

Serial No. 24/2021

Eastern Railway

No. E 308/0/Vol. XX

Kolkata dated 25<sup>th</sup> March, 2021

All Concerned

Sub: Imposition of incorrect/un-intended penalty by  
Authorities (Disciplinary/Appellate/Revisionary) - reg.


\*\*\*\*\*

The copy of letter No. E(D&A)2021/RG6-7 dated 15.03.2021 (RBE No. 22/2021) issued by the Deputy Director, Estt. (D&A), Railway Board on the above subject is attached herewith for information, guidance and strict compliance.

This serial circular is available on Eastern Railway's official website under URL No. <http://www.er.indianrailways.gov.in> under About us → Department → Personnel → CODEs MANUALs & CPO's SERIAL CIRCULARS (2018 ONWARDS).

INDEX No. 1033: Abundant care should be taken by Disciplinary/Appellate/Revisionary Authorities at the time of imposing penalties in cases under RS(D&A) Rules, 1968 so that incorrect/un-intended penalties are not imposed.

DA: As above.

  
(P. Chatterjee)  
Senior Personnel Officer/W&IR  
for Principal Chief Personnel Officer



**Government of India(Bharat Sarkar)  
Ministry of Railways( | Rail Mantralaya)  
Railway Board**

...

**No.E(D&A) 2021/RG6-7**

**New Delhi., Dated 15 .03. 2021**

The General Managers,  
All Indian Railways & Production Units etc.,  
(As per standard List).

**Subject: Imposition of incorrect/ un intended penalty  
by Authorities (Disciplinary/ Appellate  
Revisionary)- reg.**

A case has been brought to notice by the Vigilance Directorate, wherein, a Disciplinary Authority, though intending to impose a major penalty under Rule 6(v) of the Railway Servants(Discipline & Appeal) Rules, 1968, actually ended up imposing a penalty which happened to be a minor penalty under Rule 6 (iii-b) of the aforesaid Rules.

2. It has been considered necessary to sensitize the Disciplinary Authorities/Appellate Authorities/Revisionary Authorities so that such errors do not recur in the future.

3. It needs to be recalled that there are two segments of the penalty of reduction by stage(s) in the same time scale of pay, one falling within the Rule 6(iii-b) which happens to be a minor penalty and the other falling under Rule 6(v) which happens to be a major penalty. As provided for in Rule 6, except for a reduction by one stage in the same time scale of pay for a period not exceeding 3 years which is without cumulative effect and which does not adversely effect the pension of the concerned Railway Servant, all other variables of reduction by stage(s) in the same time scale of pay happens to be major penalties.

4. The Disciplinary Authorities/Appellate Authorities/Revisionary Authorities on the Zonal Railways/PUs etc., are accordingly advised that while imposing penalties in general and the one of reduction by stage(s) in the same time scale of pay, in particular, they should exercise abundant care and caution in formulating the phraseology of the penalty order keeping in consideration the updated service particulars of the Railway Servant, so that a penalty other than he intended one does not get imposed.

5. The above may kindly be brought to the attention of all concerned authorities for compliance.

Please acknowledge receipt.

*Renuka*  
15/3/21

(Renuka Nair)  
Dy. Director, Estt.(D & A)  
Railway Board

Copy to:

E(O)I, II, E(RB)I, III, V, VI, E(LR) I, Security(E) & Vig-I branches of Railway Board's Office.