3 pages

पूर्वोत्तर रेलवे

कार्यालय
महाप्रबन्धक (कार्मिक)
गोरखपुर।

ई0पी0सं0–11-07
क्रमांक–160/2018
आरबीई सं0–150/2018 एवं 151/2018
सं0 का/91/3/भाग–2/चार

दिनांक22–10–2018

सचिव/महाप्रबन्धक
सचिव/अपर महाप्रबन्धक
सभी विभागाध्यक्ष
सभी मण्डल रेल प्रबन्धक
सभी कार्मिक अधिकारी
सभी मुख्य कारखाना प्रबन्धक
सभी अतिरिक्त मण्डलाधिकारी/स्थापना
पूर्वोत्तर रेलवे।

विषयः–लारजेस (LARSGESS) योजना।

रेलवे बोर्ड के पत्र संख्या ई(पी एण्ड ए)।–2015/आरटी–43 दिनांक 20.09.2018 एवं 26.09.2018 की अंग्रेजी प्रतिलिपि सूचना, मार्गदर्शन एवं आवश्यक कार्यवाही हेतु संलग्न कर प्रेषित की जा रही है।

संलग्नक/यथोपरि

(आर0 के0 पाण्डेय)
सकाधि/मुख्या0–।।
कृते महाप्रबन्धक/कार्मिक

प्रतिलिपि निम्न को सूचनार्थ एवं आवश्यक कार्यवाही हेतु प्रेषित :–

1– महामंत्री/एन.ई.रेलवे मजदूर यूनियन/गोरखपुर – 40 प्रतियों में।
2– महामंत्री/प्रमोटी अधिकारी संघ/पूउरे/गोरखपुर – 02 प्रतियों में।
3– महामंत्री/रेसुब एशोसियेशन/पूउरे/गोरखपुर – 02 प्रतियों में।
4– पूर्वोत्तर रेलवे प्रथम श्रेणी अधिकारी संघ/गोरखपुर – 01 प्रति में।
5– महामंत्री/एससी/एसटी एवं ओबीसी एशोसियेशन/गोर0–02 प्रतियों में।
6– मुकार्याधी/एमपीपी को बेबसाइट पर अपलोड हेतु – 01 प्रति में।

कृते महाप्रबन्धक/कार्मिक

GOVERNMENT OF INDIA
MINISTRY OF RAILWAYS
RAILWAY BOARD

RBE No: 151/2018

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

New Delhi, dated 28.09.2018

The General Managers,
All Indian Railways.

(Attn: CPOs)

Sub: LARSGESS Scheme.

Ref: (1) Board's letter of even number dated 27.10.2017
(2) Board's letter of even number dated 26.09.2018

****

In supersession to Railway Board's letter No. E(P&A)I-2015/RT-43 dated 26.09.2018, it is stated that while the LARSGESS Scheme continues to be on hold with effect from 27.10.2017 on account of various court cases, to impart natural justice to the staff who have already retired under LARSGESS scheme before 27.10.2017 (but not naturally superannuated) and appointment of whose wards was not made due to various formalities, appointment of such of the wards/candidates can be made with the approval of the competent authority.

2. Pleas acknowledge receipt.

3. Hindi version will follow.

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

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

Dated: 28.09.2018

Copy forwarded to:-

1. The General Secretary, AIRF, R.No.253, Rail Bhawan, New Delhi.(with 35 spares).
2. The General Secretary, NFIR, R.No.256-E, Rail Bhawan, New Delhi.(with 35 spares).
3. The Members of the National Council, Departmental Council and Secretary, Staff Side, National Council, 13-C, Ferozeshah Road, New Delhi.(with 60 spares).
4. The Secretary General, FROA, R.No.256-A, Rail Bhawan, New Delhi.(with 5 spares).
5. The Secretary, RBSS, Group 'A' Officer Association, R.No.402, Rail Bhawan (with 5 spares).
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 OBC Railway Employee's Association.

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

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