

SOUTH EASTERN RAILWAY

CPO'S OFFICE/GRC

Estt. Srl. No. ~~077~~ /2016

RBE No.47/2016

No: SER/P-HQ/Ruling/O/942

Dated : 28-06-2016

To : All Concerned

Sub : Clarification regarding exclusion of RPF/RPSF personnel from departmental selections.

Ref: Railway Board's letter Nos :-

- 1) E(NG)I-2002/PM2/9 dt.11.08.03  
(Estt.Srl.No.139/03);
- 2) E(NG)I-2002/PM2/9 dt.24.03.04  
(Estt.Srl.No.92/04) &
- 3) E(NG)I-2002/PM2/9 dt.13.10.04  
(Estt.Srl.No.252/04);

Railway Board's letter No.E(NG)I-2014/PM1/19 dated 06.05.2016 (No.47/2016) is forwarded for information, guidance and necessary action.

Encl : As above

  
( B.N.Soren )

Dy.Chief Personnel Officer (IR)  
for Chief Personnel Officer

Office of the Chief Personnel Officer  
Garden Reach, Kolkata-43

SER/P-HO/Ruling/0/962 dt

RB-877 Rly. Board/CA-III Ref:

RBE No. 47/16

मुख्य कार्मिक अधिकारी का कार्यालय  
गार्डनरीच, कोलकाता-43

भारत सरकार/GOVERNMENT OF INDIA

रेलवे बोर्ड/सी.ए.टी.ई. रेल मंत्रालय/MINISTRY OF RAILWAYS

Received on: 18/5/16

(रेलवे बोर्ड/RAILWAY BOARD)

CPO  
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NO.E(NG)I-2014/PM1/19

New Delhi, dated 06.05.2016

SER

The General Managers (P)  
All Indian Railways & PUs.  
(As per standard list)

36

RB GT  
19/5/16

Sub: Clarification regarding exclusion of RPF/RPSF personnel from departmental selections.

Ref: Railway Board's letters No.E(NG)I-2002/PM2/9 dated 11.08.2003, 92/04 - 24.03.2004 and 13.10.2004. - 252/04 ← 139/03

In terms of Board's above quoted letters, RPF/RPSF personnel are not to be allowed for appearing in GDCE and other departmental selections for promotion in departments other than RPF/RPSF. This decision of Railway Board is in consonance with observations made by Hon'ble CAT/PB and Hon'ble High Court of Andhra Pradesh, reflected in letters quoted above. It has, however, been observed that in spite of clear cut instructions on the subject, some Zonal Railways are still allowing RPF/RPSF personnel in departmental selections, causing a number of court cases in various parts of the country.

2. The matter has again been considered and in the light of Hon'ble High Court of Rajasthan, having explained the scope of Section 10 of the RPF Act in the matter of Om Prakash Vs Union of India 1995 Lab IC 1981 (Raj), it has been decided that in spite of the fact that members of the Railway Protection Force have been categorized as railway servants as per Section 10 of the RPF Act, 1957, but they are so only for the purpose of those facilities and conditions, which are not specifically provided by the provisions of RPF Act, 1957 and the Railway Protection Force Rules, 1987. In other words, as a class, the members of the Railway Protection Force are distinct to the other Railway employees because the other railway employees are not the members of the armed forces of the Union, which the members of RPF are.

3. In view of above, RPF/RPSF personnel may not be allowed to appear in any of the departmental selections for departments other than RPF/RPSF and previous instructions in this regard may be scrupulously followed.

4. Past cases decided otherwise may not be reopened, however in such selections/panels initiated, where RPF/RPSF candidates are allowed for any reason, but not finalized till date shall cease to exist.

By 18/5/16  
A.P.O.(re)  
Ruhel

Please acknowledge receipt of this letter.  
Hindi version shall follow.

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(P.M. Meena)  
Deputy Director-II/E(NG)I  
Railway Board.

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E.S.PIC  
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20/05/16

