



दक्षिण पूर्व मध्य रेलवे
South East Central Railway



मुख्यालय कार्मिक विभाग, प्रथम तल, महाप्रबंधक कार्यालय, बिलासपुर (छ. ग.) 495004
HEAD QUARTER PERSONNEL DEPARTMENT, 1st FLOOR, GM's OFFICE, BILASPUR (C.G.) 495004

सं. पी-एचक्यू/रूलिंग/रिक्रूटमेन्ट/37/7151

दिनांक:-27.09.2018

प्रति,
सर्व संबंधित

स्थापना नियम सं.-274/2018

विषय:-Termination of the LARSGESS Scheme in view of directions of Hon'ble High Court of Punjab and Haryana and the orders of Hon'ble Supreme Court of India in SLP (C) No. 508/2018 dated 08.01.2018.

रेल्वे बोर्ड के पत्र सं. E(P&A)I-2015/RT-43 दिनांक 26.09.2018, RBE No. 150/2018 की प्रति सूचना, मार्गदर्शन तथा आवश्यक कार्यवाही हेतु प्रकाशित की जा रही है। बोर्ड के संदर्भित पत्र दिनांक 27.10.2017 को इस कार्यालय के पत्र क्र P-HQ/RUL/101/4/8610 dt.06.11.2017 के तहत प्रकाशित किया गया था।

उपरोक्त नियम दफ्तरे की अधिकारिक वेब-साइट <http://www.secr.indianrailways.gov.in> एवं CPO के share folder (10.206.2.18) पर निम्नलिखित लिंक पर उपलब्ध हैं:-

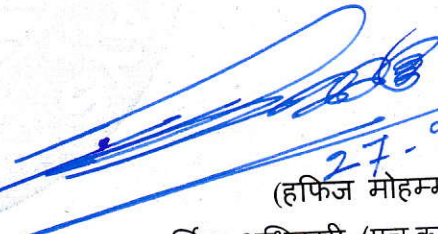
Web-site-

Home page—About us—Department—Personnel—Estt. Rules.

Share Folder-

Home page—html—Estt. Rules

संलग्न:- यथोक्त.


27-9-18
(हफिज मोहम्मद)
उप मुख्य कार्मिक अधिकारी (एच.क्यू.)
कृते प्रधान मुख्य कार्मिक अधिकारी

भारत सरकार/Government of India
रेल मंत्रालय/Ministry of Railways
रेलवे बोर्ड/Railway Board

274/2018
E/R No - ~~275/2018~~

R.B.E. NO. 150/2018

Dated: 26.09.2018

No. E(P&A)I-2015/RT-43

The General Managers,
All Indian Railways.

(Attn: CPOs)

Sub: Termination of the LARSGESS Scheme in view of directions of Hon'ble High Court of Punjab and Haryana and the orders of Hon'ble Supreme Court of India in SLP (C) No. 508/2018 dated 08.01.2018.

Ref: Board's letter of even number dated 27.10.2017.

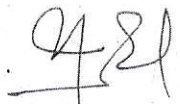
The Hon'ble Punjab and Haryana High Court in its judgement dated 27.04.16 in CWP No. 7714 of 2016 had held that the Safety Related Retirement Scheme 2004 (later renamed as the Liberalised Active Retirement Scheme for Guaranteed Employment for Safety Staff {LARSGESS}, 2010) "*prima facie does not stand to the test of Articles 14 and 16 of the Constitution of India.*" It had directed "*before making any appointment under the offending policy, let its validity and sustainability be revisited keeping in view the principles of equal opportunity and elimination of monopoly in holding public employment.*" Thereafter, in its judgement dated 14.07.17 (Review Petition RA-CW-330-2017 in CWP No. 7714 of 2016), the Hon'ble High Court reiterated its earlier direction and stated "*such a direction was necessitated keeping in view the mandate of the Constitution Bench in State of Karnataka Vs. Uma Devi, (2006) 4 SCC 1.*"

1.1 In the Appeal against the judgement of the Hon'ble High Court of Punjab & Haryana, the Hon'ble Supreme Court of India, while disposing of the SLP (C) No. 508/2018 vide its order dt. 8.01.18, declined to interfere with the directions of the High Court.

2. In compliance with the above directions, Ministry of Railways have revisited the scheme duly obtaining legal opinion and consulted Ministry of Law & Justice. Accordingly, it has been decided to **terminate the LARSGESS Scheme w.e.f. 27.10.2017 i.e. the date from which it was put on hold. No further appointments should be made under the Scheme except** in cases where employees have already retired under the LARSGESS Scheme before 27.10.17 (but not normally superannuated) and their wards could not be appointed due to the Scheme having been put on hold in terms of Board's letter dated 27.10.17 though they had successfully completed the entire process and were found medically fit. All such appointments should be made with the approval of the competent authority.

3. Please acknowledge receipt.

Hindi version will follow.


(N P Singh)
Joint Director/E(P&A)
Railway Board