



EAST COAST RAILWAY

प्रमुख मुख्य कार्मिक अधिकारी का कार्यालय/
Office of the Pr.Chief Personnel Officer
द्वितीय तल, - 751 017
Rail Sadan, IInd Floor, Bhubaneswar-751 017

स्थापना क्रमांक/ Estt. Srl. No.217/2018
पूतरे/कार्मिक/आर/ECOR/Pers/R/D&AR

Date: 06.12.2018

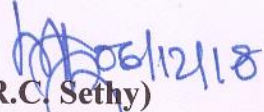
सेवा मे,
सभी प्रमुख विभागाध्यक्षों/समन्वयक विभागाध्यक्षों, पू त रे/भुवनेश्वर
मं.रे.प्र/व.मं.का.अधिकारी/मं.का.अधिकारी-खोरधारोड,वालातेरू, संबलपुर,
मु;कारखाना प्रबंधक/कारखाना कार्मिक अधिकारी- मंचेश्वर, अतिरिक्त रजिस्ट्रार/रेल दावा अधिकरण,
व.का अधिकारी (नि)/भुवनेश्वर
महा सचिव/इकोर श्र. कां., महा सचिव/इकोर श्र. यू.,
महा सचिव/एआई ओ बी सी आर ई ए, महा सचिव/ ए आई एस सी एस टी आर ई ए

Sub: Disposal of long pending D&AR cases

उपर्युक्त विषय पर बोर्ड पत्र सं 2018/Transf.Cell/Mech/D&AR दिनांक 03.12.2018 की प्रतिलिपि सूचना, मार्गदर्शन एवं आवश्यक कार्रवाई हेतु अग्रेषित है।

A copy of the Board's Lr.No- 2018/Transf.Cell/Mech/D&AR dated 03.12.2018 on the above quoted subject is forwarded herewith for information, guidance and necessary action.

Encl: As above,


(R.C. Sethy)

Asstt. Personnel Officer(HQ)
For Pr. Chief Personnel Officer

प्रतिलिपि प्रेषित/Copy to :

- 1) महाप्रबंधक के सचिव/पूर्व तट रेलवे, भुवनेश्वर
- 2) मुकाधि/मुकाधि(प्रशा.), उप म.प्र, अध्यक्ष(रेलवे भर्ती प्रकोष्ठ)
- 3) उप मुख्य प्रबंधक(सू.प्रौ), उप मुकाधि(औ.सं.एवं कल्याण), वकाधि(इंजी.)
- 4) वकाधि(मुख्या.), वकाधि(स्टाफ), वकाधि(राज. एवं न्याया.)
- 5) मुकाधि के निजी सचिव/सहा.कार्मिक अधि. (मुख्या.-1), सहा.कार्मिक अधि. (कल्याण), सहा.कार्मिक अधि. (बिल), सहा.कार्मिक अधि. (भर्ती)

OS/Ruling.
5/12/18

[OS/g/conf]
OS/NG/conf]

भारत सरकार GOVERNMENT OF INDIA
रेल मंत्रालय MINISTRY OF RAILWAYS
रेलवे बोर्ड RAILWAY BOARD

4/12/18

No. 2018/Transf. Cell/Mech/D&AR

New Delhi, Dated: 03.12.2018

The General Manager, All Indian Railways/PUs, NF(C), CORE
The DG/RDSO/Lucknow, DG/NAIR
CAOs, DMW/Patiala, COFMOW/NDLS, RWP/Bela, IROAF


Sub: Disposal of long pending D&AR cases

- 1.0 Large number of D&AR cases pending for more than 06 months is a matter of serious concern. Except couple of exceptions, about **185 cases of Major Penalty** and about **85 cases of Minor Penalty** proceedings are pending on an average on each of the zonal railways for more than 6 months. These do not include the cases arising out of vigilance investigation, safety violation or other statutory considerations.
- 2.0 Sub Rule (7) of Rule 9 of The Railway Servants (Disciplinary & Appeal) Rules, 1968 provides that the charged official shall submit his written statement of defence within 10 days of receipt of the copy of the article of charges, the statement of the imputation of misconduct or misbehavior and a list of documents and witnesses by which article of charge is proposed to be sustained.
- 3.0 Railway Board, from time to time, keep emphasizing the need to reduce delays in finalizing D&AR cases but such unwarranted delays defeat the very purpose of this corrective mechanism. It is needless to say such delays are likely to have a profound effect on personal and professional behavior of the employee.
- 4.0 Executives are therefore, expected to process D&AR cases seriously and adhere to a reasonable time line or timeline advised by Board from time to time for taking such cases to logical conclusion.
- 5.0 In order to liquidate large number of long pending (more than 6 months for Major Penalty proceedings & more than 3 months for Minor Penalty proceedings) D&AR cases, following course of action may be taken as **one time measure**:
- GMs/DGs/DRMs/CWMs/Independent Heads of Units shall review all Major Penalty proceedings that are more than 6 months & Minor Penalty cases that are more than 3 months old.
 - All such cases should be finalized / taken to logical conclusion by 15th December 2018 by the respective Disciplinary Authority (DA).
 - GMs/DGs/DRMs/CWMs/Independent Heads of Units shall review all such cases that could not be finalized by 15th December 2018 by the DA.
- 6.0 After a careful review of all such cases that could not be finalized by 15th December 2018, the Unit Head may take following actions:
- Minor Penalty cases that are more than 3 months old and not finalized by 15th December 2018 should be treated as closed.
 - For Major penalty cases that are more than 6 months old, the DA shall record the reasons for delay. If the delay is attributable to the charged official, DA may take ex-parte decision following the notice procedure as per "The Railway Servants (Disciplinary & Appeal) Rules, 1968" and if delay is not on account of the charged official, the DA should process for closure of the case.

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7.0 This **one time measure is not applicable** to the cases arising out of safety violation, vigilance investigation, and compliance to court orders and due to statutory compliances or which need to be pursued further in the considered opinion of the Unit Head.

This issues with the approval of the Board (MS & CRB).


3.12.18
(Sudheer Kumar)
Principal Executive Director
Transformation

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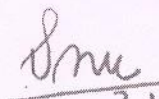
1. The ADAI (Railways), New Delhi
2. The Director of Audit, All Indian Railways
3. The Director, Indian Railway Institute of Civil Engineering, Pune.
4. The Director, Indian Railway Institute of Mechanical and Electrical Engineering, Jamalpur.
5. The Director, Indian Railway Institute of Signal Engineering and Telecommunications, Secunderabad.
6. The Director, Indian Railway Institute of Electrical Engineering, Nasik.
7. The Executive Director, Indian Railways Centre for Advanced Maintenance Technology, Gwalior.
8. The Director, Indian Railway Institute of Transport Management, Lucknow.
9. The Registrar, Railway Claims Tribunal, Delhi.
10. The General Secretary, IRCA, New Delhi.
11. The Chief Commissioner of Railway Safety, Lucknow.
12. The Secretary, Railway Rates Tribunal, Chennai.
13. The Chairman, Railway Recruitment Board, Ahmedabad. Ajmer, Allahabad, Bangalore, Bhopal, Bhubaneshwar, Chandigarh, Chennai, Gorakhpur, Guwahati, Jammu & Srinagar, Kolkata, Malda, Mumbai, Muzaffarpur, Patna, Ranchi, Secunderabad and Trivendrum.
14. Managing Director, CRIS, Chanakyapuri, New Delhi
15. Chief Managing Directors/Managing Directors, RITES, 1RCTC, RVNL, CONCOR, RailTel, IRCON, IRFC & KRCL.

Copy to:

1. The Genl. Secy., AIRF, Room No. 248, & NFIR Room No. 256-C, Rail Bhavan
2. The Secy. Genl., IRPOF, Room No. 268. FROA, Room No. 256-D & AIRPFA, Room No. 256-D Rail Bhavan

Copy to:

1. PS to MR, MOS(S), MOS(G)
2. CRB, FC, ME, MTR, MRS, MS, MT, SECY, DG(S&T), DG (RHS), DG (RPF), DG (Stores), DG(Pers)
3. All AMs, Principal Executive Director & Executive Directors of Railway Board


3.12.18
(Sudheer Kumar)
Principal Executive Director
Transformation