

6. The clarifications issued vide letter No. PC 65/PP-1, dated 18-9-1965 (except item 3) would apply *mutatis mutandis* in the above cases.

7. It has also been decided that clause (d) of para 3 of Board's letter No. PC60/PP/1/2, dated 25-5-1962 should also be deleted and pay should be fixed proforma on the basis as if this clause never existed in that letter. No arrears prior to 2-2-1966 should however be allowed.

Serial No. 3413.—Circular No. 220-E/O-13 (Eiv), dated 26-4-1966.

Sub.—Rate of stipend /pay and allowances admissible to serving railway servants during apprenticeship/training.

A copy of Railway Board's letter No.E(S)63CPC/45, dated 29-3-1966 is forwarded for information and guidance.

Copy of Railway Board's letter No. E(S) 63CPC/45, dated 29-3-1966.

Sub.—As above.

The following clarification is made regarding admissibility of stipend/pay and allowances to the serving railway servants during the period of apprenticeship/training :—

- (1) In cases where serving railway servants apply as direct recruits through Railway Service Commissions and have to undergo the same period of training as is given to outsiders, they would be governed by the provisions of Rule 2018-A (F.R. 22B)-RII.
- (2) In cases where serving railway servants are taken as departmental candidates and where the period of training is not the same as for outsiders but is less than the period prescribed for direct recruits, they should be treated as railway servants under training and their pay and allowances during the training period would be regulated under Rule (2015 F.R.-20)-RII.

Serial No. 3414.—Circular No. 3-E/162 (Adj), dated 28-4-1966.

Sub.—Overtime to staff employed in Electric Traction, Electric Car Sheds and Diesel Sheds beyond 48 hours.

A copy of Railway Board's letter No. E(LWA)66RG/1/1, dated 1-4-1966 is sent herewith for information and necessary action.

Copy of Railway Board's letter No. E(LWA)66RG/1/1, dated 1-4-1966.

Sub.—Overtime to staff employed in Electric Traction, Electric Car Sheds and Diesel Sheds beyond 48 hours.

In accordance with Board's extant orders, overtime is admissible at $1\frac{1}{2}$ of time the ordinary rate of pay for hours worked in excess of 48 hours per week to the staff employed in Loco Running Sheds, Carriage and Wagon Depots & Sick Sidings and staff of the Electrical Department working side by side in C&W

Depots and sick sidings in connection with the electrical works in the carriages. Consequent on the introduction of electric and diesel traction on Indian Railways, a point has been raised whether the staff employed in electric and diesel sheds should also be extended the benefit of overtime at $1\frac{1}{2}$ times of the ordinary rate of pay. The Board have carefully considered the matter and have decided that the benefit of overtime at $1\frac{1}{2}$ times of the ordinary rate of pay for hours worked in excess of 48 hours per week may also be extended to the maintenance staff of Electric Car and Diesel Loco Sheds. Past Cases dealt with otherwise than in accordance with these orders need not be reopened.

2. Incidentally, the Board have observed that on certain Railways, maintenance staff of the Electric Car Sheds are already being paid overtime at $1\frac{1}{2}$ times of the ordinary rate of pay for hours worked in excess of 48 hours per week though the same is not covered by the extant orders on the subject. It is felt that Board's specific prior approval should have been obtained before extending the benefit to these staff.

3. The orders in para 1 above have the sanction of the President.

Serial No. 3415—Circular No. 52-E/O/26-III E(D&A), dated 27-5-1966.

Sub.—Discipline and Appeal Rules—Procedure for imposition of penalties.

A copy of Railway Board's letter No. E(D&A)65 RG6-30, dated 19-3-1966 on the above subject is forwarded herewith for information and guidance. The Board's letter No. E(D&A)65RG6-17, dated, 21-4-1965 referred to therein was circulated under this office letter No.52E/O/26 (E & DA), dated 28-5-1965 (S. No. 2978).

Copy of Railway Board letter No. E(D&A) 65RG 6-30, dated 19-3-1966.

Sub.—As above.

Reference Board's letter No. E(D&A)65RG6-17, dated 21-4-1965 to the General Manager, Eastern Railway, copy endorsed to other Railway administrations, wherein it was, *inter alia*, stated that in those cases where a charge sheet has been issued for a major penalty in Standard Form No. 3, it would be in order to impose a minor penalty after considering the reply to the charge sheet, if so warranted.

The Board have re-considered the matter in consultation with the Ministries of Home Affairs and Law, in the light of certain recent judicial decisions, and, in partial modification of the instructions contained in their letter, dated 21-4-1965, referred to above, the Board have decided that in cases where a charge sheet for the imposition of a major penalty is issued as per Standard Form No. 3 and it is felt that the ends of justice would be met if a minor penalty is imposed on receipt of the written statement of defence, all that is necessary is for the competent authority to advise the accused employee of the proposal to impose the minor penalty and ask him what he has to urge against it, before the minor penalty is actually imposed. In those cases, however, where a charge sheet for a major penalty has been issued, defence obtained, an enquiry has been held and the Enquiry Committee has given its findings, it is permissible for the competent authority to impose a minor penalty in terms of the provisions of Rule 1714-R.I.