



दक्षिण पूर्व मध्य रेलवे  
South East Central Railway



मुख्यालय कार्मिक विभाग, प्रथम तल, महाप्रबंधक कार्यालय, बिलासपुर (छ. ग.) 495004  
HEAD QUARTER PERSONNEL DEPARTMENT, 1<sup>st</sup> FLOOR, GM's OFFICE, BILASPUR (C.G.) 495004  
सं. पी-एचक्यू/रूलिंग/रिक्रूटमेन्ट/45/7026 दिनांक:-31.12.2019

प्रति,  
सर्व संबंधित

स्थापना नियम सं.-361/2019

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

रेल्वे बोर्ड के पत्र सं. E(NG)II/2016/RC-1/CR/12 (Pt) दिनांक 30.12.2019, RBE No. 218/2019 की प्रति सूचना, मार्गदर्शन तथा आवश्यक कार्यवाही हेतु प्रकाशित की जा रही है। बोर्ड के संदर्भित पत्र को निम्नानुसार स्थापना नियम के तहत प्रकाशित किया गया था:-

क्र.	रेल्वे बोर्ड का पत्रांक, आरबीई एवं दिनांक	स्थापना नियम संख्या
1	Letter dated 02.01.1992 (RBE No. 1/1992)	20/1992

उपरोक्त नियम दफ्तरे की अधिकारिक वेब-साइट <http://www.secr.indianrailways.gov.in> एवं PCPO के share folder (10.206.2.18) पर निम्नलिखित लिंक पर उपलब्ध हैं:-

**Web-site-**

Home page—About us—Department—Personnel—Estt. Rules.

**Share Folder-**

Home page—html—Estt. Rules

संलग्न:- यथोक्त. (2 पृष्ठ)

6/1/2020  
31.12.2019

(जे एस ताता)

सहायक कार्मिक अधिकारी (एच.क्यू.)  
कृते प्रधान मुख्य कार्मिक अधिकारी

RBE No. 218/2019

S.E.C.R

**GOVERNMENT OF INDIA  
MINISTRY OF RAILWAYS  
(RAILWAY BOARD)**

E/R no. - 361/2019

8/1

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.**

20/92

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.

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 2<sup>nd</sup> 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 2<sup>nd</sup> wife of the employee has been directed based on similar ratio.

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

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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/Raebareli Project, Kishanganj, Delhi-7.

  
**For Secretary/Railway Board**

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

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

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