

**GOVERNMENT OF INDIA  
MINISTRY OF RAILWAYS  
(Railway Board)**

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No.2017-E(SCT)I/22/4(Inf.Meeting)

New Delhi, dated 28.12.2017

The General Secretary/ The President,  
All India SC/ST Railway Employees Association,  
Room No.7, Rail Bhawan,  
New Delhi – 110001

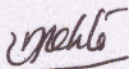
Sub: Informal meeting between office bearers of CEC of AISC/STREA and Railway Board held on 10<sup>th</sup> October 2017 in Railway Board's office – Record note of discussion.

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Informal meeting was held between Central Executive Committee of All India SC/ST Railway Employees Federation and Railway Board on 10<sup>th</sup> October 2017 at 2.30 Pm. at Conference Hall, Rail Bhawan wherein 34 office bearers of the said SC/ST Association attended the meeting.

Copy of Record Note of discussion held in the informal meeting has since been finalized by the competent authority. The same is enclosed herewith for information.

Encl: As above.

  
(U N Mehta)  
Jt. Director Estt.(Res.)

**RECORD NOTE OF DISCUSSION HELD DURING THE INFORMAL MEETING  
BETWEEN CEC OF ALL INDIA SC/ST RAILWAY EMPLOYEES ASSOCIATION AND  
RAILWAY BOARD ON 10.10.2017 AT CONFERENCE HALL, RAIL BHAVAN, NEW  
DELHI.**

**PRESENT**

<b>MANAGEMENT</b>		<b>OFFICE BEARERS OF CEC OF AISC/STREA</b>	
S/Shri		S/Shri	
1	Ravindra Gupta, M(RS) as MS	1	B.L.Bairwa National President
2	Anand Mathur, DG(Pers.)	2	R.Peruamal Sr. Vice President
3	Manoj Pande, AM(Staff)	3	J.R.Harnotia Working President
4	S.P.Mahi, EDE(Res.)	4	T.R.Meena Zonal President- NWR
5	Amitabha Khare, EDE(RRB)	5	Prem Singh Zonal President -NR
6	Dr.Amitava Datta, ED(Health)	6	Goutom Roy Zonal President – Metro/ Kolkata
7	Prabhash Kumar, EDE(N)	7	Kartar Singh Zonal President - WCR
8	R.K.Meena, JS(G)	8	Subhash Ch.Brahma Zonal President - CLW
9	Chander Shekhar, JD(L&A)	9	Smt.S.A.Waval Zonal President – WR & KRCL
10	U.N.Mehta, JDE(Res.)	10	Y.R.Sagar Zonal President – RDSO
11	Goutam Mandal, DDE(Res.)	11	A.C.Behra Zonal President ECoR
		12	M.Mahadeva Swami Zonal President
		13	Tapan Majumdar Zonal Working President – ER
		14	B.V.Randhir Zonal Vice President
		15	Ashok Kumar General Secretary
		16	Ganga Sahai Treasurer
		17	V.S.Sawalkar Zonal Secretary -CR
		18	Ashok Behra Zonal Secretary -ECoR
		19	Samir Kumar Das Zonal Secretary -ER
		20	Lalsa Ram Zonal Secretary - NCR
		21	Chandra Shekhar Zonal Secretary- NER
		22	T.C.Das Zonal Secretary - NFR
		23	B.K.Khoiya Addl. General Secretary
		24	O.P.Bairwa Zonal Secretary - WR
		25	Prabhat Paswan Zonal Secretary -SECR
		26	B.J.Rao Zonal Secretary -SER
		27	Sardar Singh Zonal Secretary - DLW
		28	Ram Murthy Zonal Secretary – DMW
		29	Raj Bahadur Zonal Secretary - KRCL
		30	R.C.Meena Zonal Secretary - RCF
		31	Manickavelu A.K. Zonal Secretary - RWF
		32	A.Gananasekaran Zonal Secretary – SR
		33	R.N.Paswan Zonal Secretary - ECR
		34	Ram Singh Zonal Addl. Secretary-NWR

An Informal Meeting with the representatives of Central Executive Committee /Zonal Bodies of All India SC/ST Railway Employees Association has been held on 10.10.2017 at 14.30 hrs , in Railway Board's office /Conference Hall, Rail Bhavan. Under the chairmanship of Board Member(RS) as MS.

1.1 At the outset, EDE(Res.) welcomed Board M(RS) as MS, DG(Pers.), AM(Staff). At the same time EDE(Res.) welcomed the National President, General Secretary and other representatives of AISCSTREA and mentioned that the said meeting is being conducted after a long gap of 3 ½ years. Thereafter, EDE(Res.) requested Member(RS) as MS, to preside over the meeting.

2. **Member(RS) as MS**, while welcoming Shri B.L. Bairwa, the National President, Shri Asok Kumar, the General Secretary and other representatives of AISCSTREA attending the meeting; expressed his pleasure to preside over the said informal meeting for interaction with the representatives of the AISCSTREA, which is being held after a long gap of more than 3 years. As, such informal meetings can be held twice a year, Board(MS) suggested holding of next Informal Meeting before the Budget of this financial year(2017-2018) and accordingly desired EDE(Res.) to finalize the next date of Informal Meeting of AISCTREA to be held in Boards office.

2.1 Member Staff, categorically mentioned that in a recent past there has been many problems w.r.t "Reservation in Promotion". DOP&T's OMs in connection with reservation in promotions and related matters have been quashed by High Courts(Delhi and Punjab & Haryana) and there have been Contempt proceedings/notice on many Railways against DRMs/CPOs/GMs including Secretary/Railway Board, CRB and Secretary/DOP&T as well.

2.2 These issues have been taken up/referred to DOP&T by Ministry of Railways on different occasions through letters/DO letters/I.D. Notes etc. to which clarifications/guidelines are awaited from DOP&T and hope to get a decision sooner or later which may solve the prevailing problems/difficulties.

2.3 It is understood that AISC/STREA has also challenged this case in Supreme Court, therefore, let us await for the verdict of the Apex court in this matter. With this words, Member Staff desired the representative of AISC/STREA to start the discussion as per their agenda items.

2.4 Board(MS) mentioned, it is seen that in the agenda of the meeting, some of the items are regarding extension of facilities at par with PREM Group Organization. Regarding some of agenda items, there are clear guidelines/instructions of Board's office. If the same are not being followed in some Railways, the names of the particular Railway(s) may be brought to the notice of EDE(Res.) which may be looked into.

3. **Shri B.L.Bairwa, the National president/AISC/STREA** expressed his heartiest happiness and thanked EDE(Res.)/Board(MS) for convening the Informal meeting as desired by AISCSTREA which is being held after a long period time. This welfare organization i.e. AISCSTREA has been formed to work for the interests of SC/ST Railway employees. During the discussion, Shri Bairwa brought to the notice of Board(MS) that many orders have been issued by Railway Board but the same are either not being implemented or rules are misinterpreted by the Railways. He had raised following other points also.

3.1 Court cases and contempt petitions are increasing and sometimes such contempt cases are merely created as in the case of Samta Andolan Samiti, where N.W Railway has not given any reply due to which contempt has been filed and CRB, MS and GM along with DRM's have to attend the court but so far responsibility has not been fixed. Due to contempt, promotions neither as per rosters nor seniority are not being done and there is a need to look for a way out.

3.2 Another issue is regarding transfer policy which is not being followed uniformly over all Railways. There are some issues where there is an inordinate delay in finalizing the case either due to need of some clarification from Board or comments awaited from Railways.

3.3 Shri Bairwa thanked AM (Staff), DG(Pers.) and EDE(Res.) for their continued cooperation and expressed his expectation to have the same in the long run. He requested General Secretary, to continue the discussion agenda item wise.

4. Shri Ashok Kumar, General Secretary, AISC/STREA thanked M(RS) as MS, AM (Staff), DG(Pers.), EDE(Res.) all officers for convening the informal meeting which is being held after a long period. At the same time Shri Kumar humbly submitted during the meeting that in future, the meetings may be scheduled in forenoon, so as to give sufficient time for deliberation on the Agenda items.

4.1 General Secretary, AISC/STREA submitted some of the demands as under:

**Item No.1- Extension of Facilities to AISC/STREA at par with Trade Union :** The facilities given to AIRF/NFIR or FROA/IRPOF at par with PREM group members may be given equally to AISC/STREA members also. As regards card pass facility, the same is treated as duty card pass instead of Union card pass. Board's instructions are not being followed on some Railways.

Board(MS) advised the Association to furnish list of such Zonal Railway(s) to EDE(Res.) so that the matter could be taken up directly with the concerned Railway.

**Item No.2, 3 and 18 are common/similar** to which Member Staff has already stated that the matter has been referred to DOP&T and Ministry of Railways follows the guidelines of DOP&T and let us await for the judgment. Member staff, advised the President and the General Secretary/AISCSTREA to chase the matter with DOP&T at their level also.

5. Shri. Bairwa, in this regard added that Punjab & Haryana High Court given direction for doing promotion through seniority and excess(SC/ST) coming within the normal seniority may be adjusted in future subject to final decision of the Supreme Court. Some Railways, instead of giving promotion to Senior SC/ST employees, Junior general category employees are being given promotion and zone of consideration are not being extended.

6. EDE(Res.), mentioned that submission of Ferozepur Division has been accepted by Punjab & Haryana High Court to deal with such confusions. The same have since been referred to DoP&T. EDE(Res.) further mentioned that this Ministry is in touch with DOP&T. But, in the meanwhile Delhi High Court vide judgment dated 23.08.2017 has quashed the very foundation OM dated 13.08.97 of DOP&T providing Reservation in Promotion beyond 1997. The case was discussed with Ld. ASG and Ld. SG. Though, this Ministry is awaiting DOP&T's decision, filling of SLP against the above order of HC/DLI has been decided by the Board's office. As such, in view of the present scenario of litigation relating to reservation in promotion, it is no feasible to take any policy decision unilaterally by this office.

7. EDE(Res.) during discussion had referred to the case of Southern Railway which has adopted the parameters as specified in M. Nagaraj judgment but many cases went for contempt. Either way i.e. doing promotion or not to doing promotion, the railway is coming under the ambit of contempt. Further, on S.C Railway, Court has ordered to pass speaking order in case to case basis to the effect that the Apex court order in M. Nagaraj case is being followed. Out of 15 such cases, court has ordered for stay only in one case. This was communicated to DOP&T, but so far no fruitful result has come. In this scenario, it is difficult to take any decision.

8. Shri Bairwa has suggested that all Railways are following M. Nagaraj judgment in promotion but railway Administration or Railway Advocate are not furnishing this fact to the court to which EDE(Res.) clarified that even DOP&T is mentioning that matters arising out of M. Nagaraj judgment are still under examination.

**Item No.4 - Transfer Policy-** Board's extent instructions regarding transfer are not being implemented uniformly on some Zonal Railways. As such, an uniform procedure needs to be followed.

9. EDE(Res.) clarified that as per Railway Board's policy dated 24.12.95, SC/ST candidate may be posted near to their native place, if the same is not implemented as pointed out, the policy would be reiterated. Policy already exists that in any case, the office bearer has to be transferred, the concerned administrative officer have to explain it to the Liaison Officer who in turn will interact with the Association to explain them the administration view point.

9.1. Shri Bairwa mentioned that there is a local policy of transfer on NWR, but a uniform procedure of transfer should be followed by the Railway to which Board(MS) has stated that posting/transfers are generally done in divisions only. However the matter will be examined, if specific case(s) are brought to the notice of this office..

**Item No.5 -Reservation Cell:** It is understood, the reservation Cell does not have sufficient staff strength. Further, other matters viz. OBC, Minorities and PWD matters are also being dealt by the reservation Cell with the limited staff strength. As such, instructions may be reiterated w.r.t posting of sufficient staff in reservation Directorate at the Apex level(Railway Board) as well as in the zonal Railways/PUs.

10. EDE(Res.) has clarified that there is a sufficient staff in the reservation Cell in Board's office. For OBC matters, there is a separate Liaison Officer viz. DE(N)II and as regards PWDs at Board's office, the same is being looked after by EDE(N). However, in view of the increasing number of court cases, efforts are being made for posting of one CLA(with legal back ground) in Reservation Directorate.

**Item No.6 – Facilities to AISC/STREA at par with PREM members** – In 2013 AISCSTREA was granted participation in PREM group and facilities at par with PREM but so far no such facility has been provided even at Apex level & divisional level and no staff or secretarial staff has been provided.

11. Instructions already exist for providing facility of secretarial assistance. Board(MS) desired EDE(Res.) to ensure this facility at Board's level and to take up the matter with the concerned GM where the same is not being implemented.

**Item No.7 – Participation of AISC/STREA in GM's conference, POMs & DOMs** – Under PREM scheme, participation in various committees has been provided but in GM's conference, POM or DOM, office bearers of AISC/STREA are not being invited.

12. Board(MS) mentioned that the matter will be looked into.

**Item No.8- Recruitment in Gp. D categories on local & Regional basis with their local & regional % of reservation.**

12.1. Board(MS) clarified that Railways follows the guidelines of DOP&T and Regional percentage of reservation cannot be implemented on railways being covered under Central Government jobs. Recruitment of Gr. 'C' & 'D' is being done on All India basis and in all Central Government jobs, Reservation of 15%, 7.5% is being followed. Zone consists of 3-4 states therefore regional basis reservation cannot be implemented.

13. **Item No. 9– (i) Implementation of Rail Budget.** – Instructions have already been issued and copy given to the Association.

(ii) **Exchange between Railway Hospital and government hospital** – The matter is under consultation with Ministry of Health and family welfare and MOU is likely to be issued.

(iii) **Sourcing of products from SC/ST entrepreneurs:** Railway has not issued any orders based on the Railway budget announcement. These directives are of GOI through MSME. A programme was organized in Vigyan Bhawan in this regard. Representatives of Railway PSU's were also present. Hon'ble MR had addressed Dalit Entrepreneurs.

14. Shri Bairwa has stated that with respect to the above orders/instructions are there but the same are not being implemented in the Railways to which EDE(Res.) mentioned that the directives of Government of India are being followed.

(iv) **Utilisation of Railway land** – Shri Bairwa has stated that instructions have been issued but the same may be reiterated to which JD/L&A present in the meeting assured to reiterate the instructions.

**Item No.11 - To Stop Privatisation:**

15. Board(MS) clarified that Safety related activities will be done by the Railways only. As regards core activities cleaning is one of them. Now, in view of mechanized cleaning the work is being outsourced. Recently contract conditions have been changed. Separate guidelines have been issued being service contracts. It is also being ensured that all employees get their due salary in time and through Bank.

**Item No.12- Non-filling of SC/ST Backlog:** Instructions are issued to fill up backlog vacancies every year but are not being filled in the railways, especially in Ministerial cadre. No recruitments are being done. Efforts may be done to fill up the backlog vacancies.

16. EDE (Res.) mentioned that in the year 2008, Special Recruitment Drive was launched through which all the identified vacancies has been filled i.e. we achieved 100% target. The vacancies(SC/ST) left unfilled are taken care of through regular recruitment.

17. AISC/STREA requested to follow DOP&T's instructions as SC/ST posts are lying vacant which could be filled through compassionate appointment or through medically decategorised or any other source to which Board(MS) clarified that compassionate appointment are made against direct recruitment quota. The policy of alternative appointment of medically decategorised candidates(including SC/ST) has since been discontinued.

**Item No.14 - Engagement of casual Labour:** This practice has been banned as per extant Board's orders.

**18. Item No.15 - Pre-selection training** – Shri Ashok Kumar, General Secretary, AISC/STREA has informed that instead of 21 days training, only 1 day or sometimes 2 hrs. training is being given mostly in Finance or Accounts departments to which Board(MS) clarified that the issue will be taken up with GM/DRM or CPO of concerned zonal railway.

AISC/STREA has however requested to issue clear cut instructions or to reiterate Board's instructions.

**Item No.16- To remove 5 time limitation in selection for promotion to reserved posts in Gp. 'B'.**

MS – This has been stopped due to various anomalies i.e candidates don't prefer for medical check up as they want to go for TC post. There is no provision to give alternate job due to age or marks. Also number of applicants are 10 times more than the number of vacancies and more than 50% are being kept on panel.

**Item No. 18 – Revision of Brochure-** The old brochure needs to be revised.

19. EDE(Res.) assured that once DOP&T clarifies the issue referred to them, the revision of Brochure will be considered.

**Item No.20 – Relaxation to SC/ST candidates in minimum 2 years service condition for selection for the post of Ticket collector**

20. It has been assured that the matter will be looked into.

**Item No.24- Nomination of Shri Surja Ram Naik as Member of Rajasthan State Scheduled Castes Commission –**

21. Board(MS) mentioned that the same is not permitted. If he wants to go to the State Commission, he can go on deputation. He can opt only for single a job.

**Item No.25- Grievances of Safaiwalas**

22. Shri Bairwa requested for one SC/ST representative in the placement Committees to which AM(Staff) clarified that as per SC's orders there are 3 members only in the Placement Committee – 2 members are generally fixed i.e 1 each from Personnel, Finance and concerned departement.

**INTRODUCTION OF OFFICE BEARERS/AISC/STREA.**

23. During introduction of the zonal office bearers who were present in the meeting following issues were raised :-

- (i) Most of SC/ST employees are posted as Trackmen/Gagmen etc. on compassionate grounds whereas general candidates are posted at good places
- (ii) Good lawyers are not nominated to defend court cases for SC/ST and if at all nominated they are unable to present the exact position in the court.
- (iii) As per 40% induction quota from outside to inside shop in CLW, 33 years is the common age for UR as well as for SC/ST. Since recruitment/entry age in any job is also 33 years for SC/ST, requested for relaxation in age for considering in inside shop under 40% induction quota.

23.1. As regards (i) & (ii), Board (MS) mentioned that grievances may be brought to the notice of EDE(Res.) along with data and as regards (iii), the matter will be looked into.

He explained that, as per CLW policy, employees coming from outside are given ancillary jobs like Hospital or colony care and depending on the vacancy, they are inducted into inside shops under 40% induction quota being lucrative job. Since the age for entry for SC/ST employees is 33 years, relaxation upto 2-3 years can be considered.

**Vote of Thanks** - JDE(Res.) thanked Board Member(RS) as MS, AM(Staff), DG(Pers.), National President, General Secretary & Office Bearers of AISC/STREA and all Officers and Staff of Administration and Reservation dte. and the meeting concluded at 16.30 hrs.

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