

Serial No. 3421.—Circular No. 443-E/14-IV (Eiv), dated 21-6-1966.

Sub.—Steps to be taken to prevent abuse of leave rules.

The Railway Board in their letter No. E(G)58LE1-4, dated 7-10-1958 circulated under this office letter No. 443-E/14-III (Eiv), dated 12-11-1958 pointed out instances that had come to their notice in which the intervening period of duty between two or more spells of leave availed of by the Railway servants was only nominal and in such cases the leave sanctioning authorities failed to check the attempt at evasion of leave rules by exercising their discretion under Rule 2106-RII (F.R. 67) to refuse leave and instead granted the leave ignoring the spirit of the rules with the result that unintended benefit was derived by the Railway servants concerned. The Board in para 2 of their letter referred to above, therefore, had desired that competent authorities should ensure proper examination of all requests for grant of fresh spell of leave in such cases with a view to see that the spirit of the rules is not violated and exercise discretion vested in them under the relevant rule to refuse the leave where they have reasons to believe that an attempt was being made to take undue advantage of the leave rules or to evade the spirit thereof.

2. In this connection, the Public Accounts Committee in para 15 of their 29th Report (Third Lok Sabha) have observed as under:—

“The Committee desire that all officers dealing with sanctioning of leave should be directed to strictly adhere to the instructions issued by Govt. in May, 1958 to ensure that all cases in which a fresh spell of leave is applied for by Government servants after a short interval of duty, are carefully examined with a view to see that the spirit of the rules is observed and that the Competent authorities refuse the leave by exercising the discretion vested in them if they have reasons to believe that an attempt was being made to take undue advantage of the leave rules or to evade the spirit thereon.”

It is, therefore, desired that the observations made by the Public Accounts Committee be borne in mind with a view to ensure that much cases of leave after short spells of duty are carefully examined in future in accordance with the spirit of the rules on the subject.

Serial No. 3422.—Circular No. 720-E/O-X (Pension), dated 11-5-1966.

Sub.—Grant of option of Persons who are governed by the State Railway, Provident Fund (Contributory) benefits to come over to Pensionable service.

A copy of the Railway Board's letter No. F(P)65PN-1-41, dated 27-4-1966 on the above subject is forwarded for information and necessary action. Railway Board's letter No. F(P)65PN-1/51, dated 3-6-1966 was circulated under letter No. 720-E/O-X (Pension), dated 9-3-1966 (Pension circular No. 10/66).

The contents of the Board's letter may be brought to the notice of the families of all the deceased Railway servants who may have died on or after 1-1-66 before exercising an option and the amounts to be refunded should also be advised to them under a Registered acknowledgement dues letter.

Copy of Railway Board's letter No. F(P)65PN1/41, dated 27-4-1966.

Sub.—As above.

Reference Board's letter of even No., dated 3-3-1966 on the above subject in which an option has been allowed to railway servants who have retained the State Railway Provident Fund (Contributory) Benefit and were in service on 31-12-1965 to elect the pension rules including the benefits of the Family Pension Scheme for Railway employees, 1964 by 30-6-1966. It has been brought to the notice of the Board that cases have occurred where the employees died after 31-12-1965 without having an opportunity to avail of the option now given. The families of such employees have requested for the grant of benefits of the family pension under the pension rules. The Board have considered the matter carefully and in consideration of the fact that it will result in hardship to the families of the deceased employees where they died before they could reasonably avail of the fresh opportunity to elect the pensionary benefits they have decided with the approval of the President that if a railway servant died on or after 1-1-66 but before exercising within the time allowed an option to come over to the pension rules the authority competent to sanction the pensionary benefits in such cases may, at its discretion, allow to the family of the deceased employee, the benefits of the liberalised pension rules, alongwith the Family Pension Scheme for Railway Employees, 1964 in lieu of the contributory S.R.P.F. benefits provided a request for the same is specifically made by the nominee (s) validly nominated by the subscriber or in the absence of a nomination by all the members of the family of the deceased as defined in the S.R.P.F. Rules. If the family includes minor children, the request on their behalf can be made by their natural guardian and if there is no natural guardian by the legal guardian.

2. If, in any case, the Government contribution and/or special contribution to the P.F. have already been paid to the beneficiaries who made a specific request for the benefit of the liberalised pension rules, the Government contribution and the excess, if any, of the special contribution over the death-cum-retirement gratuity dues, should be recovered from them before acceding to the request.

3. The contents of this letter should be brought to the notice of the families of all the deceased Railway servants who may have died on or after 1-1-66 before exercising an option and the amount to be refunded vide para-2 above should also be advised to them simultaneously. If the family members in question desire to take advantage of these orders, the request from them to that effect must be received within a period of one month from the date of receipt of the communication of these orders to them duly accompanied by the amount to be refunded by them, as afore-mentioned.

Serial No. 3423—Circular No. 831-E/68-Dup. (Eiv), dated 20-5-1966.

Sub.—Acceptance of Private Medical Certificate.

Further to this office letter of even number of 24-11-65, (S. No. 3225) it is stated that the discretion vested in the Competent Authority to accept a private medical certificate should be exercised judiciously and it should not be rejected on flimsy grounds if otherwise in order.