

पूर्व मध्य रेलवे
(निर्माण संगठन)

कार्यालय,
मुख्य प्रशासनिक अधिकारी (निर्माण)
पूमरे/महेन्द्रघाट/पटना
दिनांक- 19.02.2020

सं.-ECR/CAO/Con/E/Circulars/

- All Chief Engineers/Con/ECR/MHX, Patna.
(NE, Central, Planning, North, SE, NW, South & GB).
- CSTE/Con/North, South & HQ/ECR/MHX, Patna.
- CEE/Con/MHX, Patna.
- All Dy. CEs/Con/ MHX, Patna (North, South, TS, Design, General, ROB, PM & Survey)
- All Dy. CEs/Con Of Field Units,
(DNR, RGD,MGS, BRKA, DHN-II, Renukut, Chopan, Singrauli, HZME-I & II, GB/Patna,
GB/MGR, Hajipur-I & II, Bettiah, NKE SPJ-I, II, III & IV, & Muzaffarpur).
- Dy. CSTE/Con/DNR, DHN, CPU & SPJ, SPJ-II.
- Dy. CEE/Con/MHX/Patna/North (SPJ), South/MHX & CPU.
- Dy CMM/Con/MHX, Patna.

Sub:- Appointment on compassionate Ground – cases of second wife and her wards.


Ref: - महाप्रबंधक (का.)/पूमरे/हाजीपुर का पत्र सं.- E/227(A)/O/ECR/HJP, Dated-17.01.2020.
(PCPO's Sl. No-252/2019)

विषयांकित से संबंधित संदर्भित पत्र की छायाप्रति सूचना, मार्गदर्शन एवं अग्रोत्तर आवश्यक कार्रवाई हेतु इस पत्र के साथ संलग्न कर 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.


उप मुख्य कार्मिक अधिकारी/निर्माण
कृते मुख्य प्रशासनिक अधिकारी/निर्माण

Copy to:-

1. Secy. to CAO/Con/South for kind information of CAO/C/South.
2. Secy. to CAO/Con/North for kind information of CAO/C/North.
3. Secy. to CAO/Con/GLP for kind information of CAO/C/GLP.
4. CA/Personnel - for uploading on WEBSITE of Construction Organisation. & disseminating to field unit by concerned nodal officer through e-mail.

कृते मुख्य प्रशासनिक अधिकारी/निर्माण

RB E.No.218/2019

PCPO's Sl.No.252/2019

No. E/227(A)/O/ECR/HIP

Dated:-17.01.2020

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

विषय : Appointment on Compassionate Grounds – cases of second wife and her wards.


संदर्भ : Railway's Boards Lt.E(NG)II/2016/RC-1/CR/12 (Pt) Dt.. 30.12.2019

विषयांकित से संबंधित सद्वर्तित पत्र की छायाप्रति सूचना, मार्गदर्शन एवं अग्रेतर आवश्यक कार्रवाई हेतु 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.


17.1.2020

(सौरभ सावर्ण)

सकाधि / ई.एस.एम

कृते महाप्रबंधक (कार्मिक) / हाजीपुर

प्रतिलिपि सूचनार्थ, मार्गदर्शन एवं आवश्यक कार्रवाई हेतु प्रेषित :-

1. महासचिव / ईसीआरकेयू / पू.म.रे. / हाजीपुर।
2. महासचिव / एस०.सी०. / एस०.टी०. / 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।

महाप्रबन्धक (प्रशासन) कार्यालय
पुस्तकालय बिल्डिंग, कानपुर

000134

03 JAN 2020

RBE No. 218/2019

21/1/2015 CR

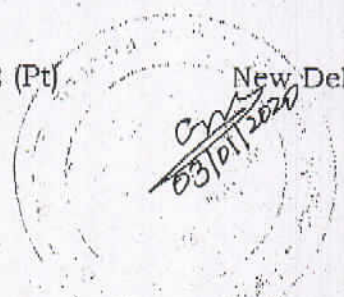
पुस्तकालय बिल्डिंग का पत्र प्रतिक्रिया

(17)

GOVERNMENT OF INDIA
MINISTRY OF RAILWAYS
(RAILWAY BOARD)

No. E(NG)II/2016/RC-1/CR/12 (Pt) New Delhi, dated 30.12.2019

The General Manager (P)
All Indian Railways/PUs
(As per standard mailing list)



Sub: Appointment on Compassionate Grounds - cases of second wife and her wards.

Attention is invited to Board's letter No.E(NG)II/91/RC-1/136 dated 02.01.1992 (RBE No. 1/1992) wherein it has been laid down that in the case of railway employee dying in harness, etc. leaving more than one widow along with children born to the second wife, while settlement dues may be shared by both widows due to Court orders or otherwise on merits of each case, appointment on compassionate grounds to the second widow and her children are not be considered unless the administration has permitted the second marriage in special circumstances, taking into account the personal law, etc.

Reviewing

2. In the case of Union of India vs. V.R. Tripathi, the Hon'ble Supreme Court had, vide their order dated 11.12.2018 in OA No. 12015/2018 (arising out of SLP(C) No. 32004/2016) dismissed on merits the Appeal filed against the Hon'ble Bombay High Court's Order in WP No. 910/2015 and in WP No.892/2015 in two Central Railway cases that permitted consideration for grant of compassionate appointment to the child of the 2nd wife of the deceased Railway employee. Subsequently, several other judgements of Hon'ble High Courts have been received in which consideration for grant of compassionate ground appointment to a child born to the 2nd wife of the employee has been directed based on similar ratio.

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3. The matter has, therefore, been reviewed by Board in view of above Judicial pronouncements considering also the views of the Central Agency Section of the Ministry of Law & Justice. In partial supersession of Board's Circular No. E(NG)II/91/RC-1/136 dated 02.01.1992 (RBE No. 1/1992) referred to, it has now been decided that children born to the second wife may also be considered for compassionate appointment even where the second marriage has not been specifically permitted by the administration. However, since compassionate appointment after demise of the Railway

Immediate
Baveen

Coordinate
Lalit

...Contd/-

employee can be considered for granting to only one dependent family member on merits, a child born to the second wife can be considered for such appointment only after ascertaining that there is no objection to this from the first wife or her children. Where the first wife (legally wedded wife) opts for such compassionate appointment either for herself or one of her own children, such claim will have priority over any competing claim made by the second wife for any of her children.



(M M Rai)
Joint Director, Estt. (N) II
Railway Board

No. E(NG)II/2016/RC-1/CR/12 (Pt)

New Delhi, dated 30.12.2019

Copy to:

- (i) The General Secretary, AIRF, Room No. 253, Rail Bhawan, New Delhi (35 spares).
- (ii) The General Secretary, NFIR, Room No. 256-E, Rail Bhawan, New Delhi (35 spares).
- (iii) All Members of Departmental Council and National Council and Secretary, Staff Side, National Council, 13-C, Ferozeshah Road, New Delhi (60 spares).
- (iv) The Secretary General, FROA, Room No. 256-A, Railway Board (5 spares).
- (v) The Secretary, RBSS, Group 'A' Officers' Association.
- (vi) The President, Railway Board Class II Officers' Association.
- (vii) The Secretary General, IRPOF.
- (viii) The Secretary, Indian Railways Class II Officers' Association.
- (ix) The Secretary, Railways Board Ministerial Staff Association.
- (x) The President, Railway Board Class IV Officers' Association.
- (xi) The General Secretary, AIRPF Association.
- (xii) The General Secretary, All India SC& ST Railway Employees Association, Room No-7, Rail Bhawan, New Delhi.
- (xiii) Chief Commissioner for Railway Safety, Lucknow.
- (xiv) Chief Administrative Officer, RCF/Racbareli Project, Kishanganj, Delhi-7.


For Secretary/Railway Board

Copy to: PSs to MR, MOS(R).

Copy to: PSO/Sr.PPS/PPSs/PSs/PA to: