

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

सं/No: P(R) 30 / P / CGA

दिनांक/Dated: 03.06.2024

All PHODs/ DRMs/ CWMs/ CEWE/ CAO/ CPM/ PDA/ Dy.CPOs/ Sr.DPOs/ Secy to GM,
Chairman/RRB/MAS,TVC, Addl.Registrar/RCT/MAS, Secretary/RRT/MAS,
Principal MDZTI/TPJ, SRCETC/TBM, ZETTC/AVD,
DPOs/SPOs/WPOs/APOs of HQ/Divisions /Workshops/Units.

**विषय/Sub: Appointment on Compassionate Grounds – Casual Labour
Circulars – Reg.**

Extract of the following Railway Board's letters on the above subject are enclosed for information, guidance and necessary action.

Sl.No.	Railway Board letter No.& Date	RBE No.
1	E(NG)II/84/CL/28 Dt.31.12.1986	RBE No.256/1986
2	E(NG)II/93/SB/5 Dt.07.10.1993	RBE No.147/1993
3	E(NG)II/96/RC-1/96 Dt.04.03.1997	RBE No.39/1997
4	E(NG)II/96/RC-1/85 Dt.17.10.1997	RBE No. 137/1997
5	E(NG)II/97/RC-1/22 Dt. 01.04.1997	RBE No. 47 / 1997.

RBE No. 47/1997 has been circulated as PBC No. 70/1997 a copy of which is enclosed for reference.

संलग्नक/Encl. 05 pages.

ROJA

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Date: 2024.06.04
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सहायक कर्मचारी संबंधी अधिकारी/Asst Personnel Officer / IR & Trg.

कृते प्रमुकाधि/For Principal Chief Personnel Officer

प्रतिलिपि/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.

**GOVERNMENT OF INDIA (BHARAT SARKAR)
MINISTRY OF RAILWAYS/RAIL MANTRALAYA
(RAILWAY BOARD)**

RBE No. 256/1986

No. E(NG)II/84/CL/28 dated 31/12/1986

Subject :- Appointment on compassionate grounds - Cases of wards of casual labour with temporary status who die in harness.

Attention is invited to this Ministry's letter No. E(NG)II/84/CL/28 dated 04.05.1984, in which the Railway Administrations were advised that General Managers could exercise powers personally to decide requests for appointment on compassionate grounds (as casual labour or substitute), or ward of a casual labourer who dies due to accident while on duty, provided the casual labourer concerned is eligible for compensation under the Workmen's Compensation Act, 1923.

2. In the PNM meeting with NFIR, the Federation suggested that the benefits of compassionate appointment should be extended to families of casual labour who are on regular scales of pay and who die in harness, in the same manner as for wards of other Railway employees who die during service.

3. During the PNM meeting with NFIR held on 21/22.07.1986, it was explained to the Federation that the provisions relating to compassionate appointment in the case of regular employees cannot be extended to casual labour with temporary status. It was added however, that individual cases of extreme hardship can be considered on merits.

4. The matter has been examined further in the light of deliberations in the said PNM meeting.

5. Ministry of Railways have now decided that if a casual labourer with temporary status dies in harness, i.e. during his employment with Railways and if the case presents features constituting extreme hardship, meriting special consideration, the General Manager could exercise his personal discretionary power for giving appointment to eligible and suitable ward of such casual labour on compassionate grounds. Such appointment will be only in the form of engagement as casual labour (fresh face) or as substitute. The Ministry expect this power to be exercised judiciously keeping in view in particular the need to contain the total casual labour force as enjoined in the extant instructions on the subject.

6. The power to make such appointments should not be further delegated to a lower authority.

7. Cases of death due to accident while on duty will continue to be governed by instructions contained in this Ministry's letter of even number dated 04.05.1984.

8. These instructions will be in force for a period of two years i.e. upto 31st December, 1988. The position will be reviewed at the end of 1988.

**GOVERNMENT OF INDIA (BHARAT SARKAR)
MINISTRY OF RAILWAYS/RAIL MANTRALAYA
(RAILWAY BOARD)**

RBE No. 147/1993

No. E(NG)II/93/SB/5 dated 07/10/1993

Subject :- Appointment on compassionate grounds - Case of widow/wards of substitutes who die in service.

Supplementary Circular No. 2 to M. C. No. 20

Supplementary Circular No. 9 to M. C. No. 16

Attention is invited to Railway Board's letter No. E(NG)II/84/CL/28 dated 1.12.1986 (RBE 256/1986) regarding appointment on compassionate grounds of wards of temporary status casual labour who die in harness, as Casual Labour (fresh hire) or as a substitute.

2. Board desire to clarify that instructions contained in the above letter are also applicable to the cases of temporary status substitutes who die in harness.

3. This also disposes of South Eastern Railway's letter No. P/Comp./Poly/IV/3/5 dated 19.02.1993 on the above subject.

**GOVERNMENT OF INDIA (BHARAT SARKAR)
MINISTRY OF RAILWAYS/RAIL MANTRALAYA
(RAILWAY BOARD)**

RBE No. 39/1997

No. E(NG)II/96/RC-1/96 dated 14/03/1997

**Subject :- Grant of
compassionate appointment to
the wards of Casual Labourers
(temporary status) who die in
harness.**

(Supplementary Circular No. 21 to Master Circular No. 16)
Kindly refer to the instructions contained in Board's letter No. E(NG)II/84/CL/28 dated 31.12.1986 (RBE 256/1986) wherein it was laid down that wards of Casual Labour with temporary status, who died in harness, could be considered for appointment as Casual Labour (fresh face) or as substitute, under the personal discretionary powers of the General Manager.

2. These instructions were to be effective from 31.12.1986 to 31.12.1988 but were later extended upto 31.12.1991 vide Board's letter No. E(NG)II/84/CL/28, dated 06.11.1989 and still later made applicable on a lasting basis beyond 31.12.1988 vide Board's letter No. E(NG)II/84/CL/28 dated 6.12.1990 (RBE 233/1990). These orders were, however, not applicable to the cases that occurred prior to 31.12.1986.

3. Pursuant to discussions in the PNM Meeting with NFIR held in October, 1996, it has been decided in partial modification of para 5 of letter No. E(NG)II/84/CL/28 dated 31.12.1986 (RBE 256/1986) quoted above, that the above dispensation may be extended to cases where death of the Casual Labour with temporary status had occurred prior to 31.12.1986.

4. The other conditions laid down in Board's letter dated 31.12.1986 will continue to apply.
Clarification vide Railway Board's letter No. E(NG)II/97/RC-1/22 dated 01.04.1997 (RBE 47/1997).

**GOVERNMENT OF INDIA (BHARAT SARKAR)
MINISTRY OF RAILWAYS/RAIL MANTRALAYA
(RAILWAY BOARD)**

RBE No. 137/1997

No. E(NG)II/96/RC-1/85 dated 17/10/1997

**Subject :- Grant of
compassionate appointment to
the wards/widows of Casual
Labourers (temporary status)
found missing.**

(Supplementary Circular No. 28 to Master Circular No. 16)

Kindly refer to Board's letter No. E(NG)II/84/CL/28, dated 14.5.1984 and 31.12.1986 (RBE 256/1986) and letter No. E(NG)II/96/RC-1/96, dated, 14.03.1997 (RBE 39/1997) regarding appointment on compassionate grounds in the case of wards of Casual Labourers with temporary status, who die in harness.

2. Cases are being referred to the Board, wherein requests have been made for considering compassionate appointments to wards/widows of casual Labour who had been missing for long periods, on the analogy of a similar provision existing in the case of regular employees as per the instructions contained in Board's letter No. E(NG)II/81/RC-1/251 dated 24.5.1982

3. The matter has been considered by the Board and it has been decided that the General Managers may consider compassionate appointments to eligible and suitable wards/widows of such casual labour who have been found missing for a long period, keeping in view the instructions contained in Board's letter No. E(NG)II/81/RC-1/251 dated 24.5.1982.

4. As already brought out in the earlier instructions on the subject, compassionate appointments of wards/widows of casual labour with temporary status are to be only in the form of engagement as casual labour (fresh face) or as Substitute, now only as Substitutes in view of restriction on engagement of casual labour. It is further reiterated that the General Manager should exercise his personal discretionary powers in the matter judiciously.

R.B.E. No. 47/97

(Supplementary Circular No. 22 to Master Circular No. 16)

Subject : Appointment on compassionate ground-cases of wards of casual labour with temporary status, who die in harness-Clarification thereof.

[No. E(NG)II/97/RC-1/22, dated 1.4.97]

In terms of Board's letter No. E(NG)II/84/CL/28, dt. 14.5.84, General Managers could exercise powers personally to decide request for appointment on compassionate ground as casual labour or substitutes, of ward of a casual labour who dies due to accident while on duty provided the casual labour concerned is eligible for compensation under the Workman Act, 1923.

Further, in terms of Board's letter No. E(NG)II/84/CL/28, dated 31.12.86 (*Bahri's RBO 1986, P-305*), and letter No. E(NG)II/96/RC-1/96, dated, 14.3.97 (RBE 39/97) in cases where the casual labour with temporary status die in harness *i.e.* during his employment with Railways and if the case presents features constituting extreme hardship, meriting special consideration, the General Manager could exercise his personal discretionary powers for giving appointment to eligible and suitable wards of such casual labour on compassionate grounds as casual labour (fresh face)/substitutes. It has also been stipulated that this power to the General Manager should be exercised judiciously keeping in view the particular need to contain the total casual labour force as enjoined in the extant instructions on the subject.

2. It is seen of late that the railways are examining the cases of compassionate appointment of casual labour on similar lines as that of regular railway servants and also referring the cases for Board's consideration, for relaxing the time limits and other conditions as prescribed for consideration of compassionate appointments towards of deceased regular employees.

3. It may be seen from the above that the instructions dated 4.5.86, 31.12.86 and 14.3.97 are specific instructions empowering the General Manager for considering compassionate appointments as fresh face casual labour of wards of casual labour in cases warranting special consideration. Such appointments are to be considered very judiciously and provisions relating to compassionate appointments in the case of regular employees cannot be extended in toto to casual labour with temporary status. Therefore, the cases of compassionate ground appointment of wards of casual labour with temporary status, as fresh face casual labour should be decided by the General Manager on merits and need not be referred to the Board; bringing out clearly in the orders as to why a particular decision (either to engage or not to engage) is being taken.

(This also disposes of NE Railway's letter No. E/239/20-2/95/p-3/365/SON FIVE dated 18.11.96).