

**Agenda for Informal Meeting of All India SC & ST Railway Employees Association at Railway Board level to be held on 24.07.2019.**

**1. Extension of facilities to the All India Scheduled Castes & Scheduled Tribes Railway Employees Association**

**(i) Monthly Informal Meeting at all level.**

During last informal meetings, it was requested that if monthly informal meetings not possible, the quarterly informal meeting may please be allowed to this Association. Hon'ble MR has already been agreed for the quarterly informal meeting during the Association's meeting held on 06.02.2018 at Parliament House but no any instructions issued till date.

Please arrange to issue necessary instructions to all concern for quarterly informal meetings at Railway Board / Zonal / Divisional / Workshop level at the earliest.

**(ii) Card Pass facility at Branch level.**

During last informal meetings, it was requested that the card pass facility may please be granted at Branch level to the President & Secretary within the jurisdiction of the Branch and upto Divisional HQ and it was decided to examine depending on the criteria but it is still pending.

Please expedite the matter and arrange to issue necessary instructions to all concern to provide the card pass facility at Branch level at the earliest.

**(iii) Special Casual Leave & Special Passes to attend the AGM & quarterly meetings**

During last informal meetings, it was stated by the AM(S) that there is no such provision even to Trade Union members and Association was stated that such provision exists for Trade Unions.

In this connection, please refer the master circular No.10 and arrange to grant Special Casual Leave & Special Passes to attend the AGM & Quarterly meetings of Executive Committees.

**(iv) Transfer of Office Bearers of this Association:-**

During last informal meetings, it was requested that the office bearers of this Association are being transferred without consultation of this Association and even not followed the existing instructions for consultation with the Liaison Officer prior to issue the transfer order of office bearers of this Association.

However, Hon'ble MR during the Association's meeting held on 06.02.2018 at Parliament House agreed to consult with Liaison Officer prior to issue of transfer order of office bearers of this Association but no any instructions issued in this regard.

Please arrange to issue necessary instructions to all Zonal Railways & Production Units in this regard.

**(v) Reply and compliance of Association's representations:-**

During last informal meetings, it was requested that the reply & acknowledgement on representations of Association is not being given. At least the representations of President/General Secretary are required to reply them so that they can be chased the issue easily.

Please issue necessary instructions for reply of representations of President/ General Secretary upto Divisional level.

**(vi) Participation of Association in the Welfare Committees.**

During last informal meetings, it was requested that the Ministry of Railway has been allowed participation of this Association in the Housing Committees, Colony Care Committees, PREM & SBF Committees but not allowed in other Welfare Committees such as Canteen Committee, Institute Committee, Pin-pointing Meeting, Shop Counseling Meeting, Safety Meeting, in which the staff matters are being discussed and decided.

Please allow this Association to participate in all other Welfare Committees & meetings at all level to look after the interest of SC/STs.

**(vii) Provide all facilities under PREM Scheme at par with other members.**

During last informal meetings, it was requested that the Ministry of Railway has been allowed participation of this Association in the PREM Group and issued instructions to provide all the facilities at par with the other PREM Group members but no any facilities provided to this Association under PREM Scheme at Central, Zonal & Divisional level.

Please issue necessary instructions to all concern to provide all facilities at par with the other PREM Group members.

**2. Master Circular No.65 regarding facilities granted to the Association.**

All India SC & ST Railway Employees Association is very much thankful to the Railway Board to issue the Master Circular No. 65 (updated on 03/2019) issued vide No.2019-E(SCT)I/46/1 dated 29.03.2019 regarding facilities granted to this Association but the following points are required to be clarified to the Zonal Railways & Production Units:-

- (i) As per para 5, one informal meeting at ADEN level allowed but the special CL & special passes including number of participants for informal meeting at ADEN level is not mentioned in the above Master Circular however it is understood that the special CL/Pass should be allowed to the ten office bearers of concern branch.
- (ii) The two card passes i.e. one each to the Divisional President and Divisional Secretary of Divisional/extra Divisional Executive Committee of All India SC & ST Railway Employees Association provided vide letter No.2003-E(SCT)I/22/27 Pt.III dated 29.07.2013 but it is not included in the para 7 of above master circular however it is still in existence.
- (iii) Railway Board vide letter No.85-E(SCT)II/74/1 dated 10/10/95 issued instructions to organize Appropriate/Orientation Courses for various level of offices so that they are exposed to such programme. Office Bearers of the Associations of SC & ST employees should also be exposed to such training so that they become more enlightened and selective in submitting complaints on grievances in service matters to the appropriate authorities but it is also not included in the above master circular however it is in existence.

**3. Inadequate representation of SC/ST members in the SBF Committee.**

Railway Board was kind enough to include one member of SC/ST in the SBF Committee at all the levels. But the representation of SC/ST is being in single and meager in number compared with Trade Unions the decisions in the committee are mostly approved as suggested by the majority of the members belonging to the Trade Unions.

Therefore, Association requests to allow three members of SC/ST in the SBF Committee at all the levels.

**4. Issue of Gate Pass to office bearers of CEC of AISCTREA for entry to the Rail Bhawan.**

As per Railway Board's instructions, the identity card-cum-gate passes may be issued to the office bearers of this Association in respect of those offices/workshops where entry is controlled by Gate Pass system but the CEC of AISCTREA are being issued only temporary pass for limited duration instead of the tenure of current CEC/AISCTREA which is incorrect.

Association is a member of PREM Group and allowed all facilities at par with the other PREM group members but there is a discriminatory treatment in issuing of Gate Pass.

EDE(Res.) has forwarded the issue vide his Note No.2017-E(SCT)/I/22/6 (Inf.Meeting) dated 03.07.2019 to the JS but not issued till date. Please finalize the issue at the earliest.

#### **5. Reservation in promotion to the SC/ST Railway Employees.**

On 17.05.2018, the Hon'ble Supreme Court in SLP(C) No. 30621/2011 directed that the pendency of this Special Leave Petition shall not stand in the way of Union of India taking steps for the purpose of promotion from 'reserved to reserved' and "unreserved to unreserved" and also in the matter of promotion on merits. In another case on 05.06.2018, Hon'ble Supreme Court in SLP(C) No. 28306/2017 made clear that the Union of India is not debarred from making promotions in accordance with law, subject to further orders, pending further consideration of the matter but the senior SC/ST Railway Employees are being deprived from their promotion which is violation of 85<sup>th</sup> Constitutional Amendment.

The Supreme Court's five-judge bench headed by the Chief Justice of India on 26.09.2018, refused to refer the Nagaraj judgement to a larger bench with regard to the SC/ST reservations in the promotion. The apex court said that quantifiable data on **backwardness** for SC/ST quota in job promotions did not have to be collected by states.

Regarding **inadequacy** of representation, there is a post based roster to maintain prescribed percentage of reservation and regarding overall **administrative efficiency**, it is being ensured through ACRs & Service Record of the concern employee. In view of above, all the conditions laid down in M Nagaraj Case now fulfilled by the SC/ST Railway Employees for reservation in promotion.

Please issue necessary instructions to all concern at the earliest.

#### **6. To stop Privatization & Corporatization in Indian Railways.**

Recently, the CRB vide his note No.2019/E&R/10(10)/12 dated 18.06.2019 issued 100 days Action Plan of Ministry of Railways in which there is a proposal for Corporatization of Production Units (PUs) of Rolling Stock i.e. CLW-Chittaranjan, ICF-Chennai, DLW-Banaras, DMW-Patiala, W&A Plant-Bangalore, RCF-Kapurthala & MCF-Rae Bareli by hiving off these PUs including associated workshops into government owned new entity "**Indian Railway Rolling Stock Company**" under the Ministry of Railways which is against the interest of SC & ST Railway Employees because the existing Govt. job opportunity will be finished by the contract system. After formation of new Company, they will misuse the hire & fire system and outsource the manpower with low salary which will affect their living standard.

The unjustified practice of privatization/outsourcing and introduction of contract system on Railways kills the privileges of SC/ST employees, because there is no reservation provision in the Private Sectors.

Therefore, Association is strongly condemn the Corporatization & privatization/ outsourcing attitude of Govt. and requested to stop the Corporatization & privatization/ outsourcing system immediately.

#### **7. Transfer & posting of SC/ST Railway employees.**

During last informal meetings held, It was requested that the Board's extent instructions regarding inter railway own request & mutual transfer are not being implemented uniformly on some Zonal Railways. As such, a uniform procedure needs to be followed. EDE(Res) clarified that if the Railway Board's policy is not implemented as pointed out, the policy would be reiterated but it is not reiterated till now. In addition to above regarding local transfer policy on NWR, Hon'ble MS/ DG(Pers.) asked to await upto next hearing of case but after lapse of considerable time no any decision taken in this regard also.

The inter railway own request transfer applications are not being forwarded by the Zonal Railways & PUs on the various ground of vacancies exists there which is incorrect because it can be seen at the time of relieving of staff.

Please clarify the matter at the earliest and ensure uniform policy on all over Indian Railways.

**8. Relaxation of age to fill up the 40% induction quota from outside shop in CLW.**

During last informal meetings held, it was requested that 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 consideration in inside shop under 40% induction quota. Board (MS) mentioned that since the age for entry for SC/ST employees is 33 years, relaxation upto 2-3 years can be considered but necessary instructions not issued till date.

Please issue necessary instructions for relaxation of age limit to fill up the 40% induction quota from outside shop in CLW.

**9. Pre-selection training to the SC/ST Railway Employees.**

On the basis of recommendations made by the Parliamentary Committee on the welfare of Scheduled Castes & Scheduled Tribes as well as by the National Commission for Scheduled Castes & Scheduled Tribes, the Ministry of Railways have issued instructions to impart pre-selection training for a period 2-3 week at proper training centre exclusively to the SC/ST candidates to enable them to qualify for promotion to the posts in Safety/Technical Category. But the above instructions are not being followed by the Zonal Railways & Production Units properly. The Pre-Selection training is not being given to the SC & ST candidates properly for a sufficient period at suitable training centre by the trained instructors with a prescribed syllabus which cause non-qualifying of SC & ST candidates in the selections.

Please allow pre-selection training to the SC/ST candidates for a period of 2-3 week at proper training centre by the trained instructors.

**10. Non-filling up of reserved posts in the cadre of JAA, Level-5 by the PFA/SWR/ UBL.**

PFA/SWR/UBL vide notification dated 17.05.2019 has proposed to fill up the post of Junior Accounts Assistants in Level-5 of 7<sup>th</sup> Pay Commission in Accounts Department of South Western Railway, Hubli from among the serving staff in South Western Railway through inter departmental transfer on bottom seniority for filling up of 22 Nos. of vacancies. The proposal does not earmark reserved vacancies for SC/ST categories. By resorting to such mode of filling up of vacancies in the lower category, no posts for SCs & STs will be available in future for filling up Direct Recruitment Quota vacancies and future promotional vacancies for SCs & STs.

Please issue necessary instructions to the SWR to follow the reservation policy for SC/STs.

(B L Bairwa)  
President-CEC