

# MASTER CIRCULAR

## Master Circular No. 35

### Retirement

Presently the instructions on the subject - Retirement of railway servants, issued by the Railway Board from time to time are contained in several letters/circulars. The Railway Board have now decided to consolidate these instructions into a single body as a master circular, as below, for the information and guidance of all concerned.

#### General:

2. Retirement from service means a Railway servant ceasing to be in service. The various modes by which the services of a Railway servant may come to an end are: -
  - i. Normal retirement on superannuation;
  - ii. Retirement due to medical invalidation;
  - iii. Premature retirement ordered in the public interest; and
  - iv. Premature/Voluntary retirement on his/her own option.

#### A - Normal Retirement.

3. Every Railway servant barring those mentioned in paras 3.1 and 3.2 below shall retire from, service on attaining superannuation i.e. the age of fifty eight years.

(Ref: Board's letter No. [PC-62/RT-1](#) dated [5.12.1962](#), and [Rule 1801](#) (a) – Indian Railway Establishment Code, Vol.II/1987)

- 3.1 Railway servants in Group 'D' service or posts, who entered service prior to 1st December 1962 and were entitled to serve upto the age of sixty years, including new entrants to these categories shall retire from service on attaining the age of sixty years. The term new entrant will apply to Group 'D' Railway servants of Railway Board's office only,

(Ref; Board's letter No. [E\(P&A\)I-82/RT-16](#) dated [18.12.1982](#), [E\(P&A\)I-79/RT-9](#) dated [8.6.1979](#) and [Rule 1802](#) (b) – Indian Railway Establishment Code, Vol.II/1987).

- 3.2 Principals, Vice Principals, School Teachers, Laboratory Assistants and Librarians working in Railway schools and colleges who had joined service prior to 1.4.1989 shall retire from service on the afternoon of the last day of the month in which they attain the age of sixty years in the manner indicated in para 4 below.

[Ref: Board's letter No. [E\(P&A\)I-83/RT-20 dated 9.5.1984](#) and [6.4.1989](#) (RBE 97/1989)].

**Date of normal retirement:**

4. The date of retirement will be based on the date of birth of the Railway servant recorded in the service book/ classified list of Gazetted establishment and will be as shown under : -

Date of birth	Date of retirement on attaining 58/ 60 years of age.
1st of a month	Afternoon of the last day of the preceding month.
Any other date of a month	Afternoon of the last day of that month.

(Ref: Board's letters No. [PC-III/73/RT/4](#) dated [18.12.1973](#), [20.5.1974](#) and [2.8.1974](#)).

- 4.1 In other cases of retirement viz., retirement due to medical unfitness or invalidation, premature retirement, voluntary retirement, the provision given in Para 4 above will not apply.

**Relinquishment of charge**

5. Retirement from service on attaining the age of superannuation is automatic and in the absence of specific orders to the contrary by the competent authority, a Railway servant must retire on the due date and cannot take advantage of non-receipt of formal orders regarding his retirement, relief etc.

It is the responsibility of the Administrative authorities concerned to ensure that the Railway servants under their control retire on the due date on attaining the age of superannuation. The Railway servant, on his part, is also required to bring the fact that he is attaining the age of superannuation to the notice of the Head of the Office in which he is serving and make over charge on the due date to his reliever, or to any other railway servant who may be nominated.

(Ref: Board's letter No. [E\(P&A\)I-79/EM 1/2 dated 7.5.1979](#))

- 5.1 The administrative authorities concerned should ensure that the machinery under their control is suitably geared to maintain the personal records of Railway servants up-to-date at all times to guard against any eventuality of retaining a railway servant irregularly, beyond the age of superannuation.

(Ref: Board's letter No. [E\(G\)78/RT 2/10 dated 3.7.1978](#)).

**Relinquishment of charge when the date of retirement happens to be holiday.**

6. The retiring Railway servant should formally relinquish charge of the post/office on the afternoon of the last day of the month in which his/her retirement falls, even if that day happens to be a holiday. Where handing over

of cash/ stores/ material is involved, the retiring railway servant should make over these to the relieving railway servant or to any other railway servant nominated by the administration on the close of the previous working day and actually relinquish charge on the last day of the month (which is a holiday) for doing of which his physical presence in the office need not be insisted upon.

(Ref: Railway Board's letter No. [PC-III/73/RT/4 dated 6.6.1977](#))

#### **Retirement of a railway servant under suspension:**

**7. A pensionable railway servant under suspension should be retired on the due date of superannuation even if the inquiries into the charges, against him are still in progress.**

**7.1 In the case of non-pensionable railway servants the competent authority will have to take a specific decision in each case, on merits, whether or not to continue in service beyond the age of superannuation, railway servants under suspension. In arriving at a decision, the considerations indicated below shall be kept in view. Only in those cases where the prospect of a dismissal is nearly certain with the attendant possibility of denying the employee Government's contribution to Provident Fund, need a railway servant under suspension be retained in service beyond the date of superannuation. In other cases, where dismissals are not likely to result, the railway servants concerned shall be retired on the date of attaining superannuation, subject to withholding of Special contribution to Provident Fund and also postponement of settlement of Government contribution to Provident Fund in terms of Provident Fund Rules, unless there is need for making an exception in any particular case. Departmental proceedings in such cases shall nevertheless be continued and processed to finality expeditiously so that the liabilities established in such proceedings can be adjusted against the Government contribution to Provident Fund held back. While deciding to make exceptions in individual cases for retaining the railway servants beyond the date of superannuation, due regard will have to be paid to the considerations that such employees will have to be paid subsistence allowance during the period of suspension and full pay and allowances to which they would become entitled in the event of their being completely exonerated of the charges against them, and that deductions can be made from the Government Contribution to Provident Fund only in terms of Provident Fund rules.**

(Ref: [Rule 1801\(d\)](#) read with Board's orders there under - Indian Railway Establishment Code, Vol.II/1987).

**7.2 The authority competent to grant leave may withhold whole or part of cash equivalent of LAP in the case of a railway servant who retires from service on attaining the age of retirement while under suspension or while disciplinary or criminal proceedings are pending against him, if in the view of such an authority there is a possibility of some money recoverable from him on conclusion of the proceedings against him. On conclusion of the proceedings, he will become eligible to the amount withheld after adjustment of railway dues, if any.**

(Ref: Railway Board's letter No. [F\(E\)III/82/LE 1/2 dated 29.12.1983](#)).

## **B - Retirement due to medical invalidation or incapacity**

**8. Where a competent authority has reason to believe that a railway servant is suffering from a contagious disease or a mental or physical disability which in the said authority's opinion is interfering with the efficient discharge of duties by the railway servant the said authority may subject the railway servant to a medical examination. If, in the medical examination, the railway servant is declared unfit to continue in service, the competent authority may invalidate and retire him/her from service on medical grounds. If the railway servant is on duty, he/she shall be invalidated from service from the date of relief, which should be arranged without delay on receipt of the report of the medical authority. If, however, the railway servant is granted leave on receipt of the medical authority's report or the railway servant is already on leave, the invalidation and retirement from service will be effective from the date following the date of expiry of the leave/extension of leave, if any, granted.**

(Ref: para 2603 - Indian Railway Establishment Manual).

**8.1 Railway servants, both permanent and temporary, who are declared medically unfit for service in the posts held by them, but are declared fit for service in posts which fall in a lower medical category are eligible to be continued in service in posts requiring a lower medical standard. Alternative employment is normally provided to such personnel in posts corresponding to their lower medical standard. However, where in the case of temporary employees becoming medically decategorised on account of circumstances not arising out of and in the course of employment alternate employment is not found within the period of leave/ extension of leave/ extraordinary leave granted to the railway servants as admissible under the rules, the employees should be discharged from service. Where the offer of alternative employment (one or more offers) have/ been refused the railway servants concerned should be retired.**

(Ref: [Rule 304](#) - Indian Railway Establishment Code, Vol. I /1985).

**8.2 A railway servant who is declared by a Medical Authority to be completely and permanently incapacitated for further service may be granted, suo-moto by the authority competent to grant leave, cash equivalent of leave salary in respect of leave due and admissible on the date of his invalidation from service, provided that the period of leave for which he is granted cash equivalent does not extend beyond the date on which he would have retired in the normal course after attaining the age prescribed for retirement under the terms and conditions governing his service. The cash equivalent then payable shall be equal to the leave salary so calculated under [Rule 550\(B\)](#) (i) R.I./1985),**

**A Railway servant not in permanent employ or temporary employ of more than 3 years shall not, however, be granted cash equivalent of leave salary in respect of half pay leave standing at his credit on the date of his invalidation from service.**

(Refs [Rule 550](#) (B) R.I. /1985)

### C - Premature retirement

**9. Premature retirement means the retirement of, a Railway servant ahead of attaining the age of superannuation either on his/her own volition or because of an order passed by the competent authority in public interest. This is distinct from voluntary retirement sought by the Railway servant and compulsory retirement ordered as a penalty, under the R.S (D&A) Rules.**

**9.1 The appointing authority has the right to retire in public interest a Railway servant, falling in one or the other of the following categories, from service by giving him/her a notice of not less than three months in writing or by giving him/ her pay and allowances in lieu thereof:**

- a. A Railway servant in Group 'A' or 'B' service or post working in a substantive or temporary capacity who had entered Government service before the age of thirty five years, after he has attained the age of fifty years;
- b. Group 'A' and Group 'B' Railway servants who had entered service after the age of thirty five years, after their attaining the age of fifty five years;
- c. Railway servants belonging to Group 'C' and Group 'D' after their attaining the age of fifty five years;
- d. Pensionable Railway servants after their completing thirty years of qualifying service; and
- e. Non-pensionable Railway servants after their completing thirty years of service.

(Rule [1802](#)(a), [1803](#)(a), [1804](#)(a) of Estt. Code Vol. II/ 1987 corresponding to Rules 2046 (h), 2046 (k)/ Estt. Code Vol. II/1973 & para 620 (ii) of MRPR.)

**9.2 The Railway servants have also a reciprocal right to seek premature retirement from service by giving in writing a notice of not less than three months to the appropriate authority on the same terms as set out in para 9.1 above, i. e.**

- a. A Group 'A' or 'B' Railway servant can seek retirement after he has attained the age of fifty year if he had entered service before thirty five years of age/ after he has attained the age of fifty five years if he had entered service after thirty five years of age;
- b. Railway servants working in Groups 'C' & 'D' posts can seek retirement after their attaining the age of fifty five years;
- c. Pensionable Railway servants can seek retirement after they have completed thirty years of qualifying service; and
- d. Non-pensionable Railway servants can seek retirement after they have completed thirty years of service.

(Rule [1802](#)(b), [1803](#)(b), [1804](#)(b) of Estt. Code Vol. II/ 1987 corresponding to Rules 2046 - Estt. Code Vol. II/1973 & para 620 (i) of MRPR.)

**9.3 An order requiring/ permitting a pensionable Railway servant to retire on completion of thirty years of qualifying service should as a rule, not be issued until after the fact of completion of thirty years of qualifying service by the Railway servant has been verified in consultation with the concerned Accounts Officer.**

**9.4 It is open to the appropriate authority to withhold permission to a Railway servant under suspension, who seeks to retire prematurely by giving the requisite notice. The appropriate authority has also the right to refuse permission even if the Railway servant is placed under suspension after he has given the notice for retirement but such right shall be exercised, by the said authority before the expiry of the period of the notice given.**

**(Rule [1802\(b\)](#), [1803\(b\)](#), and Govt. of India's orders No. (3) below [Rule 1805](#) - Estt. Code Vol. II/ 1987, para 620 (i) of MRPR.)**

**9.5 No formal order of acceptance of the notice of premature retirement sought by a Railway servant in terms of Rule 2046 (i) or 2046(1) R.II/1973/corresponding to Rule [1802\(b\)](#) (1), [1803\(b\)](#) or [1804\(b\)](#) R.II/ 1987 is necessary and the Railway servant will be deemed to have retired automatically at the end of the notice period of three months. In the case of Railway servants under suspension, while the appointing authority has, no doubt, the power to withhold permission, failure to communicate to the Railway servants concerned, within the period of notice of three months given by them, the orders withholding permission for them to retire will lead to their automatic retirement on expiry of the notice period.**

**(Refs Board's letter No. [E\(P&A\)I-81/RT-4](#) dated [1.6.1981](#) and [E\(P&A\)I-83/RT-11](#) dated [3.11.1983](#)).**

**9.6 A Railway servant giving notice of voluntary retirement under Rule 2046(i) or Rule 2046 (1) (Corresponding to Rules [1802\(b\)](#) & [1804\(b\)](#)- R.II/1987 Edition/ Rule [1803\(b\)](#)-R.II of Para 620(1) of MRPR, can withdraw his notice before the intended date of his retirement only with the specific approval of the appointing authority.**

**[Ref: Board's letter No. [E\(P&A\)I-90/RT-18](#) dated [6.11.1990](#) (RBE 196/1990)]**

**9.7 Notice of three months to retire a Railway servant can be given while the Railway servant is on leave including extra-ordinary leave.**

**(Ref: Board's letter No. [PC-67/RT-9](#) dated [8.9.1967](#))**

**10. Where a Railway servant is prematurely retired under Rule 2046-R.II or 620 (ii) of Manual of Railway pension Rules, and pay and allowances are paid in lieu of three months' notice, it should be ensured that the amount paid to the railway servant so retired, is computed on the basis of pay and allowances which he was receiving at the time of retirement, less only statutory deductions like Income tax. All other dues outstanding against the railway servant such as House Building Advance/ Conveyance Allowance, House Rent, travelling allowance, CGHS contribution etc, may be left to be recovered, only**

from the gratuity payable under the Manual of Railway Pension Rules, 1972. Payment of salary and allowances should be made simultaneously with the order of premature retirement. No benefit of increment, if any, falling during the period covered by notice, should be given.

[Ref: Board's letter No. [E\(P&A\)I-75/RT-15 dated 24.12.1976](#) and [19.10.1978](#), [E\(P&A\)I-88/RT-25 dated 14.12.1988](#) (RBE 269/1988)]

**10.1** A Railway servant, who after serving the prescribed notice of three months in writing, retires prematurely after rendering thirty years of qualifying service but before attaining the age of 58 years, is entitled to leave salary and allowances, if any, as may be due and admissible in one lumpsum as a one time settlement for the terminal leave that may be granted to him.

(Ref: Board's letter No. [E\(P&A\)I-79/JCM/DC-3 dated 5.9.1979](#))

**10.2** Where a Railway servant prematurely retired by giving salary and allowance in lieu of notice of three months, is reinstated on review on the condition that the intervening period will be treated as dies non, the first three months of such period will be treated as duty and the remaining period as dies-non, There is no need to recover the salary and allowances already paid in lieu of notice.

(Ref: Board's letter No. [E\(P&A\)I-81/RT-11 \(Pt. I\) dated 25.10.1982](#))

**10.3** Military service rendered prior to appointment on the Railways, if taken into account for purposes of fixation of pay, seniority, SRPF benefits will also count for the purpose of computing service of 30 years for premature retirement under Rule 2046 (k) and Rule 2046 (1) – R.II/ 1989.

(Ref: Board's letter No. [E\(P&A\)I-82/RT-4 dated 6.8.1983](#))

**10.4** A Railway servant, who is prematurely retired and who is in occupation of Railway Quarter may be permitted to retain the accommodation on normal rent for one month from the date of expiry of the period of notice. Where salary and allowances have been given in lieu of notice and the employee is sanctioned leave, retention of accommodation may be allowed on normal rent for the full period of leave subject to a maximum of 4 months. If the leave is less than a month or if no leave is admissible or sanctioned, retention on normal rent for one month may be allowed.

(Ref: Board's letter No. [F\(X\)I/75/11/8 dated 7.12.1977](#))

**10.5** In cases of premature/voluntary retirements: -

i.

- a. The railway servant who retires by giving notice to the Government or is retired by giving him notice or pay and allowances in lieu of such notice in accordance with the terms and conditions of his service may be granted suo-moto by the authority competent to grant leave, cash equivalent of the leave salary in respect of leave on Average Pay at



his credit, subject to a maximum of 240 days and also in respect of all the half pay leave at his credit provided this period does not exceed the period between the date on which he so retires or is retired from service and the date on which he would have retired in the normal course after attaining the age prescribed for retirement under the terms and conditions governing his service.

- b. The cash equivalent shall be equal to the leave salary as admissible for leave on average pay and/or equal to the leave salary as admissible on half pay leave plus dearness allowance admissible on that leave salary for the first 240 days, at the rates in force on the date the Railway servant so retires or is retired from service.
- c. The Pension and pension equivalent or other retirement benefits and adhoc relief/ graded relief on pension shall be deducted from the leave salary paid for the period of half pay leave, if any, for which the cash equivalent is payable.
- d. The amount so calculated shall be paid in one lumpsum as a one time settlement. No House Rent Allowance or City Compensatory Allowance shall be payable.

Provided that if leave salary for the half pay leave component falls short of Pension and other pensionary benefits, cash equivalent of half pay leave shall not be granted;

Provided further that a Railway servant who is retired by Government by giving him pay and allowances in lieu of notice, may apply for leave within the period for which such pay and allowances were given, and where he is granted leave, the leave salary shall be allowed only for the period of leave excluding the period for which pay and allowances in lieu of notice have been allowed.

- ii. Where the services of a Railway servant are terminated by giving a notice or by payment of pay and allowances in lieu of notice or otherwise in accordance with the terms and conditions of his appointment, he may be granted suo-moto by the authority competent to grant leave, cash equivalent in respect of leave on Average Pay at his credit on the date on which he ceases to be in service, subject to a maximum of 240 days. The cash equivalent shall be equal to the leave salary as admissible for leave on average pay plus dearness allowance admissible on that leave salary at the rates in force on the date the Railway servant ceases to be in service. The amount so calculated shall be paid in one lumpsum as a one time settlement. No City Compensatory Allowance and House Rent Allowance shall be payable. In case of re-employed railway servants, the cash equivalent shall be based on the pay drawn exclusive of the pension and pension equivalent of other retirement benefits.
- iii. A Railway Servant who is re-employed after retirement may, on termination of his re-employment, be granted suo-moto by the authority competent to grant leave, cash equivalent in respect of leave on Average Pay at his credit on the date of termination of his re-employment subject to maximum of 240 days, including the period for which encashment was allowed at the time of retirement.



- iv. In case of a Railway servant retiring from service on attaining the age of retirement while under suspension or while disciplinary or criminal proceedings are pending against him, the authority competent to grant leave may withhold whole or part of cash equivalent of L.A.P., if in the view of such an authority there is a possibility of some money recoverable from him on conclusion of proceedings against him. On conclusion of the proceedings, he will become eligible to the amount withheld after adjustment of Railway dues, if any.

(Ref: Railway Board's letter No. [F\(E\)III/82/LE 1/2 dated 29.12.1983](#))

- v. In the cases of resignation or quitting of service, the railway servant may be granted suo-moto, cash equivalent in respect of leave on average pay at his credit on the date of cessation of service to the extent of half of such leave at his credit subject to a maximum of 120 days by the authority competent to sanction leave.

(Ref: Board's letters No. [F\(E\)III/82/LE 1/2 dated 29.12.1983](#) & [PC-IV/86/LE/1 dated 24.10.1986](#) (RBE 208/1986) & Rule [Rule 550-R.I.](#))

#### **D - Voluntary Retirement**

11. Based on the recommendations of the Administrative Reforms Commission, the scheme of voluntary retirement of Railway Servants after they have rendered Twenty Years of qualifying service/ service, on proportionate pension and gratuity/proportionate SC to PF, with a weightage upto a maximum of five years towards qualifying service/service has been introduced with effect from 9.11.77. Under this scheme, which is purely voluntary, the initiative rests with the Railway servant and the Govt. does not have the reciprocal right to order on its own retirement of Railway servants.

(Ref: Board's letter No. [E\(P&A\)I-77/RT-46 dated 9.11.1977](#))

#### **Period of notice to be given**

- 11.1 A Railway servant desirous of retiring voluntarily after twenty years of qualifying service/service should give a notice of three months in writing to the appointing authority. A notice of less than three months may also be accepted by the appointing authority in deserving cases. Before serving the notice of voluntary retirement, a Railway servant should satisfy himself by means of a reference to the appropriate administrative authority that he has completed twenty years of service qualifying for pension/ service of twenty years for purposes of Special Contribution to Provident Fund, as the case may be.

(Refs Board's-letter No. [E\(P&A\)I-77/RT-46 dated 9.11.1977](#))

#### **Authority competent to accept notice.**

- 11.2 Acceptance of the notice by the appointing authority is necessary, where the date of retirement of the Railway servant on the expiry of notice,

would be earlier than the date on which he could have retired prematurely in terms of provisions of Rules 2046 (1)/[1802](#) (b) – R.II or on completion of 30 years of service qualifying for pension in terms of rule [1803](#) (b) R.II. General Managers, Heads of Deptt and the Divisional Railway Managers have the authority to accept notice of voluntary retirement of Railway servants as mentioned below. Power should be exercised by the authorities personally.

(i) General Manager (a) Group 'B' officers

(b) Group 'C' & 'D' Railway servants.

Where the period of notice is less than three months, he may in deserving cases accept the notice, exercising the authority in consultation with the FA&CAO.

(ii) Head of the Group 'C' & 'D' Railway servants working under his Deptt. control in the Headquarters office, Extra-Divisional offices.

Where the notice is less than three months, he may accept the same in deserving cases, exercising his authority in consultation with the associate Finance.

(iii) Divisional Railway Manager. Group 'C' & 'D' Railway servants working under his control.

Where the notice is less than three months, he may accept the same in deserving cases exercising his authority in consultation with the associate Finance.

Acceptance of the notice in all cases by the authorities mentioned above will be subject to clearance by the Vigilance Branch and from DAR angle.

(Ref: Board's letters No. [E\(P&A\)I-77/RT-46](#) dated [19.6.1979](#), [26.5.1980](#), [12.9.1980](#) & [10.2.1981](#))

**11.3. Where proceedings under the Railway Servants (D&A) Rules are pending or contemplated as for a major penalty against the Railway servant who has given notice of voluntary retirement and the disciplinary authority, having regard to the Circumstances of the case, is of the view that the penalty of removal or dismissal from service would be warranted in the case or in cases where prosecution is contemplated against the railway servant concerned or may have been launched in a Court of law acceptance of the notice would require the approval of the Minister in charge in regard to Group 'A' & 'B' railway servants and that of the General Manager in the cases of Group 'C' & 'D' railway servants. Therefore, in the cases of Group 'A' & 'B' officers, the General Manager, while making a reference to the Railway Board for advice, should indicate whether departmental/ vigilance/ SPE investigations or consequential DAR proceedings are pending or contemplated against the officers concerned for the imposition of a major penalty and whether removal or dismissal from service would be warranted in the case(s).**

(Ref: Board's letters No. [E\(P&A\)I-77/RT-46](#) dated [9.11.1977](#) & [26.5.1980](#))

**11.4 A railway servant giving notice of voluntary retirement the acceptance of which requires appointing authority's approval, may presume acceptance of the notice and the retirement shall be effective in terms of the notice, unless the competent authority issues an order to the contrary, before the expiry of the period of notice.**

**(Ref: Board's letter No. [E\(P&A\)I-77/RT-46 dated 9.11.1977](#))**

**11.5 In all other cases of Gazetted railway servants, where the approval of the Board/ Minister is necessary for acceptance of notice, the following instructions, should, be adhered to, in making reference to the Railway Board:**

- i. On receipt of a notice of voluntary retirement, it should be promptly forwarded, along with specific recommendations of the GM in regard to the acceptance of the notice. This action is to be taken within 2 weeks of the receipt of the notice, to ensure that the Ministry has adequate time to process the case and obtain Minister's approval.**
- ii. A clear certificate, duly vetted by the FA&CAO should be enclosed, certifying that the officer has completed the requisite period of qualifying service (service in the case of a PF optees) for serving a notice of voluntary retirement.**
- iii. No condition of any nature, whatsoever, should be attached to a notice of voluntary retirement. Such conditional notices should be rejected at the GM's level.**
- iv. While recommending the acceptance of the notice, the GM should also indicate whether any disciplinary proceedings are pending or are contemplated against the officer concerned for the imposition of major penalty. If the Railway has no information about any disciplinary proceedings which are pending or contemplated, this fact should be included in the recommendations. Similarly, the recommendation should mention whether prosecution is contemplated or has been launched in a Court of law against the officer. If the Railway has no information about any prosecution contemplated or launched, this has also be to be mentioned in the recommendations.**
- v. If an officer desires that the notice should be accepted before the expiry of the stipulated period of 3 months, he should make it clear in the notice itself.**
- vi. If an officer wishes to change the date of his voluntary retirement before acceptance of his notice, by the Competent Authority, he may write to the controlling officer withdrawing his earlier notice and serve a fresh notice.**
- vii. If, after acceptance of the notice given, but before the expiry of the notice period, an officer finds that he requires some more time beyond the original stipulated date to proceed on retirement, he should apply for withdrawal of the notice served. He may again apply, giving fresh notice, only after the approval of the competent authority for withdrawal of the notice. In such cases, however adequate reasons should be recorded in support of the request for withdrawal of the notice. In the case of Group 'A' officers, since the**

- President is the appointing authority, the approval of this Ministry is necessary for withdrawal of the notice served.
- viii. If, after acceptance by the competent authority for the withdrawal of the notice an officer again wishes to seek voluntary retirement on any future occasion, a fresh notice should be served at the appropriate time, keeping in view that this is again subject to Government's approval. Acceptance of an earlier notice does not mean automatic acceptance of the second notice.
- ix. A notice of voluntary retirement should not be lightly taken and should be served only after assessing all the pros and cons. In a case where too many changes are made in regard to intention to retire, withdrawal may not be permitted by the Government.

#### **Withdrawal of notice.**

**11.6** A notice of voluntary retirement given by a railway servant may be withdrawn by him only with the approval of the appointing authority, provided the request for withdrawal is made before the expiry of the notice.

[Ref: Board's letters No. [E\(P&A\)I-77/RT-46](#) dated [9.11.1977](#) & No. [E\(P&A\)I-90/RT-18](#) dated [6.11.1990](#) (RBE 196/1990)]

#### **Effect of leave**

**11.7** If a railway servant seeks to retire voluntarily under the scheme of voluntary retirement while on 'leave not due' without actually returning to duty he shall retire with effect from the date of commencement of the 'leave not due', payment of leave salary made in respect of such 'leave not due' shall be recovered, from him as provided in [Rule 528](#) - Indian Railway Establishment Code, Vol. I/1985.

**11.8** A railway servant giving notice of voluntary retirement may also apply, before the expiry of the period of notice for the leave standing to his credit, which may be granted to him, to run concurrently with the period of notice. Leave, if any extending beyond the date of expiry of notice, but not extending beyond the date of which the railway servant would have retired on attaining the age of superannuation may be allowed as Terminal Leave in terms of [Rule 541](#) - Indian Rly. Estt. Code, Vol. I/1985, with the benefit of leave salary in one lumpsum as a one-time settlement, in respect of the terminal leave. Extraordinary leave of any kind should not, however, be granted to run concurrently with the period of notice given by the railway servant.

Ref: Board's letters No. [E\(P&A\)I-77/RT-46](#) dated [9.11.1977](#), [E\(P&A\)I-77/RT-46](#) dated [22.8.1985](#) (RBE 239/1985) and [E\(P&A\)I-78/CPC/FE-2](#) dated [17.1.1979](#)]

#### **Weightage towards qualifying service/service.**

**12. A railway servant retiring voluntarily is eligible to be granted weightage upto a maximum of five years as an addition to the qualifying service if he is pensionable and as an addition to service for purposes of payment of SC to PF if he is governed by SRPF (Contributory) Rules. The grant of weightage is, however, subject to the condition that the total qualifying service/service of the railway servant including the weightage should not in any case exceed 33 years and should not also extend beyond the date of his superannuation.**

**[Ref: Board's letters No. [E\(P&A\)I-77/RT-46 dated 9.11.1977](#) & [9.11.1983](#)]**

**12.1 Effective from 10.09.1983, the benefit of grant of weightage upto a maximum of five years as an addition to the qualifying service/service subject to the same conditions as given in para 10 above, is admissible to the railway servants seeking premature retirement under the provisions of rules 2046(i) or 2046(1) -R.II/1973 or para 620(i) of MRPR, corresponding to rules [1802](#) (b)(i) or [1803](#)(b) or [1804](#)(b)-R.II/ 1987.**

**(Ref: Board's letters No. [E\(P&A\)I-77/RT-46 dated 9.11.1977](#) & [9.11.1983](#))]**

**12.2. The benefit of weightage will, however, not be admissible to the railway servants who are prematurely retired in the public interest in terms of Rules 2046-(h) or 2046-(k) R.II/1971 or para 620(ii) of MRPR corresponding to rules [1802](#) (a), [1803](#)(a)/[1804](#)(a) R.II/1987.**

**(Ref: Board's letter. No. [E\(P&A\)I-77/RT-46 dated 9.11.1983](#))**

**12.3. The weightage given as an addition to the qualifying service/service will only be for purposes of payment of pension and gratuity/SC to PF and not for purposes of making Government contribution to PF. The weightage will also not entitle the railway servant to any benefit of fixation of pay for purposes of calculating pensionary benefits or SC to PF, which will only be based on the actual emoluments calculated with reference to the date of retirement.**

**12.4 The weightage/ will, however, count towards post-retirement passes.**

**(Ref: Board's letter No. [E\(P&A\)I-77/RT-46 dated 9.11.1977](#))**

**Employees to whom the scheme of Voluntary Retirement will not apply.**

**13. The scheme of voluntary retirement on completion of 20 years of qualifying service/service with benefit of weightage towards qualifying service/service will not be applicable to: -**

- a. Railway servants on deputation to autonomous bodies and public sector undertakings who propose to get absorbed in the borrowing organisation.**
- b. Railway servants on deputation to joint sector undertakings and who seek to get absorbed therein. (Joint Sector undertakings are**

undertakings under the joint control of the Central Govt, and a State Govt. or that of two or more State Governments)

- c. Railway servants including Scientists or Technical Experts, who are
  - i. On assignment under the Technical & Economic Cooperation (ITEC) Programme of the Ministry of External Affairs and other aid programs:
  - ii. Posted abroad in foreign based offices of the Ministries/ Departments, or
  - iii. On a specific contract assignment to a foreign government.

They will be eligible to seek voluntary retirement only, after having been transferred to India, they have assumed charge of a post in India and served for a period of not less than one year.

13.1 The scheme, will, however, apply to railway servants who are on deputation to other Central Govt. Deptts., State Govt., Govt. of Union Territories. The notice of voluntary retirement of such railway servants should be forwarded to the parent Deptt. of the Railways for examination and acceptance or otherwise of the request. The weightage towards qualifying service/service would be given on the total service rendered by the Railway servant in the borrowing deptt. As well as the parent department.

[Ref: Board's letters No. [E\(P&A\)I-77/RT-46](#) dated [9.11.1977](#), [E\(P&A\)I-77/RT-46](#) dated [2.8.1985](#) (RBE 219/1985), & [E\(P&A\)I-85/RT-14](#) dated [8.10.1985](#). (RBE 278/1985)]

#### Temporary Railway Servants.

14. Temporary railway servants who were in service as on 30.9.86 or thereafter, seeking voluntary retirement on completion of 20 years or more of service are eligible to the grant of proportionate pensionary benefits including Family pension, in accordance with the provisions of Pension Rules. The terms and conditions for retirement under the scheme of Voluntary retirement will apply mutatis mutandis. Spells of service, which would be treated as not qualifying for purposes of pension, shall be ignored. Interruptions, if any, in service will amount to forfeiture of past service, unless condoned.

[Ref: Beard's letter No. [E\(P&A\)I-85/FE-4/7](#) dated [7.11.1986](#) (RBE 216/1986)]

15. A railway servant who is continually sick/involved in accident or otherwise compelled to remain on extra ordinary leave, after exhausting all the leave available and who has not been medically incapacitated or decategorised, is eligible to give a notice for voluntary retirement, if he/she desires to do so, simultaneously seeking curtailment of both the notice period in full as well as the un-expired portion of the extraordinary leave sanctioned. Such a notice may be accepted and the railway servant retired with effect from the afternoon of the date on which the notice is served. The facility allowed herein will not apply to cases of premature retirement sought by railway servants in terms of the provisions of Rule 2046 - R.II/1973

Rule [1802](#) (b)(i), [1803\(b\)/1804\(b\)](#) - R.II/1987 or para 620(i) of the Manual of Railway Pension Rules.

[Ref: Board's letter No. [E\(P&A\)I-86/RT-19](#) dated [29.4.1988](#). (RBE 91/1988)]

#### Other provisions

16. A temporary railway servant/ whose services have been terminated summarily otherwise than as a penalty under the D&A Rules, is entitled to claim pay and allowances in lieu of notice period. It is the duty of the Administration to arrange for the payment immediately on his discharge.

(Ref: Board's letter No. [E\(NG\)II/72/RG I](#) dated [9.1.1975](#))

16.1 In the case of a railway servant under suspension, the exercise of the right by him/her to retire, in terms of the provisions or Rule 2046-R.II/1971/ [1802](#) (b), [1803\(b\)/1804\(b\)](#) R. II/1987 or para 620 (i) of MRPR will be, subject to the prior approval of the appointing authority.

(Ref: Board's letter No. [E\(D&A\)65 RG 6-54](#) dated [18.8.1966](#) & Para 620(1) of MRPR)

16.2 There is no restriction on the right of a railway servant who is on foreign assignment with International Organisation (s)/ Foreign Government to seek premature retirement, while serving abroad, if he is eligible to do so.

(Ref: Board's letter No. [E\(NG\)II/76/RG I](#) dated [17.1.1977](#))

16.3 A railway servant on deputation to Public Sector/autonomous body is eligible to seek premature retirement under Rule 2046-R.II/1973/ [1802](#) (b), [1803\(b\)/1804\(b\)](#) R.II/ 1987 or para 620 (i) of MRPR, for absorption therein but without the benefit of weightage towards qualifying service/service.

[Ref: Board's letter No. [E\(P&A\)I-77/RT-46](#) dated [2.8.1985](#) (RBE 219/1985) & [15.10.1985](#). (RBE 284/1985)]

16.4 Once a railway servant has retired voluntarily/ prematurely on his own option available to him under the Rules, the General Managers have no powers to re-employ him.

(Ref: Board's letter No. [E\(P&A\)I-77/RT-46](#) dated [29.5.1984](#))

16.5 Legal and financial assistance may be provided to a retired railway servant for the conduct of legal proceedings instituted against him by a private party in respect, of matters connected with his official duties or position before his retirement, as is admissible to a serving railway servant, except that

- i. The benefit will not be admissible to those retired compulsorily as a measure of punishment; and



- ii. The amount of interest free advance will be subject to a maximum limit of Rs. 500/-. (Bond should be obtained, wherever advance is granted and consultation with the UPSC, wherever required should be made).

(Ref: Board's letter No. [E\(G\)77 LL 1/3 dated 12.5.1977](#))

**16.6** Benefit of restructuring of cadre will be admissible to a retired railway servant, who was in service, on the crucial date for restructuring but had retired before the implementation of the restructuring order. The benefit will be admissible only for the first promotion, if the railway servant is otherwise eligible and suitable and he will not be eligible for any subsequent promotion, even if it was due in terms of the restructuring orders. Notional or proforma pay in the higher grade will be allowed and the same counted for assessment of the retirement benefits.

[Ref: Board's, letter No. [PC-III/85/UPG/15 dated 22.8.1986](#) (RBE 138/1986)]

**16.7** A railway servant retiring voluntarily under the scheme of voluntary retirement is entitled to travelling allowance as admissible to a railway servant proceeding on normal retirement.

(Ref: Board's letter No. [PC-III/78/TA 1/12 dated 12.6.1980](#))

**17.**

- i. While referring to this master circular, the original letters/ references mentioned herein should be read for a proper appreciation. This circular is only a consolidation of the existing instructions and should not be treated as a substitution of the original letters/ references. In case of doubt, the original letters/ references should be relied upon as authority.
- ii. The instructions contained in the original letters referred to, have only prospective application unless indicated otherwise; and
- iii. If any letter having a bearing on the subject, which has not been superseded, has been lost sight of in the preparation of the master circular, the said letter which has been missed through oversight, should not be ignored but should be treated, as valid and operative.

**18.** The letters/ references relied upon for the preparation of the master circular has been indicated in the enclosure.

List indicating the reference number and date of letters relied upon for preparing the Master Circular.

1. No. [PC-62/RT-1 dated 5.12.1962.](#)
2. No. [E\(D&A\)65 RG 6-54 dated 18.8.1966.](#)
3. No. [PC-67/RT-9 dated 8.9.1967.](#)
4. No. [PC-III/73/RT/4 dated 18.12.1973.](#)
5. No. [PC-III/73/RT/4 dated 20.5.1974.](#)

6. No. [PC-III/73/RT/4 dated 2.8.1974.](#)
7. No. [E\(NG\)II/72/RG I dated 9.1.1975.](#)
8. No. [F\(E\)III/75/LE 1/1 dated 20.5.1976.](#)
9. No. [E\(P&A\)I-75/RT-15 dated 24.12.1976.](#)
- 10.No. [E\(NG\)II/76/RG I dated 17.1.1977.](#)
- 11.No. [E\(G\)77 LL 1/3 dated 12.5.1977.](#)
- 12.No. [PC-III/73/RT/4 dated 6.6.1977.](#)
- 13.No. [E\(P&A\)I-77/RT-46 dated 9.11.1977.](#)
- 14.No. [F\(X\)I/75/11/8 dated 7.12.1977.](#)
- 15.No. [E\(G\)78/RT 2/10 dated 3.7.1978.](#)
- 16.No. [E\(P&A\)I-75/RT-15 dated 19.10.1978.](#)
- 17.No. [E\(P&A\)I-78/CPC/FE-2 dated 17.1.1979.](#)
- 18.No. [E\(P&A\)I-79/EM 1/2 dated 7.5.1979.](#)
- 19.No. [E\(P&A\)I-79/RT-9 dated 8.6.1979.](#)
- 20.No. [E\(P&A\)I-77/RT-46 dated 19.6.1979.](#)
- 21.No. [E\(P&A\)I-79/JCM/DC-3 dated 5.9.1979.](#)
- 22.No. [E\(P&A\)I-77/RT-46 dated 26.5.1980.](#)
- 23.No. [PC-III/78/TA 1/12 dated 12.6.1980.](#)
- 24.No. [E\(P&A\)I-77/RT-46 dated 12.9.1980.](#)
- 25.No. [E\(P&A\)I-77/RT-46 dated 10.2.1981.](#)
- 26.No. [E\(P&A\)I-81/RT-4 dated 1.6.1981.](#)
- 27.No. [E\(P&A\)I-81/RT-11 \(Pt. I\) dated 25.10.1982.](#)
- 28.No. [E\(P&A\)I-82/RT-16 dated 18.12.1982.](#)
- 29.No. [E\(P&A\)I-77/RT-46 dated 21.5.1983.](#)
- 30.No. [E\(P&A\)I-82/RT-4 dated 6.8.1983.](#)
- 31.No. [E\(P&A\)I-83/RT-11 dated 3.11.1983.](#)
- 32.No. [E\(P&A\)I-77/RT-46 dated 9.11.1983.](#)
- 33.No. [F\(E\)III/82/LE 1/2 dated 29.12.1983.](#)
- 34.No. [E\(P&A\)I-77/RT-46 dated 29.5.1984.](#)
- 35.No. [E\(P&A\)I-77/RT-46 dated 28.5.1984.](#)
- 36.No. [E\(P&A\)I-77/RT-46 dated 2.8.1985 \(RBE 219/1985\)](#)
- 37.No. [E\(P&A\)I-77/RT-46 dated 22.8.1985 \(RBE 239/1985\)](#)
- 38.No. [E\(P&A\)I-85/RT-14 dated 8.10.1985. \(RBE 278/1985\)](#)
- 39.No. [E\(P&A\)I-77/RT-46 dated 15.10.1985. \(RBE 284/1985\)](#)
- 40.No. [E\(P&A\)I-83/RT-20 dated 9.5.1984.](#)
- 41.No. [PC-III/85/UPG/15 dated 22.8.1986. \(RBE 138/1986\)](#)
- 42.No. [PC-IV/86/LE/1 dated 24.10.1986 \(RBE 208/1986\)](#)
- 43.No. [E\(P&A\)I-85/FE-4/7 dated 7.11.1986 \(RBE 216/1986\)](#)
- 44.No. [E\(P&A\)I-86/RT-19 dated 29.4.1988. \(RBE 91/1988\)](#)

**45.No. [E\(P&A\)I-88/RT-25 dated 14.12.1988.](#) (RBE 269/1988)**

**46.No. [E\(P&A\)I-83/RT-20 dated 6.4.1989](#) (RBE 97/1989)**

**47.No. [E\(P&A\)I-90/RT-18 dated 6.11.1990](#) (RBE 196/1990)**

**Supplementary Circulars and orders issued Subsequently.**

**1. Supplementary Circular No. 1 - Voluntary retirement - [E\(P&A\)I-92/RT-5 dated 13.7.1992](#) (RBE 110/1992).**

**2. Supplementary Circular No. 2 - Weightage in qualifying service on voluntary Retirement of Railway Employees [E\(P&A\)I-94/RT-8 dated 8.5.95](#) (RBE 42/1995)**

**3. Supplementary Circular No. 2 - Voluntary Retirement of Railway Employees - [E\(P&A\)I-98/RT-4 dated 14.5.1998](#) (RBE 95/1998)**

**4. Supplementary Circular No. 3 - Raising age limit for retirement - [E\(P&A\)I-98/RT-6 dated 14.5.1998](#) (RBE 103/1998).**

**5. Supplementary Circular No. 4 - Raising age limit for retirement - [E\(P&A\)I-98/RT-6 dated 22.7.1998](#) (RBE 159/1998).**