



भारतीय रेन / Indian Railways बनारस रेलइंजन कारखाना Banaras Locomotive Works



वाराणमी - 221004, भारत / Varanasi - 221004, India

D&AR-16

Office: General Manager(P)

Dated: 24.07.2024

No- GM(P)/ER/D&AR/Pt-i

All Concerned BLW/Varanasi & Sealdah /BLW Camp office New Delhi.

Sub:- Railway Servants (Discipline and Appeal) Rules, 1968- Choice of redred Railway servant as Defence Helper – Conditions regarding.

Reference above a copy of Railway Board's Letter No. E(D&A) 2019 RG6-1, dated 16.07.2024, RBE No.57/2024 is forwarded herewith for information and guidance.

DA-02 Page.

Assistant Personnel officer/Works

Copy for kind information:-PCEE, PCME, PFA, PCE, PCMM, PCMO, PCSC, PCPO, CVO

Copy for information:-

1. Sports officer.

2. Join Secretary and staff council members.

3. Secretary SC/ST Association.

4. Secretary, RREA/BLW.

5. Ch. OS/D&AR.

For General Manager(P)

GOVERNMENT OF INDIA (भारत सरकार) MINISTRY OF RAILWAYS (रेल मंत्रालय) RAILWAY BOARD (रेलवे बोर्ड)

No. E(D&A) 2019 RG6-1

RBE No. 57/2024 Date: | 6 .07.2024

The General Manager,
All Zonal Railways and Production Units etc.
(As per standard list)

Sub: Railway Servants (Discipline and Appeal) Rules, 1968 - Choice of retired Railway servant as Defence Helper - Conditions regarding

In terms of Rule 9(13)(b) of Railway Servants (Discipline and Appeal) Rules, 1968, a Railway servant involved in a disciplinary proceedings may present his case with the assistance of a retired Railway servant subject to such conditions as may be specified by the President from time to time by general or special order in this behalf.

- 2. Pursuant to the above provisions, such conditions were laid down vide instructions contained in letter No. E(D&A) 92 RG6-148 dated 5.11.1992 read with letter No. E(D&A) 2002 RG6-13 dated 14.5.2003.
- 3. In supersession of all such instructions, it has now been decided, with the approval of the President, that a Railway Servant may present his case with the assistance of a retired Railway Servant, subject to satisfaction of the following conditions:-
 - (i) The person whose assistance has been sought by the charged Railway Servant should have retired from a railway service, irrespective of the Railway Administration from which he has retired;
 - (ii) If the retired Railway servant is also a legal practitioner, the restrictions on engaging a legal practitioner by a delinquent Railway servant to present the case on his behalf, contained in rule 9 (13) of Railway Servants (Discipline and Appeal) Rules, 1968 would apply;

- (iii) The retired Railway servant concerned should not have, in any manner, been associated with the case at investigation stage or otherwise in his official capacity; and
- (iv) The retired Railway servant concerned should not act as a defence helper in more than seven cases at a time. Such a retired Railway servant should satisfy the inquiring authority that he does not have more than seven cases at hand including the case in question.
- 4. Please acknowledge receipt.

(Harish Chander) Director/Estt.(D&A) Rallway Board

Copy forwarded for information:

- 1. The General Secretary, AIRF, 4 State Entry Road, New Delhi (with 35 spares).
- 2. The General Secretary, NFIR, 3 Chelmsford Road, New Delhi (with 35 spares).
- 3. All Members, Departmental Council & National Council and Secretary, Staff Side, National Council, 13-C Ferozshah Road, New Delhi (with 60 spares).
- 4. The Secretary General, FROA, Rail Bhavan, New Delhi (with 6 spares).
- 5. The Secretary General, IRPOF, Rail Bhavan, New Delhi (with 6 spares).
- 6. The Secretary, RBSS 'Group A Officers' Association', Rail Bhavan, New Delhi.
- 7. The Secretary, RBSS 'Group B Officers' Association.
- 8. The Secretary, Railway Board Ministerial Staff Association.
- 9. The Secretary, Railway Board Group D Employees Association.
- 10. The Secretary, RBSSS Officers Association, Rail Bhavan, New Delhi.
- 11. The Secretary General, AIRPFA, Room No. 256-D, Rail Bhavan, New Delhi.
- 12. The General Secretary, All India SC/ST Railway Employees Association, Room No.8, Ground Floor, Rail Bhavan, New Delhi-110001.

For Principal Executive Director (IR), Railway Board

No. E(D&A) 2019 RG6-1

New Delhi, dated: 16 .07.2024

Copy forwarded for Information to:

1. The DAI (Railways), New Delhi (with 40 copies).