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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)

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

File No. DD/2/2019/MRLY1/DEOTH/RU-I

Dated: 08/07/2019

09

To,

The Chairman,  
Railway Board, Rail Bhawan  
Rafi Marg, New Delhi- 110001

The General Manager,  
Northern Railway,  
Baroda House,  
New Delhi

Sub: Representation dated 13.03.2019 of Smt. Durga Devi, Chairman, M/s Kashtha Khilona Industrial Production Cooperative Society Ltd, Varanasi regarding re-opening of handicraft/ curio stall at Varanasi Cantt, Railway Station under New Railway Policy, 2017 and conversion in MPS.

Ref: (1) Northern Railways letter No. 85-AC/TSV/CA-III/08/Duplicate dated 03.06.2019.  
(2) Railway Board, Executive Director/ Catering letter No. 2018/Catering/603/16 dated 06.06.2019.  
(3) General Manager, Northern Railways letter No. HQ/Lit/DC/Delhi/40/2019 dated 07.06.2019.

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 11/06/2019 at 02:00 PM under the Chairmanship of Dr. Nand Kumar Sai, Hon'ble Chairperson, National Commission for Scheduled Tribes in the matter.

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

Encl: As above.

Yours faithfully,

(Rajeshwar Kumar/ राजेश्वर कुमार)  
Assistant Director/ सहायक निदेशक  
Ph: 24641640

Copy to:

Smt. Durga Devi, Chairman,  
M/s Kashtha Khilona Industrial Production Cooperative Society Ltd,  
B 22/217-1, Kirahiya, Khojwan,  
Varanasi- 10  
(Uttar Pradesh)  
(Mob: 09450533522)

Copy for information to:

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

Government of India  
National Commission for Scheduled Tribes

(DD/2/2019/MRLY1/DEOTH/RU-I)


Minutes of sitting held in the NCST's Headquarters on 11/06/2019 at 12:30 P.M. onwards under the Chairmanship of Dr. Nand Kumar Sai, Hon'ble Chairperson, NCST in the case of M/s Kashtha Khilona Industrial Production Cooperative Society Ltd, Varanasi regarding re-opening of handicraft/ curio stall at Varanasi Cantt, Railway Station under New Railway Policy, 2017 and conversion in MPS.

List of participants is annexed.

Smt. Durga Devi, Chairman, M/s Kashtha Khilona Industrial Production Cooperative Society Ltd, Varanasi (Uttar Pradesh) vide representation dated 13.03.2019 requested the NCST to intervene for re-opening of handicraft/ curio stall at Varanasi Cantt, Railway Station under New Railway Policy, 2017 and conversion in MPS.

The facts and comments were called from the Chairman, Railway Board and GM, Northern Railway on 18.03.2019. The Railway Board vide letter dated 22.04.2019 informed that the matter had been sent to Northern Railway for re-examination of the case. The NCST took up the matter with the GM, Northern Railway and DRM, Lucknow Mandal on 29.04.2019. The Northern Railway, vide letter dated 07.05.2019 had stated that the case has been examined by Commercial Department and detailed report sent by them to Railway Board. The response was not received. The Hon'ble Chairperson fixed the sitting on 11.06.2019 to discuss the matter with Chairman, Railway Board, GM, Northern Railway and the petitioner.

The Railway Board, vide letter No. 2018/Catering/603/16 dated 06.06.2019 had nominated Executive Director/ Catering Railway Board to attend the sitting on 11.06.2019. The GM, Northern Railway vide letter No. HQ/Lit/DC/Delhi/40/2019 dated 07.06.2019 has furnished the copy of the letter dated 03.06.2019 of Northern Railway which contain facts and detail on the action taken by them in the matter. The GM, Northern Railway has also informed that the DRM, Lucknow and the Sr. Divisional Commercial Manager, Lucknow who conversant with the subject will appear before the Commission on 11.06.2019 and requested for exemption to appear before the Commission in the sitting.


  
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

The Executive Director (Catering) on behalf of Railway Board and CPO/IR, Northern Railway, DRM and Senior DCM, Lucknow and the representative of petitioner were appeared in the sitting.

The Hon'ble Chairperson asked the representatives of Northern Railway to explain the facts and suggestion to resolve the issue. The representatives of Northern Railway apprised that the stall camp into existence by a special provision, vide Railway Board letter No. 90/TG-III/600/4 dated 20.02.1990. As per the Misc. stall policy 2007 issued by Railway Board, the licence was allowed to continue only up to the expiry of their contract. Accordingly, the stall was closed on 01.10.2011. Further, Railway Board considered the request of M/s Kashtha Khilona vide letter dated 18/19.06.2012. In this letter, it was clearly mentioned that this stall as Special Minor Unit, accordingly the stall was re-opened on 10.07.2012 and extended for a period of three year i.e. up to 11.07.2015 in terms of CC 69/2012 (New Misc Stall Policy 2012) issued by Railway Board on 02.11.2012 and was further given three years extension (12.07.2015 to 11.07.2018) by the Division.


The Commercial Circular 69 become infructuous after issuance of Commercial Circular 61/2017 (MPS Policy) issued by Railway Board on 05.09.2017 as para 11.5 states that "this Multi Purpose Stall Policy will be applicable with immediate effect i.e. from the date of issue. This policy supersedes Misc. Article Policy, 2012, Chemist Stall Policy 2000 & 2008 and Book Stall Policy of 2004 and their related instructions, unless specifically referred to in this policy document". The Kashtha Khilona Stall does not fall under the category of Book stall or Chemist stall or Misc. stall. Thus, the said stall cannot be converted into on Multi Purpose Stall.

The Hon'ble Chairperson asked the representatives of M/s Kashtha Khilona, Varanasi to explain the problems. The representative informed that this Cooperative Samiti is the organization of downtrodden, Backward & Poor Handicrafts, who comes from reserved categories. The attitude of Railway authority will snatch the means of livelihood of the handicrafts persons belongs to Scheduled Tribes, Scheduled Castes and OBCs. Therefore, Railway authority may be asked to allow to re-open the stall at Varanasi Cantt Railway Station.

  
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

The representatives of Northern Railway informed that tender be invited for allotment of stall at the Railway Station of Varanasi Cantt within two months. Therefore, it would be better the M/s Kashtha Khilona should also apply for allotment of stall.

After detailed discussions with the representative of Railway Board, Northern Railway and the representative of petitioner, the Commission recommends that the Railway Board and Northern Railway should re-consider the request of M/s Kashtha Khilona, Varanasi (to encourage the handicrafts industry) as a Special case, and allow them to re-open the stall at Varanasi Cantt Railway Station. Action taken/ to be taken by Railway Board and Northern Railway may be submitted to the Commission within one month from the receipt of the proceedings of the sitting.

  
03.07.09  
डॉ. नन्द कुमार साय/DR. Nand Kumar Sai  
अध्यक्ष/Chairperson  
राष्ट्रीय अनुसूचित जनजाति आयोग  
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Government of India  
National Commission for Scheduled Tribes

(F. No. DD/2/2019/MRLY1/DEOTH/RU-I)

List of participants of the sitting held on 11/06/2019 at 12.30 PM under the Chairmanship of Dr. Nand Kumar Sai, Hon'ble Chairperson, NCST in the issues raised by Chairman, Kashtha Khilona Industrial Production Cooperative Society Ltd, Varanasi (Uttar Pradesh).

**I**                    **National Commission for Scheduled Tribes**

1.                    Dr. Nand Kumar Sai, Hon'ble Chairperson      **In Chair**
2.                    Shri H.K. Damor, Hon'ble Member
3.                    Shri H.C. Vasava, Hon'ble Member
4.                    Shri A.K. Singh, Secretary
5.                    Shri S.K. Ratho, Joint Secretary
6.                    Dr. Lalit Latta, Director
7.                    Shri Rajeshwar Kumar, Assistant Director
8.                    Shri R.S. Misra, Senior Investigator

**II**                    **Railway Board, New Delhi**

1.                    Shri Manoj Pandey, DG (Personnel)
2.                    Shri S.P. Mahi, EDE (Res)  
**Northern Railway, New Delhi**

**III**

1.                    Ms. Vandana Bhatnagar, ED (Catering), Railway Board
2.                    Shri S.S. Sandhawalia, CPO/IR
3.                    Shri Sanjay Tripathi, DRM
4.                    Shri Manoj Kumar Sharma, Chief Commercial Manager
5.                    Shri Santosh Shukla, Sr. DCM

**IV**                    **Petitioner**

Shri Ravinder Prajapati