



दक्षिण रेलवे Southern Railway
प्रधान मुख्य कार्मिक अधिकारी का कार्यालय
Office of the Principal Chief Personnel Officer
मुख्य कार्यालय, कार्मिक विभाग, चेन्नै-600003
Headquarters, Personnel Department, Chennai-600003

PBC No: 93/2022
RBE No: --

सं/No: P(R)521/P/Vol.XV

दिनांक/Dated: 31.05.2022

All Concerned

विषय /Sub: **Compassionate allowance to Railway employees who are Dismissed or removed from service-reiteration of instructions.**

संदर्भ /Ref: 1) RB Ir No.E(D&A)2005/RG6-14 dt.28.04.2005 (PBC 78/2005)
2) RBE 79/2005 dt 09.05.2005 (PBC 94/2005);
3) RBE 89/2008 dt 31.07.2008 (PBC 115/2008);
4) RBE 164/2008 dt 04.11.2008 (PBC 193/2008)

The procedure for grant of compassionate allowance has been explained in detail in the above mentioned Railway Board orders. Copies of PBCs 78/2005 and 94/2005 are enclosed for ready reference.

As per Rule 65(1) of Railway Services (Pension) Rules, 1993, a railway servant who is dismissed or removed from service shall forfeit his pension and gratuity; provided that the authority competent to dismiss or remove him from service may, if the case is deserving of special consideration, sanction a compassionate allowance not exceeding two-thirds of pension or gratuity or both, which would have been admissible to him, if he had retired on compensation pension, subject to a minimum of Rs.9,000/-p.m (RBE 99/2016 - PBC 112/2016).

It is reiterated that the **decision for or against grant of compassionate allowance or gratuity or both, shall be taken without fail at the time of passing orders of removal/dismissal, provided** (i) the employee has a minimum qualifying service of ten years, and (ii) had not been dishonest at the time of removal/dismissal. The decision to grant compassionate allowance, etc, shall be communicated through a separate order and shall not form part of the penalty advice.

The authorities higher to the authority which passed the order of dismissal or removal from service can also grant Compassionate Allowance even in cases where the dismissing/removing authority decided not to grant Compassionate Allowance.(PBC 78/2005).

Encl: 2

Digitally signed by M SENTHIL
KUMAR

Deputy Chief Personnel Officer/ Co-ordn
for Principal Chief Personnel Officer

Copy to: The General Secretary/SRMU
The General Secretary/AISCTREA
The General Secretary/AIOBCREA
The General Secretary/NFIR
IT Section/PB/HQ - to upload in the SR website.

**GRANT OF COMPASSIONATE ALLOWANCE TO RAILWAY SERVANTS WHO ARE
REMOVED/DISMISSED FROM SERVICE**

P. B. Circular No. 78/2005

Copy of Board's letter No. E(D & A)2005/RG6-14 dated 28 April 2005, from Dy. Director, Estt. (D & A), Railway Board, New Delhi Addressed to the General Manager(P), and Others.

In terms of Rule 65 of Railway Services (Pension) Rules, 1993 the authority competent to dismiss or remove the Railway Servant from service may, if the case is deserving special consideration, sanction a compassionate allowance not exceeding 2/3rd of pension or gratuity or both.

As per the existing provisions when the Compassionate Allowance has not been sanctioned by Competent Authority the case is not being put up to higher authority for sanction.

Hence clarification had been sought for, from Board as to whether any appeal may be preferred to higher authority when the Compassionate Allowance is not sanctioned by the authority which removed/dismisssed the Railway Servant from service.

In reply, Board have advised that grant of Compassionate Allowance can be considered by the higher authorities also even in cases where the dismissing/removing authority has not granted Compassionate Allowance.

**Grant of Compassionate Allowance to Railway Servants who are
Removed/Dismisssed from Service**

Please refer to Railway's letter No. P(S)227/P/XXIV dated 2nd March 2005 on the subject mentioned above.

The matter has been considered in the past in consultation with Finance Directorate. Action to grant Compassionate Allowance should be taken in terms of Rule 65 of RS (Pension) Rules, 1993 which says that the authority competent to remove or dismiss a Railway Servant from service can grant him Compassionate Allowance. The authorities higher to the authority which passed the order of dismissal or removal from service thus can also grant Compassionate Allowance even in cases where the dismissing/removing authority decided not to grant Compassionate Allowance.

(No. P(S)227/P/XXIV dated 30th May 2005).

GRANT OF COMPASSIONATE ALLOWANCE

P. B. Circular No. 94/2005

RBE No.79/2005

Copy of Board's letter No. F(E)III/2003/PN1/5 dated 9th May 2005 from Dy. Director, Finance (Estt.)III, Rly. Board, New Delhi addressed to GM, All Indian Railways and Production Units.

GRANT OF COMPASSIONATE ALLOWANCE

Reference are being received from Zonal Railways, etc., seeking clarification as to whether, compassionate allowance can be sanctioned to the removed/dismisssed Railway servants and family pension to the eligible members of the family on the basis of

representations received from them and the family after a lapse of many years from the date of removal/dismissal and death, respectively of such removed/dismissed Railway servants. In this respect, attention is invited to Rule 65 of Railway Services (Pension) Rules, 1993. In terms of this rule, if the case of a removed/dismissed Railway servant is deserving of special consideration, the authority competent to dismiss or remove the Railway servant from service may sanction a compassionate allowance not exceeding two-thirds of pension or gratuity or both, which would have been admissible to him if he had retired on compensation pension. The power to sanction or otherwise compassionate allowance is a discretionary power vested in the authority competent to remove/dismiss the Railway servant, to be exercised by that authority suo-motu, at the time of passing orders of dismissal or removal from service or immediately thereafter. Hence past cases where the competent authority, in exercise of its discretionary powers, had not sanctioned compassionate allowance at the time of passing orders of removal/dismissal or immediately thereafter, cannot be reopened for review on the basis of representations received from the removed/dismissed employees and members of their family at a later date.

2. The existing guiding principles and procedures for grant of compassionate allowance or gratuity or both are reiterated hereunder for compliance by the concerned authorities :—

- (i) The decision for grant of compassionate allowance or gratuity or both, or otherwise, shall be taken at the time of passing orders of removal/dismissal keeping in view the guidelines given in para 310 of the Manual of Railway Pension Rules, 1950.
- (ii) If no mention about the compassionate allowance, etc. is made by the competent authority while passing orders of removal/dismissal, the concerned Head of Office shall resubmit the case file along with relevant information/guidelines to the concerned competent authority and obtain its decision for or against sanction of compassionate allowance or gratuity or both.
- (iii) If the decision is for grant of compassionate allowance, etc., necessary action to implement the same shall be taken by the Head of Office based on the decision of the appellate authority on the penalty orders passed by the disciplinary authority.
- (iv) If no appeal is preferred within the target date, sanction order shall be issued immediately thereafter.
- (v) If the appeal is preferred within the target date, and a decision has already been taken for or against sanction of compassionate allowance, etc., and the same is not turned down by the appellate authority, such a decision shall be treated as final and no representation in this respect shall be entertained at a later date.
- (vi) The decision to grant compassionate allowance, etc., shall be communicated through a separate order. This decision shall not form part of the order under which the penalty of removal or dismissal is imposed.

3. Recently, a case has come to the notice of the board, wherein the competent authority, while imposing the penalty of removal from service on a railway servant, sanctioned compassionate allowance without verifying the qualifying service rendered by the latter. Compassionate allowance being one of the classes of pensions and a minimum qualifying service of ten years is a pre-requisite for sanction of any class of pension, before sanctioning compassionate allowance, it is absolutely necessary for the competent authority intending to sanction compassionate allowance to a person on whom the punishment of removal/dismissal is imposed, to satisfy itself that such a person had rendered not less than 10 years of qualifying service. Board, therefore,

desire that the head of office should place before the competent authority the information about the qualifying service and other relevant facts concerning the railway servant either at the time of imposing the penalty of removal/dismissal or immediately thereafter to facilitate that authority to take a decision as regards sanction of compassionate allowance in terms of rule 65 of railway services (pension) rules, 1993 and guidelines given in para 310 of manual of railway pension rules, 1950.

4. Zonal railway administrations are requested to take note of the position for guidance and compliance.

(No. P(R)500/P/Vol. II dated 7th July 2005).