CHAPTER VI
TRANSFER OF EMPLOYEES

A railways servant is generally employed throughout his service on the railway or the railway establishment to which he is posted. He cannot claim transfer to another railway or establishment as a right, although this is open to the Railway administration to transfer one in exigencies. There are certain rules and regulation regarding transfer of staff, irrespective of class and categories which are followed in general by the Indian Railways. In emergencies the administration in the name of the President, may transfer any staff to any other department within the railway or other Railways including a project, within or outside India. In regard to non-gazetted staff, the power to transfer within India may be exercised by the General Manager of a Zonal Railway or by a lower authority authorised. A competent authority can transfer a railway servant from one post to another, carrying same pay in his substantive post. He may, however, be transferred at his own request on account of inefficiency or mis-behaviour. Transfer of SC & ST employees are mostly confined to their native districts or adjoining districts of places where the administration can provide railway quarters (1). A railway servant employed in one

(1) Rly.Ed's letter No.E(SCT)70CA-15/3 dt.19-11-70 - can be seen in the P/ Branch of N.F.Railway, Maligao.
department, is not eligible for employment in another (with a few exceptions) as a normal rule. Some of the conditions of transfer of the railway employees are:

Class I Officers - those who are recruited directly through U.P.S.C. in the railway, their service records etc., are maintained and controlled by the Railway Board. They are subject to transfer to any of the Zonal Railways in India and Railway unit or project in and outside India also. Transfer to outside India is regulated and ordered by the Railway Board, with the approval of the Ministry of Railways. Generally, it is seen, that Class I Officers are transferred to the same post or a post higher as per instruction of the Railway Board as their service is on all India basis. They may be transferred on promotion to another post within the railway they are working, or even other departments of the same railway. Generally a Class I Officer does not continue in the same post for a considerable time.

Class II Senior Scale Officers are subject to transfer within the railway by order of the General Manager or other competent authority (H.O.D.) with the formal approval of the Railway Board. They may be departmentally transferred within the railway but not in any way to other railways unless approved by the
Railway Board, at their own request. Unless they are promoted to Class I (Through departmental promotion Committee), inter-railway transfer cannot be effected essentially against their will. Of course, if he is ordered to be transferred to other railway for certain punitive measure, he has to carry the order.

Class II Assistant officers are subject to transfer to any post of their rank and may be transferred within the railway, with the approval of the General Manager. Generally the Assistant officer of a certain department is transferred to another wing or unit of the same department, with a few exceptions. They may be transferred to the Divisional units also as in the case of senior scale officer. Inter-Railway transfer may occur with the approval of the Railway Board at one's own request and as per conditions prescribed by the railway in this case. Transfer may take place for many a reason as a punitive measure also, after due formalities observed by the Administration.

Class III (Non-gazetted) and Class IV staff working in the Hqrs. or any other divisional office generally not transferred unless they request for it. But they may be transferred in exigencies in service and/or for other offence, detrimental to the administrative interest.
Class III staff of Traffic Department are transferred as it is a condition of their service. Engineering staff other than ministerial are transferred at random, as a condition of their service. Such as, Guards, Station Masters, Assistant station masters, Yard Master, Driver, Fireman, Loco Foreman, Cabinman, Brakesman, PWI, IOW, Etc. are subject to transfer frequently.

Request from non-gazetted railway staff from one railway to another - on grounds of special cases of hardship, may be considered by the Administration. But the lien of the permanent staff is retained by this transferring till he is finally absorbed in the other railway.

Staff acting as Trade Union official may be transferred from one post to another by the competent authority. Reasons for the transfer are: (a) periodical transfers as per policy of the administration; (b) in the interest of the Administration; (c) On promotion; (d) on being declared surplus; and (e) at his own interest for reason acceptable to the administration.

When it is proposed to transfer an office bearer of a recognised union from one station to another notice has to be served to the concerning Union.
to enable them to arrange for the take over the charge of the person involved in transfer. Or the concerning Union may raise objection against the proposal of transfer to the ordering authority and then to the General Manager. It is left to the discretion of the authority to agree with the objection on sufficient grounds who will also submit report to the General Manager for taking final decision. Even if a Trade Union official is transferred from one administration jurisdiction to another, the above procedure is followed by the Administration. It is also observed, that in case of periodical transfers as distinct from transfers on other special consideration - they are kept pending, till the next election of the Union office bearers.

In case of transfer on promotion of the Union official - the Administration, generally advises the concerning Union of the proposed transfer - if, however, the promotee does not refuse the promotion. Advise to the concerning recognised Union regarding transfer is sent only in the cases, (a) when it is necessary to transfer a Trade Union official for involvement in a special police case; (b) in case of transfer from one station/department to another in the same office (1).

(1) Rly.Board's letter No-E(L)64 UT1-113 dt-7-C-67 - can be seen in this respect in P/Branch of C.F.Rly., Maligaon.
A railway servant is permitted to submit an application for a post or to transfer his services to another post in railway services or department under the Central Govt or a State Govt. Railway servant is also given permission to apply for vacancies in the initial grades (in non-gazetted service) including Apprentice categories, provided, their age is within the prescribed limit for the direct recruitment after allowing relaxation to the extent of 3 years (5 years in case of SC/ST's). Class IV staff are allowed relaxation of age to the extent of their service in Class IV categories which should not exceed 10 years subject to a ceiling limit of 30 years for apprentice categories.

All Class III Railway servant, possessing qualification, prescribed for direct recruitment are allowed to apply for vacancies filled by direct recruitment in intermediate grades. They may also allow the relaxation of age limit to the extent of 5 years and their railway (services) experiences are indicated by the administration, so that the same may be taken into account in the selection.

Benefits of service on appointment to another post through service commission are allowed in cases;

(1) a temporary railway servant is permitted to apply for recruitment through any recruiting authority on the same railway or any other railway and on selection - appointment
to a new post - his past services are counted for all purposes, (Leave, Pension, E.F. and other priviledges) excepting seniority. In cases of new appointments on probation, the temporary staff retain their right of confirmation in their previous post - till they acquire lien in new appointments. Temporary railway servants also retain right for confirmation in their previous post even if appointed as apprentices.\(^{(1)}\)\(^{(2)}\)

Where a temporary Govt./Railway servant is transferred from a civil department to the railway department or vice versa on transfer - gets the benefit in continuity of service, provided the transfer is ordered in public interest. (3) Similar benefits are also given to a retrenched staff, securing a service within a reasonable period, provided, break in service is condoned by the competent authority and the employee has not resigned from his earlier Government/Railway services.

It is also noticed in the N.F.Railway system, that a railway servant apply for posts in the same or another department through proper channel and on selection he is asked to resign the previous post, is given the benefit of past services, particularly in the fixation of pay as a 'Technical formality.' (4) Permanent civil department employees transferred to Railways through UPSC or otherwise, is allowed for benefit of service provided the parent department of the employee is prepared to retain the lien till...

\(^{(1)}\) Rly.Board's letter No.E(NG)1-69 CN-5/5 dt. 26-3-69
he is finally absorbed in the railway. In case the lien is not retained in the parent department, he has to resign from his previous service and will not be entitled for benefit of service in the railway.

Staff, who got no training at Railways expenses, is permitted to apply for the post outside the railways. Those who have been trained at Railway's expenses are permitted to apply until they have completed 5 years in a working post. This restriction is not applied to temporary officers - who are on probation. In the case of any application of UPSC or any other Public Service Commission, this restriction will not be applied, provided the candidate refunds the cost of training when leaving the railway service on selection (1). Railway employees desiring to apply for a post in a private concern have to resign or take retirement from the railway service.

It is further noticed, that Railway employee may register their names for higher posts in Employment Exchanges, provided, they have been given a 'No Objection' Certificate from the railway authority. Temporary employees may register their names in the Employment Exchanges with prior information to the Railway authority.

If a railway servant is transferred to a foreign service, contribution towards the cost of his pension or

cost of Govt. contribution payable to his credit in Provident Fund, as the case may be, and the cost of leave salary are to be paid by the Foreign employers to the general revenue on behalf of the employee. If they do not, the entire contribution shall have to be borne by the employee himself. These contributions are known as 'Foreign Service Contribution', which are fixed by the administration.

The overall picture of transfer position in the N.F.Railway, is not gloomy. Transfer takes place frequently in the divisions of the N.F.Rly., particularly in the Traffic Department than in the offices including Headquarters at Maligaon. It is a common factor in the division, that traffic staff is transferred frequently at the displeasure of divisional officer. Generally, the office staff has less chance to transfer other than the conditions stated earlier in this chapter. On the other hand, the officers transfer is more frequent, particularly the Administrative officer- who are controlled by the Railway Board. Senior Scale or assistant officers are also transferred often within N.F.Railway.

There is a system of 'Mutual transfer' in the railways. An employee may arrange a transfer mutually with another of same category at their suitable place, with the approval of the administration. Generally,
staff transferred 'mutually' at their own interest - have to accept the bottom seniority of the respective offices/units of the railway.

In the case of Medical Staff like AUMU, nurses, etc., transfers are made by the CMD. Nurses after the completion of their training, are posted to divisional Hospitals of the railway. Railway doctors are subject to transfer to any of the hospitals or medical units within the N.F.Railway. Pharmacists/compounders are also transferred to different hospitals or units within the N.F.Railway.

When the B.G.Construction organisation was established, many of the N.F.Railway employees opted for transfer to that Organisation from open line. In the offices of Construction - most of the employees are from open line, including officers. This has prior approval of proper authority before the staff applied for transfer to that organisation. It is seen that most of the staff of different categories opted to the Construction Organisation got immediate promotion to the next higher grade or scale. Apart from that - Surveys for opening new lines were sanctioned by the Railway Board to different areas of North Eastern Region. It is seen that the survey teams mostly comprise of officers and staff from the open line. Generally, surveys are
conducted from Traffic and Engineering viewpoint. Naturally, staff of different categories are drafted from these departments for certain period to conduct the proposed surveys. Of course, the staff drafted from these departments for survey work are often given next higher grade or scale and survey allowance, if sanctioned by the Railway Board.

In the above type of transfer, there is little scope of criticism since these are all either formal or procedural. The person opted for transfer on promotion with usual benefit may also be escaped from the points of criticism. But transfer in general condition, particularly the system of transfer of Administrative officers cannot be appreciated. It is already stated elsewhere in this chapter that Administrative Officers are often transferred for obvious reasons.

Frequent transfers have definite impact upon the persons involved. The department also suffers immense lapses. Frequent transfers in the administrative as well as senior scale position in the Commercial Department of N.F. Railway may be cited as an instance. This had an adverse effect on the whole Commercial Department which is said to be one of the main sprint of the railway.

Now coming to the Divisions—transfers are common particularly in the Traffic and Engineering Departments.
This transfer occurs mostly on administrative interest. Some are transferred on promotion and others for various reasons - like fault detected by the divisional authority or for inefficiency. The Divisional Authority is entrusted with re-delegated powers in this respect. As such transfer on minor fault or insignificant cause is not uncommon in the divisions.

It cannot be denied that some of these transfers had good administrative result. A long and stagnant position gives the chances of creeping many lapses including becoming dishonest. Instances are not uncommon in the Engineering Departments (the highest incurring unit of the railway) and Commercial Department of the N.F. Railway, which is well known to the Public & Railway users.

It is up to the administration to place their employees in the appropriate position or to transfer to other suitable place. But it is apparent that the Ministerial staff (precisely the office staff) are not transferred save and except of their own interest. They are, at best shifted from one section to another of the same department or unit.

The system of Cadre transfer is not also uncommon in the N.F. Railway. Yet, persons from a few categories opt for transfer on this ground is rare. The chances for
promotional cadre change is open to a few departments (like Traffic, Accounts, & Engineering) than their counterparts in other Departments of R.F.Railway. This is equally true in case of employees of Ministerial category.