पूर्व मध्य रेल
EAST CENTRAL RAILWAY

कार्यालय
महाप्रबंधक(का)
हाजीपुर

RBE No. 02/2023

PCPO's SI No.02/2023

No.ECR-HQ0PERS (RULE)/9/2023 Com.No.207408)

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।

विषयः-Procedure for dealing with safety related disciplinary cases.

संदर्भः-Railway Board's letter No.-E(D&A)2022 RG6-17 Dated-02.01.2023.

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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: 09-01-2023 13:02:15
Reason: Approved

(मनोज कुमार चौधरी)
सकाधि/ईएसएम
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।

RBE No. 02/2023

GOVERNMENT OF INDIA
MINISTRY OF RAILWAYS
RAILWAY BOARD

No. E(D&A) 2022 RG6-17

Dated: 02.01.2023

The General Managers
All Indian Railways and Production Units etc.
(As per standard list)

Sub: Procedure for dealing with safety related disciplinary cases

Attention is invited to instructions issued by Railway Board under letter no. E(D&A) 2003 RG6-5 dated 19.02.2003 RBE No. 36/2003 on the subject matter. As a period of two decades have passed, it has been considered necessary that these instructions be reiterated for ensuring strict compliance thereof. Accordingly, all Zonal Railways/Production Units etc. are advised to ensure that contents of the aforesaid instructions dated 19.02.2003 are scrupulously adhered to in safety related disciplinary cases. A copy of the aforementioned RBE No. 36/2003 is enclosed herewith for ready reference.

(Renuka Nair)
Dy. Director Estt. (D&A)
Railway Board

No. E(D&A) 2022 RG6-17

New Delhi, Date. 02.01.2023

Copy to:

Chief Safety Officer, All Zonal Railways and Production Unit.

(Renuka Nair)
Dy. Director Estt. (D&A)
Railway Board

No. E(D&A) 2022 RG6-17

New Delhi, Date. 02 .01.2023

Copy to:

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, Natinal 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. M/s Bahri Brothers, 742, Lajpat Rai Market, Delhi-110006, P.O. Box No. 2032.

For Principal Executive Director(IR), Railway Board

Copy to:

ERB-I, E(O)-I, E(O)-II, E(O)-III, E(O)-III/CC(with 2 spares), ERB-E, ERB-V, E(Rep) I, II & III, E(SCT) I & II, Vig.-I, E(G), E(GP), Confidential Cell, Security (E), Safety-I, and PR Branches of Railway Board's Office.

GOVERNMENT OF INDIA
MINISTRY OF RAILWAYS
(RAILWAY BOARD)

R&E No. 36/2003

NO. E(D&A)2003/RG 6-5 **New Delhi, dated 19.02.2003**

The General Manager(P)
All Indian Railways and
Production Units etc.
(As per Standard list)

Sub : Procedure for dealing with safety related Disciplinary cases.

One of the essential measures to improve safety is to ensure that exemplary punishment is given to railway servants found guilty of violating safety rules/norms or causing accidents. It is also necessary that different departments adopt uniform punitive action, which can be ensured only if such actions are monitored at appropriate level. Further, it is also observed that railway servants found responsible for causing accidents or violating safety norms are dealt with by concerned authorities as laid down in Railway Servants (Discipline and Appeal) Rules1968. However, there are instances where the punishment imposed on the railway servant found guilty of violating safety rules/norms or causing accidents has been found to be inadequate.

Board have considered the matter in detail and have observed that there is an urgent need to empower the Safety department so that the disciplinary cases of Railway Servants found guilty of causing accidents or violating safety norms/rules related to maintenance and operation not necessarily leading to accidents are properly dealt with. Board have therefore decided that in such disciplinary cases, the following procedure should be adopted :

i) Based on the recommendation of the Safety department for initiation of disciplinary proceedings, the Disciplinary Authority should initiate disciplinary proceedings by way of issue of charge sheet etc.

ii) The disciplinary proceedings should be concluded in accordance with the provisions laid down in the Railway Servants (Discipline and Appeal) Rules, 1968 and the Disciplinary Authority may impose any punishment after full application of the mind, if the same is in conformity with the advice/suggestion given by Safety department. It is hereby emphasized that the Disciplinary authority should strive to remove/reduce areas of disagreement, if any, by mutual consultation/discussions.

iii) In case the Safety department has recommended a major penalty and the Disciplinary Authority proposes to exonerate or impose a minor penalty, the Disciplinary Authority should first record his provisional order and then consult Safety department. Reasons for disagreement should be recorded and communicated to Safety department. Consultation will be only once and if even after this the Disciplinary Authority is not in agreement with the views of the Safety department, then the Disciplinary Authority is free to proceed and pass speaking orders for imposing the penalty. In all cases, a copy of the Notice Imposing Penalty (NIP) must be sent to the Safety department, who may close the case, if its views have been accepted or if it is satisfied with the conclusions drawn by the Disciplinary Authority.

iv) Where the Disciplinary Authority has not followed the advice of the Safety department, then the latter shall put up such cases to the Competent Authority who can do *suo motu* revision, with their comments.

v) Likewise, where a major penalty has been imposed by the Disciplinary Authority in agreement with the recommendations of the Safety department but the appellate / revisionary authority proposes to exonerate or impose a minor penalty, the appellate / revisionary authority may first record provisional decision and consult the Safety department Reasons for disagreement should be recorded and communicated to Safety department. Consultation will be only once and after such consultation, the appellate / revisionary authority is free to take a final decision in the matter and record his/her views about penalty through speaking orders.

vi) As far as action against the Railway Servants where General Manager or Railway Board are the Disciplinary/Appellate/ Revisonary Authority, the Safety department's comments may be obtained for proper appreciation of the case by the Disciplinary/Appellate/Revisionary Authority. Likewise, in those cases where the Disciplinary/Appellate/Revisionary Authority being the President, the comments from the Safety department may be called for because in such cases, the provision for mandatory consultation with UPSC already exists.

These instructions should be widely circulated for strict compliance.

Please acknowledge receipt.

(Hindi Version will follow)

(K Shankar)
Deputy Director Establishment(D&A)
Railway Board

No. E(D&A)2003/RG 6-5 New Delhi, dated 19.2.2003

Copy to:

Chief Safety Officer, All Indian Railways.

(K. Shankar)
Deputy Director Establishment(D&A)
Railway Board

No. E(D&A)2003/RG 6-5 New Delhi, dated 19.2.2003

Copy to:

1. The General Secretary, AIRF,4, State Entry Road, New Delhi (with 35 spare copies)
2. The General Secretary, NFIR, 3, Chelmsford Road, New Delhi (with 35 spare copies)
3. All Members, Departmental Council & National Council and Secretary, Staff Side, National Council, 13-C, Ferozshah Road, New Delhi.
4. The Secretary General, IRPOF, Room No.268, Rail Bhawan, New Delhi (6 copies)
5. The Secretary General, FROA, Room No.256-A, Rail Bhawan, New Delhi (6 copies).
6. The Secretary RBSS Group 'A' Officers' Association, Room No.506, Railway Board.
7. M/s Bahri Brothers, 742, Lajpat Rai Market, Delhi-110 006, P.O. Box No.2032.

For Secretary/Railway Board

Copy to:

ERB-I, E(O) I, E(O) II, E(O) III, E(O) III/CC(WITH 2 SPARES), ERB-D, ERB-V, E(Rep) I, II & III, E(SCT) I & II, Vig.-I, E(G), E(GP), Confidential Cell, Security (E), Safety-I and PR Branches of Railway Board's Office.