

EASTERN RAILWAY

No. E. 308/0/Vol. XX

Kolkata, Dated 01.05.2019

ALL CONCERNED

Sub: Delay in finalisation of D&AR cases.

Copy of Joint Secretary (Estt.), Railway Board's letter No. E(O)-I/2019/ Policy/03 dated 10.04.2019 on the above subject is enclosed for information, guidance and strict compliance.

Board's earlier letter dated 23.09.2008 (RBE No. 121/2008) enclosed with Board's letter mentioned in the preceding paragraph was circulated on this Railway under this office serial number 111/2008.

This 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 : Board have directed to review the pending minor penalty disciplinary proceedings with a view to expeditious disposal of the cases.

DA: As above.


(Anjan Ray)
Dy. Chief Personnel Officer/G
for Principal Chief Personnel Officer

Central Registry / E. Rly
Date of Receipt

Serial No. 12/4/19

Government of India
Ministry of Railways
(Railway Board)



CR/07
12/04/19

No. E(O)-I/2019/Policy/03

New Delhi, dated 10.04.2019.

✓ The General Managers,
All Indian Railways including CORE, Metro Railway,
and Production Units,

The Director General,
RDSO, Lucknow.

The Directors,
Railway Institutes (as per standard list).

Sub: Delay in finalisation of D&AR cases.

Board vide their letter of even number dated 13.02.2019, had brought to the notice of the Railways that Hon'ble MR has taken a serious view in regard to the delay in finalisation of D&AR cases and had desired that these cases should be brought to a logical conclusion in a time bound manner. Several instances and cases have come to the notice of Board, wherein, even **minor penalty proceedings are unduly delayed**. There are no justifiable reasons for delay in disposing of Minor Penalty proceedings, especially after the defence of the Charged Officer/employee is submitted.

16 APR 2019 All Zonal Railways are requested to immediately review the pending Minor Penalty proceedings and expedite the disposal of cases. All such cases ought to be brought to a logical conclusion within a reasonable period say 50-60 days as advised vide Board letter No. E(D&A)2008RG6-29 dated 23.09.2008 (copy enclosed).

Action taken in this regard may be appraised to Board.

CPO/A 23/4/19
Dy. CPO (G) 24/4/19

Dy. CPO (HQ)

pe put up remarks.

PCPO
16/4/19

(B. Majumdar)
Joint Secretary (Estt.)
Railway Board.

Dr. D. Biswas
Ch. OS/Ruling

RE
24/4/19

25/4/19
24/4/19

GOVERNMENT OF INDIA
MINISTRY OF RAILWAYS
(RAILWAY BOARD)

No. E(D&A) 2008 RG6-29

New Delhi,

23 / 9 /2008

The General Manager(P)
All Indian Railways and
Production Units etc.
(As per standard list).

Sub: Need for speedy finalisation of disciplinary cases regarding.

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Union Public Service Commission while tendering advice in the disciplinary case of a Railway servant have expressed concern regarding the delay in processing of such cases and have desired that the procedure for conducting inquiries/ disciplinary proceedings be streamlined to avoid long delays in these cases.

2. The need for speedy finalization of disciplinary cases has already been emphasized from time to time in the past. A model time schedule for finalization of these cases has already been laid down under Board's letter No. E(D&A) 86 RG6-41 dated 3.4.86 read with their letter No. E(D&A) 90 RG6-18 dated 9.2.90. This schedule also incorporates the time frame for completion of various stages of disciplinary proceedings. It has also been emphasised that where the disciplinary authority does not find it practicable to adhere to this time schedule rigidly, steps should be taken to minimise the additional time likely to be taken over and above the time schedule.

3. Various measures have also been suggested under Board's letter No. E(D&A) 85 RG6-21 dated 30.5.85 to facilitate expeditious disposal of disciplinary cases. These include supplying copies of documents relied upon on behalf of the disciplinary authority to the charged official along with the charge sheet wherever possible, laying down a definite time bound programme for inspection of listed documents/submission of the list of defence documents/ defence witnesses etc at the preliminary hearing, holding regular hearings on day to day basis; not allowing adjournments on frivolous grounds, adhering to the time limits laid down in the rules for certain stages of disciplinary proceedings etc. Instructions issued under Board's letter No. E(D&A) 2004 RG6-14 dated 2.7.2004 also list various measures to streamline the conduct of disciplinary proceedings to reduce delay. It inter-alia envisages grant of leave to the charged official for preparation and submission of defence to the charge sheet and relieving inquiry officer from his normal duties for the period specified therein so that he could attend to the inquiry on full time basis and submit the report.

4. The existing guidelines may please be brought to the notice of all concerned authorities on your Railway and it may be impressed upon them to adhere to these guidelines scrupulously in the interest of speedy finalisation of disciplinary cases. Apart from the above, the disciplinary authorities should also be advised to carefully ascertain their competence before passing orders in a case so that delay on account

of correcting an invalid order may be avoided. An effective mechanism may also be devised for monitoring of disciplinary cases so that no case is left unattended at any stage for no apparent reason.

5. Please acknowledge receipt.

Sd/-
(Harish Chander)
Dy, Director Estt. (D&A) III
Railway Board