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

No.2020/E(GR)II/1/1 New Delhi, dated 12.01.2021

The General Managers (P),
All Indian Railways including Production Units & RDSO

(Kind Attn. Dy.CPO/Gaz. All Indian Railways including Production Units/RDSO)

Sub: (i) Permission to engage Contract Medical Practitioner (CMP) against IRHS Doctors on Study Leave; and
(ii) Permission to engage CMP for one year at a time for COVID and non-COVID duties both by suitably amending Railway Board's letter No.2020/E(GR)II/COVID-19/WFH/1 dated 30.06.2020

Ref: (i) Central Rly's letter No.P/CR/HQ/E-Gaz/280/6 dt 16.06.20 & 29.06.20
(ii) Central Rly's letter No.P/CR/HQ/E-Gaz/280/6 dt.06.07.20 & 15.07.20
(iii) Railway Board's letter No. 2007/E(GR)II/1/1 dated 16.10.2008
(iv) Railway Board's letter No. 2018/E(GR)II/16/4 dated 20.07.2018

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Please refer to the correspondence resting with Central Railway's letters under reference (i) & (ii) on the subject mentioned above (copies attached for ready reference).

2. Vide letter at ref. (i) above, Central Railway has requested for permitting engagement of Contract Medical Practitioners (CMPs) against temporary vacancies arising on account of Indian Railway Health Service (IRHS) Doctors proceeding on Study Leave.

3. Medical Officers proceeding on sanctioned Study Leave are on Roll Strength and shall draw leave salary in terms of Rule 7 of Appendix V of the Indian Railway Establishment Code Vol, I 1985 Edition (Study Leave Rules), Board's letter No. F(E)III/2(2)/3 dated 11.10.2018 (RBE/156/2018) and E(P&A)II-2017/HRA-4 dated 05.12.2017 (copies enclosed) during the period of study leave. The period spent on study leave shall also be counted for earning both Leave on Average Pay (LAP) and Leave on Half Average Pay (LHAP) in terms of Railway Board's letter No. F(E)III/2009/LE-1/1 dated 04.01.2011 (copy enclosed). Also there being provision of Leave Reserve, engaging CMPs against Study Leave vacancies, therefore, amounts to incurring double or duplicate expenditure for the same post. Besides, as per policy being followed in the nodal Ministry i.e. Ministry of Health and Family Welfare (MoH&FW) as regards engagement of CMPs on sanction of study leave to regular doctors of Central Health Service (CHS), no contractual appointment in respect of CHS vacancies is made against temporary vacancies.

4. Central Railway vide another proposal under reference (ii) above has also requested for increasing the period of engagement to one year at a time and without specifically mentioning "COVID duty", for CMPs to be engaged to handle COVID pandemic, as CMPs are not turning up for interview in the name of COVID duty and also because of short duration of engagement. In this regard it is stated that directions have already been issued to All Indian Railways to engage CMPs w.e.f. 01.04.2020 to 30.06.2021 or till the pandemic of COVID-19 continues whichever is earlier as per their local requirements in order to handle shortage of doctors during COVID-19 pandemic. These instructions do not state that the Medical Practitioners so engaged would be deployed for COVID duties only. As such, the proposal of Central Railway for allowing engagement of Medical Practitioners for one year exclusively other than COVID purpose is not feasible of acceptance. The special dispensation for engagement of Medical Practitioners is to handle shortage of doctors during COVID pandemic only.

Contd.....2/P

5. The above issues have been examined in consultation with Health Directorate, Associate Finance of this Ministry and MoH&FW and not found feasible of acceptance. Board Member /Finance) and CRB & CEO have, therefore, not acceded to the proposals of Central Railway under reference (i) & (ii) above. However, Board's letters under reference (iii) and (iv) above may be referred to for further guidance regarding engagement of CMPs.

6. This issues with the concurrence of Associate Finance, Ministry of Railways.

Kamal Kishor

(Kamal Kishor)
Deputy Director/Estt.(Gaz. Rectt.)-II
Railway Board
Tel: 011-23047261
Email: kamal.pandey14@gov.in

No. 2020/E(GR)II/1/1 o/c **New Delhi, dated: 12.01.2021**

Copy to:

(i) The Principal Director of Audit, All Indian Railways & Production Units

(ii) The Deputy Comptroller and Auditor General of India (Railways), Room No. 224, Rail Bhavan, New Delhi.

Ramji 13/1/21 ✓

13/1/21

For Member (Finance)/Railway Board

o/c

No. 2020/E(GR)II/1/1 **New Delhi, dated: 12.01.2021**

Copy to:-

1. PS to MR, EDPG to MR,
2. PPSs to CRB, M/O&BD, M/Infra,M/TRS, MF,DG/HR, DG/RHS, DG/RPF, Secy./RB
3. The Principal Financial Advisors, All Indian Railways and Production Units
4. PCMDs of All Indian Railways including Production Units and RDSO
5. US(S), E(P&A), FE(III), E(Trg.), E(O)I, E(O)III, Conf. Cell, Health Dte. of Rly. Board

Kamal Kishor

(Kamal Kishor)
Deputy Director/Estt.(Gaz. Rectt.)-II
Railway Board
Tel: 011-23047261
Email: kamal.pandey14@gov.in

o/c

14/01/21

APPENDIX V (See Rule 556) STUDY LEAVE RULES

7. Leave salary during study leave. —(1) "During Study Leave availed outside India a Railway servant shall draw leave salary equal to the pay that the Railway servant shall drew while on duty immediately before proceeding such leave, in on such leave in addition to Dearness Allowance and House Rent allowance as admissible in terms of Board's letter No. E(P&A)II-2002/HRA-2 dated 19.02.2002.' "

(2) (a) During study leaves availed in India, a Railway servant shall draw leave salary equal to the pay that the Railway servant drew while on duty immediately before proceeding on such leave in addition to the Dearness Allowance and House Rent Allowance as admissible in terms of Board's letter No. E(P&A)II-2002/ HRA-2 dated 19.02.2002.

(b) Payment of leave salary at full rate under clause (a) shall be subject to furnishing of a certificate by the Railway servant to the effect that he is not in receipt of any scholarship, stipend or remuneration in respect of any part time employment.

(c) The amount, if any received by a Railway servant during the period of study leave as scholarship or stipend or remuneration in respect of any part time employment shall be adjusted against the leave salary payable under this sub-rule subject to the condition that the leave salary shall not be reduced to an amount less than that payable as leave salary during half pay leave. Rules 8, 9 & 10 shall be omitted.

(Authority: Ministry of Railways' letters No. E (P&A)II-2002/HRA-2 dated 19.02.2002 No. 2011/F(E)III/2(2)/3 dated 31.07.2014 & 14.05.2018)

RBE No/56/2018

GOVERNMENT OF INDIA (BHARAT SARKAR)
MINISTRY OF RAILWAYS (RAIL MANTRALAYA)
(RAILWAY BOARD)

No. 2011/F(E)III/2(2)/3 **New Delhi, Dated: 11.10.2018.**

The GMs/Prinicipal Financial Advisers,
All Zonal Railways/Production Units,
(All per mailing list)

Sub:- Amendment to Appendix V of the Indian Railway Establishment Code Vol. I, 1985 Edition (Study Leave Rules).

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In exercise of the powers conferred by the proviso to Article 309 of the Constitution, the President is pleased to direct that Appendix V of the Indian Railway Establishment Code Vol. I, (1985 Edition) (Third Re-print Edition 2008) be amended as in the **Advance Correction Slip No. 134** attached.

G. Priya Sudarsani

(G. Priya Sudarsani)
Director Finance (Estt.),
Railway Board.

D.A.: as above

No. 2011/F(E)III/2(2)/3 **New Delhi, Dated : 11.10.2018**

Copy to Deputy Comptroller and Auditor General of India (Railways), Room No.222, Rail Bhawan, New Delhi (20 spares).

G. Priya Sudarsani

For Financial Commissioner Railways.

(10)

APPENDIX V

STUDY LEAVE RULES:

ADVANCE CORRECTION SLIP No.:- 134

1. In sub-rule 5(i) of Rule 1, after the word "Government", following shall be inserted:-
   "(two years in case of Railway Medical Service Officer)"
2. In sub-rule 5(ii) & (iii) of Rule 1, Rule 2(2), Rule 14(1) and each of the Forms namely Form 'A', Form 'B', Form 'C' and Form 'D' appended to study leave Rules contained in Appendix-V, wherever **Five** occurs, it shall be read as **Eight.**
3. In sub-rule (3) of Rule 5, the words "and subject to the other conditions laid down in rule (8) being satisfied, draw study allowance in respect thereof" shall be omitted.
4. Sub-rule (1) of Rule 7 shall be substituted with the following:-
   "During study leave availed outside India, a Railway servant shall draw leave salary equal to the pay that the Railway servant shall drew while on duty immediately before proceeding on such leave, in addition to Dearness Allowance and House Rent Allowance as admissible in terms of Board's letter No. E(P&A)II-2002/HRA-2 dated 19.02.2002."
5. Sub-rule 2(a) of Rule 7 shall be substituted with the following:-
   "During study leave availed in India, a Railway servant shall draw leave salary equal to the pay that the Railway servant drew while on duty immediately before proceeding on such leave, in addition to Dearness Allowance and House Rent Allowance as admissible in terms of Board's letter No. E(P&A)II-2002/HRA-2 dated 19.02.2002.
6. In sub-rule 2(c) of Rule 7, the words "as envisaged in sub-rule (2) of rule 8," shall be omitted.
7. Sub-rule 2(d) of Rule 7 shall be omitted.
8. Rules 8, 9 & 10 shall be omitted.
9. Rule 11 shall be substituted with the following:-

   "11. **Admissibility of Allowances during study leave:** Except for House Rent Allowance as admissible in terms of Board's letter No. E(P&A)II-2002/HRA-2 dated 19.02.2002 and the Dearness Allowance, no other allowance shall be paid to a Railway servant in respect of the period of study leave granted to him."
10. In sub-rule 1(i) of Rule 14, the words "Study Allowance" shall be omitted.

(**Authority**: Ministry of Railways' letters No. E(P&A)II-2002/HRA-2 dated 19.02.2002 No. 2011/F(E)III/2(2)/3 dated 31.07.2014 & 14.05.2018)

भारत सरकार / GOVERNMENT OF INDIA

रेल मंत्रालय / MINISTRY OF RAILWAYS

(रेलवे बोर्ड / RAILWAY BOARD)

No. E(P&A)II-2017/HRA-4 New Delhi, dated 05.12.2017.

The General Manager (P),
Eastern Railway,
Kolkata

Sub.:- Admissibility of House Rent Allowance during Study Leave.
Ref:- Eastern Railway's letter No.E.77/o/Vol.VIII, dated 06.03.2017.

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With reference to Eastern Railway's letter under reference, it is stated that the matter has been considered in Board's office and it has been observed that on the identical issue a clarification already stands issued to Southern Railway vide Board's letter No. E(P&A)II-2002/HRA-2 dt. 19.02.2002 (copy enclosed) clarifying that the period of 120 days mentioned in Board's letter no. E(P&A)II-82/HRA-2 dated 04.02.1982 had been revised to 180 days in terms of the amendment carried out to Rule 1707 of IREC-II vide Board's letter no. E(P&A)II/89/HRA-48 dt. 07.08.1992. It was further stated in the letter dt. 19.02.2002 that the employees proceeding on study leave are entitled to House Rent Allowance and Compensatory (City) Allowance for first 180 days of the study leave and continuation of these allowances beyond 180 days is subject to the production of certificates prescribed in Para 1707(iii) of Indian Railway Establishment Code, Volume-II, 1987 Edition. It may however, be noted that CCA has already been abolished vide Board's letter no. E(P&A)II-2008/HRA-10 dt. 12.09.2008 (RBE No.110/2008).

2. Thus, necessary action on the above lines may be ensured.

DA: As above.

Md. Salim Ahmed.

(Salim Md. Ahmed)
Deputy Director/E(P&A)II,
Railway Board

Copy to: All the Zonal Railways & PUs (except E.Rly. and S.Rly.) for information and necessary action.

(12)

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

No.E(P&A)II-2002/HRA-2 New Delhi, dated 19 -2-2002.

The General Manager,
Southern Railway,
Chennai.

(Attention :- Shri N.Swaminathan, CPO(GI))

Subject:-Payment of House Rent Allowance and Compensatory (City) Allowance during study leave.

Please refer to your office letter No. P(R) 54/P Vol.VI dated 1-2-2002 on the above subject.

2. It is advised that payment of House Rent Allowance and Compensatory (City) Allowance to Railway employees during study leave is to be regulated in accordance with the instructions contained Board's letters No.E(P&A)II-82/HRA-2 dated 4-2-1982 and No.E(P&A)II-90/CCA-1 dated 1-3-1990. The period of 120 days mentioned in the above referred letters has been revised to 180 days in terms of the amendment carried out to Rule 1707 of the Indian Railway Establishment Code, Volume-II/1987 Edition vide Board's letter No.E(P&A)II/89/HRA-48 dated 7-8-1992. Therefore, employees proceeding on study leave are entitled to House Rent Allowance and Compensatory (City) Allowance for first 180 days of the study leave and continuation of these allowances beyond 180 days is subject to the production of certificates prescribed in Para 1707 (iii) of Indian Railway Establishment Code, Volume-II, 1987 Edition.

Na dira Razak

(Nadira Razak)
Jt.Director,Estt.(P&A),
Railway Board.

(13)

RBE No. 01/2011

GOVERNMENT OF INDIA
MINISTRY OF RAILWAYS
(RAILWAY BOARD)

No. F(E)III/2009/LE-1/1

New Delhi, dated 04 .01.2011

The General Managers/FA&CAOs,
All Indian Railways/PUs.
(As per Mailing List).

Subject: Reckoning of period spent on Study Leave for earning leave.

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In terms of Sub-rule (2) under Sub-heading - Counting of study leave for promotion, pension, seniority, leave and increments of Rule 556 of the Railway Services (Liberalised Leave) Rules, 1949, of the Indian Railway Establishment Code Vol. I, 1985 Edition, the period spent on study leave shall not count for earning leave other than half pay leave under the Liberalised Leave Rules. The matter has been under consideration in consultation with the Department of Personnel & Training and it has been decided that the period spent on study leave shall be counted for earning both Leave on Average Pay and also Leave on Half Average Pay. These orders shall be effective from the date of issue of this letter.

2. Accordingly, in exercise of the powers conferred by the proviso to Article 309 of the Constitution, the President is pleased to direct that Sub-rule (2) under Sub-heading - Counting of study leave for promotion, pension, seniority, leave and increments of Rule 556 of the Railway Services (Liberalised Leave) Rules, 1949, of the Indian Railway Establishment Code Vol. I, 1985 Edition may be amended as per **Advance Correction Slip No. 115** enclosed.

(SUNIL BHARDWAJ)
Dy. Director Finance (Estt.)III,
Railway Board.

No. F(E)III/2009/LE-1/1

New Delhi, dated 04 .01.2011.

Copy to Deputy Comptroller and Auditor General of India (Railways), Room No.224, Rail Bhavan, New Delhi (40 spares).

for Financial Commissioner/Railways.

—2/-

(14)

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INDIAN RAILWAY ESTABLISHMENT CODE, VOLUME-I, FIFTH EDITION-1985
(Third Reprint Edition - 2008)

ADVANCE CORRECTION SLIP NO. 115.

1. Sub-rule (2) under Sub-heading - Counting of study leave for promotion, pension, seniority, leave and increments - of Rule 556 may be substituted with the following: -

"(2) The period spent on study leave shall be counted for earning both Leave on Average Pay and Leave on Half Average Pay."

(Authority Railway Board's letter No. F(E)III/2009/LE-1/1 dated 04.01.2011.)

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IMMEDIATE/BY FAX

GOVERNMENT OF INDIA
MINISTRY OF RAILWAYS
(RAILWAY BOARD)

No.2018/E(GR)II/16/4 New Delhi dated 20.07.2018

General Manager,
South Central Railway,
Secunderabad.

(Attn: Sh. N. V. Ramana Reddy, Principal Chief Personnel Officer)

Sub: Filling the vacancies arising out of Study Leave/EOL sanctioned to ADMOs in IRMS.

Ref.: SCR's Letter No. SCR/P-HQ/294/Gaz/8/MD/RB/Vol.I dated 20.06.2018.

Please refer to SCR's letter cited under reference wherein it has been conveyed that South Central Railway will engage 11 CMPs under GM's power in order to meet the requirement of doctors in Divisional/Sub Divisional and Central Hospital due to sanction of Study Leave/EOL to 11 doctors.

The above reference has been examined in Board's office in consultation with Finance and Medical Directorates and it has been decided with the approval of Director General (Pers.) as under:-

(i) In view of the large pending list of regular ADMO Probationers waiting for transfer to SCR on spouse/other genuine grounds, the existing 11 vacancies in IRMS on SCR arising due to grant of Study Leave/EOL to doctors shall be filled by posting of regular IRMS doctors who are waiting for transfer to SCR. Posting orders are therefore being issued from Board's office with the approval of Board (MS). Accordingly, the process of engaging CMPs against these vacancies should be stopped immediately by the Zonal Railway.

(ii) In future, whenever vacancies of doctors arise on SCR due to grant Study Leave/EOL, the Zonal Railway should inform such vacancies to Board immediately for posting of regular doctors.

(iii) Doctors who have been sanctioned Study Leave/EOL for study purpose under GM's power or the doctors who will be sanctioned such leave in future, should be informed by the Zonal Railway that they will be considered for posting on SCR on return from Study Leave/EOL only as per the availability of the vacancies in IRMS in SCR. If for any reason vacancies are not available on SCR, Board should be informed accordingly for posting of such doctors on other Zonal Railways.

This issues with the approval of DG(Pers.) and DG/RHS, Railway Board.

(Chetan Prakash Jain)
Executive Director Estt(GC)
Railway Board
Tel: 011-233843230

(16)

Copy to : Principal Chief Medical Director/South Central Railway- for information and immediate necessary action

F/X

GOVERNMENT OF INDIA
MINISTY OF RAILWAYS
(RAILWAY BOARD)

No.2007/E(GR)II/1/1. New Delhi, Dated: 16 -10 -2008.

The General Managers,
Central Railway, Mumbai.
East Central Railway, Hajipur.
Northern Railway, New Delhi.
North Eastern Railway, Gorakhpur.
North Western Railway, Jaipur.
South Central Railway, Secunderabad.
South East Central Railway, Bilaspur
West Central Railway, Jabalpur.
Eastern Railway, Kolkata.
East Coast Railway, Bhubaneshwar
North Central Railway, Allahabad
Northeast Frontier Railway, Guwahati.
Southern Railway, Chennai
South Eastern Railway, Kolkata
South Western Railway, Hubli.
Western Railway, Mumbai.

Sub: Engagement of Medical Practitioners on contract basis.

In terms of the instructions issued by Ministry of Railways on the subject, in order to meet the shortage of regular doctors on Indian Railways, engagement of Medical Practitioners on contract basis is made with the personal approval of General Managers in consultation with FA&CAO for a maximum of five terms with each term of engagement being for not more than one year and each contract being entered afresh. The detailed guidelines for such engagement are laid down in Railway Board's letters No. 96/E(GR)II/9/16 dated 15/1/99, 8/3/2001, 1/3/2002, 21/8/2003 and 12/3/2008.

2. Ministry of Railways have reviewed these instructions and have in partial modifications of the above instructions decided as under:

(i) The tenure of Contract Medical Practitioners, beyond the present maximum of five terms of one year each, be extended by another period of two terms of one year each to a total of seven terms. Grant of such extension of two terms of one year each beyond five terms shall be subject to assessing the performance of the concerned Contract Medical Practitioner (CMP) and recommendation for such extension by a Committee of officers consisting of CMD, CPO and one more HOD Member and approval of General Manager.

(ii) Contract Medical Practitioner may also be engaged against temporary vacancies of doctors arising out of sanctioned Extra Ordinary Leave (EOL) of one year or more.

The other terms and conditions of engagement and the method of selection as laid down by Railway Board in its earlier instructions shall remain unchanged.

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

Receipt of this letter may please be acknowledged.

(Ravinder Pandey)
Dy. Director Estt. (Gaz.)
Railway Board
Ph. 23303712

No. 2007/E(GR)II/1/1 New Delhi, dated 16 -10-2008.

Copy to the FA&CAO, All Indian Railways.

(Ravinder Pandey)
Dy. Director Estt. (Gaz.)
Railway Board
Ph. 23303712

No. 2007/E(GR)II/1/1 New Delhi, dated 16-10-2008.

Copy to the Deputy Comptroller and Auditor General of India, Room No. 224, Rail Bhawan, New Delhi.

For Financial Commissioner, Railways.

Copy to DG/RHS, F(E) Spl.