



भारत सरकार

Government of India

राष्ट्रीय अनुसूचित जनजाति आयोग

National Commission for Scheduled Tribes

(A Constitutional body set up under Article 338A of the Constitution of India)

6th floor, 'B' Wing, Loknayak Bhawan
Khan Market, New Delhi-110 003

File No. AS/1/2019/MRLY1/SEOTH/RU-I

Dated: 27/02/2020

To,

The General Manager,
South Central Railway,
SecunderabadThe Divisional Railway Manager,
South Central Railway,
Vijaywada Division,
Vijaywada- 520001

Sub: Representation dated 01.07.2019 of Shri A. Sudhakar, Sr. Technician/ Track Machines, Office of SSE/TM/SC.Rly/ Vijaywada D.No. 19-43, Viswasanti Nagar, Yanamala Kuduru, District- Krishna, Vijaywada (Andhra Pradesh) regarding injustice with ST employees in respect of irregular evaluation of answer sheet.

Sir,

I am directed to refer to the subject cited above and to enclose a copy of the minutes of Sitting held in the National Commission for Scheduled Tribes on 14.02.2020 at 01:00 P.M. under the Chairmanship of Dr. Nand Kumar Sai, Hon'ble Chairperson, National Commission for Scheduled Tribes in the matter.

It is, requested that action taken on the suggestions / recommendations of the Commission may please be sent to the Commission at the earliest.

Yours faithfully,


(Dr. Lalit Latta/डॉ ललित लट्टा)

Director/ निदेशक

Tel: 011-24615012.

Copy to:

Shri A. Sudhakar,
Sr. Technician/ Track Machines,
Office of SSE/TM/SC.Rly/ Vijaywada
D.No. 19-43, Viswasanti Nagar,
Yanamala Kuduru, District- Krishna,
Vijaywada (Andhra Pradesh)- 520007

Copy for information to:

1. PS to Hon'ble Chairperson, NCST
2. ✓ NIC (please upload on the Commission's website)


Government of India
National Commission for Scheduled Tribes

MINUTES OF SITTING HELD IN THE NCST'S HEADQUARTERS ON 14/02/2020 AT 01:00 PM UNDER THE CHAIRMANSHIP OF DR.NAND KUMAR SAI, HON'BLE CHAIRPERSON, NCST IN THE CASE OF SHRI A. SUDHAKAR, SR. TECHNICIAN/ TRACK MACHINES, OFFICE OF SSE/TM/SC.RLY/ VIJAYWADA (D.NO. 19-43, VISWASANTI NAGAR, YANAMALAKUDURU, DISTRICT- KRISHNA, VIJAYWADA (ANDHRA PRADESH) REGARDING INJUSTICE WITH ST EMPLOYEES.

(F. No. AS/1/2019/MRLY1/SEOTH/RU-I)

List of participants is annexed.

2. Shri A. Sudhakar, Sr. Technician/ Track Machines, Office of SSE/TM/SC.Rly/ Vijaywada (D.No. 19-43, Viswasanti Nagar, YanamalaKuduru, District- Krishna, Vijaywada (Andhra Pradesh) vide representation dated 03.08.2018 has stated that the Railway authority is discriminating Scheduled Tribe candidates in the written examination for 25% promotional quota and requested for justice.
3. The Hon'ble Chairperson, NCST had discussed this issue with the officers of South Central Railway and the petitioner in a sitting held on 15.7.2019. After detailed discussion with the representative of South Central Railway and the petitioner in the sitting held on 15.7.2019, the Commission recommended that the South Central Railway, should asked the Vigilance Branch of their Department to expedite the matter. Report on the action taken in the matter may be submitted to the Commission within 15 days from receipt of the proceedings of the sitting.
4. The minutes of sitting was sent to General Manager, South Central Railway with request to submit the action taken report to the NCST at the earliest vide letter dated 09.8.2019. The action taken report was not received from South Central Railway, a reminder was issued on 10.12.2019. The South Central Railway vide letter No. SCR/P.HQ/622/RP/NC(ST)/AS dated 19.12.2019 has furnished the facts and stated that there is no infringement of Privilege/Relaxations granted to Reserved Community employees and prayed that the case may be closed. Meanwhile, petitioner vide rejoinder dated 16.1.2020 has requested for justice. The Hon'ble Chairperson had decided to discuss the issue with the officers of Railway and petitioner on 14.2.2020. Accordingly, sitting notice was issued on 31.1.2020 to all concerned.
5. The South Central Railway vide letter No. SCR/P.HQ/622/RP/NC(ST)/AS dated 17.1.2020 had informed that the Hon'ble CAT Bench at Hyderabad in OA No. 20/2011/2019 has directed the respondents to take a final decision as regard the accuracy of the key and then to re-valuate the answer script and take further steps in accordance with the law. In pursuance of the orders of the Hon'ble CAT, the competent Authority i.e General Manager has ordered to re-valuate the answer book of the said applicant employee by an independent JA Grade Officer.


डॉ. नन्द कुमार साय/DR. Nand Kumar Sai
राष्ट्रीय अनुसूचित जनजाति आयोग
National Commission for Scheduled Tribes
भारत सरकार/Govt. of India

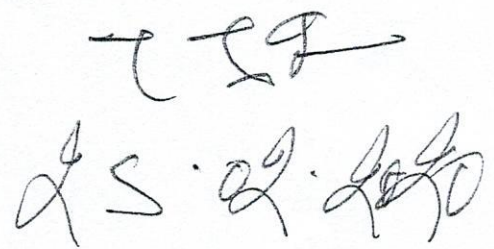
Accordingly, an independent of JAG Officer of the same civil Engineering department was nominated for the said purpose, but the applicant employee did not secure requisite qualifying marks even when re-evaluation was done based on the corrected key.

6. The General Manager, South Central Railway vide DO No. SCR/P-HQ/622/RP/NC(ST) dated 10.2.2020 had sought exemption from presence due to pre-occupied business and deputed Pr. Chief Personal Officer to attend the sitting on 14.2.2020. In the sitting dated 14.2.2020, the Pr. Chief Personal Officer and others officers of South Central Railway were present. The petitioner was also present.

7. The Hon'ble Chairperson asked the petitioner to explain the action taken by Railway Authority. The petitioner informed that the Railway Authority has reevaluated the answer sheet but the options of answer of the question are not correct. His answer of questions mentioned in answer sheet are correct. Hence, the answer of question of Part A-(9), Part A II-(10), Part A III-(3) needs to be again reevaluated by putting the correct options for the answer of the question.

8. The Hon'ble Chairperson asked the Railway Officers to explain about the action taken by the Department. The representative of South Central Railway reiterated the facts given vide letter dated 17.1.2020 and agreed to appoint Higher Officer to reevaluate the questions as raised by petitioner.

9. After detailed discussion with the representative of South Central Railway and petitioner, the Hon'ble Chairperson recommends that the South Central Railway should appoint Higher Officer to reevaluate the answer of the question as raised by petitioner. The action taken report may be submitted to the Commission within 15 days.



डॉ. नन्द कुमार साय/DR. Nand Kumar Sai
अध्यक्ष/Chairperson:
राष्ट्रीय अनुसूचित जनजाति आयोग
National Commission for Scheduled Tribes
भारत सरकार/Govt. of India
नई दिल्ली/New Delhi

List of participants of the sitting held on 14/2/2020 at 01:00 P.M under the Chairmanship of Dr. Nand Kumar Sai, Hon'ble Chairman, NCST in the case of Shri A. Sudhakar, Sr. Technician/ Track Machines, Office of SSE/TM/SC.Rly/ VijaywadaD.No. 19-43, Viswasanti Nagar, Yanamala Kuduru, District-Krishna, Vijaywada (Andhra Pradesh) regarding injustice with ST employees in respect of irregular evaluation of answer sheet.

(File No. AS/1/2019/MRLY1/SEOTH/RU-I)

I National Commission for Scheduled Tribes

1 Shri. K.Touthang , Joint Secretary

In Chair

2 Dr. Lalit Latta, Director

3 Shri R.S. Misra, Senior Investigator

II General Manager, South Central Railway, Secunderabad

1 Shri Rajiv Kishore, Pr. Chief Personal Officer

III Petitioner

1 Shri A. Sudhakar