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Azadi Ka
Amrit Mahotsav



आधुनिक रेल डिब्बा कारखाना ,रायबरेली
MODERN COACH FACTORY, RAEBARELI
(Personnel Department)

कार्यालय,
महाप्रबंधक (कार्मिक),
आरेडिका,रायबरेली-229120

NOTE

Sub: Counting of the period of service of Open Line Causal Labour and Project Casual Labour before attaining Temporary Status as qualifying service for pensionary benefits on absorption in regular employment on Railway.

Ref: Railway Board's letter no. E(NG)II/2017/ECR/CL/4 Dated 21.01.2026

Copy of Railway Board's letter No. E(NG)II/2017/ECR/CL/4 Dated 21.01.2026 Instructions regarding Counting of the period of service of Open Line Causal Labour and Project Casual Labour before attaining Temporary Status as qualifying service for pensionary benefits on absorption in regular employment on Railway, is annexed herewith for kind information & guidance please.

DA:- As above

No. E/MCF/RBL/Policy/2026

Date: 13.02.2026


Assistant Personnel Officer/Staff
For General Manager (P)

Copy to: For kind information please:

1. Secy. to GM/MCF/RBL.
2. All PHODs/HODs, Dy. HODs/MCF/RBL
3. The General Secretary, OBC & SC/ST Association/MCF/RBL
4. Ch.OS/NG-I,NG-II,NG-III,Ch.OS(Cor.),Ch.OS/MPP& All Dealer /P. Branch/MCF/RBL.
5. All Notice Board of shop Floor/MCF/RBL
6. PS to PCPO for uploading on MCF website please.

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

No. E(NG)II/2017/ECR/CL/4

New Delhi, dated : 21.01.2026

The General Manager (P)

All Zonal Railways/PUs & RDSO,
(As per Standard Mailing list)

Sub: Counting of the period of service of Open Line Casual Labour and Project Casual Labour before attaining Temporary Status as qualifying service for pensionary benefits on absorption in regular employment on Railways.

Attention is invited to Board's letter of even number dated 27.04.2017 wherein it has been inter-alia laid down that all court cases pending on the above subject matter may be contested relying on the ratio laid down in the Hon'ble Supreme Court's judgment dated 24.03.2017 in Civil Appeal No.3938/2017 arising out of SLP No.23723/2015 in case of UOI & Ors vs. Rakesh Kumar & Ors.

2. The operative para of the said judgment is in para 55, which stipulates as shown below:-
 - a) *The casual worker after obtaining temporary status is entitled to reckon 50% of his services till he is regularized on a regular/temporary post for the purpose of calculation of pension.*
 - b) *The casual worker before obtaining temporary status is also entitled to reckon 50% of casual service for purposes of pension.*
 - c) *Those casual workers who are appointed to any post either substantively or in officiating or in temporary capacity are entitle to reckon the entire period from date of taking charge to such post as per Rule 20 of Rules, 1993.*
 - d) *It is open to the Pension Sanctioning Authority to recommend for relaxation in deserving cases to the Railway Board for dispensing with or relaxing requirement of any of these rules (The Railway Service (Pension) Rules, 1993; Rule-107) with regard to those casual workers who have been subsequently absorbed against the post and are deserving (facing undue hardship due to any of these rules).*
3. The matter has been examined by Board and it has been decided that since the judgment of Hon'ble Supreme Court dated 24.03.2017 in Civil Appeal No.3938/2017 arising out of SLP No.23723/2015 in case of UOI & Ors vs. Rakesh Kumar & Ors. upholds the policy of Railways to count 50% of the service of a casual labour after attaining the temporary status up to the regularization on a regular post for the purposes of pension and Rule -31 (along with Note (1)

Contd. /



below Rule-31) and 20 of the Railway Service (Pension) Rules, 1993, all pending cases based on similar facts and circumstances involved may be decided/finalized accordingly.

Further, as provided in proviso to Rule 31, it may be ensured that authentic records of service such as Pay Bills, Leave Records or Service Books are available for verification of the claims.

(U. K. Tiwari)
Director, Estt.(N)
Railway Board

Rail Bhawan, Raisina Road, New Delhi-110001

