

कंपन्या जारी केटे  
Rms  
16/10/19

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

No. 2012/F(E)III/1(3)/14

New Delhi, Dated: 15.10.2019

The GMs/PFAs,  
All Zonal Railways/Production Units.

**Sub: Applicability of Employees Compensation Act 1923 (8 of 1923) and payment of Extraordinary Pension/Family pension.**

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In terms of the provisions contained in the extant Rule (2) of the Railway Services (Extraordinary Pension) Rules, 1993, these rules apply to all railway servants, other than those to whom the Employees Compensation Act, 1923 (8 of 1923) applies (subject to para 6 of Schedule III) whether their appointment is permanent or temporary, on the scale of pay or fixed pay or piece-work rates who are under the rule making control of the President of India. However, these rules are not applicable to railway servants appointed on or after the 1<sup>st</sup> day of January, 2004.

2. Despite the aforesaid express provisions, it has come to the notice of the Board that these rules are not being complied with, strictly, on the Zonal Railways and the benefits under Railway Services (Extraordinary Pension) Rules, 1993 have been given in some cases, despite being governed by the Employees Compensation Act, 1923. This has set in a wrong precedent and similar benefits have been claimed by other railway servants before various courts and whereby the court has settled such cases in personam in their favour. Some of such cases have also been examined in consultation with Department of Pension & Pensioners' Welfare (DOP&PW). DOP&PW has viewed this seriously.

3. In order that such instances as stated in para (2) above do not arise in future, Railways are advised to be more careful in dealing with cases governed under Railway Services (Extraordinary Pension) Rules, 1993 and ensure strict compliance of these rules.

O/C

G. Priya Sudarsani

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

Stamp: Ministry of Railways, Railway Board, New Delhi. Includes fields for Issue No., Signature, and Date of Issue. The stamp is dated 15/10/19.