भारत सरकार **GOVERNMENT OF INDIA**

रेल मंत्रालय **MINISTRY OF RAILWAYS** RB.No 203|2019

(रेलवे बोर्ड RAILWAY BOARD)

No.E(NG)I/2019/PM 2/18 CC

New Delhi, dated November 26.11 2019

The General Managers
All Zonal Railways &
Production Units.
(as per standard mailing list)

Sub: **Relieving of Railway employees in time after order for transfer in cases of request transfer.**

As the Railway administrations are aware, instructions already exist which provide that in cases of request transfer, the requests should be dealt with in an organized and expeditious manner so that there is no occasion for any grievance in the mind of the staff in regard to the handling of their request.

It has been observed that despite the existence of such instructions, due to administrative exigencies, it sometimes becomes difficult to relieve the transferred employee within a reasonable time, which results in loss of seniority to the employee in his new place of posting. The loss is even greater when he goes to posts one grade below, and new recruits from subsequent batches join before him.

The loss in seniority in such cases resulting from delayed relieving of the employee often leads to litigation, and strictures passed by Hon'ble Courts.

In one such case recently, the Hon'ble CAT/Chennai in OA No.751/2019 and other similar OAs, vide their common order dated 05.07.2019, inter-alia observed as under:-

Since it is submitted by the counsel for the applicants that IREC is silent on the above issue and accordingly there is a void in this regard in the policy, we deem it appropriate to direct the first respondent to consider the concern raised in the OAs as a policy issue and take an appropriate decision on whether and if so, how the interests of such transferred employees should be protected in regard to their seniority at least from the date from which they were approved for IRT, if they could not be relieved soon thereafter in public interest. Such policy decision may be taken and orders issued within a period of six months from the date of receipt of a copy of this order."

The matter has accordingly been considered in the Board. While it may not be desirable/feasible to assign seniority to transferred employee in the new unit from the date of approval of the transfer, when the employee is still actually working in the parent unit, every effort should be made to relieve her/him at an early date. Where delay in relieving of the employee after orders are issued exceeds/is likely to exceed 3 months, the case should be put up by Sr.DPO/WPO to DRM/CWM as the case may be giving specific reasons for the delay and likely date of relief.

Please acknowledge receipt.

(D. Joseph)
Jt. Director Estt.(N)I
Railway Board

No.E(NG)I/2019/PM 2/18 New Delhi, dated November 26.11, 2019

Copy forwarded to:-

1. The General Secretary, AIRF, Room No.253, Rail Bhawan, New Delhi (35 copies).
2. The General Secretary, NFIR, Room No.256-E, Rail Bhawan, New Delhi (35 copies).
3. All Members/Departmental Council & National Council & Secretary/Staff Side, National Council, 13-C, Ferozeshah Road, New Delhi (60 spares).
4. The Secretary General, FROA, Room No.256-A, Rail Bhawan, New Delhi (5 spares).
5. The Secretary General, IRPOF, Room No.268, Rail Bhawan, New Delhi (5 spares).
6. The General Secretary, AIRPFA, Room No.256-D, Rail Bhawan, New Delhi-110001.
7. The Secretary, RBSS Group 'A' Officers Association, Rail Bhawan, New Delhi.
8. The Secretary, RBSS Group 'B' Officers Association, Rail Bhawan, New Delhi.
9. The Secretary, Railway Board Ministerial Staff Association, Rail Bhawan, New Delhi.
10. The Secy., Rly. Board Group 'D' Employees Association, Rail Bhawan, New Delhi.
11. The Secy., Rly. Board Promotee Officers Association, Room No.341-C, Rail Bhawan, New Delhi.
12. Chief Commissioner of Railway Safety, Lucknow.
13. Adviser (Safety), Railway Board, New Delhi.
14. The Director General & Ex Officio General Manager, RDSO, Lucknow.
15. RLDA, Near Safdarjung Railway Station, Motibagh-1, New Delhi-110021.
16. DFCCIL, 5th Floor, Pragati Maidan, Metro Station Complex, New Delhi-110001.
17. Office of Chief Administrative Officer, Indian Railways(Workshop Projects), Chamber Bhawan, Judge's Court Road, Anta Ghat, Patna-800001, Bihar.
18. The Chief Mechanical Engineer, Indian Railways Organisation For Alternate Fuels, 12th Floor, Core-1, Scope Minar, District Centre, Laxmi Nagar, Delhi-92.
19. Genl. Secy., All India SC & ST Rly Employees Association, Rail Bhawan, New Delhi.
20. President/RBSS Gr. 'A' Officer Association, Room No.370, Rail Bhavan, New Delhi.
21. Genl.Secy, Rly.Board Non-Ministerial Staff Association, Room No.42, Rail Bhavan, New Delhi.
22. CAO, Indian Railways Organisation for Alternative Fuels, 12th floor, Core-I, SCOPE Minar, District Centre, Laxmi Nagar, New Delhi – 110009.
23. Chairman, Technology Mission for Indian Railways (TMIR), Room No.218, Rail Bhawan, New Delhi-110001.
24. Chairman, Advisory Group of Experts (AGE), Room No.218, Rail Bhawan, New Delhi-110001.
25. The Convener Member, Advisory Group of Experts, Room No.218, Rail Bhawan, New Delhi-110001.

for **Secretary/Railway Board**

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PSs to MR, MoS(G), MoS(S),

PPSs to CRB, FC, MS, MRS, MT, MTR, ME, MMM, Secretary, DG(P), DG(S&T), DG/RHS and DG/RPF.

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