



महिला सशक्तिकरण वर्ष
Women's Empowerment Year 2001

भारत सरकार GOVERNMENT OF INDIA
रेल मंत्रालय MINISTRY OF RAILWAYS
(रेलवे बोर्ड RAILWAY BOARD)

रेल भवन, नई दिल्ली-110001, तिथि 1-6-2001
Rail Bhavan, New Delhi-110 001, dated

No.E(G)2000 QR1-23

The General Managers, OSDs, CAOs,
All Indian Railways and Production Units etc.,
(As per mailing list).

Sub: Retention of Railway quarter on transfer, deputation,
retirement etc.

The instructions governing retention of Railway accommodation by Railway employees in the event of their transfer, deputation, retirement etc, as contained in Ministry of Railways (Railway Board)'s letter of even number dated 30-11-2000, have been further reviewed by the Railway Board and it has been decided to revise/modify the said instructions as under:-

1. Permanent Transfer :

- (a) A Railway employee on transfer from one station to another which necessitates change of residence, may be permitted to retain the railway accommodation at the former station of posting for a period of two months on payment of normal rent or single flat rate of licence fee. On request by the employee, on educational or sickness account, the period of retention of railway accommodation may be extended for a further period of six months on payment of special licence fee, i.e. double the flat rate of licence fee/ rent. Further extension beyond the aforesaid period may be granted on educational ground only, to cover the academic session in which he/she was transferred on payment of special licence fee.

Beyond the permitted/ permissible limits, however, no further extension will be allowed on any ground whatsoever. Therefore, no request or representation on this score shall be entertained. For all occupations beyond the permitted period, immediate action should be taken to cancel the allotment, declare the occupation as unauthorised and initiate eviction proceedings, charging damage rent for the over-stay.

- (b) Where the request made for retention of Railway quarter is on ground of sickness of self or a dependent member of the family of the railway employee, he will be required to produce the requisite Medical Certificate from the authorized Railway Medical Officer for the purpose.
- (c) In the event of transfer during the mid-school/college academic session, the permission to be granted by the competent authority for retention of railway accommodation in terms of item (a) above will be subject to his production of the necessary Certificates from the concerned school/college authority.

2. Railway officers/staff proceeding on deputation to newly formed Railway Public Sector Undertakings/Societies.

Railway officers/staff posted on deputation to newly formed Railway Public Sector Undertakings /Societies may be permitted to retain Railway accommodation but this facility can be provided by the Board on merits on a request by the PSUs and will be applicable only for a period of five years from the date of incorporation of the PSU/Society. Rent chargeable will be at normal rate (flat rate of licence fee) for a period of two months. On request of the employee, the period of retention of railway accommodation may be extended for an overall period upto five years from the date of incorporation of the PSU/Society, on payment by the PSU/Society to the Railways, an amount equivalent to the house rent allowance admissible to the officer plus the flat rate of licence fee prescribed by the Railways from time to time in respect of the said Railway accommodation. The concerned PSU/Society may, however, recover normal licence fee from the Railway employee.

3. Railway officers/staff proceeding on deputation to other PSUs etc.

Railway officers/staff posted on deputation to other Railway and non-Railway PSUs/Societies already established for more than five years would be permitted to retain the Railway quarters only for a period of two months on normal rent chargeable from the date they have joined Public Sector Unit. After this period, they will be treated as unauthorised occupants and action taken accordingly.

4. Railway officers/staff posted to Central Ministries at Delhi under Central Staffing Scheme.

Railway officers/staff proceeding on deputation to other Central Government Ministries under the Central Staffing Scheme may be allowed retention of Railway houses subject to the following:-

(a) Railway employees must apply for the General Pool accommodation for the level of entitlement plus one level below within fifteen days of his/her joining the new post under Central Staffing Scheme.

(b) The retention of existing Railway accommodation shall be permitted till the first house is allotted to him/her from the General Pool either of the type he/she is entitled to or of one level below irrespective of its location,

OR

The retention of existing accommodation shall be permitted till the time a person junior in the waiting list for General Pool accommodation gets an accommodation allotted in the normal course;

Whichever is earlier.

(c) The rent chargeable would be at normal rate for two months and, thereafter, on payment of special licence fee, i.e. at double the normal licence fee..

5. Retirement :

5.1 Railway employees on retirement, including voluntary retirees and those retired compulsorily, may be permitted to retain non-ear-marked Railway accommodation for a period of 4 months on payment of normal rent/flat rate of licence fee and the next 4 months on educational or sickness account on payment of special licence fee, i.e., double the normal rent or double the flat rate of licence fee. This is also applicable to audit staff doing Railway audit work. The cases of retirement on medical invalidation grounds are also to be treated at par with normal retirement

5.2 Beyond the permitted/permissible period, however, no further extension will be allowed on any ground, whatsoever. Therefore, no request or representation on this score shall be entertained. For all occupations beyond the permitted period, therefore, immediate action should be taken to cancel the allotment, declare the occupation as unauthorised and initiate eviction proceedings, charging damage rent for the over stay.

6. Post-retirement engagements in Committees, Commissions etc.

In cases of engagement of a retired Railway employee in Committee, Commission and Tribunal (even the Tribunal of Railways, like RCT), he/she will not be entitled to any Railway accommodation and should vacate the accommodation within a period of two months of having joined such a

Committee/Commission/Tribunal etc. However, in case of re-employment on the Railways, the extant orders will continue to be applicable.

7. Allotment and vacation of earmarked/non-pooled accommodation in the case of transfer, deputation etc.

The instructions applicable to employees of Zonal Railways/Railway Board, prior to Railway Board's circular No. E(G)2000 QR 1-23 dated 30-11-2000, will be followed. On Railways, PUs etc., where rules for such accommodation are not already defined, action should be taken to define the same.

8. Withholding of DCRG etc. in the case of post-retirement retention of quarter

To prevent unauthorised retention of Railway accommodation by the retired Railway employees, Railway Administration should take the following steps to discourage them from such action:-

- (i) 'No Claim' certificate should not be given, unless the employee, after retirement, has vacated the Railway quarter and cleared all his arrears of rent, electricity and other charges, etc.
- (ii) The retirement/death gratuity or special contribution to P.F., as the case may be, should be withheld in full for non-vacation of railway quarter, not only after superannuation but in all cases of cessation of service, namely, voluntary retirement, death etc. Further, the amount withheld should remain with the Administration only in the form of cash without conversion into any type of security, lest the very purpose of withholding full D.C.R.G. should get defeated. It may also please be kept in view that the gratuity should be released, as soon as the quarter is vacated; so that there is neither any hardship to the retired employee or his/her family, nor there is any claim for payment of interest on withheld gratuity for reasons of administrative delay.
- (iii) One set of post-retirement pass should be disallowed for every month of unauthorised retention of Railway quarter by retired employee in terms of provisions of Railway Servants Pass Rules. The concerned retired employee may be allowed the privilege of post-retirement passes, after the period, during which the forfeited passes would have been admissible, is over. A show cause notice to this effect may be issued to the retired employee before disallowing the pass.

(iv) The provisions under Sub Rule (8) of Rule-16 of the Railway Services (Pension) Rules, 1993, as reproduced below for ready reference, shall be strictly followed:

"(8) (a) In case where a railway accommodation is not vacated after superannuation of the Railway servant or after cessation of his services such as on voluntary retirement, compulsory retirement, medical invalidation or death, then, the full amount of retirement gratuity, death gratuity or special contribution to provident fund, as the case may be, shall be withheld.

(b) The amount withheld under clause (a) shall remain with the railway administration in the form of cash.

(c) In case the railway accommodation is not vacated even after the permissible period of retention after the superannuation, retirement, cessation of service or death, as the case may be, the railway administration shall have the right to withhold, recover, or adjust from the Death-cum-retirement Gratuity, the normal rent, special licence fee or damage rent, as may be due from the ex-railway employee and return only the balance, if any, on vacation of the Railway accommodation.

(d) Any amount remaining unpaid after the adjustment made under clause (c), may also be recovered without the consent of the pensioner by the concerned Accounts Officers from the dearness relief of the pensioner until full recovery of such dues has been made.

(e) Dispute, if any, regarding recovery of damages or rent from the ex-railway employee shall be subject to adjudication by the concerned Estate Officer appointed under the Public Premises (Eviction of Unauthorised Occupants) Act, 1971 (40 of 1971)."

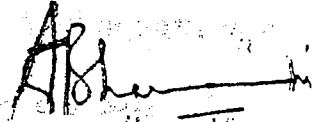
Notes:

(i) In respect of Railway servants holding Government accommodation allotted by Directorate of Estates, procedure as specified under Rule-16(1) to Rule-16(7) of Railway Services (Pension) Rules, 1993 would be applicable.

- (ii) The policy of allowing PSUs to pay the cost of construction of houses and thereafter retain half of the number of houses equivalent to the 50% cost of construction is discontinued. Railway should encourage the PSUs to build houses on railway land, subject to the condition that 50% of the number of such houses built would be made available to Railway officers and the balance can be allotted to officers working in the PSUs.

9. This letter supersedes Railway Board's letter of even number dated 30-11-2000.

10. This issues with the concurrence of the Finance Directorate of Ministry of Railways (Railway Board) and the approval of Hon'ble Minister for Railways.



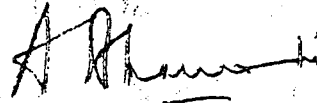
(ASHOK BHANDARI)
DIRECTOR/ESTABLISHMENT(G)

New Delhi, dated 1.6.2001

No.E(G)2000 QR1-23

Copy forwarded to :-

1. FA&CAO, All Indian Railways and Production Units.
2. Joint Director(Finance), RDSO, Lucknow.
3. General Secretary, IRCA, New Delhi.

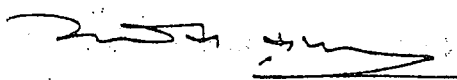


(ASHOK BHANDARI)
DIRECTOR/ESTABLISHMENT(G)

New Delhi, dated 1.6.2001

No.E(G)2000 QR1-23

Copy to: DAI (Railways) - (with 46 spares)



01.06.2001
for FINANCIAL COMMISSIONER/RAILWAYS