



## National Federation of Indian Railwaymen

3, CHELMSFORD ROAD, NEW DELHI - 110 055

Affiliated to : Indian National Trade Union Congress (INTUC) &  
International Transport Workers' Federation (ITF)

No. III/SECRM/4

Dated: 09/12/2019

The Secretary (E),  
Railway Board,  
New Delhi

Dear Sir,

Sub: Denial of minimum pay of the pay band (VI CPC) to the Senior Nursing Superintendents (Nursing Sisters) on Railways-reg.

Ref: NFIR's PNM Agenda Item No. 13 sent to Railway Board on 29/05/2019.

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Kind attention of Railway Board is invited to Federation's PNM Agenda Item No. 13, wherein the cases of denial of minimum pay in the pay band of 6<sup>th</sup> CPC to the Senior Nursing Superintendents (earlier called Nursing Sisters) working in Railway Hospitals have been cited as example to facilitate the Railway Board to examine the case and render justice. Federation feels sad to convey that though a period of over six months has passed, there has been no action on the said Agenda Item (sent on 29/05/2019).

In this connection, Federation further desires to bring to the notice of Railway Board that two Nursing Sisters working in the Divisional Hospital, N.E. Railway, Izzatnagar, filed an O.A. No. 914/2016 which has been decided by the Hon'ble Tribunal (Principal Bench), New Delhi on 1<sup>st</sup> November, 2018, operating portion of the order is placed below:-

**“5. A careful perusal of the decision of this Tribunal in Malbika Deb Gupta, as upheld by the Hon'ble High Court of Delhi in WPC No. 8058/2015 dated 04/11/2016, clearly reveals that the subject matter of the present O.A. is squarely covered by the said decision. It is also relevant here to state that the Union of India, Ministry of Finance, Department of Expenditure issued an Office Memorandum dated 28/09/2018 on the same subject matter, which also supports the applicants' case.**

**6. In the circumstances and for the aforesaid reasons, the O.A. is allowed in terms of the decision in Malbika Deb Gupta, as upheld by the Hon'ble High Court of Delhi in WPC No. 8058/2015 vide order dated 04/11/2016, and the O.M. dated 28/09/2018. The respondents shall pass the necessary orders within three months from the date of receipt of a certified copy of this order. No order as to costs.”**

Contd. Page ...2



//2//

Needless to mention that the above order passed by the CAT Principle Bench, New Delhi and upheld by the Hon'ble High Court, Delhi had attained finality, consequently orders are required to be issued to the Zones etc., for granting minimum pay of the pay band to the Senior Nursing Superintendents (Nursing Sisters) with effect from 01/01/2006. Federation re-iterates that its demand vide PNM Agenda Item No. 13, presently pending with the Railway Board, is fully covered vide orders mentioned above, therefore, instructions need to be issued to the Zones etc., for granting correct fixation of pay to the concerned staff in the 6<sup>th</sup> CPC pay structure vis-à-vis 7<sup>th</sup> CPC pay level.

NFIR, therefore, requests the Railway Board to issue suitable instructions to the Zonal Railways etc., to grant minimum pay of Rs. 18750 (as on 01/01/2006) to the Senior Nursing Superintendent (Nursing Sisters) promoted prior to 01/01/2006. A copy of the instructions issued may be endorsed to the Federation.

Yours faithfully,

  
(Dr. M. Raghavaiah)  
General Secretary

Copy forwarded to the Executive Director/PC-I, Railway Board, DFCC Building, Pragati Maidan, Metro Bhavan, New Delhi for information and necessary action please.

Copy to the General Secretaries of affiliated Unions of NFIR.

Copy to the General Secretary, WRMS, Mumbai Central with reference to the papers sent by Smt. Avani Ozha of WRMS, Rajkot.

Media Centre/NFIR.