पूर्व मध्य रेलवे
(निर्माण संगठन)

कार्यालय,
मुख्य प्रशासनिक अधिकारी (निर्माण)
पूमरे/महेन्द्रूघाट/पटना

- **All Chief Engineers/Con/ECR/MHX, Patna.**
  **(NE, NC, Central, Planning, North, SE, NW, SD, South & GB).**
- **CSTE/Con/, South & North/ECR/MHX, Patna.**
- **CEE/Con/MHX, Patna.**
- **All Dy. CEs/Con/ MHX, Patna (North, South, TS, Design, General, ROB, PM, & Survey)**
- **All Dy. CEs/Con Of Field Units,**
  **(DNR, RGD, MGS, BRKA, DHN, Renukut, Chopan, Singrauli, HZME-I & II, GB/Patna, GB/MGR, Hajipur-I & II, Bettiah, NKE SPJ-I, II, III & IV, & Muzaffarpur).**
- **Dy. CSTE/HQ, North, North-II, South/MHX/Patna & DNR, DHN, CPU & SPJ, SPJ-II.**
- **Dy. CEE/Con/MHX/Patna/ South & North/MHX, North (SPJ), & CPU.**
- **Dy. CME, Dy. CE & Dy. CEE/GLP/Patna.**
- **SMM/Con/MHX, Patna.**

**Sub:- Reiteration of Sailent point regarding Strengthening of administration by periodic review under Rule 1802 (a)/1803(a)/1804(a)-R.II, 1987 Edition.**

**Ref:- महाप्रबंधक (का.)/पूमरे/हाजीपुर का पत्र सं.: ECR-HQ0PERS(RULE)/8/2022 (Com. No.-162637)**
**Date:-22.04.2022 (*PCPO's Sl. No.-46/2022*)**

विषयांकित से संबंधित संदर्भित पत्र की छायाप्रति सूचना, मार्गदर्शन एवं अग्रेत्तर आवश्यक कार्रवाई हेतु इस पत्र के साथ संलग्न कर प्रेषित की जा रही है।

A copy of above referred letter on the subject matter is being forwarded herewith for information guidance and needful onward action please.

संलग्नक–यथोपरि।

DA: As above.

Digitally Signed by Alok Srivastava
Date: 10-05-2022 12:47:05
Reason: Approved

**(Alok Srivastava)**
**Sr. Personnel Officer/Con**
**For CAO/Con/MHX**

Copy to:-

1. Secy. to CAO/Con/South for kind information of CAO/C/South.
2. Secy. to CAO/Con/North for kind information of CAO/C/North.
3. Secy. to CAO/Con/GLP for kind information of CAO/C/GLP.
4. CA/Personnel - for uploading on WEBSITE of Construction Organisation.
5. Ch. OS/R & D/Pers,/Con/MHX.

# पूर्व मध्य रेल
## EAST CENTRAL RAILWAY

**कार्यालय**
**महाप्रबंधक(का)**
**हाजीपुर**

RBE No. 48/2022

PCP's Sl No.46/2022

No.ECR-HQ0PERS (RULE)/8/2022 Com.No.162637)

1. CAO (Con.)/उत्तर एवं दक्षिण/पटना।
2. सभी PHOD/CHOD/पूमरे/हाजीपुर।
3. DRM/पूमरे/दानापुर, डीडीयू, धनबाद, सोनपुर एवं समस्तीपुर।
4. मुख्य कार्मिक अधिकारी/प्रशासन/पूमरे/हाजीपुर।
5. मुख्यालय के सभी कार्मिक अधिकारी।
6. CWM/पीडी/डीडीयू, यांत्रिक कारखाना/समस्तीपुर एवं हरनौत।
7. Sr.DPO/पूमरे/दानापुर, डीडीयू, धनबाद, सोनपुर एवं समस्तीपुर।
8. उप महाप्रबंधक/विधि/पटना।
9. प्राचार्य/क्षेत्रीय रेल प्रशिक्षण संस्थान/मुजफ्फपुर एवं भूली।
10. सभी मुकार्याधी/कार्याधी/पूमरे/हाजीपुर।

विषय :-Reiteration of Sailent point regarding Strengthening of administration by periodic review under Rule 1802 (a)/1803(a)/1804(a)-R.II, 1987 Edition.

संदर्भः-Railway Board's letter No-E(P&A)I-2019/RT-21,dated 11.04.2022.

******

विषयांकित से संबंधित संदर्भित पत्र की छायाप्रति सूचना, मार्गदर्शन एवं अग्रेत्तर आवश्यक कार्रवाई हेतु प्रेषित की जा रही है।

A copy of above referred letter on the subject matter is being forwarded herewith for information, guidance and needful onward action please.

DA: As above.

Digitally Signed by Manoj Ku Choudhary
Date: 22-04-2022 15:58:04
Reason: Approved

(मनोज कुमार चौधरी)
सकाधि/एचएसएम
कृते महाप्रबंधक (का0)/हाजीपुर

**प्रतिलिपि/**– निम्नलिखित को सूचनार्थ, मार्गदर्शन एवं आवश्यक कार्रवाई हेतु प्रेषितः–

1. महासचिव/ईसीआरकेयू/पूमरे/हाजीपुर।
2. महासचिव/एस.सी.एवं एस.टी.एशोसिएशन/पूमरे/हाजीपुर।
3. सकाधि(एम.पी.पी.)/पूमरे/हाजीपुर–कृपया इसे वेबसाइट पर अपलोड करें।
4. महासचिव/ओ.बी.सी.एशोसिएशन/पूमरे/हाजीपुर।

कृते महाप्रबंधक (का0)/हाजीपुर

भारतसरकार/GOVERNMENT OF INDIA
रेलमंत्रालय/MINISTRY OF RAILWAYS
(रेलवेबोर्ड/RAILWAY BOARD)

RBE No.48 /2022
No. E(P&A)I-2019/RT-21 New Delhi, dated: 11 .04.2022

The General Managers,
All Indian Railways/ PUs.

The DGs,
RDSO & NAIR

The Directors,
IRICEN/ IRIEEN/ IRIMEE/ IRITM

(Attn: PCPOs)

**Sub:- Reiteration of salient points regarding Strengthening of Administration by periodic review under Rule 1802(a)/ 1803(a)/ 1804(a) – R.II, 1987 Edition.**

**Ref:- Board's letter of even number dated 08.08.2019.**

******

Ministry of Railways vide its letter under reference has circulated the salient points of various instructions on improving the efficiency and strengthening of administrative machinery at all levels by the Govt. by exercise of its powers under Rule 1802(a)/ 1803(a)/ 1804(a) – R.II, 1987 edition read with Rule 66(b) of RSPR, 1993 edition, to retire a Railway servant in public interest before the normal date of his retirement subject to fulfillment of conditions laid down in the instructions.

2. Board has considered and decided to update these instructions. The updated salient points are enclosed for reference. This summary, however, must be read with all the relevant instructions on the subject.

3. Please acknowledge receipt. Hindi version will follow.

**(N P Singh)**
**Joint Director/E(P&A),**
**Railway Board**
**Tele No. 47845124**
**Email Id: nirbhay.singh26@gov.in**
**1st Floor, Room No.109-B**

**No. E(P&A)I-2019/RT-21** **New Delhi, dated .04.2022**

**Copy forwarded to:-**

1. The General Secretary, AIRF, R.No.253, Rail Bhawan, New Delhi.
2. The General Secretary, NFIR, R.No.256-E, Rail Bhawan, New Delhi.
3. The Members of the National Council, Departmental Council and Secretary, Staff Side, National Council, 13-C, Ferozeshah Road, New Delhi.
4. The Secretary General, FROA, R.No.256-A, Rail Bhawan, New Delhi.
5. The Secretary, RBSS, Group 'A' Officer Association, R.No.402, Rail Bhawan.
6. The President, Railway Board Class II Officers' Association.
7. The Secretary General, IRPOF, Room No.341-C, Railway Board.
8. The President, Indian Railway Class II Officer Association.
9. The Secretary, Railway Board Ministerial Staff Association.
10. The Secretary, Railway Board Class IV Staff Association
11. The Secretary General, AIRPF Association.
12. The General Secretary, All India SC/ST Railway Employees Association, R.No.8, Ground Floor, Rail Bhawan, New Delhi-110001.
13. All India O.B.C. Railway Employee's Association.
14. The General Secretary, Retired Railway Employees Welfare Association (Regd.), 490A/16, Gurudwara Raod, Gurgaon.
15. The Chief Commissioner of Railway Safety, 16, Ashok Road, Lucknow.

**Copy to : PSOs/Sr. PPSs/PPSs/PSs/PAs to :-**

MR, MoSR (J), MoSR (D), CRB & CEO, Member Finance, Member Infra., Member (T&RS), Member (O&BD), Advisor/MR, OSD/MR, OSD/Co-ord/MR, Addl. PS/MR, Addl. PS/MoSR(J), DPG/MoSR(J), Secretary, DG(RHS), DG(RPF), DG(Safety), AM/PU, AM(F), AM/Works, AM/RS, AM/TT, AM(CE), AM(Budget), AM(Mech. Engg.), AM(T&C), AM(Telecom), AM(Plg.), AM/Revenue, AM/Sig., AM/C, AM/L&A, AM/EnHM, AM/RE, AM/Traction, AM/M& BD, PED/IR, PED/HR, PED/Staff, PED/Chg., PED/TTM, PED/Bridge, PED/Signal, PED/SD, PED/Accounts, PED/EE(RS), PED/Trg.&MPP, PED/Health, PED/Vigilance, PED/Infra, PED/Safety, ED(Plg), ED(A), EDF(BC), EDCE(B&S), EDCE(G), EDCE(Plg), ED(Chg), ED(CC), ED(C&IS), ED(E&R), EDEE(Dev), EDEE(G), EDEE(RS), EDE, ED(EEM), EDE(RRB), EDE(N), EDE(Res), EDF(C), EDF(E), EDF(S), EDF(B), EDF(RM), ED(EEM), EDF(X)I, EDF(X)II, ED(H), ED(LM), ED(MIS), EDE(GC), EDT(MPP), EDME(Chg), EDME(Frt.), EDME(Trg.), EDME(Dev), EDME(W), EDPC-I, EDPC-II, ED(PP), ED(Proj)-DMRC, ED(RE), EDRE(S&T), EDRE(S), ED(Safety), ED(Sig), ED(S&E), EDRS(C), EDRS(P), EDRS(G), EDRS(S), EDRS(W), ED(TD), ED/Track(M), ED/Track(MC), ED/Track(P), ED(T&C), ED(CP), ED(PM), ED(PG), EDT(R), EDTC(FM), EDTT(M), EDTT(S), EDV(A), EDV(E), EDV(S), EDV(T), ED(W), ED (ERP), ED(Innovation), ED/Traffic &Comml. (EnHM), ED/Elec./Transformation, ED(NFR/TC), IG/RPF(HQs), IG/RS, JS, JS(D), JS(E), JS(G), JS(P), DPC-I, DPC-II, DE(N), DF(CCA), DF(A/Cs), DE(G), DE(N), DPR, JDE(G), JDE(D&A), JDE(L), JDE(LL), JDPC-II, JDE(W), JDF(B), JDF(E),JDE(N), JDE(Res), JD(MPP), JDE(GP), DS(G), DS(Parl), US(A), PAO, DDE(D&A), JDE(RRB), DDE(Sports), DDE(N), DDE(LR)I, DDF(E)I, II, & III, DD(H), DDE(LR)I, DDE(LR)II, DDE(W), DDPC-V, DDPC-VII, DDE(Trg.) & PAO.

Branches: Accounts III, Budget, Budget (Com)I, Cash-I,II,III, Chasing, C&IS, E(P&A)II, ERB-I,II,III,IV,V,VI, E(LR)-I,II,III, E(RRB), E(Rep)-I,II,III, E(MPP), E(W), E(G), E(NG)-I,II, E(Coop), E(LL), E(Sports), E(ML), E(SCT)-I,II, E(D&A), E(GC), E(GR)I,II, E(O)-I,II,III & E(O)III(CC), F(E)-I,II,III, F(E) Spl, G(Pass), G(Acc), Issue(D), M(L), Parl., PC-III,IV,V,VI,VII, Project Cell, PR, Sec.(E), Sec.(ABE) Railway Board.

## Premature Retirement of Railway Servants: Periodic review

## Salient Points

1. With a view to improving efficiency and strengthening administrative machinery at all levels, Government has the absolute power under Rule 1802(a), 1803(a), 1804(a) of IREC Vol-II 1987 edition and Rule 66(b) of RSPR 1993 edition to retire a Railway employee in public interest, before his normal date of retirement, on attaining a specified age or on completing a specific length of service on the grounds of (i) inefficiency/ ineffectiveness, or (ii) doubtful integrity, or (iii) for conduct unbecoming of a Railway Servant. Criteria and procedure have been laid down to ensure that power is exercised fairly and impartially and not arbitrarily.

2. Instructions in this regard have been circulated from time to time, both by Department of Personnel and Training (DoP&T) and the Ministry of Railways (Railway Board). The following codal provisions and instructions contain all the relevant instructions on the subject.

a. Railway Board's instructions vide PC-68/RT/5 dated 08.09.1969;
b. Railway Board's instructions vide E(O)I-69 SR10/13 dated 12.12.1969;
c. Consolidated instructions of RB issued vide letter No. E(P&A)I-77/RT-53 dated 15.11.1979;
d. RB's instructions vide E(P&A)I-87/RT-4 dated 17.10.1989;
e. DoP&T's instructions vide OM No. 25013/1/2013-Estt(A) dated 21.03.2014;
f. DoP&T's instructions vide OM No. 25013/1/2013-Estt.A-IV dated 11.09.2015;
g. RB's instructions vide E(P&A)I-2015/RT/38 dated 10/12.11.2015;
h. Provisions under FR 56(j), 56(l) or Rule 48(1)(b) of CCS (Pension) Rules, 1972; Corresponding provisions in IREC, Vol.II, 1987 - Rule 1802(a)/1803(a)/1804(a).
i. ERB-I's Order No. ERB-I/2019/23/32 dated 20.11.2020 & 14.01.2021.
j. Railway Board's instructions vide E(P&A)I-2019/RT-21 dated 07.09.2020 circulating DoP&T's OM No. 25013/03/2019-Estt.A-IV dt 28.08.2020.
k. Railway Board's instructions vide E(P&A)I-2019/RT-21(pt) dated 08.04.2022.

3. An attempt has been made to bring the main elements of these instructions together in one document. However, this is only to improve clarity and understanding. This summary has to be read with all relevant instructions already issued on the subject.

4. **Criteria for review of Services**:

**(a) Age and Service rendered:**

(i) Group A and B: After attaining 50 years (if entered service before age 35);
(ii) Group A and B: After attaining 55 years (if entered service after age 35);
(iii) Group C: After attaining 55 years of age;
(iv) Group C: After completion of 30 years of service, if not governed by any pension rules, under Rule 1804(a).
(v) Group D: In pensionable cases, can be done after completion of 30 years of pensionable service.
(*Reference*: Rule 2046 R.II (old), Letter No. PC-68/RT/5-1 dated 27.11.1976, E(P&A)-76/RT/38 dated 24.07.1976. Now 1803(a) of R-II, 2005 Edition)
(vi) Any employee, irrespective of age, can be retired prematurely by giving him three months' notice after he has completed 30 years of qualifying service.
(*Reference*: E.48-CPC/208 dated 08.07.1950 as amended vide F(E)III 69 PN-I/15 dated 27.08.1969 incorporated as para 620 of Manual of Railway Pension Rules, 1950.)

**(b) Service Records:**

The entire service records should be considered in every review. Based on the service records, a comprehensive brief is to be prepared for consideration of the **'Review Committee'**. 'Service records' would take into account the following:

(i) ACR/APAR dossiers;
(ii) Personal file;
(iii) Work and performance of the officer to be assessed by looking into the files dealt with by him or in any papers or reports prepared and submitted by him;
(iv) Un-communicated remarks in ACRs/APARs may be taken into consideration;
(v) If the officer was promoted during the last 5 years (on the basis of seniority-cum-fitness and not on the basis of merit), the previous entries in the ACRs may be taken into account.
(*Reference*: E(P&A)I-2015/RT/38 dated 10/12.11.2015)

**(c) Ground of *Ineffectiveness* vis-à-vis *Doubtful Integrity*:**

(i) No employee should ordinarily be retired on grounds of ineffectiveness if his/ her service during the preceding 5 years or where he/she has been promoted to a higher post during that 5 year period, his/her service in the highest post, has been found satisfactory.
(ii) There is no such stipulation if the employee is to be retired on grounds of doubtful integrity.
(iii) No employee should be ordinarily retired on ground of ineffectiveness, if in any event, he/she would be retiring on superannuation within a period of one year from the date of consideration of his/her case. However, if there is a 'sudden and steep fall in competence, efficiency or effectiveness of an officer', it would be open to review his case for premature retirement. This condition is not relevant in cases of doubtful integrity.
(*Reference*: E(P&A)I-2015/RT/38 dated 10/12.11.2015)

**(d) Integrity**

(i) Actions or decision taken by the employee which do not appear to be above board, complaints received against him or suspicious property transactions, for which there may not be sufficient evidence to initiate departmental proceedings, may be taken into account for prematurely retiring an employee.

(*Reference*: Observations of Supreme Court in *S. Ramachandra Raju Vs. State of Orissa* and K. Kandaswamy vs UoI, cited in E(P&A)I-2015/RT/38 dated 10/12.11.2015)

(ii) CVO in the case of gazetted officers, or his representative in the case of non-gazetted officers, will be associated in case of record reflecting adversely on the integrity of any employee.

(*Reference*: E(P&A)I-2015/RT-38 dated 10/12.11.2015)

**(e) Conduct unbecoming of a Government Servant as basis for Compulsory Retirement:**

If conduct of a government employee is unbecoming to the public interest or obstructs the efficiency in public services, the government has an absolute right to compulsorily retire such an employee in public interest.

(*Reference*: Observation of Supreme Court in *State of UP and others vs. Vijay Kumar Jain*, appeal case, cited in E(P&A)I-2015/RT/38 dated 10/12.11.2015.)

**(f)** There is also no bar on the Government to review any such case again where it was decided earlier to retain the officer, but the Appropriate/ Appointing Authority is of the opinion that it is expedient to undertake the review again on account of changed circumstances, in public interest. In such cases, the Appropriate Authority is expected to demonstrate visible meticulousness as such Government servants have been found effective on earlier occasion for retention in service.

(*Reference*: E(P&A)I-2019/RT-21 dated 07.09.2020 circulating DoP&T's OM No. 25013/03/2019-Estt.A-IV dt 28.08.20)

**5. Procedure and Guidelines:**

A. Cases of Railway Servants to be reviewed 6 months before attaining the age of 50/55 years or on completion of 30 years of service/ 30 years of qualifying service, whichever occurs earlier.

B. No show-cause notice need be issued to any government servant before a notice of retirement is issued to him under these rules.

C. **Internal Committees** may be constituted to assist the **Review Committees** in reviewing the cases. The Committees would ensure that service records of the employee being reviewed, along with summary bringing out all relevant information, is submitted to the Cadre Authorities **at least 3 months in advance before the due date of review.**

D. Composition of the **Review Committee** will be as under:

**D.(I) For ACC Appointees and non-ACC Appointees (i.e., all Group A Gazetted officers including those of RBSS, RBSSS and Miscellaneous/ ex-cadres):**

The Committee will be headed by CRB & CEO and would comprise of the functional Board Member of the Department (to which the officer, whose service is being reviewed belongs) and Member (Infra). In case, the officer being reviewed belongs to IRPS, IRHS, RBSS or from other Miscellaneous Cadres, Member (Traction & Rolling Stock) in addition to Member (Infra) would form part of the Committee. In respect of Group 'A' Railway Officers belonging to IRSE and IRSSE cadres, the Committee shall comprise of CRB & CEO, Member (Infra) and Member (O&BD).

PED/Vigilance (as CVO of the Ministry) is to be associated in the said review.

**Internal Committee** to assist the Review Committee will be headed by Secretary, Railway Board and would comprise of JS(Confidential) and JS(Establishment) as Members. ED/Vigilance concerned (or Director/Vigilance in case there is no ED available) shall be associated.

**Note:-** In the case of review of Gr. 'A' officers upto JAG, the GMs/ DGs/ Directors should constitute a **'Screening Committee'** comprising of officers of analogous level as

of Board's Internal Committee i.e. one HAG officer of the Deptt. to which the officer being reviewed belongs, two SAG level officers and one SAG officer from Vigilance Deptt. (or Selection Grade Officer in case no SAG officer is available). The Screening Committee will be responsible for screening the Gr. 'A' officers upto JAG who are due for review on that Railway/ Unit. The report of the Screening Committee with all the relevant documents and having recommendations/ remarks of the GM concerned would be sent to the Internal Committee in the Board's office at least six months prior to the Gr. 'A' officers becoming due for review. The Internal Committee would scrutinize the report of the Railways'/ PUs' Screening Committee and thereafter, assist the Review Committee for reviewing the service of the officers. However, in case of Gr. 'A' officers of Railway Recruitment Boards, NAIR and other Centralised Training Institutes, review will be done as per procedure mentioned in para **5 D.(VI)** of this letter.

**D.(II) For Group B officers in Railway Board (RBSS/ RBSSS/ Miscellaneous/ ex-cadres):**

a. AM(Staff) as Head of Review Committee;
b. JS(G) and JS(E) as members of Review Committee;

DV(Intelligence) is to be associated in the said review.

**Internal Committee** to assist the Review Committee would be headed by JS(C) and would comprise Director(GA) and Dir(E) as members. A JAG/ SG officer from Vig. Dte. recommended by PED/ Vig. shall be associated.

**D.(III) For non-Gazetted officials of Railway Board including those of RBSS, RBSSS and Miscellaneous/ ex-cadres:**

a. JS as Head of Review Committee;
b. EDE(N) and JS(M) as members of Review Committee;

DV(Intelligence) is to be associated with the said review.

**Internal Committee** to assist the Review Committee to comprise Dir (A) and Director (GA). A JAG/ SG officer from Vig. Dte. recommended by PED/ Vig. shall be associated."

**D.(IV) For Group B officers/ officials in Railways:**

The Committee will be headed by the General Manager of the Railway and would comprise of PCPO and PHOD (of the department to which the officer belongs). In case the officer being reviewed is from Personnel department, PHOD of another Deptt. in addition to the PCPO would be nominated by the General Manager.

SDGM of the Railway is to be associated with the said review.

**Internal Committee** to assist the Review Committee will be headed by AGM of the Railway. Composition of the Committee may be decided by the General Manager of the Railway.

**D.(V) For Group C officials in Railways:** The following are the instructions issued by Board. However, the General Managers, may make any modification which they deem fit in administrative interest. Composition of the Internal Committees may also be decided by the respective General Managers of the Railways and in respect of RDSO and NAIR, the respective DGs can constitute the Committees.

**(a) <u>At Head Quarter Level</u>:**

(i) <u>For non-Personnel officials</u>:

PHOD or GM where he is appointing authority as Chairman, PCPO.

(ii) <u>For Personnel branch officials</u>:

PCPO to be Chairman. GM to nominate an SAG Officer to be member.
If GM is Chairman, he may nominate a PHOD as a member.

Additional PHOD may act as Chairman if he is higher in rank than that of appointing authority.

SDGM/Dy GM who is in charge of the Vigilance Department shall be associated as a Third Member of the Committee.

**(b) <u>At Division Level</u>:**

(i) <u>For non-Personnel Br. officials</u>:

1. One JAG officer of the employee's department;
2. One JAG officer of another department;
3. Sr DPO/DPO

Where DRM is the 'appointing' authority, Committee will consist of ADRM as Chairman, Sr. DPO/SPO and another JAG officer as members

(ii) <u>For Personnel Br. officials</u>:

1. Sr DPO/DPO
2. Two JAG officers of other Departments
3. In case of 'doubtful integrity, papers are to be transmitted to Headquarters for SDGM to record his views before final orders are passed by 'appropriate authority'.

**(c) <u>Workshop Level</u>:**

Review to be done at the Workshop level itself where the Workshop is headed by an SAG/SG/JAG officer. If workshop is headed by an officer of the rank of Sr Scale or below, the review of the Workshop staff would be done by the Headquarters.

Board have decided that the officer nominated as member of the Committee may be from the same division, but should not be amongst those who exercise

direct/ immediate control or supervision over the officers being screened. Committees should be constituted in such a manner so as to ensure that there is an element of fairness in the review and there is no claim of arbitrariness of action by the employee. In cases of doubtful integrity, since all records are available only with the SDGM/CVO of the Reviewing Organisation, he will continue to be associated with it.

(*Reference*: E(P&A)I-2019/RT-21(pt) dated 08.04.2022)

**D.(VI)** For all Railway Servants in Group A and B service/post in Railway Recruitment Boards, NAIR and Centralised Training Institutes, review will be done in Board's office. Following procedure is to be followed:

(a) List of Group A and B officers who come under review to be prepared sufficiently in advance, ensuring that there are no omissions.
(b) The confidential reports/ files of officers whose confidential reports are not maintained in Board's office and whose cases are to be reviewed should be brought up to date in all respects and sent to Secretary Railway Board along with the above list through a responsible member of the staff. Quarterly time table has been prescribed vide DoP&T's circular dated 21.03.2014 mentioned at para 2 of page 1 of Salient points.)
(*Reference*: E(O)I-69 SR 10/13 dated 12.12.1969)

E) Complete bio-data particulars of the employee who is to be reviewed should be circulated to the members of the Review/ Representation Committees as per the prescribed proforma (Annexure to this letter). Proforma is to be carefully and meticulously filled and should be free from all errors. Findings of Review/ Representation Committees/SDGMs in 'doubtful integrity' cases should be entered in the proforma itself.

F) Rules relating to premature retirement should not be used:

i. To retire on ground of specific misconduct as a short-cut to initiating formal disciplinary proceedings. (CAT/PB/New Delhi in O.A No. 1827/2017, in the matter of *Sangeeta Rao vs. UOI* vide order dated 18.09.2018, dismissed the plea of the government servant who was compulsorily retired under 56(J) for habitual late coming); or
ii. For reduction of surplus staff on ground of effecting general economy without following rules of retrenchment.

G) Any adverse entries made in the confidential record shall be taken note of and be given due weightage in passing such order.

H) Even uncommunicated entries in the confidential record may be taken into consideration.

I) If the officer was given a promotion despite adverse entries made in the confidential record, that is a fact in favour of the officer. (Ref: E(P&A)I-2015/RT/38 dated 10/12.11.2015)

J) Once a decision has been taken by appropriate authority to retain an employee beyond the age of 50 years after review, he would ordinarily continue in service till he attains the age of retirement. If however, the appropriate authority considers at any time after review that retention would not be in public interest, that authority may take necessary action to retire the employee as per the laid down procedure.

K) If the 'appropriate authority' decides to differ with the recommendation of the Review Committee, he may remit the papers to the next higher authority for a final decision.

L) A notice longer than 3 months can be given, but the date from which he is required to retire as specified in the notice should not be before he attains the age of 50/55 years or before be completes 30 years of service.

M) While computing the notice period of 'not less than 3 months', the date of service of notice and the date of expiry shall be excluded. The date of premature retirement should be on the forenoon of the day (which should be treated as a non-working day) following the day of expiry of the notice.

N) If the Railway employee refuses to accept the notice or order of retirement, it should be ensured that the 'refusal' is witnessed by two gazetted officers. In such a case, the notice/order should be sent under registered post with AD. In such a case, the date of effect of notice of retirement/ order of retirement would be the forenoon of the date following the date of refusal.

**6. Procedure for Consideration of Representation** (*Reference*: E(P&A)I-77/RT-53 dated 15.11.1979 and E(P&A)I-2015/RT/38 dated 10/12.11.2015):

a. A Railway employee, who has been served with a notice/order of premature retirement, may submit a representation within 3 weeks from the date of serving of such notice/order to him/ her.

b. On receipt of the representation, the administration would examine the same to see if it contains any new facts or any aspect not hitherto taken into consideration. Examination to be completed within 2 weeks from the date of receipt. Thereafter, it should be placed before the appropriate Committee for consideration.

c. Composition of the Representation Committee (Reference: E(P&A)I-87/RT/4 dated 17.10.1989):
Same as the Review Committee with the modification that it should include at least one member of the appropriate status who was not in the said Committee earlier.

(Refer also to ERB-I/2019/23/32 dated 20.11.20)

d. Final order on representation against premature retirement: To be passed by the authority superior to the authority which issued order of premature retirement only after obtaining approval of the Ministry of Railways. Where, however, the order of premature retirement shall be issued by President, final orders on the representations shall be passed by the Minister-in-charge of the Ministry/ Department concerned.

(**Railway Board's decision**: A decision on the recommendation of the Representation Committee, considering the appeal of the compulsorily retired employee may be taken by

the Additional General Manger. Papers to be put up to GM only in cases where the AGM differs from the findings of the Committee. If AGM/GM confirms the decision of the Representations Committee to retire the employee was correctly taken, papers in original should be submitted to Board within the prescribed time schedule.) (Reference: E(P&A)I-87/RT/4 dated 17.10.1989)

e. The Representations Committee shall make its recommendation within two weeks from the date of receipt of reference from the administrative authorities concerned.

f. Authority which is empowered to make final orders on the representation should pass its orders within two weeks from the date of receipt of the recommendation of the Committee provided that approval of the Ministry of Railways would be necessary before passing final orders in cases where the appropriate authority proposes to reject the representation/ appeal against the premature retirement.

g. If decided to reinstate, the intervening period would be treated as duty or as leave or as dies-non depending on the merits of each case. (If Review/ Representation Committee finds that premature retirement was on account of political or personal victimization, it would be 'duty' with full pay and allowances. In other cases, it would be leave or dies-non, as the authority may decide).

h. In case the employee gets a stay order from court, representation is not to be considered by the administration, nor sent up to the Committee until disposal of the court case. Thereafter, the cases may be examined taking into account any material of substantive nature that may feature in court's judgement.

i. As and when fresh representations are received against such rejection and also against premature retirement relating to period of emergency, these should be examined by appropriate 'Representation' Committees which shall take special care to see that over-rigorous standards were not applied or done out of over-zealousness or out of political or personal victimization at the time of the original review.

7. **Time Schedule for Review** (Reference: DoP&T's OM 25013/1/2013-Estt(A) dated 21.03.2014:

a. Suitable register(s) of employees under their control to be maintained by Railway Administrations who are due to attain the age of 50/55 years or would complete 30 years of service. Subordinate offices to be instructed to take similar action too.

b. Register should be scrutinized at the beginning of every quarter by a Senior Officer in the Administration and in Subordinate offices.

**Schedule:**

| Sl. No. | Quarter in which review to be made | Cases of employees who would be attaining the Age of 50/55 years or completing requisite service in the quarter |
|---|---|---|
| 1. | January to March | July to September of the same year |
| 2. | April to June | October to December of the same year |
| 3. | July to September | January to March of the subsequent year |
| 4. | October to December | April to June of the subsequent year |

*****

I/66228/2022

**PROFORMA FOR REVIEW OF SERVICE OF GR. 'C' & 'D' STAFF FOR RETENTION OR OTHERWISE IN SERVICE BEYOND 55 YEARS OF AGE/30 YEARS OF SERVICE/33 YEARS OF QUALIFYING SERVICE.**

**I. BIO-DATA**

OFFICE: FILE NO.: DATE FORWARDED:

| Name | Date of birth | Date of appointment In service | Date of completion of 55 years of age | Date of completion of 30 years service (in case of P.F. optee) | Date of completion of 30 years qualifying service (in case of pension optee) | Break in service caused, if any |
|---|---|---|---|---|---|---|
| 1 | 2 | 3 | 4 | 5 | 6 | 7 |

| Present designation | Present grade Rs. | Station now employed | Detailes of posts held during last 5 years Designation From To | P. F./Pension of optee | Designating of appointing authority |
|---|---|---|---|---|---|
| 8 | 9 | 10 | 11 | 12 | 13 |

## II. ASSESMENT

### PERFORMANCE REPORT OF THE CONTROLLING OFFICER ON THE BASIS OF LAST FIVE YEARS SERVICE

(To be recorded by an officer not lower than a Senior Scale officer)

*

| | | | | | |
|---|---|---|---|---|---|
| 14. | (a) | Is he physically and mentally fit to discharge duties effectively, if continued in service? | Yes | No | Comments on his: |
| | (b) | His attendance | Good | Poor | i) Integrity: |
| | (c) | His punctuality | Good | Poor | ii) General conduct: |
| | (d) | Does he deal with correspondence promptly? | Yes | No | |
| | (e) | Does he take decision? | Yes | No | iii) Performances during 5 years: |
| | (f) | Are his inspections sound and fruitful? | Yes | No | |
| | (g) | Is he cost conscious? | Yes | No | |
| | (h) | Can he maintain discipline amongst subordinate? | Yes | No | |

Signature:

Name:

Designation:

*This should be reflected by particulars recorded in Col. No. 18.

## III. RECORD OF SERVICE DURING HIS ENTIRE CAREER

| Appreciation of good work done, if any | Particulars of penalties imposed, if any with reasons | | |
|---|---|---|---|
| | Nature of penalty imposed | No. of times imposed | Reasons |
| 15. | | 16. | |

17. REMARKS RECORDED IN THE CONFIDENTIAL REPORT, DURING THE LAST 5 YEARS, IF MAINTAINED (CRs IN ORIGINAL SHOULD BE ENCLOSED)

| | | Year | Year | Year | Year | Year |
|---|---|---|---|---|---|---|
| (A) | Classification | | | | | |
| (B) | Remarks about integrity: | | | | | |
| (C) | Adverse remarks, if any: | | | | | |
| (D) | Whether adverse remarks were communicated to employee: | | | | | |

18. ATTENDANCE PERTICULES FOR PREVIOUS FIVE YEARS

| | | Year | Year | Year | Year | Year |
|---|---|---|---|---|---|---|
| 1. | Sick Leave | | | | | |
| | i) Full pay: | | | | | |
| | ii) Half pay: | | | | | |
| 2. | Leave not Due: | | | | | |
| 3. | Leave without pay: | | | | | |

19. PARTICULS OF DAR/SPE/VIGILANCE CASES PENDING, IF ANY

I/66228/2022

20. SPEAKING ORDERS OF THE REVIEW COMMITTEE

File No.:

Signature:

Name
Designation

Date:

(CHAIRMAN) (MEMBER) (MEMBER)

---

21. In cases of retirement on grounds of 'doubtful integrity' only, the remarks/recommendations of the SDGM:-

NAME:

DATE:

---

22. (IN CASE OF APPEAL):-

The Speaking orders of the Representation Committee at the Head Quarters

Signature:

Name:

Designation:

Date:

(CHAIRMAN) (MEMBER) (MEMBER) *(SDGM/CVO)

---

23. SPEAKING OREDRS OF THE AGM/G.M.'s ON THE RECOMMENDATIONS OF THE REPRESENTAION COMMITTEE:

SIGNATURE:

NAME:

DATE:

*(In case of 'doubtful integrity')