

Serial No. 37/2022

Eastern Railway

No. E. 308/0/Vol. XX

Kolkata dated 30th March 2022

All Concerned

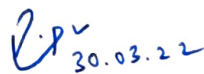
Sub: Submission of disciplinary cases of Non-Gazetted Railway Servants - reintroduction of Single Window System in Railway Board Office.

Copy of Executive Director/Establishment, Railway Board's letter No. E(D&A) 2008 RG 6-29 dated 29.03.2022 on above subject is attached herewith for information, guidance and strict compliance. It has been directed that all Non-Gazetted disciplinary cases (both old and new) requiring submission to Board should be done physically through Single Window System w.e.f. 01.04.2022 filling up a modified checklist in Room No. 359-F of Board's office on any working day after taking prior appointment on telephone Nos. 011-23303959, 030-43959 (Rly), 011-23303276 and 030-43276 (Rly). Special emphasis has been given to ensure scrupulous checking of cases under Rule 9 of RS(P) Rules, 1993, Rule 25A of RS (D&A) Rules, 1968 and Appendix-II of IREC Vol-I before they are submitted to Board.

Railway Board's earlier letters dated 23.12.2014 & 05.08.2020 mentioned therein were circulated vide this office serial No. 18/2015 & 77/2020.

This Serial Circular is available on Eastern Railway's official website viz. URL No. <http://www.er.indianrailways.gov.in> under About us → Department → Personnel → CODEs MANUALs and CPO's Serial Circulars → CPO's SERIAL CIRCULARS.

DA: As above.


(Md. Tarique)

Senior Personnel Officer/NG
for Principal Chief Personnel Officer

INDEX No. 1033: Reintroduction of Single Window System with a modified checklist for submission of disciplinary cases of Non-Gazetted Railway Servants (w.e.f. 01.04.2022) physically as per procedure laid down by Board and circulated vide Sl. Cir. No. 18/2015 withdrawing Board's provisions for online submission of cases circulated in the wake of COVID-19 pandemic vide Sl. Cir. No. 77/2020.


30/03/2022



**GOVERNMENT OF INDIA
MINISTRY OF RAILWAYS
(RAILWAY BOARD)**

No. E(D&A) 2008 RG 6-29

New Delhi, 29.03.2022

The General Managers,
All Zonal Railways/Production Units.

Sub: Submission of disciplinary cases of Non-Gazetted Railway Servants- reintroduction of Single Window System in Railway Board Office.

Attention is invited to this Office letter of even no. dated 05.08.2020 whereby submission of disciplinary cases of Non-gazetted Railway Servants through Single Window System was stopped/postponed due to pandemic Covid-19 and a new system of online submission of disciplinary cases of non-gazetted Railway employees was introduced on trial basis.

2. Now, in the wake of fast resumption of normalization, in the country, it has been decided to discontinue the system of submission of disciplinary cases online and therefore, instructions/letter of even no dated 05.08.2020 shall no longer hold good w.e.f 31.03.2022. Henceforth, all non-gazetted disciplinary cases shall be accepted/attended only through Single Window System from 1st April 2022 as per laid down procedure by Board's letter of even No. dated 23.12.2014. Therefore, all new /fresh and old cases which have not been uploaded online may be handed over, with duly filled in check list, by Railway representatives in Room No. 359-F by taking prior appointment on Telephone numbers as provided in Railway Board's letter dated 23.12.2014. All disciplinary cases which were submitted online but not submitted physically may also be handed over through the Single Window System. A check list, accordingly modified, is enclosed herewith which may be duly filled in as per column/instructions given therein by incorporating all necessary information while submitting the cases physically now onwards.

3. While referring the cases Railways may kindly ensure that:-

- (i) If it is a proposal for pension cut, adequate justification based on evidence be specifically spelt out in the Detailed Note (Para 2(i)(i)above) by the Disciplinary Authority as to how the proved guilt is constitutive of

- "grave misconduct or negligence" warranting invocation of Rule 9 (1) of the Railway Services (Pension) Rules, 1993 by the President,
- (ii) If it is a case of review under Rule 25A of the Railway Servants (D& A) Rules, 1968, the details of the "new material or evidence" as required under the aforesaid Rule 25A must be clearly provided,
- (ii) If it is a case of petition to the President, Railways must ensure that the case does not fall in the categories mentioned in para 6 of the Appendix II of IREC Vol I

DA: Check list


(SUNIL KUMAR)
Exec. Director /Establishment
Railway Board

CHECK LIST FOR HANDING OVER CASES THROUGH SINGLE WINDOW SYSTEM IN RESPECT OF NON-GAZETTED RAILWAY SERVANTS

PART-I SERVICE AND RELATED PARTICULARS

1		Name of the Charged Officer (CO) :	
2		Post last held by CO:	
	(a)	Group A, B, C or D	
	(b)	Designation:	
	(c)	Pay Level as per 7th cpc	
	(d)	Grade Pay (GP):	
	(e)	Basic Pay last drawn by him (including GP) :	
	(f)	Date from which pay shown against (e) drawn:	
	(g)	Date of next increment :	
3	(a)	Name of the next lower post:	
	(b)	Pay band and grade pay:	
4		Date of Birth:	
5		Date of Appointment:	
6		Due date of retirement or actual date of retirement, if already retired:	
7	(a)	Date of Superannuation:	
	(b)	Mode of retirement (Tick the correct option):	Superannuation Voluntary Compulsory
	(c)	Amount of monthly pension due to the CO: (7th CPC)	
	(d)	Amount of monthly pension being paid to the CO: (7th CPC)	
	(e)	Amount of Gratuity admissible to the CO:	
	(f)	Payment position of Gratuity (Tick the correct option):	Paid Not Paid Partly paid
	(g)	If partly paid, amount that remains unpaid :	
	(h)	If the Gratuity amount has been paid either in full or in part, the reasons therefor :	
8		Whether the CO was under suspension at the time of retirement (Tick the correct option):	Yes No
9		Appointing Authority w.r.t the post last held by the CO:	
10		Whether complete upto date folder containing ACRs/APAR of last 5 years of the CO is enclosed (Tick the correct option):	Yes No
11		Whether complete upto date Service Records of the CO are enclosed (Tick the correct option):	Yes No

Part - II DETAILS OF THE CASE RECORDS

(All the records are required to be arranged and cross referenced, as indexed below and page number/folios of file/folders to be indicated against each item)

(A) ORIGINAL CASES

1		Nature of Chargesheet given (Tick the correct option):	Major Minor
2		Whether DAR case files is furnished in original (Tick the correct option):	Yes No
3		Whether the chargesheet was issued by the competent authority (Tick the correct option):	Yes No
4	(a)**	Chargesheet alongwith all the annexures:	
	(b)	Whether any corrigendum to the chargesheet has been issued (Tick the correct option):	Yes No
	(c)**	If yes, corrigendum to the chargesheet:	
5**		Records of delivery of the chargesheet to the CO:	
6		Whether CO has submitted reply to the Chargesheet (Tick the correct option) :	Yes No
7**		If yes, the CO's reply :	
8**		Nomination of Defence Helper, if any and consent letter of the defence helper:	
9	(a)	Has the disciplinary case arisen out of any complaint (Tick the correct option) :	Yes No
	(b)**	If yes, folio at which the complaint is placed :	
10	(a)	Whether the CO was suspended in connection with the misconduct (Tick the correct option) :	Yes No
	(b)**	If yes, orders of suspension and revocation of suspension, if any:	
11	(a)	Whether this is a vigilance case (Tick the correct option):	Yes No
	(b)**	If yes, Vigilance Investigation Report (together with depositions recorded, if any) :	
12	(a)	Whether this is a CBI case (Tick the correct option) :	Yes No
	(b)**	If yes, CBI Investigation Report (together with depositions recorded, if any):	
13	(a)	Whether action initiated on basis of CVC's advice (Tick the correct option):	Yes No
	(b)**	If yes, CVC's 1 st stage and 2nd stage advice:	
14	(a)	Whether case has arisen out of a Railway Accident Inquiry (Tick the correct option):	Yes No
	(b)**	If yes, accident inquiry report:	
15	(a)	Whether any Facts Finding inquiry other than vigilance and accident inquiry was conducted, prior to issue of chargesheet (Tick one option):	Yes No
	(b)**	If yes, Fact Finding inquiry report :	
16	(a)**	All orders of the DA appointing the Inquiry Officer(s):	
	(b)	Name and designation of all the Inquiry Officers appointed in the case:	

17**		All orders of the DA appointing the Presenting Officer(s):	
18	(a)**	All the notices of the IO to the CO and Prosecution Witness(es) intimating them the holding of the inquiry	
	(b)	Whether the notices were delivered/deemed delivered to the CO / DH for all the days (Tick the correct option):	Yes No
	(c)	Whether daily order sheets maintained by Inquiry Officer, if yes, folios at which the same are available.	
19	(a)	Whether ex-parte proceeding has been held on any day (Tick the correct option):	Yes No
	(b)	If yes, whether the proper procedure as laid down in Board's Letter No. E(D&A)90 RG 6-38 dated 18.4.1990 has been followed (Tick the correct option):	Yes No
20	(a)	Whether any representation has been received from the CO for additional documents and/or defence witnesses(Tick the correct option):	Yes No
	(b)**	If yes, the representations of the CO and letter/noting vide which they disposed of	
	(c)	Whether additional/defence documents as demanded by the CO were allowed by the IO (Tick the correct option)	Yes No
	(d)**	If yes, description of Defence/Additional documents allowed. (Details of the same in respect of each document may be given with proper folio number and Folder, if necessary, in a separate sheet)	
21**		Correspondence of the IO with the DA, if any:	
22	(a)	Whether all the Prosecution Witness(es) listed in Annexure-IV of the chargesheet have been examined by the IO (Tick the correct option)	Yes No
	(b)**	If no, the reasons therefor may be indicated:	
	(c)**	Deposition/oral statements recorded from all the Prosecution witness(es) (Details may be given w.r.t. each witness(es) with proper folio number and Folder, if necessary, in a separate sheet):	
23	(a)	Whether all the Defence Witness(es) have been examined by the IO (Tick the correct option)	Yes No
	(b)**	Deposition/oral statements recorded from all the Defence witness(es), if any (Details may be given w.r.t. each witness(es) with proper folio number and Folder, if necessary, in a separate sheet)	
24**		Statement of defence submitted by the CO during the inquiry proceedings under rule 9(19) of RS(D&A) Rules :	
25	(a)	Whether general examination of the CO is done(Tick the correct option):	Yes No
	(b)**	If yes, folio/folder at which general examination of CO is placed:	
	(c)**	If no, the reasons therefor may be indicated:	

26**		Description of all the Relied Upon Documents (RUD) mentioned in the Annexure-III of the chargesheet. (Details of the same in respect of each document may be given with proper folio number and Folder, if necessary, in a separate sheet).	
27	(a)**	Written brief, if any, submitted by the Presenting Officer:	
	(b)**	Records of supply of PO brief to the CO:	
28**		Written brief, if any, submitted by the CO under rule 9(22) of RS(D&A) Rules :	
29	(a)	Whether CO has submitted any representation regarding biasness of the IO (Tick the correct option):	Yes No
	(b)**	If yes, representation of the CO regarding biasness of the IO:	
	(c)**	Competent Authority's letter/order vide which the CO's representation regarding biasness of the IO has been disposed of:	
30	(a)**	Inquiry Report :	
	(b)**	Records of supply of the inquiry report to the CO:	
31	(a)	Is there any disagreement of the DA with the inquiry report (Tick the correct option):	Yes No
	(b)**	If yes, reasons of disagreement of the DA with the findings of the IO:	
	(c)**	Records of communication of the reasons for disagreement to the CO alongwith the inquiry report :	
32	(a)	Whether the CO has submitted representation against the inquiry report/Disagreement memorandum (Tick the correct option):	Yes No
	(b)**	If yes, the CO's representation against the inquiry report/disagreement memorandum:	
33**		Parawise comments of the DA, on the CO's representation against the inquiry report/disagreement memorandum :	
34**		Findings and recommendations of the DA for imposing cut in pension on the CO:	
35**		Views of CPO and PHOD on the DA's recommendation:	

****Folio number and folder number should be indicated.**

(B) For Appeal/Revision petition/Petition/Review petition to the Board/President:

(Where the order of penalty has been passed by a subordinate authority and an appeal/revision petition/petition/review petition lies to the Board/President)

1	(a)**	Final order passed by the DA together with a note, if any, containing the conclusion arrived at by him in respect of each charge:	
	(b)**	Proof of delivery of the DA's order:	
2	(a)**	Appeal submitted by the CO:	

	(b)	Whether appeal lies to Board/President (Tick the correct option):	Yes No
	(c)**	If yes, parawise comments of the DA on the appeal at 2(a) above :	
	(d)**	If no, order passed by the Appellate Authority:	
	(e)**	Proof of delivery of the AA's order:	
3	(a)	Whether Revising Authority has conducted suo moto revision in this case (Tick the correct option):	Yes No
	(b)**	If yes, show cause memorandum issued to the CO:	
	(c)**	CO's reply to the show cause memorandum:	
	(d)**	Order passed by the Revising Authority:	
	(e)**	Proof of delivery of RA's order:	
4	(a)**	Revision petition, if submitted by the CO:	
	(b)	Whether revision petition lies to the Board (Tick the correct option):	Yes No
	(c)**	If yes, parawise comments of the AA on the revision petition at 3(a) above (only in cases where the revision lies to Railway Board) :	
	(d)**	If no, order passed by the Revising Authority:	
	(e)**	Proof of delivery of RA's order:	
5	(a)**	Appeal submitted by the CO against the enhanced penalty imposed on him by RA :	
	(b)	Whether appeal against the enhanced penalty lies to the Board/President (Tick the correct option):	Yes No
	(c)**	If yes, parawise comments of the RA on the appeal at 4(a) above against the enhanced penalty (only in cases where such appeal lies to the Railway Board) :	
	(d)**	If no, order of such Appellate Authority :	
6	(a)**	Petition submitted by the CO to the President under Rule 31 of RS(D&A) Rules, 1968:	
	(b)**	Parawise comments on the petition at 6(a) above:	
	(c)**	Recommendations of the Prescribed Authority for Presidential consideration of the petition at 6(a) above :	
7	(a)**	Review petition submitted by the CO to the President under Rule 25-A of RS(D&A) Rules :	
	(b)**	Comments of the Railway as whether any new facts/evidence fulfilling the requirement of rule 25-A has been brought out by the CO in the review petition:	
	(c)**	Parawise comments on the review petition at 7(a) above:	

****Folio number and folder number should be indicated.**

(C) INFORMATION REGARDING COURT CASES AND CO-ACCUSED(ES)

1	(a)	Whether there is any court case filed by the CO (Tick the correct option):	Yes No
	(b)**	If yes, orders (including interim orders) passed by the Hon'ble Court, if any	

	(c)	Whether there is any time limit fixed by the Hon'ble Court for finalisation of the disciplinary proceedings (Tick the correct option):	Yes No
	(d)	If yes, what is the target date for passing final orders:	
	(e)	Whether any Misc. application for seeking extension of time has been filed by the Railway before the Hon'ble Court (Tick the correct option):	Yes No
	(f)**	Copy of Misc. application so filed and present position/any orders passed by Court thereon:	
	(g)	Whether any contempt petition has been filed by the CO (Tick the correct option):	Yes No
	(h)**	If yes, outcome/present position of the contempt petition alongwith its copy:	
2	(a)	Whether any other official(s) is also involved in this case (Tick the correct option)	Yes No
	(b)**	If yes, list of co-accused(es) alongwith outcome/present position of the disciplinary action initiated against them:	
3		Details of other disciplinary cases and penalties imposed on Charged Officer	

****Folio number and folder number should be indicated.**

(D) FOR DISCIPLINARY CASES WHERE ACTION HAS BEEN INITIATED UNDER RULE 14(i) OF RS(D&A) RULES, 1968 OR PROPOSED TO BE INITIATED ON ACCOUNT OF CONVICTION OF CO

1**		Copy of the judgment passed by Hon'ble Court vide which CO was convicted:	
2	(a)	Whether this is a CBI case (Tick one option) :	Yes No
	(b)**	If yes, CBI Investigation Report (together with depositions recorded, if any):	
	(c) **	A copy of FIR:	
3	(a)	Whether this is a vigilance case (Tick one option):	Yes No
	(b)**	If yes, Vigilance Investigation Report (together with depositions recorded, if any) :	
4		Whether action under rule 14 (i) of RS(D&A) Rules, 1968 has already been initiated (Tick one option):	Yes No
5**		If yes, show cause notice issued to the CO:	
6**		Reply of the CO to the aforesaid show cause notice:	
7**		Parawise comments on factual or procedural points raised by the CO in his reply:	
8		Whether any appeal has been filed by the CO against his conviction (Tick one option):	Yes No
9**		If yes, outcome/present position of the appeal alongwith copy of orders passed therein:	

****Folio number and folder number should be indicated.**

**(E) FOR INITIATION OF DISCIPLINARY PROCEEDINGS UNDER
RULE 9 OF RAILWAY SERVICES (PENSION) RULES,1993**

1**		Copy of the preliminary explanation called for from the CO, if any:	
2	(a)**	Self contained note/comments of the Administrative authority on the reply of the CO:	
	(b)**	Preliminary investigation report, if any:	
3**		Draft charge sheet containing Article(s) of charge in clear and definite terms alongwith statement of imputations of charges, list of relied upon documents and List of witnesses:	
4		Date/period of misconduct:	
5		The date on which the 4 years time limit for initiation of disciplinary proceedings will expire:	
6**		All the relied upon documents in original or as duly authenticated copy which should be duly page numbered and indexed (2 sets):	
7	(a)	Whether the case involves vigilance/CVC/CBI:	Yes No
	(b)**	If Yes, Vigilance investigation report/CVC's 1st stage advice/CBI's report:	
8**		Action taken against co-accused, if any:	
9**		Extracts of relevant rules, codes, manuals, acts, judgments etc.	

****Folio number and folder number should be indicated.**

I have checked the information given in the check list and ensured that the disciplinary case files in original is being sent and have ensured that folio numbers mentioned in the checklist is complete in all respects.

Signature*:
Name in Block letters of the
Officer signing this Statement:
Designation:
Telephone No.:
Date:

* To be signed by a Group 'A' Officer of the Personnel Department of the Railway Headquarters.