

RTI CELL

- (1) Receipt
- (2) Scrutiny
- (3) Processing
- (4) Mailed to

S. K. Patil
16/09/2015
28/11/2015

To
The Public Information Officer
Railway Board, New Delhi.

(As per RTI Act-2005)

Sir,

With due respect I the undersigned wants the following information.
Sir, when a running staff booked to work a train, but due to excess hours of duty or any other cause. Section controller order to reief him by a relief crew or by shut down the power,, after relief he is waiting for a train or any means of communication arrange by management to proceed to Hq. or nearest running room (as per system of working) his duty hours treated to be what ?

- 1) (a) After relief or power shut down in mid way his duty hours treated to be "OFF" or continued till of his duty.
(b) If treated to be "OFF" as per which rule.
(c) If treated to be continuous till off duty please provide certified copies.
- 2) What speak HOER about the above matter ?
- 3) As per extent rules where running staffs allow to sign off.

N.B.- I am attaching from Xerox copy
regarding this for your consideration.

Yours sincerely,
Chittaranjan Pati

Date : 19-01-16
Cutlack
(Chittaranjan Pati)
At-Tanarapa Sasan
PO-Biribati, Dist. Cuttack
Pin-754100

RTI

Encl.:-

- 1) Xerox copy of application is attached.
- 2) IPO No. 33F/22224 of Rs.10/- is attached.

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Cuttack

Chittaranjan Pati

(Chittaranjan Pati)

At-Tanarapa Sasan
PO-Biribati, Dist. Cuttack
Pin-754100

Encl.:-

- 1) Xerox copy of application is attached.
- 2) IPO No. 33F 122284 of Rs. 10/- is attached.

PART C—Special instructions regarding Loco and Traffic Running Staff

(*)

Applied

* Calculation of hours of work for over-time payment.

(i) The hours of work of Loco and Traffic Running Staff should be calculated from signing on to signing off for the purpose of calculating total hours of work done for over-time payment

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Periodic rest.

(ii) Their periodic rest laid down in sub-section (2) under section 71 D of the Act should be given at headquarters and should always include a night in bed. It should be given as far as possible once in every ten days. To enable the staff to make advantageous use of periodic rest they should as far as practicable be advised at or before its commencement.

Running duty at stretch.

(iii) Their running duty at a stretch should not ordinarily exceed 10 hours and they should be entitled to claim relief after twelve hours, provided they have given two hours' notice for relief to the Controller. For the purpose of computing duty at a stretch the time should be calculated from the actual departure of the train.

Allowance for engine and train attendance.

- (iv) The allowance for engine and train attendance will be as under :—
- (a) *Engine attendance*—Fortyfive minutes before the departure from the engine shed and fifteen minutes after arrival in the engine shed except for garret and other special type engines for which the Railway Administrations themselves may legislate.
 - (b) *Train attendance*—Thirty minutes before departure and thirty minutes after arrival. In the case of goods trains the allowance before departure will be forty-five minutes. In the case of S. Q. T. tranship or other special services, special orders may be issued by Railway Administrations themselves.

Re

Railway Establishment - 1968

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दिया जायेगा। ऐसा करने में यदि कर्मचारी को निर्धारित सीमा ड्यूटी रोस्टर से बढ़ जाये तो उसे मुख्यालय लौटने पर 'लम्बा विराम' (long off) दिया जायेगा। सन्दर्भ : रे. नो. का दिनांक 26.11.74 का पत्र सं. ई(एल.एल.)73/एच.ई.आर.(एम.ए.)/9 पार्ट III एवं दिनांक 21.6.74 का पत्र सं. ई(एल.एल.)73 एच.ई.आर.(एम.ए.) 9 पार्ट I।

(घ) बन्द इंजनों (dead engines) के साथ रहने के लिए नियुक्त लोको रनिंग कर्मचारियों को प्रत्येक यात्रा के दौरान व्यय किये हुए सम्पूर्ण समय के लिए का लाभ (क्रेडिट) प्रदान करने को अनुमति रहेगी। परन्तु परीक्षण (ट्रायल) के लिए इंजन के साथ रहने वालों को सम्पूर्ण यात्रा के लिए पूर्ण लाभ अनुमेय होगा। रे. नो. का दिनांक 14.4.77 पत्र सं. ई(एल.एल.)75 एच.सी3-7, क्रम सं. उ.रे. 6780।

(ङ) सचल भण्डार डिलिवरी लिपिकों एवं खलारियों के मामले में— समयोपरि के भुगतान के उद्देश्य से कार्य के घण्टों की गणना करने में निम्नलिखित पद्धति अपनायी जायेगी—

(i) जब उनसे मुख्यालय में कार्य लिया जाय तो उन दिनों किये गये कार्य के वास्तविक घण्टों का लाभ दिया जायेगा;

(ii) उन दिनों जब कर्मचारी लाइन में ड्यूटी पर हैं तो उसे डिपो में कार्य के घण्टों का लाभ प्रदान किया जायेगा अर्थात् उनके लिए डिपो में निर्धारित रोस्टर घण्टों को जोड़ा जायेगा;

(iii) जब कर्मचारी यात्रा के दौरान बहुत थोड़ा या कोई कार्य न करे तो व्यय किये हुए शेष समय के लिए 25% का सीमित लाभ दिया जायेगा; और

(iv) तैयारी करने एवं पूरक कार्यों के लिए व्यय किया हुआ आकलित समय पूर्ण रूपेण जोड़ा जायेगा अर्थात् सचल ड्यूटी शुरु होने के पूर्व ऐसे कार्यों पर व्यय-समय का पूरा लाभ दिया जायेगा। रे. नो. का दिनांक 30.1.81 का पत्र सं. ई(एल.एल.)80/एच.ई.आर./2-8, क्रम सं. द.पू. 34/81।

(च) चालक/इंजिन फिटर — ऐसे चालक/इंजिन फिटर, जिनके पास क्रेनों के परिचालन के लिए सक्षमता प्रमाण पत्र हैं। जब वे भारी वस्तुओं को लादने एवं उतारने के लिए वाष्प इंजन चालित क्रेनों के साथ वाह्य स्टेशन जायेंगे तो मुख्यालय से वाह्य स्टेशन एवं वापसी यात्रा में व्यय किये हुए समय के दो तिहाई भाग का लाभ, समयोपरि के उद्देश्य के लिए पायेंगे। लोको खलारियों के मामलों में, जिनसे यात्रा के दौरान कार्य करने की आशा नहीं की जाती है बल्कि वे मात्र रेल चालक की सहायता के लिए उसके साथ रहते हैं। उनके द्वारा चार घण्टे से अधिक यात्री के रूप में यात्रा में व्यय किये गये समय का 2/3 भाग, 4 घण्टे से कम की यात्रा को पूरी तरह छोड़ते हुए, कार्य किये गये घण्टों की संख्या में गिना जायेगा। रे. नो. का दिनांक 14.5.65 का पत्र सं. ई(एल.डब्ल्यू.ए)63/ए डी जे/33, क्रम सं. द.पू. 152/65।

क डाउन क्रेन कर्मचारियों सहित ब्रेक डाउन राहत कर्मचारी के सम्बन्ध में 'ब्रेक डाउन क्रेन कर्मचारियों सहित ब्रेक डाउन राहत कर्मचारी के सम्बन्ध में' शीर्षक (अध्याय V) के अन्तर्गत उप पैरा 'अ' के नीचे टिप्पणी देखें।

CHAPTER IV SPECIAL INSTRUCTIONS REGARDING 'RUNNING STAFF'

1. As a general rule, the Running Staff are classified as 'Continuous'.

2. (i) The hours of work of Loco and Traffic Running staff should be calculated from 'signing on' to 'signing off' for the purpose of calculating total hours of work done for overtime payment. [Subsidiary Instruction No. 17(i) (a)]

(ii) In certain cases, the train services originate or terminate at points away from the point where the running staff sign on or sign off, the allotment of duties of such running staff being controlled from one particular point which may be operationally convenient for the purpose of 'signing on' and 'signing off'. The time taken for covering the distance between the point where the staff are asked to report and the point from where train services start/terminate should be treated as duty, provided the distance to be covered is over 0.8 Km.

This will be in addition to the time otherwise allowed for taking over and making over, the adequacy of additional duty time being decided in each individual case by the General Manager in consultation with the F.A. & C.A.O. [R.B's. letter No. E(LWA)65/HER/51 dated 1.4.67] [N.Rly's. letter No. 3-E/5/2 (Adj.) dated 16.5.67]

3. Engine Attendance and Train Attendance :—

The time allowance for engine and train attendance will be as under :—

(a) Engine Attendance :—45 minutes before departure from the engine shed and 15 minutes after arrival in the engine shed except for garret and other special type engines.

(b) Train Attendance :—The time allowance before departure and after arrival will be as under :—

Before departure :—	...	30 minutes
All passenger carrying trains	...	45 minutes
Goods trains	...	One hour
Van and Shunting
After arrival :—	...	30 minutes
All passenger and goods services

[Subsidiary Instruction No. 17 (iv)]

(c) Allowance for Diesel Engine Attendance when taking over and making over charge by Engine Crew in traffic yard/platform :—

are not to be given the benefit of the orders under reference.
[R.B.'s letter No. E(LL)70RG1-2 dated 28.2.73]

[N.Rly's letter No. 3-E/64/Adj dated 5.4.73]

(b) Carriage & Wagon Depot Staff:—The staff employed in C & W Depots where such exist, and Sick Sidings (to the exclusion of ordinary train examining arrangements—whether passenger or goods and staff in Washing Sidings) whose work is of a Continuous nature and who are not governed by the provisions of the Factories Act, 1948, should be treated on par with "Loco Running Shed" staff, and the payment of overtime regulated in terms of (a) above, i.e. for any hours worked in excess of 48 hours per week.

In cases where on account of the smallness of the station and little work on sick wagons, the staff for examination and repairs is common, such a place will be treated as a Sick Siding for the purpose of these orders. Where staff for train examination are interchangeable with staff for sick lines, those who are actually working on the sick lines will be eligible to overtime for the hours of work performed beyond 48 hours a week.

[R.B.'s letters Nos. E-51CPC/179 dated 19.8.53 and E-53RG1(L) dated 18.7.56]
[N.Rly's letter Nos. 831-E/194(Fiv) dated 23/24.9.53 and 419-E/O (Adj) dated 7.2.57]

(c) Electric/Diesel Loco Shed Staff:—The benefit of overtime at 1½ times of the ordinary rate of pay for hours worked in excess of 48 hours per week may be extended to the maintenance staff of Electric Car and Diesel Loco Sheds.
[R.B.'s letter No. E(LWA) 66RG/1/1 dated 1.4.66]
[N.Rly's letter No. 3-E/1629 (Adj) dated 24.11.67]

Note:—(i) The word 'Maintenance Staff' does not need specifying the categories of staff employed on maintenance duties. The entitlement of overtime to staff should not be generalised by categories but it should be governed by the function, and the categories of staff in each running shed can best be decided by the Executive Officers concerned to determine which of the staff are actually employed on maintenance duties.
[N.Rly's letter No. 3-E/162(Adj) dated 24.11.67]

(ii) The categories of Box Porters and Callmen are not covered under the term "Shed Maintenance Staff".
[N.Rly's letter No. 3-E/162(Adj) dated 24.11.67]

16. 'Excluded' workers:—
For "Excluded" workers, no statutory maximum limit for the hours of employment has been prescribed but this should not absolve the Railway Administrations of their responsibility, on humanitarian grounds, of seeing that unreasonable conditions are not imposed.
(Para 252 of Adj. Award)

PART 'B'— SPARE TRAVEL

1. The staff to whom the existing provisions in Subsidiary Instruction No. 8, Sections 71A to 71H of Indian Railways Act,

1890, and ~~Loco Running Shed~~ ⁽¹⁰⁴⁷⁵⁶⁾ Employment) Rules, 1961 apply, and who had not been provided with travelling facilities, will be allowed credit for the time spent in travelling as passengers on duty in the manner indicated below:—

(i) When a worker, i.e. Running staff not provided with facility of crew rest van travels as passenger on duty on any day beyond a radius of 8 K.Ms. from his place of duty, all time spent for travelling from the time he commenced journey from the place of duty will be treated as duty.—

(ii) No time spent as passenger on duty will count as duty:—
(a) When a worker does not travel on any day beyond a radius of 8 K.Ms. from the place of his duty; and

(b) When a worker is provided with facility of crew rest van.
[R.B.'s letter Nos. E (LL) 73HER (T)/1 dated 7.6.74 & 7.0.1.75]
[N.Rly's letter Nos. 3-E/306/RLT-1969(Adj) dated 29.1.75 & 6/7.12.77]
(N.R. P.S. No. 6179)

2. In case of running staff travelling spare on double manned trains, full credit should be given to both the sets of crew, so far as the payment of overtime is concerned, if no rest van is provided.

Note:—A double set of crew should not be provided on a train without the provision of crew rest van. In the case absolutely inescapable in the interest of train running, personal approval of the General Manager in consultation with F.A. & C.A.O. should be secured, and that too for a period of not more than two months at a time.

(R.B.'s letter No. E(LL)79 / HER(RLT) / 23 dated 16.4.85) (N.Rly's letter No. 3-E/306/RLT-1969(Adj) dated 1.5.85 / P.S. No. 8718-A)

3. The period of waiting at a station while enroute (both onward and return journey to headquarters) for catching connected train in the case of running staff should be treated as duty for the purpose of calculating overtime under the H.O.E.R.
[N.Rly's letter No. 3-E/308/RLT-1969(Adj) dated 6/10.11.80]

4. (i). (a). The decision vide para 1 above stands modified in the case of the railway employees who have occasionally to travel on duty outside their jurisdiction, or those who travel otherwise than spare on duty and who are not provided with accommodation in train, to the extent that in their case only 50% of the travel time should be credited towards duty hours.

(b) Such travel in the case of any individual employee should be restricted to 70 hours in a month.

Note:—These orders do not apply to the running staff.

(ii) All other staff who travel but not as spare on duty and who are provided with accommodation in trains, the period of travel will not count as duty.

Note:—(i) The term "accommodation in trains" used above has its general applicability and staff do avail accommodation in train during the course of their journey.

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exceeding those mentioned in sub-para (8) herein below (Vide para 6.53, 6.131, 6.132 and 6.133).

(c) Weekly hours of employment of Intensive workers will continue to be maintained at 42 (Vide para 6.53).

(d) (a) Preparatory and/or complementary work, which expression also includes taking over and handing over charges, can be demanded from workers in regard to work which must necessarily be carried on outside the limits laid down for the general working of an establishment, branch or shift. (Vide para 6.54).

(b) The concerned administrations will determine, in the light of the propositions hereinafter mentioned, the time required for preparatory and/or complementary work in regard to each classification of worker or workers and, if such time requires to be included in rosters, it shall be so done. (Vide para 6.53 and 6.57).

(i) For Continuous, Intensive and, Essentially Intermittent workers who are called upon to do preparatory and/or complementary work for a period of less than 15 minutes per day, such time shall not be considered as period of duty and may not be mentioned in the rosters of such workers.

(ii) Preparatory and/or complementary work between 15 and less than 45 minutes per day in the case of Continuous workers will be treated as half an hour's work, will be reflected in rosters and considered as period of duty.

(iii) Continuous workers who are required to do preparatory and/or complementary work for a period between 45 minutes and one hour per day will be considered to have rendered duty for one hour. The same will be reflected in their rosters and will be considered to be period of duty. However, Continuous workers cannot be required to do preparatory and/or complementary work so as to violate the statutory limits.

(iv) As regards Intensive workers, preparatory and/or complementary work for a period between 15 and 30 minutes will be considered to be duty for 30 minutes and rosters will be prepared accordingly. However, no Intensive worker shall be required to do such work as to violate the statutory limits.

(v) In the case of Essentially Intermittent workers preparatory and/or complementary work for a period of 15 and 30 minutes will be considered to be duty for 30 minutes and rosters will be prepared accordingly. However, the maximum additional hours for such type of work should be fixed at 3 hours per week in the case of Class 'C' Gatemen, Saloon Attendants and Care-takers of Rest Houses and Reservoirs, etc., and EI workers at roadside stations who are given residential quarters within a radius of 5 kilometer from the places of duty. As regard the rest of EI workers, the maximum additional hours should be fixed at 4½ hours per week.

(vi) Existing practice in regard to running staff of treating the whole period from signing-on to signing-off as period of duty will continue. (Vide para 6.57 and 6.132).

(E) In addition to the hours of work as fixed above, all railway workers governed by HER can be called upon to render duty beyond statutory limits applicable to them in the circumstances mentioned in and by an order of temporary exemption made under section 71-C of the Railways Act by a competent authority. (Vide para 6.64).

(6) (a) Principle of averaging is warranted in railway working in regard to (i) running staff, (ii) operating staff, (iii) shift workers, and (iv) those workers whose work is bound up with the work of workers comprised in the above three categories. The concerned administrations will examine cases falling within category (iv) in the light of the principles enunciated in Article 5 of Washington Convention, and determine within 2 years from the date of this Report whether averaging should or should not be permitted in their cases. (Vide para 6.60).

(b) Averaging period for Intensive and continuous workers should be fixed at two weeks and for EI workers at one week. (Vide para 6.61).

(c) Continuous and Intensive workers will earn overtime if they put in more than 96 and 84 hours respectively in two weeks plus, in those cases where they are required to do preparatory and/or complementary work, such additional number of hours as they are required to work on that account during that period. (Vide para 6.62).

*
Approved

Labour Laws

Central Government (Ministry of Labour and Employment) within 30 days from the date, the decision of Regional Labour Commissioner is communicated to him. The decision of the Central Government will be final.

Duty Hours of Loco and Traffic Running Staff

- (1) The running duty should not ordinarily exceed ten hours at a stretch.
- (2) Such staff is entitled to claim rest after performing 12 hours of duty provided they have given 2 hours notice to the controller.
- (3) The duty at a stretch should be computed from actual departure of the train for the purpose of computing duty of 10 or 12 hours.
- (4) For the purpose of overtime payment, the hours of work shall be calculated from "Signing on" to "Signing off".
- (5) Loco Running Staff is entitled to engine attendance allowance or forty five minutes before the departure from engine shed and fifteen minutes after arrival in the engine shed.
- (6) Traffic Running staff (Guards) are entitled to train attendance allowance of 30 minutes before the departure of the passenger train (45 minutes in case of goods train) and 30 minutes after the arrival of the train.
- (7) Running staff should not normally be away from headquarters for more than three or four days at the stretch.
- (8) Night duty should not normally be performed by the running staff for more than six nights at a stretch.

Rest to Loco and Traffic Running Staff, after running duty

- (1) Rest at Headquarters:—
 - (a) For running duty of less than 8 hours 12 hours
 - (b) For running duty of 8 hours or more 16 hours
- Note:— In other than the above cases, the running staff shall not be called upon to go out before availing 6 hours rest unless it is absolutely necessary in the case of accidents and breakdowns.
- (2) Rest at Out-Stations:—
For running duty of 8 hours or more 8 hours.
 - (3) The interval between the short trips shall be treated as duty, if it is equal to or less than one hour plus time allowed for train or engine advance after the trip and before the trip.

Periodic rest to Running Staff:— Running staff shall be granted each month a rest-of at least four periods of not less than 30 consecutive hours each or at periods of not less than 22 consecutive hours each including a full night.

Duty Hours and Periodic rest to other Running Staff:—

- (1) Other running staff i.e. travelling ticket examiners, travelling clerks, catering staff on restaurant cars etc. are classified as "continuous workers and as such their duty hours should be limited to 54 hours a week on the average.
 - (2) Periodic rest to such staff may be given on the scale in the manner laid down for loco and traffic running staff.
- Catering staff attached to restaurant cars will be employed not more than 54 hours a week on the average in a month and their working hours will be computed allowing reasonable credit for such of the time spent in travelling and for taking over and handing over and for the working hours at Headquarters. The