

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

RBE No. 49/2001
SC No.3 to MC No.25

No.E(NG)-2000/RE-3/5

New Delhi, dated.31-7-2001


**The General Managers (P)
All Indian Railways and
Production Units
(As per standard list)**

Sub: Persons with Disabilities (Equal Opportunities, Protection of Rights and Full Participation) Act, 1995 – Absorption of disabled/ medically decategorised staff in alternative employment – Amendment to IREM.

The question whether a Railway Servant, against whom malingering is established in terms of Note (ii) below para 512(2) of Indian Railway Medical Manual, will be entitled to absorption in alternative employment as per Chapter XIII of Indian Railway Establishment Manual Vol. I, 1989 has been considered by the Ministry of Railways. It has been decided that, if a person has been declared a malingerer in terms of Note (ii) below para 512 *ibid*, he will not be entitled to the benefit of the scheme framed pursuant to Section 47(1) of the Persons with Disabilities (Equal Opportunities, Protection of Rights and Full Participation) Act, 1995 for absorption in alternative employment of medically decategorised Railway servants.

2. The Indian Railway Establishment Manual may be amended as in the ACS No. 122 enclosed.

Please acknowledge receipt.


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

Encl: ACS No. 122.

INDIAN RAILWAY ESTABLISHMENT MANUAL VOLUME-I

(REVISED EDITION 1989)

Chapter XIII-Absorption of Medically Incapacitated Staff in Alternative Employment.

ADVANCE CORRECTION SLIP NO.122

Substitute the following for the existing Para 1311:-

“1311. Other types of cases:-

(1) The staff who get their cases recommended for a change of category on medical grounds will not get the benefit of these rules, but will be treated as staff transferred on their own request.

(2) The staff declared as malingerer in terms of Note (ii) below para 512(2) of Indian Railway Medical Manual will also not be covered by these rules. They will continue to be governed by the provisions in the IRMM *ibid.*”

(Authority: Note (ii) below Para 512 (2) of Indian Railway Medical Manual and Ministry of Railway's letter No. E(NG)I-2000/RE-3/5 dated 31.7.2001)