

EASTERN RAILWAY

No. E.1140/0/Pt. II

Kolkata, dated 11<sup>th</sup> September, 2014.All Concerned.

Sub:- Implementation of Supreme Court's Judgement dated  
31.10.2013 in WP ( C ) 82/2011 - Postings/ Transfers in  
Railways.

The following Copy of Railway Board's letter No. E(O) III - 2014/PL/03 dated  
29.08.2014 on the above mentioned subject is forwarded for information guidance and necessary  
action.

Board's earlier letter dated 10.06.2014 & 04.07.2014 mentioned therein were circulated  
under this office serial circular No. 57/2014 & 74/2014 respectively.

*S. Ganguly*  
(S. Ganguly)

Asstt. Personnel Officer/R & Bill  
for Chief Personnel Officer

Copy of Board's letter No. E(O) III-2014/PL/03 dated 29.08.2014 addressed to GMs, All Indian  
Railways and others.

Sub:- Implementation of Supreme Court's Judgement dated 31.10.2013  
in WP ( C ) 82/2011 - Postings/ Transfers in Railways.  
Ref: Board's letters/circulars of even number dated 10.06.14 and  
04.07.14.

References have been received from different Railways/Units raising various queries /  
seeking clarification from Board with reference to instructions contained in Board's circular of  
even number dated 10.06.14 read with 04.07.14. After considering the various issues / queries  
raised by different Railways / Units , the following clarifications are issued for adherence by  
Railways / Units :-

| S. No. | Issues raised / clarifications sought by<br>Railways / Units                                                                                                               | Clarification by the Railway Board                                                                                                                                                                                          |
|--------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 1.     | If, in the case of Personnel Department, 2<br>personnel officers are required while<br>forming Placement Committee for JAG /<br>SG officers or if one can meet the demand. | In the case of transfer / posting of<br>personnel officers, Jr. Scale / Sr. Scale /JA<br>/SG /SAG there should be 3 officers'<br>Committee ( 2 can be from Personnel side<br>and one should be from outside<br>department). |
| 2.     | If 2 personnel officers are needed in the<br>Group 'C' Placement Committee of<br>Personnel Department.                                                                     | The same principle as stated above will<br>apply to Group 'C' also.                                                                                                                                                         |
| 3.     | Who will be the representative of Personnel<br>Branch when Sr. Scale officer (DPO) is in<br>charge of Personnel Branch of Division<br>office.                              | Railways may nominate Sr. Divisional<br>Officer or officer-in-charge of the<br>respective Departments in such cases.                                                                                                        |
| 4.     | How will be Placement Committee be<br>formed in Divisions where no officer of<br>SS/JAG/SG is available ?                                                                  | Railway may nominate Sr. Divisional<br>Officer or officer-in-charge of the<br>respective Departments in such cases.                                                                                                         |

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| 5.  | Depots are not under the control of DRM / ADRM , but under the control of HQ / COS. How will Placement Committees be formed in such cases.                                                                                                                                                                                                                                       | Railway can form Placement Committees accordingly.                                          |
| 6.  | What will be the composition of Placement Committee for Construction organisation.                                                                                                                                                                                                                                                                                               | Placement Committee can consist of CE(Con.) / CAO(con.) + two other officers.               |
| 7.  | Whether these instructions are also applicable to Accounts and Security Departments.                                                                                                                                                                                                                                                                                             | Yes. The instructions have to be complied with in case of all services.                     |
| 8.  | If any dispute arises before the Placement Committee members , how will it be dealt with.                                                                                                                                                                                                                                                                                        | General Manager can decide.                                                                 |
| 9.  | If any dispute arises in a transfer after the recommendation of Placement Committee, its acceptance by the Competent Authority and issue of order, how will be same cancelled or modified.                                                                                                                                                                                       | General Manager can decide.                                                                 |
| 10. | In case of HQ controlled posts in Division / Unit and vice-versa , which committee and Competent Authority will deal with such cases.                                                                                                                                                                                                                                            | General Manager can decide.                                                                 |
| 11. | Procedure to be followed when employees of one department are employed in other with the previous consent of HOD of the Department in which they are employed.                                                                                                                                                                                                                   | The case can be considered by the Placement Committee of the Department where he is posted. |
| 12. | Whether applicable mutatis-mutandis to cases of mutual transfers / own request transfers , transfers ordered by vigilance etc. / transfer of office bearers of unions , who are governed by separate orders , inter-Divisional transfer of ticket checking staff indulging in malpractices , Railway servants posted to HQ controlled posts of Divisions / Units and vice-versa. | The instructions should apply to all these cases.                                           |
| 13. | Procedure for dealing with out of term transfers under the powers of GM / PHOD / CHOD / DRMs.                                                                                                                                                                                                                                                                                    | The instructions should apply to these cases also.                                          |

2. This also disposes of the clarifications sought by SEC Railway vide their letter No. P-HQ / RUL / 116 / 1 / 2420 dated 08.07.2014.

Index No. 1078: Constitution of Placement Committee for recommendations of transfer /posting of Railway employees to implement Hon'ble Supreme Court's Judgement dated 31.10.2013 in WP ( C ) 82/2011.

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