

Serial No. 74/2024

EASTERN RAILWAY
(Personnel Department)

No. 308/0/Vol. XX

Kolkata, Dated 22.07.2024

ALL CONCERNED

Sub: Amendment6 to Rule 9(13)(a) of Railway Servants (Discipline and Appeal) Rules, 1968.

Ref: Railway Board's Letter no. E(D&A) 2019 RG6-1 dated 18.07.2024(RBE 56/2024).

Copy of Board's letter No. E(D&A) 2019 RG6-1 dated 18.07.2024 issued by Director Establishment (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 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 (2024 ONWARDS).

Index No.1033: Rule 9(13)(a) of Railway Servants (Discipline and Appeal) Rules, 1968 has been amended vide Gazette Notification bearing GSR No. 409(E) dated 16.07.2024.

DA: As above.


(D.Hansda)

Dy. Chief Personnel Officer/HQ
for Principal Chief Personnel Officer.

o/c
Pam Ni-m
22/7/24

GOVERNMENT OF INDIA
MINISTRY OF RAILWAYS
RAILWAY BOARD

RBE No. 56/2024

No. E(D&A) 2019 RG6-1

Date: 18.07.2024

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

Sub: Amendment to Rule 9(13)(a) of Railway Servants (Discipline and Appeal) Rules, 1968.

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Rule 9(13)(a) of Railway Servants (Discipline and Appeal) Rules, 1968 has been amended vide Gazette Notification bearing GSR No. 409(E) dated 16.07.2024. A copy the Gazette Notification is enclosed herewith for necessary action.

2. Please acknowledge receipt.



(Aniruddha Thakur)
Dy. Director/Estt.(D&A)
Railway Board

Copy forwarded for information:

1. The General Secretary, AIRF, 4 State Entry Road, New Delhi (with 35 spares).
2. The General Secretary, NFIR, 3 Chelmsford Road, New Delhi (with 35 spares).
3. All Members, Departmental Council & National Council and Secretary, Staff Side, National Council, 13-C Ferozshah Road, New Delhi (with 60 spares).
4. The Secretary General, FROA, Rail Bhavan, New Delhi (with 6 spares).
5. The Secretary General, IRPOF, Rail Bhavan, New Delhi (with 6 spares).
6. The Secretary, RBSS 'Group A Officers' Association', Rail Bhavan, New Delhi.
7. The Secretary, RBSS 'Group B Officers' Association.
8. The Secretary, Railway Board Ministerial Staff Association.
9. The Secretary, Railway Board Group D Employees Association.
10. The Secretary, RBSSS Officers Association, Rail Bhavan, New Delhi.
11. The Secretary General, AIRPFA, Room No. 256-D, Rail Bhavan, New Delhi.

12. The General Secretary, All India SC/ST Railway Employees Association, Room No.8, Ground Floor, Rail Bhavan, New Delhi-110001.



For Principal Executive Director (IR), Railway Board

No. E(D&A) 2019 RG6-1

New Delhi, dated: 18.07.2024

Copy forwarded for Information to:

1. The DAI (Railways), New Delhi (with 40 copies).
- 2 The Lok Sabha and Rajya Sabha Secretariats, New Delhi.
3. M/s Bahri Brothers, 742, Lajpat Rai Market, Delhi-110 006, P.O. Box No. 2032
4. Chief Commissioner of Railway Safety, Lucknow.
5. Office of Chief Administrative Officer, Indian Railways (Workshop Projects), Chamber Bhavan, Judge's Court Road, Anta Ghat, Patna-800001, Bihar.



(Aniruddha Thakur)
Dy. Director/Estt.(D&A)
Railway Board

Copy to:

PS/MR, PS/MoSR PSO/PPSs to CRB & CEO, M(F), M(Infra), M(T&RS), M(O&BD), DG(HR), DG(RHS), DG(RPF), DG(Safety), Secretary, PED(Vig.), PED(IR), EO, JS, JS(G), JS/E, ED/E, EDE(Res), Dir(D&A), Dir E(O)-I, Dir.(RPF), US(DAR), US/ERB-V, V-I, ERB-I, ERB-VI, ERB-V, E(Rep)I, E(Rep)II, E(Rep)III, E(SCT)-I, E(SCT)-II, E(O)-I and E(O)I CC branches in Board's Office.

भारत का राजपत्र
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असाधारण
EXTRAORDINARY

भाग II—खण्ड 3—उप-खण्ड (i)
PART II—Section 3—Sub-section (i)

प्राधिकार से प्रकाशित
PUBLISHED BY AUTHORITY

सं. 372]

नई दिल्ली, मंगलवार, जुलाई 16, 2024/आषाढ 25, 1946

No. 372]

NEW DELHI, TUESDAY, JULY 16, 2024/ASHADHA 25, 1946

रेल मंत्रालय

(रेलवे बोर्ड)

अधिसूचना

नई दिल्ली, 16 जुलाई, 2024

आर.बी./स्था. सं. 56/2024

सा.का.नि.409(अ).—राष्ट्रपति, संविधान के अनुच्छेद 309 के परन्तुक द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए रेल सेवक (अनुशासन और अपील) नियम, 1968, का और संशोधन करने के लिए निम्नलिखित नियम बनाते हैं अर्थात् :-

1. संक्षिप्त नाम और प्रारंभ:—

(1) इन नियमों का संक्षिप्त नाम रेल सेवक (अनुशासन और अपील) (द्वितीय संशोधन) नियम, 2024 हैं।

(2) ये राजपत्र में अपने प्रकाशन की तारीख को प्रवृत्त होंगे।

2. रेल सेवक (अनुशासन और अपील) नियम, 1968, में, नियम 9 के उप नियम 13 में, खंड (क) के स्थान पर, निम्नलिखित खंड रखा जाएगा, अर्थात् :-

“13 (क) रेल सेवक अपने मामले को प्रस्तुत करने के लिए किसी भी अन्य रेल सेवक (जिसमें सेवा निवृत्ति की तैयारी पर छुट्टी पर रेल सेवक शामिल है) की सहायता ले सकेगा जो उसी रेलवे प्रशासन में कार्य कर रहा हो जिसके अधिकार क्षेत्र तथा नियंत्रण के अधीन वह कार्य कर रहा है या उस रेलवे प्रशासन में कार्य कर रहा हो जिसके अधिकार क्षेत्र में जाँच चल रही है, लेकिन वह किसी विधि व्यवसायी को इस प्रयोजन के लिए नियुक्त नहीं कर सकता जब तक कि अनुशासनिक प्राधिकारी द्वारा नियुक्त किया गया उपस्थापन अधिकारी कोई विधि व्यवसायी न हो अथवा परिस्थितियों को ध्यान में रखते हुए अनुशासनिक प्राधिकारी ऐसी अनुमति दे।

परंतु रेल सेवक किसी भी अन्य रेलवे प्रशासन के अधीन तैनात किसी अन्य रेल सेवक की सहायता ले सकेगा, यदि जांच प्राधिकारी मामले की परिस्थितियों को ध्यान में रखते हुए, और लिखित कारण बता कर, ऐसी अनुमति देता है:

परंतु यह और कि यदि जांच प्राधिकारी किसी अन्य रेल प्रशासन से सहायक रेल सेवक लेने के रेल सेवक के अनुरोध को अस्वीकार कर देता है, तो उसे लिखित रूप में कारण दर्ज करना होगा और इसकी सूचना रेल सेवक को देनी होगी जिससे वह रेल सेवक इस आदेश के विरुद्ध अनुशासनिक प्राधिकारी को अभ्यावेदन दे सके, यदि वह ऐसी इच्छा रखता है।”

[सं. ई(डी एंड ए) 2019 आरजी6-1]

सुनील कुमार, कार्यकारी निदेशक/स्थापना

टिप्पण :- मूल नियम अधिसूचना संख्या का.आ. 3181 तारीख 14 सितंबर, 1968 द्वारा प्रकाशित किए गए थे, और अंतिम बार संख्या सा.का.नि. 286 (अ), तारीख 22 मई 2024 द्वारा संशोधित किये गये।

MINISTRY OF RAILWAYS

(Railway Board)

NOTIFICATION

New Delhi, the 16th July, 2024

R.B./Estt. No. 56/2024

G.S.R. 409 (E).—In exercise of the powers conferred by the proviso to article 309 of the Constitution, the President hereby makes the following rules further to amend the Railway Servants (Discipline and Appeal) Rules, 1968, namely:—

1. Short title and commencement:—

- (1) These rules may be called the Railway Servants (Discipline and Appeal) (Second Amendment) Rules, 2024.
- (2) They shall come into force on the date of their publication in the Official Gazette.

2. In the Railway Servants (Discipline and Appeal) Rules, 1968, in rule 9, in sub-rule 13, for clause (a), the following clause shall be substituted, namely:—

“13(a) The Railway Servant may take the assistance of any other Railway Servant (including a Railway Servant on leave preparatory to retirement) working under the same Railway Administration, subject to whose jurisdiction and control he is working or working under the jurisdiction of the Railway Administration where the inquiry is held, to present the case on his behalf, but may not engage a legal practitioner for the purpose, unless the Presenting Officer appointed by the Disciplinary Authority is a legal practitioner, or, the Disciplinary Authority, having regard to the circumstances of the case, so permits;

Provided that the Railway Servant may take the assistance of any other Railway Servant posted under any other Railway Administration, if the Inquiring Authority having regard to the circumstances of the case, and for reasons to be recorded in writing, so permits:

Provided further that if the Inquiring Authority rejects the request of the Railway Servant to take an assisting Railway Servant from any Railway Administration, it would record reasons in writing and communicate the same to the Railway Servant to enable him to make representation against the order, if he so desires, to the Disciplinary Authority.”

[No. (E(D&A) 2019 RG6-1]

SUNIL KUMAR, Executive Director/Establishment

Note:- Principal rules were published vide notification number S.O. 3181, dated the 14th September, 1968 and was last amended *vide* numbers G.S.R. 286 (E), dated the 22nd May, 2024.