

CENTRAL ADMINISTRATIVE TRIBUNAL
BANGALORE BENCH

Second Floor,
Commercial Complex,
Indiranagar,
Bangalore-38.

Review Applications No.67 & 68/93 in

Dated: 14 DEC 1993

APPLICATION NO(s) 295 and 296/1989.

APPLICANTS: T.Gangadharan and V.Radhakrishnan

RESPONDENTS: Divisional Railway Manager, Southern Railway, Bangalore & Others.

TO.

1. Sri.C.Krishna, Advocate, No.25,
'Ananda', G-6 Street, Ulsoor,
Bangalore-8.
2. Sri.N.S.Prasad, Advocate,
242, Fifth Main Road,
Gandhinagar, Bangalore-9.

SUBJECT:- Forwarding of copies of the Orders passed by the Central Administrative Tribunal, Bangalore.

-XXX-

Please find enclosed herewith a copy of the ORDER/STAY ORDER/INTERIM ORDER/, Passed by this Tribunal in the above mentioned application(s) on 24-11-1993.

Deputy Registrar
DEPUTY REGISTRAR
JUDICIAL BRANCHES.

gm*

Q
Deputy Registrar
Q
gm

CENTRAL ADMINISTRATIVE TRIBUNAL: BANGALORE BENCH

REVIEW APPLICATIONS NUMBERS 67 AND 68 OF 1993

DATED THIS THE 24TH DAY OF NOVEMBER, 1993

Mr. Justice P.K.Shyamsundar, .. Vice-Chairman.

And

Mr. V.Ramakrishnan, .. Member(A).

1. T.Gangadharan,
S/o Thiruvengadam,
working at Carriage & Wagon
Superintendent, Office of Carriage
& Wagon Superintendent (Metergauge),
Southern Railway, Bangalore City. .. Applicant in
R.A.No.67/93.
2. V.Radhakrishnan,
S/o Veeraraghavan,
working at Carriage & Wagon
Superintendent, Office of Carriage
& Wagon Superintendent (Meter Gauge)
Southern Railway, Bangalore City. .. Applicant in
R.A.No.68/93.

(By Advocate Shri C.Krishna)

v

1. Divisional Railway Manager (Personnel),
Southern Railway, Bangalore Bn.,
Bangalore-560 022.

1(a) General Manager,
Southern Railway, Madras.

2. G.Varadarajan,
3. K.P.Gopalan,
4. P.N.Vergneese,
5. S.Rajasekaran,
6. P.Annamalai,
7. L.Krishnamurthy,
8. M.Chinnappa,
9. P.Subramaniyan,
10. R.Lucas,
11. C.Fletcher,
12. K.Shanmugam,

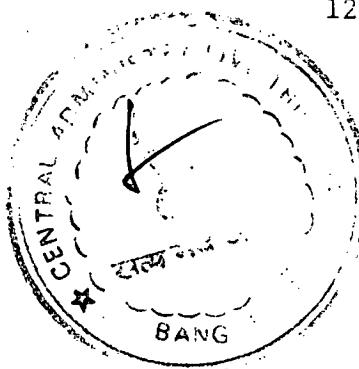
Sl.No.2 to 12 are working
as C & W Helper, Southern Railway,
Bangalore.

.. Common respondents.

(By Standing Counsel Shri N.S.Prasad for R1 & R1(a))

--

O R D E R



ORDER

We have heard counsel on both sides on these review applications which arise from a judgment of this Tribunal in Original Applications Nos. 779 to 789 of 1987 disposed off on 20-6-1988.

2. It is common ground that from the aforesaid judgment, the applicants in the aforesaid applications preferred appeals in S.L.P (Civil) No.6423 to 28 of 1992 to the Supreme Court and therein the Supreme Court issued notices and the appeals are now pending. The appeals, we are given to understand are contested by the department itself who is a party respondent therein. The department is said to be actually espousing the case of the applicants herein and projecting it before the Supreme Court in defence of the judgment of this Tribunal now pending in appeals. Under the circumstances it is unnecessary for us to deal with and dispose off these applications on their merits since the entire thing is now before the Supreme Court ~~eventually~~ and rights of parties will be regulated in accordance with the decision of the Supreme Court in the civil appeals referred to supra. It would further be desirable for these applicants to implead themselves as parties before the Supreme Court. But, even otherwise since they are virtually represented before the Supreme Court by the department in the civil appeals, there would be little difficulty in regulating their rights in the light of the Supreme Court's judgment. With these observations these applications stands disposed off finally.

Sd-

SECRETARY

Sd-

MEMBER(A)

VICE-CHAIRMAN.

np/

Ramdas
SECTION OFFICER
CENTRAL ADMINISTRATION
ADDITIONAL MEMBER
BANGALORE

10/12/93

REVIEW APPLICATIONS NUMBERS 67 AND 68 OF 1993

DATED THIS THE 24TH DAY OF NOVEMBER, 1993

Mr. Justice P.K.Shyamsundar, .. Vice-Chairman.

And

Mr. V.Ramakrishnan, .. Member(A).

1. T.Gangadharan,
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working at Carriage & Wagon
Superintendent, Office of Carriage
& Wagon Superintendent (Metergauge),
Southern Railway, Bangalore City. .. Applicant in
R.A.No.67/93.
2. V.Radnakrishnan,
S/o Veeraraghavan,
working at Carriage & Wagon
Superintendent, Office of Carriage
& Wagon Superintendent (Metre Gauge)
Southern Railway, Bangalore City. .. Applicant in
R.A.No.68/93.

(By Advocate Shri C.Krishna)

v

1. Divisional Railway Manager (Personnel),
Southern Railway, Bangalore Dn.,
Bangalore-560 022.
- 1(a) General Manager,
Southern Railway, Madras.
2. G.Varadarajan,
3. K.P.Gopalan,
4. P.N.Vergneese,
5. S.Rajasekaran,
6. P.Annamalai,
7. L.Krishnamurthy,
8. M.Chinnappa,
9. P.Subramaniyan,
10. R.lucas,
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Sd-

MEMBER(A)

np/

TRUE COPY

VICE-CHAIRMAN.

Parashuram
14/12/93.

Annexure - R III

GOVERNMENT OF INDIA
MINISTRY OF RAILWAYS
(RAILWAY BOARD)

No. E(NG) III/78/RC1/1.

New Delhi, dt/30-4-1979.

The GMs/All Indian Railways,
CLW, DLW & ICF.Sub: Appointment on compassionate
grounds.

In supersession of all previous instructions on the subject, the Ministry of Railways have decided that cases for appointments on compassionate grounds should be dealt with keeping the following instructions in view:

(1) Dependent relatives of those Railway employees who lose their lives in the course of duty or get so crippled that they cannot do any work (this also in the course of duty) e.g. loco and traffic running staff in charge of trains involved in accidents, should be compensated for the loss of their support by offering them appointment. The definition of dependent for this purpose will be the same as for Pass Rules. Where no such dependent with necessary qualifications for employment is available, appointment may be offered under the personal orders of the GM, to a nephew or another relative who can be expected to function as the breadwinner of the family.

(2) Appointments on compassionate grounds can also be made in the case of staff who die in harness but in such cases it should be restricted to a son/daughter/ widow of the employees. Where the widow cannot take up employment and the sons/ daughters are minor, the case may be kept pending till the first son/daughter becomes a major (i.e.) attains the age of 18. Such cases should be kept pending only for 5 years after which the claim will lapse. However, in cases coming under priority (4) (i) below, if an appointment could not be made within five years due to the son/daughter being minor the GM may personally authorise relaxation of the 5 year limit in deserving cases.

(1) F.no. 53.

P.no. 111.

Modifid

file letter

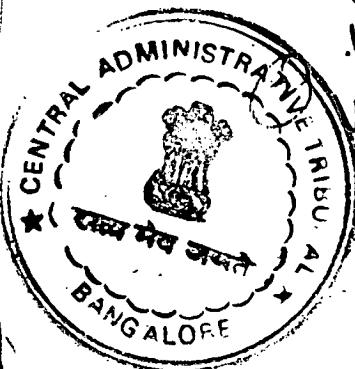
18-4-85

(5) Chancery no. 26 ✓

Vide letter dated 28-6-79. Contd. 27-6-85.

F.C. 26

(6) Further at F.C. 11-85.



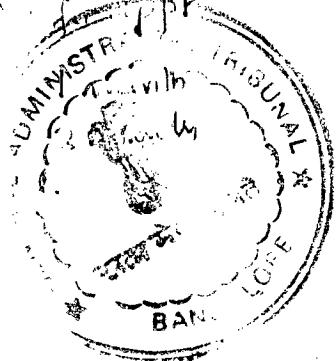
(3) The appointments on compassionate grounds may also be offered in cases where the employees while in service (1) become crippled, develop serious ailments like heart diseases, cancer, etc, or otherwise become medically incapacitated for the job they are holding. If no alternative job with the same emoluments can be offered to them, one son/daughter should be eligible for compassionate appointment if any an employee opts to retire.

(4) The following should be order of priority to be followed while offering appointment on compassionate grounds:

- (i) Dependents of employees who die or are permanently crippled in the course of duty;
- (ii) Dependents of employees who die in harness as a result of Railway Accidents when off duty; and
- (iii) Dependents of employees who die in service in circumstances immediately incapacitated.

(5) When offering appointment on compassionate grounds to a widow, son or daughter, it need not be checked up whether another son/daughter is already working. But there should in no case be more than one appointment against one death/medical incapacitation, e.g. it should not be permitted that after one appointment is made, later the family wants that another son/daughter be employed in lieu or in addition.

(6) A time limit of one month should be observed within which appointments should be given in priority (i) cases and three months for cases relating to priority (ii) and (iii) laid down in para (4) above subject to a position being available.



Contd...

Modified (7)

To accommodate illiterate widows of the deceased railway employees, posts of waiting room bearers may be exclusively reserved for them.

(8) For the purpose of compassionate appointments, upper age limit may be freely relaxed on the merits of the cases. However, educational qualification required for the post to be offered should not in any case be relaxed. Wherever the CM feels such a relaxation is absolutely necessary such cases should be referred to the Ministry of Railways.

(9) The power to make appointments on compassionate grounds is to be exercised only in recruitment grades. No appointment should be made in an intermediate grade (i.e.) one which is filled purely by promotion.

(10) As the minimum educational qualifications are to be insisted upon in each and every case, there is no need to hold a written test and/or interview to assess the suitability of the candidate proposed to be appointed on compassionate grounds.

(11) The candidates who are to be offered appointments may be appointed on submission of character certificates from two Gazetted Officers.

(12) In the cases of appointment of Group 'C' posts the powers may be exercised by the CPOs, in consultation with the Head of Department concerned. In the case of Group 'D' posts the powers to make such appointments should be delegated to the Divisional Superintendents, Divisional Railway Managers. Statistics of such appointments offered or denied should be maintained by the Headquarters Office.

(13) In case any other deviation from the above instructions is considered necessary in any particular case, the same should be obtained from the Ministry of Railways before any offer of appointment is made.

Contd...



-4-

(14) For proper enforcement of priorities separate priority lists be maintained on each unit as per para 4, the date of priority being from the date of eligibility and all appointments be made strictly in this order. Where for any special reasons there is a case for overlooking the priority list, sanction of next higher authority (CPO for appointments to Group D posts and GM in case of appointments to Group C posts) must be obtained giving details for ignoring the priority and the list of persons being overlooked. Such cases should be rare.

Hindi version will follow.

Sd/-.....
(M.R. ANAND)

At. Director/Estt./Rly. Board.



True copy
16/1/68
DPE/SBL

GOVERNMENT OF INDIA
MINISTRY OF RAILWAYS
(RAILWAY BOARD)

No. E(NG)III/78/RC1/1.

New Delhi, dated 7-4-1983.

Mr./All Indian Railways including
CLW, DLW & ICF.

Sub: Appointment on compassionate grounds.

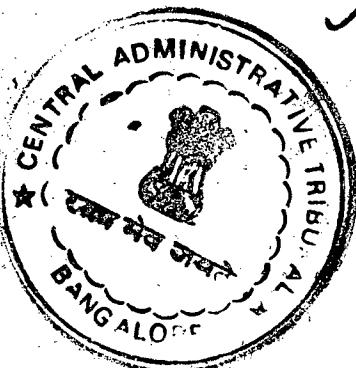
Instructions regarding appointment on compassionate grounds have been issued from time to time. The instructions currently in force are those contained in Board's letter No. E(NG)III-78/RC1/1 dated 30-4-1979 as (P.25) modified from time to time thereafter. These have now been consolidated and are reproduced below for the information and guidance of all concerned.

I. CIRCUMSTANCES IN WHICH COMPASSIONATE APPOINTMENTS MAY BE MADE:

Appointments on compassionate grounds relate to those appointments which can be made of dependents of Railway servants who lose their lives in the course of duty or die in harness otherwise while in service or are medically incapacitated. The circumstances in which appointments on compassionate grounds may be made are as below:

- (i) When Railway servants lose their lives in the course of duty or get so crippled that they cannot do any work (this also in the course of duty - for example, loco and traffic running staff in charge of trains involved in accidents).
- (ii) When Railway employees die in harness while in service before retirement.
- (iii) Where an employee's whereabouts are not known for a period of 7 years and the settlement dues of the employee are paid to the family on this account. This limit of 7 years may be relaxed to 3 years on the merits of each case with the approval of the General Manager, subject to

P.D. letter dated 27.12.83 to be added here.



Contd...

the condition that the services of the person appointed on compassionate grounds would be terminated in case the missing employee is traced subsequently.

(iv) When Railway employees become crippled while in service or develop serious ailments like Heart Diseases, Cancer etc. or otherwise medically decategorised for the job they are holding and no alternative job of the same emoluments can be offered to them.

*Pd. 9. 10. 86
Recd. 28. 86*

NOTE: The appointment on compassionate grounds is admissible to the dependents/wards of regular employees only.

3. 9. 83
10. 10. 86
28. 2. 86

Embeled bel

III. PERSONS ELIGIBLE TO BE APPOINTED ON COMPASSIONATE GROUNDS

Son/daughter/widow/widower of the employees are eligible to be appointed on compassionate grounds in the circumstances in which such appointments are permissible. The benefit of compassionate appointments may also be extended to a "near relative". The eligibility of a near relative to such appointments will be subject to the following conditions.

- (i) The employee or the ex-employee should have no son or daughter or the son or daughter is a minor one and the wife/widow/widower cannot take up an employment.
- (ii) A clear certificate should be forthcoming from the wife/widow/widower that the near relative will act as the bread winner of the family.
- (iii) If the family certifies at a later date that the near relative who was appointed on compassionate grounds refuses to support the family the services of that employee are liable to be terminated.



*for hand to
be given to
in the case of
death of salary
officer*

*See Bd. 9
31. (O Contd...
Letter of
ask.*

(iv) Once a near relative is appointed on compassionate grounds, no further appointment should be given later to a son or a daughter or the wife/widow/widower of the employee on compassionate grounds. The appointment of a near relative should not be considered if a son or the daughter or the wife/widow/widower is already working and is earning.

NOTE: Near Relatives would normally mean a blood relation who can be considered to be a bread winner for the family. Son-in-law and daughter-in-law are not eligible for compassionate appointment.

Note can be given in the case of reduced physical/mental capacity

III. TIME LIMIT FOR MAKING COMPASSIONATE APPOINTMENTS:

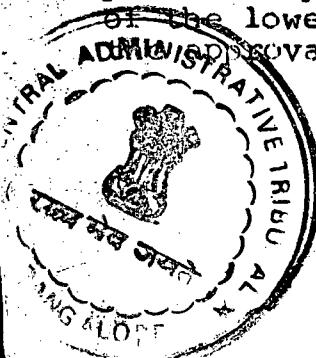
Normally all appointments on compassionate grounds should be made within a period of 5 years from the date of occurrence of the event entitling the eligible person to be appointed on this ground. This period of 5 years may be relaxed (where for example the widow cannot take up employment and the sons/daughters are minor) with the approval of the General Manager in deserving cases while compassionate appointments are sought on the ground of an employee losing his life or getting crippled in the course of duty. In other cases relaxation of the 5 year limit will require the approval of the Ministry of Railways for which purpose the requisite reference giving special reasons for the proposed relaxation should be made with the personal recommendation of the General Manager based on the special circumstances obtaining in individual cases.

Relax
vide
letter
dated
18.4.85
(F.W. 85)

IV. QUALIFICATIONS AND CONDITIONS TO BE FULFILLED:

Normally the persons seeking appointment on compassionate grounds should fulfil the conditions of eligibility regarding age and educational qualifications prescribed for appointment to the post or grade concerned. However, the upper age limit may be freely relaxed on the merits of the cases. The lower age limit of 18 years normally required for appointment in Government may also be relaxed upto one year with the personal approval of the General Manager. Relaxation of the lower age limit beyond one year will require approval of the Ministry of Railways.

✓
Contd...



The educational qualification prescribed for the post to be offered should not in any case be relaxed. However, if on the merits of an individual case the General Manager feels that such a relaxation of the minimum educational qualification is absolutely necessary, then such cases may be referred to the Ministry of Railways.

See Bdr. letter of 6.5.82

V. GRADES IN WHICH APPOINTMENTS CAN BE MADE ON COMPASSIONATE GROUNDS:

All appointments on compassionate grounds should be made only in the recruitment grades like Office Clerks, Commercial Clerks, Assistant Station Masters, etc. No appointment should be made on compassionate grounds in an intermediate grade (i.e.) one which is filled purely by promotion. Appointments on compassionate grounds are also not permissible in the category of Traffic Apprentices/Commercial Apprentices (grade Rs. 455-700) and Engineering Graduate Apprentices (Grade Rs. 550-700) because direct recruitment in these grades is proportionately very limited.

3.1.81

VI. PROCEDURE TO BE FOLLOWED BEFORE MAKING COMPASSIONATE APPOINTMENTS:

The candidates applying for appointments on compassionate grounds should be subjected to a suitability test by a committee of three Senior Scale Officers one of whom should be a Personnel Officer. The test need not be very rigid. It has only to be ensured that the person concerned would be in a position to discharge the duties of the post being offered to him. The test is also meant to assess the aptitude of the person for the particular job proposed to be assigned to him. It should be conducted keeping compassion in view which is the basis for such appointments.

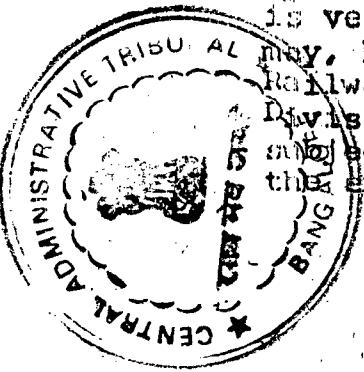
No charge

*compassion
will be watched*

The candidates who are to be offered appointments on compassionate grounds may also be required to submit a Character Certificate from two Gazetted Officers.

VII. AUTHORITY COMPETENT TO MAKE APPOINTMENTS ON COMPASSIONATE GROUNDS:

The power to make compassionate appointments is vested in the General Manager. The General Manager may, however, redelegate this power to the Divisional Railway Manager and also to Heads of the Extra Divisional Units who are in Level-I or Level-II subject to such control as he may like to impose on the exercise of such power by these authorities.



-5-

Proposal for appointment on compassionate grounds of dependents of Gazetted Officers should, however, be referred to the Ministry of Railways for approval.

VIII. PRIORITIES TO BE OBSERVED IN MAKING APPOINTMENTS ON COMPASSIONATE GROUNDS:

The following should be the order of priority to be followed while making appointments on compassionate grounds:

- (i) Dependents of employees who die or are permanently crippled in the course of duty;
- (ii) Dependents of employees who die in harness as a result of railway accidents when off duty;
- (iii) Dependents of employees who die in service or are medically incapacitated.

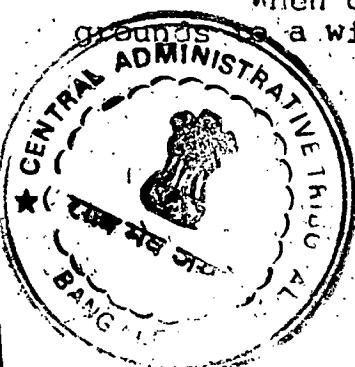
For the proper enforcement of priorities, separate lists should be maintained in each office for the categories indicated above, the date of priority being from the date of eligibility. All appointments should be made strictly in this order. Where, for any special reasons, it is felt necessary to depart from the priority list, the sanction of the next higher authority (CPO for appointments to Group 'C' posts) must be obtained giving details for ignoring the priority and the list of persons being put back in the priority list. Such cases should, however, be rare. — *See para (ii) of para 2 (P.D.)*

A time limit of one month should be observed within which appointments should be given in priority (i) cases and three months in cases relating to priority (ii) and (iii) subject to vacancies being available. To accommodate the illiterate widows of the deceased railway employees, posts of Waiting Room Bearers, Waterwomen, Hospital Ayah/Attendant (female), Cinder Picking Women, Sweeper Women, C&W Khalasis for waste packing, Retiring Room Attendant, Servers, Khalasis attached to Sub-Divisional Offices like AEN's PWIs, a percentage of vacancies of Office Peons etc.

IX. GENERAL:

When offering appointment on compassionate grounds as a widow, son, daughter, etc., it need not

Contd...



be checked up whether another son/daughter is already working; but in no case should there be more than one appointment against one death/medical incapacitation. For example, it should not be permitted where the family wants another son or daughter to be employed in lieu or in addition to an appointment already made on compassionate grounds.

Once an appointment on compassionate grounds of the ward/widow etc. has been made in a particular category, no change of category is subsequently permissible. ~~(X) Exemption in case of fit up.~~ ^{P.72}

X. RELAXATION:

Wherever any deviation from the above provisions are sought to be made in individual cases of merit, the prior approval of the Ministry of Railways should be obtained and in such cases personal approval of the General Manager should be indicated in the references.

Final version will follow.

Sd/-.....
(H.R. BHAGAT)
Dy. Director/Estt. (N)/Railway
Board.

BB/9.7.



Copy of letter No. E(NC)II-82/RR1/32 dt/24-2-1983
from Dy. Director/Estdt. (N)/Railway Board/New Delhi to The
GMs/All Indian Railways, CLW, DLW, JCF & WSAP.

Sub: Relaxation of age limits.

At present there is no provision in the Indian Railway Establishment Manual regarding recruitment of non-gazetted staff on compassionate grounds on sports account etc. Such recruitment is regulated by orders issued by the Ministry of Railways separately and as amended from time to time.

2. There is also no provision in the Indian Railway Establishment Manual regarding relaxation of age limits when recruitment is made on compassionate grounds or on Sports Account etc. The extent orders permit the upper age limit being relaxed while making appointments on compassionate grounds of wards of railway servants who dies while in service or retire after medical incapacitation etc. The Ministry of Railways have also decided that the General Managers may relax the prescribed age limits to the extent warranted and justified while recruiting outstanding sportsmen against sports quota.

3. Advance Correction Slip making necessary provision in the Indian Railway Establishment Manual in respect of the above matters is enclosed for your information. The Ministry of Railways have decided that the Indian Railway Establishment Manual should be deemed to have been amended as in the Advance Correction Slip.



True copy CEN
Mr. S. M. A.
Adm. Officer

(48)

INDIAN RAILWAY ESTABLISHMENT MANUAL

ADVANCE CORRECTION SLIP NO: 133

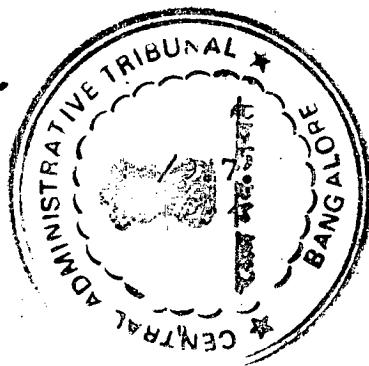
Add the following sub-para (c) to Para 109 of Sub-Section II of Section 'B' of Chapter I of the Indian Railway Establishment Manual:

"(C) Recruitment may also be made by the Zonal Railways and Production Units etc. without going through the agency of the Railway Service Commission of sons, daughters/wives/wards etc. of railway servants who die while in service or retire after medical incapacitation in accordance with the general orders which may be issued by the Ministry of Railways from time to time. Similarly, appointments may also be made of outstanding sportsmen against the quota prescribed for the purpose, and on the conditions laid down from time to time in the general orders issued by the Ministry of Railways."

The following sub-para may be added as Item (viii) under para 114 in Sub-Section II of Section 'B' Chapter I of the Indian Railway Establishment Manual:

"The upper age limit may be relaxed to the extent warranted and justified while making appointment on compassionate grounds of sons, daughters, wives, wards, etc. of railway servants who die while in service or are medically incapacitated. The General Managers may also relax the age limit while making recruitment of outstanding sportsmen against the Sports Quota."

Authority: Board's letter No. E(NG)II/82/RR1/32
dated 24-1-1983.



True copy
16piles
D.P.S./SBE

File No.26/1/87-Judl.

Dated 16th June, 1992

To

The Registrar,
Central Administrative Tribunal,
Principal Bench,
Faridkot House, Copernicus Marg,
New Delhi - 110 001.

Sub: Procedure for releasing cases from
part-heard.

Sir,

I am directed to forward herewith a copy of
the order passed by the Hon'ble Chairman at
Bangalore on 11.6.1992 on the above subject for
information and guidance.

Yours faithfully,

Sel
(N.RAMAMURTHY)
SECTION OFFICER(J.II).

Encl.: As above.

Copy with enclosure for information to

1. P.S. to Hon'ble V.C.
2. Hon'ble Member(J)(S.F.R.)
3. Hon'ble Member(A)(S.G.S.)
4. Court Officer (Court Hall - I)
5. Court Officer (Court Hall - II)

Sel
SECTION OFFICER(J.II).

Copy with enclosure to Files

1. C.P.97 to 100/90
2. O.A.616/91
3. O.A.588/91
4. O.A.527/89
5. & 6. O.A.295/89 C.W.
O.A.296/89
7. O.A.805/90

V.A.
SECTION OFFICER(J.II).

-Copy-

CENTRAL ADMINISTRATIVE TRIBUNAL
BANGALORE BENCH, BANGALORE

Sub: Procedure for releasing cases from part-heard.

Yesterday about half a dozen cases which were part-heard earlier by a Bench consisting of Hon'ble Shri Habeeb Mohamed (Administrative Member) and Hon'ble Shri Syed Fazlulla Razvi (Judicial Member) came up for directions. With the transfer of Hon'ble Shri Habeeb Mohamed, Member(A), a question arose whether, in this circumstance, the cases can be released from part-heard if an order to that effect is passed by the other Member i.e. Hon'ble Shri Syed Fazlulla Razvi, Member(J) or it is necessary that the Member who has been transferred should also release them from part-heard. The further question was whether he could release these cases from part-heard by passing such orders sitting at Ernakulam or a list of such cases which may be sent to him or he may pass such orders only while sitting on the Bench here.

2. As the provision is not clear, guidelines are sought.

Sd/-

(N.V. KRISHNAN)
VICE CHAIRMAN

HON'BLE CHAIRMAN

In the circumstances the part-heard cases to be deemed to ~~be~~ be released from part-heard category. There is no need for any one to pass an order in this behalf. But this shall not apply to cases which have been heard and reserved for judgements. You ~~may~~ may proceed in these lines.

Sd/-

Chairman

11/6/92

Confidential

Copy of the letter No. E(MQ) IIIA73RC1/102 dt. 13.2.74 from Asst. Director/East., Rly. Bd. to the G.Ms., All Indian Rlys.

...

Subs: Employment of sons, daughters and dependents of railway employees.

...

There have been a number of agitations and work stoppages on the railways in the recent past and it was possible to keep the nation's life line - railways - operating in certain critical sectors only because of the dedicated services of loyal staff, who stuck to their posts in the face of intimidation and violence. Minister for Railways has recently announced in the Parliament that the services of such loyal staff would not go unrecognised. On the railways, there is a system of giving appointments, on compassionate grounds, in Class-III and Class-IV posts to sons/daughters/dependents of railway employees who die prematurely or get permanently crippled or afflicted with serious illness, leaving the family in straitened circumstances. This system can be extended in the case of employees who have rendered exemplary service in the above context.

With the sanction of additional leave reserve posts and posts required for implementation of Pay Commission recommendations, which posts have to be filled on a priority basis, a need has risen to quicken the recruitment process. In the context of agitations, it has become essential to keep all posts properly manned. It has been the experience that some delay is unavoidable in following the normal procedure of recruitment and getting candidates duly selected by railway service commissions.

Taking all the above facts into account, the Board have decided that 20% of the vacancies in the class-III service in initial recruitment grades including Apprentice categories, should be filled by the General Managers through their own administrative arrangements rather than through the railway service commissions, and bearing in mind MR's announcement in Parliament. All such appointment made in a year should be listed and details of the candidates sent to the concerned railway service commission who will scrutinise that the candidate fulfills the prescribed qualifications for the posts and thereupon accord their concurrence to the appointments. Due representations to scheduled castes and scheduled tribe candidates should also be kept in view.

Similar considerations should be given to sons/daughters/dependents of class-IV employees by the Selection Boards for the purpose.

"True copy"

M. Krishnan
Adv. & R. M. R.



DPO/SBCSecret

Copy of the D.O. Letter No.E(LU)74/STI/91 dt.29.5.74
from G.P.Warrior, to Shri V.Ramachandran, G.M./S.Rly./Madras.

...

Now that the strike is over, there should be no delay in implementing the assurances by the Railway Minister about rewarding these workers who stuck to their duties during the strike in the face of grave danger to themselves, intimidation, violence and coercion. It is quite likely that a number of staff and officers had to work continuously for days together without any rest at all. All these people will have to be rewarded suitably and these rewards can be by way of:-

- a) employment of their wards (sons and daughters) in railway jobs;
- b) extension of service or re-employment in suitable cases;
- c) hard duty allowance, as provided for in the strike scheme;
- d) grant of advance increments.

2. All the Divisional Superintendents and Heads of Departments should carefully prepare the list of staff who are to be rewarded, taking care to see that people do not get more than one type of reward and, therefore, classifying them according to the arduousness of their duties and the difficult circumstances under which they have worked.

3. As regards the allocation of the number of cases where advance increments can be given, there is a chance of the number that was already communicated to you being increased, and you will hear further from me.

4. I shall be glad to get a progress report from you after about 10 days, as to what has been done to implement the M.R.'s assurances.

...
True copy

M. V. Mehta
Advocate for R, WR

