EAST CENTRAL RAILWAY पूर्व मध्य रेल EAST CENTRAL RAILWAY

M.C. 03/90
Updated 08/2019

PCPO's Sl.No.178/2019

No. E/Misc/O/ECR/HJP Dated:-27.09.2019

1. CAO (Con.)/ उत्तर एवं दक्षिण / पटना।
2. सभी PHOD/CHOD, पू.म.रे, हाजीपुर।
3. DRM/ पूमरे / मुगलसराय, दानापुर, धनबाद, सोनपुर एवं समस्तीपुर।
4. मुख्य कार्मिक अधिकारी / प्रशासन / पू.म.रे / हाजीपुर।
5. मुख्यालय के सभी कार्मिक अधिकारी।
6. CWM/ पीडी / मुगलसराय, यांत्रिक कारखाना / समस्तीपुर / हरनौत।
7. Sr.DPO/ पूमरे / मुगलसराय, दानापुर, धनबाद, सोनपुर एवं समस्तीपुर।
8. उप महाप्रबंधक / विधि / पटना।
9. प्राचार्य / क्षेत्रीय रेल प्रशिक्षण संस्थान / मुजफ्फरपुर एवं भूली।
10. सभी मुकार्याधी / कार्याधी / पू.म.रे / हाजीपुर।

विषय : Railway Institutes/Clubs-updation of Master Circular regarding.

संदर्भ : Railway's Boards Lt.No.E(W)2019/IC-1/2 Dated: 27.08.2019

विषयांकित से संबंधित संदर्भित पत्र की छायाप्रति सूचना, मार्गदर्शन एवं अग्रेत्तर आवश्यक कार्रवाई हेतू प्रेषित की जा रही है।

A copy of above referred letter on the subject matter is being forwarded herewith for information guidance and needful onward action please.

संलग्नक : यथोपरि।

DA : As above.

(सौरभ सावर्ण) 27.9.19
वकाधि / ई.एस.एम
कृते महाप्रबंधक (कार्मिक) / हाजीपुर

प्रतिलिपि सूचनार्थ, मार्गदर्शन एवं आवश्यक कार्रवाई हेतू प्रेषित :–

1. महासचिव / ईसीआरकेयू / पू.म.रे. / हाजीपुर।
2. महासचिव / एस0.सी0. / एस0.टी0. / एशोसिएशन / पू.म.रे. / हाजीपुर।
3. सकाधि (एम.पी.पी.), पू.म.रे / हाजीपुर। कृपया इसे नेट पर अपलोड कराने की व्यवस्था करें।
4. महासचिव / ओ.बी.सी.एशोसिएशन / पू.म.रे. / हाजीपुर।

(प्रशासन) कार्यालय
मध्य रेल, छत्रपति शिवाजी टर्मिनस
10 AUG 2019
रेलवे बोर्ड का पत्र प्राप्ति सं०

M. C. No. 3/90
Updated 08/2019

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

ECR
072542
05 SEP 2019

No. E(W)2019/IC-1/2

New Delhi, dated 27-08-19

The General Manager,
All Indian Railways/Production Units etc.

**Sub:- Railway Institutes/Clubs-updation of Master Circular regarding.**

At present the orders relating to Railway Clubs/Institutes are compiled in Master Circular No. 3/90 issued under letter No.E(W)90/IS-1/3 dated 07.09.1990. It contained salient features and instructions issued by Board from time to time on the subject. Since then, a number of instructions have been issued in the form of supplementary instructions to the Master Circular. The question of consolidation of these existing orders/circulars into an updated Master Circular has been under the consideration of the Ministry of Railways (Railway Board). It has now been decided to issue a consolidated Revised Master Circular on the subject for the information and guidance of all concerned.

2. The Railway Administrations provide, as part of staff amenity, Institutes/Clubs to promote esprit de corps among Railway employees and also to encourage them to participate in sports, cultural programmes, etc. As such, a Railway Institute should be looked upon as a club provided by the Railway, rent-free for the benefit of its employees. As a principle, therefore, the Railway Administrations should provide everything which a landlord ordinarily would and the Institute/Club should pay for all that a tenant would usually be liable.

3. The Railway Administration will bear :

(i) The first cost of the building including the cost of electric installations (including electric fans) with necessary furniture, roads, fences, tennis courts and other playgrounds. Wherever possible, a garden will also be provided.

Note :- The term "furniture" is not intended to include billiards, table, pianos and pictures. It includes lamps, other than billiard table lamps and locks and keys of almirahs.

(ii) The cost of maintenance and alterations except in the case of tennis courts and other playgrounds, the Railway Administration will bear only the cost of ordinary Engineering repairs.

4. The Institute/Club funds will bear :

(a) The cost of rolling, watering, grass-cutting and other maintencance charges of playgrounds, other than engineering repairs;

(b) the cost of maintenance of its gardens and ornamental grounds;

(c) the cost of maintenance and renewal, whether partial or complete, of electrical installations including fans payble at a flat rate of Rs.5/- per annum on the capital cost of the installations;

(d) the cost of electric current consumed and hire of meter;

(e) occupiers' share of Municipal taxes for specific direct services rendered to an Institute by a Municipality such as conservancy, water and the like taxes as distinct from taxes of general nature;

(f) water charges calculated at so much per tap, each Railway administraton fixing its own rate of charges.

Note: In case where large quantities of water are supplied as in case of swimming pools, the actual cost of water supplied should be recovered. However, in cases where waste water from the swimming pools is utilised for definite railway pruposes, e.g. flushing of sewers and watering of grounds, etc. no charges for supply of water to swimming pools should be recoverd.

5. No rent is recoverable in the case of Institutes/Clubs where the building is erected by the Institute/Club at its cost on Railway land. Also, no rent is recoverable in the case of Institutes/Clubs:

i. If the buildings are specifically constructed after obtaining the sanction from the Railway Board.

ii. If any additional expenditure is incurred in converting an existng building into a club/Institute or providing ancilliaries to make it suitable as an institute/club had the prior approval of the Railway Board.

6. The class-IV staff employed in Railway institutes may be given residential accommodation free of rent provided that such accommodation is either part and parcel of

9. **Use of Railway Institute/Club premises for private functions.**

The Club/Institutes premises are accordingly offered for private functions by Members, etc. Instructions also exist regarding use of club/Institute premises by unions and outsiders for cultural shows and for cinema shows etc. Certain conditions, have, however, been laid down by Board with regard to holding the private functions.

(Railway Board's letters No.63/W2/CNB dated 7.2.67 and 1.5.67; no.78/W2/3/66 dated 10.8.79; no.E(W)86-ISI-2 dated 3.6.86 and no.E(W)99/IS-1/3 dated 4.4.2000).

9.2. The absolute ownership of the property being that of the Railways, needless to say that the premises cannot be leased out by the Club/Institute management to anybody. However, Railways have been permitting outsiders for holding private functions in the Club/Institutes after meeting demands from members and Non-member officer/staff, not amounting to leasing of the premises. In one of the cases in recent past, managing committee of an officers' club entered into an agreement with a contractor regarding use of club premises for commercial gains for a period upto 20 years without prior approval of competent authority, in violation of Board's extant instructions which stipulate that licensing of railway land for purposes not connected with railway working is not permitted (Railway Board's letter No.2004/LML/18/1/16 dated 27.10.2004).

9.3. It may please be ensured by Zonal Railways that bye-laws of their Clubs/Institutes must be in line with extant instructions issued from time to time with regard to running the affairs of the Clubs/Institutes, lease/use of railway land etc.

9.4. Following aspects may also be kept in view and suitable provisions be incorporated in the bye-laws:

(a) Use of Club/Institute premises by a person for private functions should generally be restricted for one day only, and charges for the same will be on "per day" basis.

(b) In case of outsiders, permission to use Club/Institute premises shall be given by the Club/Institute directly to the individual for private purpose only and not for any commercial interest/gains.

(c) No third party or contractor shall be authorised to take possession of the premises for further allotment.

(d) Club/Institute management will specify conditions regarding proper use of premises but will not involve themselves with catering/shamiana arrangement, etc. for allottee. Allottee will himself make necessary arrangements for catering/shamiana etc.

the Institute building and its recognised out-houses, or is not required for any other railway purpose or cannot be rented to outsiders and would otherwise lie vacant.
(Para 2211 of IREM, Vol.II (Revised edition 1990).

7. The General Manager of the Railways may frame rules to suit local requirements of the Railway Administrations and other circumstances of the place. While laying rules for use of Railway premises/Institutes/Clubs etc., among other things specific mention of the following must be made:

(i) The holding of meeting on railway land by recognised unions – no political subject should be discussed in the meetings.
(ii) Prohibiting the grant of permission to unrecognised unions for holding their meeting on Railway land/premises.
(iii) Restriction on the use of any railway land for holding election meetings and/or public meetings.
(Para 2217 of IREM, Volume II). (Revised edition – 1990).

**8. Allocation under SBF to Institutes and Clubs and charges etc.**

The grant under SBF is meant for recreational facilities for both Officers and Supervisory Staff, it may please be ensured that a portion of this grant is made available to the Institutes for recreation of the supervisory staff also, on the scale decided by the GMs, taking into account the local conditions.

(Railway Board's letter No.E(W)99/IS-1/3 dtd 04.04.2000)

It is further clarified that the Grants available under Staff Benefit Fund (SBF) for the head/activity "Recreational facilities at Institutes and Clubs, etc. can be utilised for Officers' Club as well.

(Railway Board's letter No.E(W)2006/FU-1/5(Pt) dated 16.10.2018)

It has also been decided that only 3 rates for hiring Club premises should be laid down –

One for the members, the other for non-member Officers and Supervisors and the third one for Outsiders. The rates charged from Supervisors should be less than the rates charged from the outsiders and more than the rates charged from the members. There should be no difference in the rates charged from non member Officers and non-member Supervisors.

(Railway Board's letter No.E(W)99/IS-1/3 dtd 04.04.2000)

(e) Allottee shall be held personally responsible for any damages caused to the Club/Institute property.

(f) Hire charges for use of Club/Institute premises by outsiders should be fixed by the Committee in keeping with comparable facilities available in the market, etc.

(g) Gambling, consumption of liquor and other unlawful activities should be prohibited.

(h) The programme of performances, etc. must be intimated to the Secretary of the Club/Institute before hand whose discretion in allowing or refusing permission would be final.

(i) Club/Institute management shall not specify any condition or enter into any arrangement with anyone which, directly or indirectly, amounts to seizure of Railway's authority as owner of the premises/Railway land and is likely to affect railway's interests in any way and shall always take steps to protect Railways' interests.

(j) Caution money may be charged from the allottee for use of the premises and handing over the premises back to the Raiwlays intact. In the event of damages caused to the railway property by the allottee, the caution money may be suitably adjusted for compensating the damages. The amount of caution money may be fixed taking local conditions into account.

(Railway Board's letter No.E(W)2004/IS-1/2 dated 12.10.2006)

**10.** The Membership of the Institute/club is optional. The running of the Institute/clubs are to be managed by a Committee, representing its members. The Committee engage such staff as are required and meet the cost of their wages and allowances. The cost of running the Institutes/clubs is met from funds at the disposal of the Institutes Management Committees derived from membership fees and grants from the Staff Benefit Fund. In view of the limited funds available at the disposal of the Managing Committee, they should employ only part-time workers and the whole-time workers should be engaged only when absolutely necessary in which case they should be paid adequate wages in consonance with such market conditions.

(Nos. E(W)86-ISI, dated 21-1-87, E(W)80-ISI-1, dated Oct, 1980 and E.55 LRIG dated 25-4-56).

**11.** The whole-time staff of the Railway Institutes may also be issued Complimentary 'Admn' Cheque Passes as per ACS No.17 to the Railway Servants (Pass) Rules, 1986 (2nd edition, 1993).

(Railway Board's letterNo.E(W)97PS5-1/45 dated 28.10.99)

**11.1** Pass facility to non-Railway Servants will be governed by the instructions No.E(W)2019/PS5-1/5 dated 03.06.2019.

(Railway Board's letters No. E(W)2019/PS5-1/5 dated 03.06.2019)

**12.** Since the staff of the Institutes/clubs are not regular Railway servants, the Managing Committees should add a suitable clause to this effect while giving offer of appointment to the entrant in their employ. Existing staff should also be suitably advised of this. In this connection, the Supreme Court in their recent Judgement in Civil Writ No. 1389 of 1987 dated 27-2-90 upheld the contention of the Ministry of Railways (Railway Board) that the staff employed by the Railway Institutes/clubs are not regular Railway servants and hence dismissed the petition.
(No. E(W)86ISI-1, dated 21-1-87 and E(W) 87ISI-12 dated 30-4-90).

**13.** The following procedure should be followed by all the Railway in the matter of giving permisson to recognised unions for holding meetings in Railway Institutes/clubs:

i. Prior permission of the Railway would be necessary before the Railway institutes/clubs could be used.

ii. The request for permission should reach the Administration at least three days before the meeting is sought to be held

iii. No policial subject would be discussed in the meeting but the Railway Administration would not insist for a copy of the agenda.

iv. In addition to obtaining permisson from the Railway Administraton, the responsibility for obtaining permission from the civil authorities or the Managing Committee of the Institute/clubs, whenever necessary, would be with the trade unions concerned;

v. The time and date of the meeting should also be intimated by the Union while applying for permission.

The Railway Administration should ensure that granting or refusing permission are issued pormptly to the Unions. Permission cannot be given to use Railway Land/permises by the unrecognised unions for holding meetings etc.

vi. There would be a ban on the use of railway premises for any religious function except that the functions for which permission had been given in the past for being held in a particular railway premises would be allowed as hithertofore.

It is desirable that specific mention is made by the Railway Administrations in their local Rules framed with regard to running of the Railway Institutes/clubs on the above aspect.
( Nos. E(L)60UT1-33 dated 9-2-60, E(LR)III-80UT3/23 dated 8-5-80, E(W)86-ISI-2 dated 3-6-86 and E(W)87-SC-2/13 dated 20-1-88).

**14.** It has been decided that where direct recruitment to Group "D" posts is made from the open market in the Workshops or in Electrical/Diesel Loco Sheds, as permissible under extant instructions, persons employed in Railway Institutes attached independently to a Workshop (not to the Division) may apply direct provided they possess the educational qualification prescribed for the said direct recruitment. Applications of such persons can be considered by the Railway Administration alongwith other applications. Such candidates can also be allowed age concession to the extent of five years or service rendered in the Institutes, whichever is less for absorption in Class-IV categories and appearing before Railway Recruitment Board for selection to Class-III categories.
(Nos. E(NG)III73-RR1-27 dated 30-10-73 and E(NG)II/87-RR4/5 dated 23-8-88).

**15.** The Railway Board have no objection to the checking of Institutes/clubs Accounts being done by selected Accounts staff outside their office hours on payment of a fee from the Institutes/clubs fund.

**16.** It is to be noted that the staff engaged by the Institutes and Clubs are not Railway servants as they are engaged by respective management committee etc. of such Institute & Clubs. Wherever, such Non Railway staff are covered by applicable labour laws pertaining to minimum wages, it is desirable that they should be paid minimum wages.
No.E(W)2018/E(LL)MW/4 dated 26.04.2019.

**17.** General :

a. The consolidation made in the Master Circular should be construed only as a key to the original circular and not a substitution. In case of any doubt, the original circular (s) referred to in the Master Circular will be relied upon as authority.

b. It should be noted that orders/ instructions issued under the various circulars have only prospective effect from the date of issue of the relevant original letter(s), unless specifically stated otherwise in the concerned letter. Hence, for dealing with old cases, the instructions in force at the relevant time have to be referred.

c. Though all efforts have been taken to include all the relevant circulars on the subject, if any circular which has not been superseded happens to be omitted, the circular which has been omitted through oversight will still hold the field. Anyone coming across such a circular may bring it to the notice of the Railway Board for suitable action for issuing a supplementary circular.

Please acknowledge receipt.

**(D.V. Rao)**
**Director Estt.(Welfare)**
**Railway Board.**

The consolidation has been made from the following :

1. Paras 2208-2717 of IREM of 1968 (not enclosed)
2. No. E.49-ISI/3 dated 9-2-80
3. No. E.49-ISI/3, dated 12-9-50
4. No. E. 53-FU1/3 dated 30-5-55
5. No. E.55-LR1/4 dated 25-4-56
6. No. E(L) 60-ST1-33 dated 9-2-60
7. No. E(NG)III/73/NR/1/27 dated 30-10-73
8. No. E(W)80/ISI/1 dated Oct, 1980
9. No. E(LR)III/80/UT3/23 dated 8-5-80
10. No. E(W)86-ISI-2 dated 3-6-86
11. NO. E(W)87SC2-13 dated 20-1-88
12. No. E(W)86-ISI-1 dated 21-1-87
13. No. E(W) 97/PS5-1/45 dated 28.10.99
14. No.E(G)58PS5-4/1 dated 18.3.60
15. No.E(G)58PS5-4/1 dated 9.11.59
16. No. E(NG)II-87/RR4/5 dated 23-8-88
17. Supreme Court Judgement dated 27-2-90 on Writ Petition No. 1389 of 1987 (not enclosed -forwarded to Railway under No. E(W)87ISI-12 dated 30-4-90).
18. No.E(W)99/IS-1/3 dtd 04.04.2000
19. No.E(W)2004/IS-1/2 dated 12.10.2006
20. No.E(W)2006/FU-1/5 (Pt) dated 16.10.2018
21. No.2004/LML/18/116 dated 2.10.2004
22. No.E(W)97PS5-1/45 dtd 28.10.99.
23. No. E(W)2019/PS5-1/5 dated 03.06.2019
24. No.2018/E(LL)/MW/4 dated 26.04.2019.

*******