

## **VICE CHAIRMAN (SELECTION AND APPOINTMENT) RULES, 2007**

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## **VICE CHAIRMAN (SELECTION AND APPOINTMENT) RULES, 2007**

G.S.R.5(E).--In exercise of the powers conferred by Section 4C read with Section 198 of the Railways Act, 1989 (24 of 1989), the Central Government hereby makes the following rules, namely :--

### **1. Short title and commencement :-**

- (1) These Rules may be called the Vice Chairman (Selection and Appointment) Rules, 2007.
- (2) They shall come into force on the date of their publication in the Official Gazette.

### **2. Definitions :-**

In these Rules unless the context otherwise requires,-

- (a) "Act" means the Railways Act, 1989 (24 of 1989);
- (b) "Authority" means the Rail Land Development Authority constituted under Section 4A of the Act.
- (c) "Central Government" means the Ministry of Railways.
- (d) "Higher Administrative Grade" means the Government of India's salary grade of Rs.22400-24500 per mensem.
- (e) "Railway Board" means the Railway Board constituted under the Indian Railways Board Act, 1905
- (f) "Secretary" means the Secretary, Railway Board.

(g) "Vice Chairman" means the vice chairman of the Authority under Section 4A of the Act.

(h) All other words, and expressions used herein and not defined but defined in the Act shall have the same meanings respectively assigned to them in the Act.

### **3. Qualifications for appointment of Vice-Chairman :-**

No person shall be appointed as Vice-Chairman unless he fulfils the following criteria; namely:-

(a) a technocrat having wide experience in land management, construction of buildings and real estate including financing; and

(b) an officer belonging to Indian Railway Service of Engineers, Indian Railway Accounts Service and Indian Railway Traffic Service having relevant experience as per sub-rule (a) above; and

(c) an officer in higher administrative grade or above in their Parent Cadre having minimum of 22 points in the evaluation of their annual confidential reports of the last five years immediately prior to the meeting of the Selection Committee.

### **4. Selection Process :-**

(1) The Vice Chairman shall be selected by a Selection Committee comprising of the following members, namely:-

(a) Chairman Railway Board, as Chairperson;

(b) Member (Engineering) Railway Board and ex-officio Chairman Rail Land Development Authority, as Member; and

(c) Member (Staff) Railway Board, as Member.

(2) The Selection Committee shall formulate assessment criteria of merit and suitability with marks and each eligible candidate appearing before it shall be assessed accordingly in the interview by the Committee.

(3) Any person in any of the Selection Committees shall immediately on coming to know that he is related to any of the candidates, shall declare the same and exclude himself from the Selection Committee for that particular candidate.

(4) A candidate shall stand disqualified for the posts to which they have applied or appointed if he-

- (a) has been adjudged an insolvent; or
- (b) has been convicted of an offence which, in the opinion of the Central Government involves moral turpitude; or
- (c) has become physically or mentally incapable; or
- (d) has acquired such financial or other interest as is likely to affect prejudicially his functioning in a post; or
- (e) has been guilty of conduct as per the extant conduct rules of the Central Government which makes a person unfit to hold an office.

(5) The Secretary, Railway Board shall act as Secretary to the Selection Committee and shall be responsible for all administrative steps required for the selection and appointment to the post of vice-chairman.

(6) The Railway Board shall invite applications for the post of vice chairman by wide publicity, except in case of appointment of the First Authority where the appointment shall be by nomination as per the provisions of chapter II of the constitution rules.

(7) The Selection Committee after selecting the candidate for the post of vice -chairman shall also prepare in order of merit a waiting panel of the next two candidates for the post and the waiting panel will be valid for a period of six months from the date, the Selection Committee sign the panel.

(8) The minutes of the Selection Committee proceedings, the merit list for each post and the final selection list shall be signed and dated by all the persons in the Selection Committee and further steps for appointment shall be taken by Secretary, Railway Board.

#### **5. Invalidity of Selection Proceedings :-**

So long as the merit of the selection is not affected, any short coming in the selection procedure shall not invalidate the selection.

#### **6. Appointment :-**

(1) The Secretary Railway Board shall immediately after receiving the record from the Selection Committee initiate the steps for the approval of the name of the selected candidate for the post of vice-chairman, from the competent authority.

(2) Upon receipt of the final approval of the name from the

competent authority for the appointment to the post of vice chairman, the Central Government shall immediately issue the appointment letter to the selected candidate informing him the date of joining, which shall not exceed thirty days from the date of receipt of the appointment letter subject to sub rule (6).

(3) The appointment by the Central Government of the selected candidate shall be as per the terms and conditions specified.

(4) Any vacancy in a post of the Authority which requires to be filled in immediately to enable it to efficiently discharge its functions, may be filled in by the Railway Board on ad hoc basis for an initial period of six months or till the regularly selected incumbent join the post, whichever is earlier and such ad hoc appointees shall have no claim whatsoever to the post and will be deemed to have automatically vacated it from the day of joining of the regular selected candidates.

(5) In case the selected candidate fails to join within thirty days or such extended period as may be permitted under sub rule (6), the Secretary Railway Board shall initiate proceedings for appointment of the next person waiting on the panel.

(6) The Railway Board may for reasons to be recorded in writing, extend the joining period on the written request of the selected candidate which shall not exceed more than three months and the extension shall be given only once.