

Proceedings of the Sitting on 11.01.2010 of Hon'ble Member Shri Oris Syiem Myriaw with GM, NW Railway, Jaipur

A list of officers present in the Sitting is at Annexure.

ISSUE

Promotion of Shri Kailash Chand Meena as Head Clerk w.e.f. 01.01.1984, OS-II w.e.f. 01.03.1993 and OS-I w.e.f. 11.08.2003 working in Personnel Department, DRM office, Bikaner, NWR.

BACKGROUND

A representation dated 07.02.2006 was received in the Commission from Shri Kailash Chand Meena working in Personnel Department, DRM office, Bikaner, NWR regarding his promotions. It was mentioned that during cadre restructuring of clerical staff of Personnel Department w.e.f. 01.01.1984, 20 posts of Head Clerk were increased due to upgradation of post of Sr. Clerk. As per the reservation policy, 7.5 % of the strength of Head Clerk must be reserved for Scheduled Tribes and accordingly he should have been given promotion to the grade of Head Clerk w.e.f. 01.01.1984 against these reserved posts. He has further mentioned that the reserved posts were filled by the persons of unreserved category and in his promotion to grade OS-II and OS-I, he has not been given benefit of 7.5% reservation and promoted against general seniority.

The case of Shri Kailash Chand Meena was taken up with the DRM, NWR, Bikaner vide this Commission letter dated 20.02.2006. Reply dated 13.06.2006 from DRM, Bikaner, NWR was intimated to Shri K.C.Meena. It was mentioned by the Railway that ST employees senior to Shri K.C.Meena were promoted against the reserved vacancies and he was also promoted on his turn. Shri Meena was not satisfied with the position explained by the Railway Authorities in the matter and kept on representing to the Commission about his demand. Replies from the Railway were also intimated to him from time to time.

In view of the above, Shri Oris Syiem Myriaw, Hon'ble Member, National Commission for Scheduled Tribes decided to have a discussion with General Manager, North Western Railway, Jaipur in the matter on 11.01.2010 at 1500 Hrs in the Commission.

DISCUSSION

It was explained by the Railway officials that during implementation of upgradation/ restructuring of Ministerial staff of personnel department in 1984 there were 2 ST reserved posts of Head Clerk and there were three persons in position as HC. One person (Sh J.P.Meena) was promoted as Asstt. Suptd. on adhoc basis w.e.f. 13.02.1984 and on regular basis w.e.f. 22.10.1986. In the year 1989, another ST HC (Sh Ganga Ram Meena) was promoted as Asstt. Superintendent w.e.f. 6.4.1989 on adhoc basis. Against this short fall of ST in Head Clerk, Shri Kailash Chand Meena was promoted on 23.06.1989. During implementation of upgradation/ restructuring w.e.f 01/03/1993, Sh Ganga Ram Meena (senior to Shri Kailash Chand Meena) was regularized against one shortfall of ST in OS-II grade.

Railway officials further informed that Shri Meena was promoted as OS-II w.e.f. 01.11.2003 on 31.01.2005. Thereafter, on completion of 2 years of service, he was promoted as OS-I on 06.02.2007. Therefore, he was not due for promotion as Head Clerk w.e.f. 01.01.1984, as demanded by him.

Shri Kailash Chand Meena expressed that the information given by Railway officials was not correct. Shri Ganga Ram Meena and Shri J.P.Meena were already promoted to the post of Asstt Suptd. before the upgradation in 1984 and only one ST person was there as Head Clerk.

To sort out this conflict, Commission requested the Railway Officials to show the adhoc and regular promotion orders of Sh. Ganga Ram Meena and Sh J.P.Meena as Asstt. Suptd. Railway officials expressed their inability to show these orders, as they had not brought these orders.

Commission further requested the Railway officials to clarify the occurrence of ST OS-I vacancy against which Shri Kailash Chand Meena was promoted on 06.02.2007.

RECOMMENDATION

In view of the discussion as above, the Commission recommended to provide following information on 25.01.2010, which was agreed by the Railway Officials:-

- i) Copy of promotion orders of Shri Ganga Ram Meena and Shri J.P.Meena as Asstt. Suptd. on adhoc basis and also on regular basis.
- ii) Occurrence of ST OS-I vacancy against which Shri Kailash Chand Meena was promoted on 06.02.2007.

ANNEXURE

The following were present in the sitting on 11.01.2010 :

NCST

1. Shri Oris Syiem Myriaw, Hon'ble MemberIn Chair
2. Shri Aditya Mishra, Joint Secretary
3. Shri Vinod Aggarwal, Director

North Western Railway

1. Shri K. R. Meena, Dy. CPO, NWR, Jaipur
2. Shri H. S. Prajapati, Sr. DPO, Bikaner
3. Shri Bhoop Singh Sarni, OSII, Bikaner
4. Shri Gaj Raj Singh, S&WLI, Bikaner

Petitioner

1. Shri Kailash Chand Meena, OS-I, Bikaner