

be an employee of the Railway but his services had been lent to the Union by virtue of the deputation. Nothing has been shown to me to indicate that the deputation resulted in the termination of his employment with the Railway. Consequently during the period of deputation, he remained in the employment of the Railway and was, therefore, amenable to the disciplinary jurisdiction exercised over Railway employees.

X X X X X

The instant petition is dismissed.....

Serial No. 3454.—Circular No. 847-E/38-II(Eiv), dated 18-6-1966.

Sub.—Seniority of staff on transfer from one Division to another on a Railway from one Railway to another on personal request.

A copy each of Railway Board's letter No. E(NG)65SR6-31, dated 29-1-1966 and 1-4-1966 is forwarded for information and guidance. The Board's letter dated 30-9-1965 referred to therein was circulated under this office letter of even number dated 6-11-1965 (Serial No. 3218). It is further clarified that such Inter Railway/Inter Divisional transfers are to be set off against direct recruitment quota and not against promotee quota.

Copy of Railway Board's letter No. E(NG)65SR6-31, dated 1-4-1966, addressed to the General Managers, all Indian Railways etc. etc.

Sub.—As above.

Reference Board's letter No. E(NG)65SR6-31, dated 29-1-66. The Board have reconsidered the matter and have decided that it is not necessary for the staff, seeking transfers in intermediate grades from one Railway to another or from one Division to another on a particular Railway on personal request, to possess the educational qualifications laid down for direct recruitment. You may accordingly permit transfers being made.

2. Note (2) to para 12, of Chapter III of the Indian Railway Establishment Manual as introduced vide C.S. No. 138 may please be revised as in the advance C.S. sent herewith.

Indian Railway Establishment Manual Advance C.S. No. 140

Chapter III

Rule 12.—Note (2) below this Rule as introduced vide Advance Correction Slip No. 138 may be substituted as under :—

“The expression “relevant grade” applied to grades where there is an element of direct recruitment. Transfers on request from Railway employees working in such grades may be accepted in such grades. No such transfers should be allowed in the intermediate grades in which all the posts are filled entirely by promotion of staff from the lower grade (s) and there is no element of direct recruitment.”

Copy of Railway Board's letter No. E(NG)65SR6-31, dated 29-1-1966, addressed to all Indian Railways, etc.

Sub.—As above.

Reference Board's letter of even number dated 30-9-1965 on the above subject. It is further clarified that Inter-Railway or Inter-Divisional transfers on Personal request should not be allowed in such intermediate grades where there is no element of direct recruitment, all posts in such grades being filled entirely by promotions of staff in the lower grade (s).

The advance copy of correction slip to the Indian Railway Establishment Manual issued under Board's letter, dated 30-9-1965 referred to above may be substituted by the advance copy of correction slip (No. 138) sent herewith.

Indian Railway Establishment Manual Correction Slip No. 138

Chapter III

Rule 12.—Add the following as *Note 2* below this para and existing *Note* be renumbered as *Note 1*.

"The expression "relevant grade" applies to grades where there is an element of direct recruitment. Transfer on request from railway employees working in such grades may be accepted provided they fulfil the educational qualifications laid down for direct recruitment. No such transfers should be allowed in the intermediate grades in which all the posts are filled entirely by promotion of staff from the lower grade (s) and there is no element of direct recruitment."

Serial No. 3455.—Circular No. 831-E/8/1 (Eiv), dated 8-6-1966.

Sub.—Advance Correction Slip No. 221 to the Indian Railway Establishment Code, Vol. I.

A copy of Railway Board's letter No. F(P)65PF-1/30, dated 11-4-1966 together with advance correction slip No. 221 received therewith is forwarded for information and guidance.

Copy of Railway Board's letter No. F(P)65PF-1/30, dated 11-4-1966.

Sub.—Correction to the Indian Railway Establishment Code, Volume-I.

In exercise of the powers conferred by the proviso to Article 309 of the Constitution, the President is pleased to direct that Rule 1302 (8) of the Indian Railway Establishment Code, Volume I be amended as in the Advance Correction Slip No. 221-RI enclosed.

This amendment will take effect from 10-3-1964.