

Serial.Circular No. 109/ 18

EASTERN RAILWAY

No. E.800/Gaz/Med/Promo/SAG/NF.

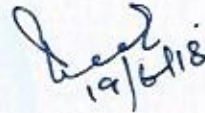
Kolkata, dt. 19.06.2018

All Concerned
(As per standard list)

Sub : Grant of Non-functional Up-gradation to Indian Railway
Medical Service officers.

A copy of Rly. Board's letter No. PC-VI/2009/II/4/R-6/1 dated 08.06.18 addressed to the General Managers all Indian Railways, and others are sent herewith for information and necessary action please. Board's earlier letters dated 27.11.2009(RBE No. 209/2009), 29.07.2010(RBE No.107/2010) and 07.01.2009 (RBE No.05/2009) mentioned therein were circulated under this office SLNo. 197/2009, 100/2010 and 11/2009 respectively.

D.A. :- As above.



(S. Ganguly)
APO(Gaz)
for Principal Chief Personnel Officer.

**GOVERNMENT OF INDIA
MINISTRY OF RAILWAYS
(RAILWAY BOARD)**

PC-VI No. 386

No. PC-VI/2009/1/4/R-6/1

RBE No. 83/2018

New Delhi, Dated:- 08.06.2018

The General Managers/CAO(R)
All India Railways & Production Units,
(as per mailing list)

Sub: Grant of Non-functional Up-gradation to Indian Railway Medical Service officers.

Ref: (i) Railway Board's letter No. PC VI/2009/1/4/R-6/1 dated 27.11.2009 (RBE No.209/2009) & 29.07.2010 (RBE 107/2010)
(ii) Railway Board's letters No.PC-V/2008/ACP/2 dated 07.01.2009 (RBE No.05/2009)

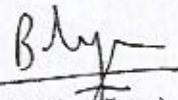
Attention is invited to Railway Board's letter No. PC VI/2009/1/4/R-6/1 dated 27.11.2009 (RBE No.209/2009) circulating DOP&T's OM No. AB.14017/64/2008-Estt.(RR) dated 24.04.2009 & 25.09.2009 for adoption in favour of Railway Officers of Organised Group 'A' Services in PB-3 and PB-4.

2. It was subsequently clarified by DOP&T vide their OM No. AB.14017/39/2009-Estt.(RR) dated 02.04.2012 that the benefit of NFU to Organised Group 'A' Services shall not be applicable to the officers in those Organised Services where FCS and DACP Schemes are already operating and where officers are already separately covered by their own in-situ Progression Schemes. However, Hon'ble Delhi High Court in WP (C) No. 4067/2014 and WP (C) No. 4073/2014 vide orders dated 13.10.2014 quashed the DOP&T's OM dated 02.04.2012. Since the said judgment of Hon'ble High Court attained finality as Hon'ble Supreme Court dismissed the SLP and Review in the case, DOP&T decided to declare their OM dated 02.04.2012 as non-est, as conveyed vide their OM No.CS-14017/1/2018-Estt.(RR)(Pt.I) dated 25.04.2018.

*Pl. circulate
4/6/18
11/6/18*

3. There has been a demand of IRMS officers also for extension of the benefits of NFU Scheme and the issue has been the subject matter of litigation. Hon'ble Central Administrative Tribunal vide their orders dated 28.09.2017 in O.A.No.3290/2017 (Indian Railway Medical Services Association & Anr vs DOP&T & Anr) allowed the relief in terms of the judgment of Hon'ble Delhi High Court in W.P.(C) No. 4067/2014. The matter was accordingly referred to DOP&T.

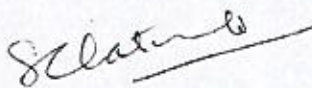
4. DOP&T have considered the issue in consultation with Department of Expenditure and conveyed their no-objection to the Ministry of Railways to extend NFU benefits to IRMS doctors. Accordingly, Ministry of Railways have decided to grant the benefit of Non-Functional Upgradation (NFU) Scheme as applicable to Organized Group 'A' services of Railways to IRMS Officers as per the detailed terms and conditions as have been in vogue from time to time after introduction of the scheme. Accordingly, grant of higher scale / benefits under the scheme would be admissible w.e.f. 1.1.2006, where due and admissible, as provided in the original instructions under reference.


(S. Balachandra Iyer)
Executive Director/Pay Commission-II
Railway Board.

No. PC-VI/2009/I/4/R-6/1

New Delhi, dated 08.06.2018

Copy to the Deputy Comptroller and Auditor General of India (Railways), Room No. 224, Rail Bhawan, New Delhi (with 40 spares).


For Financial Commissioner/Railways