



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/रूनिंग/प्रमोशन (GAZ)/ 04/7267 दिनांक:-04.10.2018

प्रति,
सर्व संबंधित

स्थापना नियम सं.-283/2018

विषय:-Clarification to Zonal Railways following decision of Hon'ble Supreme Court in SLP (C) No. 222444/2017, in Prabhat Ranjan Singh & Anr. Vs. R. K. Kushwaha & Ors.

रेल्वे बोर्ड के पत्र सं. E(O)/2014/SR-6/11CCpt. दिनांक 10.09.2018 की प्रति सूचना, मार्गदर्शन तथा आवश्यक कार्यवाही हेतु प्रकाशित की जा रही है। बोर्ड के संदर्भित पत्र को निम्नानुसार स्थापना नियम के तहत प्रकाशित किया गया था:-

क्र.	रेल्वे बोर्ड का पत्रांक, आरबीई एवं दिनांक	स्थापना नियम संख्या
1	RBE No. 33/2018	84/2018

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.

(हफिज मोहम्मद)
उप मुख्य कार्मिक अधिकारी (एच.क्यू.)
कृते प्रधान मुख्य कार्मिक अधिकारी



Government of India
Ministry of Railways
(Railway Board)

E/R NO. - 283/2018



No.E(O)I/2014/SR-6/11CCpt.

New Delhi 10.09.2018.

The General Managers,
All Indian Railways/PUs
The Director Generals./Training Institutes.

Sub: Clarification to Zonal Railways following decision of Hon'ble Supreme Court in SLP(C) No. 22444/2017, in Prabhat Ranjan Singh & Anr. Vs. R K Kushwaha & Ors.

Hon'ble Supreme Court vide their order dated 07.09.2018 have decided the above SLP. the operative part of the same is as under:-

-: we have clearly held that there was no challenge to Rule 334 in the original application and such a challenge cannot be countenanced or entertained either in contempt proceedings or on behalf of the respondents while defending the appeal in this Court. We make it clear that we have not expressed any opinion on the rival contentions of the parties on this issue.
34. The situation as on date is that rules have been amended. These rules have to be implemented. Neither the promotees nor the direct recruits have challenged these rules. We are therefore not going into other issues raised by the parties.
35. We dispose of the appeal by holding that the CAT had only directed that instead of "DITs", the ' year of allotment' should be the determining factor/criteria for determining the inter se seniority. We further hold that there was neither any challenge to Rule 334 of the IREM Vol. 1 in the original application nor did the CAT go into this issue. We accordingly uphold the order dated 02.04.2018 passed by the CAT, Patna Bench dismissing the contempt petition filed by the direct recruit Mr. R K Kushwaha. Consequently, the Transferred Case No. 52/2018 ie. Writ Petition being CWJC No. 6489/2018 before the Patna High Court is dismissed.
36. Applications for intervention/impleadment are rejected.
37. The contempt petition and all pending applications shall also stand disposed of.

In view of the above decision of the Hon'ble Supreme Court Ministry of Railways have decided that all the Zonal Railways /PUs should now act strictly in pursuance of the revised Rule(RBE No. 33/2018 dated 05.03.2018) and all promotions to Senior Scale and Junior Administrative Grade should be made strictly in conformity with the revised seniority list dated 09.03.2018. It has also been decided the Zonal Railways should make extensive use the judgment of Hon'ble Supreme Court to get any pending cases vacated.

84/2018

(S K Singh)
Under Secretary (D&A)
Railway Board