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All India Railwaymen's Federation
(Estd, 1924)

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INDIA

No.AIRF/34

Dated: December 29, 2012

The Secretary(E),
Railway Board,
New Delhi

Dear Sir,

Sub: Fixation of Stipend for Apprentice JEs selected through LDCE

Ref: Para 1905 (2), Chapter XIX of the Indian Railway Establishment Manual

Employees selected through LDCE for the post of Apprentice JEs in Mechanical, Electrical, Engineering and S&T Departments have to undergo training for one year.

As per Rules, Pay/Stipend of these Apprentice JEs is to be fixed either as their Cadre Pay or Stipend of Rs.13500(Rs.9300+Rs.4200) since as per Para 1905 of the IREM, Railway Servants on appointment as Apprentices in any category may be granted pay equivalent to the rate of Stipend laid down for that particular category of the Apprentices or their substantive pay as admissible to them from time to time whichever is beneficial.

Different Railways are following different methods in granting Cadre Pay to the Apprentice JEs whose pay happen to be more than the Stipend of Rs.13500(Rs.9300 + Rs.4200).

- (i) In some cases, Fixation of Cadre Pay was done to match the existing Basic Pay by reducing the Pay in the Pay Band with new Grade Pay of Rs.4200, which is anomalous and is equivalent to Reduction of Pay through punitive action under DAR. For example, Cadre Basic Pay of Rs.14,000, Rs.11,200 pay in Pay Band + Rs.2800 Grade Pay is being given as Rs.9800 pay in Pay Band + Rs.4200 Grade Pay.
- (ii) In other cases, Cadre Basic Pay of Rs.14000 is granted as Rs.11,200 pay in Pay Band + Rs.2800 Grade Pay, depriving the eligible Grade Pay of Rs.4200 to the Apprentice JEs.

When the Grade Pay of Rs.4200 is fixed for the post of Apprentice JEs, then the Administration cannot arbitrarily alter the same. The spirit behind the rule cited in reference allowing either the existing Basic Pay or the Stipend of the post whichever is beneficial for the employee was to protect his emolument in the old system of pay structure.

In the post SCPC scenario, since there are no different pay scales to identify the post, the Grade Pay is the identity for every post and Grade Pay of Apprentice JEs is fixed as Rs.4200. The new Basic Pay in the Pay Band fixed now is the Pay in the Pay Band(ie, equivalent to Basic Pay in the pre-revised Sixth Pay Commission scale) plus Grade Pay. It is necessary to protect the Pay in the Pay Band. For ensuring this pay, denial of Grade Pay applicable to the post of JEs amounts to arbitrary alteration of the Grade Pay.

AIRF, therefore, requests that, keeping in view of the spirit of the rule referred above, Basic Pay of Apprentice JEs may please be fixed in the pay band plus the Grade Pay applicable to this post which is Rs.4200.

Yours faithfully,

(Shiva Gopal Mishra)

General Secretary

Copy to: General Secretaries, all affiliated unions – for information.