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Annexure A7
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NORTHERN RAILWAY

HEADQUARTERS OFFICE,
BARODA HOUSE,
NEW DELHI.

No.220-E/1893/Court Case/RP Cell

Dated: 20/11/2015

DRM/ DLI, FZR, UMB, MB & LKO
FA&CAO/NDBH, MD/NRCH,
CSC/RPF, CBE/NDBH, CTE/NDBH
CWM/AMV/LKO, CB/LKO, ASR, JUDW & GZB
Dy. CCM/ Claims/BSB, Dy. CMM/JUDW/SSB,
Dy. CE/Bridge Workshop/JRC, LKO, Dy CE/BL/TKJ,
Chief Manager/P&S/SSB, XEN/BWP/MUT,
All Dy. CPOs, SPOs/NDBH, Chairman/RRC/LPNR

Sub: Reservation in promotions for Physically Handicapped Employees
on Northern Railway.

Ref: Railway Board's letter No. E(NG)1/2001/PM1/56 CC. Vol. II,
dated 21/10/2015.

Instructions were issued by DOPT vide OM No. 36035/8.89-ESTT.(SCT) dated 20/11/1989 for provision of reservation in promotions for Physically Handicapped employees. These instructions were not adopted in Railways due to special nature of jobs which the Railway performs as advised by Railway Board vide letter No. E(NG)1-90/PM1.2, dated 05/12/1995.

Northern Railway Physically Handicapped Employees Welfare Association (NRPHEWA) had filled an OA No. 2279/2003 seeking directions for implementation of the instructions of DOPT issued under OM No. 36035/8.89-ESTT.(SCT), dated 20/11/1989 and reservation in promotions with retrospective effect.

After consideration, Hon'ble Tribunal vide its judgment dated 30/04/2004, had allowed the OA and directed to comply with the policy decision of Railways and DOPT's instructions dated 20/11/1989, Government of India's instructions to consider providing reservation to the Physically Handicapped Persons in posts filled by promotion.

These orders have been upheld by Hon'ble High Court, Delhi in WP(C) No. 13627-28/2004 and further by Hon'ble Supreme Court of India in SLP (Civil Appeal) No. 5265-5267/2008.

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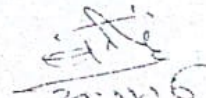
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Railway Board vide letter dated 21/10/2015 has issued directions to implement the above said judgment for providing reservation in promotions to Physically Handicapped Persons.

Instructions of Railway Board dated 02/06/2006 (RBE 70/2006) along with DOPT's OM dated 29/12/2005 and 26/04/2006 have been circulated under NRPS No. 13164/2006.

Further, Railway Board's letter No. E(NG)II/2009/RC-2/5 list, dated 27/08/2009 showing the list of posts identified suitable for physically handicapped persons has been issued under NRPS No. 13634/2009.

It is imperative, therefore, that necessary action in respect of implementation of the orders of Hon'ble Court for provision of reservation in promotions to physically handicapped persons may be taken at the earliest and feedback be given to this office so that the compliance report may be filed before the Hon'ble Tribunal.


(Balwan Singh)

For General Manager(p)

Copy for information to:

1. General Secretary/NRMU
2. General Secretary/URMU
3. General Secretary/AISC/STREA
4. General Secretary/OBCREA
- ✓ 5. President/NRPHEWA