



ALL INDIA LOCO RUNNING STAFF ASSOCIATION

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To

The Chief Labour Commissioner,

Kochi.

Respected Sir,

We wish to place a gist of the issue involved in denial of daily rest in addition to periodical rest before your esteemed office.

Weekly/Periodical rest of Railway worker in various establishment in administrative offices.

Duty/Rest roasters:-

9.30 AM to 5.30 PM from Monday to Friday.

Weekly off :-

From 5.30 PM on Friday, Saturday – Off, Sunday – Off, Resume duty at 9.30 AM on Monday.

Total hours of weekly rest from break off duty is 64 hours.

Offices other than administrative office:-

8.00 AM to 4 PM from Monday to Saturday.

Weekly rest :- From 4 PM on Saturday to Monday 8 AM. Total hours of weekly rest from break off duty from 4 PM of Saturday to resume duty at 8 AM on Monday. **Total Hours of weekly rest from break off duty is 40 Hours.**

Approved shift roasters for other workers working in the field.

First day – Between 2 PM to 10 PM.

Second day – Between 6 AM to 2 PM.

Second and Third day – Between 10 PM to 6 AM.

There are two spells of such duty hours in 6 days span in a week. On completion of 6th day, allowed weekly rest.

Sixth day break off – at 6 AM. Seventh day Off, 8th day resume at 2 PM.

Weekly rest from break off duty on 6th day and resume duty on 8th day at 2 PM. **Total Hours of weekly rest from break off duty is 54 Hours.**

Second approved roaster for staff working on field.

First day – 1 PM to 9 PM.

Second day – 7 AM to 1 PM.

Second and Third day – 9 PM to 7 AM.

There are two spells of such duty in a span of 6 days in a week.

Weekly rest.

Break off duty on 6th day at 7 AM.

Seventh day – Off.

Eight day resume duty at 1 PM.

Total weekly rest from break off duty to resume duty comes to 54 hours.

Running Staff's periodical/weekly rest.

Running staff consist of Loco Pilots and Assistant Loco Pilots working in Passenger carrying and goods trains. The passenger carrying trains have scheduled departure and arrival time. There fore fixed roasters were drawn. Considering the number of such passenger carrying trains in a particular depot, a roaster, normally called crew links will be in force.

When the crew break off duty other than their head quarters, they are allowed with a short rest of maximum 8 hours. When they break off duty at their head quarters, after a tour of 2 to 3 days, 16 hours rest is allowed, called as head quarter/trip rest. This is 16 hours in the aggregate accrues only for 12 to 15 days in a month, rest of the days, they will break off duty at places other than their head quarters.

Thus, unlike other staff who are getting 16 hours rest all the days, the Running staff are deprived of such daily rest, around 15 days in a month they get only 8 hour rest daily. Such of the crew who are detailed to work in crew links meant for Passenger carrying trains are allowed with weekly/periodical rest, after working for 6, 7 or 10 days, at a scale of 30 hours from break off to resume duty. Though framed under Indian Railway Act, 1989, the Railway Servants Hours of Work and Periods of Rest Rules 2005(HWRPR 2005), prescribes 16 hours trip/daily rest after a spell of duty, besides 30 hours periodical rest in a week. Instead, the Railway administration gives 30 hours rest alone, against the rules which prescribe 16 hours daily rest and 30 hours periodical rest.

In the matter of crew working in freight trains there are no fixed roaster drawn, as the freight trains depart or arrive at un scheduled times. Loco Pilots and Assistant Loco Pilots detailed to work in freight trains are allowed with weekly/periodical rest when they break off at head quarters after an interval of 6, 7 or 10 days at a scale of 30 hours. Though they are eligible for a trip/daily rest of 16 hours and 30 hours of periodical rest. In this case also instead of allowing 16 hours trip/daily rest plus 30 hours weekly/periodical rest, which comes to 46 hours, only 30 hours were allowed. When periodical/weekly rest are allowed, the Railway deprive 16 hours trip/daily rest to running staff.

It may also be noted that crew who are detailed to work weekly trains(means those trains which are running in certain days of the week) are being allowed with daily/trip rest plus 30 hours periodical rest, when periodical/weekly rest become due. In the case of crew who are working exclusively shunting duty at station and goods/coaching yard are allowed with 54 hours rest in a week includes 16 hours trip/daily rest and 30 hours periodical rest.

Thus a section of Loco Pilots and Assistant Loco Pilots are differently treated and discriminated.

This issue has been referred to Regional Labour Commissioner, Bangalore. And RLC heard both parties - the workers and management - the RLC ©, Bangalore came to a decision vide the order no. 95 (1) / 2000 – B2 dated 22nd October 2001.

RLC held that **“I find that the periodical rest and head quarter rest are two different connotations altogether. I am in total disagree as far as the exclusion of usual head quarter rest from the periodical rest”**. The order of the RLC ©, Bangalore was up held by the Hon’ High Court of Karnataka vide W P No 66707/2010 dated 13.04.2012.

Even after several years the Railway management deny the head quarter/trip rest of 16 hours while granting periodical rest.

This is for your kind information.

Yours faithfully,



Ernakulam,
10.06.2024

K C James, Secretary General,
AILRSA