



SOUTHERN RAILWAY

Headquarters Office,
Personnel Branch,
Chennai- 600 003.
Dated 16.08.2019

No. P(R) II/P/Vol.VI

Sr.DPOs/DPO/ MAS, MDU, TPJ, TVC, PGT, SA
WPOs/ CW/PER, LW/WR, GOC, S&T/PTJ
APOs/EWS/AJJ, CEWE/O/PER.

PBC No-174 / 2019

Sub:- Acceptance of Voluntary Retirement and grant of
Compassionate ground appointment to the wards of
the employees Medically decategorised/declared unfit
in all classes.

References are being received from Divisions/Workshops seeking clarifications regarding acceptance of Voluntary Retirement from those declared medically unfit in all classes and granting compassionate ground appointment to the wards of such staff, who are covered under New Pension Scheme.

The issue of employees who are medically decategorised and put in less than 20 years of service, was referred to Railway Board vide this office letter dated 09.01.2017 and Board's reply thereto, vide letter dated 20.12.2017, was circulated to all PB officers vide this office letter of even number dated 16.02.2018.

In a similar case, an employee declared medically unfit in all classes, covered under New Pension Scheme and put in less than 20 years' service, a reference was made to Railway Board seeking clarification as to voluntary retirement can be accepted and his ward be considered for compassionate ground appointment vide this office letter dated 29.05.2013. In reply, Railway Board has clarified vide letter No.E(NG)II/2015/RC-1/SR/9 dated 20.05.2015 to deal with such cases in accordance with the provisions contained in letter dated 18.01.2000 and that the scheme of appointment on compassionate ground is independent of Pension or any other scheme.

A copy of the Railway Board's letter referred to above along with our reference dated 25.05.2015 to Railway Board is enclosed, for necessary guidance to deal with such cases.

This disposes of the clarification sought for by TVC Division vide letter dated 19.07.2019.

Encl: As above.

(S. Janakiraman)
Senior Personnel Officer/Rules
for Principal Chief Personnel Officer



GOVERNMENT OF INDIA
MINISTRY OF RAILWAYS
(RAILWAY BOARD)

No. E(NG)II/2015/RC-1/SR/9

New Delhi, Dated: 25.05.2015.

The General Manager (P),
Southern Railway,
CHENNAI.

Sub: Compassionate ground appointment of Shri Praveesh Kumar P. K. s/o Shri Premarajan P. K., Ex. Trackman/WH under SSE/P.Way/Kozhikode, Palghat Division, Southern Railway.

Ref: Southern Railway's letter No. PB/CS/30/PGT/2013/2 dated 05.01.2015.

The issue contained in your Railway's letter quoted above has been examined by this Ministry and it is advised that Southern Railway may deal with the instant case in accordance with the provisions contained in para 3 of Board's letter dated 18.01.2000. Further, it is also clarified that scheme of appointment on compassionate ground is independent of Pension or any other *Scheme*.


(Neeraj Kumar)
Director Estt.(N)-II
Railway Board.

No PB/CS/30/PGT/2013/2

Date: 27-05-2013

The Secretary (Estt),
Railway Board,
New Delhi.

Sub : Appointment on compassionate grounds to the
wards of medically incapacitated staff - reg.

Ref : 1) Board's letter No E(NG)II/95/RC-1/94
dated 18.01.2000.

2) Board's letter No E(NG)I/2001/RE-3/9
dated 18.09.2002.

3) Board's letter No. E(NG)II/2009/RC-1/Gen/2
dated 23.02.2010

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On this Railway, one Shri T.K.Premarajan, a licensed porter was selected for the post of Trackman and appointed as Temporary Trackman w.e.f. 22.07.2008, at the age of 47 (his D.O.B. is 21.11.1960). He was having Cerebro Vasucular Accident, Systemic Hypertension, Rt.Hemiplegia with Motor Aphasia. Therefore, he was examined by DMO/PHY/Palghat, who recommended him for a sedentary job.

The case was put up to Medical Board/RH/Palghat. With the approval of CMD, the Board declared that Shri T.K.Premarajan, Trackman is unfit for all classes and future services in Indian Railways (dated 07.05.2012). Consequently, he was placed under a Special Supernumerary post w.e.f. 07.05.2012.

Shri Premarajan has opted to retire voluntarily vide his application dated 26.06.2012 with a request to consider his son for compassionate appointment. He has put in only about 4 years of service as on the date of his application for VR. Since he has been appointed as a Trackman on 22.07.2008, he comes under New Pension Scheme. His normal date of superannuation is 30.11.2020.

As per Board's letter dated 18.01.2000 cited under reference No. 1, in cases where an employee is totally incapacitated and is not in a position to continue in any post because of his medical condition, he may be allowed to opt for retirement. In such cases, request for appointment on compassionate grounds to an eligible ward may be considered. In this Board's letter, no minimum service has been laid down to accept the VR of the employee.

Board vide their letter dated 18.09.2002, cited as reference number 2, have clarified that employees with less than 20 years of service, opting to quit Railways can be settled in terms of Rule 55 of Railway Services (Pension) Rules, 1993 read with Rule 69 (2) (b) of Rules *ibid*.

Board vide their letter dated 23.02.2010 (reference No.3 cited) while reiterating the instructions contained in Board's letter dated 18.01.2000 have also advised that such incapacitated employees (who opt to retire voluntarily) if governed by Railway Services Pension rules, 1993 will be eligible for pensionary benefits as admissible under the said rules.

In the instant case, the employee comes under New Pension Scheme and has put in less than 5 years of service only. Therefore, he is not eligible for any pensionary benefits. Since he is covered under New Pension Scheme, the instructions contained in Board's letters dated 18.09.2002 and 23.02.2010 cannot be applied to him.

In view of the above, Board are requested to clarify whether the request of the employee (who has put in only 4 ^{1/2} years service and who is covered under New Pension Scheme), to retire voluntarily can be accepted and his ward be considered for appointment on compassionate grounds.



(N. Swaminathan)
Chief Personnel Officer
for General Manager