

**CONSOLIDATED RULES IN RESPECT OF  
APPOINTMENT ON COMPASSIONATE GROUNDS**

**I. *PURPOSE:***

The scheme of compassionate appointments has been evolved with the idea of providing relief in a situation where the family is subjected to financial distress due to the sudden loss of income of the bread winner, consequent to his death in harness or voluntary retirement due to medical invalidation. The cases of compassionate appointment are mainly dealt in terms of instructions contained in Master Circular No.16 and other instructions issued by Railway Board from time to time. These rules are available on website [www.irps.in](http://www.irps.in)

**II. *GUIDING FACTORS FOR DECIDING COMPASSIONATE GROUNDS APPOINTMENTS:***

- i) While considering the requests for compassionate appointments, Competent Authority should satisfy himself on the basis of a balanced and objective assessment of the financial condition of the family, that the grounds for compassionate appointment in each such case is justified, having regard to the number of dependents, assets and liabilities left by the railway employee, income of any member of the family as also his liabilities.
- ii) There is no bar in giving appointment to the husband of a female railway employee on compassionate grounds in the circumstances in which such appointments are otherwise permissible.

**III. *CIRCUMSTANCES IN WHICH COMPASSIONATE APPOINTMENTS MAY BE MADE:***

Appointments on Compassionate grounds are offered to the dependents of regular railway servants who lose their lives in the course of duty or die in harness or otherwise while in service or are medically incapacitated/decategorised. The circumstances in which Compassionate Appointments may be made are as under:

- a) Due to death of the railway servant while on duty/in service.
- b) In the case of railway servants whose whereabouts are not known for a period of more than two years and the settlement dues have been paid to

the family (Subject to fulfillment of other conditions in Railway Board's letter No.E(NG)II/97/RC-1/210 dated 26.07.1998) and

- c) In the case of medical invalidation of the railway servant in all medical classifications followed by voluntary retirement.

**IV. ORDER OF PRIORITY TO BE FOLLOWED WHILE OFFERING APPOINTMENTS ON COMPASSIONATE GROUNDS:**

- i) to the dependents of railway servants who have died or who have become permanently crippled during the performance of duties.
- ii) To the dependents of the railway servants who die in harness due to railway accidents while off duty.
- iii)
  - a) To the dependents of railway servants who die in service or are totally incapacitated while in service irrespective of the period of service left to reach the age of superannuation or of earning retirement benefits in full, or
  - b) are medically decategorised with less than 30 years of qualifying service of pensionary benefits.
- iv) Dependents of employees who are medically decategorised with 30 years or more of qualifying service for pensionary benefits.

Where an employee has become medically unfit to continue in any post, he may be allowed to retire voluntarily and request for appointment of ward on compassionate ground considered.

(Authority Bd.'s Letter. No. E(NG)II/95/RC-1/94 dated 18-1-2000 and E(NG)II/95/RC-1/94 dated 18.01.2000 & 14.06.2006)

**V. TIME LIMIT:**

Normally all appointments on compassionate grounds should be made within a period of five years from the date of occurrence of the event entitling the eligible persons to be appointed on this ground. This period of five years may be relaxed by the Director General, RDSO, subject to the following conditions:

**(A)**

- i) The powers shall be exercised personally by the Director General.

- ii) The case should not be more than 20 years old.
- iii) The widow of the deceased employee should not have remarried.
- iv) The benefit of compassionate appointment should not have been given at any time to any other member of the family or a near relative.
- (v) The circumstances of the case should be such as to warrant relaxation of time limit.
- (vi) The request for appointment on compassionate ground should have been received within a period of two years as soon as the son/daughter has become major (DG can relax the period of two years subject to fulfillment of Railway Board's letter No.E(NG)II/98/RC-1/64 dated 28.07.2000.

**(B)**

- i) If the candidate is major at the time of death/medical invalidation of the ex-employee and is already admitted to a course then he/she shall be allowed to complete that course provided he/she takes due permission of the Railway Administration. His/Her candidature for appointment would be considered according to the qualification so acquired.
- ii) If the candidate is minor at the time of death/medical invalidation of the ex-employee, but at the time of his/her attaining majority, he/she is already pursuing/admitted to a course, he/she be allowed to complete that course provided he/she takes due permission from the administration. His/Her candidature for appointment on compassionate grounds would be considered in light of the qualification he/she acquires.
- iii) If the candidate is minor at the time of death/medical invalidation of the ex-employee and when he/she becomes major but is not pursuing/admitted to a course then his/her candidature for appointment for compassionate grounds would be considered in light of the qualification he/she possessed at the time of attaining majority.

**VI. GRADES IN WHICH APPOINTMENT CAN BE MADE:**

- i) Appointment on compassionate grounds can be made only in the recruitment grades. However, in the intermediate grades where there is an element of direct recruitment appointments can be made subject to fulfillment of educational / technical qualifications.

- ii) However, if, in any rare and exceptional case, where the circumstances are particularly distressing and fixation of pay at a higher stage than that normally admissible under the rules is considered justified, the Railway Board may be approached giving full details in the prescribed proforma for approval. [No.E(NG)II/83/RC-1/68 dated 07.12.1983]

## VII. **RELAXATIONS:**

### 1) Age relaxation:

- i) Upper age limit may be freely relaxed on merits of the case.
- ii) Lower age relaxation upto one year, with the approval of the Director General, further relaxation requires the approval of Railway Board.

### 2) Qualifications and conditions to be fulfilled :

- i) Normally persons seeking appointment on compassionate grounds should fulfill the conditions of eligibility regarding the age and educational qualifications prescribed for the post to be offered.
- ii) The educational qualification prescribed for the post to be offered should not be relaxed. However, if, on the merits of the case DG feels that such relaxation is necessary, such case may be referred to Railway Board. [No.E(NG)II/80/RC-1/4(KW) dated 22.02.1989]
- iii) The instructions prescribing VIII class pass as minimum qualification for recruitment to Group 'D' posts are also applicable to compassionate ground appointments except in the case of appointments of widows in posts which are exclusively reserved for them, viz., Water women, Retiring Room Attendants, Cinder-picking women, Sweeper-women, C&W Khalasi [ for waste packing only], Ayah and Female sanitary cleaner in Railway Hospitals / Schools, Khalasis attached to Sub-Divisional offices of AEN.

[Authority: Board's Letter No. E(NG)II/86/RC-1/Policy dated 25.03.1986]

- v) The minimum educational qualification of Skilled Artisans Gr.III on compassionate grounds is tenth class pass. The training period for such compassionate appointees (i.e. non ITI certificate holders)

would be three years as against six months for open market recruits.

[Authority: Board's Letter No. E(NG)II/97/RC-1/Gen.16/JCM/DC dated 19.6.2000]

- vi) The Competent Authority may consider exemption from the requirement of possessing educational qualification prescribed for Group 'D' posts in the case of appointment of widows, provided the duties of the post can be satisfactorily performed by them without dispossession of the prescribed educational qualification.

[Authority: Board's Letter No. E(NG)II/99/RC-1/Gen.8/JCM-DC dated 29.7.1999]

#### **VIII. *COMPETENT AUTHORITY TO APPROVE COMPASSIONATE APPOINTMENTS:***

The powers to make compassionate appointment is vested in the Director General, RDSO. The Director General may, however, re-delegate these powers to other officers in terms of Railway Board's instructions issued from time to time.

#### **IX. *PERSONS ELIGIBLE TO BE APPOINTED ON COMPASSIONATE GOUNDS:***

- i) Son/daughter/widow/widower of the employees are eligible to be appointed on compassionate grounds in the circumstances in which such appointments are permissible. Where the widow cannot take up employment and the sons/daughters are minor, the case may be kept pending till the first son/ daughter attains the age of 18 years. The benefit of compassionate ground appointment may also be extended to adopted son/daughter provided, there is satisfactory proof of adoption valid legally, the adoption is legally recognized under the personal law governing the Railway servant, the legal adoption process has been completed and has become valid before the date of death / medical incapacitation of the ex-employee.
- ii) Adopted sons/daughters can be considered for compassionate appointment provided such adoption has been accepted for the issue of privilege Pass/PTO as per the provisions under the Pass Rules.

[Authority: Board's letter No. E(NG)II/86/RC-1/1/Policy dated 11.12.96]

- iii) Appointment on compassionate grounds may be considered at Railway's level in cases of **dependents** of Railway employees dying as **bachelors / spinsters**, subject to the condition that the candidate proposed for appointment is shown as 'dependent' of the ex-employee as per the pass rules.

[Authority: Board's letter No. E(NG)II/88/RC-1/Policy dated 4.9.96]

- iv) In case where dependency of a candidate is not covered by pass declaration for appointment on compassionate grounds of dependent of railway employee dying as **bachelor/spinster**, the dependency may be established through ration card or through investigation by Welfare Inspectors.

[Authority: Board's letter No. E(NG)II/99/RC-1/SE-19 dated 05.08.99]

- v) In cases where the widow cannot take up employment and is survived by married daughter and the other children are minors, Director General may consider appointment on compassionate grounds to married daughters provided they satisfy themselves that the married daughter will be the bread-winner of the bereaved family.

[Authority: Board's letter No. E(NG)III-78/RC1/1 dated 3.2.81]

- vi) Divorced/widowed daughter, wholly dependent on the railway employee at the time of death/medical invalidation, should also be considered for appointment on compassionate grounds, as in the case of married daughters from the date of issue of Board's letter i.e. 21.11.2001.

[Authority: Board's letter No. E(NG)II/2001 RC-1/ER/5 dated 21.11.2001]

- vii) Provision for appointment of a near relative on compassionate grounds on the Railway **has been deleted**.

[Authority: Board's letter No. E(NG)II/88/RC1/1/Policy dated 13.12.95]

- viii) Appointment on compassionate grounds to the second widow and her children are not to be considered unless the administration has permitted the second marriage.

[Authority: Board's letter No. E(NG)II/91/RC-1/136 dated 2.1.92]

- ix) Only one compassionate appointment is admissible in the case of death of the husband or wife (both Railway employees) whichever event occurs first.

[Authority: Board's letter No. E(NG)II/86/RC-1/1 Policy dated 02.06.97]

**X. COMPASSIONATE APPOINTMENT TO WARDS/WIDOWS OF CASUAL LABOUR**

- i) The Director General has powers to consider and decide requests for appointment on compassionate grounds of the wards/widow of a casual labour who dies due to accident while on duty provided the casual labourer concerned is eligible for Workmen's compensation Act., 1923. Such appointment should be as casual labour (fresh face) or substitute.
- ii) Similar consideration may also be shown to a ward/widow of a casual labourer with temporary status at the discretion of the Director General.
- iii) This power should be exercised by the Director General personally and should not be delegated to any authority. This power should be exercised judiciously keeping in view the particular need to contain the total casual labour force. [No.E(NG)II/84/CL/28 dated 04.05.1984, 31.12.1986, 13.03.1987 & 06.12.1989]

**XI. FACILITIES TO BE AFFORDED TO CANDIDATES CONSIDERED FOR COMPASSIONATE APPOINTMENTS:**

- i) Sleeper/II Class special pass may be granted to the candidates called for interview/test for the first time for appointment on compassionate grounds in death cases only, for journey from the place of their residence, to the nearest station of the place, where interview/test is held, and back.

[Authority: Board's letter No. E(W)99 PS5-8/9 dated 18.10.99]

**XII. PROCEDURE TO BE FOLLOWED BEFORE MAKING COMPASSIONATE APPOINTMENTS:**

- i) The candidates applying for appointments on compassionate grounds should be subject to a suitability test by a committee of three Senior Scale Officers. The suitability of those proposed to be appointed on compassionate grounds should be properly assessed by a test. In case the candidate has the necessary minimum qualifications for all types of Group 'C' post, his/her suitability for all types of Group 'C' posts should

be judged and recorded by the screening committee. However, the allotment of posts will be done by C.P.O. Final offer of appointment will, however, be subject to the availability of vacancies, passing of medical examination, production of necessary certificates etc.

[Authority: Board's letter No. E(NG)II-88/RC-1/1/Policy dated 29.07.98]

- ii) Suitability test i.e. written test and viva voce of the candidates for appointment on compassionate grounds to Group 'C' posts should be completed on a single day.

[Authority: Board's letter No. E(NG)II-98/RC-1/58 [Policy] dated 16.05.91]

- iii) The competent authority may consider the request for allowing a candidate seeking appointment on compassionate ground in Group 'C' post, to re-appear in the suitability test, in exceptional cases, based on the merits of each case, in the event of the candidate having been declared unfit in the first instance.

[Authority: Board's letter No. E(NG)II-99/RC-1/Genl./3/PNM-AIRF dated 28.4.99]

- iv) In deserving cases, Director General may consider giving a third chance to a widow only to appear in the suitability test for appointment on compassionate grounds in Group 'C' post based on the merits of each case.

[Auth.: Board's letter No. E(NG)II-2001/RC-1/Genl/11 dated 21.09.2001]

- v) It is not necessary that the ward of a Group 'D' employee should be appointed in a Group 'D' post only. If such a ward possesses the required qualification prescribed for Group 'C' post and is also adjudged suitable for the post, he should be considered for such Group 'C' posts.

### **XIII. *TERMINATION OF SERVICE OF COMPASSIONATE APPOINTEES:***

- i) Candidates appointed on compassionate grounds should give an undertaking in writing in the proforma prescribed that he / she will properly maintain the other family members who have been dependent on the railway employee and in case it is proved subsequently that the family members are being neglected subsequently or not being properly maintained by him / her, his / her appointment may be terminated forthwith.

[Authority: Board's letter No. E(NG)II-99/RC-1/Genl./19 dated 22.8.2000]



- ii) The Director General is empowered to terminate the services of a compassionate appointee on the grounds of non-compliance of any conditions (s) stipulated in the offer of appointment after providing an opportunity to explain by issuing a show cause notice and without following the procedure prescribed in Discipline and Appeal Rules/Temporary Service Rules.

[Auth.: Board's letter No. E(NG)II-99/RC-1/Genl./19 dated 08.04.2002]

**XIV. WELFARE:**

Welfare Inspector will intimate the family members of the deceased employee about the procedure of appointment on compassionate ground and will render all assistance for submitting the application for appointment on compassionate ground.

**XV. RELAXATION:**

Wherever any deviation from the above provisions is sought to be made in individual cases of merit, the prior approval of the Ministry of Railways should be obtained and in such cases, personal approval of the Director General, RDSO should be indicated in the references.

[No.E(NG)/II/87/RC-1/143 dated 19.04.1988 & 07.08.1990]

**XVI. GENERAL:**

- (a) While referring to this circular, the original letters referred to herein should be read for a proper appreciation. This circular is only a consolidation of the instructions issued so far and should not be treated as substitution to the originals. In case of doubt, the original circular should be relied upon as authority.
- (b) The instructions contained in the original circulars referred to have only prospective effect from the date of issue unless specifically indicated otherwise in the concerned circulars. For dealing with old case, the instructions in force at the relevant time should be referred to, and
- (c) If any circular on the subject, which has not been superseded, has not been taken into consideration while preparing this consolidated orders the said circular, which has been missed through oversight should be treated as valid and operative. Such a missing circular, if any, may be brought to the notice of the Administration.

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