

PERSONNEL

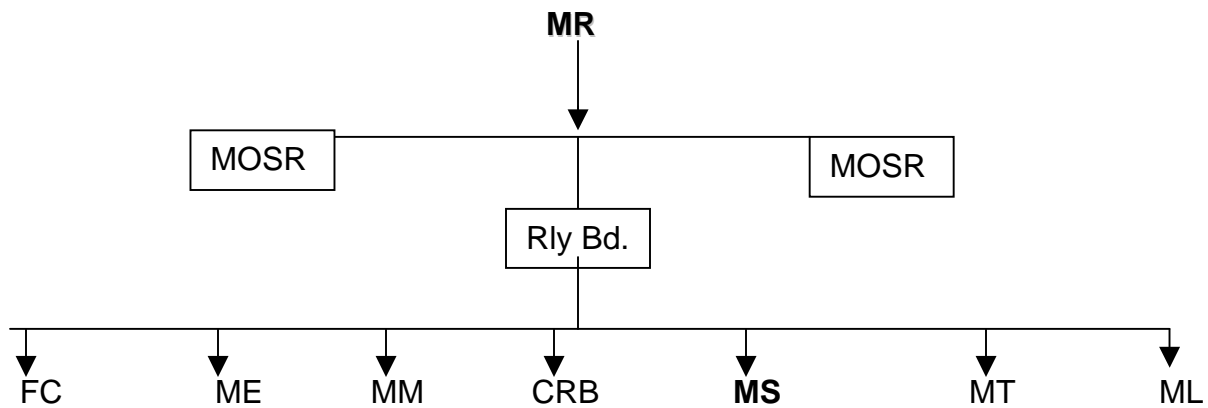
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Chapter 1 : Organization of Personnel Department

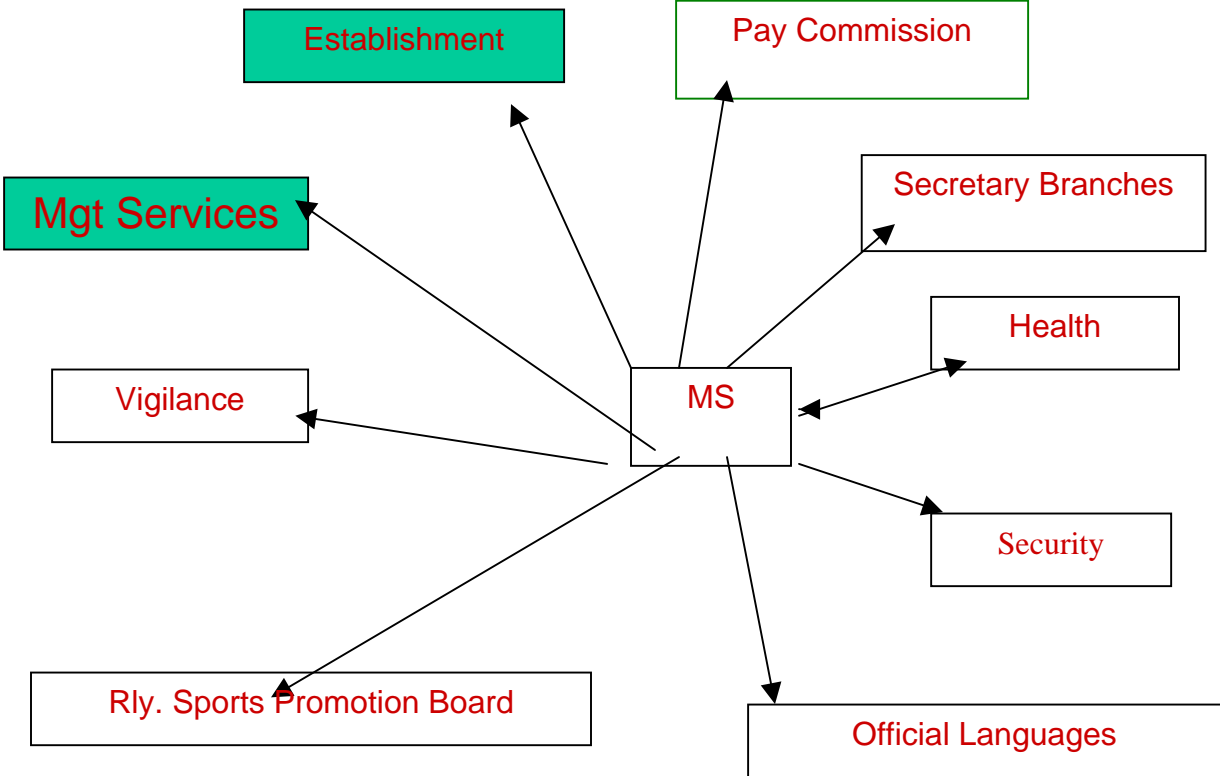
Organization charts of personal department of Indian Railway's at Railway Board, Zonal Level and Divisional Level are given below.

ORGANISATION CHART AT RAILWAY BOARD LEVEL

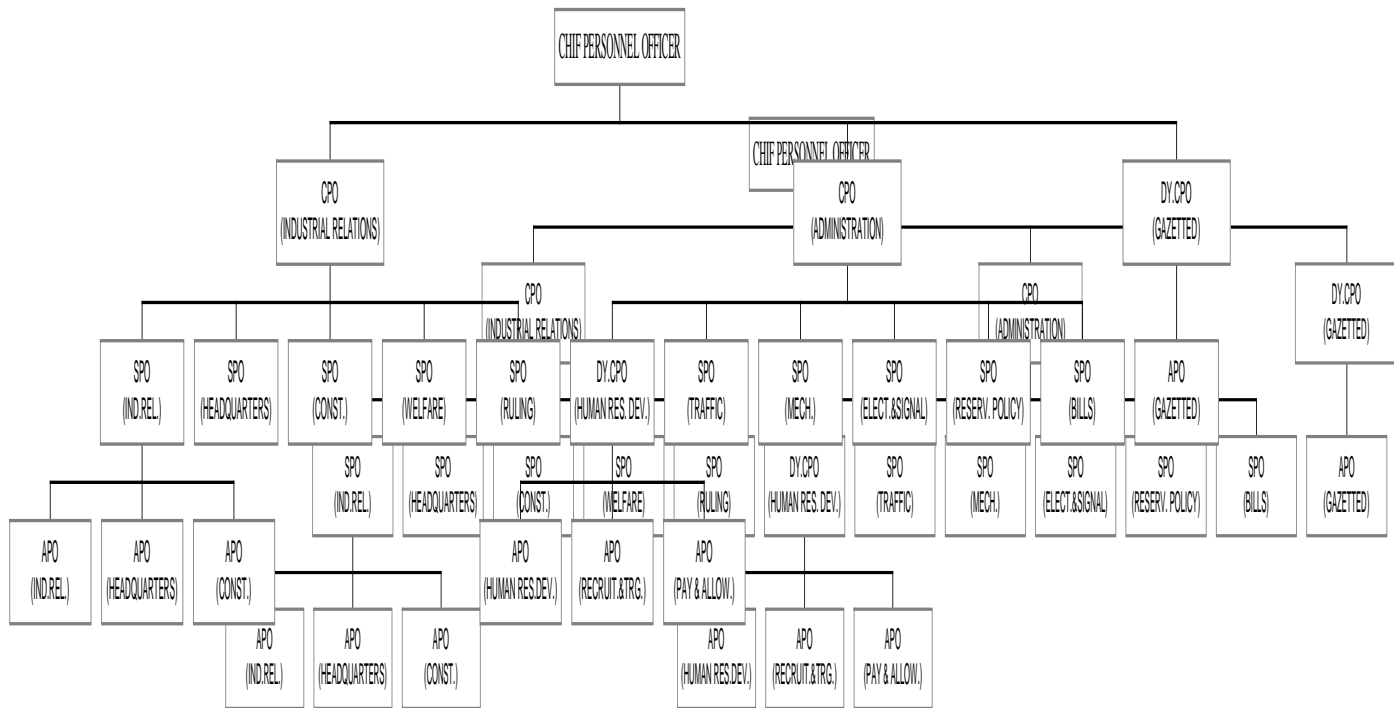


Member Staff (MS) is the functional member in the Railway Board for the staff matter.

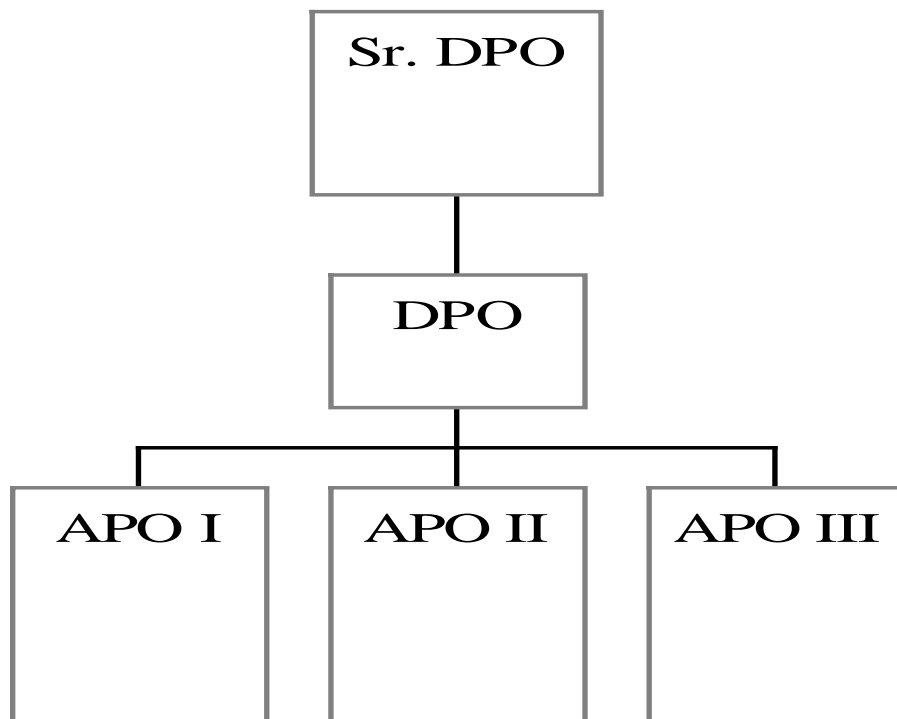
DIRECTORATES UNDER MEMBER STAFF



ORGANIZATIONAL CHART AT ZONAL RAILWAYS



ORGANISATION CHART AT DIVISION LEVEL



Some important different Pay Scale on Indian Railway

Designation	Scale (Rs.)
CRB & Members	80000 fixed
GM & Addl. Members	75500-80000
AGM & PHOD	67000-79000
SAG (ED's in Rly. Bd.)	37400-67000 GP 10000
SG (Director in Rly. Bd.)	37400-67000 GP 8700
JA (Joint Director in Rly.Bd.)	15600-39100 GP 7600
Sr.Sc. (Dy. Director in Rly. Bd.)	15600-39100 GP 6600

Jr.Sc.	15600-39100 GP 5400
Gr.B	9300-34800 GP 4800

Designation	Scales (Rs.)	Group C -
Chief OS/CWLI/CPI/CIHER	9300-34800 GP	4600
OS/WLI/PI/CIHER	9300-34800 GP	4200
Sr.Clerk/WI/PI/IHER	5200-20200 GP	2800
Jr.Clerk	5200-20200 GP	1900

Functional areas of Personnel Management

I. Organizational planning & development

- Determination of the needs of organization in terms of short, medium and long term objectives.
- Planning, development and designing of an organizational structure through fixing the duties, responsibility and authority of the employees so that goals may be effectively achieved.
- Development of interpersonal relationship through division of positions, jobs, tasks.
- Inspections

II. Staffing and Employment

- Manpower Planning - Creation, abolition, transfer of posts, cadre review, re-designation, merging of posts, assessment of vacancies, requirement, deployment, redeployment.
- Recruitment
- Selection, suitability, trade test
- Placement of an employee
- Induction and orientation - Introducing employee to the org. giving him all possible information about organization's objectives, philosophy, policies.
- Seniority, transfer, promotion, reversion
- Separation process (retirement, voluntary retirement, removal, dismissal, resignation, medical ground retirement, death etc.)

III. Training and development

- Initial training.
- Refresher training.
- Promotional training.
- Special professional training.

IV. Compensation, wages and salary administration

- Job evaluation
- Payroll-Wage, salary, annual increment, pay fixation, allowances, recovery
- Incentive, including non-monetary like certificate cum trophy awards.
- Motivation

V. Employee services and benefits

- Safety provision in sheds, workshops
- Employee's counseling
- Medical services
- Staff benefit fund

- Fringe benefits -
 - a) Leave, Passes, PTOs
 - b) Workers compensation benefit
 - c) Pensionary benefit
 - d) Bonus, allowances

VI. Employee records

- Service sheet, personal case, leaves account, seniority list, nominations, and performance appraisal reports.

VII. Labour relation / Industrial relation

- HOER
- Grievance handling
- Rules and regulations - DAR, Vigilance
- Rewards
- Dealing with labour commissioner (CIRM)
- Dealing with trade unions as collective bargaining - PNM, joint consultation, PREM
- Court cases

VIII. Employee welfare

Conditions of work environment

- Working condition
- Allotment of railway quarters
- Sanitation and cleanliness
- Drinking water
- Canteen, Creches, Rest rooms

b) Health services

- First aid facility in all offices
- Medical examination of employees
- Periodical medical examination
- Medical facility to employee & his family members
- Recreational and other welfare facilities, clubs, cooperative stores, sports, schools, Balmandir, holiday home, canteens, community hall etc.
- Education, Balmandir
- Factory act, minimum wages act, wages act, workmen compensation act etc.
- Social work - family planning, blood donation

IX. Personnel research and personnel audit

- Utilization of human resource
- Implementation procedures and policies

- Data relating to important aspects to analyze
- Morale and attitude survey
- Change scope of Personnel administration
- Emerging role of personnel management
- Role of the personnel managers of tomorrow
- Modernization of 'P' branch PMIS

Chapter – 2

Recruitment

The principal modes and agencies of recruitment on Indian Railways are as under:

1. Union Public Service Commission for Group 'A' Services
2. Railway Recruitment Board for Group 'C'
3. Railway Recruitment Cell for Group 'D'
4. Screening of Casual Labours & Substitutes
5. Appointment on compassionate grounds
6. Appointment against sports quota
7. Appointment on the grounds of cultural and artistic talents
8. Appointment of physically handicapped persons through RRB & RRC

Recruitment through UPSC for Group 'A' Services

There are the following nine organized services (other than RPF) on the Indian Railways:

1. Indian Railway Service of Engineers (IRSE)
2. Indian Railway Service of Mech. Engineers (IRSME)
3. Indian Railway Service of Signal & Telecom. Engineers (IRSSE)
4. Indian Railway Service of Electrical Engineers (IRSEE)
5. Indian Railway Stores Service (IRSS)
6. Indian Railway Traffic Service (IRTS)
7. Indian Railway Accounts Service (IRAS)
8. Indian Railway Personnel Service (IRPS)
9. Indian Railway Medical Service (IRMS)

Direct Recruitment to all the above nine services is made through the UPSC on the basis of Annual Competitive Exams. The recruitment to IRSE, IRSME, IRSEE & IRSS is done through Combined Engineering Services Examination, while that for IRTS, IRPS & IRAS is done through the Civil Services Examination. The recruitment to IRMS is done through the Combined Medical Services Examination.

In accordance with the provisions of the Recruitment Rules, 50% of the vacancies arising in a year are to be filled through the competitive examinations referred to above (except in the case of IRMS where it is 100% by Direct Recruitment) and the balance 50% are filled by promotion from Group 'B' to Group 'A'.

In case of IRSME out of 50% referred to above, half of the Group 'A' (JS) vacancies are filled by recruitment through the Combined Engg. Services Exams and the other half through SCRA Exam.

SENIORITY OF MEMBERS OF GROUP 'A' SERVICES

The following principle is applied to fix the seniority of Gr. A officer:

A. Seniority within the same service

- i. The officers belonging to any examination batch would initially be junior to the officers of the same Service belonging to an earlier examination batch.
- ii. Within the same batch, the inter-se seniority would initially be in order of merit in the batch as existing on completion of the period of probation.

B. Seniority Between members of any two Gr. A Services: The inter se-seniority as between members of any two Gr. A Services would be determined by the Date for Increment in Time-Scale (DITS) except that-

- i. In case any officer joins service earlier than his senior in the same Service in the same batch, he will take a notional DITS, which will be the same as that of his senior.
- ii. In case any officer is superseded on grounds of suitability by any officer of his own Service, he will, for the purpose of composite inter se-seniority, take a place just below that of his erstwhile junior who has superseded him.
- iii. In case an officer gets a General Manager's post open to more than one discipline later than an officer of another Service on grounds of suitability he will take his seniority below that officer.

Definition of DITS- The Date for Increment in Time Scale would be the same as the Date of Joining Service in case of direct recruits to Gr. A Services and for others it would be the Date for Increment in Time Scale in Gr. A Service as determined, as per rules laid down from time to time.

DETERMINATION OF SENIORITY OF Group 'A' PROBATIONER

The inter se-seniority of Gr. A probationers of a particular examination batch and of a particular service, on their confirmation to Jr. Scale is decided on the basis of marks obtained by them during the probationary training as indicated below:

Training in RSC		Training in Professional Institute		Posting Exam.	Assessment by Dir. / Controlling officers		
Foundation	Induction	Phase I	Phase II		Gen. Perfor.	Field trg.	Total
150	150	200	200	200	70	280	1250

And marks obtained by them in the UPSC examination (or during the apprenticeship training for SCRA's). For the purpose of determining seniority probationers merit position is determined on the basis of marks secured out of maximum marks- 3300 (the maximum marks of UPSC competition would be 2050 and for probationary training 1250).

For Engineering Services Examination, marks obtained out of 1200 will be normalized by multiplying the marks by 1.71083 (2050/1200) & in the case of SCRA marks obtained

out of 2400 during the apprenticeship period will be normalized by multiplying by the marks by 0.854 (2050/2400).

Promotion from Group 'B' to Group 'A'

All group 'A' appointment in Jr. Scale, whether direct or by promotion are done by Union Public Service Commission.

As referred above, **50% of vacancies** as calculated in a recruitment year are filled by promotion from Group 'B' to Group 'A'. Steps involved are as under

(i) Promotion and all DPCs (Departmental Promotion Committee) procedure are handled in Rly. Board's office in a Branch known as Estt.Gazetted Promotion under **Directorate of Management Services**.

(ii) As per existing Reservation policy of Govt. of India, SCs & STs (not OBCs) are to be given benefit of reservation from Gr. 'B' to 'A' (Jr. Scale). Thus communal distribution is worked out. Thereafter zonal distribution of vacancies in each depts. As per rules lay down by Ministry of Railways.

(iii) As per zone of consideration, **CRs for last 5 years** of eligible candidature from each zone along with seniority list of Group 'B' officers are collected & sent to UPSC to arrange DPC once in a year. Representatives from Rly. Board as per composition of DPC does also participate in selection process.

(iv) UPSC then send select list to Rly. Board & there after with the approval of Railway Minister, Ministry of Railways issues notification for appointment in Group 'A' Jr.Scale. Group 'B' officers on their promotion to 'A' also get **weightage of their Group 'B' service in seniority** to Group 'A'.

Promotion within Group 'A'

An officer is promoted in next grade when he fulfils eligibility norms and is adjudged suitable based on service record (5 years/available performance report) by departmental promotion committee. However before officer can be promoted to higher grade, a vacant post should be available in the grade.

i. Promotion to Senior Scale: A junior scale officer is promoted to Senior scale after completion of 4 years of service in junior scale by GM based on bench mark as 'good'.

ii. Promotion to JAG: A Gr. 'A' officer working in senior scale can be promoted to JAG after completion of minimum 8 years of Gr. 'A' service. Full board is the DPC for this purpose and prescribed benchmark is 'good'.

iii. Promotion to Selection Grade: A Gr. 'A' officer working in JAG can be promoted to Selection Grade when he has entered 14 years service on the first of the January of the year of the consideration calculated from the year following year of the examination. Full board is the DPC for this purpose and prescribed benchmark is 'good'.

iv. Promotion to SAG: A Gr. 'A' officer working in Selection Grade can be promoted to SAG when he has completed minimum 17 years service in Gr. 'A'. Full board is the DPC for this purpose and prescribed benchmark is 'very good'.

Recruitment through Railway Recruitment Board under control of Railway Recruitment Control Board (RRCB)

Early Beginning:

First time in July 1942, as an experimental measure, a Service Commission with a Chairman and two members was established for recruitment of Subordinate Staff on the then North West Railway. The position was reviewed in 1945 and Services Commissions at Bombay, Calcutta, Madras and Lucknow were set up under Railway Board. These Commissions were introduced with two fold functions of recruiting class III staff and also tender advice to General Managers for dealing with appeals from subordinate staff on disciplinary matters.

Later Developments:

In 1948, the Indian Railway Enquiry Committee reviewed working of commissions. While recommending their permanency, suggested that the work related to appeals should be withdrawn so that commission can give undivided attention to recruitments. Chairman Bombay Service Commission was given the supervisory role to Supervise Commissions at Calcutta, Lucknow and Madras. In 1949, due to financial constraints a ban was imposed on recruitments on Indian Railways thus numbers of commissions was reduced to one centrally located at Bombay. In 1953-54 when Economic conditions of Indian Railway improved, four service commission were again set up at Bombay, Madras, Allahabad and Calcutta. In 1956, the Estimates committee generally approved the method of recruitment by the constitution of the Railway Service Commissions. In 1973 to cater the needs of the Northern Eastern Railway and to facilitate recruitment from the under developed areas of that region an additional commission was set up at Muzaffarpur. In the same year a branch office of Calcutta Service Commission was opened at Ranchi. In 1978 one more additional Service Commission was set up at Secunderabad to cater for the needs of newly formed South Central Railway. Recruitment of staff for the needs of NF Railway was still being done through recruitment committee control by NF Railway. Thus in 1978 this job was entrusted to full fledged service commission with Head Quarters at Guwahati. Yet another service commission was opened in 1980 at Bangalore to cater for the needs of candidates from remote backward areas of Karnataka. In 1981 full-fledged service commission was opened at Danapur.

Creation of additional Service commissions

In 1983 to cater for needs of areas which were getting neglected due to locations of the existing commissions, seven more commissions were set up at Ahmedabad, Ajmer, Bhopal, Bhuvneshwar, Chandigarh, Jammu & Srinagar with sitting at Leh and Trivendrum. In 1984 two more service commissions were set up at Malda and

Gorakhpur and a full-fledged commission at Ranchi was set up to cater for exclusive needs of Scheduled tribes of the area

Re-naming as Railway Recruitment Board:

In January,1985 Railway Service Commissions have been renamed as Railway Recruitment Boards (RRBs). At present 20 Railway Recruitment Boards are functioning.

Railway Recruitment Control Board (RRCB):

Railway Recruitment Control Board (RRCB) was set up in 1998 in the Ministry of Railways (Railway Board) with the objectives of

- Formulation of policy in regard to recruitment procedures
- To monitor the activities of all Railway Recruitment Boards (RRBs) including expenditure incurred for recruitment
- To evaluate the performance of RRB's and advise them on priorities as required
- To organize a management information system for monitoring work done by RRB's

RRCB comprises of the following:

Designation	Post held
Member (Staff), Railway Board	Chairman
Additional Member (Staff), Railway Board	Member
Advisor (Vigilance),Railway Board	Member
Executive Director Establishment (RRB), Railway Board	Secretary

Executive Director Establishment (RRB), Railway Board is full time Officer.

RAILWAY RECRUITMENT BOARDS

TOTAL NO. OF RRBS-20

Each RRB generally consists of

1. Chairman
2. Member Secretary
3. Secretary/Assistant Secretary

Appointments in RRBs:

Chairman Railway Board appoints an SAG grade Railway Officer as chairman in RRB.

Member Secretary 3 JAG/SG grade Railway officers names are recommended by General Manager of concerned Railway, which belongs to the RRB Geographically. Railway Board selects one out of these officers and posts in RRB.

General Manager of concerned Railway, which belongs to the RRB Geographically, recommends Asst. Secretary One Jr. Scale Railway officers name. Railway Board approves for posting in RRB.

Other Non-Gazetted The willing group 'C' and 'D' staff of adjoining Railway/Chairman scrutinizes Division/Workshop/Railway Units To post-suitable staff for 5 years tenure. Hence one-fifth NG staff is replaced every year.

Note:- 1) Some time Secretary of Sr. Scale is posted as like Asst. Secretary.
2) The tenure of Chairman is 3 years. For other officers as per norms Followed in Railways in other cases.

RRB calls for eligible applicants through "Employment News" (A publication of the Government of India). The employment notification is also published on the Internet web site. The applications are scrutinized for eligibility. The eligible candidates are called for a written examination with call letters being sent a month in advance of the date of the examination. In most of the categories of jobs, there is no interview after the written examination. In some categories, there will be a second stage written examination. In categories related to operational safety, there will be a psychological test. The application-details furnished by successful candidates are verified and they are called for counseling and scrutiny of original documents. **A panel of names is then recommended to the concerned railways to the extent of vacancies.** The candidates will be required to pass a medical examination before appointment. The results of selection at every stage will be made available on the Notice Board of RRBs in "Results" through the Internet website to the successful candidates through post.

The selection process is based on merit and is subject to the rules and regulations issued by the Ministry of Railways (Railway Board), Government of India which includes reservation of jobs for certain castes/communities such as Scheduled Castes (SC), Scheduled Tribes (ST), Other Backward Communities (OBC), etc. Ex-servicemen are also entitled for reservation as per the rules. The entire computerized recruitment system functions impersonally without fear or favour. There is no scope for corruption, influence or discretion in this process. Candidates indulging in malpractices and unfair means are dealt with strictly.

Railway Recruitment Control Board, New Delhi, lays down the overall policy guidelines for all Railway Recruitment Boards in India.

There is provision for direct recruitment of staff in Group 'C' categories through RRB and in Group 'D' lowest category through RRC.

No direct recruitment can be done in the intermediate categories unless prior approval from Railway board has been obtained.

In case the quota of SC/ST cannot be fulfilled through RRB and there still exists the deficiency of SC/ST, direct recruitment can be resorted to, with the approval of GM. For this purpose, sufficient reasons have to be recorded before resorting to direct recruitment.

Screening of Casual Labour and Substitutes

This is an adhoc procedure for empanelment of the staff in Class 'D' categories by screening the working casual labour and substitutes. Those casual labour/substitutes who have completed 120 days service, whether on projects or elsewhere are eligible for screening through Screening Committee duly constituted and nominated by competent authority.

The Screening Committee consists of 2 officers - one departmental officer and the other a Personnel Officer. One of the two officers should be from the reserved community.

While screening persons, the names of casual labour and substitutes are arranged according to the total length of service put in by them.

Casual labour who have put in four months' continuous service but who have over 120 days' service in broken periods may also be screened if in the seniority list of casual labour maintained in the unit their juniors become eligible and come up for screening.

In case sufficient number of reserved community candidates to fulfill the roster points are not available, then according to the extent orders the committee can resort to direct recruitment.

The panel thus formed is approved by the competent authority and is notified after its approval. The panel remains current until it is exhausted.

Appointment on Compassionate Ground

Appointment on compassionate ground can be done both in Class 'C' and Class 'D' categories in recruitment grades under the powers of CPO and DRMs respectively. Priority for appointments on compassionate ground is as under:

- i. Dependents of employees, who die or are permanently crippled in the course of duty;
- ii. Dependents of employees, who die in harness as a result of railway accidents when on off duty;
- iii. Dependents of the employees who die in service due to natural causes/prolonged illness or are permanently medically incapacitated.
- iv. When an employee's whereabouts are not known for a period of one year.

Compassionate ground cases appointment can be considered in regard to the employees of Gr.A,B,C & D as per genuine ness and merit of case. But appointment is given in recruitment grade in group C & D only.

Relaxation in age can be given freely in upper age and 1 year in lower age with approval of of competent authority.

- i. One child/widow may be appointed on compassionate grounds without any 'means', irrespective of whether any other son is already earning.
- ii. No qualification higher than the minimum prescribed in the general recruitment rules should be adopted to screen out candidate for compassionate grounds.

Appointment against Sports quota

Direct appointments can be made against the Sports Quota by each railway during a calendar year in the following manner:

Annual quota for recruitment of sports person in Gr. C & D

<i>Rlys./Pus</i>	Open Advt. Rlys./Pus quota	Talent Rly.Pus quota	Scouting RSPB's quota	Total
Gr. C				
A. NR / WR	20	14	6	40
B. CR/ER/SCR/ SER/SR	15	10	5	30
C. NER/NFR	9	6	3	18
D. ICF / DLW	6	4	2	12
E. CLW/DCW/RCF/ WAP / Metro/CC	3	1	1	5
Gr. D				
A) Each div/Hq of rly.	2	1	1	4
B) ICF/DLW	5	3	2	10
C) CLW/DCW/RCF/ WAP/Metro/CCC,RDSO	3	1	1	5

The quota cannot be carried forward. The appointment against sports quota has to be made only to candidates who are outstanding players and/or who have taken part in the international or state events.

Appointments on the grounds of Cultural & Artistic Talents

General Manager is empowered to give appointments to the extent of 4 persons in a year either in Group 'C' or 'D' category on account of outstanding performance in cultural and artistic activities. Two appointments can be done for Scouts & Guides.

Appointment of Physically Handicapped

Physically handicapped can also be given appointments in Group 'C' or Group 'D' to the extent of 15% of recruitment in earmarked categories. In their cases also the relaxation of 5 years in age limit is allowed. The 3 % (i.e. 1% in each group blind, deaf & dumb, orthopedics) of the total recruitment made during the year in group 'C' and Gr. 'D'

are recruited from physically handicapped person and appointed according to their handicap ness following the norms issued by Ministry of rehabilitation

Appointment of Mechanical Apprentices

Direct recruitment in Group 'C' supervisory category is done by recruitment of Mechanical Apprentices. The training of Mech. Apprentices is for a period of 2 ½ years.

Chapter –3

Industrial Relations

Permanent Negotiating Machinery

Shri V.V.Giri founded it in the year 1951 when Shri Lal Bahadur Shastri was the Railway Minister.

With a view to maintain contact with organized labour and resolve disputes and differences arising between organized labour and the Administration, a machinery was set up, is called “Permanent Negotiating Machinery”.

The meetings between the organized labour⁴ and the Railway Administration are arranged in three tiers, viz.,

- (a) Railway level
- (b) the Railway Board level, and
- (c) the ad hoc Tribunal level.

Under (a) above, the organized labours have access to the District, Divisional, Workshops and Headquarters Officer of a Railway Administration including the General Manager. Thus at Railway level, there are further three levels, i.e. at Headquarters level, (b) Divisional level & (c) Workshop level. The details of different levels are as under:

Level s	Chairman	Secretary	Meetings	Details
Hqrs.	G.M.	C.P.O.	Once in three months and often if necessary	1. Separate meeting with each recognized union 2. Prior approval of GM is necessary for items to be discussed. GM can discuss any item without notice. 3. Individual cases not permitted to be discussed In the absence of GM, CPO will be Chairman
Divl.	DRM	Sr. DPO	Once in two months	1. Total number of persons for discussion from union side should not exceed 20. Not more than two persons from each branch. 2. Every branch should not discuss more than 6 subjects 3. Individual cases will not be

				discussed but DRM can discuss without notice.
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Railway Board level - All matters which could not be settled at Railway level and (b) concerning pay scales and allowances would be discussed at this level.

Meetings:

1. Separate meetings with AIRF and NFIR and Railway Board and should be once in a quarter.
2. No limit of subjects and number of Union members for discussion. Dy. Director Establishment should decide it.
3. Chairman = Member Staff
4. Secretary = Director (Estt).

Ad hoc Tribunal Level - Matters of important nature on which no agreement is reached are put up to Ad hoc tribunal.

Chairman = Retired Judge of Supreme or High Court. He shall be having his own staff.

Representatives = Equal number of representatives of Labour and the Railway Administration.

An award is given which is not binding on the government. It is open to Government to accept, reject or modify the decision of Tribunal. Matters settled by agreements or decisions accepted by Government will not again be raised within period of two years. In case the Government has rejected or modified the decision of Tribunal, the matter can again be raised only after a year.

2. Joint Consultative Machinery

With a view to have harmonious relations between the Government (Employer) and its employees in the matters of common concern and with the object of further increasing the efficiency the Government of India have established a machinery known as Joint Consultative Machinery and Compulsory Arbitration. The CD councils may discuss matters relating to condition of service, welfare of the employees and improvement of efficiency and standard of work. No individual cases can be considered by the Councils and in regard to recruitment, promotion and discipline, the councils are to restrict their deliberations to the matters of general principles only.

Joint Consultative Machinery works in three tiers viz., National Council, Departmental Council and the Regional Council. The details are as under:

Particulars	National	Departmental	Regional
Chairman	Cabinet Secretary	Member Staff	Head of Region
Members (Staff side)	24	10	Depends on No. of

Official Members			staff
Staff (Unions) Deals	60 Central govt. employees	30 Particular Ministry	-do- Within Region

The Departmental Council is required to meet once in four months to discuss subjects on the agenda, which should be circulated not less than 30 days before the meeting; business not on agenda can also be put up with the permission of Chairman. Any matter disposed of is not to be placed on agenda again during the following 12 months. If there is no agreement between the two, the matter is referred to Board of Arbitration in which the Government appoints three members. The Chairman shall be an independent person. For members three panels are formed and one person is selected from each panel. **Once judgment or award is declared, it is binding on both parties.** Only Parliament can change the decision, otherwise, it cannot be touched and remain in operation for period of three years.

3. A Comparison of the basic features of Permanent Negotiating Machinery and Joint Consultative Machinery (PNM & JCM)

(a) The PNM started functioning on Railway in 1951. Under the JCM, the National Council started working in 1966 and the Departmental Council in 1968.

(b) PNM and JCM function in three tiers and both the Scheme are non statutory in character.

(c) Under the PNM, a wide range of subjects can be discussed but each tier is expected to dispose of matters falling within its purview and those, which are not resolved, are taken over to next tier. Under JCM, subject relating to general conditions to service and work and welfare of employees, may be discussed. Where a matter concerns only one department, it should be discussed and decided at Departmental Council, and where the matter concerns more than one department, it can be discussed only at National Council level.

(d) Under the PNM, matters of importance remaining unsolved during the discussions between the Federations and the Railway Board may be referred to an ad hoc Tribunal to be appointed by Government. Under the JCM, however, matters unsolved at the National Council or the Departmental Council are referred to Compulsory Arbitration from each Council independently when the disagreement relates to matters affecting pay and allowances, weekly hour of work, and leave of a class or grade of employees.

(e) Under the PNM, recommendations of the ad hoc Tribunal are not binding and the Government may accept, reject or modify the recommendations. Decisions of the Tribunal accepted by Government remain in operation for 2 years. Under the JCM scheme, recommendation of the Board of Arbitration are binding on both sides, subject only to the overriding authority of Parliament, and ordinarily remain in operation for a period of three years.

Corporate Enterprise Group (Now called PREM)

In order to have better and systematic participation of labour in Management for improvement in working of Railway system and appropriate changes for improving efficiency and viability, a Corporate Enterprise Group was set up at Central level in Ministry of Railways in the year 1972 specifically to provide for a free flow and exchange of ideas on the running and shaping of the enterprise of Railways. This group consists of Chairman, members and Secretary of Railway Board on one hand and on the other hand three representatives each of the National Federation of Indian Railways and All Indian Railway men's Federation and one representative of the Officers' Federation.

It was felt that the labour leadership, with its wide-base of communication at the grass roots would be able to provide access to view points at the working level and enhance contribution to the corporate efforts by reciprocally interpreting down the line, and broader aspect and objectives of the functioning of the organization. This would also tend to dispel any possible atmosphere of secrecy and distrust, which may at present be attributed to the functioning of top management.

The broad objectives of the Corporate Enterprise Group are to—

- a) Evaluate the functioning of the Railways and exchange data and ideas on ways and means for improving the efficiency and viability of the enterprise;
- b) Apprise the investment programme, particularly in regard to housing and welfare services;
- c) Identify areas and devise action-oriented methods for maximizing organizational effectiveness, the use of technology and towards building up the image of the Railways as a service organization.

Staff matters including those, which come within the purview of the Permanent Negotiating Machinery and Joint Consultative Machinery, are not to be discussed by the Corporate Enterprise Group.

Corporate Enterprise Group has been set up on Zonal Railways from 15.7.1977 (Bd's letter No.E(LL)77WMP/2-1 of 29.6.1977) to achieve the above objectives. At Zonal Railway level "CEG" consist of three representatives of each of the recognized Unions affiliated to AIRF and NFIR and one representative of the Association affiliated to the All India Railway Officers Federation. The official side is consisting of the General Manager and the Heads of Departments of the Railway, and—

- (i) Those who are actually working on the Railway should be nominated to the Zonal CEG.
- (ii) The Zonal CEG once formed shall function for a period of two years.
- (iii) The GM shall be its Chairman and CPO shall be the Secretary
- (iv) The Zonal CEG shall meet at least once in every two months.

A quarterly narrative appreciation in regard to the functioning of the scheme shall be sent to Railway Board within 15 days following the quarter to which the report relates.

Trade Unions Act, 1926 (amended in 1947)

A trade union is a continuous association of wage earners for the purpose of maintaining and improving the conditions of workers and their lives.

Beginning of Union in India with brief history - In the year 1875, Sorabji Shapurji started a labour agitation in Bombay against appalling conditions of workers especially women and children in factories. Between 1882 to 1890, about 25v strikes were recorded in Madras and Bombay alone. In 1890, N.M. Lokhandey had started labour movement in India and formed "Bombay Milhand Association." He had also started English Newspaper known as "Deen Bandhu". In 1891, Factory Act was passed to improve the conditions of workers. From 1904 to 1911, a common society of Railway men of India and Burma was formed.

P.B. Wadia had started labour movement in 1918 in Choolie near Madras. He was working in Buckingham and Karnatic Mills as worker. He was removed from service for his having participating in political affairs. The name of the union was kept "Madras Labour Union". Within the period of one year, the Union had its four branches consisting of 20,000 members.

In 1971, Miss Ansuiya Sarabhai, a social worker had organised workers and strike at Ahmedabad. In 1920, Mahatma Gandhi had founded Spinning and Weavers Association at Ahmedabad Textile Mill. From here the labour took good turn. Mr. Miller had formed ASSOCIATION of Railway worker in Punjab in 1920. Lala Lajpat Rai founded important name "All-India Trade Union Congress" in 1920. In 1922, All India Railway men Federation were founded. In 1926, the Government passed the Trade Union Act and prior to this they unions were not recognized. In 1940, Government instituted an enquiry in regard to India Trade Union Congress in order to know the activities of union. In 1946, Indian National Trade Union Congress was formed.

Factors responsible for the growth of Trade Unions --

- a) Economic conditions due to First World War
- b) Many soldiers returned home and needed jobs
- c) Due to growth of many leaders and Social reformers
- d) Due to International Labour office in India
- e) Success of Russian Revolution

Unions in India –

1. All India Trade Union Congress (AITUC) (by Communist)
2. Indian National Trade Union Congress (INTUC) (by Congress)
3. Hind Mazdoor Sabha (Socialist)
4. Bharatiya Mazdoor Sangh (Jansangh)
5. United Trade Union Communist (Communist)
6. Central Trade Union
7. All-India Railwaymen's Federation
8. National Federation of Indian Railwaymen and
9. Bharatita Railway Mazdoor Sang

Union on Railways

- a) National Railway Mazdoor Union connected items 1 & 7 above.

Functions of the Trade Unions

The functions can be divided in following three categories:

1. **Intra Mural Function:** Within the walls, adequate wages and allowances, better conditions of work, to reduce the hours of work. Adopted methods: Strikes, collective bargaining, negotiations and boycotts.
2. **Extra Mural Function:** Strikes, Demonstrations, helping the workers at the time of distress in strikes and lockouts, Running schools, libraries, canteens, indoor and outdoor games.
3. **Political Activities:** Taking active part in politics. This is not allowed in India.

Advantages of Trade Unions

- a. A boon for working class
- b. Brings all-round improvements in working conditions
- c. Brings industrial peace
- d. Safeguards against the possibility of exploitation of the workers

Disadvantages

- a. Workers go on strike on flimsy grounds
- b. Hostile attitude towards improvement and improved method of production
- c. Go slow policy reduces the national income
- d. Creates artificial scarcity of labour

Salient feature of the Trade Union Act, 1926

1. This Act was passed in 1926 to be implemented from 1.6.1927
2. Any seven or more persons can form an Association and get registration
3. The registrar can withdraw or cancel the registration of Union
4. Legal protection shall be given to Union office-bearers against criminal proceedings but that must be for union work only
5. The Union may raise separate funds other than subscriptions on purely voluntary basis for promotion of social or political interest
6. Unions are to define their aim and objects for its constitution and maintain and get audit of accounts
7. The Registrar can inspect the accounts and the union's books at any time
8. If a union(s) indulges in
 - a. Unfair practices
 - b. Go for irregular strike or
 - c. Submit false statements, the punishment would be total withdrawal of recognition

9. If employer
 - a. Interferes in the working of union
 - b. influences for against the union
 - c. discriminates with any officer of the union or
 - d. refuses to negotiate or deny privileges to union, he is liable to be fined to the extent of Rs.1000/-.

10. Rights and liabilities of trade union and the purpose for which the union fund may be utilized have been defined in the Act.

Privileges/facilities given to Unions by Railways

1. Through Permanent Negotiating Machinery certain staff
2. Through Joint Consultative Machinery, Government as a whole
3. Staff Benefit Fund (membership or representatives)
4. Participation through Labour Advisory Committee
5. Staff Committee (at certain important stations)
6. Issue of card passes to union workers
7. Special casual leave and passes for attending meetings
8. Railway provide land for building or accommodation on rental basis for office and also provide telephones
9. Sanction to hold meeting on Railway ground with prior approval
10. Space for notice at Railway premises

11. Supply of copies of Railway Board's letters
12. Collection of subscriptions of unions on pay day, 20 yards away from the pay counter
13. Union office bearers cannot be transferred unless two months' notice has been given
14. Foreign service contribution towards pension/PF/Gratuity by recognized unions/Federations shall not be realized for:
 - a. Two persons in case of each recognized federation
 - b. Two persons in case of each recognized unions at zonal level and
 - c. One person in each division of Railway for each recognized union

Dealing with unrecognized Unions/Associations

Unrecognized Unions are those, which are though registered under the Indian Trade Unions Act, 1926, but are not recognized by the government.

In dealing with such unrecognized Unions, it is the policy of the Government not to have meetings with them and communications received from them are neither replied nor acknowledged. However, the grievances of staff received from any quarter including from these unions should be dealt with in proper manners at appropriate level.

Matters raised through correspondence by SC/ST Railway Employees' Associations, in regard to reservations, recruitments, promotions and other grievances of SC/ST employees shall be acknowledged and dealt with advising them the benefits granted by the Government.

Recognition of Associations or Unions

Grant and continuance of recognition rests in the discretion of Government, but recognition when granted will not be withdrawn without due cause and without giving opportunity, to the association to show cause against such withdrawal.

Recognition will not ordinarily be granted or continued to any association unless it complies with the following conditions:

- i. It must consist of a distinct class of railway servant and must not be formed on the basis of any caste, tribe or religious denomination or of any group within or section of such caste, tribe or religious denomination.
- ii. All railway servants of the same class must be eligible for the membership
- iii. It must be registered under the Trade Unions Act.

Staff Grievances

Indian Railways being the largest Public and National enterprise are looking after their prime responsibility of welfare of staff with a view to bring improvement in the employees and to protect their legitimate interest and rights by redressing their genuine grievances.

In short, the grievances of railway employees could be either from management policy or from working conditions of the railway employees. Thus, grievances can be attributed to either general or individual nature.

Grievances of general nature which are of common interest of the employees are seniority, promotions, transfers, payment of wages and overtime, housing, medical sanitation, schools, holiday homes, institutes or accommodation. These grievances are discussed with the leaders of the Trade Unions in the Permanent Negotiating Machinery at the appropriate level and if not settled at the zonal level, these are referred to AIRF/NFIR for settlement. In case there is still disagreements the matters can be referred to Adhoc Tribunal, where an award is given which is not binding on any of the representatives. It is open to Govt to accept or reject or modify the decision of the Tribunal. Unions shall not open matters settled again for the period of two years. Where the Government have rejected or modified the matters can again be raised at the end of the year.

The matters relating to condition of service, welfare of the employees, improvement of efficiency and standard of work are discussed in the meeting of Joint Consultative Machinery and councils shall entertain no individual cases. If there is no agreement between JCM and Railway Administration, the matter is referred to Board of Arbitration and the final outcome is binding on both the parties. Only Parliament can change the decision.

The individual grievances are normally redressed by the Welfare Inspectors or by representation to the concerned official, through proper channel. In the case of dissatisfaction, representation can be made to the highest authority through proper channel. As per procedure in vogue, the representation from staff should be replied within a period of one month's time.

Labour Inspectors of Central Government have also to visit Workshops, Stations, Yards and other units to get the information in regard to working hours, periodical rest, non-payment of wages and overtime. They submit their inspection notes to the concerned Railway authority for compliance. The railway authorities have to attend the grievances of staff and genuine grievances are redressed under intimation to the Regional Labour Commissioner. Regular meetings are also held between Railway Administration and Labour Enforcement Officer in order to review the grievances reported by LEO and action taken to redress the same.

Railway Servants (Hours of Work & Period of Rest) Rules, 2005

1. Evolution of Hours of Employment Regulations

The Hours of Employment Regulations includes:

- (a) Statutory provisions incorporated in the Chapter XIV of the Indian Railways Act, 1989.
- (b) Railway Servants (Hours of Employment) Rules, 1931.
- (c) Railway Servants (Hours of Employment) Rules, 1961.
- (d) Railway Board's Subsidiary Instructions on the above Rules, and
- (e) Instructions issued by the Railway Board consequent on the acceptance of the recommendations of Railway Labour Tribunal, 1969.

The Indian Railways Act of 1989 and the Railway Servants (Hours of Employment) Rules 1961 have the statutory force.

The Hours of Employment Rules apply to all the Railway servants including Casual Labourers and Substitutes except those who are brought under the -

- (a) Factories Act,
- (b) Indian Mines Act,
- (c) Minimum Wages Act and
- (d) Indian Shipping Act.

Rules were incorporated in the Indian Railways Act, 1890 by an amendment in the year 1930 to regulate the Hours of Employment and the periodic rest of the Railway workers. This was done to fulfill the obligations undertaken by the Government of India due to the deliberations made in the Washington and Geneva Conventions which were sponsored by the International Labour Organization. In the year 1931, Rules were issued on the Hours of Employment Regulations by the Governor General-in-Council of India based on the Chapter VI-A of the Indian Railway Act 1890 as amended.

The Government of India based on the representations received for the modification of the said rules appointed the Hon'ble Mr. Justice G S Rajdhyaaksha, ICS, for adjudication into the matter. The recommendations of the adjudicator were accepted and the Railway Servants (Hours of Employment) Rules, 1961 were issued.

Later, Shri N M Miabhoy, Retired Chief Justice, High Court of Gujarat, was appointed as Chairman of the Railway Labour Tribunal 1969 to adjudicate on certain points referred by the NFIR and his decisions were accepted. Orders were issued by the Railway

Board on the revision of the rules as recommended by the Railway Labour Tribunal 1969 in regard to the hours of work, payment of overtime allowance etc., to take effect from 01/08/1974.

In exercise of the powers conferred in by the Indian Railways Act, the Central Government made the "The Railway Servants (Hours of Employment) Rules".

2. CLASSIFICATION OF STAFF

As per the rules, the Railway servants are classified into 4 groups viz.

1) **Continuous**

The employment of all Railway servants under the Hours of Employment Regulations shall be deemed to be 'continuous' with the exception of those few whose employment may be classified as 'intensive' or 'essentially intermittent' or who may be excluded by an order of the Competent Authority.

2) **Intensive**

The employment of a Railway Servant shall be said to be 'intensive' when it has been declared to be so by the Competent Authority on the ground that it is of a strenuous nature involving continuous concentration or hard manual labor with little or no periods of relaxation. Under this, two factors must be present, viz.-

- (a) Strenuous nature of work tending to cause mental or physical strains and
- (b) Continuous application to such work with little or no periods of relaxation.

(NOTE: The following categories on the basis of the time observation can only be declared as 'intensive'.

- i) Section Controllers,
- ii) Staff employed on line clear work such as Leverman etc.,
- iii) Yard staff such as Yard Foreman, Shunting or Coupling Jamadars or Shunting or Coupling Porters,
- iv) Signallers employed on continuous heavy circuits, and
- v) Wireless Operators.)

3) **Essentially Intermittent**

The employment of a Railway servant shall be regarded as 'essentially intermittent' when it has been declared to be so by the Competent Authority on the ground that his daily duty hours include periods of inaction aggregating 6 hours or more (including at least one period of not less than one hour or two periods of not less than half an hour each) during which the railway servant is on duty but is not called upon to display either physical activity or sustained attention.

4) Excluded

The employment of a Railway servant is said to be 'excluded' if he belongs to any one of the following categories viz.-

- i) Railway servants employed in a confidential capacity,
- ii) Armed guards or other personnel subject to discipline similar to that of the armed Police Forces,
- iii) Staff of Railway schools imparting technical training or academic education,
- iv) Such staff as may be specified as Supervisory staff by the Central Government by rules made under Section 71-E,
 - v) Such categories of staff of the Health and Medical Department as may be specified by the Central Government by rules made under Section 71-E,
- vi) Stenographers attached to Officers at the rank of Junior Administrative

The following categories of staff of Health and Medical Department etc. shall be treated as 'excluded'.

- a) Assistant Surgeons
- b) Matrons
- c) Sisters-in-charge
- d) Midwives who are not posted on regular shift duties in a Railway Hospital
- e) Health Educator/District Extension Educator (Male and Female)
- f) Family Planning Field Worker (Male and Female)
- g) Lady Health Visitor
- h) Auxiliary Nurse-cum-Midwives
- i) Projectionists
- j) Public Health Nurses (Family Planning)

The Government also may by an order in writing specify the Railway servants or the classes of Railway servants to be treated as Supervisory staff on the ground that the Railway servant holds a position of responsibility, is employed on duties mainly of supervisory character and is from the nature of his work and position comparatively to adjust his hours of duty of work during such hours as supervisory.

3. *PRINCIPLES OF AVERAGING*

Principles of averaging are warranted in Railway working in regard to the following groups of employees.

- a) Running Staff
- b) Operating Staff
- c) Shift Workers
- d) Those workers whose work is bound up with the work of workers comprised in the above three categories.

The averaging period for 'intensive' and 'continuous' workers should be fixed as two weeks and for 'essentially intermittent' workers one week.

In the case of 'C' Class Gateman, Care-takers of Rest Houses and Reservoirs etc. and Saloon Attendants classified as 'essentially intermittent', the period of averaging is fixed as two weeks.

The principles of averaging should not be applied to the staff belonging to the following broad groups and they should be considered to be eligible for fixing their hours of employment on daily basis.

- a) Office staff in Headquarters, Divisional and District Offices (excluding stations and sheds) classified as continuous.
- b) Gang staff of Civil Engineering Department.
- c) Works staff of the Civil Engineering Department.
- d) Staff governed by Hours of Employment Regulations attached to Workshops and Production Units, except Clerks whose work is connected with the shift workers.
- e) Staff belonging to the Stores Department except Store Van Clerks.

Hours of Employment

The daily and weekly Hours of Employment of continuous and essentially intermittent workers are fixed as 8 hours and 48 hours respectively.

The essentially intermittent workers can be called upon to work for additional hours as follows in addition to the hours fixed as mentioned above.

- a) 'C' Class Gatemen, Saloon Attendants, Caretakers of Rest Houses and Reservoirs etc. may be required to do duty for additional hours of 4 hours a day and 24 hours a week. Their averaging period will be fixed as two weeks. The total hours for which these staff can be called upon to work may be 144 hours per two weeks on an average.
- b) Staff those who are classified as 'essentially intermittent' and posted to road-side stations may be called upon to do duty for 4 hours per day and 24 hours per week when they are provided with residential accommodation within 0.5 km. from their place of work, so that they can be called upon to work 72 hours a week on the average. The period of averaging will be one week. Residential accommodation includes Railway Quarters, Private accommodation etc.
- c) The rest of 'essentially intermittent' workers viz. those staff who are not coming under (a) and (b) above, can be called upon to do duty for an additional number of 2

hours a day and 12 hours a week. Therefore, they can be called upon for duty for 60 hours a week on the averaging. The period of averaging of these staff will be one week.

The weekly hours of employment of `intensive' workers will be 42 hours on the average per week. The period of averaging of these workers is fixed as two weeks, so that they can be called upon to do duty for 84 hours in a period of two weeks.

In the case of `excluded' workers, no statutory maximum limit for the hours of employment has been prescribed but this should not absolve the Railway Administration of their responsibility on humanitarian grounds of seeing that unreasonable conditions are not imposed.

4. ROSTERED HOURS OF DUTY

Rostered hours of duty will be the standard duty hours prescribed for each category of workers as detailed above plus the time required for doing preparatory and/or complimentary work in the case of staff who are required to do so plus the additional hours laid down in the case of essentially intermittent workers as detailed above. The rostered hours should not exceed the statutory limits prescribed when preparatory and/or complimentary work is added, as described in the para below.

Preparatory and/or complimentary work

Preparatory and/or complimentary work includes the work of handing over and/or taking over of charge and are necessarily to be carried on outside the standard duty hours on the scales prescribed for each category.

(NOTE: The time required for preparatory and/or complimentary work to be done by various categories of workers will be determined by means of a job analysis.)

The time required for preparatory and/or complimentary work in regard to each classification of workers or worker and if such time requires to be included in rosters, it shall be done on the proposition mentioned herein.

(a) For continuous, intensive and essentially intermittent workers, who are called upon to do preparatory and/or complimentary work for a period of less than 15 minutes per day, such time shall not be considered as period of duty and may not be included in the roster.

(b) Preparatory and/or complimentary work, if it is assessed as between 15 and 45 minutes per day in the case of continuous workers, half-an-hour credit should be given per day or 3 hours per week should be given and the same should be reflected in the roster.

(c) One hour per day or 6 hours per week against preparatory and/or complimentary work should be given to the `continuous' workers if such work is assessed as between 45 minutes and one hour per day.

(d) In the case of `intensive' workers, preparatory and/or complimentary work for a period between 15 minutes and 30 minutes will be considered as duty for 30 minutes. Roster will be prepared; so as to not to exceed the statutory hours prescribed for such workers.

(e) In the case of `essentially intermittent' workers, credit of 30 minutes will be added if such work is assessed between 15 and 30 minutes. However, the maximum additional hours for such type of work will be fixed at 3 hours per week in the case of whose duty hours other than preparatory and/or complimentary work is fixed as 72 hours per week. As regards to the rest of `essentially intermittent' workers, the maximum additional hours for preparatory and/or complimentary work should be fixed as 4-1/2 hours per week.

(f) In regard to the Running Staff, the whole period from `signing on' to `signing off' should be treated as period on duty.

Waiting for duty

The time during which an employee is waiting at the place of duty and not resting should be included in the Hours of Employment since the employee is available for such suitable work as the Administration may assign to him.

Administration should give special attention to the improvement of running rooms to see that the facilities afforded to the running staff are such as to enable to get adequate rest. This applies equally to crew vans and rest vans.

It is also desirable that Railway Administration should try and make provision for one room at each fairly large station for the use of staff who may be arriving at that station on relieving or other duty. It should also be available for the use of staff who is off duty at inconvenient hours.

Reckoning of traveling on duty as duty

When a worker not provided with the facility of crew rest van travels as spare on duty on any day beyond a radius of 8 kms. from their place of duty all time spent for traveling from the time they commence the journey from the place of duty will be treated as duty. These instructions would apply only to such staff who had prior to 01/08/1974 been getting the benefit of counting periods of spare travel as duty in terms of subsidiary instructions No.8 provided with travel facilities.

The following running staff whenever they have to travel as spares on duty and when not provided with travelling facilities will come under the classification referred in the above para.

1)	Driver Grade `A', `B' and `C'	Loco Staff
2)	Diesel Driver	Loco Staff
3)	Diesel Assistant	Loco Staff
4)	Firemen Grade `A', `B' and `C'	Loco Staff
5)	Guard Grade `A', `B' and `C'	Traffic
6)	Brakesman	Traffic
7)	Driver Grade `A', `B' and `C'	Traction Running Staff
8)	Assistant Driver	Traction Running Staff
9)	Motorman	Traction Running Staff

In other than cases referred in the above paras, when workers travel as passenger on duty beyond a radius of 8 kms. from the place of duty and who are not provided with accommodation in trains, 50% of the period of travel should be credited towards duty hours. Such travel in the case of any individual employee should be limited to 70 hours in a month. In other words, payment of overtime for such travel should be restricted to 35 hours in a month. This limit should not be exceeded under any circumstances. The accommodation, for this purpose, means provision of sleeper/first class accommodation whether reserved or otherwise. When staff travel in train where there are no facilities of reserved accommodation even for fare-paying passengers or when travel is taken on reservation seats, the question of treating travel time does not arise.

Loco running staff who may be deputed to accompany dead engines may be allowed 2/3rd credit for the time spent by them during such journeys and loco running staff accompanying engines on trial measure may be allowed full credit for the entire journey.

In case of running staff travelling spare on double manned trains, full credit should be given to both the sets of crew, so far as the payment of overtime is concerned, if no crew rest van is provided.

5. SPECIAL INSTRUCTIONS FOR REGULATING HOURS OF EMPLOYMENT OF RUNNING STAFF AND OTHER TRAVELLING STAFF.

1. As a general rule, running staff should be classified as `continuous'.
2. The deemed rostered hours of running staff other than those work on fixed roster should be determined as 104 hours in a two-weekly period and the payment of overtime allowance should be regulated accordingly.

2.2 In the case of Special Grade 'A' Drivers and 'C' Grade Co-Drivers employed on Superfast trains which are having a booked speed of 100 kms. per hour or more, their hours of employment should normally be limited to 90 hours in a two-weekly period and payment of overtime allowance should be regulated as 1-1/2 times of the ordinary rate of pay for the work done over 90 hours upto 108 hours and twice the rate of pay for the work done beyond 108 hours. This will not, however, apply to such trains as are booked to run at a speed of less than 100 kms. per hour though designated as Superfast trains or when such trains are manned by two special 'A' Grade Drivers.

3. In the case of Loco and Traffic running staff, duty hours should count from 'signing on' to signing off'.

4. Loco running staff should be allowed 45 minutes before departure from the engine shed and 15 minutes after arrival in the engine shed.

4.2 Traffic running staff

(a) For express and passenger Guards: 30 minutes before the departure of a train for taking over and 30 minutes for making over after arrival should be allowed.

(b) For Goods trains and mixed train Guards and for Ballast trains/departmental and Road Van train Guards: 45 minutes for taking over and 30 minutes for making over should be allowed.

(c) For Brakesmen: They may be treated on par with the Traffic Guards in allowing train attendance work.

5. The Hours of Employment of the running staff should be restricted to 10 hours at a stretch from the time signing on to signing off, if not otherwise warranted in exceptional circumstances of unavoidable operations exigencies or accidents, floods, emergencies etc.

5.2 The 10 hour rule as applicable to the running staff should be implemented subject to the following provisions:

i) The undermentioned periods will count for 10 hour rule.

(a) Engine attendance time as prescribed and

(b) Time taken from starting station upto crew-changing station including intermediate detention.

ii) The following periods will not count.

- (a) From bahar line to the station at the starting point, pre-departure, detention and travelling pilot and
 - (b) At the terminal station from the station to the shed where the destination point is other than a station, say, a yard, a convenient point or area would have to be locally demarcated as the destination station for the purpose of 10 hour rule.
 - iii) the time spent by running staff on non-running duties such as travelling spare on duty or waiting at a station for returning to headquarters etc. will continue to be excluded for the purposes of 10 hour rule.
6. In the case of Loco and Traffic Running Staff, continual night duty should not normally exceed 6 nights at a stretch.
7. The stay of running staff away from headquarters be limited to 3 days which may work to their staying 3 running rooms e.g., one on the, say, up one at the end and one on the way back.

The 72 hours limit should be relaxed to 96 hours wherever the requirement in operation so demanded.

Running staff, as far as possible should be advised of their periodic rest at or before its commencement.

8. The running staff may be given 4 periods of rest of not less than 30 consecutive hours each or five periods of not less than 22 consecutive hours in a month. Periodic rest should be given as far as possible once in every ten days. Periodic rest should be given in headquarters and should always include a full night.
9. i) Rest for running staff should be based on 'running duty' which should be reckoned from actual departure of the train from the starting station till the actual arrival of the train at destination.
- ii) Loco and Traffic running staff should be given adequate rest after their trips as under (at Headquarters).
- a) For running duty less than 8 hours from signing-on to signing off ... 12 hours
 - b) For running duty 8 hours or more .. 16 hours
- iii) Rest at outstations when working other than short trips.
- a) For running duty of 8 hours or more .. 8 hours
 - b) For running duty less than 8 hours .. Rest equal to running duty

period

- 9.2 At the discretion of the Competent Authority the above scale of rest may be reduced in an emergency or in order to have delay to a train at outstation, but every endeavour shall be made to give the minimum of 6 hours rest to staff who have done 6 hours running in the forward trip.
- 9.3 When working short trips, the travel between trips shall be treated as `duty' if it is equal to or less than one hour plus time allowed for train or engine attendance before the next trip, the period being increased at the discretion of the Railway Administration when local condition such as distance from running room to the traffic yard etc.

6. BREACH OF REST ALLOWANCE

In cases of booking of Running staff before completion of the prescribed minimum Rest they are entitled for breach of rest allowance. In cases of utilisation in excess of rostered hours incidence of B O R is high thereby involving additional payment on that account. Such of the staff who performs running duties with out proper rest are also prone to **ACCIDENTS**.

7. PAYMENT OF OVERTIME UNDER HOURS OF EMPLOYMENT REGULATIONS

Overtime is payable to staff for extra hours worked due to exigencies of service under specific authorisation from the Competent Authorities to work beyond the rostered hours of work and or on rest days, as the case may be.

Payment of overtime is regulated as 1-1/2 times of the ordinary rate of pay for overtime work done between the rostered hours and statutory limits prescribed for each category of staff and twice the ordinary rate of pay for overtime work done beyond the statutory limit. The hourly rate of overtime will be worked out on the basis of `Rostered Hours' over the period of averaging.

Staff falling under the averaging group will earn overtime when they work beyond the following limits.

Period of averaging	Hours of duty over which OT is payable 1-1/2 times of ordinary rate of pay	Statutory limits over which twice the ordinary rate of pay is payable	Classification under HER and category of staff
2 weekly	84 + Prep/Comp. work, if any	90	Intensive
- do -	96 + - do -	108	Continuous

- do -	144 + - do -	150	Gatemen `C', Caretakers, Saloon Attendants etc. classified as `EI'.
Weekly	72 + - do -	75	`EI' workers posted to roadside stations and residing within 0.5 km. from the place of duty
- do -	60 + - do -	75	Rest of `EI' workers

When staff belonging 'averaging group' are absent/avail recorded leave, such as LAP, LHAP or LWP or unrecorded leave like Casual Leave, Special Casual Leave and compensatory holiday, credit should be given under the actual duty hours column in the overtime slip to the extent of the normal rostered hours of the respective days. The statutory maximum limit need not be worked out proportionately to the days of leave, absence and compensatory holidays during the weekly or two weekly periods, as the case may be.

Against the days of Compensatory Rest/Rest, no credit under the actual duty hours column should be given and marked distinctly as CR/Rest, as the case may be. In case work is done forgoing the weekly rest, then the hours worked should be shown filling the actual duty hours column.

The Railway Servants (Discipline & Appeals) Rules, 1968

The Constitutional provisions are as under:-

309. Recruitment and conditions of service of persons serving the Union or a State. - Subject to the provisions of this Constitution, Acts of the appropriate Legislature may regulate the recruitment, and conditions of service of persons appointed, to public services and posts in connection with the affairs of the Union or of any State:

Provided that it shall be competent for the President or such person as he may direct in the case of services and posts in connection with the affairs of the Union, and for the Governor <http://alfa.nic.in/const/r253.htm> of a State or such person as he may direct in the case of services and posts in connection with the affairs of the State, to make rules regulating the recruitment, and the conditions of service of persons appointed, to such services and posts until provision in that behalf is made by or under an Act of the appropriate Legislature under this article, and any rules so made shall have effect subject to the provisions of any such Act.

310. Tenure of office of persons serving the Union or a State. -

(1) Except as expressly provided by this Constitution, every person who is a member of a defence service or of a civil service of the Union or of an all-India service or holds any post connected with defence or any civil post under the Union holds office during the pleasure of the President, and every person who is a member of a civil service of a State or holds any civil post under a State holds office during the pleasure of the Governor <http://alfa.nic.in/const/r254.htm> of the State.

(2) Notwithstanding that a person holding a civil post under the Union or a State holds office during the pleasure of the President or, as the case may be, of the Governor of the State, any contract under which a person, not being a member of a defence service or of an all-India service or of a civil service of the Union or a State, is appointed under this Constitution to hold such a post may, if the President or the Governor, <http://alfa.nic.in/const/r256.htm> as the case may be, deems it necessary in order to secure the services of a person having special qualifications, provide for the payment to him of compensation, if before the expiration of an agreed period that post is abolished or he is, for reasons not connected with any misconduct on his part, required to vacate that post.

311. Dismissal, removal or reduction in rank of persons employed in civil capacities under the Union or a State. -

(1) No person who is a member of a civil service of the Union or an all-India service or a civil service of a State or holds a civil post under the Union or a State shall be dismissed or removed by an authority subordinate to that by which he was appointed.

<http://alfa.nic.in/const/r257.htm> (2) No such person as aforesaid shall be dismissed or removed or reduced in rank except after an inquiry in which he has been informed of the charges against him and given a reasonable opportunity of being heard in respect of those charges <http://alfa.nic.in/const/r258.htm>

<http://alfa.nic.in/const/r259.htm> Provided that where it is proposed after such inquiry, to impose upon him any such penalty, such penalty may be imposed on the basis of the evidence adduced during such inquiry and it shall not be necessary to give such person any opportunity of making representation on the penalty proposed:

Provided further that this clause shall not apply-

(a) Where a person is dismissed or removed or reduced in rank on the ground of conduct which has led to his conviction on a criminal charge; or

- (b) Where the authority empowered to dismiss or remove a person or to reduce him in rank is satisfied that for some reason, to be recorded by that authority in writing, it is not reasonably practicable to hold such inquiry; or
 - (c) Where the President or the Governor, as the case may be, is satisfied that in the interest of the security of the State it is not expedient to hold such inquiry.
- (3) If, in respect of any such person as aforesaid, a question arises whether it is reasonably practicable to hold such inquiry as is referred to in clause (2), the decision thereon of the authority empowered to dismiss or remove such person or to reduce him in rank shall be final.

In exercise of the powers conferred by the Proviso to Article 309 of the Constitution, the President of India has framed the Railway Servants (Discipline and Appeal) Rules, 1968.

Authorities: -

1. Appointing authority

- (a) 'Appointing authority' in relation to Railway servant means-
 - (i) The authority empowered to make appointments to the Service of which the Railway servant is, for the time being, a member or to the grade of the Service in which the Railway servant is for the time being included or
 - (ii) The authority empowered to make appointment to the post which the Railway servant, for the time being holds, or
 - (iii) The authority which appointed the Railway servant to such Service, grade or post, as the case may be, or
 - (iv) Where the Railway servant having been a permanent member of any other Service or having substantively held any other permanent post, has been in continuous employment under the Ministry of Railways, the authority which appointed him to that Service or to any grade in that Service or to that post.Whichever authority is the highest authority.

Disciplinary Authority means

- (i) in relation to the imposition of a penalty on a Railway servant, the authority competent, under these rules, to impose on him that penalty;
- (ii) In relation to Rule 9 and clauses (a) and (b) of sub-rule (1) of Rule 11 in the case of any gazetted Railway servant, an authority competent to impose any of the penalties specified in Rule 6;
- (iii) in relation to Rule 9 in the case of any non-gazetted Railway servant, an authority competent to impose any of the major penalties specified in Rule 6;

(iv) In relation to clauses (a) and (b) of sub-rule (1) of Rule 11, in the case of a non-gazetted Railway servant, an authority competent to impose any of the penalties specified in Rule 6.

Suspension

(1) A Railway servant may be placed under suspension-

- (a) where a disciplinary proceeding against him is contemplated or is pending; or
- (b) where, in the opinion of the authority competent to place a Railway servant under suspension, he has engaged himself in activities prejudicial to the interest of the security of the state, or
- (c) where a case against him in respect of any criminal offence, is under investigation, inquiry or trial

(2) A Railway servant shall be deemed to have been placed under suspension by an order of the competent authority-

- (a) with effect from the date of his detention, if he is detained in custody whether on a criminal charge or otherwise, for a period exceeding forty-eight hours.
- (b) With effect from the date of his conviction, if in the event of a conviction for an offence, he is sentenced to a term of imprisonment exceeding forty-eight hours and is not forthwith dismissed or removed or compulsorily retired consequent to such conviction.

Explanation - The period of forty eight hours referred to in clause (b) of this sub-rule, shall be computed from the commencement of the imprisonment after the conviction and for this purpose, intermittent periods of imprisonment, if any, shall be taken into account.

(3) Where a penalty of dismissal, removal or compulsory retirement from service imposed upon a Railway servant under suspension, is set aside in appeal or on revision under these rules and the case is remitted for further inquiry or action or with any other directions, the order of his suspension shall be deemed to have continued in force on and from the date of the original order of dismissal, removal or compulsory retirement and shall remain in force until further orders.

(4) Where a penalty of dismissal, removal or compulsory retirement from service imposed upon a Railway servant, is set aside or declared or rendered void in consequence of or by a decision of a court of law and the disciplinary authority on consideration of the circumstances of the case, decides to hold a further inquiry against him on the allegations on which the penalty of dismissal, removal or compulsory retirement, was originally imposed, the Railway servant shall be deemed to have been placed under suspension by the competent authority from the date of the original order of dismissal, removal or compulsory retirement and shall continue to remain under suspension until further orders.

Provided that no such further inquiry shall be ordered unless it is intended to meet a situation where the court has passed an order purely on technical grounds without going into the merits of the case.

(5) (a) an order of suspension made or deemed to have been made under this rule, shall continue to remain in force until it is modified or revoked by the authority competent to do so.

(b) Where a Railway servant is suspended or is deemed to have been suspended (whether in connection with any disciplinary proceeding or otherwise) and any other disciplinary proceeding is commenced against him during the continuance of that suspension, the authority competent to place him under suspension may, for reasons to be recorded by him in writing, direct that the Railway servant shall continue to be under suspension until the termination of all or any of such proceedings.

(c) An order of suspension made or deemed to have been made under this rule, may at any time be modified or revoked by the authority which made or is deemed to have made the order or by any authority to which that authority is subordinate.

(6) Notwithstanding anything contained in sub-rule 5, an order of suspension made or deemed to have been made under sub-rule (1) or sub-rule (2) of this rule shall not be valid after a period of ninety days unless it is extended after review in the manner provided in sub-rule (7) of this rule, for a further period before expiry of ninety days.

(7) The review of an order of suspension shall be done by the authority which is competent to modify revoke the suspension, on the recommendation of the review committee constituted for the purpose, and such competent authority shall pass orders either extending or revoking the suspension before expiry of ninety days from the date of order of suspension. Subsequent reviews shall be made before expiry of the extended period of suspension. Extension of suspension shall not be for a period exceeding one hundred and eighty days at a time.

PENALTIES AND DISCIPLINARY AUTHORITIES

Penalties

The following penalties may, for good and sufficient reasons and as hereinafter provided, be imposed on a Railway servant, namely-

Minor Penalties-

- i. Censure,
- ii. Withholding of his promotion for a specified period;
- iii. Recovery from his pay of the whole or part of any pecuniary loss caused by him to the Government or Railway Administration by negligence or breach of orders;

- iii.a. Withholding of the Privilege Passes or Privilege Ticket Orders or both;
- iii.b Reduction to a lower stage in the time scale of pay by one stage for a period not exceeding three years, without cumulative effect and not adversely affecting his pension
- iv. Withholding of increments of pay for a specified period with further directions as to whether on the expiry of such period this will or will not have the effect of postponing the future increments of his pay;

Major Penalties-

- v. Save as provided for in clause (iii-b) reduction to a lower stage in the time scale of pay for a specified period, with further directions as to whether on the expiry of such period, the reduction will or will not have the effect of postponing the future increments of his pay.
- vi. Reduction to a lower time- scale of pay, grade, post, or service, for a period to be specified in the order of penalty, which shall be a bar to the promotion of the Railway servant during such specified period to the time-scale of pay, grade, post or service from which he was reduced , with direction as to whether or not, on promotion on the expiry of the said specified period-
 - (a) the period of reduction to time-scale of pay, grade, post or service shall operate to Postpone future increments of his pay, and if so, to what extent; and
 - (b) the Railway servant shall regain his original seniority in the higher time scale of pay, grade, post or service.
- vii. Compulsory retirement;
- viii. Removal from service which shall not be disqualification for future employment under the Government or Railway Administration;
- ix. Dismissal from service, which shall ordinarily be disqualification for future employment under the Government or Railway Administration.

Provided that in cases of persons found guilty of any act or omission which resulted or would have, ordinarily, resulted in collision or Railway trains, one of the penalties specified in clauses (viii) and (ix) shall, ordinarily, be imposed and in cases of passing Railway signals at danger, one of the penalties specified in clauses (v) to (ix) shall, ordinarily be imposed and where such penalty is not imposed, the reasons therefor shall be recorded in writing.

Provided further that in case of persons found guilty of possessing assets disproportionate to known sources of income or found guilty of having accepted or having obtained from any person any gratification, other than legal remuneration, as a motive or reward for doing or forbearing to do any official act, one of the penalties specified in clauses (viii) or (ix) shall ordinarily be imposed and where such penalty is not imposed, the reasons thereof shall be recorded in writing.

Authority to Institute Proceedings-

(1) The President or any other authority empowered by him, by general or special order may-

(a) Institute disciplinary proceedings against any Railway servant;

(b) Direct a disciplinary authority to institute disciplinary proceedings against any Railway servant on whom that disciplinary authority is competent to impose, under these rules any of the penalties specified in Rule 6.

(2) A disciplinary authority competent under these rules to impose any of the penalties specified in clauses (i) to (iv) of Rule 6 may, subject to the provisions of clause (c) of sub rule (1) of Rule 2 institute disciplinary proceedings against any Railway servant for the imposition of any of the penalties specified in clauses (v) to (ix) of Rule 6, notwithstanding that such disciplinary authority is not competent, under these rules, to impose any of the latter penalties.

PROCEDURE FOR IMPOSING PENALTIES.

PROCEDURE FOR IMPOSING MAJOR PENALTIES.

(1) No order imposing any of the penalties specified in clause (v) to (ix) of Rule 6 shall be made except after any inquiry held, as far as may be, in the manner provided in this rule and Rule 10, or in the manner provided by the Public Servants (Inquiries) Act, 1850 (37 of 1850) where such inquiry is held under that Act.

(2) Whenever the disciplinary authority is of the opinion that there are grounds for inquiring into the truth of any imputation of misconduct or misbehaviour against a Railway servant, it may itself inquire into, or appoint under this rule or under the provisions of the Public Servants (Inquiries) Act, 1850, as the case may be, a Board of Inquiry or other authority to inquire into the truth thereof.

(3) Where a Board of Inquiry is appointed under sub-rule (2) it shall consist of not less than two members, each of whom shall be higher in rank than the Railway servant against whom the inquiry is being held and none of whom shall be subordinate to the other member or members as the case may be, of such Board.

(4) Where the Board of Inquiry consists of two or more than two members, the senior member shall be the Presiding Officer.

(5) Every decision of the Board of Inquiry shall be passed by Majority of votes, and where there is an equality of votes on the findings, the finding of each member shall be incorporated in the report prepared under clause (l) of sub-rule (25).

EXPLANATION- Where the disciplinary authority itself holds the inquiry, any reference in sub rule (12) and in sub rules (14) to (25), to the inquiring authority shall be construed as a reference to the disciplinary authority.

1. Where it is proposed to hold an inquiry against a Railway servant under this rule and Rule 10, the disciplinary authority shall draw up or cause to be drawn up: -

(i) the substance of the imputations of misconduct or misbehavior into definite and distinct articles of charge;

(ii) a statement of the imputations of misconduct or misbehaviour in support of each article of charge which shall contain-

(a) a statement of all relevant facts including any admission or confession made by the Railway servant;

(b) a list of documents by which, and a list of witnesses by whom, the articles of charge are proposed to be sustained.

7. The disciplinary authority shall deliver or cause to be delivered to the Railway servant a copy of the articles of charge, the statement of the imputations of misconduct or misbehaviour and a list of documents and witnesses by which each article of charge is proposed to be sustained and shall require the Railway servant to submit a written statement of his defence within ten days of such further time as the disciplinary authority may allow.

Note: - If copies of documents have not been delivered to the Railway servant along with the articles of charge and if he desire to inspect the same for the preparation of his defence, he may do so, within 10 days from the date of receipt of the articles of charge by him and complete inspection within ten days thereafter and shall state whether he desires to be heard in person.

8. The Railway servant may, for the purpose of his defence submit with the written statement of his defence, a list of witnesses to be examined on his behalf.

Note: - If the Railway servant applies in writing for the supply of copies of the statements of witnesses mentioned in the list referred to in sub-rule (6), the disciplinary authority shall furnish him with a copy of each of such statement as early as possible and in any case not later than three days before the commencement of the examination of the witnesses on behalf of the disciplinary authority.

9. (a) (i) On receipt of the written statement of defence, the disciplinary authority shall consider the same and decide whether the inquiry should be proceeded with under this rule.

(ii) Where the disciplinary authority decides to proceed with the inquiry it may itself inquire into such of the articles of charge as are not admitted or appoint under sub-rule (2) a Board of Inquiry or other authority for the purpose.

(iii) Where all the articles of charge have been admitted by the Railway servant in his written statement of defence, the disciplinary authority shall record its findings on each charge, after taking such further evidence as it may think fit and shall act in the manner laid down in Rule 10.

(iv) If the disciplinary authority, after consideration of the written statement of defence, is of the opinion that the imposition of a Major penalty is not necessary it may drop the proceedings already initiated by it for imposition of major penalty, without prejudice to its right to impose any of the minor penalties, not attracting the provisions of sub-rule (2) of Rule 11. Where the disciplinary authority so drops the proceedings but consider it appropriate to impose any of the minor penalties, not attracting the provisions of sub-rule (2) of Rule 11, it may make an order imposing such penalty and it will not be necessary to give the Railway servant any further opportunity of making representation before the penalty is imposed.

b. If no written statement of defence is submitted by the Railway servant, the disciplinary authority may itself inquire into the articles of charge or may, if it considers it necessary to do so, appoint, under sub-rule (2) an inquiring authority for the purpose and also inform the Railway servant of such appointment.

a. Where the disciplinary authority itself inquires into an article of charge or appoints a Board of Inquiry or any other inquiring authority for holding an inquiry into such charge, it may, by an order in writing, appoint a railway or any other Government servant to be known as Presenting Officer to present on its behalf the case in support of the articles of charge.

The disciplinary authority shall, where it is not the inquiring authority, forward to the inquiring authority-

- (i) a copy of the articles of charge and the statement of the imputation of misconduct or misbehavior.
- (ii) a copy of the written statement of defence, if any, submitted by the Railway servant.
- (iii) A copy of the statement of witnesses, if any referred to in sub-rule (6);
- (iv) Evidence providing the delivery of the documents referred to in sub-rule (6) to the Railway servant;
- (v) A copy of the order appointing the Presenting Officer, if any; and
- (vi) A copy of the list of witnesses, if any, furnished by the Railway servant.

The Railway servant shall appear in person before the inquiring authority on such day and at such time within ten working days from the date of receipt by the inquiring

authority of the order appointing him as such, as the inquiring authority may, by a notice in writing, specify in this behalf, or within such further time not exceeding ten days, as the inquiring authority may allow.

The inquiring authority shall, if the Railway servant fails to appear within the specified time, or refuses or omits to plead, require the Presenting Officer if any, to produce the evidence by which he proposes to prove the articles of charge and shall adjourn the case to a later date not exceeding thirty days, after recording an order that the Railway servant may for the purpose of preparing his defence, give a notice within ten days of the order or within such further time not exceeding ten days as the inquiring authority may allow for the discovery or production of any documents which are in possession of Railway Administration but not mentioned in the list referred to in sub-rule (6).

Note: The Railway servant shall indicate the relevance of the documents required by him to be discovered or produced by the Railway Administration.

13.(a) The Railway servant may represent his case with the assistance of any other Railway servant (including a Railway servant on leave preparatory to retirement) working under the same Railway Administration, subject to whose jurisdiction and control he is working. He cannot engage a legal practitioner for the purpose, unless the Presenting Officer appointed by the disciplinary authority is a legal practitioner or the disciplinary authority having regard to the circumstances of the case, so permits. If the Railway servant is employed in the office of the Railway Board, its attached office or subordinate office, he may present his case with the assistance of any other Railway servant (including a Railway servant on leave preparatory to retirement), employed in the office of the Railway Board, attached office or subordinate office, as the case may be, in which he is working.

(b) The Railway servant may also present his case with the assistance of a retired Railway servant, subject to such conditions as may be specified by the President from time-to-time by general or special order in this behalf.

Note: (1) A non-gazetted Railway servant may take the assistance of an official of a Railway Trade Union, recognized by the Railway Administration under which the Railway servant is employed, to present his case before an inquiring authority but shall not engage a legal practitioner for the above purpose except in the circumstances brought out in clause (a) An official of a Railway Trade Union shall not be allowed to appear on behalf of an alleged delinquent railway official in connection with a disciplinary case pending against that official, to present his case favorably before an inquiring authority unless he has worked as such in a recognized Railway Trade Union for a period of at least one year continuously prior to his appearance before an inquiring authority for the above purpose and subject to the condition that he takes no fees.

(2) Nomination of an assisting Railway servant or an official of a recognized Railway Trade Union shall be made within 20 days from the date of the appointment of the inquiring authority and it shall not be accepted if at the time of nomination the assisting Railway servant or the official or a recognized Railway Trade Union has more than three pending disciplinary cases in which he has to assist.

14. After the nomination of the assisting Railway servant or the official of a Railway Trade Union and other necessary steps preliminary to the inquiry are completed, a date ordinarily not exceeding one month from the date of appointment of the inquiring authority shall be fixed for the inquiry and the Railway servant informed accordingly.

15. The inquiring authority shall, on receipt of the notice for discovery or production of documents, forward the same or copies thereof to the authority in whose custody or possession the documents are kept with a requisition for the production of the documents by such date as may be specified in such requisition.

Provided that the inquiring authority may, for reasons to be recorded by it in writing, refuse to requisition such of the documents as are, in its opinion, not relevant to the case.

16. On receipt of the requisition referred to in sub-rule (15), every authority having the custody or possession of the requisitioned documents shall produce the same before the inquiring authority by the specified time.

Provided that if the authority having the custody or possession of requisitioned documents is satisfied for reasons to be recorded by it in writing that the production of all or any such documents would be against the public interest or security of the State, it shall inform the inquiring authority accordingly and the inquiring authority shall, on being so informed, communicate the information to the Railway servant and withdraw the requisition made by it for the production or discovery of such documents.

17. On the date fixed for the inquiry, the oral and documentary evidence by which the articles of charge are proposed to be proved, shall be produced by or on behalf of the disciplinary authority. The witnesses shall be examined by or on behalf of the Presenting Officer, if any, and may be cross examined by or on behalf of the Railway servant. The Presenting officer, if any shall be entitled to re-examine the witnesses on any points on which they have been cross examined, but not on any new matter without the leave of the inquiring authority. The inquiring authority may also put such questions to the witnesses as it thinks fit.

18. If it shall appear necessary before the close of the case on behalf of the disciplinary authority, the inquiring authority may, in its discretion, allow the Presenting Officer, if any, to produce evidence not included in the list given to the Railway servant or may itself call for new evidence or recall and re-examine any witness and in such cases the Railway servant shall be entitled to have, if he demands it, a copy of the list of further evidence proposed to be produced and an adjournment of the inquiry for three clear days before the production of such new evidence exclusive of the day of

adjournment and the day to which the inquiry is adjourned. The inquiring authority shall give the Railway servant an opportunity of inspection such documents before they are taken on the record . The inquiring authority may also allow the Railway servant to produce new evidence if it is of the opinion that the production of such evidence is necessary in the interest of justice.

Note: New evidence shall not be permitted or called for or any witness shall not be recalled to fill up any gap in the evidence. Such evidence may be called for only when there is an inherent lacuna or defect in the evidence, which has been produced originally.

19. When the case for disciplinary authority is closed, the Railway servant shall be required to state his defence orally, or in writing, as he may prefer. If the defence is made orally it shall be recorded and the Railway servant shall be required to sign the record. In either case a copy of the statement of defence shall be given to the Presenting officer, if any.

20. The evidence on behalf of the Railway servant shall then be produced. The Railway servant may examine himself in his own behalf, if he so prefers. The witnesses produced by the Railway servant shall then be examined by or on behalf of him and shall be cross-examined by or on behalf of the Presenting Officer, if any. The Railway servant shall be entitled to re-examine the witnesses on any point on which they have been cross- examined but not on any new matter, without the leave of the inquiring authority. The inquiring authority may also put such questions to the witnesses as it thinks fit.

21. The inquiring authority may, after the Railway servant closes his case, and shall, if the Railway servant has not examined himself, generally question him on the circumstances appearing against him in the evidence for the purpose of enabling the Railway servant to explain any circumstances appearing in the evidence against him.

22. The inquiring authority may, after the completion of the production of evidence, hear the Presenting Officer, if any, and the Railway servant, or permit them to file written briefs of their respective cases, if they so desire.

23. If the Railway servant, to whom a copy of the articles of charge has been delivered does not submit the written statement of defence on or before the date specified for the purpose or does not appear in person before the inquiring authority may hold the inquiry ex parte.

24. Whenever any inquiring authority, after having heard and recorded the whole or any part of the evidence in an inquiry ceases to exercise jurisdiction therein and is succeeded by another inquiring authority which has, and which exercise, such jurisdiction, the inquiring authority so succeeding may act on the evidence so recorded by its predecessor, or partly recorded by its predecessor, and partly by itself:

Provided that if, the succeeding inquiring authority is of the opinion that further examination of any of the witnesses whose evidence has already been recorded is

necessary in the interest of justice, it may recall, examine, cross-examine any such witnesses as hereinbefore provided.

25(i) after the conclusion of the inquiry, a report shall be prepared and it shall contain-

- a. The articles of charge and the statement of imputations of misconduct or misbehavior.
- b. The defence of the Railway servant in respect of each article of charge,
- c. An assessment of the evidence in respect of each article of charge and
- d. The findings on each article of charge and the reasons therefore

Explanation- If in the opinion of the inquiring authority the proceedings of the inquiry establish any article of charge different from the original articles of charge, it may record its findings on such article of charge.

Provided that the findings on such article of charge shall not be recorded unless the Railway servant has either admitted the facts on which such article of charge is based or has had a reasonable opportunity of defending himself against such article of charge.

(ii) The inquiring authority, where it is not itself the disciplinary authority, shall forward to the disciplinary authority the records of inquiry which shall include-

- a. The report prepared by it under clause(I)
- b. The written statement of defence, if any, submitted by the Railway servant;
- c. The oral and documentary evidence produced in the course of the inquiry;
- d. Written briefs, if any, filed by the Presenting Officer, if any, or the Railway servant or both during the course of the enquiry; and
- e. The orders, if any, made by the disciplinary authority in regard to the inquiry.

Procedure for imposing minor penalties

(1) Subject to the provisions of sub-clause (iv) of clause (a) of sub-clause (9) or Rule 9 and of sub-rule (4) of Rule 10, no order imposing on a Railway Servant any of the penalties specified in clauses (i) to (iv) of Rule 6 shall be made except after –

(a) informing the Railway Servant in writing of the proposal to take action against him and of the imputations of mis-conduct or mis-behaviour on which it is proposed to be taken, and giving him a reasonable opportunity of making such representation as he may wish to make against the proposal;

(b) holding an inquiry in the manner laid down in sub rules (6 to (25) of Rule 9, in every case in which the disciplinary authority is of the opinion that such inquiry is necessary;

- (c) taking the representation, if any, submitted by the Railway servant under clause and the record of inquiry, if any, held under clause (b) into consideration;
- (d) recording a finding on each imputation of misconduct or misbehaviour and
- (e) consulting the Commission where such consultation is necessary.

(2) Notwithstanding anything contained in clause (b) of sub-rule (1), if in a case, it is proposed, after considering the representation, if any, made by the Railway Servant under clause (a) of that sub-rule to withhold increments of pay and such withholding of increments is likely to affect adversely the amount of pension or special contribution to Provident Fund payable to the Railway Servant or to withhold increments of pay for a period exceeding three years or to withhold increments of pay with cumulative effect for any period, an inquiry shall be held in the manner laid down in sub-rules (6) to (25) of Rule 9, before making any order imposing on the Railway any such penalty.

(1) Deleted.

(2) The record of proceedings in cases specified in sub-rules (1) and (2) shall include-

- (i) a copy of the intimation of the Railway servant of the proposal to take action against him;
- (ii) a copy of the statement of imputations of misconduct or misbehaviour delivered to him;
- (iii) his representation, if any,
- (iv) the evidence produced during the inquiry, if any;
- (v) the advice of the Commission, if any,
- (vi) the findings on each imputations of misconduct or misbehaviour; and
- (vii) the order on the case together with reasons therefore.

Action on the inquiry report:

(1) If the disciplinary authority:

(b) After considering the inquiry report, is of the opinion that further examination of any of the witnesses is necessary in the interests of justice, it may recall the said witness and examine, cross examine and re-examine the witness;

(c) If not itself the inquiry authority may, for reasons to be recorded by it in writing, remit the case to the inquiring authority for further inquiry and report and the inquiring authority shall thereupon proceed to hold further inquiry according to the provisions of Rule 9, as far as may be.

(2) The disciplinary authority –

(a) Shall forward or cause to be forwarded a copy of the report of the inquiry, if any, held by the disciplinary authority or where the disciplinary authority is not the inquiring authority a copy of the report of the inquiring authority, its findings on further examination of witnesses, if any, held under sub-rule (1)(a) together with its own tentative reasons for disagreement, if any, with findings of the inquiring authority on any article of charge to the Railway servant, who shall be required to submit, if he so desires, his written representation or submission to the disciplinary authority within 15 days, irrespective of whether the report is favorable to the Railway servant;

(b) Shall consider the representation if any, submitted by the railway servant and record its findings before proceeding further in the matter as specified in sub-rule (3), (4) and (5).

(3) Where the disciplinary authority is of the opinion that the penalty warranted is such as is not within its competence, he shall forward the records of the inquiry to the appropriate disciplinary authority who shall act in the manner as provided in these rules.

(4) If the disciplinary authority having regard to its findings on all or any of the articles of charges, is of the opinion that any of the penalties specified in clauses (i) to (iv) of Rule 6 should be imposed on the Railway Servant, it shall, notwithstanding anything contained in rule 11 make an order imposing such penalty:

Provided that in every case where it is necessary to consult the Commission, the record of the inquiry shall be forwarded by the disciplinary authority to the Commission for its advice shall be taken into consideration before making any order imposing any penalty on the Railway Servant.

(5) If the disciplinary authority, having regard to its findings on all or any of the articles of charges and on the basis of the evidences adduced during the inquiry, is of the opinion that any of the penalties specified in clauses (v) to (ix) of Rule 6 should be imposed on the Railway Servant, it shall make an order imposing such penalty and it shall not be necessary to give the railway servant any opportunity of making representation on the penalty proposed to be imposed:

Provided that in every case where it is necessary to consult the Commission, the record of the inquiry shall be forwarded by the disciplinary authority to the Commission for its advice and such advice shall be taken into consideration before making any order imposing any such penalty on the railway servant.

Various forms used under these rules:-

Standard Form No.1
Standard form of order of suspension
Rule 5(1) of the RS (D&A) Rules, 1968

Office _____
Place _____
Dated _____
No. _____

Order

Whereas a disciplinary proceedings against Shri _____, Design _____, (Name and design of RE) is contemplated/ Pending
Whereas a case against Shri _____ (Name & design of RE in respect of whom a criminal offence is under investigation/inquiry/trial

Now, therefore, the undersigned (the authority competent to place the Railway Servant under suspension in terms of the Schedules II and III appended to RS(D&A)Rules, 1968), in exercise of powers conferred by Rule 4 / proviso to rule No.4 of RS(D&A) Rules 1968. hereby places the said Shri _____, Design _____ under suspension with immediate effect/with effect from _26/3/03.

It is further ordered that during the period this order shall remain in force, the said Shri Shri _____, Design _____ shall not leave the headquarters without obtaining previous permission of the competent authority.

Signature _____
Design _____
(Design of the suspending authority)
Copy to:
Shri _____
(Name and design of the suspended Railway Servant)

Orders regarding subsistence allowance admissible to him/her during the period of suspension will issue separately.

Standard form No.2
(Standards form for deeming Railway Servants under suspension)
Rule 5(2) of RS (D&A) Rules, 1968.

_____ **Railway**
Place _____
Dated _____
No. _____

Order

Whereas a case against Shri _____
(Name and designation of the Railway Servant)
In respect of a criminal offence is under investigation.

And whereas the said Shri _____ was
detained in custody on _____ for a period exceeding 48 hours.

Now, therefore the said Shri _____
is deemed to have been suspended with effect from the date of detention i.e. the
_____ in terms of Rule No.5(2) of D&A Rules 1968 and shall remain under
suspension under further orders.

Signature _____
Design. _____
(Design of the suspending authority)
Copy to:
Shri _____
(Name and design of the suspended
Railway Servant)

Orders regarding subsistence allowance admissible to him/her during the period of
suspension will issue separately.

Standard Form No.3

(Standard form of certificate to be furnished by
suspended official under rule 2043(2) R-II)

I, _____ (Name of the Railway Servant) having been
placed under suspension by order No. _____ dated _____
While holding the post of _____ do hereby certify that I have not
been employed in any business, profession, or vocation for profit/remuneration/salary.

Signature _____
Name of the Railway Servant _____
Address _____

Standard form No.4

Standard form of order for revocation of suspension
(Rule 5(5)© of RS(D&A) Rules 1968

_____ Railway
Place _____
Dated _____
No. _____

Order

Whereas the order placing Shri _____ (Name and designation of
the Railway servant) under suspension was made/was deemed to have been made
by _____

Now, therefore, the undersigned (the authority which made or is deemed to have made
the order of suspension or any other authority to which that authority is subordinate) in
exercise of the powers conferred by Clause © of sub-rule (5) of rules 5 of the RS(D&A)
Rule, 1968, hereby revokes the said order of suspension with immediate effect / with
effect from _____

Signature _____
Name _____
Design of authority making this order _____
Copy to
Shri _____
Name and designation of the suspended Railway Servant)
Address _____

STANDARD FORM NO. 5
Standard Form of Charge-sheet
(Rule 9 of Railway Servants (Discipline and Appeal) Rules, 1968)

No.

Office of issue _____
Place of issue _____
Date of _____

MEMORANDUM

1. The undersigned proposes to hold an inquiry against Shri ----- Design.._____ Under Rule 9 of Railway Servants (Discipline and Appeal) Rules, 1968. The substance of the imputations of misconduct and misbehavior in respect of which the inquiry is proposed to be held is set out in the enclosed statement of articles of charge (Annexure I). A statement of the imputations of misconduct or misbehaviour in support of each article of charge is enclosed (Annexure II). A list of documents by which and a list of witnesses by whom, the articles of charges are proposed to be sustained are also enclosed (Annexure III & IV). Further, copies of documents mentioned in the list of documents, are per Annexure III are enclosed.

2. _____ - _____ is hereby informed and if he so desires, he can inspect and take extracts from the documents mentioned in the enclosed list of documents (Annexure III) at any time during office hours within ten days of receipt of this memorandum. For this purpose he should contact the ----- immediately on receipt of this memorandum.

3. _____ - is further informed that he may, if he so desired, take the assistance of another Railway servant (who satisfies the requirements of Rule 9(13) of the Railway Servants (Discipline and Appeal) Rules, 1968, and Note 1 and/or Note 2 thereunder as the case may be) for inspecting the documents and assisting him in presenting his case before the Inquiring Authority in the event of an oral inquiry being held. For this purpose, he should nominate one or more person/s in order of preference. Before nominating the assisting Railway servant(s) _____ should obtain an undertaking from the nominee(s) that he(they) is (are) willing to assist him during the disciplinary proceedings. The undertaking should also contain the particulars of other case(s) if any, in which the nominee(s) had already undertaken to assist and the undertaking should be furnished to the undersigned along with the nomination.

4. _____ is hereby directed to submit to the undersigned a written statement of his defence within ten days of receipt of this Memorandum, if he does not require to inspect any documents for the preparation of his defence, and within ten days after completion of inspection of documents if he desires to inspect documents, and also

(a) to state whether he wishes to be heard in person; and

(b) to furnish the names and addresses of the witnesses if any; whom he wishes to call in support of his defence.

5. ----- is informed that an inquiry will be held only in respect of those articles of charge as are not admitted. He should, therefore, specifically admit or/deny each article of charge.

6. _____ - is further informed that if he does not submit his written statement of defence within the period specified in para 2 or does not appear in person before the inquiring authority or otherwise fails or refuses to comply with the provisions of Rule 9 of the Railway Servants (Discipline and Appeal) Rules, 1968, or the orders/directions issued in pursuance of the said rule, the inquiring authority may hold the inquiry ex parte.

7. The attention of ----- is invited to Rule 20 of the Railway service (Conduct) Rules, 1966 under which no railway servant shall bring or attempt to bring any political or other influence to bear upon any superior authority to further his interests in respect of matter pertaining to his service under the Government. If any representation is received on his behalf from another person in respect of any matter dealt with in these proceedings, it will be presumed that _____ is aware of such a representation and that it has been made at his instance and action will be taken against him for violation of Rule 20 of the Railway Services (Conduct) Rules, 1966.

8. The receipt of this Memorandum may be acknowledged.

Signature:
(NAME AND DESIGNATION OF THE OFFICER ISSUING)
TO
(Name and designation of the employee)
through _____

STANDARD FORM NO. 6

Standard Form for Refusing Permission to inspect Document
(Rule 9(16) RS (D&A) Rules, 1968)

No.....
Railway.....
Place of issue
Dated.....

ORDER

Shri.....
(Name and designation of the Railway servant)

..... has requested permission to inspect and take extracts from the records specified below for the purpose of preparing his defence in the inquiry pending against him in pursuant to Memorandum No..... dated The undersigned has carefully considered the request and has decided to refuse such permission for the reasons recorded below against each item:

Description of records	Reasons for refusing inspection or taking extracts
1.....
2.....
3.....
4.....
5.....

Signature.....
Name.....
(Designation of the Inquiry Authority)

STANDARD FORM NO.7
Standard Form of Order Relating to Appointment of Inquiry Officer / Board of Inquiry (Rule 9(2) of RS (D&A) Rules, 1968)

No.....
Railway.....
Place of issue
Dated.....

ORDER

Whereas an Inquiry under rule 9 of the Railway Servants (Discipline and Appeal) Rules, 1968 is being held against Shri D J Jha, HC, DRM Office, BRC

(Name and designation of the Railway servant)

AND WHEREAS the undersigned considers that an Inquiry officer should be appointed to inquire into the charge framed against him.

NOW, THEREFOR, the undersigned, in exercise of the powers conferred by sub-rule (2) of the said Rule, hereby appoints,

Name of the Member-	Designation
1.....
2.....
3.....

OR

Shri Man Singh, APO/BRC.....

(Name and designation of the Inquiry officer)

as Inquiry Officer to Inquire into the charges against the said Shri D J Jha, HC, DRM Office, BRC

Signature.....
Name(C.K.N.Nair).....
Designation Sr.DPO/BRC.....

Copy to:

1. Shri Man Singh, APO/BRC
(Name and designation of the Inquiry officer)

2. Shri
(Name and designation of the Inquiry officer)

3. Shri
(Name and designation of the Inquiry officer)

OR

Shri
(Name and designation of the Inquiry officer)

STANDARD FORM NO.8

**Form for appointment of Presenting Officer
(Sub rule (9) (iv) (c) of Rule 9 of RS (D&A) Rules, 1968)**

No.....
Railway.....
Place of issue
Dated.....

ORDER

Whereas an Inquiry under rule 9 of the Railway Servants (Discipline and Appeal) Rules, 1968 is being held against Shri

And whereas the undersigned considers it necessary to appoint a person to present the case in support of the charges before the Inquiring Authority.

Now, Therefore, the undersigned in exercise of the powers conferred by sub-rule 9 (iv) (c) of Rule 9 of the RS (D&A) Rules, 1969 hereby appoints Shri as Presenting Officer to present the case in support of the charges before the Inquiring Authority.

Shriis also authorised to appoint, during his temporary non-availability any other CBI/Railway Official not below his rank for representing the case before the Inquiry Officer on his behalf and on behalf of the disciplinary authority for examination, cross examination as well as the arguments etc.

Signature.....
Name.....
Dated

Copy forwarded for information to:

1. Shri
(Name and designation of the Inquiry officer)

Signature.....
Name.....
(Designation)

No.....

Copy forwarded for information to:

1. Shri
(Name and designation of the Inquiry officer)

2. Shri
(Name and designation of the Inquiry officer)

Signature.....
Name.....
(Designation)

STANDARD FORM NO. 10
Standard Form of Order for taking Disciplinary Action, in Common Proceedings
(Rule 13 of RS(D&A) Rules, 1968)

No.....
Railway.....
Place of issue
Dated.....

ORDER

Name of Railway servants

- 1. Shri.....
- 2. Shri.....
- 3. Shri.....
- 4. Shri.....
- 5. Shri.....

Whereas the Railway servants specified in the margin are jointly concerned in a disciplinary case.

* Now, therefore, in exercise of the powers conferred by sub-rules (1) and (2) of rule 13 of Railway Servants (Discipline and Appeal) Rules, 1968, the undersigned hereby directs:

% (1) Disciplinary action against all the said Railway servants shall be taken in the common proceedings.

** (2) Shri..... (Name and designation of authority) shall function as the Disciplinary Authority for the purpose of the common proceeding and shall be competent to impose the following penalties –

.....
@
.....

\$ (3) that the procedure prescribed in Rule 9 and Rule 10 / Rule 11 shall be followed in the said proceedings.

Signature
Name.....
(Designation of competent authority) Rule 13(1))

Copy to:

1. Shri
(Name and designation of the Inquiry officer)

2. Shri
(Name and designation of the Inquiry officer)

3. Shri
(Name and designation of the Inquiry officer)

4. Shri
(Name and designation of the Inquiry officer)

5. Shri
(Name and designation of the Inquiry officer)

.....

* The authority competent to impose the penalty of dismissal from service on all such Railway servants or if they are different, highest of such authorities with the consent of others.

% Score out of the portion not applicable

** See rule 13(2) (i)

@ Here specify the penalties, see Rule 13(2) (ii)

\$ See Rule 13(2)(iii)

STANDARD FORM NO. 11
Standard Form of Memorandum of charge for Imposing Minor Penalties
(Rule 11 of RS(D&A) Rules, 1968)

No.....
Railway.....
Place of issue
Dated.....

MEMORANDUM

1. Shri.....
(Name, designation and office in which working)

is hereby informed that the undersigned proposes to take action against him under rule 11 of the Railway Servants (Discipline and Appeal) Rules, 1968. A statement of the imputations of misconduct or misbehaviour on which action is proposed to be taken as mentioned above, is enclosed.

2. Shri..... is hereby given an opportunity to make such representation as he may wish to make against the proposal. The representation, if any, should be submitted to the undersigned so as to reach within ten days of receipt of this Memorandum.

3. If Shri..... fails to submit his representation within the period specified in para 2, it will be presumed that he has no representation to make and orders will be liable to be passed against Shri..... ex parte.

4. The receipt of this Memorandum should be acknowledged by Shri.....

Signature.....
Name.....

.....
(Designation of the competent authority)

To
Shri.....
(Name, designation and office of the Railway servant)

RAILWAY SERVICE (CONDUCT) RULES, 1966

1. Short title.

1. These rules may be called the Railway Services (conduct) Rules 1966.
2. They shall come into force at once.

2. Definition. - In these rules, unless the context otherwise requires-

a. 'Government' means, in relation to

- i. gazetted officers holding posts in the Railway Board, the President;
- ii. other gazetted officers, the Railway Board;
- iii. non-gazetted officers, in the Railway Board, the Secretary, Railway Board;
- iv. other non-gazetted officers in offices directly under administrative control of the Railway Board, the Heads of the offices concerned; and
- v. other non-gazetted officers, the General Managers of the Railway Administrations concerned:

Provided that for purposes of purposes of sub-rules (2) and (3) of rule 5, sub-rule (i) of rule 8, sub-rule (i) of rule 10, rule 12, rule 14, sub-rules (1) and (3) of rule 15, sub-rule (3) of rule 16, sub-rule (1) of rule 19 and rule 21, 'Government' means the Railway Board in the case of all non-gazetted Railway servants.

b. "Railway servant" means a railway servant as defined in rule 103(43*) of the Indian Railway Establishment Code.

*Railway Servant means a person who is a member of a service or who holds a post under the administrative control of the Railway Board and includes a post in the Railway Board. Persons lent from a service or post which is not under the administrative control of the Railway Board to a service or post which is under such administrative control do not come within the scope of this definition.

Explanation.- A railway servant whose services are placed at the disposal of a company, corporation, organization or a local authority shall, for the purposes of these rules, be deemed to be a railway servant notwithstanding that his salary is drawn from sources other than the Consolidated Fund of India.

c. "means of family" in relation to a railway servant includes –

- i. the wife or husband, as the case may be, of the railway servant, whether residing with the railway servant or not but does not include a wife or husband, as the case

may be, separated from the railway servant by a decree or order of a competent court;

- ii. son or daughter or step-son or step-daughter of the railway servant and wholly dependent on him, but does not include a child or a step-child who is no longer in any way dependent on the railway servant or of whose custody the railway servant has been deprived by or under any law;
- iii. any other person related whether by blood or marriage to the railway servant or to the railway servant's wife or husband, and wholly dependent on the railway servant.

Railway Ministry's decision. -- The son/daughter will come within the purview of this rule only if he or she is dependent upon the Railway servant.

(E(D&A) 77 GS1-13 dt. 14-7-1977.)

3. General.

1. Every railway servant shall at all times

- i. maintain absolute integrity;
- ii. maintain devotion to duty; and
- iii. do nothing which is unbecoming of a railway servant.

2.

- i. Every railway servant holding a supervisory post shall take all possible steps to ensure the integrity and devotion to duty of all railway servants for the time being under his control and authority;
- ii. no railway servant shall, in the performance of his official duties, or in the exercise of powers conferred on him, act otherwise than his best judgement except when he is acting under the direction of his official superior;
- iii. the direction of the official superior shall ordinarily be in writing, and where the issue of oral direction becomes unavoidable, the official superior shall confirm it in writing immediately thereafter; and
- iv. a railway servant who has received oral direction from his official superior, shall seek confirmation of the same in writing as early as possible, whereupon it shall be duty of the official superior to confirm the direction in writing.

Explanation I. —A railway servant who habitually fails to perform the task assigned to him within the time set for the purpose and with the quality of performance expected of him shall be deemed to be lacking in devotion to duty within the meaning of clause (ii) of sub-rule (1).

Explanation II. —Nothing in clause (ii) of sub-rule (2) shall be construed as empowering a railway servant to evade his responsibilities by seeking instructions from or approval of, a superior officer or authority when such instructions are not necessary under the scheme of distribution of powers and responsibilities.

Railway Ministry's decision. —In the light of the provisions of Rule 3(2)(ii) it is impressed upon all Railway servants that—

- i. Oral instructions should not, as far as possible, be issued by senior officers to their subordinates;
- ii. if the oral instructions are issued by any senior officer they should be confirmed by him in writing immediately thereafter;
- iii. if a junior officer seeks confirmation to the oral instructions given by the senior, the latter should confirm it in writing, whenever such confirmation is sought;
- iv. a junior officer who has received oral orders from his superior officer should seek confirmation in writing as early as practicable;
- v. whenever a member of the personal staff of Minister communicates an oral order on behalf of the Minister, it should be confirmed by him in writing immediately thereafter;
- vi. If junior officer received oral instructions from the Minister or from his personal staff and the orders are in accordance with the normal rules, regulations or procedures, they should be brought to the notice of the Secretary, or the concerned Members of the Railway Board or the Head of the Department, as the case may be, for information.
- vii. if a junior officer received oral instructions from the Minister or from his personal staff and the orders are not in accordance with the norms, rules, regulations or procedures, they should seek further clear orders from the secretary, the concerned Member of the Railway Board or the Head of the Department, as the case may be, about the line of action to be taken, stating clearly that the oral instructions are not in accordance with the rules, regulations, norms , or procedures. (No. E(D&A) 78 GSI-9 dt. 14-12-78).

3 A. Promptness and Courtesy

No Railway servant shall

- a. in the performance of his official duties, act a discourteous manner;
- b. in his official dealings with the public or otherwise adopt dilatory tactics or willfully cause delays in disposal of the work assigned to him.

[Authority: Railway Board's letter No. E(D&A)95 GS1-5 dt. 14.9.95 (RBE 101/95)]

3 B. Observance of Government's policies.

Every railway servant shall, at all times—

- i. act in accordance with the Government's policies regarding age of marriage, preservation of environment, protection of wildlife and cultural heritage;
- ii. observe the Government's policies regarding prevention of crime against women.

[Authority: Railway Board's letter No. E(D&A)95 GS1-5 dt. 14.9.95 (RBE 101/95)]

3 C. Prohibition of sexual harassment of working women.

1. No Railway servants shall indulge in any act of sexual harassment of any woman at her work place.

2. Every railway servant who is incharge of a work place shall take appropriate steps to prevent sexual harassment to any woman at such work place.

Explanation – For the purpose of this rule, "sexual harassment " includes such unwelcome sexually determined behavior, whether directly or otherwise, as:

- a. Physical contact and advances;
- b. demand or request for sexual favours;
- c. sexually coloured remarks;
- d. showing any pornography; or
- e. any other unwelcome physical, verbal or non-verbal conduct of a sexual nature.

[Authority: Railway Board's letter No. E(D&A)97 GS1-4 dt. 13.05.98 (RBE 96/98)]

4. Employment of near relatives of railway servants in Company or firm enjoying Government patronage.

1. No railway servant shall use his position or influence directly or indirectly to secure employment for any member of his family in any company or firm;
 - 2.
- i. No Group A Officer shall, except with the prior sanction of the Government permit his son, daughter or other dependent to accept employment in any company or firm with which he has official dealings or in any other company or firm having official dealings with the Government:

Provided that where the acceptance of the employment cannot await prior permission of the Government or is otherwise considered urgent, the employment may be accepted provisionally subject to the permission of the Government and the fact of such acceptance shall at once be reported to the Government.

- ii. A railway servant shall, as soon as he becomes aware of the acceptance by a member of his family of an employment in any company or firm, intimate such acceptance to the Government and shall also intimate whether he has or has had any official dealings with that company or firm:

Provided that no such intimation shall be necessary in the case of a Group 'A' Officer if he has already obtained the sanction of, or sent a report to the Government under clause (i).

3. No railway servant shall in the discharge of his official duties deal with any matter or give or sanction any contract to any company or firm or any other person, if any member of his family is employed in that company or firm or under that person or if he or any member of his family is interested in such matter or contract in any other manner and the railway servant shall refer every such matter or contract to his superior officer or authority and the matter or contract shall thereafter be disposed of according to the instructions of such officer or authority.

5. Taking part in politics and elections.

1. No railway servant shall be a member of, or be otherwise associated with, any political party or any organization which takes part in politics nor shall he take part in, subscribe in aid of, or assist in any other manner, any political movement or activity.

2. It shall be the duty of every railway servant to endeavour to prevent any member of his family from taking part in, subscribing in aid of, or assisting in any other manner any movement or activity which is, or tends directly or indirectly to be subversive of the Government as by law established and where a railway servant is unable to prevent a member of his family from taking part in, or subscribing in aid of or assisting in any other manner, any such movement or activity, he shall make a report to that effect to the Government.

3. If any question arises whether a party is a political party or whether any organization takes part in politics or whether any movement or activity falls within the scope of sub-rule (2) the decision of the Government thereon shall be final.

4. No railway servant shall canvass, otherwise interfere with, or use his influence in connection with or take part in, an election to any legislature or local authority. Provided that —

- i. a railway servant qualified to vote at such election may exercise his right to vote, but where he does so, he shall give no indication of the manner in which he proposes to vote or has voted;
- ii. a railway servant shall not be deemed to have contravened the provisions of this sub-rule by reason only that he assists in the conduct of an election in the performance of a duty imposed on him by or under any law for the time being in force.

Explanation. – The display by a railway servant on his person, vehicle or residence of any electoral symbol shall amount to using his influence in connection with an election within the meaning of this sub-rule.

Railway Ministry's decision.

1. Railway servants wishing to join the Bharat Sevak Samaj should obtain prior permission from the Head of the Department. This permission will not, however, absolve them from the observance, at all times, of the rules and instructions relating to the conduct and behaviour of the Railway servant.

(E (D & A) 64 GS1 dt. 27-5-1964.)

2. The Railway servants should not only be impartial but they should appear to be impartial in relation to the elections. They should not take part in any election campaign nor should they canvass. They should always take scrupulous care not to lend their names, official position of authority to assist one group as against another. Any disregard of these instructions will be considered as serious act of indiscipline. Their attention is drawn to the provisions in section 134–A of the Representation of the People Act, 1951 which reads as under:

"If any person in the service of the Government, acts as an election agent or a polling agent or a counting agent of a candidate at an election he shall be punishable with imprisonment for a term which may extend upto 3 months or with fine or with both."

(E (D & A) 66 GS1-15 dt. 27-12-66)

3. Political neutrality of Railway servants—It is essential that Railway servants should not only maintain political neutrality but should also appear to do so and they should not participate in the activities of, or associate themselves with any organization in respect of which there is the slightest reason to think that the organization has a political aspect or with organizations banned by the Government.

(E (D & A) 69 GS1-25 dt. 31-1-1970). (NS Policy/19 dt. 11-3-1976).

6. Joining of Associations or Unions by Railway Servants. – No railway servants shall join, or continue to be a member of an association or union the objects or activities of which are prejudicial to the interests of the sovereignty and integrity of India or public order or morality.

Note. – It is not permissible for a gazetted railway servant to join any association of non-gazetted railway servant like a Railway Employees Union. When a non-gazetted railway servant who is a member of a Railway Employees' Union is promoted to gazetted rank, either in an officiating or permanent capacity he shall resign his membership of such Union. If, however, the officer concerned satisfies the General Manager of the railway concerned that by such resignation he will lose financially or otherwise under any

beneficent scheme organized by such Union such as death or accident insurance, he may be permitted to continue as an ordinary member, but not as office bearer or representative, of that Union. The responsibility for satisfying the General Manager in this respect will rest with the officer concerned.

7. Demonstration. - No railway servant shall engage himself or participate in any demonstration which is prejudicial to the interests of the sovereignty and integrity of India, the security of the State, friendly relations with foreign states, public order, decency or morality, or which involves contempt of court, defamation or incitement to an offence.

Railway Ministry's decision.

1. Where peaceful and orderly meetings or demonstrations are held during the lunch without obstructing in any manner the free passage to and from the office, there would be no objection to the holding of such meetings or demonstrations nor would the participating staff render themselves liable to disciplinary action thereby. The same position will apply in respect of peaceful and orderly meeting and demonstration during half an hour interval prior to the start of working hours and the half an hour interval succeeding the close of working hours.
2. The position regarding the scope of this Rule is clarified as under:
 - i. Demonstration, meetings and processions, which are orderly and peaceful and are held outside office premises and outside working hours, should not be interfered with.
 - ii. The wearing of badges while at work should not be interfered with unless the badges have inscriptions or slogans which may offend against the interests of the sovereignty and integrity of India, the security of the State, friendly relations with foreign states, public order, decency or morality or which may amount to contempt of court, defamation or incitement to an offence. The colour of the badge or arm band should not be considered in any case.
 - iii. Demonstration or the raising of slogans or other such disorderly conduct should not be permitted within office premises and disciplinary proceedings should be started against those found indulging in such action within office premises.

(No. E(D&A) 63 GS1-3 dt. 27-4-1964.)

3. It will be in order to take disciplinary action in respect of demonstration anywhere, even far away from office premises and at any time even on a holiday, resorted to by a railway servant, even in the capacity of a Trade Union worker, if that activity could be proved to be one falling within the prohibitive activities listed in this rule.

(No. E(L)66 UT 1-79 dt. 12-1-1966.)

4. Peaceful and orderly meetings and demonstrations held during lunch intervals or during half and hour interval prior to the start of working hour and the half an hour

interval succeeding the close of the working hours, without obstructing in any manner the free passage to and from the office do not infringe the provisions under this rule.

(No. E(L) 77 UT 1-79 dt. 26/28-7-1967.)

5. The principle of 'No work no Pay' should not be circumvented in any way including by grant of leave to a railway servant for the period of absence caused due to participation in a strike.

(No. E(LR) II77 ST 1-126 dt. 15-7-1978.)

6. If an application for casual leave is presented by a railway servant specifically for the purpose of participation in a demonstration, it is open to the competent authority to refuse casual leave for this purpose. If in spite of refusal, and employee absents himself from duty, he can be treated to have been unauthorisedly absent, with all the attendant consequences of unauthorised absence.

(No. E(G) 79 LE 1-10 dt. 19-6-1980.)

8. Connection with press or other media.

1. No Railway servant shall, except with the previous sanction of the Government, own wholly or in part, or conduct or participate in the editing or management of, any newspaper or other periodical publication or electronic media.
2. nothing in sub-rule (1) shall apply in case a Railway servant in the bonafide discharge of his official duties publishes a book or participates in a public media.
3. A Railway Servant publishing a book or participating in a public media shall, at all times, make it clear that the views expressed by him are his own and not that of Government.

[Authority : Railway Board's letter No. [E\(D&A\)95 GS 1-6 dated 14-9-95](#) (RBE 102/1995)]

9. Criticism of Government. - No railway servant shall, in any radio broadcast, telecast through any electronic media or in any document published in his own name or anonymously, pseudonymously or in the name of any other person or in any communication to press or in any public utterance, make any statement of fact or opinion—

- i. which has the effect of an adverse criticism of any current or recent policy or action of the Central Government or State Government;
- ii. which is capable of embarrassing the relations between the Central Government and the Government of any State; or
- iii. which is capable of embarrassing the relations between the Central Government and the Government of any foreign State:

Provided that nothing in this rule shall apply to any statement made or views expressed by a railway servant in his official capacity or in the due performance of the duties assigned to him.

Railway Ministry's decision.—Serving Railway employees, if they, in their individual capacity or in their capacity of office bearer of association (including federation/unions of railway employees) or editor/publishers office bearers of journals issued by such association (including federation/union) pass resolutions making statement and/or expressing opinion on issues which involve violation by the individual employees of this Rule become liable for disciplinary action.

(E (D&A) 68GD1-6 dot. 24-6-1968.

10. Evidence before Committee or any other Authority.

1. Save as provided in sub-rule (3) no railway servant shall, except with the previous sanction of the Government, give evidence in connection with, any enquiry conducted by any person, committee or authority.
2. Where any sanction has been accorded under sub-rule (1), no railway servant shall in the course of giving such evidence criticize the policy or any action of the Central Government or of a State Government.
3. Nothing in this rule shall apply to
 - a. evidence given at any enquiry before an authority appointed by the government, Parliament or a State Legislature; or
 - b. evidence given in any judicial inquiry; or
 - c. evidence given at any departmental inquiry ordered by authorities subordinate to the Government.

11. Unauthorised communication of information. - No railway servant, shall except in accordance with any general or special order of the Government or in the performance in good faith of the duties assigned to him communicate, directly or indirectly, any official document or any part thereof or information to any Government or railway servant or any other person to whom he is not authorised to communicate such documents or information.

Any information given under RTI is not a violation of this Rule.

Explanation. - Quotation by a railway servant (in his representations to official superior authorities or from any letter, circular or office memorandum, or from the notes on any file to which he is not authorized to have access or which he is not authorized to keep in his personal custody or for personal purpose) shall amount to unauthorized communication of information within the meaning of this rule.

12. Subscription. - No railway servant, shall, except with the previous sanction of the Government or of the competent authority, ask for or accept contributions to or

otherwise associate himself with the raising, of, any funds or other collections in cash or in kind in pursuance of any object whatsoever.

Railway Ministry's decision.

1. The association of Railway servants with the selling of tickets for charity show or for any purpose whatsoever attract the provisions of this rule and prior permission of the Government would be necessary for this purpose. Sale of Tickets by Railway employees to the members of the general public is likely to invite public criticism and should not be permitted.

(E(D&A) 68 GS 1-7 dt. 19/22-8-1968.)

2. The powers under this Rule may be exercised by the General Managers in respect of all staff working under them for collection of subscription for celebrating religious festivals only. Permission should be given on the specific conditions that only voluntary subscription are collected and no pressure of any kind is brought on them on the collection of these funds.

(E(D&A) 68 GS1-7 dt. 30-1-1969.)

13. Gifts.

Save as provided in these Rules, no Railway servant shall accept, or permit any member of his family or (any other person acting on his behalf) to accept, any gift.

Explanation. —The expression "gift" shall include free transport, boarding, lodging or other service or any other pecuniary advantage provided by any person other than a near relative or personal friend having no official dealings with the Govt. servant.

Note.

- A casual measure, lift or other social hospitality shall not be deemed to be a gift.
- A Railway servant shall avoid accepting lavish hospitality or frequent hospitality from any individual, industrial or commercial firms, organizations, etc. having official dealings with him.
- On occasions such as weddings, anniversaries, funerals or religious functions, when the making of gift is in conformity with the prevailing religious and social practice, a Railway Servant may accept gifts from his near relatives or from his personal friends having no official dealings with him, but shall make a report to the Government, if the value of such gift exceeds –
 - i. rupees seven thousand in the case of a Railway servant holding any Group 'A' post;
 - ii. rupees four thousand in the case of a Railway servant holding any Group 'B' post;
 - iii. rupees two thousand in the case of a Railway servant holding any Group 'C' post; and
 - iv. rupees one thousand in the case of a Railway servant holding any Group 'D' post.

Amended vide Advance Correction Slip No. 91 issued under Railway Board's letter No. [E\(D&A\)2004/GS 1-2 dated 15.3.2004](#) (RBE 59/2004).

In any other case, a Railway servant shall not accept any gift without the sanction of the Government if the value exceeds

rupees one thousand five hundred in the case of Railway servants holding any Group 'A' or Group 'B' post; and

Rupees One Thousand in the case of Railway Servants holding any Group 'C' or Group 'D' post.

Notwithstanding anything contained in sub-rules (2) and (3), a Railway Servant , being a member of the Indian delegation or otherwise, may receive and retain gifts from foreign dignitaries if the market value of gifts received on one occasion does not exceed rupees one thousand. In all other cases, the acceptance and retention of such gifts shall be regulated by the instructions issued by the Government in this regard from time to time.

A Railway Servant shall not accept any gifts from any foreign firm which is either contracting with the Government of India or is one with which the Railway servant had, has or is likely to have official dealings. Acceptance of gifts by a Railway servant from any other firm shall be subject to the provisions of sub-rule (3).

[Authority: Railway Board's letter No. E(D&A)96 GS 1-8 dated 17.01.1997.RBE 12/1997]

Railway Ministry's decision. – 1 The acceptance of tips is misconduct and may be treated as a good and sufficient reason for taking disciplinary action.

(E (D&A)61 GSI-15 dt. 19-9-61.)

Railway Ministry's decision. —2 Gifts received or given by a railway servant in the form of cash attract the provisions of the Rule even though it is a transaction between father and son.

(E (D&A) 64 GS1-5 dt. 25-2-65.)

Railway Ministry's decision. –3 Receipt of presents by Railway servants at the time of their marriage in form of cash, ornaments, cloths or other articles, otherwise than as consideration for marriage, from relative and personal friends and others will be regulated by the above Rule. Purchase of items of movable property for giving presents at the time of marriage or on other occasions will be regulated by Rule 18 (3), like any other transaction of movable property.

(E (D&A) 65 GSI-12 dot. 23-4-66.) (E (D&A) 69 GSI-20 dot. 7-7-70.)

Railway Ministry's decision. – 4 Making or acceptance of gifts amongst "Near Relatives" which include father, mother, son, daughter etc. requires the approval of the competent authority in terms of sub rule (5) above.

(E (D&A) 69 GSI-20 dt. 5-1-70.)

Railway Ministry's decision – 5 The following are the instructions in regard to receipt, retention and disposal of gifts of high valuation received by Railway servants from foreign dignitaries and foreign firms.

0. The presents of symbolic nature like a ceremonial sword, ceremonial robe etc. may be retained by the recipient.
1. The gifts of the value not exceeding Rs. 1000 may also be retained.
2. Railway servant shall report the receipt of gifts, the value of which exceeds Rs. 1000 to the department indicating the value. The Department will refer the matter to Toshakhana for valuation of the gifts. If it is found that the value is Rs. 1000 or less the gift will be returned to the recipient. If however, the value exceeds Rs. 1000 it will be retained by in Toshakhana and the recipient will, have the option to purchase it from Toshakhana by paying the difference between the value as estimated and Rs. 1000.
3. Acceptance of gifts from foreign firms with whom the Railway servant has had or has or is likely to have official dealing either, directly or indirectly by virtue of his official position as well as acceptance of gifts from firms which are contracting firms with the government are prohibited.

(E (D&A) 76 GSI-31 dt. 22-12-76.)

13-A. Dowry.-

No Railway servant shall

- i. give or take or abet the giving or taking of dowry; or
- ii. demand directly or indirectly, from the parents or guardian of a bride or bridegroom, as the case may be, any dowry.

Explanations: For the purpose of this rule 'dowry' has the same meaning as in the Dowry Prohibition Act, 1961.

In this Act, "dowry" means any property or valuable security given or agreed to be given either directly or indirectly—

- a. by one party to a marriage to the other party to marriage; or

- b. by the parents of either party to a marriage or by any other person, to either party to the marriage or to any other person;

at or before or after the marriage as consideration for the marriage of the said parties, but does not include dower or mahr in the case of persons to whom the Muslim Personal Law (Shariat) applies.

Explanation I. ---For the removal of doubts, it is hereby declared that any presents made at the time of a marriage to either party to the marriage in the form of cash, ornaments, clothes or other articles shall not be deemed to be dowry within the meaning of this section, unless they are made as consideration for the marriage of the said parties.

Explanation II. ---The expression "Valuable security" has the same meaning as in Section 30 of the Indian Penal Code.

14. Public demonstrations in honour of Railway servants. - No railway servant shall except with the previous sanction of the Government receive any complimentary or valedictory address or accept any testimonial or attend any meetings of entertainment held in this honour, or in the honour of any other Government servant :

Provided that nothing in this rule shall apply to

- i. a farewell entertainment of a substantially private and informal character held in honour of a railway servant or any other Government servant on the occasion of his retirement or transfer or any person who has recently quit the service of any Government; or
- ii. the acceptance of simple and inexpensive entertainments arranged by public bodies or institutions.

Note. - Exercise of pressure or influence of any sort on any railway servant to induce him to subscribe towards any farewell entertainment even if it is of a substantially private or informal character and the collection of subscriptions from Group 'C' and Group 'D' employees under any circumstances for the entertainment of any railway or other Government servant not belonging to Group 'C' and Group 'D' is forbidden.

Railway Ministry's decision. - 1. Officers in Group 'A' service upto the J.A. Grade should furnish promptly particulars of all invitations received by them from foreign missions in India and accept them only after obtaining the necessary clearance from the Railway Board. Officers in Group 'B' service and below are debarred from accepting such invitations except in very rare cases. All officers, so permitted, should submit a list of any important and interesting talks or other discussions held with the representative of the foreign mission on matters of interest to the Railway Board.

(E (D&A) 57 GSI-3 dt. 8-1-57.)

Railway Ministry's decision. - 2. Railway servants should refrain from associating themselves with functions inappropriate and inconsistent with the rule of detached impartiality such as to declare buildings etc. open or to lay the foundation stones of new buildings or to allow roads, bridges, parks or public institutions such as hospitals, schools or colleges to be named after them. When occasions which have a cultural and sociological significance arise, especially in remote areas, prior permission of their superior officer should be obtained.

(E (D&A) 60 GSI-8 dt. 27-3-61.)

Railway Ministry's decision. - 3. While no subscription should be collected from class III and class IV staff when any entertainment is held in honour of a Class II or Class I Officer it is not the intention of the rule that when an entertainment is held in honour of Class III/Class IV staff, a class I or class II Officer should not attend the function as a guest by invitation or on a contributory basis.

(E (D&A) 60 GSI-6 dt. 4.11.1967)

15. Private trade or Employment.

1. Subject to the provisions of sub-rule (2) no Railway Servant shall, except with the previous sanction of the Government
 - a. engage directly or indirectly in any trade or business, or
 - b. negotiate for, or undertake, any other employment, or
 - c. hold an elective office, or canvass for a candidate or candidates for an elective office, in any body, whether incorporated or not, or
 - d. Canvass in support of any business of insurance agency, commission agency, etc. owned or managed by any member of his family or
 - e. take part except in the discharge of his official duties, in the registration, promotion or management of any bank or other company registered or required to be registered, under the Companies Act, 1956 (1 of 1956) or any other law for the time being in force, or of any co-operative society for commercial purpose.
 - f. participate in or associate himself in any manner in the making of —
 - i. a sponsored media (radio or television) programme; or
 - ii. a media programme commissioned by Government media but produced by a private agency; or
 - iii. a privately produced media programme including video magazine;

Provided that no previous permission shall be necessary in case where the Railway Servant participates in a programme produced or commissioned by Government media in his official capacity."

[Authority: Railway Board's letter No. E(D&A)96 GS 1-8 dated 17.01.1997.RBE 12/1997]

2. A railway servant may, without the previous sanction of the Government

- a. undertake honorary work of a social or charitable nature, or
- b. undertake occasional work of a literary, artistic or scientific character, or
- c. participate in sports activities as an amateur, or
- d. take part in the registration, promotion or management (not involving the holding of an elective office) of a literary, scientific or charitable society or of a club or similar organization the aims or objects of which relate to promotion of sports, cultural or recreational activities, registered under the Societies Registration Act, 1860 (21 of 1860), or any other law for the time being in force, or,
- e. take part in the registration, promotion or management (not involving the holding of an elective office) of a co-operative society substantially for the benefit of railway servants, registered under the Co-operative Societies Act, 1912 (2 of 1912) or any other law for the time being in force.

Provided that:-

- i. he shall discontinue taking part in such activities, if so directed by the Government ; and
 - ii. in a case falling under clause (d) or clause (e) of this sub-rule, his official duties shall not suffer thereby and he shall, within a period on one month of his taking part in such activity, report to the Government giving details of the nature of his participation.
3. Every railway servant shall report to the Government if any member of his family is engaged in a trade or business or owns or manages an insurance agency or commission agency.
4. Unless otherwise provided by general or special orders of the Government, no Railway servant may accept any fee for any work done by him for any private or public body or any private person without the sanction of the prescribed authority.

Explanation. –The term 'fee' used here shall have the meaning assigned to it in Rule 103(18) - R.I.

Railway Ministry's decision 1. - It is not permissible for a Railway servant to take an Insurance Agency in his own name and canvass for the same.

(E (D&A) 58 GSI-40 dt. 7-3-58.)

Railway Ministry's decision 2. – Railway servants should not ordinarily be allowed to accept part time employment whether under Government or elsewhere; even though such employment is after office hours.

(E(D&A) 58 GSI-29 dt. 16-1-59.)

Railway's Ministry's decision 3 - Railway servants, holding recognized qualification for any system of medicine may be granted permission by the Heads of Departments to undertake medical practice during spare time, on a purely charitable basis without detriment to his official duties. This will not apply to those who possess the qualification and are employed as physicians, surgeons etc., on the Railways.

(E (D&A) 64 GSI-5 dt. 30-5-64 and 10-11-65.)

Railway's Ministry's decision 4. - No railway servant should negotiate for commercial employment during service without obtaining the prior permission of the Head of the Department and such permission should not be given unless there are any special reasons for doing so.

(E(G) 66 EM 1-2 dt. 26-3-66.)

Clarification vide no. E(D&A)2000/GS 1-8 dated 3.9.2002 (RBE 150/2002).

15-A. Sub-letting and vacation of Government accommodation.

1. Save as otherwise provided in any other law for the time being in force, no Railway servant shall sub-let, lease or otherwise allow occupation by any other person of Government accommodation which has been allotted to him.
2. A Railway servant shall, after the cancellation of his allotment of Government accommodation vacate the same within the time-limit prescribed by the allotting authority."

[Authority: Railway Board's letter No. E(D&A)96 GS 1-8 dated 17.01.1997.RBE 12/1997]

16. Investment, lending and borrowing.

1. No Railway servant shall speculate in any stock, share or other investment:

Provided that nothing in this sub-rule shall apply to occasional investments made through stock brokers or other persons duly authorised and licensed or who have obtained a certificate of registration under the relevant law.

Explanation — Frequent purchase or sale or both, of shares, securities or other investments shall be deemed to be speculation within the meaning of this sub-rule.

2. No Railway servant shall make, or permit any member of his family or any person acting on his behalf to make, any investment, which is likely to embarrass or influence him in the discharge of his official duties. For this purpose, any purchase of shares out of the quotas reserved for Directors of Companies or their friends and associates shall be deemed to be an investment which is likely to embarrass the Railway servant."

[Authority: Railway Board's letter No. E(D&A)96 GS 1-8 dated 17.01.1997.RBE 12/1997]

3. If any question arises whether any transaction is of the nature referred to in sub-rule (1) or sub-rule (2), the decision of the government thereon shall be final.

4.

- i. No railway servant shall, save in the ordinary course of business with a bank or a public limited company either himself or through any member of his family or any other person acting on his behalf
 - a. Lend or borrow or deposit money, as a principal or an agent, to or from or with, any person or firm or private limited company with whom he is likely to have official dealings or otherwise place himself under pecuniary obligation to such person or firm or private limited company; or
 - b. lend money to any person at interest or in a manner whereby return in money or in kind is charged or paid.

Provided that a railway servant may give to, or accept from, a relative or a personal friend, a purely temporary loan of a small amount free of interest, or operate a credit account with a bonafide tradesman or make an advance or pay to his private employee.

Provided further that nothing in this sub-rule shall apply in respect of any transaction entered into by a railway servant with the previous sanction of the Government.

- ii. When a railway servant is appointed or transferred to a post of such nature as would involve him in the breach of any of the provisions of sub-rule (2) or sub-rule (4), he shall forthwith report the circumstances to the competent authority and shall thereafter act in accordance with such order as may be made by such authority.

Railway Ministry's decision. —Loan taken from LIC by the Railway servant against their Insurance policies will be covered by the exception provided in the above rule and permission of the Government will not be necessary.

(E (D&A) 68 GSI/21 dt. 21-11-1968.)

17. Insolvency and Habitual indebtedness.

1. A railway servant shall so manage his private affairs as to avoid habitual indebtedness or insolvency. A railway servant against whom any legal proceeding is instituted for the recovery of any debt due from him or for adjudging him as an insolvent shall forthwith report the full facts of the legal proceeding to the Government.

Note. The burden of proving that the insolvency or indebtedness was the result of circumstances which, with the exercise of ordinary diligence, the railway servant could not have foreseen, or over which he had no control and had not proceeded from extravagant or dissipated habits, shall be upon the railway servant.

The following procedure shall be followed in the case of non-gazetted railway servants: -

- i. The report required under sub-rule (1) above shall be submitted by the railway servant to his immediate superior who should forward it through the normal channel to the authority competent to remove or dismiss the employee from service. Except where such authority requires guidance or clarification from a higher authority, it shall consider and pass appropriate orders thereon. A railway servant desiring to seek the benefit of the Insolvency Act shall apply to the Head of his Department, or to such authority as the government may specify in this behalf, for permission to file a Schedule in a Court of Law. Same time, he shall explain in such form as the Government may prescribe in this behalf all the circumstances which led to his financial embarrassment. The said authority will then consider his case in the light of those circumstances.

If the railway servant can prove that the indebtedness was the result of circumstances, which, with the exercise of ordinary diligence, he could not have foreseen or over which he had no control, and did not proceed from extravagant or dissipated habits and if as the result of investigation, the said authority considers that sufficient justification exists for the retention of the employee in service, he may permit him to have recourse to the court. Otherwise he should take steps either to dismiss or remove the employee from service as the circumstances of the case may warrant. If a railway servant asks for permission to seek the benefit of the Insolvency Act for a second time such permission may not be granted by an authority lower than the General Manager or Head of Office who, if he decides to retain the employee in service, shall report the circumstances to the Railway Board for information. As the Railway Co-operative Credit is often the creditor in such a case and other railway servants are sureties for the debtor, the said authority will, in deciding whether or not the debtor should be retained in railway service, consider the effect of this dismissal or removal on the railway and on his fellow employees.

- ii. A railway servant who seeks the assistance of the Insolvency Court without the previous permission of the competent authority shall render himself liable to removal from service .
- iii. A railway servant who is arrested for debt is liable for dismissal.
- iv. Steps will be taken from time to time by the head of an office to ascertain from pay sheets, etc. whether any railway servant under him are in habitual state of indebtedness. If a moiety of the pay of a railway servant is being frequently attached for debt has been continuously so attached for a period exceeding two years or is attached for a sum which under ordinary circumstances he could not repay within two years , such railway servant shall be considered liable for dismissal .

v. Every case falling under (iii) or (iv) shall be considered in the light of the instructions contained in clause (i) above before it is finally decided whether or not the railway servant concerned should be dismissed or removed but in exceptional circumstances such railway servant should not be retained in service.

2. A railway servant shall also report to the Government or to such authorities as may be specified in this behalf the facts when a portion of his salary is constantly being attached, has been continuously attached for a period exceeding two years or is attached for a sum which, in ordinary circumstances, cannot be paid within a period of two years.

3. When a moiety of a railway servant's salary is attached, the report by his superior officer to the Government competent authority should show what is the proportion of the debts to the salary; how far they detract from the debtor's efficiency as a railway servant; whether the debtor's position is irretrievable; and whether in the circumstances of the case, it is desirable to retain him in the post occupied by him when the matter was brought to notice; or in any post under the Government.

18. Movable, immovable and valuable Property.

1.

i. Every railway servant shall on his first appointment to the railway service submit a return of his assets and liabilities, in such form as may be prescribed by the Government, giving full particulars regarding—

- a. the immovable property inherited by him, owned or acquired by him or held by him on lease or mortgage, either in his own name or in the name of any member of his family or in the name of any person;
- b. the shares, debentures and cash including bank deposits inherited by him or similarly owned, acquired, or held by him;
- c. other movable property inherited by him or similarly owned, acquired or held by him;
- d. debts and other liabilities incurred by him directly or indirectly.

Note.1 - Sub-rule (1) shall not ordinarily apply to Group 'D' railway servants, but the Government may, in appropriate cases, direct that it shall apply to any of such railway servants or any class of such railway servants.

Note. 2 - In every return, the values of items of movable property worth less than Rs. 10,000 may be added and shown as a lump sum. The values of articles of daily use such as clothing, utensils, crockery, books and the like, need not be included in such return.

Note. 3

2.

- i. Where railway servant already belonging to a service or holding a Post is appointed to any other Government or Railway service or post, he shall not be required to submit a fresh return under this clause.
- ii. Every railway servant belonging to any service or holding any post included in Group A or Group B shall submit an annual return in such form as may be prescribed by the Government in this regard giving full particulars regarding the immovable property the inherited by him or owned or acquired by him or held by him on lease or mortgage either in his own name or in the name of any member of his family or in the name of any other person.

No railway servant shall, except with the previous knowledge of the Government acquire or dispose of any immovable property by lease, mortgage, purchase, sale, gift or otherwise either in his own name or in the name of any member of his family:

Provided that the previous sanction of the Government shall be obtained by the Railway servant if any such transaction is with a person having official dealings with him.

Where a railway servant enters into a transaction in respect of movable property either in his own name or in the name of a member of his family, he shall, within one month from the date of such transaction, report the same to the Government, if the value of such property exceeds two months Basic Pay

Provided that the previous sanction of the Government shall be obtained by the Railway servant if any such transaction is with a person having official dealings with him.

Note.1 - Purchase of items of movable property for giving presents at the of marriage will be regulated by rule 18(3) above like any other transactions in movable property

(Railway Board's letter No. E(D&A) 65 GSI-12 dated 23-4-1966.)

Note 2. - The powers of the Government so far as sub-rule(3) is concerned, may be exercised by—

- . General Manager and the Chairman, Railway Rates Tribunal, in respect of both gazetted and non-gazetted officers under their respective administrative control; and
- i. Senior Deputy General Managers on Zonal Railways in respect of gazetted officers below the Senior Administrative Grade and non-gazetted officers subject to the condition that the powers hereby delegated are not further delegated by them to lower authorities so far as cases of gazetted officers are concerned.

The Government or any authority empowered by it in this behalf may, at any time by general or special order, require a railway servant to furnish, within a period specified in the order, a full and complete statement of such movable or immovable property held or acquired by him or on his behalf or by any member of his family as may be specified in the order. Such statement shall, if so required by the Government or by the authority so empowered, include the details of the means by which, or the source from which, such property was acquired.

The Government may exempt any category of railway servants belonging to Group 'C' or Group 'D' from any of the provisions of this rule except sub-rule(4). No such exemption shall, however, be made without the concurrence of the Railway Board, who will consult the Ministry of Home Affairs (Now Cabinet Secretariat, Department of personnel).

Explanation I. —For the purpose of this rule, the expression 'movable property includes—

. jewellery, insurance policies the annual premium of which exceeds Rs. 10,000 or one-sixth of the total annual emoluments received from Government, whichever is less' shares, securities and debentures;

- a. All loans, whether secured or not, advanced or taken by the Government servant.
- b. motor cars, motor cycles, horses, or any other means of conveyance; and
- c. refrigerators, radios, radiograms and television sets.

Explanation II. —For the purpose of this rule, "lease" means, except where it is obtained from, or granted to, a person having official dealing with the railway servant, a case of immovable property from year to year or for any term exceeding one year or reserving a yearly rent.

Railway Ministry's decision 1.—It is undesirable for Railway servants to bid at auctions arranged by their own department or under orders of which the auction is conducted and if he does so it would be regarded as indulging in conduct unbecoming of a railway servant under the rules.

(E (D&A) 58 GS-1-6 dt. 15-3-58 & 27-6-66.)

Railway Ministry's decision 2. —The intention of proviso to sub-rule (2) & (3) regarding bonafide deal is to assure that—

- i. the transaction proposed to be entered into is for bonafide purposes;
- ii. the acquisition/sale of property in question is at fair prevailing market prices and does not involve any element of profiteering or speculation;
- iii. there is no reasonable ground to hold that the transaction in question is the result of the exercise of any undue official influence by the officer e.g. in return of any official favours conferred or likely to be conferred upon the prospective seller/buyer of the property; and
- iv. there is nothing otherwise objectionable in return to the proposed transaction.

(E (D&A) 60 GS-1-5 dt. 7-6-60.)

Railway Ministry's decision 3. —The term "Regular and reputed dealer" means a person or firm who deals in a particular item and keeps regular accounts of lists, its transaction

and who has regular business premises. A co-operative housing society registered under the Co-operative Society's Act, 1912 or any corresponding law in force also falls under this definition.

(E (D&A) 60 GS-1-5 dt. 30-1-61.)

Railway Ministry's decision 4. -- Whenever a Railway servant wishes to build a house, the following procedure should be followed: -

- a. Before starting construction of the house, he should report or seek permission as the case may be and after completion of the house, he should report to the prescribed authority.
- b. The details in proforma prescribed should be furnished wherever it is possible to do so. Wherever it is not possible to furnish the details about purchase of movable property acquired for the construction of the house, the Railway servant concerned should mention the covered area on which the building is proposed to be erected and the estimated cost of the building .
- c. In case where the expenditure to be incurred on repairs or minor construction work in respect of any immovable property belonging to a Railway servant, is estimated to exceed Rs. 1000/- sanction of the prescribed authority is required.

Railway Ministry's decision 5. ---The factum of giving or receiving money between father and son can be termed as a transaction of movable property within the meaning of Rule18(3).

(E (D&A) 64 GS-1-6 dt.25-2-65.)

Railway Ministry's decision 6. ---In exercise of the powers conferred by rule 24 read with Rule 2(a) (ii) of these rules, the Railway Board hereby directs as follows:

- i. Powers exercised by the Railway Board under rule 18(2) of the above rules shall be also exercisable by the General Managers, all Indian Railways, Production Units and the Director General, RDSO in respect of Gazetted officers under their respective administrative control subject to the condition that all cases of such sanction accorded by them shall be reported to the Railway Board, and
- ii. Powers exercisable by the Railway Board under rule 18(3) of these rules shall be also exercisable by Director General RDSO in respect of gazetted officers under his administrative control.

(E (D&A) 69 GS-1-11 dt. 14-8-69.)

Railway Ministry's decision 7. - Railway servants should not buy or sell property to or from a firm with whom he has official dealings. In exceptional cases, however, permission may be granted only after careful enquiry into the officer's dealing with the

firm and after it is satisfactorily established that he was not conferred and is not likely to confer any official favour upon the party concerned.

(E (D&A) 69 GS-1-3 dt. 9-5-75.)

Railway Ministry's decision 8. - While no permission of the Government is necessary for taking Life insurance Policy or making fixed deposits in Banks under sub-rule (3) above, permission is required to be obtained to join a Chit Fund.

(E (D&A) 69 GS-1-36 dt. 13-12-76.)

Railway Ministry's decision 9. - The provision of Delhi Rent Control Act and similar other provisions in other States, wherever applicable, should be observed by Railway servants while taking rent advance for property held them.

(E (D&A) 69 GS-1-2 dt. 30-4-76.)

Railway Ministry's decision 10. - It is clarified that transactions entered into by the spouse or any other member of family of a railway servant out of his or her own funds (including stridhan, gifts, inheritance etc.) as distinct from the funds of the railway servant himself in his or her own name and in his or her own right , would not attract the provision of sub-rule (2) and (3) of Rule 18.

18-A. Restrictions in relation to acquisition and disposal of immovable property outside India and transaction with foreigners, etc. - Notwithstanding anything contained in sub-rule (2) of rule 18. No railway servant shall except with the previous sanction of the Government –

- a. Acquire, by purchase, mortgage, lease, gift or otherwise, either in his own name or in the name of any member of his family, any immovable property situated outside India.
- b. dispose of, by sale, mortgage, gift or otherwise, or grant any lease in respect of any immovable property situated outside India which was acquired or is held by him either in his own name or in the name of any member of his family;
- c. enter into any transaction with any foreigner, foreign Government, foreign organization or concern—
 - i. for the acquisition, by purchase, mortgage, lease, gift or otherwise, either in his own name or in the name of any member of his family, or any immovable property.
 - ii. for the disposal of, by sale, mortgage, gift or otherwise , or the grant of any lease in respect of, any immovable property which was acquired or is held by him either in his own name or in the name of any member of his family.

19. Vindication of Acts and Character of Railway servants.

1. No railway servant shall, except with the previous sanction of the Government, have recourse to any Court or to the Press for the vindication of any official act which has been subject matter of adverse criticism or an attack of a defamatory character.

Provided that if no such sanction is received by the railway servant within a period of three months from the date of receipt of his request by the Government, he shall be free to assume that the permission as sought for has been granted to him.

2. Nothing in this rule shall be deemed to prohibit a railway servant from vindicating his private character and or any act done by him in his private capacity and where any action for vindicating his private character or any act done by him in his private capacity is taken, the railway servant shall submit a report to the Government regarding such action.

Railway Ministry's decision 1.—Railway servants seeking redress of their grievances arising out of their employment of conditions of service should in their own interest and also consistently with official propriety and discipline first exhaust the normal official channels of redress before they take the issue to a court of law. Any attempt by Railway servants to seek redress from the court of law or such matters (even in cases where such a remedy is legally admissible) without first exhausting the normal official channels of redress can only be regarded as contrary to official propriety and subversive of good discipline and may well justify the initiation of disciplinary action against them.

(E (D&A) 62 RG6-21 dt.5-2-64 & E (D&A) 69 RG 6-37 dt. 14-2-67.)

20. Canvassing of Non-official or other Influence. - No railway servant shall bring or attempt to bring any political or other influence to bear upon any superior authority to further his interests in respect of matters pertaining to his service under the Government.

Railway Ministry's decision.—Railway servants are advised to strictly refrain from bringing pressure from the M.Ps and other influential outsiders to secure benefits out of turn or regarding any matter arising out of their service. If such occasions arise, the name of the officer or the member of the staff concerned will be brought to the notice of the Head of the Department for such disciplinary action as may be considered necessary.

(E (D&A) 70 RG6-9 dt. 7-7-71.)

21. Restrictions Regarding Marriage.

1. No railway servant shall enter into, or contract, a marriage with a person having spouse living: and,
2. No railway servant, having a spouse living shall enter into, or contract, a marriage with any person.

3. a railway servant who has married or married a person other than of Indian Nationality shall forthwith intimate the fact to the Government

Provided that the Government may permit a railway servant to enter into, or contract, any such marriage as is referred to in clause (1) or clause (2), if it is satisfied that

- a. such marriage is permissible under the personal law applicable to such railway servant and other party to the marriage ; and
- b. there are other grounds for so doing .

22. Consumption of intoxicating Drinks and Drugs.

1. A railway servant shall
 - a. strictly abide by the law relating to intoxicating drinks or drugs during the course of his duties and shall also take due care that the performance of his duties at any time is not affected in any way by the influence of such drink or drug,
 - b. refrain from consuming any intoxicated drink or drug in a public place;
2. A railway servant shall not
 - a. appear in a public place in a state of intoxication;
 - b. use any intoxicating drink or drug to excess;
 - c. if he belongs to the category of running staff (both local and traffic) or is connected directly with train passing, have taken or used any intoxicating drinks or drugs within eight hours of the commencement of duty or take such drinks or drugs during the course of duty.

Explanation. —For the purpose of this rule, "Public place" means any place or premises (including conveyance) to which the public have, or are permitted to have, access whether on payment or otherwise.

22-A Prohibition regarding employment of Children below 14 years of age. - No Railway servant shall employ to work any child below the age of 14 years.

[Authority: Railway Board's letter No. E(D&A)99/GSI-3, Dated 07-01-2000 (RBE 3/2000)]

23. Interpretation. - The power of interpreting these rules is reserved to the President.

24. Delegation of Powers. - The Government may, by general or special order, direct that any power exercisable by it under these rules shall, subject to such conditions, if any, as may be specified in the order, be exercisable also by such officer or authority as may be specified in the order.

25. Repeal and Savings. - The Railway Services (Conduct) Rules, 1966, contained in Appendix VI of the Indian Railways Establishment Code, Volume I, shall cease to be in force except as respects things done or omitted to be done.

26. Obligation to abide by all administrative Instructions. —Notwithstanding anything contained in these rules, a railway servant shall be governed by all the administrative instruction that may be issued from time to time in regard to the conduct of railway servants.

LEAVE RULES

DIFFERENT KINDS OF LEAVE RULES

- (1) **Company Leave Rules :**
These rules apply to the staff which was taken over from the East Indian Railway Company and Great Indian Peninsula Railway Company and did not elect to come under New Leave Rules. These rules are almost obsolete, since all the employees who were governed by these rules must have retired by now.
- (2) **Fundamental Leave Rules :**
These rules apply to the staff appointed in State Railways upto 31.08.28. These rules have also become obsolete.
- (3) **New Leave Rules or State Railway Leave Rules, 1930 :**
These rules apply to staff who are not governed under Fundamental Leave Rules and are appointed upto 31.01.49 but have not elected to come under C.P.C. Leave Rules.
- (4) **C.P.C. Leave Rules or Liberalized Leave Rules, 1949 :**
The rules apply to the staff who are appointed on or after 1.2.49 and also the existing staff as on 31.01.49 who opted to come under these rules.

C.P.C. LEAVE RULES

C.P.C. Leave Rules which are also called Liberalized Leave Rules came into effect from 1st February, 1949. These rules replaced the New Leave Rules and every existing employee was given the option of electing these rules in order to bring about maximum uniformity amongst the Railwaymen insofar as leave is concerned. A majority of the Railwaymen opted in favour of these rules and the staff appointed after the introduction of these rules automatically came under them. These rules are called Liberalized Rules as they are surely an improvement over the New Leave Rules which have been superseded. At present the C.P.C. Leave Rules are most popular amongst the Railwaymen. Under these rules, any kind of leave i.e. L.A.P., L.H.A.P., etc. may be granted in combination with or in continuation of any other kind of leave.

Following are the different kinds of leave, an employee is entitled to get under C.P.C. Leave Rules.

LEAVE ON AVERAGE PAY

(1) **Crediting of Leaves :**

The L.A.P. account of all the Railway servants, should be credited with 30 days. This should be done in two installments, 15 days on the first of January and 15 days on the 1st of July every year. With effect from 01.01.77, 15 days L.A.P. should be credited to the account of Railway servants at the commencement of each calendar half year. The credit of 15 days Leave, thus afforded will be reduced by 1/10th of the period of extraordinary leave availed during the previous half year, subject to a maximum of 15 days. (R.B. No. E(P&A)1-76/CPC/LE-3 of 11.03.77) (N.R., S.N. 6734). One tenth of the period of dies –non, if any, in the previous half year will also be deducted (R.B. No, E(P&A) I-79/CPC/LE-1 of 05.05.79)(N.R., S.N. 7287).

Leave at the credit of the employee at the close of the previous half year shall be carried forward to the next half year subject to the leave so carried forward plus the credit for that half year not exceeding the maximum limit of 300 days.

Leave credited in the leave account of an employee on 1st January /1st July can be sanctioned retrospectively e.g. an employee on L.W.P. from 27.12.68 to 10.01.69 (having no L.A.P. or H.A.P. at his credit) can get his L.W.P. from 01.01.69 to 10.01.69 converted L.A.P. as soon as the advance credit of L.A.P. is afforded to him (N.R., S.N. 4727).

During the half yearly period in which an employee is appointed, credit of L.A.P. @ 2 ½ days per month of service is given and for this purpose half a month or more will be taken as one month.

During the period of 01.01.66 to 31.10.73 credit of L.A.P. in the leave account of a temporary staff before completion of one year service would be made on half yearly basis once on 1st January and again on 1st July at the rate of 1 ¼ days for each completed month of service was likely to render in the calendar half year.

(2) **Credit of Leave to Retiring Employees :**

During the calendar half year in which a staff is due to retire or goes on L.P.R. or resigns from service or is removed or dismissed from service or dies , recalculation will be made for crediting leave for that half year. This will be at the rate of 2 ½ days per month and

for this, half month or more will be taken as a month. (R. B. No. E (S) 62-CTC/LE/9 of 13.12.65) & (E (S)66 CTC/LE/1 of 1.9.66 & 28.9.66 & R. B. No. PC-III-878/LE-I of 13.05.74 and 15.05.74.

(3) **Staff in Railway Schools :**

Staff serving in Railway Schools are entitled to 10 days L.A.P. in a year in which they avail the full vacation. When, however, they do not avail the vacation in any year, they will be entitled to L.A.P. for that year as other Railway staff.

If such staffs are prevented from availing full vacation, they will be entitled to L.A.P. in such proportion of the period of 30 days as the number of days of vacation not taken bears to the full vacation.

(4) **Accumulation of Leave :**

Maximum leave that can be accumulated at any time is 300 days.

(5) **Maximum Leave granted at One time :**

Maximum leave that can be granted at one time is 120 days, but in case the leave is to be spent out of India, except Myanmar, Sri Lanka, Nepal and Pakistan, then it can be upto the extent of 180 days.

An employee, officiating in a higher post can only be granted leave on full average pay at a stretch for 60days at one time excepting Class IV staff. If leave is granted beyond this period it will be based on substantive pay.

(6) **Half day's leave :**

The workshop staff may be allowed to take leave for half a day with pay or without pay. For this purpose leave for half a day means authorised absence from duty for over half an hour. The concession of such leave is however, restricted to six such occasions in a year. (R.B. No. E(L) 61 WSI 5 of 06.11.61). The facility of short leave may also be granted to clerical and supervisory staff of Workshops, where it was available prior to its withdrawal in 1966 (R.B. No. E(G)72 LE I-6 of 30.11.73) (N.R., S.N. 6061).

Leave in terms of half day may also be given to artisans and Class IV (Group "D") staff employed in Electrical Power Shops and other workshops located within or outside Mechanical Workshops and to artisans and other Class-IV (Group-"D") staff of Stores Depots located within mechanical workshops who work in split shifts and are not entitled to casual leave. Such categories of staff employed in Stores Depots located outside the workshops will not be granted leave in terms of half-a-day but if they

were enjoying this facility in the past and are not entitled to casual leave, the facility may not be withdrawn. (R. B. No. E(L)65 WSI-6 of 30.03.66.

- (7) **Delegation of powers for Sanctioning Leave :**
The G.M. may delegate the power of sanctioning casual and earned leave upto 15 days to Class III and Class IV (Group "C" & "D") staff to Senior Supervisory staff in the grade of RS. 5000-8000 (R.S.) and above, such as Permanent Way Inspectors, I.O.Ws, Traffic Inspectors, Signal Inspectors, Loco Foremen and Station Masters of important stations. (R.B. No. E (G)63 LE 2/22 of 22.09.64)& (E(G)76 LE/2/40 of 04.11.78) (N.R., S.N. 7168).
- (8) **Leave on Medical Certificate :**
A gazetted Railway servant can also be granted leave on medical certificate for period exceeding 2 months on the basis of a certificate from an Authorised Medical Attendant as in the case of non-gazetted Railway servants. The production of medical certificate can be dispensed with by the competent authority in case of an application for leave from a Gazetted Officer also for period not exceeding 3 days at a time.(R.B. No. E (P&A) 1-76/CPC/LE/3 of 11.03.77) (N.R., S.N. 6734).
- (9) **Carry Forward :**
Temporary Railway servants who have not completed 3 years of service and who resign from such service for taking up appointment in a post in another Central Government department/office and the application had been duly forwarded by the Railway Administration concerned, are also eligible for the benefit of carry forward, of leave on confirmation in the new post. (R. B. No. E(NG)II-76/AP/12 of 04.03.77)(N.R., S.N. 5732).
- (10) **Maximum Leave :**
No Railway servant shall be granted leave of any kind for a continuous period exceeding five years unless otherwise determined by the President in view of exceptional circumstances. (R.B. No. F/E/III/75 SFN/1 of 16.06.76) (N.R., 6560)
- (11) **Prefixing/Suffixing of Holidays to Leave :**
Prefixing and suffixing of holidays to leave, other than on medical certificate shall be allowed automatically except in cases where due to administrative reasons such prefixing and suffixing of holidays in specifically withheld.(R.B. No. E (P&A)1-76/CPC/LE-3 of 11.03.77)(N.R. S.N. No. 6734)
- (12) **Leave cannot be claimed as a matter of right**
Leave cannot be claimed by a Railway servant as matter of right. The competent authority has the discretion to refuse or revoke the leave of any description. The discretion, is however, to be exercised judiciously and must not be used as, in effect, to abridge the employees leave entitlement. The sanctioning authority has no discretion to alter the nature of leave due applied for.

- (13) **Overstaying-Unauthorized absence:**
It will be illegal to remove a temporary Railway servant from service on ground of “deemed resignation” for reasons of unauthorized absence. Temporary Railway servants should also be afforded an opportunity to show cause under Discipline and Appeal Rules, before they are removed from service for unauthorized absence.

Accordingly, Note (2) under Rule 732 of Railway Establishment Code Vol. I has been modified. (R.B. No. E(P&A) I-84/CPC/LE-3 of 23.03.85) (N.R., S.N. 8701).

- 14 Maximum of 10 days encashment of LAP while in service for maximum of 6 occasion every alternate year

LEAVE ON HALF AVERAGE PAY

- (1) **Leave admissible :**
The rate at which leave at half average pay can be earned is 20 days for each completed year of service. This applies to all the staff irrespective of class.
- (2) **Accumulation :**
Leave on half average pay can be accumulated upto any extent.
- (3) **Maximum Leave to be granted :**
Maximum leave on half-average pay that can be granted at one time is 24 months.
- (4) **Leave Salary :**
During leave on half average pay, the salary payable will be half of the substantive pay. But when leave is commuted then it will be on full substantive pay.
- (5) **Crediting of Leave :**
The Railway Board has decided that the Railway employees may be allowed the benefit of advance credit of leave on his average pay by crediting to their leave account on 1st January and 1st July each year. (R.B. No. E(P&A)I-85/JCM/NC-3 of 30-9-86 (N. R. , S. N. 7964)

COMMUTED LEAVE

Leave on half-average pay can be converted into half the period of such leave on average pay on medical grounds. The leave so converted is called “Commutated Leave.” The employee can ask for commutation of his leave on half average pay even if he has got leave on average pay at his credit in his leave account. (739R). The commutation of half pay leave

should be allowed where leave is required for an approved course of study, and upto a maximum of 180 days of half pay leave during entire service should be allowed to be commuted where such leave is utilized for an approved course of study.

On the expire of commuted leave, if the employee wants to retire voluntarily, the commuted leave shall once again be reconverted into half pay leave and excess amount drawn by the employee as leave salary shall be recovered. If, however, the retirement is thrust upon him by the reasons of ill health, incapacitating him for further service, no refund should be taken. (R. B. No. E(S)1-60 C.P.C./LE/3 of 20.09.60)

When commuted leave is granted, twice the amount of such leave shall be ebited against the half pay leave due.

Commuted Leave for approved Course of Study :

L.H.A.P. upto a maximum of 180 days shall be allowed to be commuted during entire service where such leave is utilized for an approved course of study i.e. a course which is certified to be in the public interest by the leave sanctioning authority. This provision is effective from 01.11.73 and is applicable to all Railway servants. (R.B. No. PC-III/73/LE/1 of 13.05.74 and 15.01.75)(N.R. S.N. 6035).

Any kind of leave i.e. LAP, Commuted Leave, L.H.A.P. etc. under C.P.C. Leave Rules may be granted in combination with or in continuity of any kind of leave. (R.B. No. E(S)62 CPC/LE/8 dtd. 28.01.63)

LEAVE NOT DUE

Except in case of leave preparatory to retirement, a permanent Railway employee may be granted "Leave not due" on half average pay for a period not exceeding 360 days in all, out of which not more than 90 days at a time and 180 days in all, otherwise than on medical grounds. This leave is granted in advance of its being earned and is debited against the leave on half average pay to be earned on resumption of duty.

Such leave is granted only in exceptional circumstances where there are reasonable prospects of the employee returning to duty and earning the leave (740-R). "Leave not due" cannot be granted retrospectively when the employee has resumed duty. If any employee who has been granted "Leave not due" intends to retire voluntarily either during such leave or on its expirY, the "Leave not due" granted to him shall be cancelled and his retirement shall take effect from the date of commencement of such leave. If he retires voluntarily he will be called upon to refund the leave salary already drawn. But if the retirement is on account of ill health, no refund will be insisted upon (R.B. No. E(S)1-61/CPC/LE/II of 14.08.62) If the

employee is retired compulsorily, the leave salary in respect of "Leave not due" will not be recovered . (R. B. No. E9S 67 CPC/LE/1 of 14.10.76) (N.R. S.N. 6653).

Even if the employee retires voluntarily or resigns of his own volition on other than medical grounds after returning to duty, he has to refund the leave salary drawn to the extent it has not been subsequently wiped off (R.B. No. E. (S) 65 CPC/LE/5 of 24.09.65). No recovery of amount of leave salary of should be made if the retirement of the Railway servant who has joined duty after availing himself of "Leave not due" is by reasons of ill health, incapacitating the Railway servant for further service or in the event of his death. (R.B. No. E(S) 67/CPC/LE/1 of 23.11.72) (N.R. S.N. 5791).

No recovery of leave salary shall be made if the employee has not subsequently earned half pay leave due to compulsory retirement on disciplinary grounds or due to premature retirement CRB No. E (S) 67(CPC/LE/1 of 4.9.81 (N.R. S. N. 7829).

Temporary Railway Servants :

Leave not due may be granted to temporary Railway servants also, who are suffering from T.B. , Leprosy, Cancer or Mental illness, for a period not exceeding 360 days during the entire service subject to fulfillment of the following conditions:

- (a) That the Railway servant has put in at least one year's service.
- (b) That the post from which the Railway servant proceeds on leave is likely to last till his return to duty.
- (c) That request for grant of leave is supported by a medical certificate
- (d) That the competent authority is satisfied that there is a reasonable prospect of the Railway servant returning to duty on its expiry and earning an equal amount of half average pay leave there after and:
- (e) That "leave not due" shall be limited to the half average pay leave, he is likely to earn thereafter and shall be debited against such half average pay leave (R.B.No. E(D&A)1-76/CPC/LE/3 of 11.03.77(N.R. S.N. 6734).

On the representation of A.I.R.F., the Railway Board has decided that while it is not possible to relax the aforesaid conditions, yet individual cases of hardship may be considered on merit and deserving cases referred to the Board for orders. (R.B. No. E(P&A) I-78/FE-2/5 of 6.7.81) (N.R., S.N. 7891)

Note : In case where "leave not due" cannot be granted, the grant of extraordinary leave will be irregular unless this is specifically applied for by the employee in writing. There is no objection to conversion of a leave as "leave not due" with retrospective effect if the authority so desires only in such cases where extraordinary leave or leave of any other kind was granted initially and not in respect of periods of unauthorized absence

(R.B. No. E (G) 64-LE28 25.09.65 and E (G) 72 LE 2-21 of 29.8.73) (N.R. S.N. 3197 & 5989)

EXTRAORDINARY LEAVE

- (a) As is apparent from the name itself, extraordinary leave is granted to an employee when no other kind of leave i.e. L.A.P. or L.H.A.P. is due to him. It may be granted to an employee who specifically applies for this leave although some other leave is admissible to him;
- (b) No leave salary is admissible to the employee during such leave and this leave is not debited to the leave account.
- (c) This leave can be granted in continuation of other leave except casual leave;
- (d) Period of absence without leave can also be commuted to extra-ordinary leave.
- (e) Maximum period of extra ordinary leave that can be granted at a time is 5 years inclusive of other leave , if any;
- (f) Temporary employee may be granted extraordinary leave for a period not exceeding 3 months at a time without a medical certificate and upto 6 months with medical certificate of common ailments;
- (g) In case a temporary employee is suffering from T.B. or Leprosy, 18 months' extraordinary leave inclusive of any leave on average pay, if due, can be granted to him.

Note : The extraordinary leave can be granted to temporary employees only if they have put in a minimum of one year' continuous service.

It has been clarified by the Railway Board that two spells of extraordinary leave if intervened by any other kind of leave are to be treated as one continuous spell of extraordinary leave for the purpose of Rule 732-R-I read with rule 742-R-I (R.B. No. E(S) 67 CPC/LE-1 of 5.10.74) (N.R. S.N. 6216)

- (h) The competent authority has discretion to allow extraordinary leave, to count for pension.
 - (i) if it is taken on grounds other than medical certificate
 - (ii) if it is taken due to inability of the pension concerned to join or rejoin duty to civil commotion or a natural calamity provided that he has no other type of leave to his credit, and
 - (iii) if it is taken for prosecuting higher scientific and technical studies.
- (i) In the matter of increment also, according to Rule 2022 (B) RII, extraordinary leave taken on account of illness covered by a medical certificate counts for increment. Further in accordance with item 8 in Appendix XXXII-R-II, powers have been delegated to competent authorities to make substantive appointment to the post which the Railway

servant holds, to allow at their discretion the counting of extraordinary leave in case where extraordinary leave is taken for cause beyond the Railway servant's control (R.B. No. F(E)II 71 PN/1/28 of 7.3.72) (N.R. S.N. 5605)

“Dies-non” The dies-non” period is taken as non-existing in the Railway servants career. Such period is neither counted as service nor it is constituted as break in service. When a period is treated as “ dies-non” it gives the concerned Railway servant continuity of service prior to and after the break for all purposes and period of break is not counted for any purpose.

Special Disability Leave:

- (a) The leave is granted to a Railway employee whether temporary or permanent, who is disabled by injury inflicted either intentionally by someone or caused during the course of performance of his official duties.
- (b) This leave is admissible only when the injury manifests itself within three months of the due of occurrence.
- (c) The period of leave that can be granted shall be such as is certified by the Authorised Medical Officer subject to a maximum of 24 months in respect of one disability.
- (d) Disability leave can be combined with any other kind of leave.
- (e) The leave salary admissible during such leave will be average pay for the first four months and half-average pay for the remaining period.
- (f) If the employee is governed by the Workmen's Compensation Act, then the amount of leave salary that is paid to him will be deducted from the amount of compensation payable under Workmen's Compensation Act.
- (g) Special disability leave (accidental) may be granted to a Railway servant who is disabled by injury accidentally caused or by illness incurred in the performance of any duty which has the effect of increasing his liability of illness. The period of absence from duty may be covered in part by leave under this rule or in part by the other leave, provided the leave on average pay will be less than the amount of L.A.P. as mentioned above.

The General Manager may grant this leave to both gazetted and non-gazetted staff, subject to report at the end of each year to the Board in respect of Special Disability/Accident. (R. B. No. F(X) 11-62-PW/4/3 of 9.3.64)

STUDY LEAVE

- (a) It is granted to a Railway employee for the purpose of :
 - (i) Higher studies or undergoing training in professional and technical subjects, having direct and close connection with the sphere of his

- duties;
- (ii) A study capable of widening one's mind in manner likely to improve his abilities as Railway servant;
 - (iii) Studies connected with the frame work or background of public administration;
 - (iv) A course of training or study tour, certified to be advantageous to Government from the point of view of public interest and related to the duties of Railway servant;
 - (v) Railway employees on the staff side of National Council under the J.C.M. Scheme, may be granted study leave by Railway Board, on the usual terms and conditions, if they secure admission for Management Training Courses in recognized institution in foreign countries. (R. B. No. F(E)70 LE 9/3 of 18.11.70) (N.R., S. N. 5155).
- (b) Study leave is not granted for academic or literary pursuits.
 - (c) Study leave should be liberally granted particular to scientific, technical and administrative staff.
 - (d) If such leave is for study outside India, the permission of Finance Ministry, Government of India should be obtained and release of necessary foreign exchange asked for.
 - (e) This leave can be granted for a maximum period of 24 months in the entire service of Railwayman and upto 12 months at any one time.
 - (f) During this leave availed outside India, the employee shall get salary at half average pay and study allowance at the current prescribed rates per day.
For courses of study in India, the leave salary payable during study leave shall be equal to the pay (without allowance) that the employee draws while on duty immediately before proceeding on such leave. No study allowance shall be paid during the period. The amount, if any, received by a Railway servant during the period of study leave as scholarship or stipend or remuneration in respect of any part time employment which used to be adjusted against study allowance under the existing rules shall hereafter be adjusted against the said leave salary subject to the condition that the leave salary shall not be reduced to an amount less than payable as leave salary during half pay leave (R. B. No. PCIII/73/LF/1 of 15.1.75) (N.R., S.N. 6035 A).
 - (g) On return from the study leave, the employee has no option to resign or retire for three years. For this purpose he will have to execute a bond before proceeding on leave. If the employee resigns within this period, otherwise than on medical ground, he will be required to refund

- (i) the actual amount of leave salary, study allowance, cost of fees, travelling and other expenses, if any, incurred by the Railway and
- (ii) the actual amount, if any, of the cost incurred by the other agencies e.g. foreign Government, foundations, trust etc. in connection with the course of study together with interest thereon at Government rates for the time being in force Government loan from the date of demand before his resignation is accepted or permission to retire is granted. (R.B. No. F(E)III/83/LE-1/9 of 16.10.85)(N.R. S.N. 8871)
- (h) Instances have come to the notice of the Railway Board where officers at the very beginning of their career on the Railways have gone abroad on study leave for 3 to 5 years and on return, had to be considered for rapid promotion from Junior Scale to Senior Scale and JA Grade without their having sufficient working experience on the Railways. In order to avoid such situations and to ensure that young officers gain sufficient working experience at the start of their career, the Board has decided that study leave abroad should not be granted to junior and senior scale Group "A" officers (including IRMS). Accordingly, no cases of study leave abroad pertaining to such officers should be recommended to Board for sanction. (R. B. No. F (E) III/92/LE-1/5 dated 25.6.92(N. R., S.N. 10651).
- (i) It has been decided by the Government to increase the limit of Study Leave combined with other kinds of leave with leave salary excluding Extraordinary Leave from 28 months to 36 months to Railway employees undergoing course of study leading to the award of Ph.D. degree, provided the study as well as the University/Institution are approved by the controlling authority and subject to fulfillment of various conditions regarding grant of Study Leave. (R.B. No. F(E)III/89/LE-1/5 dated 20.11.90). This provision is also applicable to Doctors pursuing P. G. Course in the field of medicine w.e.f. the academic year of 1993 (R.B. No. F(E)III/95/IE 1/1 dated 6.8.97) (N.R. S.N. 11445).
- (j) Study Leave will count as service for promotion but not for earning leave, other than L.H.A.P. under C.P.C. Leave Rules. (R.B. No. F (E)64/LE-9/2 of 4.5.64).
- (k) Study Leave to gazetted staff may be granted by the Railway Board. The General Manager may grant such leave to non-gazetted staff provided the course and institution to be attended have been recognized by general or specific orders of the Railway Board (R.B. No/ F(E) 63 LE9(1) of 26.6.63 and F(E)57/SR (1) of 30.12.60).
- (l) Study Leave shall not be granted to Railway servants who are on deputation to other departments and vice-versa (R.B. No. F (E) 66 LE 9/1 of 18.7.66) (N.R. S.N 3556).

- (m) Study Leave cannot be granted to those with less than 5 years service and to those who are due to retire within 3 years of the return from study leave.

A Medical Officer may be granted study leave for prosecuting a course of post-graduate study in Medical Science in India, if the Head of the Medical Department certifies to the effect that such study shall be valuable in increasing the efficiency of such Medical Officer in the performance of his duties. For post-graduate study in medical science abroad, study leave shall be granted if the Director General of Railway Health Services certifies that such study shall be valuable in increasing the efficiency of such Medical Officer for the purposes of his duty.

The General Managers while considering the proposed for grant of study leave shall satisfy themselves that more than the required number of Specialists are not already available and that the work can be managed without substitute during the absence of the officer who had been granted study leave and that not more than 5 doctors on each of the Central, Eastern, Northern, Southern, South Central, South Eastern and Western Railways and 3 doctors each on North Eastern and North-East-Frontier Railways are granted study leave in a year. The production units may however grant study leave to not more than one medical officer in a year (R.B. No. F(E)III/89/LE-1/5 dt. 19.2.90) (N.R. S.N. 10101).

The Railway Board has decided that Study Leave will be granted only in those cases outside India for super-specialization in subjects or courses leading to Ph. D which are of advantage to the Railways. Such cases can be processed and sanction granted with the personal approval of the General Manager, subject to the following instructions.

- (i) Leave abroad should not be granted to Junior Scale/Senior Scale officers including IRMS.
- (ii) The subject of study of super-specialization or the course leading to Ph D should be directly related to the sphere of duty and certified as such by the Head of Department. The Head of Department will also certify that such study will enable the officer to keep abreast with the modern developments and improve his technical standards, which will substantially benefit the Railways.
- (iii) The grant of study leave will not involve any grant of study allowance which is in foreign exchange.
- (iv) The study leave out of India shall not be granted for prosecution of studies on subject/courses for which adequate facilities exists in India or under any of the schemes administered by the Department of Economic Affairs of Ministry of Finance or by the Ministry of Education (R.B. No. F (E) III/92/LE/5 dated 7.10.1994 (R.B. E. No. 82/94).

MATERNITY LEAVE

- (a) Maternity Leave may be granted to female Railway employees for a period of 180 days.
- (b) This leave can also be granted irrespective of number of surviving children in case of miscarriage or abortion for a period not exceeding 45 days during entire service..
- (c) Such leave is not debited to the leave account of the employees.
- (d) Leave of any other kind including commuted leave may also be granted in continuation of maternity leave, upto a maximum of one year without production of medical certificate. (R..B. No. F (E) III 76/LE1/1 of 23.1.78) N.R. S.N. 6942) (R.B. No. E (P&A)I/86/ CPC/LE/9 dated 1.2.91) (N.R., S.N. 10366).
Further leave in continuation may be granted on producing medical certificate for the illness of female employee or newly born child (R.B. No. F (E) III/76/LE/1/1 of 24.10.78) (N.R. S.N. 7154).
- (e) A temporary female employee is also entitled to this privilege.
- (f) This leave may be granted for a period of 135 days from the date of its commencement.
- (g) Female casual labourers with temporary status are also entitled to all benefits of maternity leave irrespective of length of temporary status service. (R. B. No. E(P&A) I/90/CPC/LE/9 dated 25.6.91)(N.R. S.N. 10476) (R.B. No. E (NG) II/77/CL/1 of 3.4.77 (N.R. S.N. 6770)
- (h) Maternity leave may be granted to ad-hoc female employees on the basis of medical certificate, provided their appointment is likely to continue till the period of leave expires and they are likely to be retained in service there after (R.B. No. E(NG)II/75/SB/7 of 1.1.79 (N.R.S.N. 7243 A).
- (i) Maternity leave may not be allowed to women employees having two children.
- (j) Maternity leave is admissible even to unmarried female Railway Servants (R.B. No. E (P&A) I-86/CPC/LE-7 of 3.7.86) (N.R. S.N. 9011).
- (k) Maternity leave on account of miscarriage/abortion restricted to 45 days can be granted in the entire service career of a female employee. In calculating number of days of maternity leave, such maternity leave availed by a female employee shall not be taken into account (R.B. No. E (P&A)I-94/CPC/LE-6 of 12.9.94) (R. B. E. No. 70/94)
Child Care Leave : Maximum of 2 years upto 2 surviving children till

attaining the age of 18 years

Child Care Leave

Consequent upon recommendation of the Fifth State Pay Commission for introduction of 'Child Care Leave' in favour of female State Government Employees, the matter has been under consideration of the Government for some time past.

After careful consideration of the matter, the undersigned is directed by the order of the Governor to say that the Female Govt. Employees having minor children may be granted Child Care Leave (CCL) by an authority competent to grant leave, for a maximum period of two years (i.e. 730 days) during their entire service period for taking care of upto two children upto 18 years of their age whether for rearing or to look after any of their needs like examination, sickness etc. subject to the following conditions:

- (i) During the period of such leave, the female employees shall be paid leave salary equal to the pay drawn immediately before proceeding on leave.
- (ii) It may not be granted in more than 3 (three) spells in a calendar year.
- (iii) It may not be granted for less than 15 days in a spell.
- (iv) Child Care Leave shall not be debited against the leave account.
- (v) It may be combined with leave of the kind due and admissible.
- (vi) Child Care Leave should not ordinarily be granted during the probation period except in case of certain extreme situation where the leave sanctioning authority is fully satisfied about

PATERNITY LEAVE

A male Railway servant (including an apprentice) with less than two surviving children may be granted paternity leave for a period of 15 days during the confinement of his wife i.e. within 180 days from the date of delivery.. During the period of such leave, he shall be paid leave salary equal to the pay drawn immediately before proceeding on leave. The paternity leave shall not be debited against the Leave Account and may be combined with any other kind of leave. These orders take effect from 7.10.1997 (R..B. No. E (P&A)/I-97/TPT/LE-6, dated 10.11.1997.).

HOSPITAL LEAVE

- (a) Hospital leave is granted to all classes of Railway servants (except gazetted officers) when they are under medical treatment for injuries

sustained on duty. The fact that the injuries were the result of carelessness on the part of the employee is immaterial.

- (b) The salary to be paid to the employee while on Hospital leave will be either average pay, or half average pay, as the authority granting leave may consider necessary.
- (c) The Railway Board has decided not to grant any general relaxation in the provisions of Hospital leave as incorporated in Rule 554-F-I which restricted grant of Hospital leave on leave salary (i) equal to the leave salary while on Average Pay for the first 120 days of any period of such leave, and (ii) equal to leave salary during half-pay leave for the remaining period of any such leave. The Railway Board has, however, decided that individual cases meriting sanction of Hospital leave beyond a period of 120 days on leave salary equal to leave on average pay may be referred to the Railway Board with the personal recommendations of the General Manager for relaxation of the Rule on case-to-case basis (R.B. No. E(P&A)I-89/JCM/DC-5 dated 21.8.1991) (R.B.E. No. 148/91

In partial amendment, the Railway Board has decided that the Divisional Railway Managers/Chief Workshop Engineers are Empowered to relax the provisions of Rule 554-R.1. (1985 Edition) in individual cases, meriting sanction of Hospital leave beyond a period of 120days on leave salary equal to leave on average pay, subject to such cases being reviewed by the Medical Superintendents and concurred in by Senior Divisional Accounts Officer/Associate Accounts Officer. (R.B. No. E (P&A)-I-89/JCM/DC-5 dated 14.1.1993).

It has further been decided that the Heads of Non-divisional units, such as Workshops, Stores, Depots, Zonal Training Centres etc. in the Junior Administrative Grade/Selection Grade are also empowered to sanction Hospital Leave beyond a period of 120 days in relaxation of the provisions of Rule 554. R-1, (1985 Edition) in individual cases meriting sanction of Hospital leave beyond 120 days on leave salary equal to leave on average pay (R. B. No. E (P&A) I-89/JCM/DC-5 dated 22.6.1993 (R.B.E. No. 97/93).

- (d) It can be combined with any other leave provided the total leave does not exceed 28 months.
- (e) Officiating arrangement can be made during the currency of Hospital leave.
- (f) Hospital leave is not admissible to casual labour, but is admissible to an apprentice (R.B. No. E-54-LE 5/1/3 of 19.11.55) as leave and not duty (R.B. No. E(NG)60 P. M./1-31 of 23.5.61)
- (g) In case of Railway servant to whom Workmen's Compensatory Act, 1923 applies, the amount of leave salary payable during Hospital leave shall be reduced by the amount of compensation payable as half monthly payment. When a disablement considered at first as temporary, proves to be permanent and compensation is payable, the leave salary shall be

- restored to the full amount admissible under the rule.
- (h) Hospital leave is not admissible to an employee from the date he is declared permanently unfit for service.
 - (i) The authority granting hospital leave may decide to grant half pay leave in the following cases.
 - (i) When the employee does not co-operate with his medical attendant and his progress has, therefore, been retarded ; and
 - (ii) When there is an element of negligence or disregard of rules on the part of the employee, which has contributed to the accident involving injury or illness of the employees.
 - (j) A Railway servant whose limb has to be amputated as a result of an injury on duty, the period from the date of healing of the wound to the date of fixing the artificial limb plus journey time till he is fit for duty should be treated as Hospital leave. (R.B. No. F (E) 61-LE-4/1 of 28.10.61) This rule will also apply when such staff has to remain absent from duty for the replacement of artificial limb or for obtaining a spare limb. (R.B. No. 64/H/1/16 of 26/27.10.64)

CASUAL LEAVE

- (a) Casual leave is granted for unforeseen casualties or for private and personal work.
- (b) It is not considered as absence from duty, as such there is no reduction of privilege while on casual leave.
- (c) Total amount of casual leave that can be granted to Railway servants who are eligible to avail themselves of all public holidays and workshop paid holidays, is limited to 8 days in a calendar year. The staff whose nature of duties are such as not to permit them to enjoy holidays are entitled to 10 days casual leave in a year. (R. B. No. E(G) 98 IE, 1.1 PC-V/36 dated 20.2.98)(N.R. S.N. 11466)
- (d) Public Holidays including Sundays, closed Saturday and weekly of falling, within a spell of casual leave will not count as casual leave (R.B. No PC-60/LE-7/1 of 23.4.60 and 24.8.60). The total period of absence may exceed the total amount of casual leave admissible (R. B. No. E(G)97LE1-5 of 5.8.67.
- (e) Casual leave including compensatory casual leave in lieu of attendance on Sunday cannot be combined with any other kind of earned leave except quarantine leave. (R.B. No. E(G) 59-LE 1-5 of 31.11.59).
- (f) Casual leave if not availed during the calendar year will lapse with the close of the year and cannot be carried forward.
- (g) Full amount of casual leave can be granted to an employee who joins service in the second half of the year.
- (h) The school staff is also entitled to casual leave just as other Railway staff but vacation cannot be affixed or prefixed to such leave (R.B. No. E 55

LE2/74/3 of 27.7.55.

- (i) The Workshop staff will also be entitled to 8 days casual leave in a year (R.B. No. E(G) 70LE 1/15 of 2.2.72 (N.R. S.N. 5585).

Certain other categories of staff in Workshops not strictly covered by the term "Workshop Staff and Staff in Printing Presses and Stores Depots" should also be granted 8 days casual leave as well as 15 paid holidays (R.B. No. E(G) 70 LE I-5 of 22.4.72)(N.R. S.N. 5637).

Apprentice Mechanics under training in Railway Workshops and also other Apprentices (who are not governed by the Apprentices Act 1961) attached to the Workshop and Printing Presses, who were getting only 15 paid holidays will, in addition be entitled to the casual leave of 8 days in a calendar year. (R.B. No. E (G) 70 LE 1-5 of 22.6.73)(N.R. S.N. 5932).

- (j) On the day when there are two periods of the working in the workshop absence during either of the two periods will be treated as casual leave for half a day and if there is only one period working on that day absence during that period will be treated as casual leave for a day (R.B. No. E (G) 72 LE 2/41 of 10.4.73) (N.R. S.N. 5882).
- (k) Half day's casual leave may also be granted and can be combined with fully day's casual leave. For grant of half day's casual leave to office staff, the lunch interval is to be taken as the dividing line.

Since the grant of half day's casual leave is permissible, the staff should not attend the office late or leave the office earlier without obtaining half day's leave.

Late arrival in office may, however, be condoned by the officer-in-charge of the section upto the extent of one hour on not more than two occasions in a month, provided he is satisfied that it is due to unavoidable reasons like illness in the family, late running of train/bus etc.

For each late attendance on the 3rd and successive occasions in a month half day's casual leave should be debited to the casual leave account of the employee. When casual leave is not due to the employee disciplinary action may be taken against him (R.B. No. E (G) 65 LE 2-29 of 6.11.65 and E(G) 66 LE-2-32 of 12.6.67).

- (l) If a Railway servant has availed half day's casual leave in the afternoon and had no casual leave due to be credit to cover his absence on the following days because of his sickness or other compelling circumstances, he may be permitted as an exception to the general rule, to combine that half day's casual leave with other regular leave granted to cover his absence for the following day. To avoid this, employee should satisfy himself that he would be in a position to attend office on the next working day before he avails half day's leave (R. B. No. E(G) 65 LE-2-29 of 25.6.66).

If an employee who has no casual leave to his credit, comes late without sufficient justification and the administrative authority concerned, is not prepared to condone the late coming but does not, at the same propose to take disciplinary action, it may inform the employee concerned that he will be treated as on unauthorized absence for the day on which he has come late and leave it to the official himself either to the consequence of unauthorized absence or to apply for earned leave or any other kind of leave due and admissible for the day, as he may choose. In case he applied for earned leave or any other kind of leave admissible for the entire day, the same may be sanctioned by the competent authority. (R.B. No. E (G) 82-LE-1-10 20.9.82) (N.R. S.N. 8176).

It has been further clarified by Railway Board that the above orders are not applicable to Railway employee who are governed by the provisions of Payment of Wages Act and industrial Dispute Act, (R.B. No. E(G) 82-LE-1/10 of 14.3.83 (N.R. S.N. 8276).

- (m) The G.M. may delegate powers to Senior Supervisory staff in the grade of RS. 5000-8000(R.S.) and above to sanction casual and earned leave upto 15 days to Class-III and Class-IV (Group "C" and "D" staff working under them. The G.Ms. may also delegate these powers to Supervisors in grades before RS. 5000-8000 (R.S.) also (R.B. No. E(G) 70 LE 2 –5 of 19.3.71) (N.R. S.N. 5340), These instructions will continue on permanent basis (R.B. No. E(G) 76 LE 2-40 of 4.11.78) (N.R. S.N. 7168).

SPECIAL CASUAL LEAVE

- (a) The special casual leave can be granted in the following cases:
- (i) Employees, who are Boy scouts or Rover Scouts for attending camps or rallies or when engaged on scouting duties. Special casual leave in respect of leader trainer/assistant leader trainers whose services are utilized for imparting training to scouts/guides can be granted leave upto the extent of 45 days in a calendar year.

Special casual leave beyond this limit can be granted with the approved of the Railway Board (R.B. No. E (W) 86/WE6-3 of 4.12.86) (N>R. S.N. 9151-A).
 - (ii) Employees participating in well-established athletic contest and sports tournaments, mountaineering expeditions may also be treated as sports activity.
 - (iii) Employees attending courts as jurors or assessors with the permission of executive officer.
 - (iv) For donation of blood for one day.
 - (v) For appearing in Hindi Examination conducted by Home Ministry.
 - (vi) For attending meeting with officers as representatives of

recognized unions.

- (vii) For appearing as defence counsels in departmental enquiries.
- (viii) Special casual leave is also admissible to the Railway servants who are members, delegates of members, managing committee members and office bearers of the Co-operative Societies when they have to remain absent from their duties to attend the meetings. Members elected and nominated to sub-committees may also be granted special casual leave (R.B. No. E(G) 64 LE1-10 of 17.6.66 and 16.11.70) (S.N. 5199).
- (ix) Railway servants participating in various meetings of Kendriya Sachivalaya Hindi Parishad may be granted special casual leave to the extent as mentioned in R.B. Letter No. E (G) 76 LE/24 of 17.12.76 (N.R. S.N. 6696).
- (x) For attending coaching camps organized by the Railway Sports Control Board and coaching camps organized by National Sports Federation to which participants are sponsored by Railway Sports Control Board (R.B. No. E (W) 72-Spl-4 of 24.1.81) (N.R. S.N. 5781).

Participation by Railway teams sponsored by Zonal Railways in All India major tournaments may be considered as participation in event of national importance for granting special casual leave (R. B. No. E (W) 72-Spl. 1-4 of 3.7.79(N.R. S.N. 7333)

The Railway employees who are NIS (Patiala) coaches when deputed for coaching from one Railway to another Railway may be treated on duty for a limited period of 15 days at a stretch. The total period for which a Railway employee may be so deputed in one calendar year shall not exceed 30 days. Such deputation of a Railway employee who is NIS (Patiala) coach, from Railway to another Railway shall be authorised only Railway Sports Control Board in Railway Ministry.

Railway sportsmen participating in National Championships may be treated as on duty for the period of participation in the events including the period of journey to and from the place of the events.

Period of absence of the Railway employees who are nominated as coaches or managers or assistant managers of the Indian Railway teams participating in the National Championship in the various sports discipline held from time to time be treated as on duty as follows:

- (a) Coaches – 15 days prior to the commencement of the National Championship concerned for imparting training to Railway sportsmen in a coaching camp when organized.
- (b) Managers or Asst. Managers- Three days prior to the commencement or during the coaching camp for one of the officials.

Note : In both the cases, prescribed period excludes journey time for outstation coaching camp (R. B. No. E(W) 72ST-4 of 2.8.84)(N.R. S.N. 8605).

Railway sportsmen participation in training camps for a period not exceeding 30 days prior to the National Championships may also be treated as on duty in addition to the period of participation in the actual events as indicated in the foregoing para (R.B. No. E(W) 72 Spl/1-4 of 24.1.81)(N.R. S.N. 7762 and S.N. 8724).

Participation by Railway teams sponsored by Zonal Railways in All-India major tournaments may also be considered as participation in events of National importance for granting special casual leave.(R. B. No. E (W) 72/Spl/1-4 of 3.7.79 (N. R. S. N. 7333).

The Railway Administration may sanction special casual leave upto 30 days to sportsmen for participation in “ordinary sporting events” and upto 90 days for participation in “events of national and international importance” exclusively. These limits of 30 days /90 days will have to be applied for ordinary /national and international events separately and they should not be clubbed. In other words, it is not the intention to apply an overall limit of 120 days for participation in ordinary events and national and international events.

The existing ceiling limit of 30 days special casual leave for National Tournaments in which the Railwaymen participate as members of State team, shall stand increased to 45 days for the aforesaid purpose only (R. B. No. E (W) 85/SPI-3 of 11.6.85) (N.R. S.N. 8755).

The General Managers have been given full powers to sanction special casual leave for such periods as considered necessary without any upper limit, to Railway employees sponsored by R.S.C.B. for participation in sporting “ events of national and international importance “ exclusively. (R. B. No. E (W) 81/501/3 of 19.9.81) (N.R. S.N. 7915).

Note :

- (1) Special casual leave granted for participation in sporting events/tournaments may be combined with ordinary casual leave or regular leave. (R. B. No. E (W) 60 SPI-26 of 30.1.61)

Special casual leave granted to Boy scouts or Rover scout for attending camps or rallies or when engaged on scouting duties may be permitted to be combined with casual leave or recorded leave when sanctioned on scouting duties. However, when regular leave is granted in combination with special casual leave, casual leave will not be granted in combination. (R. B.No. E (W) 80/6-2 of 5.1.83) (N.R.S.N. 8378).

The Railway employees who are granted special casual leave for scouting

duties and suffer injuries while on such special casual leave for scouting /guiding activities and are hospitalized, the period during the treatment of such injuries should be regularized as special casual leave subject to the overall limit of special casual leave of 30 days in a calendar year. (R. B. No. E (W) 89/SPL-4 OF 12.8.83 (N.R. S.N.8378).

- (2) Sundays and holidays falling within a spell of special casual leave granted to Railway servants for participation in sports and hourly permission granted to them for practice session should be excluded from the total number of days of special casual leave admissible to the employees concerned (R. B. No. E (W) 67 SP 1/15 of 5.10.68) (N. R. S.N/ 4482).
- (3) When Railway employee are spared for attending to practice session of sports, they may be allowed to ;remain absent from duty with prior permission. (R. B. No. E(W)67 SP 1/15 of 24.7.69 (N.R. S.N. 4848)
- (4) Apprentices undergoing training in the Railway Technical Schedule under Apprentices Act, 1961 should not be granted special casual leave on sports account (R. B. No. E (W) 69 Spl. 7 of 3.9.71) (N. R. S.N. 5435)
- (xi) Special casual leave may be granted to staff rot their absence due to Bundh, Curfew, other disturbances, etc. The period of absence spent at outstations by Railway employees who proceeded on duty or on leave and could not return to the headquarters due to dislocation of train services on account of floods, may also be treated as special casual leave.

Special casual leave in cases mentioned above may be granted by the Head of the Department and all such cases should be reported to the Railway Board (R. B. No. E (LR)-II-79 ST-2/2 of 24.8.79) (N. R. S.N. 7392).

These orders do not cover the cases when the Railway employees could not reach their office/duty place because of disorganization of train service caused due to train accidents/floods, as a result of heavy rain etc. Such cases should be referred to the Railway Board before regularizing the absence in such cases as a special Casual Leave. (R, B. No. E(L.R) II 79-ST-2-1 of 1.11.81) (N. R. S. N. 7933).

On reconsideration, the Board have clarified that in such cases also the Railway Administration can grant special casual leave but continue to send a report to them. The competent authority should be satisfied that in all such cases no other mode of transport was available which could have been availed of by the employees to reach their place of duty. In case State Transport or other private transport was available, it would not be justified to grant special casual leave. In such cases, the competent authority should consider each case on merits and decide the same under

their powers (R. B. No. E (LR) II 81/ST-2-1 of 28.4.82) (N. R. S. N. 8049)

- (xii) The period of absence from duty of Railway employees participating in Trekking expedition may also be regulated by the grant of special casual leave not exceeding 30 days in a calendar year provided the expeditions has the approval of Indian Mountaineering Foundation and the period of 30 days special casual leave is not exceeded (R. B. No. E(W)85/Spl-4 of 16.7.85) (N. R. S. N. 8799)
 - (xiii) Special casual leave not exceeding fourteen working days is admissible to married female Railway servants who undergo tubectomy operation whether puerperal or non-puerperal. 14 days special casual leave is again admissible if a female employee undergoes the operation for the second time in the event of failure of tubectomy . (R. B. No. 70/H/FW/29/1 of 23.10.70).
 - (xiv) One day's special casual leave is admissible to married female Railway servants who have I. U. C. D. insertion. (R. B. No. 67/H/FP/6/1 of 16.3.67). Special casual leave for one day may be granted for re-insertion of I.U.C.D. also9 (R. B. No. 78/H/FW/9/5 of 11.6.81) (N. R. S.N. 7854).
 - (xv) Special casual leave not exceeding six working days is admissible to those Railway servants who undergo Vasectomy operation, (R. B. No. 77/H/FW/29/75 of 2.2.78) (N. R. S. N. 6950).
 - (xvi) Special casual leave upto 7 days to male Railway servant whose wife undergoes a puerperal tubectomy for the first time or second time due to failure of the last operation.
 - (xvii) Additional special casual leave for treatment of post-vasectomy and post-tubectomy complications like Haematoma and sepsis. In addition to six days and 14 days ordinarily admissible may be granted by Railway Administration on production of a certificate from the concerned hospital authorities/authorised medical attendant where he/she was hospitalized for the post operational complications (R. B. No.77/H/FW/9/5 of 2.2.78) (N. R. S. N. 6950)(R.B. No. 75/H/FP/9/2 of 31-3-76 (N. R. S. N. 6516) and (R. B. No. 71(H) FP/32/2 of 26-8-71) (N. R. S. N. 5422).
- Special casual leave in case of post-vasecutomy/tubectomy operation complications not requiring hospitalization should be restricted in 7/14 working days respectively as the period of special casual leave in such cases cannot be unlimited (R. B. No. 78/H/(FW) 9/5 of 11-6-81) 9n. R. S. N. 7854).
- (xviii) Special casual leave is also admissible to the Government servants (mentioned below) who undergo operation for recanalisation :

- (a) who are unmarried, or
- (b) who have less than two children, or
- (c) who desire for substantial reasons, e.g., a person who has lost all male children or female children after vasectomy/tubectomy operation performed.

In such cases special casual leave upto a period of 21 days or actual period of hospitalization as certified by the authorised medical attendant, whichever is less may be granted. In addition, the minimum journey period

actually required and spent for to and from journey performed for undergoing his operation (R, B. No. 78/H/FW/1Pt. I of 1-7-78) (N. R. S. N. 7076).

- (xix) Female Government employees who undergo salapingectomy operation after medical termination of pregnancy (MTP) may be granted special casual leave not exceeding 14 days.
- (xx) Male Government employees whose wives undergo tubectomy and salapingectomy operation after medical termination of pregnancy may be granted special casual leave up to 7 days subject to the production of medical certificate stating that their wives have undergone tubectomy /salapingectomy operation after M.T.P. It shall not be necessary to state in the certificate that the presence of Central Government employee is required to look after the wife under her convalescence

Note :

- (1) Special casual leave connected with sterilization and recanalisation under Female Welfare Programme may be suffixed as well as prefixed to regular leave on casual leave, However, special casual leave should not be allowed to be prefixed both to regular leave and casual leave. Special casual leave should either be prefixed to regular or to casual leave but not both. Similarly, special casual leave may be suffixed either to regular leave or to casual leave and not both. The intervening holidays and/or Sundays may be prefixed/suffixed to regular leave, as the case may be (R. B. No. 78/H(FW)9/5 of 11.6.81) (N. R. S. N. 7854).
- (2) Daily rated staff (casual labour) on the Railway and Projects who are in employments for at least 3 months continuously and are likely to remain in service for 3 months after the operation are entitled to wages for the periods mentioned in the above rules, if they undergo sterilization on I.U.D. insertion (R. B. No. 66/H/FW/6/74 of 15.3.72).
- (3) Special casual leave may also be granted to the eligible canteen employees for promoting small family norms under the above (R. B. No.)

ABSENCE OF SPORTSMEN TREATED AS DUTY.

- (1) The question of treating the period of participation of Railway Sports persons and officials in Inter Railway Championship organized under the auspices of Railway Sports Control Board has been under consideration

of the Board. After careful deliberation, the Board have decided that participation of specified number of team, including officials, sports persons in various Inter Railway championship in team event or individual events and technical officials be treated as duty.

- (2) While the sports persons, who broadly qualify for this facility have been included in the List of Annexure "A", RSCB will circulate the particulars of such teams/sports persons, technical officials before organization of the various Inter Railway Tournaments).
- (3) The following safeguards must be observed with a view to preventing any misuse of this facility and their compliance ensured:-
 - (i) Only actual participation days of the Inter-Railway Championship plus to and fro journey period is to be treated as "on duty"
 - (ii) Preparatory camps, prior to participation in Inter Railway Tournament will continue to remain as on SCL.
 - (iii) Actual duration of various Inter-Railway Tournaments will not exceed on period specified in Annexure "B"
 - (iv) In the team games, the maximum number of members and the officials accompanying a team will be as specified in Annexure "B".
 - (v) Number of referees , umpires, technical officials required for proper conduct of the Inter-Railway Tournaments, will be specified in Annexure "B".
- (4) The entitlement of these sports persons to SCL, will automatically get curtailed with Inter-Railway participation being treated as "Duty".
- (5) These orders take effect from 1.9.1991. (R. B. No. E (W) 89/Spl-1 dtd. 4./9.10.91) (N. R. S. N. 10614).

THE RAILWAY SERVANTS (PASS)RULES 1986

The Committee on Subordinate Legislation-VI Lok Sabha in their 14th Report recommended that the existing instructions regarding issue of Passes and Privilege Ticket Orders to railway servants should be replaced by statutory rules so that these instructions will acquire legal authority.

In compliance of the above said recommendation of the Committee on Subordinate Legislation, the “ Railway Servants Pass Rules -1986” have been framed. These rules together with schedules were brought out as publication (First edition) in August 1986. Additions alternations/ modifications to these Rules made subsequently, have been suitably incorporated and brought out as a Revised edition (Second edition)”.

In exercise of the powers conferred by the proviso to Article 309 of the Constitution, the President hereby makes the following Rules, regulating the issue of Passes and Privilege Ticket Orders to Railway servants for travel by train namely: -

1. Short Title, Commencement and Application - (1) These Rule may be called the Railway servants (Pass) Rules, 1986
 2. They shall come into force on the date of their publication in the Official Gazette.
 3. Except where specifically provided to the contrary they shall apply to all railway servants under the administrative control of the Ministry of Railway (Railway Board) but shall not apply to :-
 - (i) an apprentice engaged under the Apprentices Act:
 - (ii) a person in the casual employment or employed on daily wages:
 - (iii) any person under the administrative control of the Ministry of Railway who by a general or special order is, excluded from the facilities of Pass or Privilege Ticket Order under these rules.
2. **Definitions** : In these Rules, unless the context otherwise requires:
- (i) Adopted child means child for whom there is satisfactory proof of adoption irrespective of the fact whether such adoption is permissible or not under the personal law governing the railway servant concerned.
 - (ii) **Attendant** :- means a person exclusively employed on salary in the personal service of Railway Servant.
 - (iii) Dependent relative in relation to railway servant, whose father is not alive means :-
 - a) Mother including a divorced mother
 - b) unmarried or widowed sister
 - c) brother step-brother under twenty one years of age provided he resides with and is wholly dependent on the railway servant.
 - d) invalid brother of any age and

- e) brother who has attained the age of twenty one years and is a bonafide student of a recognized educational institution.
- f) Widow mother-in-law to Female employee who have been appointed on compassionate ground on demise of her husband.

3) Family includes :

- (i) Spouse of a railway servant whether earning or not
- (ii) Son or sons who have not attained the age of 21 years and are wholly dependent on the railway servant.
- (iii) Son or sons of the age of 21 and above who are :
 - a) bonafide students of any recognized educational institution
 - b) engaged in any research work and do not get any Scholarship/ Stipend;
 - c) invalid, on appropriate certificate from Railway Doctor.
- (iv) unmarried daughter of any age whether earning or not
- (v) Widowed daughter provided she is dependent on the railway servant;
- (vi) legally divorced daughter who is dependent on the railway servants;

3. “ Recognized educational Institution” for the purpose of these Rules means any school, college, university or institution recognized by the Government for imparting education or training in any discipline-general technical professional.

KIND OF PASS

1) Duty Pass: A railway servant may be issued a duty pass for performing journey while on duty. The categories of railway servants, the circumstances and the conditions under which a duty pass is issued and type of passes issued are as under:

Following are the different types of Duty Pass:-

A) **Gold Pass:** This Pass is issued to the Chairman Railway Board. Member Financial Commissioner and the General Managers on Indian Railways, Production Units and Chief Commissioner for Railway Safety and all heads of Institutional units where the posts are managed at the level of General Manager. It is available on Indian Railways with wife and minor children. Gold Pass holder while travelling with members of his family may not have more than two berths in First Class ACC or not more than four berths in Second ACC Sleeper.

The facility of companion on post-retirement account will be available only when the retired Board Member travels alone unaccompanied by eligible members of family. (RB's No. E(W)97/PS 5-1/23 of 3.6.98; RBE 124/97)

(B) **Silver Pass:** This Metal Pass is issued to all Senior Administrative Grade Officers. Entitles the holders to travel by ACC 1st Class and the family shall be eligible to travel in ACC 1st Class. On payment of 1/3rd difference of fare between ACC 1st Class and 1st Class subject to reserving a maximum number of four berths.

(C) **Bronze Pass with First AC authority**: Regular J. A. Grade Officers who has completed three year service can travel in ACC 1st Class and for family 1/3rd difference is payable subject to restriction of berths.

(D) **Bronze Pass** :It entitles an officer to travel with his wife, minor children in 1st Class subject to allotment of not more than four berths.

(a) **Cheque Pass**: It is issued to individuals whenever the occasion arises to proceed on duty. Duty passes to the Gazetted Officers will cover their wife/husband and minor sons and daughters but they are permitted to reserve only two berths or coupe.

2. Privilege Pass: These are the passes issued to the serving employees and include passes issued on School account. These passes are debited to the pass account of the individual employee. The scale of passes to be issued to Railway servants is as under.

(a) Group "A" & "B" (Gazetted Officers): This category of staff are entitled for First Class 'A' pass white in colour. They are entitled for 6 sets of passes and 4 sets of PTOs during the calendar year and enjoy to travel in any class other than ACC 1st Class, in any train other than Rajdhani Express, with 140 kg. Of luggage for each adult member and 70 kg. For each child, with one attendant in second class and can travel in 1st Class ACC on payment of 1/3rd of difference between the fare of 1st Class and 1st Class ACC.

3. Group "C" The pay for determining the entitlement of 1st class pass is mentioned in para 2 above and other than those are entitled for second-class pass. They are granted one set of pass upto the end of 5th year of service and 6 sets of PTOs during the calendar year.

Note : The period of apprenticeship of apprentices can be taken into account to determine the eligibility for three sets of passes after their absorption against regular posts.

4. (R.B.'s No. E(Trg.)64-PS5-1/16 of 1-12-64 and E(W) 94 PS5-1/7 of 27.9.94)

5. Group "D" This category of staff are entitled for second class pass and eligibility of passes and PTOs are the same as mentioned for group "C" above.

6. Note : 1 Note more than the two dependents can be included in pass/PTO subject to the condition the total number of persons in the pass PTO shall not exceed five. This limit will not apply if only family members are included in the pass/PTO. A dependent relative in relation to a Railway servant shall be deemed to be wholly dependent on railway servant only if/his/her income w.e.f. 1.7.97 from all sources including pension, dearness relief does not exceed RS. 1,695 p.m.

7. (R.B.'s No. E(W) 87-PS5.1/3 of 6.2.91 amended by RB's No. E(W)97-PS 5-1/71 dtd. 27.2.98; RBE 51/98)

8. When the railway servant himself or a member of his family or a dependent of railway servant in active service who is blind in both eyes travel alone on privilege pass, one attendant may be allowed to travel in the same class in which the blind person is travelling. This facility is granted on production of a certificate from Distt./Divl. Medical Officer of Railway.

9. Privilege pass for both single and return journey shall be valid for four months from the date of issue. PTO for both outward and return journey shall be valid for three months. Passes/PTO shall be issued for journey from starting station to destination station as desired by railway servant, via. Direct route, provided that a longer route may be permitted on the passes and PTOs if :

10. two alternative route are available for destination, for example Bombay to Calcutta via Nagpur or Via Allahabad and Bombay to Delhi by Central Railway or by Western Railway- such passes may be permitted by either route irrespective of the distance involved; or

11. the distance to destination via a longer route preferred by railway servant does exceed 15% of the distance via the direct route; or

12. The longer route to destination is quicker than the direct route irrespective of distance involved.

13. Break journey is permitted only where it is mentioned on pass and an endorsement is to be taken on the back of pass from the station when the journey is broken.

14. If both husband and wife are railway servants, passes are granted both of them on each other's account.

15. Apprentices are also entitled passes as admissible to Railway employees but the passes are not issued to the families of apprentices.

16. Passes issued to railway servants should be made available by Mail train irrespective of any distance.

17. Those employees recruited after 30.06.87 shall be eligible for 4 seats of PTOs during year, thus bringing them under the purview of scheme of entitlement of passes to widow/widows after their death while in service or after retirement.

Period of availability:

18. Both Outward and return journey passes shall be made available for period of 5 months.

19. PTOs shall be made available for the period 5 months for Outward and Return journey from the date of issue.

20. Note : 1. In cases, where only family is included PTOs shall be made available the period upto, which the pass has been issued irrespective of whether, the PTOs are required from the place of duty or any other station.

21. In cases, where the employee is included and is on leave for more than 14 days and the pass has been issued to him a PTO required for journey from out station shall be made available for the period of 2 months from the date of issue.

22. Railway employees on deputation to non- railway departments shall enjoy full benefits of privilege passes including PTOs and School Passes except monthly season Tickets.

23. For deputation in Public Sector Undertakings, the benefit would be for period of three year and for other 4 years. This benefit does not apply for deputation to the Trade Unions.

24. School Passes: School passes are issued to each student member of the family who is dependent on railway servant on production of a certificate from the recognized institution where the student is studying away from the headquarters of the railway servant. Student sons/daughter of railway servant in receipt of stipend as distinct from merits/means scholarship, will not be admissible for school pass if they are above 21 years of age (R.B.'s No. E(W)85 PS-5-1/8 if 11.9.85 Bahri's 260/85). The passes are issued between place at which either parent is residing to school/college and back when recognized vacations of not less than 3 days consecutive duration or closure of institution due to unforeseen circumstances.

25. Three sets of passes or six half sets are admissible for every child in a calendar year, and are in addition to privilege passes. The school passes issued are debited under the heading 'On School Account'.

26. Such passes can also be issued to a place other than the residence of either parent and back provided the length of such journey does not exceed the distance from the school/college and either parent's residence.

27. A parent or a guardian may be included in school pass in which a girl of any age or a boy under 18 years age for return journey for parent or guardian or paid nurse to the station from which journey commenced, a separate pass may be issued in the class to which the employee eligible, if guardian be an attendant he will be issued only IIInd class pass.

28. With regard to the grant of School Passes towards to Railway employees and inclusion of a guardian therein, where the same is admissible in terms of the exam

orders, i.e. for a boy under 18 years and a girl of any age, the following clarification are given:

29. In cases where a School Pass is sought to/from a place other than the Railway servant's headquarters or the permanent place of residence of the other parent, if it be different, the grant of such pass shall have the approval of the gazetted officer under whose control the Pass Issuing Office is functioning. The gazetted officer shall take into account the material facts relating to the request and accord his approval recording reasons therefore, after he is satisfied that the said change is justified and not made with a view to receive any unintended benefit.

30. In cases where a School Pass is sought to/from a place other than the Railway servant's headquarters, where either parent is residing even in temporarily such as during summer vacations, etc. the Pass Issuing Authority shall satisfy itself about the bonafides of such request, with reference to the Passes/PTOs already issued for the parent's journey to such a place.

31. (c) Before forwarding to the competent authority any request from a Railway servant for inclusion of a guardian, other than the parents, or any other person covered by the definition of 'guardian' as given in Rule 1 (e) of the Railway Servants (Pass) Rules 1986, the Controlling officer shall satisfy himself about the justification for the same.

(R.B.'s No. E(W) 85 PS-5—1/15 of 22.1.90 Bahri's 15/90)

Post –Retirement Passes: An employee who has retired from service and who was eligible for passes while in service may be granted passes for himself and his family (wife and children only), Group 'D' employee is eligible for passes for self and wife only and not children. The Class of the pass to be given, would be the Class he was enjoying while in service

32. Retired railway employees covered under RELHS and who are suffering from Cancer, major renal problem and serious heart ailments may be issued special pass on medical grounds for travel from the station where they have settled to the station where approved specialized hospitals are located and back subject to the following considerations: -

33. Any retired railway servant or his/her spouse covered under RELHS and who is suffering from Cancer or major renal problem or serious heart ailment is eligible for the issue of special pass on medical ground.

34. The pass will be issued to them in the event of their referral to Zonal Headquarters Hospital for necessary check up, assessment and treatment from the place where they have settled to the station where zonal Headquarters Hospital is located and back.

35. The pass will be issued to them from the zonal Headquarters Hospital in the event of their Inter-zonal referral for specialized treatment for places where such specialized Railway Hospitals are located and also to the Government Hospital wherever referred.

36. Pass will be issued for the Class of entitlement of the railway servants for Post-Retirement Complimentary Passes. (R.B.'s No, E(W)95-PS5-1/33 of 6.5.96, Bahri's 44/96).

37. Complimentary Passes to Widows: The scheme for issue of complimentary passes to widows of Railway employees shall apply to the widows or railway employees who were/are in service on or after 12.3.1987 and expired after the date. A railway employee on deputation without severing his lien on the Railway during the deputation period shall also be covered under the scheme. It, however, does not apply to those who have got permanently absorbed in Public Sector Undertakings prior to 12.3.1987 though they might be in receipt of post-retirement passes.

38. Scale of entitlement: The scale of complimentary passes to which the widow of Railway employee who was/is in service on or after 12.3.1987, and expired after that date, shall be half the number of post-retirement passes that her husband was either receiving at the time of his demise after retirement or in the case of death while in service, would be notionally eligible to receive by reckoning the date of death as the date of retirement, provided that :

39. The widow(s) of a 'D' Group Railway employee, entitled (or notionally entitled) to one set of post-retirement complimentary pass every year, shall be entitled to one set of complimentary pass every alternative year under the scheme.

40. The widow(s) of any Railway employee, who dies while in service, shall be entitled to a minimum of one set of pass every alternative year. Thus she will be eligible to one set of pass in two years, even if the service of the employee before death falls short of the requisite service prescribed for entitlement for post retirement passes.

41. The widow shall be eligible to travel in the same Class to which her husband was entitled to travel on privilege account or on retirement.

42. The scheme of Widow/widower Pass has been reviewed and it has been decided to remove the cut off date i.e. 12.3.87. Accordingly, the widows of the Railway Servants who were in railway service prior to 12.3.87 will also be eligible for complimentary widow pass subject to the condition that they make a one-time payment of RS. 250/- as notional value of two sets of PTOs. In all respects, the Board's letter No. E(W) 85 PS 5-8/2 of 30.6.87, RBE 174/97, shall be followed.

ALLOWANCES

Allowances are given to a employee depending upon the circumstances. The following are the various types of allowances existing on the Indian Railways.

1.DA

2.HRA

3. Transport Allowance (This has already been discussed)

4. Compensatory Hill Allowance - To those working at hill station 1000 feet above sea level.

5. Remote locality allowance - Special compensatory allowance is paid to employees posted at remote areas in Jammu & Kashmir, Himachal, Arunachal, Meghalaya, Uttar Pradesh, Assam, Nagaland, Tripura & Manipur.

6. Bad climate allowance - Admissible to employees posted in unhealthy locality.

7. Children Education Allowance: Children Education Allowance has been introduced by the VI Pay Commission. This allowance shall be paid for Classes Nursery to XII Std. There shall be no nexus with performance, can be paid even if child fails (earlier it was for 2 years in same class) Includes Tuition Fees, Laboratory Fees, special fee appliances used by child, library fee, games/sports fee, extra-curricular . activity, one set of text books, one set of note books, school shoes. Annual ceiling is Rs. 12000/- per child, up to two children Can be reimbursed at a time any time.

8. Hostel subsidy: Hostel subsidy is payable at Rs. 3000/- per child upto two children per month. Hostel subsidy can be paid if an employee is required to admit his son/daughter in a Hostel for the purpose of pursuing education. However, either of the two, viz. either Children Education Allowance or Hostel Subsidy alone will become payable. Under no circumstance both the allowances will become payable.

Present Scale			Revised Pay Structure		
SN.	Post/Grade	Present Scale	Name of Pay Band/Scale	Corresponding Pay Bands/Scales	Corresponding Grade Pay
(1)	(2)	(3)	(4)	(5)	(6)
1	S-1	2550-55-2660-60-3200	-1S	4440-7440	1300
2	S-2	2610-60-3150-65-3540	-1S	4440-7440	1400
3	S-2A	2610-60-2910-65-3300-70-4000	-1S	4440-7440	1600
4	S-3	2650-65-3300-70-4000	-1S	4440-7440	1650

5	S-4	2750-70-3800-75-4400	PB-1	5200-20200	1800
6	S-5	3050-75-3950-80-4590	PB-1	5200-20200	1900
7	S-6	32-85-4900	PB-1	5200-20200	2000
8	S-7	4000-100-6000	PB-1	5200-20200	2400
9	S-8	4500-125-7000	PB-1	5200-20200	2800
10	S-9	5000-150-8000	PB-2	9300-34800	4200
11	S-10	5500-175-9000	PB-2	9300-34800	4200
12	S-10A	6000-190-9800	PB-2	9300-34800	4200
13	S-12	6500-200-10500	PB-2	9300-34800	4200
14	S-13	7450-225-11500	PB-2	9300-34800	4600
15	S-14	7500-250-12000	PB-2	9300-34800	4800
16	S-15	8000-275-13500	PB-2	9300-34800	5400
17	New Scale	8000-275-13500 (Group A Entry	PB-3	15600-39100	5400
18	S-19	10000-325-15200	PB-3	15600-39100	6600
19	S-21	12000-375-16500	PB-3	15600-39100	7600
20	S-24	14300-400-18300	PB-4	37400-67000	8700
21	S-26	16400-450-20000	PB-4	37400-67000	8900
22	S-27	16400-450-20900	PB-4	37400-67000	8900
23	S-29	18400-500-22400	PB-4	37400-67000	10000
24	S-30	22400-525-24500	PB-4	67000-79000	Nil
25	S-31	22400-600-26000	HAG+Scale	75500-(aannual increment@3%)-80000	Nil
26	S-32	24050-650-26000	HAG+Scale	75500-(aannual increment@3%)-80000	Nil
27	S-33	26000(Fixed)	Apex Scale	80000 (Fixed)	Nil

4. Travelling allowances are of following types:-

- i. TA rates vary as per prescribed rates per day, as per the classification of cities. DA and TA is one and the same thing. When the person is travelling it is known as TA, and when the person is halting it is known as DA.
- ii. TA personnel are entitled to double the rates of their usual travelling allowance, in case of embodiment/training. However, only 20% of the TA will be paid in case free messing is given. Duty allowance to Civil Defence volunteers are paid as per prescribed rates per day if the training is bet. 1 ½ and 2 ½ hrs. However, if the training exceeds 2 ½ hrs., he will be entitled as per prescribed rate.
- iii. Rly. servants both Gaz. & N.G. attending courses other than initial i.e. refresher, promotional and Special. courses in Rly. Training School/Institutes where messing is compulsory, shall be provided with free food and in addition 20% of daily allowance will be admissible.

11. Kilometrage allowance - is admissible to staff as per their gradations, i.e. journey by road. In case of employees proceeding on tour, road mileage at prescribed rates is

admissible between duty point/residence at the HQs and duty point at outstation and vice-versa.

12. Conveyance hire at outstation - All N.G. staff on tour in addition to TA as admissible, may also be granted reimbursement of bonafide charge on account of conveyance hire by ordinary means of conveyance available at the locality that he may be required to incur for journeys in visiting offices at a considerable distance from each other.

Taxi fare for journeys from office to residence at late hours - If Officers/staff are detained beyond 20.00 hrs. On special assignment/urgent work, which cannot wait for the next working day, will be entitled to claim taxi hire for journeys performed from office to residence bet. 20.00 hrs. & 6.00 hrs., subject to a maximum of prescribed rate. Officers are entitled to use private motor car/motor cycle/scooter for official purposes and in lieu of this, they are entitled for allowance and log book is required to be maintained. Average journey is arrived at by going through the log book maintained for a quarter. The rates vary for motor car, and for scooter/motor cycle. This is admissible subject to review in every 2 years. This is at the discretion of GM's sanction.

Consolidated travelling allowances- Permanent or Consolidated Travelling allowance is granted to such staff whose duties required him to travel intensively for more than 20 days in a month on an average . In case they are not able to perform the minimum no. of days, they may draw daily allowance for journeys performed as per normal rule.

Bicycle advance to group 'D' employees who are required to travel extensively if provided with bicycle and he maintains it will be given allowance as per prescribed rates.

Conveyance allowance - To medical officers provided they make 20 domicile visits on an average every quarter. The conveyance varies in case the doctor has his own car, own scooter or hires private vehicles.

Allowance to handicapped persons - 5 % of the basic pay subject to a maximum prescribed limit. This is subject to the certification of a medical practitioner.

Running allowances are paid to employees whose duties are connected to moving the train i.e. Drivers, firemen, guards, brakemen etc. There are 4 types of running allowances viz.

- i) Mileage/Km. allowance - granted to him at specified rates on the basis of distance travelled.
- ii) Allowance in lieu of mileage/Km. paid to a running staff to compensate the loss of Km. due to his being shifted in non running duties.
- iii) Breach of rest allowance - Whenever the rest is aggregated before completing 16 hours will be eligible for breach of rest allowance @ 2 hours for every hour. This is only if the breach is at HQ and not at outstation. Running staffs on suburban trains are not entitled for breach of rest allowance.

iv) Allowance in lieu of running room facilities - Where running rooms are not provided this allowance is paid provided such period of rest exceeds 4 hours between the train arrival and train departure. Where running rooms are provided but cooks are not provided it is admissible at half the prescribed rate.

19. Accident allowance - Due to accidents, trains are held up at any station other than the HQ exceeding 8 hours the employee will be given a credit of 1 Km for every 24 hours or part thereof.

20. Outstation relieving allowance - When he is deputed to work temporarily at stations outside his HQ he is entitled for this allowance and it is restricted to 14 days only.

21. Line Box allowance - Guards, Drivers, Asst. Guards are entitled to initial payment of prescribed amount towards cost of line box which is in addition to supply of air bags once in every 3 years.

22. Project Allowance - It is granted to staff working in undeveloped or underdeveloped places where the construction of major projects is going on. This is granted timely to compensate the lack of amenities such as housing, schools, dispensary etc.

23. Deputation Allowance - This is given to an employee at another organization wholly in public interest which will be 5% of his basic pay subject to a ceiling limit at prescribed from time to time if he is on the same station and 10% subject to a ceiling limit at prescribed rates in other cases. He can draw pay as per the new post or draw salary according to the post in his parent department alongwith the deputation allowance. Deputation is only for 3 years and can be extended in public interest with proper approval of competent authority.

24. Annual allowance to railway doctors on his academic and research papers - This is paid at prescribed rates to all railway doctors on their furnishing a certificate that the amount of annual allowance is spent for the purpose for which it has been drawn. This will not have the connectivity of pay.

25. Breakdown allowance: This is given to those employees who are required to attend accordingly due to which the normal working of trains are disturbed. They are paid at fixed rates according to group of staff of various pay rates. They will also be entitled to TA at the moment they leave HQ till returning back without taking into consideration the percentage applicable when calculating TA in their cases. They should also have the privilege of quarters nearby the railway station. They are also entitled to free food during this period or money in lieu of free food.

26. Night duty allowance: Group 'C' & Group 'D' staff performing duty from 22/00 hours to 6/00 hours are entitled to night duty allowance. The basis of calculation is 10 minutes for every hour worked and such calculation if less than an hour will be waved. That means minimum 3 hours or more than 3 hours of night duty should be done to claim half

hour night duty allowance. This is calculated as per prescribed rates. Nurses are not paid night duty allowance as they get nursing allowance at a prescribed rate.

27. Washing allowance: This is given to nurses, matrons, midwife as per prescribed rates to wash uniforms and maintain the speck and span.

28. Laundry allowance: This is given to nurses, matrons, midwife as per prescribed rates to but in case they are on leave exceeding 15 days at a stretch they will not be paid this allowance.

29. Uniform allowance: This is given to nurses, matrons, midwife, health visitors as per prescribed rates. It will be reduced and paid proportionate if on leave for a period exceeding 120 days.

30. National Holiday Allowance: This allowance is paid to those employees who are covered by the Industrial Negotiation Act are entitled to only 12 days Public Holidays instead of 16 admissible to others. It will also be paid to them in case such a holiday falls on their day of rest.

31. Messing allowance: Where ever mess facilities are admissible to railway employee, they will be entitled to only 20% of their TA entitlements.

32. Officiating allowance: This is given to a employee when he is asked to officiate in a higher grade subject to a minimum of 21 days.

33. Teaching allowance: This is given to gazetted and non-gazetted staff who are chosen from the fields and posted in Centralized Training Institutes and Zonal Training Institutes Teaching Allowance is payable at 30% of basic pay to faculty posted at CTIs imparting training to Group `A` officers. For those working in the ZRTIs, the rate of teaching allowance is 15%.. Those who have been specially recruited for imparting training are not entitled for this allowance.

Advances and Revenue -

Type of Advance	Basic Pay	Amount	Recovery in	Remarks
FESTIVAL	NG ONLY	3000	10 E. Int.	2 nd not permissible till 1 st recovered
TRANSFER	No limit	1 month Basic	3 monthly installments	TA is also permissible and recovered from Pay on submission of T.A. Bills.
NATURAL CALAMITY.	No limit	3 Basic pay or Rs.5000/-	12 monthly Installments	3 Basic Pay or prescribed rate whichever is less is sanctioned. Certify Mov/Immov. Damages
CANCER TRTMNT.	No limit	1 month salary	On resumption	
OPTICAL EXP.	No limit	As per P.R.		Only granted in case while on duty. Win no recovery loose full recovery.
T.A. PERSONNEL	No limit	1 Month Pay	3 Monthly Installments	When embodied recovery is effected.
BICYCLE ADV.	Below 5000/-	3000	25 Inst.	Produce Pur. Cert. (1mth)
ALL THE ABOVE LOANS ARE INTEREST FREE				
SCOOTER ADV. MOTOR CYCLE	8600 /-	6 month basic pay or Rs.30,000/- (less)	70 Inst.	Essentially Certificate is a must. 2 nd loan Rs. 24,000/-
Type of Advance	Basic Pay	Amount	Recovery in	Remarks
MOTOR CAR	19,530/- excluding GP	Rs.1,80,000 /- or actual cost	200 Inst.	Essentially Certificate is a must. 2 nd loan Rs. 1,60,000/-
COMPUTER	19,530/- excluding G	Rs.30,000	150 Inst.	2 nd after 3 years Rs. 75,000/- use from GRF-24

SALARY

The first pay structure was introduced on Indian Railways in 1931. Thereafter the pay structures have been revised from time to time viz.

- i) 1931 - Called as 31 scales of pay
- ii) 1934 - 1934 scales of pay
- iii) 1947 - Prescribed scales of pay (Ist Central Pay Commission)
- iv) 1-7-59 - Authorized scales of pay (IInd Central Pay Commission)
- v) 1-1-73 - Revised scales of pay (IIIrd Central Pay Commission)
- vi) 1-1-86 - Revised pay scales (IVth Central Pay Commission)
- vii) 1-1-96 - RSRP (Vth Central Pay Commission)
- viii) 1-1-06 – (VIth Pay Commission)

Succeeding Pay Commissions have reduced the number of scales and initially what started with 153 scales has been presently reduced to 19 scales. The VIth Pay Commission has introduced the concept of pay bands and grade pay for the first time. The entire pay scales have now been merged into into 4 pay bands and 19 grade pays.

Time scale means a scale in which an employee is appointed at the minimum enabling him to reach the maximum by virtue of earning annual increments.

DA:

DA is given due to rise in price index and was first granted to the railway services w.e.f. 19-3-41. As per the new rules this DA is given twice a year i.e. from January payable by March and from July payable by September. Presently, the current rate of DA is 35% w.e.f. 1st January, 2010.

HRA:

It is granted as a relief to employees in view of the higher rent that they may be required to pay for private accommodation due to non-availability of railway quarters. This is also granted according to the classification of cities as indicated below:-

Sr. No.	Classification of City/Town	Rates of HRA
1	X	30% of pay
2	Y	20% of pay
3	Z	10% of pay

This will not be granted to any railway servant occupying any type of railway accommodation Central or State. In case Husband, Wife and Children are occupying a government accommodation they will not be entitled for HRA but if occupying a private accommodation all will be entitled for HRA if government servants.

In case a person is sharing accommodation with another government servant having obtained due permission, the person to whom the quarter is allotted will not be eligible for HRA but the one who is sharing will be eligible for HRA.

In case when an employee is transferred from one station to another and though he retains a railway accommodation or a government accommodation at the old station of posting will be eligible for HRA if not occupying any government accommodation at the new station of posting.

RPF staff occupying barracks is entitled for HRA.

Transport allowance:

This is also given to employees based on group of scale and classification of cities as per prescribed rates.

Non practicing allowances:

This is paid to railway doctors since they are not practicing at 25% of their pay. This is treated his pay for all purposes i.e. TA, DA will be drawn on this also.

Post Graduate allowance:

This is given to only those Assistant Medical Officers at prescribed rates for possessing post graduate diploma or post graduate degree to acquire this subsequently and not payable to those who had acquired before joining railways or for whom it is a prerequisite qualification. In case he is transferred from junior scale to senior scale this will not be given to him but what he was getting will be taken into account for fixation of pay in the new grade. This will also be treated as pay.

WELFARE ACTIVITIES

In the past the relation between the worker and an employer was that of a Master and a slave but due to gradual evaluation in the structure of social order of mankind this is changed. The workers have developed a sense of self-consciousness and the employer have realized their duties towards their employees.

Welfare means anything done for the intellectual, physical, moral and economic betterment of the worker by the employer or the Govt. or any other agencies over and above what is laid down by the law or what is normally expected as a part of contractual benefits. The welfare measures should be designed to effect on all round improvement in the employee's living and working conditions. The Welfare measures do not only bestow benefit to the worker but this also pay immediately and in the long run benefits the employer since Welfare activities improve the mental and moral health efficiently of the worker. On the Indian Rlys we have about 18 lakhs employees working and as such have framed policies regarding the Welfare measures for the employee which has been declared to be the best in India.

WELFARE ORGANIZATION

A Welfare Organization functions on each Rly. to see to the Welfare of the Staff. The Chief Personnel Officer is head of this Organization. A Senior Personnel Officer is posted as a Welfare officer in the Headquarters of each Rly. to look after the day to day work of the Organization. He is assisted by number of Welfare Inspectors.

In the Divisions/Workshops the DRM/CWM/SWM etc. are in charge of the Organization and they are assisted by the Divisional Personnel Officer and Assistant Personnel Officers, Welfare Inspectors etc. The Welfare Inspectors has been assigned various duties such as

1. To maintain direct contact with staff and try to settle their day to day grievances by direct contact with the officer concerned. To assist the employees with regard to appeals and representations and the correct procedures etc. and to deal with representations on various establishment matters.
2. To inspect stations, subordinate offices and sheds and see to the proper maintenance of registers, such as, attendance registers, overtime registers, register of abrogated rest, increment register, register of claims under W.C. Act, duty rosters and classification charts etc. and to see that all statutory notices are displayed at the site of work and provisions of various acts are not infringed.
3. To inspect Workshop, with a view to see and check that provisions with regard to health, hygiene, safety, layout, over-crowding, drinking and washing facilities, lavatories and urinals, rest sheds and tiffin rooms etc. are observed.

4. To survey, organize and supervise various welfare and recreational activities, viz. i) Co-operative Societies, Canteens, Holiday Homes, Educational tours etc., ii) Child welfare and maternity centres, iii) Sports and games amongst the staff, iv) women's activities amongst the wives and daughters of the staff, v) Thrift and national savings schemes, vi) Other activities for the moral, material & cultural development of the employees and their families, vii) To keep watch over the performance of Labour Co-operative societies, etc.
5. To organize and watch the activities of staff councils, wherever existing.
6. To assist the employees in claiming and obtaining payment of their due wages and allowances including overtime allowance, gratuity, P.F., compensation under W.C. Act etc. and also to assist the families and dependents of the deceased employees in obtaining their dues and similar other matters and to check up the settlement cases to see that they are finalized very early.
7. To visit periodically local residential places of staff and take steps to improve cases of bad sanitation, repairs of quarters, etc.
8. To study the needs of individual employees with a view to encourage them to keep out of debt and to acquaint them with the procedure for obtaining loans from Funds, if any.
9. To assist the employees who are in need of medical facilities for themselves and their families.
10. To bring about settlement of disputes amongst the staff themselves.
11. To arrange shows, exhibitions and propaganda lectures etc. for the various welfare schemes, as and when necessary.
12. To attend to all matters with regard to welfare organization, Staff Benefit Fund and to follow up Inspection reports of the Inspectorate of the Regional Labour Commissioner.

The following are the Welfare Schemes.

1. School Facility and Educational Assistance

Education though is primarily a state subject, the railways have yet entered the field to a limited extent so that the Rly employees children do not lack from Educational Benefits due to their postings.

In Rly colonies where there are no schooling facilities Rlys run their own schools. On Rlys we have austerity type of school, Primary schools, Middle school etc. Besides this even Non-Rly schools which are nearby to the Rly colony and which have sufficient

number of students who are sons and wards of Rly employee are given grant in aid by the Rlys. In cases where none of this facilities are available and then the employee is required to send his children away from his place of posting for schooling purposes Educational Assistance is given to the employee with a view to give relief towards their expenses on school education of their children. Besides this we have subsidized hostels at some stations where normal Boarding charges are payable by the employee for keeping each child in such a hostel but no rent is recoverable for the accommodation. This facility is admissible to Non-Gazetted employee drawing pay not exceeding Rs.

SCHOLARSHIP FOR TECHNICAL EDUCATION

Children of Non-Gazetted staff undergoing technical education in Science or in applied science subjects, leading up to a Degree or Diploma in Medicine and various branches of Engineering are given Scholarship from the staff benefit fund so that they are not economically handicapped for getting their children education in technical institutions.

2. Uniforms for Children studying in Primary Schools - At the cost of Rly revenue uniforms of the simple style at a lowest cost may be given to children of Rly employees whose basic is not more than Rs. 1440 (RPS) and that the childrens are studying in Railway primary schools. Medical facilities hospitals, dispensaries, maternity centres, child welfare centre, chest and dental clinics are run by Rlys for different stations for the benefit of the employee and their dependents. In cases where it is recommended by the authorized medical attendant the reimbursement of the cost of the medicines from the local market is also admissible.

3. Social and Cultural Schemes –

a) Sports - Sports is encouraged in Rlys who induce healthy physical exercises. There are different branches of sports activities functioning on the Rly.

b) Institutes and Recreation clubs - In order to encourage social and cultural habits amongst Railwaymen institutes and clubs are functioning at different places over the Rlys. The premises are rent free and the Membership is optional. Assistance is also given from the Staff Benefit Fund for running this Estt.

c) Mahila Samitis - Female family members and dependent of Rly. employees run the Mahila Samitis with the aim and the object to foster cordial relations, establish social contacts, impart technical, vocational Civil and Cultural educations, promote literacy, physical cultural and domestic economy amongst the members. Fabrication work is done by these Centres on a very large scale and the members of the families are remunerated for the job done by the Railways. Thus members of the Mahila Samitis can supplement the income of their families.

d) Cultural Association - Different Centres have been established with the object of working of Cultural, Musical and Dramatic talents of Railwaymen.

e) Scouting Movement - Scouting Organization is functioning in each railway.

8. Children's camp - For Non-Gazetted employees camps for their childrens are held from time to time in a healthy and scenic places so that they not only get a change of air but also enjoy places of Historic, Cultural and Educative interest.

9. Education Tour for Industrial Workers - In order to give an all round knowledge about the Industrial Development Educational tours for the Industrial workers are organized for Workshop staff. Employee with outstanding achievements are selected for this tour. They are given lumpsum amount and 15 days special C.L. for this tour. The selected members can also include family members limited to 4.

10. Mobile Library - It is functioning on the Rlys for the benefit of staff at way side stations Library facilities. Elsewhere Libraries are provided either at the office or by the institutes/clubs.

a) Holiday Homes - Holiday homes have been established at different healthy places as a measure of amenities to staff where they are provided accommodation at a very nominal rent. This accommodations are self contained and furnished, also well equipped with store room, Kitchen rooms and utensils. A Rly employee is admissible to this facility at any station on Indian Railways where such holiday homes are available. Besides at these holidays homes indoor and outdoor games are also provided for the benefit of the staff visiting Holiday Homes. Even close relatives related to the husband or the wife is also entitled if accompanying the family of the Railway employee.

b) Trips are organized to Popular Holiday resorts at Phalgaon and Srinagar for the benefit of the Non-Gazetted staff and Childrens of Rly Employees in batches. They are charged nominal lumpsum as per pay range. The balance of the amount is met from the staff benefit fund. Welfare inspectors accompanying these trips see to the facility of the staff such as Boarding, Lodging and Catering etc. and arrange excrusion tours. As far as the real journey is concerned the employee has to make use of his own privilege pass.

5. Quarters - Residential accommodations are provided to Rly employees in turn according to their status./ The staff belonging to essential categories are given preference above the non-essential categories. Housing committees are formed for the allotment of Quarters. Besides this administration provides loan at nominal interest to Rly employee to enable them to purchase/construct their own houses.

6. Canteen Facilities -

There are two types of Canteen existing on Railways namely Statutory Canteens and non-statutory canteens.

a) Statutory Canteen - are based on the provisions of section 46 of the Factories Act 1948 wherein the administration is required to set up canteens in establishment where there are 250 or more working peoples employed. It is the legal responsibility of the Rly administration to ensure proper Mgt. Of canteens either by way of making a committee of Mgt. And or by appointing agents or cooperative societies.

b) Non statutory canteens - are provided as a measure of staff welfare by encouraging development on cooperative basis the committee of Management consists of duly elected representatives of staff for whose benefits the canteen is run and they have the full power to operate the canteens. Loans as initial capital is sanctioned from the Staff Benefit Fund and should be repaid in installment within 2 to 3 years as determined by the staff benefit fund Committee.

Canteens should be opened where considerable employees are employed such as Workshops, Sales, large stations etc. wherever the staff strength is more than 25 out less than 100 room should be provided is but in cases where the staff strength is more than 100 effort should be made to provide a regular canteen. Canteen should be, as supporting and the sales rise should be based on " No Loss No Profit" and also taking into account cost procurement running expenses etc.

2. The canteen should not involve loss in working hours and as such efforts should be made to see that light refreshment reaches them and the meals if any provided should be reconstructed to only during lunch hour or outside office hours.

Incident of cost

The railway administration may provide necessary accommodation sanitary, electrical installations, furniture and cooking utensils and also bare the rent and service tax and charges for the same canteen should be provided.

Handicraft Centre

These are set up in the Rly colonies for the benefit of the families of the Railwaymen for imparting training in Handicraft such as weaving, knitting, spinning, dealing of agreement with the object of learning some trade to augment the family income. Expense on the scheme is made from the SBF and these Centres should be provided in spare Rly building free of rent. Administration encourages this handicraft centres by placing orders of supply and fabrications of articles required by the Rlys.

Cooperative Societies

There are 3 types of cooperative societies namely consumer cooperative society, cooperative credit societies and bank and cooperative housing societies.

1. Consumer cooperative society - Consumer cooperative society means the retail society to cater the needs of the Railwaymen at reasonable prices with a minimum element of profit. The Rly will provide suitable accommodation on nominal rent of Rs. 1 per month and actual municipal taxes if the society is running a fair price shop. It will also provide one ceiling fan free of cost, electrification of premises, supply of water and electric current at concessional rates, recovery of credit sales through pay bill of members, special passes and special CL to the members of the Mgt. Committee land for construction of own building on nominal rent of Rs. 20/- per year. Deputation of Rly employees to the society with protection of rights of promotion etc.

In cases where the societies ceases to function for want of finance Rlys can give loan contribution upto Rs. 2500/- and an interest bearing loan of Rs. 10,000/- repayable on certain terms and conditions.

The membership of this credit societies will be opened to all Rly. servants and in order to be a member he should purchase atleast 1 share of not less than Rs. 10/- along with the admission fee. Retired and ex-railway servant are not to be considered for the membership.

The Mgt. Of these societies are carried out by the Mgt. Committee formed from amongst the shareholders of the society who on being formed, elect a Chairman, Secy. And treasurer. In cases where the cooperative society has been given lean the administration should nominate on the Mgt. Committee, Gaz. Officer representative up to 1/3rd of the Mgt. Committee a strength.

Subsidy

Subsidy amounting to not more than ½ the administrative and Estt. charges for the 1st 3 years is given subject to the condition that the state cooperative department certifies that the society is functioning properly.

Co-operative Credit Banks/Societies

The main object of Co-operative Credit Banks/Societies is to encourage habit of thrift among members rather than provide loans to them at reasonable rate of interest. The rate of subscription recoverable from subscribers every month, rate of interest on the subscription, withdrawal of sum from compulsory thrift deposit, penal rate of interest in case of compulsory monthly subscription falling into arrears, deduction of amount to a society from the subscription at the time of making an advance from compulsory deposit should be as per bye-laws of respective registered Co-operative Credit Societies/Banks.

The following facilities are extended to co-operative credit societies and banks -

- a) recovery of loan, bank deposits and compulsory thrift deposits through salary bills of staff concerned.

- b) privilege pass, PTOs for the employees of the societies available as per scale laid down in pass rules.
- c) special casual leave and passes for members of managing committee to attend meetings.
- d) provision of accommodation at reasonable rent as per para 1960E.
- e) free publication of their notices in Railway Gazettes.
- f) medical facilities in railway hospitals and health units to the staff and to the members of their family at per capita charge.
- g) Cooperative credit societies and banks should pay for rent of accommodation and for telephones, electricity and water.

Cooperative Housing Societies

Railway servants or Cooperative Housing Societies consisting of such Railway servants are eligible for loan under low income Group Housing Schemes for construction of houses. The loans will be available to them through the head of department. No more than one loan or advance can be obtained by the Railway servants from any Government service. In order that would be desirable for Co-operative Housing Societies to acquire suitable land and allot to members after development.

10. Mobile Libraries

They are intended to supply reading material to staff posted at wayside stations where number of books may be set up either attached to the existing institutes or independently, and the following provisions may be looked into:

- a) Conversion stock/Coaches for use as mobile library and the haulage cost shall be borne by Railway Revenues.
- b) Where set up independently, the cost of staff, shall be borne by Railway.
- c) Where Institutes take up the libraries, the cost of staff shall be borne by Staff Benefit Fund.
- d) The cost of books shall be met from Staff Benefit Fund.

11. Medical Facilities.

This subject has been dealt with separately and so far as Staff Welfare is concerned, it could be said that:

Railways have provided Railway hospital dispensaries; Child welfare centres, family planning centre for the benefit of Railway servants, their family members including dependents and the assistance of Welfare Inspector could be availed of in case any difficulty arisen or guidance required.

12. Staff Benefit Fund

Each Railway Administration maintains a Railway Staff Benefit Fund which is financed from:

- a) receipts from fines.
- b) all receipts from forfeited Provident Fund bonuses other than those of gazetted Railway servants, and
- c) an annual grant from the railway revenues at a per capita rate of Rs. 500/- for the Financial year 2010-11 in respect of each non-gazetted Railway employee employed on the Railway (other than in a Capital construction project) at the end of the previous year.

The fund is administered at Headquarter level, for the benefit of non-gazetted staff, by a committee consisting of:

Chairman	Chief Personnel Officer of Zonal Rly
Members	Chief Medical Officer Dy. General Manager (General) or C.E. 12 selected members from each union viz., 6 from NRMU & 6 from CRMS.
Secretary	Personnel officer (Labour & Welfare)

The objects of the Fund are as under:

- a) to aid education of the staff and their children when no assistance is admissible under the rules;
- b) recreation and amusement for the staff and their children;
- c) relief and distress amongst the members of the staff and their families;
- d) such schemes from sickness or maternity leave to the families of the employees as are not covered by the Medical Attendance and Treatment Rules;
- e) Any other object with the approval of General Manager:

Annual Inter-Railway Cultural Competitions should be financed from Staff Benefit Fund, and out of the head "Recreation other than Sports" for which an amount of Rs. 2 per capita has been earmarked as per capital contribution of 5 paise will be earmarked for being spent on Inter-Railway Cultural Competition every year. Allotment of this part of the Fund to the various organizing railway as may be decided by Railway Board, will be made centrally by the Board. However, the amount of fund are spent according to the following proportion:

a) Education	31%
b) Recreation of staff and children	21%

- | | | |
|----|------------------------------|-----|
| c) | Relief of distress, Sickness | 41% |
| d) | Miscellaneous | 7% |

Divisional Staff Benefit Fund Committee consists of an officer nominated by Divisional Railway Manager, two representatives from each union and a nominated Welfare Inspector shall be the Secretary, and presided over by Divisional Personnel Officer.

In Workshop, Workshop Staff Benefit Fund Committee would be same as prescribed for Divisional Committee and if there is no Senior Personnel Officer attached to Workshops his place shall be taken by the Works Manager.

The following are the activities under the heading “ General Activities”

Education

1. for technical education in Engineering, Medical and Scientific courses.
2. assistance in the shape of stipend for courses of Chartered Accountancy Cost Accountancy.
3. for opening of Vocational training centres.
4. educational assistance to Group ‘D’ appearing in School final examination.
5. for deaf, dumb and blind children educational expenses.

Recreation

1. Grants to Institutes, Sports Clubs, Children Camps, Cultural activities, Recreation centres, Mahila Samities.
2. Supply of books to Railway hospitals for indoor patients.
3. Loans of Canteens.
4. Mid-day meals to children of Primary schools.
5. For uniforms to school children of Primary schools.

Sickness and distress relief

1. For funeral expenses of low paid staff.
2. Assistance to staff suffering from T.B., Cancer, Mental diseases when they are on leave without pay.
3. For purchase of artificial limb, spectacles, dentures
4. Distress due to natural calamity.
5. Assistance to low paid staff for loss due to fire.

Miscellaneous

1. Provision of libraries and mobile libraries.
2. Railway Reading rooms

SBF committee shall hold office normally for period of one year. General Manager shall arrange for keeping the accounts of fund and audit of accounts shall be carried as prescribed by President and G.M. shall also submit an annual report to Railway Board on Working of fund during the previous financial year.

Salient Points

- a) where assistance is given under Educational Assistance Rules, no further assistance from the SBF to be given.
- b) In deserving cases of distress of ex-members or their families, relief may be sanctioned for the purpose of educational assistance but this cannot be as a regular measure as the serving employees have a prior claim.
- c) Retired Railway employees or persons dismissed/removed or outsiders cannot be nominated to the SBF Committee.
- d) Railway employees under suspension should not be allowed to attend the meetings of the SBF. However, there is no objection for substitute taking his place.
- e) Expenditure on maintenance of maternity centres on the Railways is to be borne from 1.4.55 from Railway revenues instead of contribution from SBF.
- f) Railway employees serving on various Railway Recruitment Boards will continue to derive the individual benefit from the SBF of their parent Railway. For collective benefit, such as recreation, sports, etc. they will be attached to the Railway who has the Administrative control of the Railway Recruitment Boards.
- g) The number of permanent staff of open line in the Railways on their regular transfer to Construction Projects except RE and COFMOW should be taken into account for the purpose of working out per-capita contribution to SBF.
- h) The cost of the stationary, printing charges of forms, postage charges and other contingent expenses relating to the Funds is met from the Railway revenues. Expenditure on entertainment during SBF meeting should be met from the Fund itself.
- i) Elected representatives when attending meetings of the SBF committees will be issued passes of the Class to which they eligible on privilege account as Railway servants.

The accounts of the SBF will be monitored and internally checked by the office of the FA & CAO and the Audit will make the checks.

Annual reports on the working of the SBF should be submitted by each Railway Administration to the Railway Board.