

CPO's Serial No. 08/2016.

Eastern Railway

No.E.787/0/Per/Pt-XXV ~~221~~

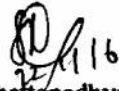
Kolkata, dated 22.01.2016.

ALL CONCERNED

Sub:- Court orders against DOP&PW Govt. of India instructions on service matters-Consultation with Ministry of Law and DOP&PW on the question of filing appeals before implementation of Court's order.

Copy of Railway Board's clarificatory letter No.F(E)III/2008/PN1/13 dated 11.01.2016(RBE No.04/2016) on the above subject is circulated herewith for information, guidance and necessary action.

DA: As above.


(S.K. Chattopadhyay)
Asstt. Personnel Officer/H
For Chief Personnel Officer

INDEX No.1058:- Opinion of DOP&PW should invariably be taken before taking a decision on implementation of any court's order relating to pension matters passed against the Govt. of India.

Copy of Railway Board's clarificatory letter No. F(E)III/2008PN1/13 dated 11.01.2016(RBE No.04/2016) is circulated herewith.

Sub:- Court orders against DOP&PW Govt. of India instructions on service matters-Consultation with Ministry of Law and DOP&PW on the question of filing appeals before implementation of Court's order.

Railway Board's letters dt. is 11.01.2016 is enclosed.

DA: As above.

Contd...2/-

आरबीई सं. 04 /2016

भारत सरकार
रेल मंत्रालय
(रेलवे बोर्ड)

सं.एफ(ई)III/2008/पीएन1/13

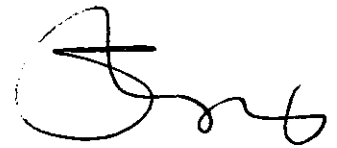
नई दिल्ली, दिनांक: 11.01.2016.

महाप्रबंधक/वित्त सलाहकार एवं मुख्य लेखा अधिकारी,
सभी भारतीय रेलें/ उत्पादन इकाइयाँ,
(मानक डाक सूची के अनुसार)

विषय- : सेवा मामलों पर डीओपीएण्डपीडब्ल्यू भारत सरकार अनुदेशों के विरुद्ध कोर्ट आदेश -
कोर्ट के आदेशों के कार्यान्वयन से पहले अपील दायर करने के संबंध में विधि मंत्रालय और
डीओपीएण्डपीडब्ल्यू के साथ परामर्श।

उपरोक्त विषय पर पेंशन एवम् पेंशनर कल्याण विभाग (डीओपीएण्डपीडब्ल्यू) के
दिनांक 07.10.2015 का. जा. सं. 38/70/14-पीएण्डपीडब्ल्यू(ए) सूचना और अनुपालन के
लिए संलग्न है। ये अनुदेश यथोचित परिवर्तनों सहित रेलों पर भी लागू होंगे।

2. कृपया पावती दें।



(संजय पाराशर)

उप निदेशक वित्त(स्था.)III,

रेलवे बोर्ड.

संगलनक:यथोक्त

RBE No. 04/2016

**GOVERNMENT OF INDIA (BHARAT SARKAR)
MINISTRY OF RAILWAYS (RAIL MANTRALAYA)
(RAILWAY BOARD)**

No. F(E)III/2008/PN1/13

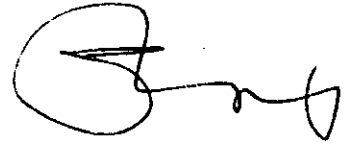
New Delhi, Dated: //01.2016

**The GMs/FA&CAOs,
All Indian Railways/Production Units.
(As per mailing list)**

**Subject: Court Orders against DOP&PW Government of India
Instructions on service matters – Consultation with Ministry
of Law and DOP&PW on the question of filing appeals before
implementation of Court's orders.**

A copy of Department of Pension and Pensioners' Welfare(DOP&PW)'s O.M. No. 38/70/14-P&PW(A) dated 07.10.2015 on the above subject is enclosed for information and compliance. These instructions shall apply mutatis mutandis on the Railways also.

2. Please acknowledge receipt.



**(Sanjay Prashar)
Deputy Director Finance (Estt.)III,
Railway Board.**

D.A.: One.

No.38/70/14-P&PW(A)
Government of India
Ministry of Personnel, Public Grievances and Pensions
Department of Pension and P.W

3rd Floor, Lok Nayak Bhawan,
Khan Market, New Delhi.
Dated the 7th October, 2015

Office Memorandum

Sub:- Court Orders against DoP&PW Government of India Instructions on service matters – Consultation with Ministry of Law and DoP&PW on the question of filing appeals before implementation of Court's orders.

The undersigned is directed to say that it has come to the notice of this Department that in some cases where the Courts have passed orders against the Government of India, the administrative Ministry/Department has not consulted this Department on the question of filing appeal against such orders, before implementation of such orders.

2. Instructions have been issued from time to time that whenever there is any Court order against the Government of India instructions on service matters, the administrative Ministry/Department/Office shall consult the Department of Legal Affairs, Department of Personnel & Trg. and the Department of Pension & Pensioners' Welfare on the question of filing appeal against such an order before the time limit, if any, prescribed in such order or before the time limit for filing appeal under the rules.

3. It is therefore, reiterated that in all cases where any policy issue relating to pension matters is involved, the Department of Pension & PW should invariably be consulted before taking a decision on the question of implementation or otherwise of any order of a Court. No such order shall be implemented by the concerned Departments/Ministries without first referring the matter to this Department for advice.

4. In order to avoid any delay in processing of such matters, administrative Ministry/Department can consult this Department for any advice by personally visiting to this Department from 11:00 A.M. to 1:00 P.M. on every Wednesday.


(Harjit Singh)
Deputy Secretary
Tel No.24644634

To

All Ministries/Departments of the Government of India.

Copy for information to:- Cabinet Secretariat, Rashtrapati Bhawan, New Delhi.