

The Secretary,
Railway Board,
Rail Bhawan,
New Delhi.

Reg: Railway Board's Resolution for Scheme for appointment of General Managers and Equivalent Officers

The promotion of Railway officers in SA Grade and HA Grade to GM or equivalent is governed by the statutory guidelines contained in the Resolution of the Railway Board dated 16-7-1986, which has been amended from time to time, (last on 25-5-2005) to incorporate the changes made in the promotion and selection rules by UPSC or DOP&T.

Ministry of Railways was one of the first Ministries to lay down guidelines for promotions of officers to the senior most level in the Zonal Railways. The guidelines have enabled the smooth functioning of the railway system over the past several years.

However, over the last about 10 years or so, certain changes made in the promotion and selection rules have not found their way into these guidelines. Also some of the practices being regularly followed by the DPCs are not reflected in our Resolution and few more guidelines the Resolution require elaboration to make them effectual.

The officer fraternity, therefore, feels that to have transparency, equity and fair play in the promotion and selection of GMs and equivalent, the Resolution be amended to make it workable. Some of the visible deficiencies in the Resolution are listed below for consideration:

- (i) The premise of the instructions or guidelines for appointments such as contained in the subject Resolution appears to be to provide guidance for appointments to certain select posts. In the present case, the posts are to be filled by promotion of officers from the SAG or HAG grade to HAG+ grade of GMs and equivalent. The officers eligible for consideration for the promotion are from the prescribed (in this case 8) railway services. The mode of appointment as GM by promotion is after a selection from a select list of officers, drawn in order of inter-se seniority as well as seniority within a service, from amongst the eligible officers. This mode is distinct from an appointment by selection which often involves advertisement of the posts, may involve interview/written examination, and further, the inter-re seniority of the applicants is not of any relevance. As against this, as mentioned earlier, the selection for promotion to GM is invariably confined to the eligible officers of the 8 services, placed in order of seniority before and after being adjudged fit by DPC for promotion, ensuring no super cession. It is pertinent to say that sub Para 4.4 of Para 4 of Resolution envisages promotion of empanelled officers as per inter-re seniority. These are the typical characteristics of appointment by promotion and do not have any semblance of similarity with an appointment by selection

The fitness for selection for this promotion itself is adjudged from the ACRs of the officers which not only provide overall assessment of the officers' performance, in terms of rating or grading, but also the fitness for promotion to the post of GM or other wise and within GMs, fitness or otherwise for GM(OL). The officers found fit for promotion by meeting the qualifying criterion or the criteria for selectivity are placed, by the DPC in order of seniority inter-se as well as within their service, with an HAG officer being placed above an SAG officer, normally. There is no super cession under any circumstances, except when SAG officer of one service is senior to HAG officer of another service on the basis of inter-se seniority. Such clear intent of this particular selection process not being a typical selection (having the attendant characteristics) is missing from the Resolution in para 4.1 on 'Method' in Annexure 1 of the Resolution.

- (ii) In such promotions by selection, mention of selection by 'merit' has been dispensed with after the DOPT's instructions of 08-02-2002, which in turn have also been apprised and confirmed to the Parliament vide DOPT's No. 35034/7/97-Estt. (E) dated 15-9-2005. The word 'merit' is however, found in several places in our Resolution, more in line with the 1997 instruction of DOPT already superseded vide DoPT No. 35034/7/97-Estt (D) dated 8-2-2002. The word 'merit' has now been explained in DOPT's circulars as a '**bench mark**' prescribed for adjudging an eligible candidate fit or unfit for selection for consideration of their suitability for promotion by selection. Therefore, officers having 'bench mark' suitability are to be posted/promoted in order of their seniority. Such a 'bench mark' for assessing merit as an element of selectivity is missing from our Resolution for GMs, even though a similar Resolution issued by our Ministry for appointment to some other posts of same grades, such as Secretary Railway Board and Additional Members contains the requisite 'bench mark' as 2 'outstanding' plus 3 'Very Good' ratings in CRs at item (iii) of Resolution No. ERB-I/2000/11/2 dated 11-10-2000. Thus the para 4.1 & 4.4 on 'method' and Para 6 on assessment of suitability in the Resolution for GM/equivalent posts needs to be reviewed and redrafted to avoid possible different interpretation of word 'merit' appearing in the Resolution.
- (iii) The eligibility criterion prescribed in Para-7 of the Resolution does not mention, amongst other things, the requirement that for being eligible,
- The officer should have worked as a DRM
 - The officer should possess clearance from Vigilance at the time of the selection for promotion
- (iv) Para 6 provides the criterion for suitability for being considered for selection for promotion. The provisions of this para are not exhaustive and leave out certain key criterion which, though, has reportedly been followed repeatedly without exception in the past several years. Some of these are:-
- a. Having the 'bench mark' suitability of 23 marks derived from 3 'Outstanding' and 2 'Very Good' CRs as different from the invariably 5 'Very Good' CRs prescribed by DOPT for officers of the grade Joint Secretary and above in their OM No. 22011/3/2007-Eslr(D) Dt. 18.2.08. The system of assigning the marks for part CRs , if any when officers happen to work on 2 or more posts in a year, is also not available in the Resolution.

- b. The fact of having worked as DRM being mandatory and that the performance during tenure of DRM is to be given due consideration for the promotion to GMs and equivalent.
Such clear intent of selection process is missing in Para 6 of the Resolution for such of the officers, under consideration for promotion as GM or equivalent, who would have done their stint as DRM well beyond the immediate past 5 years period. Since, as per the Resolution, their performance as DRM is necessary to be considered, the guidelines should provide for the Selection Committee to take a special note of the same and provide guidance as to how the DPC is to evaluate such performance.
- c. Suitability requirements for promotion and posting as GM Open line or otherwise as indicated by DoPT in their letter No. 23(47) EO/2001 (ACC) Dt. 11-10-2001.
- d. The suitability vis-à-vis the 'bench mark' is to be adjudged on the basis of CRs of the 5 immediate previous years. Though both the DOPT guidelines as well as our Resolution, in Para (6), say, that the Selection Committee should assess suitability on merits based on the record of their service, no specific guidelines for the same are provided for the guidance of the Committee as to whether the DPC shall consider the record of 25yrs/5yrs/total service.

There is, therefore, need to prescribe 'qualifying service' in the Resolution and provide guidance on how to evaluate the performance in this qualifying service by DPC whenever the need arises for the same.

- (v) The resolution continues to use the word Selection Committee for a Committee which conducts an exercise to shortlist officers for promotion. Since the prescription of the rules for promotions of officers circulated vide DOPT's No. 22011/5/86-Estt. (D) dated 10-4-79 the term 'Departmental Promotion Committees'. (DPC) has come in vogue to connote a committee which short lists the officers for promotions. Even the committees which have recommended promotion of officers to the post of GMs in the past about 10 years (as well as for other promotions of officers) have been called DPCs. Perhaps the word Selection Committee needs to be replaced with DPCs in our Resolution.

It is requested that the above may kindly be considered and Board may like to amend the Resolution to be more in line with the current rules and regulations as laid down by DOP&T and UPSC from time to time.

Yours sincerely,

**(Rajiv Chaudhry)
President/FROA**