

**RAILWAY SECURITY FORCE (DISCIPLINE AND APPEAL)  
RULES, 1955**

CONTENTS

1. Short title and application
2. Definition
3. Conduct Rules
4. Penalties
5. Powers of Officers
6. Reprimands
7. Dismissal
8. Removal
9. Reduction to a lower post, etc
10. Withholding of increments
11. Suspension
12. Preliminary enquiry
13. Departmental enquiry
14. 14
15. 15
16. Orders to be communicated in writing
17. Record of penalties
18. Orderly Room
19. Appeals
20. Procedure for submission of appeals
21. 21
22. 22
23. Duties of Appellate Authorities
24. 24
25. Withholding of appeals
26. 26
27. Revision petition
28. 28
29. 29
30. 30

**RAILWAY SECURITY FORCE (DISCIPLINE AND APPEAL)  
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S.R.O. 866, dated 15th April, 1955 .-In exercise of the powers conferred by the proviso to Art. 309 of the Constitution, the President hereby makes the following rules, namely:-

**1. Short title and application :-**

(1) These rules may be called the Railway Security Force (Discipline and Appeal) Rules, 1955.

(2) These rules shall apply to the non-gazetted staff employed under the administrative control of the Chief Security Officer of the Railway Security Force.

## **2. Definition :-**

In these rules unless the context otherwise requires, "a member of the Railway Security Force" means a member of the non-gazetted staff employed under the administrative control of the Chief Security Officer of the Railway Security Forces or in offices subordinate to him.

## **3. Conduct Rules :-**

Without prejudice to the provisions of any law, for the time being in force relating to the conduct of Government' servants, or to the rules made under Cl. (e) of sub-section (1) of Sec. 47 of the Indian Railways Act, 1890 (Act IX of 1890), the conduct of members of the Railway Security Force shall be governed by the rules contained in Appendix XI of the Indian Railway establishment Code, subject to the condition that no member of the Railway Security Force shall enrol himself as a member of, or work for, or make any contribution directly or indirectly to, any Trade Union or Association except an Association composed entirely of the members of the Railway Security Force, which shall not affiliate itself to any other Union or Association whatsoever.

## **4. Penalties :-**

The following penalties may, for good and sufficient reasons and as hereinafter provided, be imposed upon members of the Railway Security Force, namely:-

(i) Censure;

(ii) Withholding of the privilege of passes and/or privilege ticket orders;

(iii) Fines;

(iv) Withholding of the increments or promotion including stoppage at an efficiency bar;

(v) Reduction to a lower post or time scale or to a lower stage in a time scale in so far as it is not inconsistent with the Payment of Wages Act, 1936 (IV of 1936), in respect of staff to whom it is

applicable;

(vi) Recovery from pay of the whole or part of any pecuniary loss caused to Government by negligence or breach or orders;

(vii) Suspension;

(viii) Removal from service;

(ix) Dismissal from service;

(x) Withholding of the whole or part of Provident Fund Contribution or Gratuity in accordance with the provisions of the State Railway Provident Fund and Gratuity Rules;

(xi) Reduction of withholding of the maximum Pension admissible under the rules;

(xii) Punishment drill or Sentry duty, limited to 15 days in the case of Havildars, Naiks and Sainiks. In addition, fatigue duty not exceeding 14 days in the case of Naiks and Sainiks only.

Note (1).-A Person can be discharged from service, if- (a) he is on probation; (b) he is engaged under contract for a specific period and this period has expired; (c) he is appointed in a temporary capacity otherwise than under a contract and if the discharge is in accordance with the general conditions of service applicable to temporary employment; (d) he is found to fall short of the requisite standard of physical fitness; (e) there is reduction of establishment; (f) he fails to qualify in duties or subjects as may be required by any competent authority; or (g) he is a temporary employee and remains absent without authority for more than three months; and such that discharge will not amount to removal or dismissal within the meaning of this rule : Provided that in cases covered by Note I (d), the employee shall be given an opportunity to show cause against such discharge. Note (2).-Non-selection to a selection post because of an unsatisfactory record does not amount to the withholding of promotion. If however, a member of the Railway Security Force is declared beforehand, as a disciplinary measure, to be ineligible for selection, this will amount to the withholding of promotion. Note (3).-Fatigue duty shall be restricted to the following tasks, namely :- (a) Cleaning of lines and barracks; (b) Cutting of grass and picking up of stones off parade grounds; (c) Drain digging, repairing of buildings and such other work. Note (4).-Dismissal precludes the member of the Railway Security Force dismissed from the Force being re-employed in Government Service, while removal from the force implies that, though the officer removed is unfit for employment under the Railway Security Force, he need not be debarred from re-employment under Government in another office for which he may be suitable.

## **5. Powers of Officers :-**

(a) the Railway Board or the General Manager of a Railway have full powers under these rules for the imposition of any of these penalties specified in rule 4 above on a member of the Railway Security Force.

(b) The Chief Security Officer may impose all the penalties specified in rule 4 above on all members of the Railway Security Force of and below the rank of Inspector, temporarily or permanently subordinate to him.

(c) A Security Officer may impose all the penalties specified in rule 4 above on all Class III and IV members of the Railway Security Force, temporarily or permanently subordinate to him except the penalties of dismissal or removal in the case of Sub-Inspectors and Inspectors. In all cases in which it is proposed to dismiss or remove an Inspector or Sub-Inspector, the matter shall be reported by the Security Officer concerned, to the Chief Security Officer for final orders;

(d) An Assistant Security Officer shall have powers to impose any of the penalties upto and inclusive of removal from service in the case of Havildars, Naiks and Sainiks. He shall also have powers to impose the penalties specified in sub-para. Nos.(i), (ii) and (iv) of rule 4 above on all members of Railway Security Force serving under him upto and inclusive of persons of the rank of Sub-Inspectors.

(e) An Inspector may award punishment drill upto a maximum of 3 days to Sainiks and Naiks posted under him, but before execution of this punishment, he must obtain the confirmation of the Assistant Security Officer concerned within three days.

## **6. Reprimands :-**

Punishments will be inflicted when they are absolutely necessary in the interest of discipline and before they are inflicted or proposed, the trying officer must consider whether a reprimand will not suffice. Petty misdemeanours in the case of a first and second offence will be entered in a Defaulters Book maintained by all the Officers-in Charge of Posts and signatures taken of the defaulters concerned.

## **7. Dismissal :-**

A member of the Railway Security Force shall be liable to be

dismissed from service in the following circumstances, namely :-

(i) conviction by a Criminal Court;

(ii) serious misconduct;

(iii) neglect of duty resulting in, or likely to result in, loss to Government, or danger to the lives of persons using the railway;

(iv) insolvency or habitual indebtedness;

(v) obtaining employment by concealment of his antecedents which would ordinarily have debarred him from such employment.

### **8. Removal :-**

A member of the Railway Security Force shall be liable to be removed from service in the following circumstances, namely :-

(i) any of the offences for which he may be dismissed under rule 7 above;

(ii) inefficiency;

(iii) repeated minor offences;

(iv) absence from duty or overstayal of sanctioned leave, without sufficient cause;

(v) incivility to the public: Provided that nothing in these rules shall abrogate the right of the General Manager, in exceptional circumstances, to remove a member of the Railway Security Force from service in terms of his agreement of conditions of service without application of the procedure prescribed in these rules and without assigning any reasons if he considers it desirable to do so.

### **9. Reduction to a lower post, etc :-**

When a member of the Railway Security Force is reduced for inefficiency or misconduct to a lower post or time scale or to a lower grade or to a lower stage in a time scale, the authority making orders shall mention the period for which it will be effective and/whether or not this period of reduction shall operate to postpone future increments or to effect his seniority and if so, to what extent.

### **10. Withholding of increments :-**

In cases of withholding of an increment, the authority passing the orders shall mention the period for which it is withheld and whether it shall have the effect of postponing future increments.

## **11. Suspension :-**

(a) A member of the Railway Security Force shall be placed under suspension in the circumstances detailed in Sec. III of the Appendix XXX of the Indian Railway Establishment Code.

(b) A member of the Railway Security Force, whose conduct is under:-

(i) departmental investigation on a charge, the maximum penalty for which is dismissal or removal from service; or

(ii) police investigation may also be placed under suspension at the discretion of the competent authority until his case has been finally decided. The period of suspension under this sub-rule shall not normally exceed 2 months except with the approval of the authority next above the authority passing orders of suspension,

## **12. Preliminary enquiry :-**

When an Assistant Security Officer thinks fit to take action on information given to him, or on his own knowledge that a member of the Railway Security Force subordinate to him is guilty of inefficiency or misconduct or any of the acts, mentioned in rule 7 and 8, he shall make or cause to be made by an officer senior in rank to the party charged, a preliminary enquiry, and on the conclusion of this enquiry, he will decide whether further action is necessary, and if so, whether the party charged should be departmentally tried or prosecuted in a Court of Law.

## **13. Departmental enquiry :-**

After the preliminary enquiry, if the trying officer decides to hold a departmental enquiry, the following procedure shall be adopted :-

(a) A charge-sheet shall be presented to the member of the Railway Security Force detailing the charge or charges against him and calling upon him to show cause why he should not be dismissed or removed from service or punished with any of the lesser penalties specified in rule 4 above. He shall be required to submit a written explanation by a fixed date, which shall ordinarily allow him an interval of seven clear days in respect of major penalties of dismissal, removal from service and three days in respect of other penalties specified in rule 4 above, from the date he receives the charge-sheet. If the member of the Railway Security Force is illiterate or semi-literate, the charge-sheet shall be read out and explained to him by a Gazetted Officer or a selected

senior non-gazetted member of the Railway Security Force, who shall record the explanation of the accused employee;

(b) the charge-sheet with the explanation furnished by the member of the Railway Security Force concerned shall be considered by the officer competent to impose the appropriate penalty under the rules, who unless he takes steps for holding a departmental enquiry, shall thereupon pass such orders as he thinks fit;

(c) in cases of dismissal or removal from service if the accused asks to be heard in person or if the competent authority considers that the accused should be examined in person, he shall cause a departmental enquiry to be held. The officer or the Committee of enquiry shall give the accused all reasonable facilities for the conduct of his defence including the cross-examination of witnesses;

(d) at such an enquiry a definite charge in writing shall be framed and explained to the accused in respect of each offence which has not been admitted by him, and the evidence in support of it, as well as his defence, along with any evidence which he may adduce in his defence, shall be recorded in his presence: Provided that for special reasons to be recorded in writing, the officer or the Committee of enquiry may refuse to call any witness suggested by the accused and may decide that the evidence of any witness should be taken and recorded otherwise than in the presence of the accused.

(e) The result of the departmental enquiry, with the recommendations of the officer or the Committee holding the enquiry shall be placed before the officer competent to pass the appropriate penalty of dismissal, or removal, under the rules in this section, who shall thereupon pass such orders as he thinks fit: Provided that a member of the Railway Security Force shall also be given a further opportunity to show cause against the specific penalty of dismissal, removal from service or reduction in rank, tentatively proposed to be imposed on him either on the basis of the Departmental Enquiry or otherwise.

(f) notwithstanding anything contained in the foregoing clauses of this rule, no formal enquiry is necessary when the order of dismissal or removal is passed on the basis of facts or conclusions arrived at by a judicial trial or trial by a Court Martial or when the accused is absconding.

Note.-In cases where a departmental enquiry is held to investigate charges against employees consisting of both members of the Railway Security Force and other non- gazetted railway staff, the appropriate competent authority will have discretion in respect of the constitution of the enquiry committee as well as the procedure to be followed.

**14. 14 :-**

A member of the Railway Security Force may, if so requested by him, be permitted to be accompanied by another member of the Railway Security Force of and below the rank of Sub-Inspector, to defend him during the departmental enquiry.

**15. 15 :-**

All or any of the functions exercisable by an Assistant Security Officer under these rules may be exercised by an officer of the Railway Security Force, superior to an Assistant Security Officer.

**16. Orders to be communicated in writing :-**

Every order imposing a penalty on a member of the Railway Security Force shall be communicated in writing.

**17. Record of penalties :-**

The authority imposing any penalty under these rules shall maintain a record showing-

- (a) the offences with which the individual in question was charged;
- (b) his defences, if any;
- (c) the evidence taken, if any;
- (d) the finding and reasons therefor; and
- (e) the penalty imposed.

**18. Orderly Room :-**

Reports of petty breaches of discipline or of trifling cases of misconduct by members of the Railway Security Force not above the rank of Havildar, will, as far as possible, be enquired into and disposed of in Orderly Room held by Assistant Security Officers at important stations atleast once a fortnight. For this purpose, an Orderly Room registered with suitable heading as shown ,in the form appended to these rules, will be maintained at each of these stations and all proceedings taken in this connection will be entered in it, the first five columns of this register being filled up by the officer-in-charge who will also be responsible for attendance of the

party charged. Any member of the Railway Security Force, will be free to attend the Orderly Room to make a personal application or representation, provided that he can be spared from duty and intimates his intention in writing to the officer to whom he is immediately subordinate. If that officer is satisfied that the applicant is entitled to a personal hearing, he must initial the intimation and instruct him to attend the Orderly Room with it, but if he withholds permission, he must report his reasons in writing to his Assistant Security Officer.

### **19. Appeals :-**

(a) When any of the penalties specified in rule 4 is imposed on a member of the Railway Security Force, an appeal shall lie to the authority next above that imposing the penalty. The General Manager of a Railway shall be deemed to be the authority next above the Chief Security Officer of that Railway for this purpose.

(b) An appeal shall lie to the Railway Board only on an original order passed by the General Manager of a Railway.

(c) In cases of penalties specified in sub-para (xii) of rule 4, the appeal must be preferred within 3 days of the actual date of award and in other cases within one month from the date on which the appellant was informed of the order imposing a particular penalty against which the appeal is preferred.

(d) When an appellate authority imposes a higher penalty than the one appealed against, a second appeal shall lie to the authority next above such appellate authority, provided that no such second appeal shall lie if the higher penalty imposed by the appellate authority is within the competence of the authority who imposed the original penalty on the member of the Railway Security Force.

### **20. Procedure for submission of appeals :-**

Every person preferring an appeal under these rules shall do so separately and in his own name.

### **21. 21 :-**

Every appeal preferred under these rules shall be complete in itself and contain all material statements and arguments relied on by the appellant. But it must not contain any disrespectful or improper language,

### **22. 22 :-**

Every such appeal shall be addressed to the authority to whom the appeal lies through the authority from whose order the appeal is preferred and shall be submitted through the usual official channel.

**23. Duties of Appellate Authorities :-**

The appellate authority shall consider- (a) whether the facts on which the order was based have been established; (b) whether the facts established afford sufficient ground for taking action; and (c) whether the penalty imposed is adequate, inadequate or excessive.

**24. 24 :-**

(a) The authority to whom an appeal lies under these rules shall decide it himself and shall pass such orders on the appeals as he thinks fit.

(b) If the appellate authority proposes to enhance the penalty imposed by a subordinate authority, he shall, before passing such orders, ensure that the procedure prescribed in the above rules as being necessary before such penalty may be imposed, is or has been complied with.

**25. Withholding of appeals :-**

An appeal may be withheld by an authority not lower than the one from whose order it is preferred if-

(a) it is an appeal in a case in which under these rules no appeal lies; or

(b) it is not preferred within the prescribed period and no reasonable cause is shown for the delay; or

(c) it does not comply with the provisions of rule 20 , rule 21 , rule 22 above; or

(d) it is a repetition of a previous appeal and no new facts or circumstances are adduced which afford grounds for re-consideration of the case. Provided that:

(a) when an appeal is withheld, the appellant shall be informed of the fact and the reasons for it;

(b) a list of appeals, if any, withheld, with the reasons for withholding them, shall be submitted quarterly by the withholding authority to the appellate authority: Provided also that an appeal withheld only on account of failure to comply with the provisions of rule 20 , rule 21 , rule 22 above may be re-submitted at any time

within one month of the date on which the appellant is informed of the withholding of his appeal.

**26. 26 :-**

No appeal shall lie against the withholding of an appeal by a competent authority.

**27. Revision petition :-**

A member of the Railway Security Force, who is a Class III employee, and who has been dismissed or removed from service, may after his appeal to the appropriate appellate authority has been disposed of, and within two months thereafter, apply to the General Manager for revision of the penalty imposed on him. In this application, he may, if he so chooses, request the General Manager, to refer the case to the Railway Rates Tribunal for advice before he disposes of it. On receipt of such a request the General Manager shall refer the case to the President of the Railway Rates Tribunal for advice sending him all relevant papers : Provided that the procedure mentioned above will not apply in cases where the General Manager of a Railway or the Railway Board is the appellate authority.

**28. 28 :-**

(a) The Railway Board, or a General Manager, or a Chief Security Officer shall have the power on their own motion or otherwise, to revise any orders passed by an authority subordinate to them.

(b) When any of the authorities referred to in (a) above, proposes to enhance the penalty imposed on a member of the Railway Security Force, otherwise than as a result of an appeal preferred to him, he shall communicate his intention to the accused concerned, with the reasons therefor, and call upon him to show cause why this enhanced penalty should not be imposed. After considering the reply of the individual concerned to this communication, he shall pass such orders as he thinks fit.

**29. 29 :-**

The Head of the Railway Security Force may, in respect of all non-gazetted members of the Railway Security Force make subsidiary rules, not inconsistent with these rules for the purpose of giving effect to them.

**30. 30 :-**

Nothing in these rules-

(a) shall be deemed to preclude the President from revising whether on his own motion or otherwise any order passed under the said rules by any subordinate authority, or

(b) shall operate to deprive a member of the Railway Security Force of his right of submitting a petition to the President permissible under the rules contained in Appendix XV of the Indian Railway Establishment Code, Volume 1.