



**राष्ट्रीय अनुसूचित जनजाति आयोग**  
**National Commission for Scheduled Tribes**  
(भारत के संविधान के अनुच्छेद 338क के अंतर्गत एक संवैधानिक निकाय)  
(A Constitutional body under Article 338A of the Constitution of India)

F. No. NCST/SER-762/MRL.Y/19/2023-SSW

Dated:- 13.09.2024

To,

1. Ms. Jaya Varma ,  
Chairman and CEO  
Railway Board  
Rail Bhawan  
New Delhi-110001 (Delhi)  
Email:- [crb@rb.railnet.gov.in](mailto:crb@rb.railnet.gov.in) ,  
Phone :- 23384010
2. Shri Uday Borwanker  
Director General  
Research Designs and Standard Organisation  
Manak Nagar  
Lucknow-226011(Uttar Pradesh)  
Email:- [dg@rdso.railnet.gov.in](mailto:dg@rdso.railnet.gov.in)

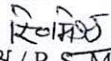
**Sub:- Denial of promotion to ST candidate by the RDSO, Lucknow - a rep. dated 22.12.2022 of Shri Rup Ram Meena, SSRE/M/Testing/RDSO Lucknow.**

महोदय,

I am directed to refer to subject cited above and to enclose herewith a copy of minutes of the sitting held under the Chairmanship of Shri Jatothu Hussain, Hon'ble Member, National Commission for Scheduled Tribes (NCST) on 02.09.2024 at 12:00 (Noon) in NCST, New Delhi.

It is requested that action taken / to be taken in the matter may be submitted to NCST within stipulated time for placing it before the Commission.

Yours faithfully

  
(आर. एस. मिश्र / R.S. Misra)  
अनुसंधान अधिकारी / Research Officer  
दूरभाष सं.: 24641640

Copy to:-

Shri Rup Ram Meena  
SSRE/M/Testing/RDSO  
Manak Nagar  
Lucknow-226011(Uttar Pradesh)  
(Mob No. – 9794864394)

Copy for information to:-

1. PS to Hon'ble Member (Shri J. Hussain)
2. NIC, NCST for uploading on the website of the Commission

## National Commission for Scheduled Tribes

Minutes of the Sitting held under the Chairmanship of Shri Jatothu Hussain, Hon'ble Member, National Commission for Scheduled Tribes at Lok Nayak Bhawan, New Delhi, in the case of Shri Rup Ram Meena regarding denial of promotion to ST candidate by the RDSO, Lucknow.

**File:** NCST/SER-762/MRLY/19/2023-SSW  
**Date of the Sitting:** 02/09/2024, 12:00 Noon  
**Participants in the Sitting:** As per Annexure

Shri Rup Ram Meena, SSRE/M/Testing/RDSO Lucknow vide his rep. dated 22.12.2022 has alleged that the panel for filling up 7 vacancies (5 UR, 1 SC, 1 ST) in Group B Tech Cadre against 70% departmental quota of mechanical department in Research Designs and Standard Organisation, Lucknow, Uttar Pradesh was prepared on 25.03.2022 and wrongly his name was excluded. The first candidate in the list was ST and he should have been selected as per his own merit since he was at the top. But he was considered as filling up the ST quota and the petitioner name was excluded.

NCST vide notice dated 20.02.2023 had referred the matter to Chairman & CEO, Railway Board, Rail Bhawan, New Delhi and the Director General, Research Designs and Standard Organisation, Lucknow, Uttar Pradesh for furnishing the facts and comments within 15 days of the receipt of the notice.

O/o of RDSO, Lucknow vide letter dated 07.03.2023 informed the Commission that –

- Railway Board's vide their letter RBE No 126/2010 dated 01.09.2010 had advised that SC/ST candidates appointed by promotion on their own merit should be adjusted against UR points in the reservation roster. This was being followed until 30.09.2016.
- Railway Board vide their letter dated 30.09.2016 advised that earlier letter dated 01.09.2010 shall be kept in abeyance till further advice and all promotions shall be made ignoring the 01.09.2010 letter. This shall be subject to outcome of pending SLPs in Supreme Court.
- Thus from 30.09.2016 to 12.04.2022, promotion were made while keeping in abeyance 01.09.2010 letter. The current issue happened during this period and RDSO prepared the panel as per 2016 letter.
- Railway Board vide their letter dated 13.04.2022, 02.05.2022 and 22.06.2022 clarified that candidates promoted on own merit should not be considered against SC/ST points and this should be followed henceforth.

The reply was collected by the petitioner on 31.03.2023 from NCST Delhi Office. Shri Rup Ram Meena vide letter 20.04.2023 has refuted the facts and comments and requested justice and requested to convene a sitting.

Shri Rup Ram Meena vide letter dated 04.10.2023 has stated that the ST incumbants may be promoted under UR category so that he can promoted for the post. The rejoinder was sent on 04.10.2023 to Chairman & CEO, Railway Board, Rail Bhawan, New Delhi and the Director General, Research Designs and Standard Organisation, Lucknow, Uttar Pradesh for furnishing their reply on the points raised by the petitioner. RDSO vide its letter dated 27.10.2023 reiterated the earlier reply and stated that the panel had been formed on 25.03.2022 and hence "own merit" concept was not applied at that time.

The Commission hence decided to discuss the issue with Chairman & CEO, Railway Board, Rail Bhawan, New Delhi and Director General, Research Designs and Standard Organisation, Lucknow, Uttar Pradesh and the petitioner on 02.09.2024. This was communicated vide NCST sitting notice dated 27.08.2024 to concerned authorities and petitioner to attend the sitting.

In the sitting, the ED/ESTT(GC) appeared on behalf of Chairman, Railway Board and Chief Personnel Officer, RDSO appeared on behalf of Director General, RDSO. The petitioner was also present. The ED/ESTT(GC) informed the Commission that RDSO had referred the issues relating to the panel and subsequent promotion to the Railway Board for clarification vide letter dated 03.05.2024. The concept of "own merit" had not been applied in the petitioner's case and the same had also been followed in all promotion done by RDSO between 2016 to March 2022. Thus the petitioner was not specifically targeted. The Chief Personnel Officer, RDSO also reiterated his earlier comments and stated that RDSO had followed the same policy for all promotions between 2016 to March 2022. Thereafter "own merit" concept started being applied again from April 2022. In the intervening period, some zones followed the own merit concept while some zones did not. After April 2022, all zones again started applying own merit concept uniformly.

The petitioner in the sitting has provided a copy of the inspection note dated 18.03.2024 of EDE(Reservation) of Railway Board wherein it was informed that the reservation policies have not been followed in the instant case. The petitioner pointed out that the other zones/units of Railway Board had implemented concept of "own merit" even during 2016-2022.

After discussion with both the sides, the Commission recommends the following and suggested the action taken report may be submitted within 30 days from receipt of the minutes of the sitting-

- The RDSO may prepare and submit the proposal to Railway Board for re examination the petitioner's case as per rules
- The Special Leave and Travelling Allowance may be provided to the petitioner for attended the sitting at NCST Headquarters

(Jatothu Hussain)  
Member

National Commission for Scheduled Tribes  
Govt. of India  
New Delhi

जाटोतु हुसेन / Jatothu Hussain  
सदस्य / Member  
भारत सरकार / Government of India  
राष्ट्रीय अनुसूचित जनजाति आयोग  
National Commission for Scheduled Tribes  
नई दिल्ली / New Delhi

List of participants of the sitting held on 02.09.2024 at 12:00 (Noon) under the Chairmanship of Shri J. Hussain, Hon'ble Member, NCST in the case of Shri Rup Ram Meena, SSRE/M/Testing/RDSO Lucknow regarding denial of promotion to ST candidate by the RDSO, Lucknow

<b>I</b>	<b><u>Railway Board</u></b>
	Ms. Anvita Sinha, EDE/GC
<b>II</b>	<b><u>Research Designs and Standard Organisation</u></b>
	Shri Amar Nath Dube, PCPO/RDSO
<b>III</b>	<b><u>Petitioner</u></b>
	Shri R. R Meena