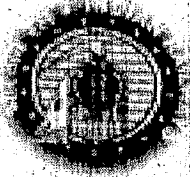


RBE No.59/2019



PCPO's Sl.No.60/2019

No. E/212/O/ECR/HJP

Dated:- 11.04.2019

1. CAO (Con.)/उत्तर एवं दक्षिण/पटना।
2. सभी PHOD/CHOD, पू.म.रे, हाजीपुर।
3. DRM/ पू.म.रे/ मुगलसराय, दानापुर, धनबाद, सोनपुर एवं समस्तीपुर।
4. मुख्य कार्मिक अधिकारी/प्रशासन/पू.म.रे/हाजीपुर।
5. मुख्यालय के सभी कार्मिक अधिकारी।
6. CWM/ पीडी/ मुगलसराय, यांत्रिक कारखाना/समस्तीपुर/हरनौत।
7. Sr.DPO/ पू.म.रे/ मुगलसराय, दानापुर, धनबाद, सोनपुर एवं समस्तीपुर।
8. उप महाप्रबंधक/विधि/पटना।
9. प्राचार्य/क्षेत्रीय रेल प्रशिक्षण संस्थान/मुजफ्फरपुर एवं भूली।
10. सभी मुकार्याधी/कार्याधी/पू.म.रे/हाजीपुर।

विषय : Merger of three categories of posts in the Commercial Department Viz. Ticket Checking Staff (TC), Commercial Clerk (CC) & Enquiry-cum-Reservation Clerk (ECRC).

संदर्भ : Railway's Boards Lt. No.E(NG)/2016/PM 1/12 (Pt.) Dated: 05.04.2019

विषयार्थित से संबंधित संदर्भित पत्र की छायाप्रति सूचना, मार्गदर्शन एवं अग्रोत्तर आवश्यक कार्रवाई हेतु प्रेषित की जा रही है।

A copy of above referred letter on the subject matter is being forwarded herewith for information guidance and needful onward action please.

संलग्नक : यथोपरि।

DA : As above.

  
11.04.2019

(पंकज कुमार)  
वकाधि/एम.पी.पी.

कृते महाप्रबंधक (कार्मिक)/हाजीपुर

प्रतिलिपि सूचनार्थ, मार्गदर्शन एवं आवश्यक कार्रवाई हेतु प्रेषित :-

1. महासचिव/ईसीआरकेयू/पू.म.रे/हाजीपुर।
2. महासचिव/एस0.सी0./एस0.टी0./एशोसिएशन/पू.म.रे/हाजीपुर।
3. वकाधि (एम.पी.पी.), पू.म.रे/हाजीपुर। कृपया इसे नेट पर अपलोड कराने की व्यवस्था करें।
4. महासचिव/ओ.बी.सी.एशोसिएशन/पू.म.रे/हाजीपुर।

**RBE No. 59/2018**

**भारत सरकार GOVERNMENT OF INDIA**  
**रेल मंत्रालय MINISTRY OF RAILWAYS**  
**(रेलवे बोर्ड RAILWAY BOARD)**

No.E(NG)L/2016/PM.1/12 (Pt.) New Delhi dated April 05, 2019

**The General Managers (P),**  
**All Zonal Railways/Production Units,**  
(as per standard mailing list)

**Sub: Merger of three categories of posts in the Commercial Department viz. Ticket Checking Staff (TC), Commercial Clerk (CC) & Enquiry-cum-Reservation Clerk (ECRC).**

As Railways are aware, consequent to the acceptance of the recommendations of the 7<sup>th</sup> CFC, Railway Board had issued orders vide RBE No.28/2018 regarding the merger of Ticket Checking Staff, Commercial Clerks & ECRCs in a phased manner.

2. It has been observed that implementation of RBE No. 28/2018 has led to reported problems at the field level. The integration of seniority of existing CCs and ECRCs has led to either of the groups feeling aggrieved due to their promotional prospects perceived as getting affected on account of the vacancies in their seniority group being thrown open to the other category also due to the merger. Nomenclature of the post in GP 4200/- has also been represented against as has the exclusion of only the TC categories from first phase merger.

3. It was also noted that there were several Court cases pending on this issue in various Benches of the Hon'ble CAT - in Ahmedabad, Hyderabad, Jabalpur, Calcutta, Jaipur, Ernakulam, Madras and in the Principal Bench, New Delhi. In some of these cases, interim stay orders on operation of RBE 28/2018 and subsequent actions taken thereon have also been issued.

4. It has also been noted that implementation of RBE 28/2018 has also not been uniform as reported from various Railways. In some Railways, vacancies that existed as on the date of circulation of the instructions, i.e. 22.02.2018 in the CC or ECRC group were to be filled up exclusively by employees belonging to that group. Only after this was done, the process of merger of the existing cadre to take place. However, this methodology has not been followed in some other Railways where vacancies that existed in the categories of CC and ECRC have not been filled up by the respective seniority groups prior to merger of the existing categories.

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OS/Ruby

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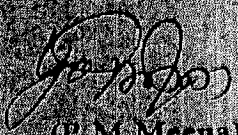
5. Further, subsequent to merger above, general re-allotment of functionalities ordered in some units have triggered staff representation and led to court cases.

6. In the light of the above developments, the instructions issued vide RBE 28/2018 ibid have been reviewed in consultation with both the Staff Federations i.e. AIRF & NFIR, and the Commercial Directorate. Accordingly, while accepting the basic premise of the 7<sup>th</sup> Pay Commission recommendations that the three Commercial categories of TC, CC and ECRC would eventually require to be merged, the revised methodology of implementing the same has been worked out and is enclosed herewith as Annexure 'A'.

7. The above revised provisions may be brought to the notice of the benches of the Hon'ble CAT wherever cases have been filed in this regard. Wherever directions of the Hon'ble Court affect implementation of these revised instructions, appropriate action to get these directions revised/lifted to be done before implementation.

8. It may also be noted that while the methodology implementing merger of cadres would be as in Annexure-A, this would not operate to prevent utilization of existing Commercial staff across functional categories, wherever such utilization is considered inescapable in administrative exigencies.

DA: As above.

  
(P. M. Meena)  
Dy. Director-II/E(NG)I  
Railway Board

No.E(NG)I/2016/PM 1/12 (Pt)

New Delhi, dated April 05, 2019

Copy forwarded to:-

1. The General Secretary, All Indian Railwaymen's Federation, Room No.253, Rail Bhawan, New Delhi (35 copies)
2. The General Secretary, National Federation of Indian Railwaymen, Room No.256-E, Rail Bhawan, New Delhi (35 copies)
3. All Members, Departmental Council and National Council and Secretary, Staff Side, National Council, 13-C Ferozeshah Road, New Delhi (60 copies)
4. The Secretary General, Federation of Railway Officers Association, Room No.256-A, Rail Bhawan, New Delhi (6 copies)
5. The Secretary General, Indian Railway Promote Officers Association, Room No.268, Rail Bhawan, New Delhi (6 copies)
6. The General Secretary, All India RPF Association, Room No.256-D, Rail Bhawan, New Delhi (100 copies)
7. The Secretary, RBSS Central Office, Rail Bhawan, New Delhi
8. The Secretary, RBSS Central Office, Rail Bhawan, New Delhi

## Methodology for implementing the merger of clerks & firefighters into a combined staff

- (i) Existing cadres as on 21/02/2018 of Commercial and Ticket Checking categories would continue to be in separate seniority position.
- (ii) The designation of the posts as laid down in the schedule would however, continue with the modification that the posts would be designated as Chief Commercial and Ticket Checking and not as Chief Commercial and Ticket Checking.
- (iii) While the designation will remain the same, the seniority of the CC categories would continue to be maintained in the same manner as also be for vacancies arising in the relevant category.
- (iv) As and when employees in the seniority group L-3, ECRC, get to the level 2800/-/Level 5, the promotional quota of the vacant posts will be filled up by employees in the leader grade of Commercial and Ticket Checking category L-3. This would effectively mean that the posts vacant at the entry grade would be filled up by employees in the leader grade.
- (v) Considering the functional work profile of the posts, the merging of ECRCs in future will not take place. The merging of the posts will be done on a merged designation for all three categories of Commercial, Ticket Checking, and Ticket Checking.
- (vi) In short, as regards existing employees, in case of the merger, the ECRCs will be in separate and merging seniority of CC and Ticket Checking. It is not a requirement that all three seniority groups, ECRC, CC and Ticket Checking, be merged together for existing employees. The merging of the posts will be done on a merged designation for all three categories of Commercial, Ticket Checking, and Ticket Checking.

21. As seniority gradually worked its way through the ranks, the employees were placed in the BERCs or as Commissioned Clerks in the ranks of the Commissioned Clerks. The Commissioned Clerks line with their category position as Commissioned Clerks in the ranks of the Commissioned Clerks during the intervening period. As the Commissioned Clerks in the ranks of the Commissioned Clerks, there is no objection to the Commissioned Clerks in the ranks of the Commissioned Clerks pertaining to the Commissioned Clerks in the ranks of the Commissioned Clerks. The Commissioned Clerks belong to the Commissioned Clerks in the ranks of the Commissioned Clerks.

3. Restoring original seniority groups by revising of RFE-28/2018 now would have implications on selection/suitability tests already conducted in the intervening period. While Railways/Units that have followed the methodology of filling up vacancies that existed as on 22.02.2018 by the respective seniority groups before effective merger of seniority would likely not face issues after separation of seniority now; the same would not necessarily hold true for Railways/Units that have followed a different methodology. Accordingly, to deal with the situation, the following is recommended;

- (a) There will be no reversions on promotions that have already been effected due to the revision in seniority grouping now proposed to be effected.
- (b) As a corollary to (a), those employees in the promotional posts now, who would otherwise have not been eligible due to the separation of seniority groups, would continue in their promotional posts as a measure personal to them until vacancies in the promotional grade arise to accommodate them in the normal course.
- (c) Those employees who have not been considered for promotion earlier due to their position in the erstwhile merged seniority groups, but are now found eligible on account of their seniority in the separate seniority group, are to be considered for promotion in the next selection/suitability test for vacancies against their seniority group. On clearing the promotional test and joining the working post in the promotional grade, they may be accorded proforma benefits of pay fixation without any arrears of wages.

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*[Signature]*