

**N F I R**

Registration No. : RTU/Nnn/31/2012

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.I/F(E)

Dated 22/07/2020

The Cabinet Secretary,
Government of India,
Rashtrapati Bhavan,
New Delhi

Sir,

Sub: Unjustified ceiling of basic pay for entitlement of Night Duty Allowance – reg.

Ref: DoP&T's O.M. No. 27016/02/2017-Estt. (AL) dated 13th July, 2020.

Kind attention is invited to para 4 of DoP&T's O.M. No.27016/02/2017-Estt. (AL) dated 13th July, 2020 which is reproduced below:-

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

NFIR contends that the basic pay ceiling clamped by the Government is highly arbitrary and in this connection, the following facts are highlighted for consideration.

Pursuant to the acceptance of Award of Board of arbitration by the Government of India, the Railway Ministry had issued orders vide letter No.E(P&A)I-70/HW-2/9 dated 19/02/1971 allowing payment of “Night Duty Allowance” (NDA), to all categories of staff, in modification of earlier instructions vide No.PC-67/JCM/1 dated 13/04/1967 and 06/05/1967.

Pursuant to the award given by the Railway Labour Tribunal 1969 (Miabhoy Tribunal) and accepted by the Parliament, the Ministry of Railways had issued orders vide letter No.PC-72/RLT-69/1 dated 09/03/1973 extending payment of Night Duty Allowance to various categories of employees on Indian Railways.

The DoP&T's decision dated 13th July, 2020, imposing ceiling of basic pay for entitlement of Night Duty Allowance is a gross violation of Government's earlier decisions on the awards of Board of arbitration and Railway Labour Tribunal, 1969. It is further brought to your kind notice that the 7th CPC in its report (para 8.17.77) had not recommended ceiling of basic pay for entitlement of NDA. In view of this, the ceiling imposed by DoP&T through O.M. dated 13th July, 2020 is unethical.

The nature of duties of railway employees is very complex, arduous and risky as they perform night duties under inclement weather conditions for ensuring uninterrupted train services. Most of railway employees (mainly belonging to safety as well public image categories) will be deprived of payment of NDA on account of basic pay ceiling of Rs.43600/- p.m. imposed by DoP&T.

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NFIR therefore requests to kindly intervene to see that modified instructions are issued, deleting para 4 of DoP&T's O.M. dated 13/07/2020 so as to see that the employees in railways and other Central Government Departments performing night duties continue to get NDA without any sort of ceiling.

Yours faithfully,


(Dr M.Raghavaiah)
General Secretary

Copy to Secretary/DoP&T, North Block, New Delhi with request to kindly review O.M. dated 13/07/2020 for ensuring justice to the employees of railways and other Central Government Departments.

Copy to Chairman, Railway Board, New Delhi with request to kindly intervene and take up the matter at the level of Cabinet Secretary/DoP&T for protecting the legitimate rights of railway employees.

Copy to DG/HR, Railway Board, New Delhi.

Copy to EDPC/I, Railway Board, Pragati Maidan, Metro Bhavan, DFCC Building, New Delhi.

Copy to ED/IR, Railway Board, New Delhi.

Copy to Affiliated Unions of NFIR for information and appropriate action, copy of DoP&T's O.M. dated 13/07/2020 is enclosed.

File No.35/2018 (PNM).

Media Centre/NFIR.