

2. In the case of a railway servant holding a lower post in a substantive capacity and who is promoted to officiate in a higher post, pay in the higher officiating post is fixed initially under clause (1) of rule 2027-R.II. However, under clause (2) of that rule, on an enhancement in substantive pay as a result of increment or otherwise the pay in the officiating post is refixed from the date of such enhancement and if he was appointed to officiate in that post on that date where such refixation is to his advantage

A doubt has been raised as to whether a railway servant who has completed 3 years officiating service in a lower post and in whose case the officiating pay in the lower post is assumed as substantive pay on promotion to a higher officiating post as under para 1 is also entitled to refixation of pay in the higher officiating post under clause (2) of rule 2027 R-II on enhancement in such pay, like a railway servant who holds the lower post in a substantive capacity as in para 2 above. It is clarified that in such cases also the pay in the higher officiating post shall be refixed under clause (2) of rule 2027 like other railway servants who hold the lower post in a substantive capacity.

**Serial No. 1298.—Circular No. 362-E/O/2(Eiv), dated 7-9-1961.**

**Sub.—Remuneration to Railway Officers acting as Arbitrators.**

A copy of the Railway Board's letter No. E (G) 60HO1-25, dated 27-5-1961 is reproduced below for information and guidance :—

“With reference to the instructions contained in Railway Board's letter No. E(G)60HO1-25, dated 16-1-1961, on the above noted subject, the following points have been raised :—

- (i) Whether these orders affect the stipulation occurring in the previous orders to the effect that a Railway servant was allowed to receive remuneration from a non-government party upto a sum of Rs. 750/-.
- (ii) Whether in terms of clause 1 (i) of Board's letter referred to above, the officer belonging to a particular Department, but now holding a general post, would be allowed honorarium in respect of arbitration cases pertaining to his original parent Department.

The Railway Board desire to clarify that :—

- (i) No amount can be accepted by the Arbitrator as arbitration fee, from a private party when there is arbitration between that party and the Railway Administration. Any costs recovered from the party in the award are also to be deposited to the Railway Revenues.
- (ii) A “Department has been interpreted to mean a department of the railway. A railway officer therefore cannot receive honorarium concerning a dispute involving the department in which he is working but otherwise there is no bar to his getting the honorarium provided for in clause I (ii) of Board's letter No. E (G) 60HO1-25, dated 16-1-1961.

For example, an officer of the Mechanical Engineering Department working as Controller of Stores, cannot get any honorarium for acting as an arbitrator

involving a dispute between the stores Department and a private party but there is no objection to his getting honorarium if the dispute is one involving the Mechanical Department."

2. The Board's letter of 16-1-1961 referred to was circulated under this office endorsement No. 362-E/O-III(Eiv), dated 4-3-1961.

**Serial No. 1299 —Circular No. 220-E/190-IV(Eiv), dated 7-9-1961.**

**Sub —Casual Labour employed under Flood Organization.**

**Ref —Shri Harnam Singh D.O. letter No. EE/10/59/Jr. dated 1/5-10-1959.**

It has been advised by the Engineering Department that the staff employed in the Flood Organization is of two types :—

- (i) Trolly-men and Khallasis working with the AENS and Engineering subordinates who are Incharge of work of gauging and catchment surveys, special bridge review and general floods problems of the railway.
- (ii) Seasonal staff employed on river gauging during monsoon for carrying out surveys in catchment areas where this information cannot be obtained from other sources.

In the matter of regulating their wages it has been decided that the categories of staff covered by item (i) above, if employed all the year round, should be treated as temporary staff and paid in regular scale accordingly.

Those falling under item (ii), should be treated as seasonal labour and paid at market rates, irrespective of the duration of employment, under the extant orders.

2. This decision has the concurrence of the FA & CAO (F).

3. In this connection attention is also invited to this office letter No. 220-E/105/IV (Eiib), dated 29-6-1961 in which it was desired that excess payments made pending availability of a decision be with held and suitable arrangements made for recovery of the excess payments already made. Necessary action in this respect must have been taken. This may please be ensured so that recoveries, where due, are effected.

**Serial No. 1300.—Circular No. 831-E/24(Eiv), dated 8-9-1961.**

**Sub.—Permission to Government Servants in Delhi to join the Home Guards Organisation.**

A copy of office Memorandum No. 47/3/59-Ests., (A) dated 20-10-1959 from the Ministry of Home Affairs, received under Railway Board's letter No. TRG 61ML8/2, dated 11-8-1961 is forwarded for information and guidance.