



सत्यमेव जयते

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-1428/MRLY/5/2024-SSW

Dated: 12.11.2024

To,

The General Manager,
Southern Railway,
Headquarters Office, Park Town,
Chennai, Tamil Nadu - 600003
(Email Id: gm@sr.railnet.gov.in)

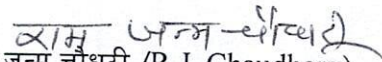
Sub:- Non implementation of order dated 17.08.2023 in WP No. 7703 of 2020 of Hon'ble High Court of Judicature at Madras - a representation dated 11.06.2024 by Zonal President, Akhil Bharatiya Adivasi Vikas Parishad, Shastri Nagar, (Chennai) - 600020.

महोदय/ महोदया,

I am directed to enclose herewith a copy of the minutes of the sitting held on 16.10.2024 at 4:40 PM under the Chairmanship of Shri Jatothu Hussain, Hon'ble Member, National Commission for Scheduled Tribes, Lok Nayak Bhawan, Khan Market, New Delhi 110003 on the above mentioned subject.

It is requested that the action taken/ to be taken in the matter may be intimated to NCST within stipulated time from receipt of the letter for placing it before the Commission.

Yours faithfully,


(राम जन्म चौधरी /R.J. Chaudhary)
सहायक निदेशक /Assistant Director
Tel:- 011-24641640

Copy for information:-

1. K. Kesavan,
Zonal President (South),
Akhil Bharatiya Adivasi Vikas Parishad
Flat No. 158A, Ellaiammman Koil Street,
Shastri Nagar, Chennai, (Tamil Nadu) - 600020
2. PS to Hon'ble Member (J.H), NCST.
3. 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, regarding non payment of pension and other benefits of Shri R. Jagadeeshan by Southern Railway in the case of Shri K. Kesavan, Zonal President (South), Akhil Bharatiya Adivasi Vikas Parishad, Shastri Nagar.

File No.: NCST/SER-1428/MRLY/5/2024-SSW

Date of the sitting: 16.10.2024, 12:00 PM

Participants in the sitting- As per Annexure

Shri K. Kesavan, Zonal President (South), Akhil Bharatiya Adivasi Vikas Parishad, Shastri Nagar, Chennai vide his representation dated 07.04.2022 on behalf of Shri R. Jagadeeshan, retired ST employee (30.06.2015), has alleged that the Southern Railways is not releasing retirement benefits to him. He further states that Hon'ble High Court of Madras, vide its decision dated 17.08.2023 had ordered Railway Board to pay pension as per rules. Further, the petitioner's brother has been declared as ST by SLSC but the petitioner is being made to run from pillar to post. Southern Railways have disregarded the Court's judgment and denying the retirement benefits.

NCST vide notice dated 05.08.2024 had referred the matter to General Manager, Southern Railways, Chennai for submitting facts and information within 15 days. No reply was received.

NCST decided to discuss the issue with the authorities and the petitioner on 16.10.2024. Accordingly, a Sitting Notice was sent on 07.10.2024. General Manager, Southern Railways, Chennai deputed Chief Personnel Officer/Administration to appear on his behalf. The petitioner was not present. The CPO informed that the Railway administration was considering appealing the order of the Hon'ble High Court by which the Southern Railway had been directed to pay the pension. The Commission took a strong view of the fact that a retired ST Employee had been denied his pension for 9 years. Moreover, despite having orders of Hon'ble high Court in his favour, the railway administration had not paid his pension and other benefits.


After hearing the CPO, Southern Railway, the following was recommended and suggested to submit the Action Taken Report within 30 days from the receipt of the minutes –

Southern Railway to expeditiously start the payment of provisional pension and other retirement benefits in favour of Shri R. Jagadeeshan as per Hon'ble High Court of Madras order dated 17.08.2023 (W.P. No. 7703 of 20200) at earliest.

(Jatothu Hussain)
Member
National Commission for Scheduled Tribes
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 16.10.2024 at 4:40 PM under the Chairmanship of Shri Jatothu Hussain, Hon'ble Member, NCST in the case of Zonal President, Akhil Bharatiya Adivasi Vikas Parishad, Shastri Nagar, (Chennai) regarding non implementation of order dated 17.08.2023 in WP No. 7703 of 2020 of Hon'ble High Court of Judicature at Madras

I			
National Commission for Scheduled Tribes			
1.			
2.	Shri Surat Singh Director		
3.			
4.	Shri Akash Tripathy Sr. Investigator		
5.	Shri Mukesh Investigator		
6.	Shri Neelmani Thakur Consultant - Legal		
7.	Shri Ajay Andley, Consultant		
II			
Southern Railway			
Sr. No.	Name and Designation	Address & Phone No.	Signature
1.	A. Narayanaswami KPO/Admn/SRly	9003160601	
2.			
3.			
III			
Petitioner			
1.	ONL		
2.			
3.			