



All India RRB Officers' Federation (AFFILIATED TO AIBOC)

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All Affiliates/ Members
(Please re-circulate)

PAYMENT OF GRATUITY TO OFFICERS OF RRBS - DISCRIMINATION DISPUTED BY FEDERATION - LEGAL ACTION INITIATED

Officers' & Employees' Service Regulation for RRBs, 2010 amended in 2013 did have discriminating provisions for RRB officers. The Service Regulation prescribes that the amount of gratuity shall be higher of the provisions of Service Regulation and Payment of Gratuity Act, 1972. In case of employees the eligible amount for calculation shall be Basic Pay and Dearness Allowances & for the officers the same shall be Basic Pay only. There is no such provision in the Payment of Gratuity Act, 1972. In view of the fact that the Service Regulation is a subordinate legislation and the Act is paramount such provision in the Service Regulation is Voidable ab-initio.

In view of the recent salary revision the eligible amount of gratuity in respect of the officers have become higher than the amount of Rs. 10 Lakhs. Hence, the RRBs are depriving officers the due amount. The matter was deliberated in different meetings of the Central Committee of AIRRBOF.

Since the matter needs to be contested in Civil Money Suit it was advised that the General Secretary of AIRRBOF who retired on superannuation on 31.10.2013 should file an application towards Money Suit before Addl. District Judge, Siliguri. The matter was advised not to be contested before Hon'ble High Court to avoid any risk of a negative decision. The General Secretary, AIRRBOF had made all preparation to file Money Suit at the earliest in consultation with Sr. Advocate at Siliguri. The General Secretary had consulted some office bearers and also President of the Federation and it was decided to file the Money Suit at the earliest. Once the case is won it would create the avenue for higher gratuity for all retired and to be retired officers of RRBs.

Let us congratulate AIRRBOF for the timely action while no other organisation of officer had even thought of.

With greetings,


(S.K. Bhattacharjee)
GENERAL SECRETARY