

SRES – NFIR

THE ROLE OF NFIR / SRES IN REGARDS TO TRANSFER OF 400 C&W HELPERS / TRACKMEN OF CHENNAI Div. & SUBSTITUTES OF TVC / PGT / MDU / SA.

- **GS/SRES wrote letter to GS/NFIR on 01.11.2016 to consider the request transfer of Substitutes to Chennai area.**
- **GS/NFIR wrote letter to Board on 05.11.2016 and again reminded on 02.04.2018, 25.06.2018, 10.04.2019.**
- **NFIR has placed Rly. Bd. PNM Sub. No. 18/2017 for their absorption and transfer.**
- **GS/NFIR had special meeting with Board on 23.11.2017 how to transfer Substitutes. Instructions given to Southern Railway.**
- **In the letter dated 25.06.2018, GS/NFIR gave idea to transfer good number of Helpers to PGT & TVC division and in turn good number of substitutes to be re-allotted to Chennai/TPJ area.**
- **On the above discussion and GS/NFIR Lr. dt. 25.06.2018, CPO gave instructions to PGT & TVC to collect the details.**
- **This was also aware by all the substitutes one year back itself.**
- **As insisted GS/NFIR in the special meeting with Board, CPO gave instructions on 30.07.2018.**
- **We also initiated to take action & wrote letter to CPO on 31.08.2018 to register 333 Helper applications and send it to TVC & PGT.**
- **CPO gave reply to JGS/NFIR & GS/SRES on 22.11.2018.**
- **Now, CPO has issued order vide letter dated 28.08.2019 to collect the details of Act Apprentices engaged as Substitutes who wants transfer to Chennai / TPJ area by NFIR.**
- **Now, administration had considered our representation and decided to transfer the Substitutes to MAS/TPJ area in their place Helpers of MAS / RRC candidates to be posted.**
- **10 yrs it was delayed due to Court Case filed by Binomi of SRMU.**
- **For vote purpose now SRMU moved PNM Agenda 20/2019, Shame! Shame!!**
- **This issue has come to final stage, so do not pay anything to money Union.**
- **Immediately fill up the applications for allotment to other divisions (Format of application enclosed).**

**Dr.M.Raghavaiah
GS/NFIR & GS/SRES**

**Circular No. : 1036
Date : 11.09.2019**

**P.S.Suriyaprakasam
JGS/NFIR & GS/SRES**

For more details visit : sresindia.org / nfirindia.org

SOUTHERN RAILWAY EMPLOYEES' SANGH

(Registered and affiliated with NFIR, INTUC & ITF)

CENTRAL OFFICE

"UNITY HOUSE" , 2, Main Road, Perambur, Chennai - 600 011.

Email ID - sresnfir@gmail.com, Website : sresindia.org



M. Raghavaiah

- President, Southern Railway Employees' Sangh
- General Secretary, National Federation of Indian Railwaymen
- General Secretary, South Central Railway Employees' Sangh
- Leader, Staff Side National Council Joint Consultative Machinery (JCM)
- Vice-President, Indian National Trade Union Congress(INTUC)

P.S. Swiyaprakasam

- General Secretary, Southern Railway Employees' Sangh
- Assistant General Secretary, National Federation of Indian Railwaymen
- Member, DCM/JCM - New Delhi
- Working Committee Member - INTUC- New Delhi
- Vice-President, Indian National Trade Union Congress(INTUC) Tamil Nadu

Esc No. : 92/A

Date : 01.11.2016

To
The General Secretary/NFIR,
New Delhi.

Brother,

Sub : Request transfer of substitute employees.

530 course completed Act Apprentice have been inducted in Southern Railway as substitutes in the year Now 2009 and posted in various divisions. They all belong to Chennai. The following problems facing by the substitutes are as under :

1. At the time of inducting substitutes in Railways, a condition class was incorporated in the Appointment order that their confirmation is subject to the outcome of Court verdict.
2. High Court of Chennai under SRES Miscellaneous petition No.1/2013 in WP 8821/2007 have given judgment in favour of 530 substitute employees. This was challenged by SRMU in binomi name under Supreme Court vide case no. CA 1909/2015.
3. The substitutes are separated from their family and many of them put up at TVC and PGT Division. This request transfer was not even entertained because of substitutes.
4. The recently recruited employees through RRC, LARSGESS etc were promoted to Higher Grade. Since 2009 the substitutes are continuously working as substitutes.

Though SRES/NFIR have filed an Affidavit to bring the case quickly, it was listed but no improvement.

We suggest that the request transfer of substitutes can be considered against safety category. Their promotion also can be considered subject to the confirmation in the appointment order.

We SRES/NFIR therefore request NFIR to kindly take up the issue at appropriate level and also include Agenda in PNM.

With greetings,

Yours fraternally,

General Secretary



NFIR

Registration No. : RTU/Ann/31/2012

National Federation of Indian Railwaymen 71

3, CHELMSFORD ROAD, NEW DELHI - 110 055

Affiliated to :

Indian National Trade Union Congress (INTUC)
International Transport Workers' Federation (ITF)

SRES

No.III/SRES/Pt.12

Dated: 05/11/2016

The General Manager,
Southern Railway,
Park Town
Chennai
Dear Sir,

**530 - Substitute.
Act. apprentice**

Sub: Denial of regular absorption and attendant benefits and privileges to the Course Completed Act Apprentices working as substitutes since the last 7 years – Intervention – requested.

Nearly 530 Course Completed Act Apprentices were inducted on various Divisions of Southern Railway in the year 2009 as substitutes and they have been working continuously since the last seven years. They have also been granted temporary status on completion of 120 days continuous service. They have however not been regularly absorbed in GP 1800/7th CPC pay matrix level 1 even though they are entitled for regular absorption with retrospect effect i.e. from the date subsequent to the date of completion of 240 days continuous service.

In this connection, NFIR desires to convey that the Hon'ble High Court at Chennai in WP 8821/2007 had given judgment in favour of these substitutes. But however the administration had not regularly absorbed them on the plea that the case is pending in Supreme Court although there has been no ban for regular absorption.

The merits of the case are placed below:

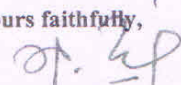
- The initial engagement of Course Completed Act Apprentices as Substitutes was resorted to in the year 2009 by the General Manager who has been vested with powers for such action.
- They are working against regular vacant posts.
- The Hon'ble High Court at Chennai had in fact upheld the decision of the competent authority for induction of apprentices as substitutes while making certain observations.
- The Hon'ble Supreme Court also has not passed any adverse orders warranting non-absorption as regular employees.
- Denial of regular absorption has caused irreparable harm to the substitutes. The candidates joined through RRC etc., later on became seniors to substitutes and got promotions also.
- Non-regularization has deprived them of 7th CPC pay fixation with effect from 01/01/2016.
- They are also denied the request transfer to their places on the pretext that they are not entitled for transfer, being substitutes.
- They are denied promotion opportunities also.

NFIR therefore requests the General Manager to kindly get the case examined de-novo for the purpose of granting them regular absorption with retrospective effect. The request applications of these staff may also be considered for transferring them to the place of their choice as vacancies are available for accommodating them.

NFIR hopes that a reply indicating the action initiated will be sent to the Federation soon.

All cons/3085
Rmy

Yours faithfully,


(Dr M. Raghavaiah)
General Secretary

Copy to the Chief Personnel Officer, Southern Railway, Chennai.
✓ Copy to the General Secretary/SRES, Perambur, Chennai with ref to his letter dated 01/11/2016.

Phone : 011-23343305, 65027299, Rly. 030-22283, 22626, Fax : 011-23744013, Rly. 22382; Telegram : RAILMAZDOR
E-mail : gs@nfirindia.com; nfir@sify.com, Website : www.nfirindia.org

EARLY DETECTION OF HIV / AIDS - PROLONGS QUALITY OF LIFE

N F I R

Registration No. : RTU/Nnn/31/2012



National Federation of Indian Railwaymen

3, CHELMSFORD ROAD, NEW DELHI - 110 055

Affiliated to :

Indian National Trade Union Congress (INTUC)
International Transport Workers' Federation (ITF)

SRES

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NFIR/PNM- 18/2017

No. III/SRES/Part 15

Dated: 02/04/2018

The Secretary (E),
Railway Board,
New Delhi
Dear Sir,

539. Substitute
Employees

Sub: Regular absorption of Temporary status substitutes on Southern Railway-reg.

Ref: (i) NFIR's PNM Item No. 18/2017.
(ii) Minutes of Special meeting held between NFIR & Railway Board (EDE/N) on 23/11/2017.

During discussions held in the special meeting on 23/11/2017 between the Railway Board and NFIR, on PNM agenda Item No. 18/2017, the Official Side conveyed that the matter is sub-judice in the Apex Court, however, Federation sought details of the case pending before the Court of Law.

In this connection, Federation also suggests that pending decision of the Hon'ble Supreme Court, the Southern Railway Administration may be advised to grant provisional absorption, seniority, promotion etc., to these candidates besides action to consider the request transfer applications to avoid serious setback to their career due to recruitment of RRC candidates and compassionate ground wards who though junior have got promotions.

NFIR, therefore, requests the Railway Board to issue suitable instructions to the General Manager, Southern Railway to regularize all the temporary status substitutes (former Course Completed Act Apprentices) with retrospective effect, provisionally. A copy of the instructions issued may be endorsed to the Federation.

AU COBS/DOBS

[Handwritten signature]

Yours faithfully,

[Handwritten signature]

(Dr. M. Raghavaiah)
General Secretary

Copy to the General Secretary, SRES, Chennai with reference to letter No. 10-A/PNM dated 22/02/2018.
File No. 18/2017 (PNM).



N F I R

Registration No. : RTU/Ann/31/2012

National Federation of Indian Railwaymen

3, CHELMSFORD ROAD, NEW DELHI - 110 055

Affiliated to :

Indian National Trade Union Congress (INTUC)
International Transport Workers' Federation (ITF)

No. III/SRES/Part 15

Dated: 25/06/2018

The Secretary (E),
Railway Board,
New Delhi

Dear Sir,

Sub: Regular absorption of Temporary status substitutes on Southern Railway-reg.

- Ref: (i) NFIR's PNM Item No. 18/2017.
(ii) Minutes of Special meeting held between NFIR & Railway Board (EDE/N) on 23/11/2017.
(iii) NFIR's letter No. III/SRES/Part 15 dated 02/04/2018.

Vide Action Taken Statement furnished to the NFIR during the PNM meeting held with the Railway Board on 10th/11th May, 2018 on the above subject, the Official Side stated that

"Since the matter is sub-judice, the regularization against the vacancies cannot be processed at present".

In this connection, NFIR desires the Railway Board to kindly appreciate following facts:-

- The engagement of Course Completed Act Apprentices by Southern Railway was upheld by the Hon'ble High Court, Madras,
- Due to SLP filed by a party, the subject is under adjudication before the Apex Court. However, there has been no Court order restraining the Administration from granting regular absorption.
- The Railway Administration may consider granting regularization provisionally, subject to the outcome of the decision of the Hon'ble Supreme Court,
- Hundreds of new candidates joined after the engagement of Course Completed Act Apprentices and they got promotion to the posts of Technician Gr.III as well Gr.II. The injustice done to the Act Apprentices due to non-regularization inspite of the fact that they have rendered a decade service can better be imagined for the purpose of finding solution to the problem.

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The temporary status substitutes of Mechanical Department working in Trivendrum, Palghat and Madurai Divisions have repeatedly requested the Southern Railway Administration to atleast post them in Mechanical Department at Chennai to join their families as they belong to Chennai area. While their requests have not been considered till date, over 250 Helpers of Mechanical Department (C&W), Chennai who sought inter divisional transfer to Trivendrum, Palghat etc., are suffering as their requests have not been conceded on the plea that vacancies do not exist in Trivendrum, Palghat Divisions etc. Had the Administration taken initiative, this small issue could have been resolved to facilitate the staff to work peacefully at their places. In this context, Federation suggests that the willing temporary status substitutes of Mechanical Department of Trivendrum, Palghat etc., may be deployed to work at Chennai vice those Helpers (C&W) who sought inter divisional transfer to Trivendrum, Palghat etc., thereby they can go to their places of choice which would satisfy the regular staff as well temporary status substitutes and such arrangement would not cost the Administration financially or technically.

NFIR, therefore, request the Railway Board to kindly address suitable letter to the General Manager, Southern Railway, to take action on the above proposals for mitigating the hardships to the staff of Chennai as well temporary status substitutes of Trivendrum, Palghat etc., early. Federation also requests to consider granting regular absorption for those substitutes provisionally.

Yours faithfully,


(Dr. M. Raghavaiah),
General Secretary

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SOUTHERN RAILWAY

Headquarters Office
Personnel Branch
Chennai 600 003.

No.P(S)535/IV/C&W/Misc/Div/Vol.I.

Dated: 30/07/2018.

Sr.DPO/MAS.

Sub: Inter Divisional one way request transfer – staff of Mechanical Department.

Ref: 1. CRSE/Chg.Note No.M/CW/271/MPP Genl. Dated 12.07.2018. F(45)

2. Sr.DPO/MAS letter No.M/P(M2)677/VI/C&W/Helper dated 10.04.2018. F(52)

Sr.DPO/MAS is hereby advised to take action immediate to forward the Inter Divisional one way request transfer applications of 333 Helpers of C&W wing of Mechanical Department those who have registered their names for Inter Divisional one way request transfer from Chennai Division to various division of this Railway. Further it is also advised that as and when the acceptance received from other Divisions, the employees may be relieved immediately without awaiting for reliever.

This issues with the approval of CRSE/Chg.

100x/18
30/7/18

(Meena Baskaran)

Dy. S.C. & Personnel Officer/M&E.
for Principal Chief Personnel Officer.

O/C 27/07

Copy to: PCME, CRSE/Chg. – for information.
Sr.DME/MAS – for information and similar action.

30/7

Sr.DPO/TVC & PGT and DPO/TPJ/MDU & SA - for information.
They will please arrange to communicate their approval as and when the IDT applications received from MAS Division as per priority against existing/higher grade vacancies of your Division to enable MAS Division to relieve the employees.

III/SRES/
SOUTHERN RAILWAY

Dada Kalavathi
copy to
SRES
H-4
=

Headquarters Office,
Personnel Branch,
Chennai – 600 003.

No. P(S)535/IV/C&W/Misc/Div/Vol.I.

Date : 22.11.2018.

92/A

The Joint General Secretary,
NFIR,
No.3, Chelmsford Road,
New Delhi – 110 055.

Sir,

Sub : Processing of request transfer applications of C&W Helpers
of Chennai Division.

Ref : JGS/NFIR & GS/SRES letter No.Esc.No.92- A/Transfer
dated 31.08.2018.

With reference to the above, it is advised that the registered Inter
Divisional one way request transfer applications of Fifty (50) Helper/C&W of
Mechanical Department of Chennai Division have since been forwarded to the
respective Divisions on 04/10/2018 vide letter No.M/P(M2)677/C&W/IRMT/Vol.IV
dated 04.10.2018.

Yours faithfully,



(Meena Baskaran)
Dy.Chief Personnel Officer/M&E.
for Principal Chief Personnel Officer.



NATIONAL FEDERATION OF INDIAN RAILWAYMEN (N.F.I.R.)
3, Chelmsford Road, New Delhi

No. III/SRES/Part 16

Dated: 04/12/2018

Copy forwarded to the General Secretary, SRES, Chennai.



(Dr. M. Raghavaiah)
General Secretary



National Federation of Indian Railwaymen

3, CHELMSFORD ROAD, NEW DELHI - 110 055

Affiliated to :

Indian National Trade Union Congress (INTUC)
International Transport Workers' Federation (ITF)

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No. III/SRES/Part 16

Dated: 10/04/2019

The Secretary (E),
Railway Board,
New Delhi

Dear Sir,

Sub: Regular absorption of Temporary status substitutes on Southern Railway-reg.

- Ref: (i) **NFIR's PNM Item No. 18/2017.**
(ii) Minutes of Special meeting held between NFIR & Railway Board (EDE/N) on 23/11/2017.
(iii) NFIR's letter No. III/SRES/Part 15 dated 02/04/2018 & 25/06/2018.

Kind attention of Railway Board is invited to NFIR's PNM Agenda Item No. 18/2017 relating to regular absorption of temporary status substitutes on Southern Railway which continues to remain pending for about two years now.

In this connection, Federation vide its letter dated 25/06/2018 suggested to the Railway Board to find a way out to consider regularization of these staff provisionally subject to outcome of the decision of the Apex Court. Though a period of over nine months has passed, there is no response to Federation's communication.

While enclosing copy of its letter dated 25/06/2018, NFIR once again requests the Railway Board to kindly address a communication to the General Manager, Southern Railway to take action for mitigating the hardships being faced by the staff (Ty. Status Substitutes) of Chennai, Trivendrum, Palghat Division early. A copy of the communication sent may kindly be endorsed to the Federation.

DA/As above

Yours faithfully,

(Handwritten signature)

(Dr. M. Raghavaiah)
General Secretary

✓ Copy to the General Manager, Southern Railway, Park Town, Chennai.
Copy to the General Secretary, SRES, Chennai for follow up action.
File No. 18/2017 (PNM).