



कार्यालय महाप्रबन्धक (कार्मिक), पूर्वोत्तर रेलवे / गोरखपुर-273012
Office of the General Manager (P), N. E. Railway Gorakhpur-273012

क्रमांक-19

आर.बी.ई. सं.- NIL

File No: NER-HQ0PERS(POLI)/6/2023-O/o SPO/HQ/HQ/NER(Computer No: 86343) दिनांक 12.02.2024

सचिव / महाप्रबन्धक

सचिव / अपर महाप्रबन्धक

सभी विभागाध्यक्ष

सभी मण्डल रेल प्रबन्धक

सभी कार्मिक अधिकारी

सभी मुख्य कारखाना प्रबन्धक

सभी अतिरिक्त मण्डलाधिकारी / स्थापना

पूर्वोत्तर रेलवे

विषय : Adequacy of penalty in Vigilance cases involving serious offences.

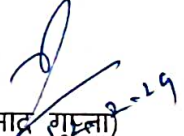
सन्दर्भ :- महाप्रबंधक / सतर्कता का पत्र सं. Z/13/SS/G-42/2

दिनांक 07.02.2024

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महाप्रबंधक / सतर्कता का पत्र सं, Z/13/SS/G-42/2 दिनांक 07.02.2024 की प्रतिलिपि सूचना, मार्ग दर्शन एवं आवश्यक कार्यवाही हेतु संलग्न कर प्रेषित की जा रही है ।

संलग्नक / यथोपरि


(गोपाल प्रसाद गुप्ता)
वकाधि / मुख्या.
कृते महाप्रबन्धक / कार्मिक

प्रतिलिपिनिम्नलिखित को सूचनार्थ एवं आवश्यक कार्यवाही हेतु प्रेषित :-

- 1) महामंत्री / एन.ई. रेलवे मजदूर यूनियन / गोरखपुर।
- 2) महामंत्री / प्रमोटी अधिकारी संघ / पूर्वोत्तर रेलवे / गोरखपुर।
- 3) पूर्वोत्तर रेलवे प्रथम श्रेणी अधिकारी संघ / गोरखपुर।
- 4) महामंत्री / एस.सी. / एस.टी. एवं ओबीसी एशोसियेशन / गोरखपुर।


कृते महाप्रबन्धक / कार्मिक

पूर्वोत्तर रेलवे
NORTH EASTERN RAILWAY

Office of the
General Manager/Vigilance
Gorakhpur : 273012

Dated : 07.02.2024



No. Z/13/SS/G-42/2

**ALL PHODs,
ALL DRMs,
N.E.Railway.**

Sub : Adequacy of penalty in Vigilance cases involving serious offence.

Part III of Discipline and Appeal Rules 1968 contains the following on quantum of punishment :-

“In case of persons found guilty of possessing assets disproportionate to known sources of income or found guilty of having accepted or having obtained from any person any gratification, other than legal remuneration, as a motive or reward for doing or forbearing to do any official act, one of the penalties specified in clauses (viii) or (ix) shall ordinarily be imposed and where such penalty is not imposed, the reasons therefor shall be recorded in writing” (Clause (viii) and (ix) are Removal from service and Dismissal, respectively).

Further, Railway Board letter No. 98/V-1/Meet/4/1 dated 08.09.1998 contains as below :-

“In case of fraud, forgery, permanent misappropriation of Govt. money, trap cases and assault on Vigilance officials, one of the following Major Penalties should normally be imposed.

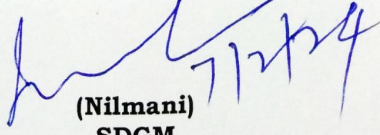
- (a) Dismissal
- (b) Removal from service
- (c) Compulsory retirement (when superannuation is at least five years away).

Theses penalties are also specified in the Railway Servants (D&A) Rules, 1968 and in case such a penalty is not imposed, the reasons thereof shall be recorded in writing.”

It is being observed that the disposal of a large number of DAR cases arising out of Vigilance Investigation is not being done in accordance with the above rules/instructions and inadequate penalty is being imposed by the Disciplinary Authority in cases involving serious offence. In most of such cases it has been found that in spite of the charges having been proved in DAR Inquiry, inadequate penalty has been imposed without giving any justification by the Disciplinary Authority.

Imposition of inadequate penalty sends an undesirable message among the railway officials, undermining the fight against corruption.

It is requested that the Disciplinary/Appellate Authority of your Unit are sensitized on the above.


(Nilmani)
SDGM

Copy to : 1. Secy to GM/NER for kind information of GM.
2. AGM/NER for kind information.