

SOUTH EASTERN RAILWAY

Office of the
Chief Personnel Officer
Garden Reach
Kolkata - 43

Estt. Srl.No 083 /2016

RBE No. 'NIL'

No.SER/P-HQ/Ruling/0/992

Dated: 11 -07-16

To
All concerned

Sub: Implementtion of Supreme court's Judgement dated 31.10.2013 in WP(C) 82/2011-Posting/Transfers in Railways on Vigilance advice.

Ref: i) Railway Board's letter no. E(O)III-2014/PL/03 dated 10.06.14 (Estt. Srl.No. 150/15)

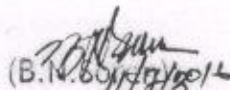
ii) Board's letter no. E(O)III-2014/PL/03 dated 04.07.14 (copy enclosed).

iii) Board's letter no. E(O)III-2014/PL/03 dated 29. 08.14 (copy enclosed).

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Railway Board's letter no. E(O)III-2014/PL/03 dated 17.06.2016 (RBE No. NIL) is forwarded for information, guidance and necessary action.

Encl: As above.


(B.N. Singh)
Dy. Chief Personnel Officer (IR)
for Chief Personnel Officer

GOVERNMENT OF INDIA
MINISTRY OF RAILWAYS
RAILWAY BOARD

No.E(O)III-2014/PL/03

New Delhi, dated 17.06.2016

The General Manager,
All Indian Railways/~~PLS~~ South Eastern Railway
(As per Standard List)

(Kind Attn: Dy.CPOs/G)

[Handwritten Signature]
SPDK
22/6/16

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

Ref.: (i) Board's letters of even number dated 10.06.14, 04.07.14 & 29.08.14
(ii) Eastern Railway's letter dated 04.04.2016

It may be recalled that detailed instructions were issued vide Board's letter of even number dated 10.06.14 & 04.07.14 for constitution of Placement Committees for posting/transfer of all Railway officers/staff. Thereafter certain clarifications were also issued vide letter dated 29.08.14.

2. On reference received from Eastern Railway requesting Railway Board to exempt transfers on vigilance recommendation from the purview of the instructions above, the matter has been re-examined and it has now been decided by the competent authority that transfers ordered on vigilance's recommendation need not be routed through Placement Committee.

[Handwritten]
22/6
1) 400 Count
2) Sri Banerjee



[Handwritten Signature]
(A.K. Sen)
Director (Estt.)
Railway Board

GOVERNMENT OF INDIA
MINISTRY OF RAILWAYS
(RAILWAY BOARD)

No. E(O)III-2014/PL/03

New Delhi, dated: 07/07/2014

General Managers,
All Indian Railways/Production Units
(As per Standard List)

Director General,
RDSO/Lucknow.

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

Ref: Board's letter of even number dated 10.06.14. - ESN 150/15

Please refer to paras 2(i) & 2(ii) of Board's letter referred to above
and read the same as under:-

2(i) For officers of the level of **Junior Administrative Grade and
Selection Grade** in the Zonal Railways and Production
Units/Construction Organizations/RDSO etc. and Workshops.

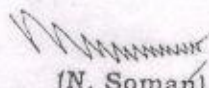
- (a) PHOD/CHOD/Cadre Controlling Officer of the concerned
department.
- (b) Chief Personnel Officer/HOD of Personnel Department and
standby officer would be another SAG, IRPS officer.
- (c) One PHOD/CHOD of a Department outside the concerned
department.

Competent Authority: The Competent Authority to accept the
recommendations of the above Placement Committee will be General
Manager/Head of the Organisation.

2(ii) For officers of the level of **Junior Scale and Sr. Scale** in the Zonal
Railways and Productions Units/Construction Organizations/RDSO etc.
and Workshops.

- (a) HOD of the concerned cadre.
- (b) HOD of the Personnel Department.
- (c) HOD from another Department.

Competent Authority: The Competent Authority to accept the
recommendations of the above Placement Committee will be the PHOD of
the Cadre.


(N. Soman)
Joint Secretary(Gaz.)
Railway Board.
Rly. 43339
DOT & FAX (23382765)

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

123

GOVERNMENT OF INDIA
MINISTRY OF RAILWAYS
(RAILWAY BOARD)

No. E(O)III-2014/PL/O3

New Delhi, dated:29/08/2014

General Managers,
All Indian Railways/Production Units
(As per Standard List).

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

		Departments in such cases.
5.	Depots are-not under the control of DRM/ADRM' bit 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 k 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 turn 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.

(N. Soman)
 Joint Secretary(Gaz.)
 Railway Board.