



communications to the competent authorities through proper channel. This will not however, act as a bar to sending direct complaints or communications giving information of a genuine nature about corruption or other kinds of malpractices; disposal of such letters are governed by Paragraphs 524 & 525 of the Indian Railways Vigilance Manual 1980 Edition. Despite the above mentioned instructions, a case has come to notice where a non-gazetted staff has written directly to the Minister seeking an interview to ventilate his grievances in service matters. In view of this, it is requested that a general open circular setting out the rules provisions and Boards instructions in this regard may be issued once again for information and guidance of all the railway servants. The railway servants may be warned that any infringement of such instructions will be viewed seriously. **Rule-21. Restriction regarding Marriage:** (1) No railway servant shall enter into, or contract, a marriage with a person having a spouse living, and, (2) No railway servant, having a spouse living shall enter into, or contract, a marriage with any person. (3) A railway servant who has married or marries a person other than of Indian Nationality shall forthwith intimate the fact to the Government; *Provided that the Government may permit a railway servant to enter into, or contract, any such marriage as is referred to in clause(1) or clause (2) if it is satisfied that- (a) such marriage is permissible under the personal law applicable to such railway servant and the other party to the marriage; and (b) there are other grounds for so doing.*

**Railway Board's important letters on Rule 21 No. E(D&A)92 GS-1 dt 10-04-1992** Sub: Rule 21 of Railway Services Conduct Rules 1966-Restrictions regarding Marriage. Rule 21 of the Railway Services(Conduct) Rules 1966 is reproduced below:- Restrictions Regarding Marriage- (1) No Railway Servant shall enter into or contract, a marriage with a person having a spouse living and, (2) No railway servant, having a spouse living shall enter into, or contract, a marriage with any person. (3) A railway servant who has married or marries a person other than of Indian Nationality shall forthwith intimate the fact to the Government. Provided that the Government may permit a railway servant to enter into, or contact, any such marriage as is referred to in clause (1) or clause(2), if it is satisfied that- (a) such marriage is permissible under the personal law applicable to such railway servant and other party to the marriage; and (b) there are other grounds for so doing. 2. A doubt has been raised whether permission for second marriage can be granted to an employee, whose personal law does not permit such marriage, on other valid grounds such as insanity/or sterility etc. In this connection, it is clarified that the first point to be scrutinised, when an application for permission is received, is whether such marriage is permissible under the personal law applicable to the applicant. If the personal law applicable to the employee does not permit such a marriage the question of giving permission on other grounds does not arise. If the personal law permits such marriage, then only the question arises whether there are sufficient grounds for allowing an exception to Government's general policy. The alleged grounds given in support of the request should be scrutinised to see whether the allegations are true and well founded. In case the wife also joins the application, it should be ascertained whether she has willingly consented and whether any letter, etc., purporting to proceed from her is genuine and is the outcome of her own free will. For this purpose higher officers in the department concerned may, if necessary, send for the applicant and his wife and make personal enquiries. Where the first wife's views have not been stated, they should, if possible be ascertained. If permission is sought on grounds of alleged sickness of the wife, as much information as possible should be obtained in consultation with the medical authorities. The arrangements made by the husband for the maintenance of the first wife should also be ascertained and it should be examined whether they are satisfactory. 3. In terms of Rule 2(a) of the Railway Services Conduct Rules, the 'Government' for purposes of granting permission under Rule 21(3) is the Railway Board in the case of all Railway employees whether gazetted or non gazetted. This power has not been delegated to any lower authority. All proposals for granting permission to the Railway employees for entering into or contracting second marriage as referred in clause 1 or clause 2 of Rule 21 should, therefore be sent to the Board's office for examination, with full details as per para 2 above. 4.(This disposes of NF Railway's letter no. 496E/41/1(Med) dated 14th February, 1992). **Rule-22. Consumption of Intoxicating Drinks and Drugs:** (1) A railway servant shall - (a) strictly abide by the law relating to intoxicating drinks or drugs during the course of his duties and shall also take care that the performance of the duties at any time is not affected in any way by the influence of such drink or drug. (b) refrain from consuming any intoxicating drink or drug in a public place. (2) A railway servant shall not- (a) appear in a public place in a state of intoxication ; (b) use any intoxicating drink or drug to excess ; (c) if he belongs to the category of running staff (both loco and traffic) or is connected directly with train passing, have taken or used any intoxicating drinks or drugs within eight hours the commencement of duty or take drinks or drugs during the course of duty. **Explanation:** For the purpose of this rule, &quot;public place&quot; means any place or premises (including conveyance) to which the public have, or are permitted to have, access whether on payment or otherwise. **Rule-23. Interpretation:** The power of interpreting these rules is reserved to the President. **Rule-24. Delegation of Powers:** The Government may, by general or special order, direct that any power exercisable by it under these rules shall, subject to such conditions, if any, as may be specified in the order, be exercisable also by such officer or authority as may be specified in the order. **Rule-25. Repeal and Saving:** The Railway Services (Conduct) Rules, 1956, contained in Appendix VIII of the Indian Railways Establishment Code, Volume I, shall cease to be in force except as respects things done or omitted to be done. **Rule-26. Obligation to abide by all Administrative Instructions:** Notwithstanding anything contained in these rules, a railway servant shall be governed by all the administrative instructions that may be issued from time to time in regard to the conduct of railway servants.

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About the Author