ministry to workout the new list of designations in view of implementation of 6<sup>th</sup> CPC recommendations. Thus even after notification of Railway Servants (Hours of Work and Period of Rest) Rules 2005, no revised list of Supervisory Staff could be published leaving the list of Supervisory Staff notified in 1962 as still valid.

In view of the above, the Finance directorate in Board's office has raised the following queries

(i) as to which list is being followed by the Railways i.e. the list circulated in the year 1962 in consultation with Ministry of Labour or the list circulated in the year 1972 on which consent of Ministry of Labour is awaited.

(ii) since the revision of list of Supervisory Staff would result into revised eligibility of overtime allowance, the approximate financial implications involved in the proposed revision and

(iii) the existing categories/designations which need to be removed from the list of Supervisory Staff being followed by the Railways.

In its communication to Zones and PUs on 2<sup>nd</sup> February Board said that "As the Railways are aware that even after notification of Railway Servants (Hours of Work and Period of Rest) Rules 2005, the new lists of designation emerged in view of implementation of 6<sup>th</sup> & 7<sup>th</sup> CPC recommendations; list of supervisory staff has not been revised. Accordingly, revision of list of Supervisory staff is under consideration in Board's office."

Board advised Railways to send the requisite information by 7<sup>th</sup> February 2021.

## Introduction of e-Privilege Pass/PTO in HRMS Module- Hardship faced by employees

.... Continued from page-1

i) PRS system is not accepting name of persons in the pass if it exceeds 16 digit characters.

j) There is no alternate provision to get Pass/PTO in case of failure of internet connection or in places where there is no internet connection / poor internet connection.

**3) Hence it is requested that,**

**a) Issue of manual Pass & PTO may please be permitted as per employees' choice.**

**b) Lacunas of e-Privilege Pass/PTO in HRMS Module listed in para 3 may please be cleared at the earliest possible time and the system should be made suitable to follow all existing pass rules.**

## Unused Passes/PTOs of the Calendar Year 2020 will be allowed to credited back on which no journey has been performed

A request received from All India Railwaymen's Federation for cancellation of already issued Passes/PTOs without debiting the respective pass accounts, on the grounds of reduced scale of train services and prevailing COVID-19 situation has been examined in consultation with Commercial Dte. of Railway Board and with the approval of Competent Authority, the following decisions have been taken:-

(i) In case of Passes/PTOs of Calendar Year 2019, they were available for use of the beneficiaries during the entire year of 2019 and also during the current Calendar Year 2020 with extended validity. Hence, crediting back the unused Passes/PTOs, etc of 2019 is not justifiable and would stand lapsed.

(ii) In case of Passes/PTOs of Calendar Year 2020, already drawn but could not be used despite of making reservation even during the extended validity period on account of extraordinary circumstances emerged due to COVID-19 pandemic situation and non-operation of train services in normal scale, such Passes/PTOs (i.e. Privilege Passes/PTOs, Post Retirement Complimentary Passes and Widow Passes) may be credited back in respective Pass Accounts subject to the following conditions:-

(a) Only those unused Passes/PTOs of the Calendar Year 2020 will be allowed to be credited back on which no journey has been performed though reservation has been made and on depositing the physical Passes/PTOs to the respective Pass Issuing Authority (PIA).

(b) In case of Passes/PTOs where the benefit of "Leave Encashment" has been taken by availing the Passes/PTOs of the year 2020, but could not undertake journey due to cancellation of the train, such Passes/PTOs may be treated as availed/used and the same should not be credited back to the Pass account. PIA's may take declaration in this regard.

Ref: Railway Board letter No.E(W)2020/PS5-2/7, dated. 28.12.2020

## IRTSA appeals to FM to reconsider freezing of DA & DR rates... Continued from page-1

It was further added that, freezing of DA and DR is a blatant violation of the provision of Article 360 of the Constitution of India. Neither Epidemic Diseases Act 1897 nor Disaster Management Act 2005 specify or confer any power upon any Government to defer the Salary or Allowances due to its Employees and Pensioners, financial difficulty is not a ground for the Government to defer or freeze the Payment of Salary/Allowances or Pension by an executive order, De-freezing of rates of DA and DR will incentivize consumer spending to help boosting of economy in post-COVID times, etc.

It is, however, very disheartening that the Government has decided to freeze rates of DA and DR and the same would not be revised upto July 2021; and that no arrears will be paid. This has adversely affected financial condition as well as morale of the employees.

Keeping in consideration all the above aspects, IRTSA appealed that, orders for freezing of Dearness Allowance and Dearness Relief may please be withdrawn and eligible arrears may please be paid from 01.01.2020.

## IRTSA Lucknow, NR releases Diary 2021



Dr. Manish Pandey, CWM, C&W, Workshop, Alambagh, Lucknow releases IRTSA Diary 2021



## NRP prologue to complete privatization of Train operation..... Continued from page-2

Assets of Dedicated Freight Corridors (DFC) are proposed to be monetized to generate further fund. Indian Railway will be required to pay Track Usage Charge to DFC, for running its goods train in DFC tracks.

In the draft report, No additional capital investment proposed for Production Units, since Railways is undertaking an initiative for corporatization. Similarly, No additional infrastructure for maintenance of locos, wagons and A/C coaches are planned.

The report proposes that, major share of basic core infrastructure below the track & Signal to be invested by Railways / Governments since no private players will be willing to invest on this. Major infrastructure (rolling stock, passenger terminals & freight terminals) above track to be handed over to Private players.

The report has no planning & projection about creation of employment, no plan to acquire technical know-how, no plan given for human resources development, etc. no plan given for possible ticket fare pattern for passenger traffic & freight rates. A vision document without vision.

**All Zones & sub units to send the details of Central Quota to the Central Treasurer  
ER O. N. PUROHIT, 106, SURAJ NAGAR,  
JODHPUR-342008**

## HIGHLIGHTS OF UNION BUDGET PRESENTED BY FM ON 1<sup>ST</sup> FEBRUARY 2021

1) Provided Rs.35,000 crores for Covid-19 vaccine in BE 2021-22. Committed to provide further funds if required.

2) **The National Infrastructure Pipeline (NIP)** was launched with 6835 projects; the project pipeline has now expanded to 7,400 projects. Around 217 projects worth Rs.1.10 lakh crores under some key infrastructure Ministries have been completed.

NIP requires a major increase in funding both from the government and the financial sector - i) creating the institutional structures; ii) a big thrust on monetizing assets, and iii) enhancing the share of capital expenditure in central and state budgets

### 3) **Asset Monetisation**

A “National Monetization Pipeline” for monetizing operating public infrastructure assets

- i) National Highways Authority of India
- ii) Dedicated Freight Corridors’ assets for operations and maintenance, after commissioning
- iii) Next lot of Airports
- iv) (i) NHAI Operational Toll Roads (ii) Transmission Assets of PGCIL (iii) Oil and Gas Pipelines of GAIL, IOCL and HPCL (iv) AAI Airports in Tier II and III cities, (v) Other Railway Infrastructure Assets (vi) Warehousing Assets of CPSEs such as Central Warehousing Corporation and NAFED among others and (vii) Sports Stadiums.

### 4) **Roads and Highways Infrastructure**

a) Outlay of Rs. 1,18,101 lakh crores for Ministry of Road Transport and Highways, of which Rs. 1,08,230 crores is for capital, the highest ever.

b) Bharatmala Pariyojana project More than 13,000 km length of roads, at a cost of Rs. 3.3 lakh crores is on progress.

### 5) **Railway Infrastructure**

a) Outlay of Rs. 1,10,055 crores, for Railways of which Rs. 1,07,100 crores is for capital expenditure.

b) It is expected that Western Dedicated Freight Corridor (DFC) and Eastern DFC will be commissioned by June 2022.

c) The Sonnagar – Gomoh Section (263.7 km) of Eastern DFC will be taken up in PPP mode in 2021-22. Gomoh-Dankuni section of 274.3km will also be taken up in short succession.

d) Future dedicated freight corridor projects

- i) East Coast corridor from Kharagpur to Vijayawada,
- ii) East-West Corridor from Bhusaval to Kharagpur to Dankuni and
- iii) North-South corridor from Itarsi to Vijayawada.

e) 100% electrification of Broad-Gauge routes will be completed by December, 2023

f) High density network and highly utilized network routes of Indian railways will be provided with an indigenously developed automatic train protection system that eliminates train collision due to human error.

### 6) **Urban Infrastructure**

a) A new scheme will be launched at a cost of Rs. 18,000 crores to support augmentation of public bus transport services.

b) The scheme will facilitate deployment of innovative PPP models to enable private sector players to finance, acquire, operate and maintain over 20,000 buses.

### **Metros**

a) A total of 702 km of conventional metro is operational and another 1,016 km of metro and RRTS is under construction in 27 cities.

b) Two new technologies i.e., ‘Metro Lite’ and ‘Metro Neo’ will be deployed to provide metro rail systems at much lesser cost with same experience.

c) Central counterpart funding will be provided to

- i) Kochi Metro Railway Phase-II
- ii) Chennai Metro Railway Phase-II
- iii) Bengaluru Metro Railway Project Phase 2A and 2B
- iv) Nagpur Metro Rail Project Phase-II and
- v) Nashik Metro

### 7) **Increasing FDI in Insurance Sector**

Proposed to increase the permissible FDI limit from 49% to 74% in Insurance Companies and allow foreign ownership and control with safeguards.

### 8) **Disinvestment and Strategic Sale**

a) Estimated receipts from disinvestment is Rs.1,75,000 crores

b) Disinvestment of BPCL, Air India, Shipping Corporation of India, Container Corporation of India, IDBI Bank, BEML, Pawan Hans, Neelachallspat Nigam limited among others would be completed in 2021-22.

c) Other than IDBI Bank, proposed to take up the privatization of two Public Sector Banks and one General Insurance company in the year 2021-22.

d) The policy provides a clear roadmap for disinvestment in all non strategic and strategic sectors. Proposed to keep four areas that are strategic where bare minimum CPSEs will be maintained and rest privatized, in the remaining sectors all CPSEs will be privatized.

e) Incentive package of Central Funds for States to take to disinvestment of their Public Sector Companies.

### 9) **Direct Tax Proposals**

a) In 2020, the return filers saw a dramatic increase to 6.48 crore from 3.31 crore in 2014.

b) Senior citizens above 75 years, who only have pension and interest income exemption from filing their income tax returns. The paying bank will deduct the necessary tax on their income.

c) **Rationalisation of Tax free Income on Provident Funds:** It is proposed to restrict tax exemption for the interest income earned on the employees’ contribution to various provident funds to the annual contribution of Rs. 2.5 lakh.

d) **Exemption for Leave Travel Concession (LTC) cash scheme:** It is proposed to provide tax exemption to the amount given to an employee in lieu of LTC subject to incurring of specified expenditure.

e) **Agriculture Infrastructure and Development Cess (AIDC)** on a small number of items. However, while applying this cess, we have taken care not to put additional burden on consumers on most items.

f) An agriculture Infrastructure and Development Cess (AIDC) of Rs.2.5 per litre has been imposed on petrol and Rs. 4 per litre on diesel

g) Consequent to imposition of Agriculture Infrastructure and Development Cess (AIDC) on petrol and diesel, the Basic excise duty (BED) and Special Additional Excise Duty (SAED) rates have been reduced on them so that overall consumer does not bear any additional burden.

**RAILWAY BOARD ORDERS**

**Railway Board letter No. RBE.No.96/2020 (S.No.PC-VII/160 No.E(P&A)II-2017/HW-1) dated 06-11-2020**

**Sub: Recovery of Night Duty Allowance (NDA) from Railway employees who have become ineligible to get NDA after issue of Board's letter dated 29.09.2020 (RBE No. 83/2020).**

Please refer Board's letter of even number dated 08.03.2018 (RBE No. 36/2018) whereby the revised rates of NDA for 7th CPC period effective from 01.07.2017 were conveyed to zonal Railways. Subsequent to issue of DoP&T's OM dated 13.07.2020 on Night Duty Allowance, further instructions issued vide Board's letter dated 29.09.2020 (RBE No. 83/2020) prescribing Rs.43600 as ceiling of Basic Pay for entitlement of NDA. Federations have represented against the decision of ceiling-limit of pay and demanded for its review. While considering Federations' demand Board have decided to refer the matter to DoP&T for clarification and, in the interim, recovery of NDA from Railway employees who have become ineligible for the same after issue of Board's letter dated 29.09.2020 (RBE No. 83/2020) be deferred until further orders.

Railways are accordingly, advised to defer recovery against NDA until further orders.

This issues with the concurrence of the Finance Directorate of the Ministry of Railways.

**No: A-27016/ 02/ 2017-Estt.(AL) Department of Personnel & Training, dated 13.07.2020**

**OFFICE MEMORANDUM**

**Sub: Implementation of Government decision on 7th CPC's recommendations on Night Duty Allowance (NDA).**

Consequent upon the decision taken by the Government on the recommendations made by the 7th Central Pay Commission on the subject of Night Duty Allowance, the following instructions are being issued in supersession of this Department's O.M.s No. 12012/4/86-Estt.(Allowances) dated 04.10.1989 and OM No.15020/2/92- Estt.(Allowances) dated 05.05.1994.

(i) Wherever the working hours have been arrived at after taking into account the night weightage factor, no further compensation may be admissible.

(ii) Night Duty will be defined as duty performed between 22:00 hours and 6:00 hours

(iii) A uniform weightage of 10 minutes shall be given for every hour of night duty performed.

(iv) The ceiling of basic pay for entitlement of Night Duty Allowance shall be Rs. 43600/- per month.

(v) The hourly rate of NDA equal to [(BP+DA)/200] will be paid and the basic pay and DA for the calculation of NDA rates shall be the basic pay and DA prevalent as per 7th CPC.

(vi) This formulation will extend to all employees across all Ministries/Departments who were already in receipt of NDA.

(vi) The amount of NDA will be worked out separately for each employee depending upon the basic pay the concerned employee is drawing on the date of performing the night duty. The existing practice for giving same rate of NDA to all employees with a particular Grade Pay should be discontinued.

(vii) A certificate should be given by the supervisor concerned that Night Duty is essential.

2.The above instructions will be applicable with effect from 1st July 2017.

**Railway Board letter No. E(G)2020/PN1/ 29, dated: 15-01-2021**

**Sub: Coverage under Railway Services {Pension} Rules, 1993, in place of National Pension System of those Railway Employees whose selection for appointment was finalized before 01.01.2004 but who joined Railway service on or after 01.01.2004.**

Ref: Railway Board's letter No. D-43/12/2018-F{E}III dated 03.03.2000.

Please refer to the above cited subject. Several requests/representations are being received from Zonal Railways for switching over to the Old Pension Scheme instead of New Pension Scheme by their staff.

As per para 8 of the DOP&PW's OM No. 57/04/2019-P&PW{B} dated 17.02.2020 (adopted on Railways vide letter No. D-43/12/2018-F{E}III dated 03.03.2020) "the matter regarding coverage under the CCS {Pension} Rules, 1972 based on the option exercised by the Government servant shall be placed before the appointing authority for consideration in accordance with these instructions.—".

In view of the above it is requested that Railways may take up the cases for switching over from NPS to Old Pension Scheme for their Nongazetted staff at their end. Further, in case of any doubt/query the same may be examined in consultation with Associate Finance and reference may be made to Railway Board with verbatim comments of Associate Finance for clarification.

**Railway Board letter No. PC-VII/2020/HRMS/16, dated: 16.02.2021**

**Sub: Implementation of Settlement, PF and e-pass modules of HRMS-reg.**

Eight modules of HRMS have been launched and vide Board's letter dated 22.12.2020. It was advised that the modules would be effective w.e.f 01.01.2021.

2. However. various Railways and Production Units have raised issues like proxy errors. connectivity to server and flows of HRMS modules whereby users are experiencing difficulty in Issuance of Passes and PF.

3. This has been examined in Board. In order to avoid inconvenience to users, it has been decided that while HRMS remains the preferred option, Field Units also have the option to operate the Pass, PF and Settlement activities as per the existing practice till 31.03.2021. However from 01.04.2021 onwards all the activities relating to these modules shall only be Initiated through respective modules of HRMS as CRIS would have taken all measures to ensure seamless operation of HRMS.

4. This issues with the approval of Competent Authority  
**Railway Board letter No.E(NG)II/2020/PM 1/2, dated February 26th, 2020**

**Sub: Discontinuance of Direct Recruitment to the posts of Senior Section Engineers (SSEs) – clarification reg.**

As per extant provisions, SSE posts are filled up partly by DR (20%) and partly by promotion (80%)

2. Instructions issued vide Board's letter No.E(NG)II/2018/RR/1-31 dated 25.10.2018 provisionally discontinued direct recruitment in the posts of SSEs, initially for a period of one year, and also provided that all direct recruitment in all technical supervisory categories should be done only in the post of JEs by adding the DR vacancies of SSEs to those of JEs for the purpose of Direct Recruitment till the period of discontinuance of DR

..... Railway Board orders continued on page-7

..... **Railway Board orders continued from page-6**  
in SSE. The provisional discontinuation of DR of SSE has further been extended for a period of one year beyond 24.10.2019 vide Board's letter No.E(NG)II/2018/RR/ 1-31 dated 02.09.2019.

3. The transfer of the DR intake for SSEs into the lower grade of JE has resulted in increase in strength of the JE cadre with a corresponding decrease in SSEs. To offset this as well as to protect the promotional interest of JEs, the matter has been examined in consultation with both the staff Federations i.e. AIRF and NFIR. It has been decided that henceforth the 20% DR quota of SSE may be transferred to the Promotional Quota (from JE to SSE) until the prohibition of DR intake into SSE continues. In other words, SSE posts may now be filled up 100% through promotion from JE as long as the DR intake into SSE is kept on hold. Adequate cushion may however be factored in for accommodating any pending inter Railway transfer requests or any compassionate appointment cases in SSE that may have been approved.

**Railway Board letter S.No. PC-VII/162, RBE No. 104/2020, No. PC-V/2017/A/TA (E), dated 03-12-2020**

**Sub: Clarification regarding admissibility of Transport Allowance during Nation-wide Lockdown due to Covid-19 pandemic.**

References/ queries have been received from various Zonal Railways/PUs seeking clarification regarding admissibility of Transport Allowance to the employees who could not attend their offices during nation-wide Lockdown period. On this matter Ministry of Finance/Department of Expenditure vide their OM No. 21/3/2020-E.II (B) dated 01-12-2020 have issued necessary clarification, a copy of which is forwarded herewith for information and compliance. These instructions shall apply mutatis-mutandis on the Railways also.

2. This issues with the concurrence of Finance Directorate of Ministry of Railways.

**F.No.11013/9/2014-Estt.A. III - Department of Personnel and Training - OFFICE MEMORANDUM Dated 13.02.2021**

**Subject: Preventive measures to contain the spread of Novel Coronavirus (COVID-19) — Attendance of Central Government officials regarding.**

The undersigned is directed to refer to OM of even number dated the 7th October, 2020 whereby orders regulating the attendance of Central Government employees were issued.

2. Ministry of Home Affairs has issued detailed guidelines on containment of COVID-19 on 27th January, 2021, in order to maintain caution and to strictly follow the prescribed containment strategy, focussed on surveillance, containment, caution and strict observance of the guidelines. In view of this, the matter has now been re-considered and it has been decided as under :-

(a) The Government servants at all levels are to attend office on all working days without any exemption to any category of employees.

(b) The officers/staff shall follow staggered timings to avoid over-crowding in offices/workplaces as decided by the Heads of Department.

(c) All officers/staff residing in the containment zone shall be exempted from coming to offices till the containment zone is de-notified. These officers/staff who are residing in the Containment Zone shall work from home and shall be available on telephone and electronic means of communications at all times.

(e) Biometric attendance shall continue to be suspended until further orders.

(f) Meetings, as far as possible, may continue to be conducted with video-conferencing and personal meetings with visitors, unless absolutely necessary in public interest, are to be avoided.

3. A Standard Operating Procedure (SoP) on preventive measures to contain spread of COVID-19 in offices, issued by the Ministry of Health & Family Welfare on 13.2.2021, is also available at <https://www.mohfw.gov.in/pdf/SOPOnpreventivemeasurestocontainspreadofCOVID19inoffices.pdf> All Ministries/Departments/Offices as well as the Central Government employees are directed to ensure strict compliance of instructions issued by MHA, Ministry of Health & Family Welfare and DoP&T, from time to time, on regular sanitization/cleaning of workplaces, maintenance of social distancing norms, wearing of masks and health & hygiene practices etc.

4. The above instructions shall be in force with immediate effect until further orders

**No.21/3/2020- E.II(B), Ministry of Finance  
Department of Expenditure**

**OFFICE MEMORANDUM**

**Subject: Clarification regarding admissibility of Transport Allowance during Nation-wide Lockdown due to COVID-19 pandemic.**

The undersigned is directed to refer to this Department's O.M. No. 21/5/2017-E.II(B) dated 07.07.2017 regarding grant of Transport Allowance to Central Government employees wherein conditions have been mentioned regarding admissibility of Transport Allowance.

2. Several references are being received in this Department seeking clarification regarding admissibility of Transport Allowance during nation-wide Lockdown from 23rd March to 20th April and further upto 20th May 2020 due to COVID-19 pandemic, as during this period various employees could not attend their offices.

3. The matter has been considered in this Department and the following is clarified:

i. Transport Allowance is granted to Central Government employees to compensate them for the cost incurred on account of commuting between residence and office. The Central Government employees, who could not attend office in a whole calendar month during Lockdown period, are not eligible to draw Transport Allowance for that month as these employees had not incurred any expenditure for commuting office.

ii. The Central Government employees, who could not attend office and worked from home in a whole calendar month, are not eligible to draw Transport Allowance for that month as these employees had not incurred any expenditure for commuting office.

iii. Physically disabled employees and pregnant women employees who were exempted to attend office and were directed to work from home during exempted period as per instructions issued by DOP&T are not eligible to draw Transport Allowance during exemption period as these employees have not incurred any expenditure for commuting office.

iv. The non-entitled officers/officials, who are temporarily provided with facility of official car for commuting between office and residences throughout the whole calendar month on account of non availability of public transport facility due to COVID-19 pandemic, are also not eligible to draw Transport Allowance.

4. This is issued with the approval of the Secretary(Expenditure).

**DoPT&Dept of Expenditure orders**

**No. 12(2)/2020-E.II(A), Ministry of Finance  
Department of Expenditure, 20th October, 2020**

**OFFICE MEMORANDUM**

**Subject: Clarification regarding queries being received in respect of Special cash package equivalent in lieu of Leave Travel Concession Fare for Central Government Employees during the Block 2018-21.**

The undersigned is directed to refer to this Department's O.M of even no. dated 12th October, 2020 and to say that this Department has been receiving queries seeking clarification relating to Special Package equivalent in lieu of Leave Travel Concession Fare for Central Government Employees during the Block 2018-21 announced by the Government. A statement giving answers/ clarifications to the queries is attached as annexure to this O.M.

2. This issues with the approval of Secretary (Expenditure).

**FAQ on LTC Cash Voucher Scheme**

1) Whether the individual employee is required to take leave to avail this LTC- Cash Voucher Scheme? Whether an employee is required to undertake any travel?

An individual need not take leave for this purpose nor undertake any travel. This is a scheme in lieu of LTC travel.

2) If a particular LTC which is meant to be used for the scheme has been partially availed by either self or members of the family, whether this scheme available and to what extent?

This scheme is applicable to the LTC fare left unutilized during the Block Year as mentioned in the O.M. dated 12.10.2020.

3) If an employee has already exhausted the prescribed limit of leave encashment for LTC, whether he will be eligible for the scheme? Whether an employee can only avail LTC fare without claiming leave encashment

An employee can avail this scheme utilizing the applicable LTC fare without leave encashment. The expenditure should be in accordance with the ratio as prescribed for LTC fare.

4) As per the scheme, an amount of upto 100% leave encashment and 50% of the value of deemed fare is to be paid as an advance to the employee opting for the scheme. It has also been stated that non-utilization / under-utilization of advance is to be accounted for by the DDOs in accordance with extent provisions relating to LTC advance. If an employee spends only the advance amount and makes a claim, how this claim will be regulated?

If as per the calculation suggested in O.M. No. 12(2)/2020-E.IIA dated 12th October, 2020, the reimbursable amount is less than the advance drawn, this would be treated as under-utilization. However, after calculation of the claim, balance amount, if any may be recovered from the employee.

5) Newly joined Government employees are entitled for three Home Town and one Anywhere in India in a Block of four year. How this will be regulated?

The employee may use any one of the LTC available in a Block Year.

6) As per Special LTC provisions, an employee irrespective of his eligibility can travel by Air to places like Andaman & Nicobar, J&K and North-East under anywhere in India fare. In this case what will be the deemed fare?

The deemed fare has been calculated based on the normal eligibility of an employee and the special packages would not be applicable for this scheme.

7) Whether a single bill of purchase of goods or services is to be submitted or multiple bills can be submitted?

Multiple Bills are accepted. The purchase should have been done from the date of issue of the O.M. till the end of the current Financial Year. The purchase should carry a GST of 12% and above and payment should have been made to digital mode.

8) Whether there is any prescribed format for applying for this scheme.

There is no prescribed format. A simple application conveying the desire of the employee for availing the scheme, if advance is required for the purpose the same is to be mentioned.

9) What are the items which will qualify for reimbursement under this scheme?

Any goods and services which attract GST of 12% and above would qualify. The invoice with GST details should be submitted and payment should have been made through digital mode.

10) An employee having four family members eligible for LTC wants to avail this facility for less than 4 members. Further he wants to avail LTC for rest of the Members later. As replied to query at S.No. 2, an employee can avail the scheme in partial, i.e. of the LTC of part of the eligible family. Since this is an optional scheme, if the LTC fare of any member of the family has not been utilized for this purpose, those members can avail LTC subject to extent instructions under LTC rules.

11) An employee incurs the expenditure on or before 31/3/2021 on the basis of invoice. Actual product or service received in April, 2021.

The reimbursement is based on production of invoice with details of GST. As far as possible, the claim should be made and settled well before 31st March, 2021 to avoid any last minute rush and resultant lapse.

12) For digital payment an employee uses credit card of his / her spouse or any family members.

It is clarified that the invoice which is being submitted for reimbursement under the scheme should be in the name of the employee who is availing the scheme.

13) Can services like interior decoration and phone bills be included?

Any service which is having a GST component of more than 12% is permissible.

14) Any limit of number of transaction?

As far as possible, the number of transactions may be limited to a minimum extent to avoid any difficulty / delay.

15) Is it allowed to do purchase from e-commerce platform? Procurement from e-commerce platform is also permissible provided the relevant invoice / details are submitted.

**No. 25012/1/2015-Estt.A-IV, Ministry of Personnel, Public Grievances and Pensions Department of Personnel and Training Dated: September 7<sup>th</sup>, 2020**

**OFFICE MEMORANDUM**

**Subject:- Request received for Voluntary retirement from service (VRS) from Persons With Disabilities – Supreme Court Order in BhagwanDass&AnrVs Punjab State Electricity Board, (2008) 1 SCC 579 – clarification reg.**

The undersigned is directed to refer to this Department's O.M. of even no. dated 19.05.2015 on the subject noted above regarding the treatment of VRS notice given by a Government servant on medical grounds or on account of disability.

2.In this regard, it is stated that the Persons with Disabilities

..... Continued on page - 12



**Railway Board letter No: 2018/Trans Cell / Health/CGHS (eOff.No.3270783) Dtd: 28/12/2020**

**Sub: Improvement of Health Delivery System & Emergency Treatment in Railway Empanelled Private Hospitals**

Several representations have been received from Railway Medical Beneficiaries including retired officials regarding problems being faced during treatment in emergency at empanelled Hospitals. In order to improve the Health Delivery System on Indian Railways and streamline the treatment in emergency at Railway empanelled hospitals, following have been approved:

1. Railway medical beneficiaries (serving/ retired) under emergency condition can get admission in any railway empanelled hospital without any prior referral. The empanelled hospital should not insist on referral from railway hospitals or demand advance in emergency conditions and the hospital will provide cashless/Credit medical facilities to patients.
2. The emergency conditions are defined in Memorandum of Understanding between CGHS empanelled hospitals and Government of India (CGHS Authorities) (Annexure-I) or as amended by CGHS from time to time and same will be applicable in Indian Railways.
3. The valid UMID Card/ CTSE Card issued will be treated as identification as Railway Medical Beneficiary. Railways have to make sure that these cards are accepted in the empanelled hospital under the jurisdiction / empanelment.
4. Situation may arise where Railway hospital, after scrutinizing admission report submitted by empanelled hospital, finds that the patient is not suffering from an emergency. In such cases the patient can continue to avail treatment at the empanelled hospital, if so desired, by paying CGHS rates or hospital rates, whichever is less on the patient's cost.
5. The nature and appropriateness of the emergency is subject to verification, which may be verified, inspected or medically audited by the nominated authority on random basis at its own discretion.
6. The Hospital will intimate all instances of patients admitted as emergencies (without prior permission) to the Railway authorities, at the earliest and within 24 hours and Railway will revert within next 24 hours, otherwise it will be treated as deemed approval. The empanelled hospital will clearly mention / certify the emergency condition as per MoU.
7. Railway Hospital as well as empanelled hospital will share the contact number and email address for communication for this purpose and will ensure to put on the website of Railways as well as of the hospital. The documents and approvals will be shared on the email to save the time and difficulties faced by the patients. The empanelled Hospital will not insist to patients to get the approval of referral / extension from the Railway Hospital. Same will be coordinated and approved on the contact number and email by the empanelled Hospital and Railway Hospital.
8. Railway hospitals shall refer to the empanelled hospital for appropriate duration as per the package. In case of additional stay for treatment, same procedure will be followed as per Para 6 & 7 above.
9. Also, the empanelled hospitals will provide the necessary treatment in OPD or otherwise to valid Railway Medical Beneficiary at the CGHS approved rates or hospital rates, whichever is less for the treatment in non-referral and non-emergency case at Railway Medical Beneficiary's cost.

10. Zonal Railways shall include provisions for conditions given from 4.1 to 4.9 above, in their MoU with the referral hospitals and also include that refusal to provide treatment to bonafide railway medical beneficiaries in emergency cases without valid ground would attract disqualification for continuation of empanelment. Also, MoU to be updated including removal of ambiguities accordingly. This issues with the approval of Board.

**Annexure-I**

#### **TREATMENT IN EMERGENCY**

The following ailments may be treated as emergency which is illustrative only and not exhaustive, depending on the condition of the patient

- ❖ Acute Coronary Syndromes (Coronary Artery Bypass Graft / Percutaneous, Transluminal Coronary Angioplasty) including Myocardial Infraction, Unstable Angina, Ventricular Arrhythmias, Paroxysmal Supra Ventricular Tachycardia, Cardiac Tamponade, Acute Left Ventricular Failure ? Severe Congestive Cardiac Failure, Accelerated Hypertension, Complete Heart Block and Stroke
- ❖ Acute limb Ischemia, Rupture of Aneurysm, Medical and Surgical shock and peripheral circulatory failure.
- ❖ Cerebro-Vascular attack-strokes, sudden unconsciousness, Head injury, Respiratory failure, decompensated lung disease, Cerebro-Meningeal Infections, Convulsions, Acute Visual loss.
- ❖ Acute Abdomen pain.
- ❖ Road Traffic Accidents / with injuries including fall
- ❖ Severe Hemorrhage due to any cause.
- ❖ Acute poisoning.
- ❖ Acute Renal Failure.
- ❖ Acute abdomen pain in female including acute Obstetrical and Gynecological emergencies.
- ❖ Electric Shock
- ❖ Any other life threatening condition.

**Railway Board No. 2016/F(E)/1(1)/3 (RBE No.08/2021, dated 01.02.2021**

**Sub: Ease of Partial withdrawal of NPS Subscribers through self -declaration**

A copy of Pension Fund Regulatory and Development Authority (PFRDA)'s circular No. PFRDA/2021/3/SUP-ASP/3 dated January 14, 2021 regarding ease of partial withdrawal of NPS Subscribers through self declaration is enclosed for information and compliance. The instructions contained therein shall apply mutatis mutandis on Railways also.

**PENSION FUND REGULATORY AND DEVELOPMENT AUTHORITY CIR No.: PFRDA/2021/3/SUP-ASP/3, Dated 14.01.2021**

**Sub: Ease of Partial withdrawal of NPS Subscribers through self -declaration**

Presently, all NPS Subscribers who have been under the NPS for three years or more, are permitted to avail non-refundable partial withdrawal from their own contributions to the extent of 25% up to three times for specified reasons (refer Annexure 1) in PFRDA (Exits and Withdrawal under the National Pension System) Regulations 2015.

2. As of now, the eligible Subscribers need to submit their application for partial withdrawal to the respective nodal officers/POPs along with the supporting documents to substantiate the reasons for their request for partial withdrawals..... Continued on page - 10

### **Partial withdrawal of NPS .... Continued from page-9**

3. In order to ease the process of partial withdrawal and make it simple, online and paperless in the interest of Subscribers, it has now been decided to allow the Subscribers to allow partial withdrawal based on 'self-declaration' and thereby doing away with the submission of supporting documents to substantiate the reasons for partial withdrawal.

4. To further expedite the process and to ensure timely payment of partially withdrawn amount into the Subscribers' bank account, the partial withdrawal requests received online shall be directly processed in Central Record Keeping Agency (CRA) system thereby doing away with the authorization of the request at the level of nodal office/POP.

5. This liberalized process is however strengthened by effective due diligence with technology enabled 'Instant Bank Account verification' through penny drop to identify the beneficiary and the Subscriber's bank account. In order to ensure payment of amount into correct bank account number and rightful beneficiary, CRAs shall be carrying out 'Instant Bank Account Verification' through penny drop and the cost of the same shall be borne by the Subscribers. The process of partial withdrawal based on self-declaration is provided at the Annexure II. Central Record Keeping Agencies (CRAs) are accordingly advised to make this feature available in their system at the earliest in the interest of Subscribers.

6. The Subscribers shall also have the option for submitting partial withdrawal requests off line with 'self-declaration' to the associated nodal officers/POPs, as per the prevalent practice but without any supporting documents to substantiate the reasons for partial withdrawal.

7. This circular is issued under Section 14 of PFRDA Act 2013 and is available at PFRDA's website (www.pfrda.org.in) under the Regulatory framework and in "Circular" section of CRA under intermediaries.

**Railway Board letter No. E(NG)/2017/PM1/11 (RBE No 04/2021) dated 13.01.2021**

**Sub: Filling up the post of instructors in recognized training institutes – Uniform Guidelines.**

The aforesaid age limit and tenure of instructors of the Training Institutes has been reviewed by the Board and it has been decided that the upper age limit should be 55 years and tenure should be 5 years.

**Railway Board letter No. D-43/4/2018-F(E)III, (RBE No. 10/2021) dated 19.02.2021**

**Sub:- Payment of lump sum compensation to employees covered under NPS on retention in Railway service in spite of disablement attributable to Railway service in accordance with Rule 10(3) of the Railway Services (Pension) Rules, 1993 – regarding.**

A copy of Department of Pension & Pensioners' Welfare (DOP&PW)'s O.M. no. 01.03.2019- P&PW(F) dated 01.01.2021 is enclosed for information and guidance. These instructions shall apply mutatis mutandis on the Railways also. The Central Civil Services (Pension) Rules, 1972 and the Central Civil Services (Extra Ordinary Pension) Rules, 1939 correspond to the Railway Services (Pension) Rules, 1993 and the Railway Services (Extra Ordinary Pension) Rules 1993 respectively.

2. The Railway Board's instructions/Railway Services (Extraordinary Pension) Rules, 1993 corresponding to DOP&PW's instructions/CCS (Extraordinary Pension) Rules, 1939 referred to in their aforesaid O.M. dated 01.01.2021 are given below:-

S.N	DOP&PW's instructions/Central Civil Services (Extraordinary Pension) Rules, 1939	Corresponding Railway Board's instructions/Railway Services, (Extraordinary Pension) Rules, 1993
1	Rule 8(3) of CCS (Extraordinary Pension) Rules, 1939	Rule 9(3) of Railway Services (Extraordinary Pension) Rules, 1993
2	Rule 9(3) of CCS (Extraordinary Pension) Rules, 1939	Rule 10(3) of Railway Services (Extraordinary Pension) Rules, 1993
3	DOP&PW's OM No 38/41/06-PA&W(A) dated 05.05.2009	Railway Board's letter No 2008/AC-II 21/19 dated 29.05 2009.

**Salaries are rightful entitlement of the employees & payment of pension is for years of past service rendered by the pensioners**

**Re-affirms Supreme Court, Upholding AP High Court Order**

Government of Andhra Pradesh, on situation arising due to the COVID-19 outbreak, the economic consequences of the lock down, the cessation of the revenue inflows and extra burden imposed on the State's resources to contain the epidemic & to provide relief to the people affected/likely to be affected, orders for the deferment of Salaries /Wages /Remuneration /Honorarium /Pensions on different patterns for different categories of employees / pensioners with effect from March 2020. State Government made modifications having noticed hardship experienced by employees and pensioners.

**High Court of Andhra Pradesh in its judgement on 11.08.2020 ordered payment of the deferred salary/pension for the months of March-April 2020 together with interest at the rate of 12% per annum.** High Court said that, the entitlement to the payment of salary is intrinsic to the right to life under Article 21 and to the right to property which is recognized by Article 300A of the Constitution.

Government of Andhra Pradesh moved to Supreme Court. The State Government clarified in its Special Leave Petition that it was restricting its challenge only to the component of interest which had been imposed by the judgment and order of the High Court.

Supreme Court said that, Salaries are due to the employees of the State for services rendered. Salaries in other words constitute the right ful entitlement of the employees and are payable in accordance with law. Likewise, it is well settled that the payment of pension is for years of past service rendered by the pensioners to the State. Pensions are hence a matter of a rightful entitlement recognised by the applicable rules and regulations which govern the service of the employees of the State.

**Supreme Court directed Government of AP to pay simple interest computed at the rate of 6% per annum on account of deferred salaries and pensions within a period of thirty days.**

{Ref: IN THE SUPREME COURT OF INDIA, CIVIL APPELLATE JURISDICTION, Civil Appeal No 399 of 2021, (Arising out of SLP (C) No 12553 of 2020)}

## **IRTSA demands Medical Insurance scheme for Rly Employees & pensioners additionally, Memorandum to DG(HR)**

### **Sub: PROPOSAL OF MEDICAL INSURANCE SCHEME FOR RAILWAY EMPLOYEES.**

Ref: 1) Railway Board letter No.E(W)2020/Misc/Dashboard-GIS, dated 27.10.2020

2) Railway Board order No.ERB-I/2020/23/30, dated 20.10.2020.

1) Ministry of Railways constituted a committee to examine and tender their recommendations to bring all Railway Employees under the Medical Insurance Scheme for obtaining treatment in private hospitals. IRTSA submits the following for the kind consideration of Railway Board,

2) Indian Railways Medical Service (IRMS) is spread across the length and breadth of the country. IRMS is having **125 hospitals and 586 dispensaries**, manned by **33,300 medical staff** catering to approximately **66 lakh beneficiaries** including 12.27 lakh serving employees. In the year 2018-19 Railway Hospitals treated **2.01 crore OPD patients, 5.08 lakh in-patients** and performed **1.02 lakh major and specialty surgeries**.

3) Railway Hospitals performed pre placement medical examination for 38,000 candidates and carried out periodical medical examination for 1.14 lakh employees. They also examined 12.51 lakh food and water samples.

4) Indian Railways total medical services expenses for the year 2018-19 including cost of medical staff is Rs. 6888.34 crore. That makes **average medical expense per beneficiary as Rs.10,500**.

5) No medical insurance company in India handles 66 lakh beneficiaries. Medical Insurance doesn't cover OPD. Since Railway is catering 2.01 crore OPD patients in a year, it may not be possible to include huge OPD beneficiaries in private managed medical insurance.

6) In existing Railway medical system all medical services like OPD, diagnosing, medicines, surgeries, in-patient care, major treatment/surgeries carried out in referral private/CGHS hospitals and follow-up checking are part of employees' welfare scheme offered to employees and their dependents.

**It is a part of service condition.** For retired employees and their dependents who opted for RELHS on onetime payment, same medical services are extended.

7) In the Railway Medical system no cost ceiling is fixed for entitlement of any required treatment. On the other hand, medical insurance cover is basically extended to in-patient treatments and for surgeries with a ceiling based on the premium paid.

8) For example, United India Insurance Company Limited offers Rs.10 lakh sum insured at premium rate per member Rs.12,386 in age group 41-45. If all 66 lakh Railway beneficiaries are covered under above premium Rs.8370.78 crore will be paid as total premium. Whereas total medical expense of Indian Railways for the year 2018-19 is Rs. 6888.34 crore which is for diverse services given in the Annexure.

9) In the same time there is a need for addition of more private empanelled hospitals in Indian Railways Medical Services with seamless cashless treatment, since large number of serving and retired health care beneficiaries live in the newly developed suburbs of various cities throughout India. It is pertinent to note that in case of emergency, beneficiaries first require to approach Railway Hospital, then they are referred to private hospitals and in many cases

precious golden hours are lost in mere formalities endangering the life.

10) Beneficiaries living in faraway places from Railway Hospitals also find it difficult to get their regular treatments and minor treatments occasionally, since they are required to travel long distance to reach Railway Hospitals. These beneficiaries will be benefited if cashless treatment is extended to them in the hospitals available near their living place.

11) Hence it is requested that,

a) Existing Indian Railways Medical Service facilities may please be continued.

b) The proposal for Medical Insurance Scheme for Railway employees / Pensioners and their dependent may please be made as additionally facility to the beneficiaries to get their regular treatments including OPD & IPD in empaneled private hospitals, premium thereof may please be borne by Railways.

## **IRTSA PAYS FLORAL TRIBUTES TO ITS STRONG SOLDIERS**

**Deeply mourn the painful loss of two eminent leaders**



**Er. Krishna Rao, President IRTSA SC.Rly**



**Er. S.Karunakaran, Advisor/IRTSA, The Annadata of IRTSA**

**All Zones & sub units deposit the Central Quota in the Bank Account of IRTSA: State Bank of India, Jodhpur, Account No. 10083429358 IFSC: SBIN0004913**

**STATUS POSITION OF LEGAL CASE OA 1568/2017 IRTSA Vs UOI in CAT Chennai Pleading Higher Pay Level for JE & SSE CAT Bench could not function due to COVID-19 lockdown. CAT is Expected to open shortly**

## Don't link 12% GST, 3 times purchase with spl cash package in lieu of LTC, increase the amount of cash package demands IRTSA

Memorandum submitted to Secretary (Expenditure) Ministry of Finance

**Sub: Special cash package equivalent in lieu of Leave Travel Concession Fare for Central Government Employees during the Block 2018-21.**

Ref: Min. Fin, Dept. of Exp. O.M. No.F.No.12(2)/2020-EII(A) Dated 12<sup>th</sup> & 20<sup>th</sup> Oct 2020.

1) We wish to bring to your kind notice to some of the issues on Department of Expenditure O.M. cited in reference on Special Cash Package equivalent in lieu of LTC fare for Central Government Employees.

2) Government has issued this order with a view to compensate and incentivise consumption by Central Government employees thereby giving a boost to consumption expenditure.

3) The O.M. says that, deemed LTC fare for round trip for employees entitled to Rail fare/Air fare is allowed. The cash equivalent is allowed, if the employee spends amount equal to the value of leave encashment plus a sum three times of the value of deemed LTC fare on purchase of items or availing services carrying GST rates not less than 12%. Payment should have been made in digital mode.

4) But, Compensation in lieu of LTC fare Rs.6000 per person for employees who are entitled to Rail fare (up to Pay Level-8) is very low. Linking the cash equivalent a sum three times of the value of deemed LTC fare with purchase or availing services carrying not less than 12% GST will be a burden for employees, since they will be required to spend three times of amount they are eligible.

5) Moreover, Benefit of giving boost to consumption expenditure through Central Government employees' spending should not be restricted to items / services carrying not less than 12% GST. If employees are allowed to spend on items / services of their choice according to their need without linking it with any GST rates, it will result in boosting of consumption expenditure as expected by Government. Also items produced by cottage industries, many environment friendly products, items produced by micro industries, khadi industries etc. will not be covered in 12% & above GST rates.

6) As per existing rules, Leave encashment is allowed for central Government employees without any condition of spending the amount linking to GST rates. Linking leave encashment with spending at GST rate not less than 12% will be aggravation on the Central Government employees who are already in suffering due to Covid-19 pandemic.

7) Employees don't get sufficient time to purchase the items or services of their need, since many Railway Zones/Divisions issued circulars and procedure orders late.

**8) It is therefore requested that,**

**a) Deemed LTC fare per person for employees who are entitled to Rail fare of any class may be revised to Rs.12,000.**

**b) Cash equivalent spending of the value of deemed LTC fare (instead of three times) may be permitted.**

c) Cash equivalent spending on deemed LTC fare may be permitted with GST registered vendors without linking it with any GST rates.

d) Cut-off date for final submission of bills 31<sup>st</sup> March 2021 may please be extended by another 3 months.

### DoPT orders ..... Continued from page -8

(Equal Opportunities, Protection of Rights and Full Participation) Act, 1995 (PWD Act) has been repealed by the Rights of Persons with Disabilities Act, 2016 (RPWD Act, 2016), which came into force on 19th April, 2017. Hence, section 47 of PWD Act, 1995 as stated in DoPT's O.M. of even no. 19.05.2015 is replaced by the provisions of section 20 of the RPWD Act, 2016.

3. Section 20 of Rights of Persons with Disabilities Act, 2016 provides as under:

" 20. (1) No Government establishment shall discriminate against any person with disability in any matter relating to employment: Provided that the appropriate Government may, having regard to the type of work carried on in any establishment, by notification and subject to such conditions, if any, exempt any establishment from the provisions of this section.

(2) Every Government establishment shall provide reasonable accommodation and appropriate barrier free and conducive environment to employees with disability.

(3) No promotion shall be denied to a person merely on the ground of disability.

(4) No Government establishment shall dispense with or reduce in rank, an employee who acquires a disability during his or her service:

Provided that, if an employee after acquiring disability is not suitable for the post he was holding, shall be shifted to some other post with the same pay scale and service benefits:

Provided further that if it is not possible to adjust the employee against any post, he may be kept on a supernumerary post until a suitable post is available or he attains the age of superannuation, whichever is earlier.

(5) The appropriate Government may frame policies for posting and transfer of employees with disabilities:

4. In view of the above provision of RPWD Act, 2016 and Hon'ble Supreme Court's judgement in case of Bhagwan Dass & anr Vs Punjab State Electricity Board (2008) 1 Scc 579, it is stated that whenever a Government servant seeks voluntary retirement citing medical grounds, or when the said VRS notice has been submitted due to a disability, the Administrative authorities shall examine as to whether the case is covered under Section 20 (4) of RPWD Act, 2016. In case the provisions are applicable, the Government servant shall be advised that he/she has the option of continuing in service with the same pay scale and service benefits. In case a disabled Government servant reconsiders his decision and withdraws the notice for voluntary retirement, his case shall be dealt with the aforesaid provisions of Section 20 of RPWD Act, 2016. If however, in spite of being so advised, such Government servant still wishes to take voluntary retirement, the request may be processed as per the applicable rules.

5. All the Ministries and Departments are requested to keep the above in view while processing cases of requests for voluntary retirement from disabled Government servants.