

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

No.E(NG)I/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 7th CPC, 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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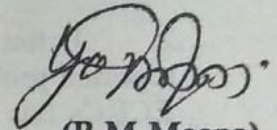
5. Further, subsequent to merger above, general re-allotment of functionalities ordered in some units have triggered staff representation and led to court cases.

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 7th 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

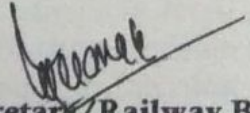
No.E(NG)I/2016/PM 1/12 (Pt.)

New Delhi, dated April 05, 2019

Copy forwarded to:-

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3. All Members, Departmental Council and National Council and Secretary, Staff Side, National Council, 13-C, Ferozeshah Road, New Delhi (60 spares).
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5. The Secretary General, Indian Railway Promotee Officers Association, Room No.268, Rail Bhawan, New Delhi (5 spares).
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7. The Secretary, RBSS Group 'A' Officers Association, Rail Bhawan, New Delhi.
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11. The Secretary Railway Board Promotee Officers Association, Room No.341-C, Rail Bhawan, New Delhi.
12. Chief Commissioner of Railway Safety, Lucknow.
13. Adviser (Safety), Railway Board, New Delhi.
14. The Director General & Ex Officio General Manager, RDSO, Lucknow.
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18. The Chief Mechanical Engineer, Indian Railways Organisation For Alternate Fuels, 12th Floor, Core-1, Scope Minar, District Centre, Laxmi Nagar, Delhi-92.
19. General Secretary, All India SCs & STs Railway Employees Association, Room No.7 (Ground Floor), Rail Bhawan, New Delhi.
20. Chief Administrative Officer, Rail Coach Factory/Raebareli Project, Kishanganj, Delhi-7.
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24. Chief Admn Officer, Indian Railways Organisation for Alternative Fuels, 12th floor, Core-I, SCOPE Minar, District Centre, Laxmi Nagar, New Delhi - 110009.
25. Chairman, Technology Mission for Indian Railways (TMIR), Room No.218, Rail Bhawan, New Delhi-110001.
26. Co-Chairman, Technology Mission for Indian Railways (TMIR), Room No.218, Rail Bhawan, New Delhi-110001.
27. Chairman, Advisory Group of Experts (AGE), Room No.218, Rail Bhawan, New Delhi-110001.
28. The Convener Member, Advisory Group of Experts (AGE), Room No.218, Rail Bhawan, New Delhi-110001.
29. The Chairmen/All RRBs/Indian Railway.


for Secretary/Railway Board

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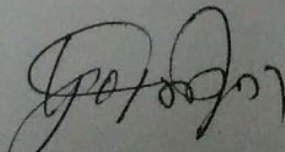
JD(OL), DPC-I, DPC- II, DE(G), D(IH), D(H&FW), D(MPP), Dir.(Safety)I, Dir.(Safety)II, Dir.(Safety)III, DE(N)II, DE(R), DE(D&A), DE(LL), JDE(Rep), JDE(GP), JDE(RRB), DD(Code Revision), DD(Health), DDE(N), DDE(LR)I, DDE(LR)II, DDE(LR)III, US(A), DDE(D&A), DDV(A&P), DDE(Rep) I, DDE(Rep)II, DD(OL)I, DD(OL)II, E(D&A), E(GP), E(NG)II, E(Rep)I, E(Rep)II, E(Rep)III, E(SCT)I, E(SCT) II, E(RRB), ERB-II, ERB-V, PC-III, PC-IV, PC- V, E(P&A)I, E(P&A) II, CE-I, CE-II, CE-III, Sec.(E), Sec.(ABE), E(MPP), E(G), Health Branch, Safety Branch, A/C-III & Code Revision Cell.

Annexure to Railway Board's letter No. E(NG)I/2016/PM 1/12(Pt.) dated 05.04.2019

Methodology for implementing the merger of Ticket Checking Staff, Commercial Clerks & Enquiry-cum-Reservation Clerks.

- (i) Existing cadres as on 22.02.2018 of Commercial Clerk and ECRC categories would continue to be in separate seniority groups as per the pre-22.2.2018 position.
- (ii) The designation of the posts as laid down in para 2.1 of RBE 28/2018 would, however, continue with the modification that the post in level-6-GP 4200/- would be designated as Chief Commercial-cum-Ticket **Supervisor** instead of Chief Commercial-cum-Ticket **Clerk** as mentioned in RBE 28/2018.
- (iii) While the designation will remain the same, two seniority groups of ECRC and CC categories would continue to be maintained separately and promotions will also be for vacancies arising in the relevant seniority group only.
- (iv) As and when employees in the seniority group of ECRC move up from GP 2800/-/Level-5, the promotional quota of the vacant posts will be filled up by employees in the feeder grade of Commercial-cum-Ticket Clerk in GP 2000/-L-3. This would effectively mean that the posts vacated by ECRCs in their entry grade would be filled up by eligible Commercial Clerks.
- (v) Considering the functional work profile, recruitment as only stand alone ECRCs in future will not take place. Such DR is to take place only against the merged designation for all three categories of Commercial employees, i.e. Ticket Checking, Commercial Clerk and ECRC as already underlined in RBE No. 28/2018.
- (vi) In short, as regards existing employees, instead of keeping only the TC category separate and merging seniority of CC and ECRCs; it is now recommended that all three seniority groups TC, CC and ECRC be maintained separately for existing employees. Merger into a common seniority and common functionalities will take place for future DR.

2. As seniority groups would continue to be separate, those originally recruited as ECRCs or as Commercial Clerks would continue to be assigned functions that are in line with their categorization to the extent possible. Orders issued to the contrary in the intervening period would be reviewed. However, in administrative exigencies, there is no objection to employees recruited as ECRCs or CCs being assigned work pertaining to the other, in accordance with the common designation that they still belong to.



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3. Restoring original seniority groups by revising of RBE 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.

