

GOVERNMENT OF INDIA (BHART SARKAR)
MINISTRY OF TRANSPORT (PARIWAHAN MANTRALAYA)
DEPARTMENT OF RAILWAYS (RAIL VIBHAG)
(RAILWAY BOARD)

RB No. 8/86

No.E(P&A)I-85/CPC/LE-2

New Delhi, Dtd. 10 .1.1986

The General Manager,
Central Railway,
Bombay V.T.

Sub: Regularisation of period of absence of employees
who were victims of the MIC Gas Tragedy in Bhopal.

Reference correspondence on the above subject resting with
your letter No.HPB/581/Wel/BPL/Gas Tragedy dated 24.7.1985.

2. Sanction of the Railway Board is hereby communicated to the
regularisation of the period of absence of Railway employees affect-
ed by the Bhopal Gas Tragedy in the following manner, subject to the
condition that the competent medical authority has satisfied himself
that the absence from duty was on account of the Bhopal Gas Leakage.

(i) The period of absence of Railway employees affected by
the Gas Leakage from 25.12.84 till 2.12.1985 (inclusive) as
per details furnished in your letter of 24.7.85, may be
regularised by payment on leave on average pay (i.e. on the
basis of last pay drawn) in relaxation of the provisions
contained in Rule 2123-R.II, irrespective of whether the
absence due to sickness was in one continuous spell or in
intermittent spells. Such leave shall not be debitable to
the leave account of the employee.

(ii) For absence in excess of the period referred to in
sub-para 2(i) above, irrespective of the period of such
absence, and whether or not such absence is in one continuous
spell or intermittent spells, the Railway employees concerned,
as per details furnished in your letter of 24.7.85, may be
paid provisionally last pay drawn prior to the Gas Leakage,
till such time they are fit to resume duty or superannuate
or voluntarily retire from service or otherwise demit office,
subject to the condition that the employee and his successors
and assigns execute a legal bond in favour of the President
of India, undertaking to repay the total amount so received
from out of the compensation that will eventually become
payable to them after their claims for compensation are
finally settled in an appropriate court of law. The Branch
Sectt. of the Ministry of Law at Bombay may be immediately
contacted for drawing up a suitable indemnity bond which
will bind the employee, his successors and assigns to repay
the total amount from their compensation which may become
payable. It may be ensured that the Bond is duly signed
and witnessed and is kept in safe custody.

3. This has the approval of the President and issues with the concurrence of the Finance Directorate of the Department of Railways.

4. A compliance report on the action taken may please be submitted to this Ministry before the end of February 1986.

(Hindi version will follow)

K Venkatesan

(K. Venkatesan)
Addl. Exec. Director, Estt (P&A)
Railway Board.

No. E(P&A) I-85/CPC/LE-2

New Delhi, Dtd. 10 .1.1986

Copy forwarded for information and necessary action to:

1. FA & CAO, Central Railway, Bombay.

2. The General Manager, Western Railway, Bombay. It may please be indicated very urgently whether there are any staff of Western Rly. stationed at Bhopal who are affected by the Bhopal Gas Tragedy in respect of whom a similar sanction may be required. Full particulars in respect of such staff including details of periods of absence, may please be furnished very urgently.

K Venkatesan

(K. Venkatesan)
Addl. Exec. Director, Estt (P&A)
Railway Board.

No. E(P&A) I-85/CPC/LE-2

New Delhi, Dtd. 10 .1.1986.

Copy forwarded for information to the Director of Audit,
Central Railway, Bombay.

H. P. Das

for Financial Commissioner, Railways.

No. E(P&A) I-85/CPC/LE-2

New Delhi, Dtd. 10 .1.1986.

Copy to the Ministry of Personnel and Training, Administrative Reforms and Public Grievances and Pension, North Block, New Delhi, with reference to Secretary, Ministry of Personnel & Training's D.O. letter No. 13019/4/85-Estt. (L) dated 23.12.1985 to the Member Staff, Railway Board and ex-officio Secretary to the Government of India.

K Venkatesan

(K. Venkatesan)
Addl. Exec. Director, Estt (P&A)
Railway Board.

No.E(P&A)I-85/CPC/LE-2

New Delhi, Dtd. 10 .1.1986

Copy to:

1. The General Secretary, NFIR, 3-Chelmsford Road, New Delhi (with 25 spares).
2. The General Secretary, AIRF, 4-State Entry Road, New Delhi (with 25 spares).
3. Copy to all members of the National Council, Departmental Council and Secretary, Staff Side, National Council, 13-C, Ferozesh Road, New Delhi.

Bachis Swati

for Secretary, Railway Board.

Copy to:

OSD/MOSR, PSS to CRB/MS/Adv.(Finance)/Adv.(IR) / DG/RHS.
 SPAS to D.E. and AEDE(P&A)
 PA to JDF(E), JDE(W)
 E(E)I, II and III, and Special, Health, E(W), ^{E(LR) III} and E(P&A)II sections
 of the Railway Board.



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