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S.No. 15

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

New Delhi, dated 4-3-2002

No.E(NG)I- 2001/RE-3/5

The General Manager (P)
South Eastern Railway
Kolkata.

Sub:-Protection of Grade and Status of Medically de-categorised employees-faulty implementation of Railway Board's order dated 29.4.1999.

Ref:-S.E.Railway's letter No.P/L/13/M/EL(RG)/Alternative post/
RB dated 21.9.2001.

50.4/2

With reference to the instructions issued by your Railway under letter No.P/R/431/Pt.III dated 11.7.2001, mentioned in your letter under reference, staff side have tabled an item for discussion in the forthcoming DC-JCM meeting stating inter-alia that the said instructions are against the Persons with Disabilities (Equal Opportunities, Protection of Rights and Full Participation) Act, 1995, based on which IREM has been modified vide ACS No.77, issued under this Ministry's letter No.E(NG)I/96/RE3/9(2) dated 29.4.99.

2. The matter has been considered by this Ministry who wish to clarify that absorption of medically decategorised staff in grade(s) lower than the grade held by them on regular basis at the time of their medical decategorisation is in contravention of the provisions of the Act. However, in cases where for want of posts in the same/equivalent grade such employees are engaged in productive work by deploying them in posts not carrying the same or equivalent scales of pay, while they may work against such posts they should continue to be kept on supernumerary posts in the grade(s) in which they were working on regular basis at the time of their medical decategorisation, till such time they are adjusted in the posts carrying the same or equivalent scale(s) of pay. This will be in keeping with the provisions contained in para 1305 of IREM, as incorporated vide ACS No.77, referred to in the preceding para.

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No.E(NG)I-2001/RE-3/5

New Delhi, dated

3. This issues with the concurrence of the Finance Dte. of the Ministry of Railways.

Please acknowledge receipt.

Stamp: RECEIVED
MINISTRY OF FINANCE
Handwritten: 6/3

[Signature]

(J.S.Gusain)
Joint Director Estt.(N)
Railway Board

No.E(NG)I-2001/RE-3/5

New Delhi, dated 4-3-2002

Copy to :

1. The General Secretary, All Indian Railwaymen's Federation, Room No.253, Rail Bhavan, New Delhi with reference to DC/JCM Item No.54/2001.

2. The General Secretary, National Federation of Indian Railwaymen, Room No.256-E, Rail Bhavan, New Delhi with reference to DC/JCM Item No.54/2001.

[Signature]
for Secretary/Railway Board

[Handwritten initials]

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