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All India Railwaymen's Federation

(Estd, 1924)

4, STATE ENTRY ROAD,
NEW DELHI-110055
INDIA

No.AIRF/24(C)

Dated: August 10, 2015

The ED(IR),
Railway Board,
New Delhi

Dear Sir,

Sub: Absorption of staff of quasi-administrative offices/organization on the Railways
Ref.: Board's letter No.E(NG)II/2006/RR-4/3 dated 06.08.2015

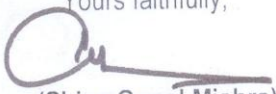
AIRF strongly protests arbitrarily move of the Railway Board, circulating above cited letter without consulting the organized labour and considering the fact that this issue is under discussion between the Railway Board(Member Staff) and the Federations.

It is worth-mentioning here that, I have also raised this issue in the meeting held on **6th August, 2015** with Hon'ble Minister for Railways to discuss the report of the HLRRC, wherein Hon'ble MR had advised the Member Staff, Railway Board, to resolve this issue amicably at an earliest. He had also said that, solving problems within the Railways is his priority.

The Board are requested to stop the practice of issuing such controversial letters on the issues which are under active consideration of the Railway Board or under discussion between the Railway Board and the Organized Labour, to avoid unwanted confrontation between the Railway Board and the Organized Labour.

AIRF also hope that, a meeting should be organized on the unresolved issues with Hon'ble Minister for Railways at an earliest.

Yours faithfully,


(Shiva Gopal Mishra)
General Secretary

Copy to: All Affiliated Unions – for information.

GOVERNMENT OF INDIA
MINISTRY OF RAILWAYS
(RAILWAY BOARD)

No. E(NG)II/2006/RR-4/3

New Delhi, Dt. 6 .08.2015

The General Secretary,
NFIR,
3, Chelmsford Road,
New Delhi- 110055.

The General Secretary,
AIRF,
4, State Entry Road,
New Delhi- 110055.

Sub: Absorption of staff of quasi administrative offices/organization on the Railways.

Kindly refer to the issue raised vide item No. 27/2006 of the JCM/DC meeting and a number of letters received from both the recognized federations on the subject mentioned above. The issue of giving further chances to candidates working in quasi-administrative bodies was deliberated by the Board **comprehensively**. You may recall that those who joined quasi administrative organizations after 10.6.1997 are governed by instructions dated 11.6.1997 to compete with open market candidates for a railway job. Further, the decision to absorb staff of such quasi administrative offices, who were on roll as on 10.6.1997 was a one-time relaxation only. Legal Directorate on the issue has opined that in view of Supreme Court's order, any scheme of regularization of persons irregularly appointed earlier is permissible as a one-time measure only and there should be no further bypassing of the Constitutional requirement. The matter was referred to the learned ASG, who has also opined that any further relaxation would fall foul of the intent and spirit of the judgment of the Apex Court relating to grant of one time relaxation.

Keeping in view the above, the matter stands settled. The decision of 11.6.1997 was a specific decision and cannot be altered/extended any more. Also, those who do not fulfill the conditions for such absorption, for whatever reasons, cannot be absorbed now. Further, reverting back to instructions of 26.8.1977 is not feasible for the reasons that those who were recruited by the quasi-administrative bodies cannot be equated at par with RRBs and RRCs recruitment, which is the legal source of recruitment in the Railways. Hence, further relaxation/extension of these norms are not possible to consider candidates after 10.6.1997 due to legal constraints.

Yours faithfully,

For Secretary/Railway Board

R/S
Put up a memorandum
a draft to be prepared
to be prepared
this issue is still under
discuss with ms against
6 pts may be sent also
has been sent also
correct ED/IR on Monday
7/8