Sub: Jurisdiction of Railway Vigilance over RCT.

The issue regarding jurisdiction of Railway Vigilance over the Chairman, the other Members of the Tribunal, the Officers and the Staff has been under consideration of the Board for sometime now. It is clarified that the Railway Vigilance has no jurisdiction over the Chairman and the other Members of the Tribunal. Any complaint against them is to be dealt under the Railway Claims Tribunal (Procedure for Investigation of misbehaviour or Incapacity of the Chairman, Vice-Chairman and Members) Rules, 1991 which provide that whenever the Central Government is of the opinion that there are reasonable grounds for making an inquiry into the truth of any imputation of misbehaviour or incapacity of a Member of the RCT (which term also includes Chairman and the Vice-Chairman), it may, after consulting the Chief Justice of India, by notification in the official gazette, appoint a judge for the purpose of conducting such inquiry. Accordingly, complaints received, if any, against the Chairman or any Member of the Tribunal should be sent to EDPG/Railway Board for further processing.

2. As regards the other Officers and the staff of the RCT, the complaints alleging corruption, pertaining to working of these persons in the RCT, are to be sent to the Registrar of the RCT for necessary action, under the powers of the Chairman.
3. However, if the complaint pertains to acts of commission/omission on the part of such Officers/Staff, when they were working in Railways, the complaint shall be investigated by the Railway Vigilance and the investigation report sent to the RCT for action at their end. The Chairman/RCT would be free to take action against such persons or to repatriate them to the Railway, depending on severity of the offence, as laid down in the Railway Servants (Discipline & Appeal) Rules, 1968, relating to the powers of the lending and the borrowing authority.

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