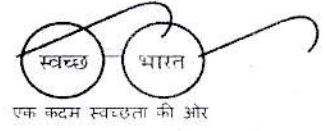




दक्षिण पूर्व मध्य रेलवे
South East Central Railway



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/रुलिंग/एलएल & कोर्ट केसेस/०९/६९०१ दिनांक:-31.12.2019

प्रति,
सर्व संबंधित

स्थापना नियम सं.-353/2019

विषय:-Implementation of the Judgments by all departments of Railways-Circular letter dated 09.09.2019.

रेल्वे बोर्ड के पत्र सं. 2019/LC/MISC/6 दिनांक 17.12.2019 की प्रति सूचना, मार्गदर्शन तथा आवश्यक कार्यवाही हेतु प्रकाशित की जा रही है।

उपरोक्त नियम दफ्तरे की आधिकारिक वेब-साइट <http://www.secr.indianrailways.gov.in> एवं PCPO के share folder (10.206.2.18) पर निम्नलिखित लिंक पर उपलब्ध हैं:-

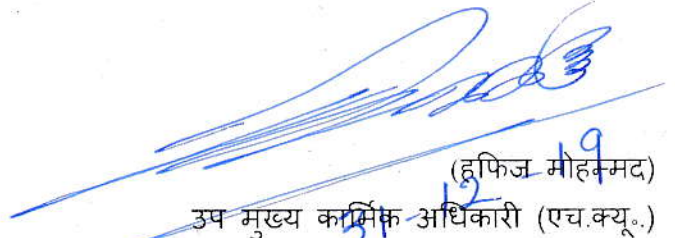
Web-site-

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

25/14
27/12/19
30

Juling PCPO

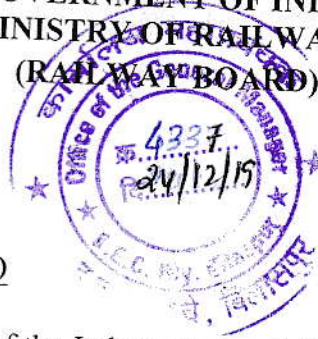
GOVERNMENT OF INDIA
MINISTRY OF RAILWAYS
(RAILWAY BOARD)

E/R No. - 353/2019

No. 2019/LC/MISC/6

New Delhi, dated: 17.12.2019

The General Manager,
All Indian Railways,
Production Units and RDSO



Sub: Implementation of the Judgments by all departments of Railways –
Circular letter dated 09.09.2019

Ref: GM/EC Railway Letter No. GM/Law/ECR/Policy dated 30.09.2019 and
GM, ECoR, Letter No. ECoR/BBS/LAW/MOCC/2019 DT. 4.11.2019.

A circular letter No. 2019/LC/Misc/6 dated 09.09.2019, on the above subject has been issued by the office of Legal Advisor, to all Zonal Railways/Production Units and RDSO. The need for issue of the above circular letter was felt since various Railway Departments were involved for implementation of an order of Hon'ble NCLT. Further, it had also been observed, on a few occasions that the judgments/orders given by Judicial Forums in a particular case are not being implemented by other departments of Railways or other Zonal Railways, on the plea that the judgment pertains to a particular department/Zonal Railway/PUs/RDSO only. This leads to unnecessary rounds of litigation and exhaustion of government resources generally in establishment matters.

In reference to above referred letters, it is clarified that judgments of the court are based on the facts, which have been contested before the Court and are complete in itself. The decision in the judgment itself reveals whether it is applicable 'in persona' or it is a 'judgment in rem'. The 'judgment in rem' should be implemented in toto, as per directives of Court/Judicial Forum in consultation with Railway Board, especially in Establishment and D&AR cases.

It has been made very clear in the above circular letter that the 'judgment in rem' has to be implemented 'on having attained finality'. The department concerned has to ascertain that all legal Forums/Channels have been invoked and approached before implementing the said judgment.

Issue as ER

(Signature)

(R.S.Verma)

Addr. Secy & Legal Adviser
Railway Board

APo (HQ)

No. 2019/LC/MISC/6

महाप्रबंधक
सादर अवलोकनार्थ प्रस्तुत

New Delhi, dated: 17.12.2019

Copy for information and necessary action to Dy. General Manager (Law)/Sr. Law Officer, All Zonal Railways/Production Units and RDSO.

मुकाधि/प्रसा.	मुकाधि/जी.सं.	
उपमुकाधि (मुखा.)	उपमुकाधि (भा.सं.धि.)	बकाधि (राज.)
बकाधि (मुखा.)	बकाधि (आर.पी.)	अध्यक्ष (रे.भ.प्र.)
सकाधि (मुखा.)	निजी राधिव-प्रमुकाधि	उपमुकाधि (निर्वाह)
प्रमुकाधि		

(A.Khatwani)

Dy. Legal Adviser
Railway Board

Author
All DMs

PCPO

Sr.L.O.

DM (HQ)

16.12.19
रवि/SECY