

उत्तर मध्य रेलवे

प्रधान कार्यालय
इलाहाबाद

पत्रांक: 797-ई/पालिसी/2018

दिनांक: .07.2018

RBE No-91/2018

NCRPS No. 5248/2018

समस्त विभागाध्यक्ष/उमरे/इला., वरि.उप महाप्रबन्धक, उप महाप्रबन्धक/सा. मु.प्रशा.अधि/नि

मंडल रेल प्रबन्धक/कार्मिक, उत्तर मध्य रेलवे, इलाहाबाद, आगरा एवं झाँसी।

मुख्य कारखाना प्रबन्धक, उत्तर मध्य रेलवे, वैगन रिपेयर शाप, झाँसी।

मुख्य कारखाना प्रबन्धक, उत्तर मध्य रेलवे, रेल स्प्रिंग कारखाना, सिथौली (ग्वालियर)।

चेयरमैन/आरआरसी/उत्तर मध्य रेलवे/इलाहाबाद।

उप मुख्य सामाग्री प्रबन्धक/झाँसी, उप मु.अभि/सीपीओएच/इला., उप मु.अभि./सीएसपी/इला.

प्रिन्सिपल - सुपरवाइजरस ट्रेनिंग सेन्टर, झाँसी, सिविल ट्रेनिंग सेन्टर, कानपुर, इण्डिया रेलवे ट्रेक मशीन

ट्रेनिंग सेन्टर, इला., एरिया ट्रेनिंग सेन्टर, झाँसी, बेसिक ट्रेनिंग सेन्टर, लोको, झाँसी, बेसिक ट्रेनिंग सेन्टर,

सी एण्ड डब्लू/झाँसी, बेसिक ट्रेनिंग सेन्टर, वैगन वर्कशॉप, झाँसी, सी एण्ड डब्लू ट्रेनिंग सेन्टर, कानपुर,

परमानेन्ट वे ट्रेनिंग सेन्टर, झाँसी, ट्रान्सपोर्टेशन ट्रेनिंग सेन्टर, सूबेदारगज, इला., इलेक्ट्रिक, ट्रेनिंग

सेन्टर/टीआरडी/झाँसी, इलेक्ट्रिक ट्रेनिंग सेन्टर, कानपुर, मु.प्रा.अधि/आईआरपीएमयू/नई दिल्ली

उप मुख्य इंजी/ब्रिज/लाईन/इला./झाँसी एवं आगरा, एक्स ई एन/ब्रिज/लाईन/झाँसी।

व.स.वि.स/कैश एवं पे/उमरे/इलाहाबाद।

Subject: Implementation of interim Orders/directions in Special leave to Appeal(C) No-30621/2011 arising out of final judgement and order dated 15.07.2011 in CWP No-13218/2009 passed by the Hon'ble High Court of Punjab & Haryana and special Leave to Appeal (C) No-31288/2017 arising out of Hon'ble Delhi High Court judgment dated 23.08.2017 and othe related court cases-regarding.

रेलवे बोर्ड के पत्र संख्या 2018-E(SCT)I/25/9 दिनांक 19.06.2018 की प्रतिलिपि आपके सूचनार्थ, मार्गदर्शन एवं आवश्यक कार्यवाही हेतु प्रेषित है।

संलग्नक: यथोक्त।

(V.P.Singh)

For General Manager/P

प्रतिलिपि निम्नलिखित को सूचनार्थ एवं आवश्यक कार्यवाही हेतु-

1. कार्यालय अधीक्षक, उत्तर मध्य रेलवे, इलाहाबाद।
2. मुख्य विधि सहायक, उत्तर मध्य रेलवे, इलाहाबाद।
3. मुख्य स्टाफ एण्ड वेलफेयर इन्सपेक्टर, उत्तर मध्य रेलवे, इलाहाबाद
4. सीपीआई- एससी-एसटी, उत्तर मध्य रेलवे, इलाहाबाद।
5. महामंत्री, एन सी आर ई एस
6. महामंत्री, एन सी आर एम यू
7. महामंत्री, एन सी आर पी ओ ए

18/7/18

RBE No. 91/2018

भारत सरकार GOVERNMENT OF INDIA
रेल मंत्रालय MINISTRY OF RAILWAYS
(रेलवे बोर्ड RAILWAY BOARD)

No. 2018-E(SCT)I/25/9

New Delhi, Dated: 19.06.2018

The General Managers (P)
All Indian Railways
and Production Units.

Sub: Implementation of interim Orders/directions in Special Leave to Appeal (C) No. 30621/2011 arising out of final judgement and order dated 15.07.2011 in CWP No. 13218/2009 passed by the Hon'ble High Court of Punjab & Haryana and Special Leave to Appeal (C) No.31288/2017 arising out of Hon'ble Delhi High Court judgment dated 23.08.2017 and other related court cases -regarding.

A copy of Ministry of Personnel, Public Grievances and Pensions (Department of Personnel & Training) Office Memorandum No.36012/11/2016-Estt.(Res-I){Pt-II} dated 15.06.2016 is enclosed herewith for information and further necessary action.

The above may be brought to the notice of all concerned for strict compliance.

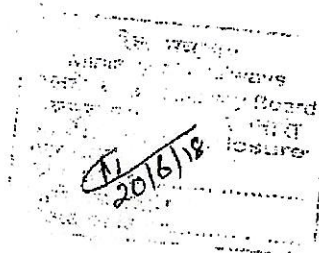
DA : As above.

O/c

U.N. Mehta

(U.N. Mehta)
Joint Director Estt.(Res.)

Pl.
issue
for
1/1/18



F. No. 36012/11/2016- Estt.(Res-I) {Pt-II}
Government of India
Ministry of Personnel, Public Grievances and Pensions
Department of Personnel & Training
Establishment (Reservation-I) Section

North Block, New Delhi
Dated June 15, 2018

OFFICE MEMORANDUM

Subject: Implementation of interim Orders/ directions in Special Leave to Appeal (C) No. 30621/2011 arising out of final judgment and order dated 15.07.2011 in CWP No. 13218/2009 passed by the Hon'ble High Court of Punjab & Haryana and Special Leave to Appeal (C) No. 31288/2017 arising out of Hon'ble Delhi High Court judgment dated 23.08.2017 and other related court cases – regarding

The Hon'ble Supreme Court vide its order dated 15.11.2017 in SLP(C) No. 28306/2017 has decided to refer to a Constitution Bench to examine whether its earlier decision in *M. Nagaraj and others vs. Union of India and others* requires reconsideration or not, inter alia, on the issue as to whether test of backwardness would, at all, apply in case of SC and ST.

2. The Hon'ble Supreme Court in SLP (C) No. 30621/2011 has passed the following Order on 17.05.2018:

"It is directed that the pendency of this Special Leave Petition shall not stand in the way of Union of India taking steps for the purpose of promotion from 'reserved to reserved' and 'unreserved to unreserved' and also in the matter of promotion on merits."

3. Further, in the matter related to SLP(C) No. 31288/2017, connected to Special Leave to Appeal (C) No. 28306/2017, the Hon'ble Supreme Court held as under on 05.06.2018:

"Heard learned counsel for the parties. Learned ASG has referred to order dated 17.05.2018 in SLP (C) No.30621/2011. It is made clear that the Union of India is not debarred from making promotions in accordance with law, subject to further orders, pending further consideration of the matter. Tag to SLP(C) No.30621 of 2011."

G. Srinivasan

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4. The cadre controlling authorities of Central Government Ministries, Departments and Union Territories are to carry out promotions in accordance with the directions of the Hon'ble Supreme Court mentioned in paragraphs 2 and 3 above based on existing seniority/select lists.
5. Every promotion order must clearly mention the stipulation that the promotion shall be subject to further orders which may be passed by the Hon'ble Supreme Court.
6. All Ministries/ Departments are requested to bring this to the notice of all concerned for information/ compliance.
7. State Governments are also advised to take necessary action in accordance with the abovementioned orders passed by the Hon'ble Supreme Court.

G. Srinivasan

(G. Srinivasan)

Deputy Secretary to the Government of India

Tel. : 2309 3074

To:

1. The Secretaries of all Ministries/Departments of the Government of India
2. Chief Secretaries of all State Governments
3. Shri Maninder Singh, Learned Additional Solicitor General of India
4. Department of Financial Services, New Delhi
5. Department of Public Enterprises, New Delhi
6. Railway Board, Ministry of Railways, Rail Bhavan, New Delhi
7. Supreme Court of India/Election Commission of India/ Lok Sabha Secretariat/ Rajya Sabha Secretariat/ Cabinet Secretariat/ Central Vigilance Commission/ President's Secretariat/ Vice President's Secretariat/ Prime Minister's Office/ Niti Ayog
8. Union Public Service Commission / Staff Selection Commission
9. Ministry of Social Justice and Empowerment, New Delhi
10. Ministry of Tribal Affairs, New Delhi
11. National Commission for Scheduled Castes, Lok Nayak Bhawan, New Delhi
12. National Commission for Scheduled Tribes, Lok Nayak Bhawan, New Delhi
13. National Commission for Backward Classes, Trikot-1, Bhikaji Cama Place, R. K. Puram, New Delhi
14. Office of the Comptroller and Auditor General of India
15. Information and Facilitation Center, DoPT, North Block, New Delhi.
16. Director, ISTM, Old JNU Campus, Olof Palme Marg, New Delhi 110067
17. NIC, DoPT - to upload the same on DoPT website.
18. Hindi Section for providing the Hindi translation