



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. SN/3/2019/MRLY1/DEOTH/RU-I

Dated: 29/05/2019

To,

The General Manager,
Southern Railway,
Chennai

Sub: Representation dated 05.02.2019 of Shri S. Nagarajan, Stall Licence Holder, Railway Station, Madurai regarding action against Madurai Railway Administration on the ground of communal discrimination.

Sir,

I am directed to refer to the subject cited above and to enclose a copy of the minutes of sitting held in the Headquarters of National Commission for Scheduled Tribes on 20/05/2019 at 03:00 P.M. under the Chairmanship of Miss Anusuiya Uikey, Hon'ble Vice- Chairperson, National Commission for Scheduled Tribes in the matter for appropriate action.

Yours faithfully,

(Rajeshwar Kumar/ राजेश्वर कुमार)
Assistant Director/सहायक निदेशक
Tel: 011-24641640.

Copy to:

Shri S. Nagarajan,
Stall Licence Holder,
(Catering and Bakery Stall),
PF No. 2 & 3, and Trolley at Rajapalayam,
Railway Station,
Madurai, (Tamil Nadu)
(Mob: 9597203718)

Copy for information to:

1. PS to Hon'ble Vice- Chairperson, NCST
2. NIC (for hosting on Commission's website).

Government of India
National Commission for Scheduled Tribes

(SN/3/2019/MRLY1/DEOTH/RU-I)

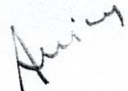
Minutes of sitting held in the NCST's Headquarters on 20/05/2019 at 03:00 P.M under the Chairmanship of Miss Anusuiya Uikey, Hon'ble Vice- Chairperson, NCST in the case of Shri S. Nagarajan, Stall Licence Holder, Railway Station, Madurai regarding non- renewal of licence for the stall (catering and bakery) at Platform No. 2 & 3 and Trolley at Rajapalayam, Railway Station at Madurai by the Southern Railway Administration on the ground of communal discrimination.

List of participants is annexed.

Shri S. Nagarajan, Stall Licence Holder (catering and bakery stall) Platform No. 2 & 3 and trolley at Rajapalayam, Railway Station, Madurai vide representation dated 05.02.2019 has stated that the Southern Railway Administration on the ground of communal discrimination is not renewing license for the stall and trolley at Railway station and requested for justice. The NCST took up the matter with General Manager, Southern Railway, for facts and comments on 28.03.2019. The response from the Southern Railway was not received.


Accordingly, the Hon'ble Vice- Chairperson, NCST fixed the sitting on 20.05.2019 to discuss the matter with the General Manager, Southern Railway and the petitioner to resolve the issue. The sitting notice was issued on 09.05.2019. The General Manager, Southern Railway vide letter No. C.79/CU/MDU Dn/Vo.I.I dated 16.05.2019 had nominated Deputy Chief Commercial Manager/ Passenger Services, Southern Railway to appear before the Commission in the sitting.

In the sitting dated 20.05.2019, Deputy Chief Commercial Manager/ Passenger Services, Southern Railway, Chennai and Divisional Commercial Manager, Madurai Division, Madurai appeared before the Commission on behalf of General Manager, Southern Railways. The petitioner was not present. The Hon'ble Vice- Chairperson, asked the representatives of Southern Railway to apprise the facts and action taken by the Southern Railway. The representatives of Southern Railway informed that the petitioner had filled a WA (MD) No. 1462 of 2017 in WP (MD) No. 11369 of 2017 before the Madurai Bench of Hon'ble Madras High Court. The Hon'ble High Court of Madras Bench at Madurai vide order dated 18.04.2018 dismissed the petition with the liberty to petitioner to participate in the forth-coming tender, based on the terms and conditions stipulated therein, the liberty granted by the Learned Single Judge can be worked out. Accordingly, the appeal was dismissed.


शुश्री अनुसुईया उइके/ Miss Anusuiya Uikey
उपायुक्ता/Vice Chairperson
राष्ट्रीय अनुसुचित जनजाति आयोग
National Commission for Scheduled Tribes
भारत सरकार/Govt. of India
नई दिल्ली/New Delhi

The petitioner participated in the tender of catering stall at PF No. 2 & 3 in Madurai Railway Station (general category- yet another stall) on 30.01.2019. Having qualified in technical bid, petitioner was called for opening of price bid. However, the contract was to the highest bidder. At present, the petitioner is running a platform stall at Tirumangalam Railway Station in the Madurai Division of Southern Railway and the contract period of the stall is 30.12.2015 to 29.12.2020. In addition to this, the Railway Administration has awarded a licence to him for running catering stall at Sivakasi Railway Station of Madurai Division under ST category for the period from 21.08.2018 to 20.08.2023. The petitioner has filled another WP (MD) No. 12323 of 2018 in the High Court of Madras Bench at Madurai in this matter. The case is still pending before the Hon'ble High Court of Madras Bench at Madurai. The Railway Administration has not shown any discrimination in handling of catering contracts and only followed the guidelines of the Railway Board which are applicable to all stall contractors.

After discussions with the officers of Southern Railways, the Hon'ble Vice- Chairperson observed that the petitioner has already approached the Hon'ble High Court of Madras Bench at Madurai for justice in the matter. Therefore, it would not be appropriate on the part of NCST to intervene in the matter. The Railway authority had also given the chance to petitioner to participate in tender for stall contract. Accordingly, Commission decided to close the case.


शुश्री अनुसुईया उइके/Miss Anusuiya Ukikey
उपाध्यक्ष/Vice Chairperson
राष्ट्रीय अनुसूचित जनजाति आयोग
National Commission for Scheduled Tribes
भारत सरकार/Govt. of India
नई दिल्ली/New Delhi

Government of India
National Commission for Scheduled Tribes

(F. No. SN/3/2019/MRLY1/DEOTH/RU-I)

List of participants of the sitting held on 20/05/2019 at 03:00 PM under the Chairmanship of Miss Anusuiya Uikey, Hon'ble Vice- Chairperson, NCST in the case of Shri S. Nagarajan, Stall Licence Holder, Railway Station, Madurai regarding action against Madurai Railway Administration on the ground of communal discrimination.

I **National Commission for Scheduled Tribes**

1. Miss Anusuiya Uikey, In Chair
Hon'ble Vice- Chairperson
2. Shri Gaurav Kumar,
PS to Hon'ble Vice- Chairperson
3. Shri Rajeshwar Kumar,
Assistant Director
4. Shri R.S. Misra,
Senior Investigator

II **General Manager, Southern Railway, Chennai**

1. Shri D. Lakshmanan,
Deputy Chief Commercial Manager/ Passenger Services
Southern Railway, Chennai
2. Shri M. Bharath Kumar,
Divisional Commercial Manager, Madurai Division,
Madurai

III **Petitioner**

Nil