Government of India/Bharat Sarkar
Ministry of Railways/Rail Mantralaya
(Railway Board)

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RBE No. 93/2005

No.E(NG)I/2004/RE-3/9 **New Delhi, dated 31-5-2005**

The General Managers(P)
All Indian Railways & Production Units,
(As per standard list)

Sub:- **The Persons with Disabilities (Equal Opportunities, Protection of Rights and Full Participation) Act, 1995- Absorption of disabled/ medically decategorised Staff in alternative employment- Date of effect of the revised scheme – Question regarding.**

Chapter XII of Indian Railway Establishment Manual, Vol.I, 1989 incorporating the scheme for absorption in alternative employment of medically de-categorised staff has been amended pursuant to Section 47(1) of the Persons with Disabilities(Equal Opportunities Protection of Rights and Full Participation) Act, 1995,vide ACS No.77 issued under this Ministry's letter number E(NG)I-96/RE3/9 (2) dt. 29-4-99 read with ACS Nos.122 and 148 issued under their letters No.E(NG)I/2000/RE-3/5dt. 31-7-2001 and E(NG)I/2001/RE-3/8 dt. 1-7-2003, respectively.

2. The scheme so revised is being implemented in the Railways from the date of issue of the relevant instructions viz 29-4-99. Representations have been received to the effect that since the Act came into force with effect from the date on which it was notified in the Govt. of India Gazette viz 7-2-96, the benefit of revised scheme should be made available from 7-2-96. The matter has been considered carefully by this Ministry. It has now been decided that the scheme contained in this Ministry's letter of 29-4-99 as modified may be made effective from 7-2-96. Accordingly in respect of cases in which the disabled/ medically decategorised employees on or after 7-2-96 and upto 28-4-99 were absorbed in alternative employment in accordance with the earlier scheme in grade(s) lower than the grade(s) held by them on regular basis at the time of disablement/medical decategorisation may be reviewed on representations received in this regard and decided at the level of the General Manager as per the revised scheme. In other type of cases wherein disabled/medically decategorised employees had opted to retire asking for appointment of eligible ward on compassionate ground, the question of review does not arise.

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

Please acknowledge receipt.

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

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