

## Chapter 1 Content

### Chapter 1 (General)

**101. Scope and extent of Application.** This Chapter and the next contain the rules governing general conditions of service applicable to Railway servants. Some of these rules correspond to the Fundamental Rules and Supplementary Rules applicable to all Civil servants (other than Railway servants) under the Indian Union, who are subject to the rule making powers by the President.

**102. Power to interpret rules.** The power of interpreting the rules in this volume is reserved to the President.

**103. Definitions.** Unless there be something repugnant in the subject or context, the terms defined below are used in this Code in the sense herein explained.

(1) **Accounts officer** means an Officer of the Accounts Department as defined in para 102 of the Indian Railway Code for the Accounts Department.

(2) **The act** means the government of India Act, 1935.

(3) **Actual travelling expenses** means the actual cost of transporting railway servant with his domestic servant and personal luggage, including charges for ferry and other tolls and for carriage of camp equipment if necessary. It does not include charges for hotels, travellers bungalow or refreshments or for the carriage of stores or conveyances or any allowance for such incidental losses or expenses as the breakage of crockery, wear and tear of furniture and the employment of additional domestic servants.

(4) **Apprentice** means a person deputed for training in training in a trade or business with a view to employment in railway service, who draws pay at monthly rates from Government during such training but is not employed in or against a substantive vacancy in the cadre of a department.

(5) **Average Pay** means the average monthly pay earned during the 10 complete months immediately preceding the month in which the even occurs which necessitates the calculation of average pay.

Provided that in respect of any period spent on Foreign Service out of India the pay which the railway servant would have drawn if on duty in India but for Foreign Service out of India shall be substituted for the pay actually drawn:

Provided further that in the case of railway servants entitled to running allowance, average pay for the purpose of leave salary shall include a fixed component representing the pay element in the running allowances, as notified by the government through administrative instructions from time to time.

(6) **Assistant Officer** means an Officer in Group, A drawing pay on the scale applicable to junior scale officers.

(7) **Cadre** means the strength or a service or a part of a service sanctioned as a separate unit.

(8) **Camp equipage** means the apparatus for moving a camp.

(9) **Camp equipment** means tents and the requisites for pitching and furnishing them, or where tents are not carried, such articles of camp furniture as it may be necessary, in the interests of the public service, for a railway servant to take with him on tour.

(10) **Compensatory Allowance** means an allowance granted to meet personal expenditure necessitated by the special circumstances in which duty is performed. It includes a travelling allowance.

(11) **Competent Authority** in relation to the exercise of any power under these rules, means the President or any authority to which such power is delegated in Appendix VI.

(12) **Constitution** means the Constitution of India.

(13) **Day** means a calendar day, beginning and ending at midnight; but an absence from headquarters which does not exceed twenty-four hours shall be reckoned for all purposes as one day, at whatever hours the absence begins or ends.

(14) **Department of a railway administration** means one of the branches constituted for the purpose of conducting the business of the railways.

(15) **Divisional Officer** means an officer in group 'A' drawing pay on the scale applicable to senior Scale officer.

(16) **Duty** (a) Duty includes?

(i) Service as Probationer or apprentice. Provided that such service is followed by confirmation.

(ii) Joining time.

(b) A competent authority may issue orders declaring that, in circumstances similar to those mentioned below; a railway servant may be treated as on duty?

(i) During a course of instruction or training in India.

(ii) In the case of a student, stipendiary or otherwise, who is entitled to be appointed to the service of Government on passing through a course of training at a University, College or School in India, during the interval between the satisfactory completion of the course and his assumption of duties.

### GOVERNMENT OF INDIA ORDERS

(1) **Time spent in attending obligatory Departmental Examinations.** A Government servant required to attend an obligatory departmental examination, or permitted to present himself at an examination the passing of which is a condition of preferment in Government Services, may be treated as on duty during the day or days of the examination and during the reasonable time required for the journey, if any to and from the place of examination.

(G.I., F.D. Memo No. F.17 R. 1/29 dated 23<sup>rd</sup> Jan. 1929.)

(2) The phrase 'condition of preferment' used in (1) above covers only compulsory or optional examinations for promotion within the normal scope of the Government servants department or office.

(G.I., F.D No.F/15(5) R. 1/31 dt. 25th March 1931.)

(3) **Delay in taking charge of the duties.** Period of Compulsory waiting by an officer for orders of Government posting him to a particular post, after he had reported should be treated as 'Duty'.

(G.I., F.D. Res. No.122 C.S.R. dt. 10<sup>th</sup> Feb.1922, No.175 C.S.R. dt.28-2-1922, No F.192 C.S.R. 25 dt.20-6-1925.)

(4) **Treating period of training as duty.** The authorities competent to appoint the government servant to the post for which the training is essential may be empowered to treat the period of training or instruction in India of Government servants on duty under this rule subject to the following conditions:

(a) the training or instruction should be in India;

(b) the training or instruction should be connected with the post which the Government servant is holding at the time of placing him on training or instruction;

(c) that it is obligatory on the part of the Government to send the persons for such training or instructions;

- (d) the training should not be in professional or technical subjects which are normally brought under the provisions relating to 'Study Leave'; and
- (e) the period of training should not exceed one year.

( G.I.M.F. O..M. No.F2(71) Estt.III/60, dt.3<sup>rd</sup> December, 1960.)

(5) **Attending Hindi and other obligatory examination.** A question has been raised whether a Government servant is expected to report for duty in office either before or after the examination is over, in case the examination, including the viva voce test commences in the forenoon or in the afternoon. It has been decided that

- (i) in case where the examination is held in a day both in the forenoon and in the afternoon, the Government servants need not be required to attend office either before or after the examination, and
- (ii) in case where the examination is held only in the forenoon or in the afternoon, the Government servants must attend office in the afternoon/forenoon, as the case may be, unless the Head of Office/Department specifically exempts any or all Government servants from such attendance, having regard to the time schedule of the text and the distance between the place of duty and examination.

(G.I. MHA. O.M.No.5/165-H dated 8<sup>th</sup> June, 1965.)

### Audit Instructions

**Scope of the term 'probationers'?** (a) the term 'probationers' does not cover a Government servant who holds substantively a permanent post in a cadre and is appointed on probation to another post.

(b) No person appointed substantively to a permanent post in cadre is a probationer, unless definite conditions (such as the condition that he must remain on probation pending the passing of certain examination) have been attached to his appointment.

(c) The status of the probationer is to be considered as having the attributes of a substantive status except where the rules prescribed otherwise.

(17) **Family** means a railway servant's wife/husband, legitimate children and stepchildren residing with and wholly dependent upon him/her. It also includes parents, sisters and minor brothers residing with and wholly dependent upon him/her.

Provided further that for Rule 615 it includes only such of the dependent relatives as are eligible for passes under the Pass Rules.

**Note 1.** 'Not more than one wife is included in this term.

**Note 2.** 'The term 'legitimate children' includes those adopted under the law.

(18) **Fee** means a recurring or non-recurring payment to a railway servant from a source other than the Consolidated Fund of India or the consolidated Fund of a State or the Consolidated Fund of a Union Territory whether made directly to the railway servant or indirectly through the intermediary of Government but does not include?

- (a) Unearned income such as income from property, dividends and interest on securities; and
- (b) Income from literary, cultural, artistic, scientific or technological efforts. If such efforts are not aided by the knowledge acquired by the railway servant in the course of his service.

(19) **Foreign Service** means service in which a railway servant receives his pay with sanction of Government from any source other than the Consolidated Fund of India, or the Consolidated Fund of a State or

the Consolidated Fund of a Union Territory.

(20) **Gazetted Post** is a post to which appointment is made by notification in the Gazette of India.

(21) **Head of a department** means any authority which the President may by order declare to be the head of a department for the purpose of these Rules.

(22) **Hill-Station** means any place which a competent authority may declare to be a hill station.

(23) **Holiday** means (a) a holiday prescribed or notified by or under section 25 of the Negotiable Instruments Act, 1881, and (b) in relation to any particular office, a day on which such office is ordered to be closed by a competent authority for the transaction of Government business without reserve or qualification.

**Note.** During restricted holidays the office is not closed for transaction of business but they are treated as a kin to other closed holidays and can be prefixed or suffixed to regular leave or casual leave.

(24) **Honorarium** means a recurring or non-recurring payment granted to a railway servant from the Consolidated Fund of India or the Consolidated Fund of a State or the Consolidated Fund of a Union Territory, as remuneration for special work of an occasional or intermittent character.

(25) **Joining time** means the time allowed to a Railway servant in which to join a new post or to travel to or from a station to which he posted.

(26) **Leave on average (half average) pay** means leave on leave salary equal to average/half average pay, as regulated by the Railway Leave Rules.

(27) **Leave Salary** means the monthly amount paid by Government to a Railway servant on leave.

(28) **Lien** means the title of a Railway servant to hold on regular basis either immediately or on the termination of a period or periods of absence, a post, including a tenure post, to which he has been appointed on regular basis and on which he is not on probation Provided that the title to hold a regular post shall be subject to the condition that the junior most person in the grade will be liable to be reverted to the lower grade if the number of persons so entitled is more than the posts available in that grade.

(Authority: - Railway Boards letter No. E (NG)I-98/CN5/2 dt.5-2-99)

29. **Local Fund** means?

(a) revenue administered by bodies which by law or rule having the force of law come under the control of Government, whether in regard to proceedings generally or to specific matters, such as the sanctioning of the budgets, sanction to the creation or filling up of particular posts, or the enactment of leave, pension or similar rules; and

(b) the revenues of anybody which may be specifically notified by the President as such.

(30) (a) **Military Commissioned Officer** means a commissioned officer other than

(i) a departmental Commissioned Officer;

(ii) a Commissioned Officer of the Indian Medical Department.

It does not include a Warrant Officer.

(b) **Military Officer** means any officer falling within the definition of the Military Commissioned Officer, or included in sub-clause (i) or (ii) of clause (a) above or any Warrant Officer.

(31) **Ministerial Officer** means a railway servant of group 'C' whose duties are entirely clerical and other class of railway servants specially defined as such by general or special order of a competent authority.

**Government of India's decision.** The President has decided that those members of class II (Group B) service whose duties are predominantly clerical shall be classed as ministerial servants.

(G.I.F.D. Letter No. F.11(6) R I/33 dated 1<sup>st</sup> April, 1933.)

(32) **Month** means a calendar month. In calculating a period expressed in terms of months and days, complete calendar months, irrespective of the number of days in each, should first be calculated and the odd number of days calculated subsequently taking 30 odd numbers of days as a month.

#### Audit Instructions

#### Calculation of a period expressed in terms of months and days

- (a) To calculate 3 months and 20 days on and from 25<sup>th</sup> January the following method should be adopted.

|                                                      |   |   |   | Y | M | D  |
|------------------------------------------------------|---|---|---|---|---|----|
| 25 <sup>th</sup> January to 31 <sup>st</sup> January | . | . | . | 0 | 0 | 7  |
| February to April                                    | . | . | . | 0 | 3 | 0  |
| 1 <sup>st</sup> May to 13 <sup>th</sup> May          | . | . | . | 0 | 0 | 13 |
| Total                                                | . | . | . | 0 | 3 | 20 |

- (b) The period commencing on 30<sup>th</sup> January and ending with 2<sup>nd</sup> March should be deemed as 1 month and 4 days as indicated below:--

|                                                      |   |   |   | Y | M | D |
|------------------------------------------------------|---|---|---|---|---|---|
| 30 <sup>th</sup> January to 31 <sup>st</sup> January | . | . | . | 0 | 0 | 2 |
| February                                             | . | . | . | 0 | 1 | 0 |
| 1 <sup>st</sup> March to 2 <sup>nd</sup> March       | . | . | . | 0 | 0 | 2 |
| Total                                                | . | . | . | 0 | 1 | 4 |

(33) **Officiating** means the railway servant officiates in a post where he performs the duties of a post on which any other person holds a lien or when a competent authority appoints him to officiate in a vacant post on which no other railway servant holds lien.

(34) **Overseas** Pay means pay granted to a Railway servant in consideration of the fact that he is serving in a country other than the country of his domicile.

(35) **Pay** means the amount drawn monthly by a railway servant as

- (i) the pay other than special pay or pay granted in view of his personal qualifications, which has been sanctioned for a post held by him substantively or in an officiating capacity, or to which he is entitled by reason of his position in a cadre;
- (ii) Overseas pay, special pay and personal pay; and
- (iii) any other emoluments which may be specially classed as pay by the President.

(36) **Permanent Post** means a post carrying a definite rate of pay sanctioned without limit of time.

(37) **Personal Pay** means additional pay granted to a railway servant?

- (a) to save him from a loss of substantive pay in respect of a permanent post other than a tenure post due to a revision of pay or to any reduction of such substantive pay otherwise than as a disciplinary measure; or
- (b) in exceptional circumstances, on other personal considerations.

(38) **Post in the Railway Board** means the post of a Member of the Railway Board and includes the post of Chairman, Railway Board and of Financial Commissioner, Railways.

(39) **Presumptive pay of a post.**?When used with reference to any particular railway servant means the pay to which he would be entitled if he held the post substantively and were performing its duties, but it does not include special pay unless the Railway servant performs or discharges the work or responsibility in consideration of which special pay was sanctioned.

**Audit instructions.**?The first part of the definition is intended to facilitate the use of the term in relation to a Government servant who has been absent from a post for some time but still retains a lien on it.

(40) **Probationer** means a railway servant employed on probation in or against a substantive vacancy in the cadre of a department.

(41) **Public conveyance** means a train , steamer or other conveyance which plies regularly for the conveyance of passengers.

(42) **Railway School** means a school established by a railway or office/project factory directly under the railway Board primarily for the benefit of the children of its employees and maintained and entirely controlled by it with or without assistance from revenues of a State or income from other non-railway source. It does not include a school to which a railway merely makes a grant-in-aid.

(43) **Railway servant** means a person who is a member of a service or holds a post under the administrative control of the Railway Board. It also includes a person who is holding the post of Chairman, Financial Commissioner or a Member of the Railway Board. Persons lent from a service or post which is not under the administrative control of the Railway Board to a service or post which is under such administrative control do not come within the scope of this definition. The term excludes casual labour.

(44) **Special Pay** means an addition of the nature of pay, to the emoluments of a post or of a Railway servant, granted in consideration of ?

- (a) the specially arduous nature of duties; or
- (b) a specific addition to the work or responsibility and includes non-practicing allowance granted to doctors in lieu of private practice.

**Audit Ruling** ? A provision in the contract of a Government servant appointed to a particular post that he should ?also do all things that may be required of him? does not contemplate this being required to perform onerous additional duties in another post without remuneration.

**Government of India Orders.-** The power of granting special pay was defined in this Rule shall be exercised only by the authority empowered to regulate the scales of ordinary pay.

(G.I.,H.D. No. F. 272-23 dated 16-12-1926.)

(45) **Scales of pay**

**?Authorised scales of pay?** means the scales of pay introduced under the Railway Services (Authorised Pay) Rules, 1960.

**?Revised Scales of Pay?** means the scales of pay introduced under the Railway Services (Revised Pay) Rules, 1973.

(46) **Subsistence grant** means a monthly grant made to a Railway servant who is not in receipt of pay or leave-salary.

(47) **Substantive pay** means the pay other than special pay, personal pay or emoluments classed as pay by the President under Sub-rule 35 (iii), to which a railway servant is entitled on account of a post to which he has been appointed substantively or by reason of his substantive position in a cadre.

**Note:** In the case of a person with a lien on a permanent post under a State Government, ?Substantive Pay? means the substantive pay as defined in the relevant rules of the State Government concerned.

(48) **Temporary post** means a post carrying a definite rate of pay sanctioned for a limited time.

(49) **Tenure post** means a permanent post which an individual railway servant may not hold for more than a limited period.

**Note.**?In case of doubt the President shall decide whether a particular post is or is not a tenure post.

**Railway Ministry?s decision.**?The President has decided that there is no objection to a non-gazetted post outside the cadre of a regular service being declared as a tenure post if the conditions so warrant.

(50) (a) **Time-scale pay** means pay which, subject to any conditions prescribed in these rules, rises by periodical increments from a minimum to a maximum. It includes the class of pay formerly known as progressive.

(b) Time-scales are said to be identical if the minimum, the maximum, the period of increment and the rate of increment of the time scale are identical.

(c) A post is said to be on the same time-scale as another post on a time-scale if the two time-scales are identical and the posts fall within a cadre, or a class in a cadre, such cadre or class having been created in order to fill all posts involving duties of approximately the same character or degree of responsibility, in a service or establishment or group of establishments; so that the pay of the holder of any particular post is determined by this position in the cadre, or class and not by the fact that he holds that post.

(51) **Transfer** means the movement of a railway servant from one headquarter station in which he is employed to another such station, either -

- (a) to take up the duties of a new post, or
- (b) in consequence of a change of his headquarter.

(52) **Travelling allowance** means an allowance granted to a railway servant to cover the expenses which he incurs in travelling in the interests of the public service. It includes allowances granted for the maintenance of conveyances and tents.

**104. Pensionable Service.** ? (1) The service of all railway servant except those mentioned in rule 105 shall be pensionable.

(2) All railway servants who were already pensionable prior to the introduction of Pension Scheme on Railway with effect from 1<sup>st</sup> April, 1957.

(3) Government servants permanently transferred to the Railway Department from other Government departments in which the services were pensionable.

**105. Non-pensionable Service.-** Subject to what has been stated in rule 104 the service of the railway servants who entered service before 16<sup>th</sup> November, 1957, and who after introduction of pension scheme on Railways did not opt for it, when options were open from time to time, shall be non-pensionable. They continue to be eligible for the benefits of State Railway Provident Fund and for gratuity in accordance with the rules prescribed in that behalf.

## CLASSIFICATION OF SERVICES

**106.** For the purpose of these rules, the railway services shall be classified as follows with effect from 1-4-1976:

(a) **Gazetted**

- (1) Railway Services Group A
- (2) Railway Services, Group B.

(b) **Non-Gazetted**

- (1) Railway Services, Group C
- (2) Railway Services, Group D
- (3) Workshop Staff ( Group C & D )

**107.** Subject to reclassification indicated in rule 106 and also subject to such exceptions as Railway Ministry may make from time to time, all Gazetted and non-gazetted posts under the Indian Railways shall be classified with effect from 30-6-1987 as below:

| Description of posts                                                                                                                                                                                                                                                                | Classification of posts |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------|
| All posts in scale Rs.2200-4000 and above (Revised Pay Scale)                                                                                                                                                                                                                       | Group ?A?               |
| Posts in scale RS.2375-3500 applicable to Accounts Officers only and other posts of officers in scale Rs.2000-3500 (All Departments) (Revised Pay Scale)                                                                                                                            | Group ?B?               |
| All posts in scales Rs.825-1200 and above including posts of Post-graduate Teachers (Selection Grade)/Head-Masters-Middle School (Selection Grade) in scale Rs.2000-3500 Supervisors in scale Rs.2375-3500 and excluding those mentioned for group ?A? and ?B?. (Revised Pay Scale) | Group ?C?               |
| All posts in scales Rs.750-940, Rs.775-1025 and Rs.800-1150.(Revised Pay Scale)                                                                                                                                                                                                     | Group ?D?               |

**Note (i).** In terms of Board's letter No.PCIII/87/CTC-I/6 dated 6-11-95, posts in scale Rs.2375-3750 on Indian Railways shall be classified as Group ?B? w.e.f. 30-7-1993.

In terms of Boards letter No. PCIV/86/RSRP/1 Volume-II dated 10-11-1995, Posts in scale Rs.775-1150 applicable to staff in Railway Board's Office only shall be classified as Group ?D? w.e.f.1-4-1995.

**Note (ii).** Posts created subsequent to 30-6-1987 as specific additions to existing cadres shall have the same classification as posts in the cadre to which they are added.

**108.** Establishments and categories (including probationers) falling under the services mentioned in rule 106 are shown below:

**Group A**

- (1) Posts in the Railway Board;
- (2) Advisors in Railway Board;
- (3) Directors, Additional directors, Joint Directors, Deputy Directors, Railway Board and Research Design and Standards Organisation; Secretary, Joint Secretaries; Deputy Secretaries, Under-Secretaries, Railway Board;
- (4) Indian Railway Service of Engineers;
- (5) Indian Railway Accounts Services;

- (6) Indian Railway Traffic Services;
- (7) Indian Railway Service of Mechanical Engineers;
- (8) Indian Railway Service of Electrical Engineers;
- (9) Indian Railway Service of Signal Engineers;
- (10) Indian Railway Medical Services;
- (11) Indian Railway Stores services;
- (12) Indian Railway Personnel Services;
- (13) Such posts in general Administration and Miscellaneous Departments (e.g. Chemical & Metallurgical Department, Cash & Pay Department.)

### **Group ?B?**

#### **Gazetted posts not included in Group A**

**Note.** Temporary Assistant Officers will not be classified either as Group A or Group B.

### **Group ?C?**

All Posts classified as Group ?C? under Rule 107.

### **Group ?D?**

All Posts classified as Group ?D? under Rule 107.

### **Workshop Staff**

All categories of Group C & D staff employed in workshops other than those employed in clerical, skilled or supervisory categories and not included in Group C or Group D above.

**109. Scales of pay of Groups A & B Railway Servants.**? (1) the revised scales of pay admissible to Railway servants in Group A & B shall be as notified by government with the sanction of the President.

No alteration in the scale of pay of a post or service can be made without the sanction of the President.

(2) The pay of Group A Railway Officer in Junior Scale on appointment to a Senior Scale post in an organized Railway Service shall be fixed under Rule 1313 (FR-22) (I) (a) (1) ) of the Indian Railway Establishment Code Volume II (Sixth Edition-1987).

**Railway Ministry?s decision.**?A Junior Scale Officer can be considered eligible for promotion to Senior Scale only after putting in 4 years service (including the period of probation) in Junior Scale. But, if in the interest of Administration, one is promoted to Senior scale before completing four years in Junior Scale, he will draw pay in the Junior Scale plus a charge Allowance of Rs.300/- per month subject to the condition that pay plus Charge Allowance should not exceed the pay that would have been admissible had it been fixed under Rule 1313 (FR? 22) (I) (a) (1) ) of the Indian Railway Establishment code, Volume-II (Sixth Edition-1987) on regular basis.

**110. Sanctioned strength of cadres.**?Subject to any statutory provision in this regard, the strength including both the number and character of posts of the Railway Services, Group A and B, shall be determined by the railway Ministry. General Managers of Indian Railways will have powers to create gazetted posts in Group ? A? and Group ?B?, only to the extent stipulated in Item (3) of Annexure II of Chapter V of Indian Railway Financial Code Vol.I (First Edition?1982) subject to such limits and instructions as may be laid down by the Railway Ministry from time to time.

**Note.**?Provided the total number of sanctioned gazetted post in any grade (Heads of Departments, Additional Heads of Departments, Deputy Heads of Department, Senior Scale, Junior Scale and Group B Officers)

of the service concerned is not exceeded, the General Managers are empowered to vary solely in the public interest having regard to changes in the work and responsibilities of the posts concerned (and not in the interest of officers) the distribution of posts within that grade for a period of not exceeding 12 months.

**111.** The cadres of the services and departments included in Railway services Groups A & B (other than Medical Department and specialists) posts on Indian Railways shall be fixed in accordance with the principles stated below:--

(1) Separate cadres shall be maintained for each Indian railway.

(2) (a) The number of permanent working posts, that is, posts required for ordinary duty on a railway, shall first be determined for each service or department and divided into the following grades:--

- (i) Senior Administrative Grade Level I
- (ii) Senior Administrative Grade Level II
- (iii) Administrative Grade Scale Rs.2000-2250
- (iv) Junior Administrative Grade
- (v) Senior Scale
- (vi) Junior Scale/Group B?

(b) The General Working posts, that is post required for general purposes of the railway which may be filled by gazetted railway officers of any service may be determined and divided in the same manner.

(c) The number of posts to be allotted to the Junior Scale shall be calculated with reference to the total number of Administrative Grade and Senior Scale posts, and shall be so fixed as to allow a continuous flow of promotion from lower to higher grade after a given period of service. For this purpose all the administrative posts, including the general administrative posts shall be taken into account.

(d) The rest of the posts included in (2) (a) (vi) above shall be allotted to group B?

(e) The total number of posts thus arrived at for each grade in a department shall form the permanent duty strength of each service or department.

(3) Posts required for meeting deputation leave and training requirements will be provided in Junior Scale based on requirements assessed from time to time. These posts shall be intended ordinarily to provide for the deputation/training of and or grant of leave to a member of the Department without the necessity of making an officiating appointment to the Junior Scale or to Group B post in the chain or vacancies consequent on the deputation, training of and/or grant of leave to the member in question.

(4) The permanent duty strength together with the posts sanctioned as deputation, training and leave reserve shall form the total permanent cadre of the service or department concerned.

**112.** The permanent strength of the Medical Department shall be fixed with reference to the permanent posts required for ordinary duty and will include at the Additional Divisional Medical Officer's level a leave and deputation reserve of 20 per cent of the permanent working posts.

### **Instruction for working the Cadres**

**113. Excess over sanctioned number.** The number of posts sanctioned for each grade in a department shall in no case be exceeded without the sanction of the authority competent to create a post, either permanent or temporary, in the grade.

**114. General Posts.** If a general post included in the permanent cadre of a service or department is held by a member of another service or department, such post shall be treated, for the purpose of comparing sanctioned with actuals, as permissible additions to the permanent cadre of the latter department by a corresponding reduction in the permanent cadre of the former, for the period for which such arrangement lasts.

**115. Reversion to open line.** ? When a permanent open line gazetted railway officer holding a post in the office of the Railway Board or in an office/project/organisation directly subordinate to that authority proceeds on leave, deputation or attains superannuation he shall be treated as having reverted to the Railway on the cadre of which he is borne, except,

- (i) When he is expected to return to his post at the end of the leave; and
- (ii) Either the leave taken by him is leave on average pay not exceeding four months or he holds a permanent post in the office/project/organisation.

On reversion to the parent railway he shall be considered as a permissible excess over the permanent cadre of that railway for the period of his leave.

**116. Holding of posts in abeyance or keeping them unfilled.**?No gazetted post in Group A or B may be held in abeyance without the sanction of the authority competent to create it. If it is proposed to keep such post(s) unfilled for more than six months, the matter shall be reported to the Railway Ministry.

Note.?For the purpose of this rule, when the duties of a post are performed by another officer in addition to his own duties such post shall be considered to have been kept unfilled.

**117. Checks to be applied to cadres.**?The cadres shall be checked in the manner prescribed in the Indian Railway Code for the Accounts Department and all reasonable precautions (e.g. reversion of the officers officiating) taken before hand to prevent the occurrence of avoidable excess over the cadre.

**118. Tenure posts.** ? (1) The President may declare any posts outside the cadre of a regular service as tenure.

(2) No officer in Group A shall in the normal course hold any of the posts noted below for more than the periods shown against each:-

|                                                                                              |         |
|----------------------------------------------------------------------------------------------|---------|
| Posts in Railway Board                                                                       | 5 years |
| Directors, Additional Directors, Joint Directors, Railway Board.                             | 4 years |
| Directors, Additional Directors, Joint Directors, Research Design and Standard Organisation. | 4 years |
| Railway Liaison Officer                                                                      | 4 years |
| Divisional Railway Manager, Additional Divisional Railway Manager, Deputy General Manager.   | 3 years |

(3)Confirmation in tenure post is dispensed with.

### **Cadres of Railway Servants?Group C & Group D**

**119. In the Railway Board and attached offices.**?The number and character of Group C & D posts in the office of the Railway Board and other offices, projects, organizations, immediately under its control shall be such as may be determined by the Railway Board. The director General, Research, Designs and Standards Organisation or any other authority to whom the powers may be specifically delegated by the Railway Board may create temporary posts on the conditions prescribed in their respective schedules of power.

**120. On Railways, Production Units or other Establishments.**?The number and character of Group C & D posts may be determined by the General Managers or the authority to whom such powers are delegated, provided that the prior sanction of the Railway Ministry is necessary for the introduction of a new category not already obtaining on a Railway.

**121. Scales of Pay.**?All the posts in Group C & D shall be on the Revised Scales of Pay. The introduction of a new Revised Scale for a particular category shall require the prior sanction of the Railway Ministry.

**122. Supernumerary Posts.** Supernumerary posts are permanent posts created under special circumstances for operation for a limited period as such at the discretion of the competent authority to create the posts in the administrative convenience.

### Government of India's Orders

While it is obviously not possible to give an exhaustive list of the circumstances in which supernumerary posts may be created, the following broad principles governing the creation of such posts may be indicated.?

- (i) A supernumerary post is normally created to accommodate the lien of an officer, who, in the opinion of the authority competent to create such a post, is entitled to hold a lien against a regular permanent post but who, due to non-availability of a regular permanent post, cannot have his lien against such post.
- (ii) It is shadow post i.e. , no duties are attached to such posts. The officer, whose lien is maintained against such a post, generally performs duties in some other vacant temporary or permanent posts.
- (iii) It can be created only if another vacant permanent or temporary post is available to provide work for the person, whose lien is retained by the creation of the supernumerary post. In other words, it should not be created in circumstances which, at the time of creation of the post or thereafter, would lead to an excess of the working strength.
- (iv) It is always a permanent post. Since, however, it is a post created for accommodating a permanent officer till he is absorbed in a regular permanent post, it should not be created for an indefinite period as other permanent posts are, but should normally be created for a definite and fixed period sufficient for the purpose in view.
- (v) It is personal to the officer for whom it is created and no other officer can be appointed against such a post. It stands abolished as soon as the officer for whom it was created vacates it on account of retirement or confirmation in another regular permanent post or for any other reason. In other words, no officiating arrangements can be made against such a post. Since a supernumerary post is not a working post, the number of working posts in cadre will continue to be regulated in a manner that, if a permanent incumbent of one of the regular posts returns to the cadre and all the posts are manned, one of the officer of the cadre will have to make room, for him. He should not be shown against a supernumerary post.
- (vi) No extra financial commitment is involved in the creation of such posts in the shape of increased pay and allowances, pensionary benefits etc.

### POWER TO FRAME RULES

**123.** The Railway Board have full powers to make rules of general application to Group C & Group D railway servants under their control.

**124.** The General Managers of Indian Railways have full powers to make rules with regard to railway servants in Group C & D under their control provided they are not inconsistent with any rules made by the President or the Ministry of Railways.