

AIRF Collection - File No. AIRF 160-B VIII

'Correspondence file on continuing the impact on workers of May 1974 Railway strike'

Authors: All India Railway Federation (AIRF), Northern Railwaymen's Union, N.F. Railway Mazdoor Union, Diesel Loco Works Railwaymen's Union , Western Railway Employees' Union, Southern Railway Mazdoor Union, et. al.

Keywords: Regularisation, Reinstatement, Khalasi, Railways, Railway Workers, Strike, Wages, Increment, Victimisation, Work Load, Work To Rule, Discrimination, Disciplinary Action, Disparity, Trade Unions, India, Labour, 1977, 1979

[Archives of Indian Labour / AILH - VV Giri NLI]

3649
21-11-79

(644)

GOVERNMENT OF INDIA
MINISTRY OF RAILWAYS
(RAILWAY BOARD)

No. E(IG)II/72/CL/ER/4. New Delhi, Dated: 21.11.1979.

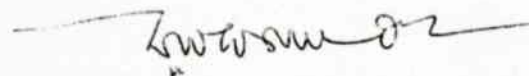
The General Secretary,
All India Railwaymen's Federation,
4, State Entry Road,
New Delhi-110055.

Sub: Re-engagement of Shri Uma Shankar Singh,
Casual labour discharged in May, 1974 Strike.

Dear Sir,

I am directed to refer to your letter No. ARF/160-B(36) dated 27.12.1978 on the above subject and to state that Shri Uma Shankar Singh, casual labour was screened for engagement against regular class IV vacancy in September, 1977 and has been offered the post of Ash Khalasi in the scale Rs. 196-232/- (RS) alongwith few others under Chief Canteen in FA&CAO's Office, Eastern Railway vide Railway's Office Order No. RP/41 dated 3.11.1979.

Yours faithfully,



for Secretary, Railway Board.

To Mr
O
11

DA:NI.

South Eastern Railwaymen's

[Regd. No. : 3580]

Recognised by the S. E. Railway Administration & Affiliated to All India Railwaymen's

J. N. Biswas,
GENERAL SECRETARY



Central Office : S. E. Railw.
Garden Reach
Calcutta-700

Rly. Phone : 2792 / 2997
P & T Phone : 45-1741 : Extn. 7

Ref. No. 21/Strike-74/79

3488 Date 2.11.1979.....
7-1179

My dear Choubeyji,

Reference your letter to AAR/160-B(1974) dt. 14.9 regarding May '74 Strike - Additional increment, figure so available is submitted as enclosure for your perusal. Number of participants according to S.E.Rly. Adm: is 68,916 (App:). Financial implications may be estimated roughly to the tune of Rs. 2,10,00,000/- counting from the time of implementation of increment to loyal employees until entire 1979. The figure is arrived by multiplying the number of participants X Rs. 5/- p.m. x 12 (Approx:)

Encl: - one

Yours sincerely,

J. N. Biswas

To
Sri J. F. Choubey,
General Secretary,
All India Railwaymen's Federation,
4, State Entry Road,
New Delhi-110055.

AAR-160-13 (1974)

a
7/11

President :
N. C. Roychaudhuri

President :
K. Laxminarayana

President :
D. D. G. Prasad Rao
R. L. Reddy
R. P. Chowdhury
T. Kashinath
K. V. Rao

General Secretary :
J. N. Biswas

General Secretary :
Ranjit Das
A. K. Bagchi
J. C. Chakravorty
A. R. P. Rao

Secretary :
Md. Yunus
K. M. Bhattacharjee

Secretary :
R. N. Dutta

Number of Railway employees who participated in the Railway strike from 8.5.74 on per division-wise is shown below :

i) Kharagpur	20,046
ii) Kharagpur (W/shops)	14,619
iii) Adra	11,500
iv) Chakradharpur	9,000
v) Bileaspur	2,808
vi) Raipur (W/Shop)	1,717
vii) Nagpur	1,561
viii) Motibagh	30
ix) Khurda Road	46
x) Waltair	1,281
xi) Head quarters	6,308

Total	68,916
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Government of India
Ministry of Railways
(Railways)



NO.E.(Rep)I/79AE7/284.

New Delhi, dated 22-10-

The General Secretary,
All India Railwaymen's Federation,
4, State Entry Road,
New Delhi-110055.

Dear Sir,

I am directed to refer to your letter No.AIRF/
160-A (406) dated 6.7.1978 regarding regularisation
of the period from the date of removal to the date of
re-instatement of Shri A.K. Gopinathan, Tracking Clerk,
Wadi Bumer and to state that the case of Shri Gopinathan
does not relate to 1960 strike.

Yours faithfully,

N. V. Jayaraman
(N.V. JAYARAMAN)
JOINT DIRECTOR, ESTT.(L)
RAILWAY BOARD.

DA: NIL.
K.15/10

non
D 28/10



Phone : Union { P X 1 1 12
Office { Railway : 810

NORTHERN RAILWAYMEN'S UNION

(Registered and Recognised)

AFFILIATED TO : ALL INDIA RAILWAYMEN'S FEDERATION AND HIND MAZDOOR SABHA

536

CENTRAL OFFICE :
12, CHELMSFORD ROAD,
NEW DELHI-110055.

2988
2179

Ref. No. NRMU/15/79

Dated 19th September 1979

The General Secretary,
All India Railwaymen's Federation,
4- State Entry Road,
New Delhi.

Reg: May 1974 Strike-Additional Increment.

....

In continuation of this office letter of even no. dated 17th September '79. The information as supplied by the Northern Railway Administration is as under:-

- | | |
|---|--------|
| 1) Employees participated in strike | 24278 |
| 2) Increment and other awards to the employees. | 142955 |

Yours faithfully

[Signature]
GENERAL SECRETARY

[Handwritten notes]
21/9/79
100-8(1574)

Re. May, 1974 Strike - Additional Increment
to the participants in the Strike -
Financial Implications -

Through our letter dated 14.9.1979 at page 1.
affiliated Unions were requested to furnish particulars
the number of employees who were not paid one additional
increment on account of their participation in the above
strike, and also the probable financial implications of su
grant. Even though replies were called for over the phone
or by return dak, only the following Unions have responded
as detailed.

S.No.	Name of Union	No. of employees who participated in the strike.	Financial implications (in lakhs of
1.	W.R.E.U.	5,60,000*	600*
2.	N.R.M.U. (Delhi)	1,30,000	6
3.	D.L.W.M.U.	5,934	6.1
4.	N.F.R.M.U.	65,000	54.6

* The figures given are for the entire Indian
Railways.

Information is still due from the other affiliated
Unions.

Put up, in case it is desired to take this up at the
meeting of the Officebearers/General Secretaries, AIR, on
the afternoon of the 6th inst.

Amhankian
O.S. 4/10/79

Genl. Secretary:

N. F. Railway Mazdoor Union

(Regd. No. 425)

AFFILIATED TO ALL INDIA RAILWAYMEN'S FEDERATION
AND HIND MAZDOOR SABHA

(RECOGNISED BY N. F. RAILWAY ADMINISTRATION)

Phone No. 8384 (P & T)
982 (Rly)

President: B. C. Ghose

SENIOR ADVOCATE, PATNA (BIHAR)

General Secretary: Priya Gupta

Ret. No. MU/C/Strike/79.

OFFICE OF THE GENERAL SECRETARY

P. O. GAUHATI-12

DIST. KAMRUP (ASSAM)

Dated 25.9.79. 197

To
The General Secretary,
All India Railwaymen's Federation
New Delhi.

Sub:- May 1974 Strike-Additional Increment.

Ref:- Your No. AIRE/160-B(1974) dated 14th
September, 1979.

Dear Comrade,

Total Strikers who did not get one
increment - About 65,000

Financial implication Annually- Rs. 54,60,000/-

Yours fraternally,

[Signature]
(B. S. Sen)
ACTG. GENERAL SECRETARY,
N. F. RLY. MAZDOOR UNION, PANDU.

[Handwritten mark]
3/10

...



डी० एल० डब्ल्यू० मेन्स यूनियन, वाराणस,

[पंजीकृत एवं आठ इण्डिया रेलवे मेन्स फेडरेशन से सम्बद्ध]

DLW/Mensn/1/Misc(Strike)/79

दिनांक 20/9/1979

The General Secretary,
All India Railwaymen's Federation,
4 State Entry Road,
New Delhi.

Dear Comrade,

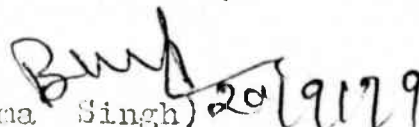
Sub: May 1974 Strike - Additional
Increments.

Ref: Your letter No.A IRF/160-B(1974)
dated 14.9.1979.

Reference above, the information
with regard to above is furnished hereunder:-

<u>Sl. No.</u>	<u>Category.</u>	<u>No. of staff.</u>	<u>Financial implication:</u>
1.	Class III.	3784	Rs.561120/= (Approx).
2.	Class IV.	2150	Rs. 53400/= (Approx).
Total.		<u>5934</u>	<u>Rs.614520/= (Approx).</u>

Yours faithfully,


(Brahma Singh) 20/9/79
General Secretary.



Union P & T : 3220
Phone : Office { Railway : 81 604

NORTHERN RAILWAYMEN'S UNION

(Registered and Recognised)

AFFILIATED TO : ALL INDIA RAILWAYMEN'S FEDERATION AND HIND MAZDOOR SABHA

CENTRAL OFFICE :
12, CHELMSFORD ROAD,
NEW DELHI-110055.

Ref. No. NRMU/ 15/79

2948
20/9

Dated 17th September 1979
18

The General Secretary,
All India Railwaymen's Federation,
4- State Entry Road,
New Delhi.

Dear Sir,

Reg: May 1974 Strike-Additional Increment.

...

Reference your letter No. AIRF/160-B(1974) dated 14th September 79, it would not be possible to have the exact figure of those who have been granted additional increment. From reliable sources it is, however, been ascertained that not more than 20% of the staff were granted additional increment. 1% or 2 might have been awarded appointment to the wards of the so called loyal employees, therefore, with rough estimate, about a Lakh and thirty thousand will have to be considered for additional increment if the strikers should be brought at par with the non strikers.

The financial implications will be about 10 Lakh per month as majority of the strikers were class IV employees and the average increment of class III and class IV employees combined together would not be more than 10 rupees a month.

Yours faithfully

GENERAL SECRETARY

*This is hardly
a reply to the
employees' demand
for additional increment
in 1974-75. It is
clear that the
70% of the strikers
are not getting
anything. This
is not fair.*

आल इण्डिया रेलव मैन्स फेडरेशन द्वारा
रेलकर्मचारियों का संघर्ष ~~के लिए~~ हेतु

आह्वान,

- तथा -

सभी रेलकर्मचारी ~~संघर्ष~~ संगठनों

का

संयुक्त संघर्ष तथा अनिश्चित कालीन ह
के लिए

रवुला निमन्त्रणा

हमारी मांगें:-

जोनस, वेतन में समानता, रेलकर्मचारियों के
वेतनों के लिए ~~बिक्री~~ लौकरी, केज्युअल
(विक्रीमाइजेशन)
प्रथा समाप्त करना, उत्पीड़न/समाप्त करना,
रेलवे बोर्ड को स्वायत्त निगम बनाना, भारि-

मा/प/16073.

उमराव मल पुराहित
कार्यकारी अध्यक्ष

जगदीश प्रसाद चौधरी
महामन्त्री

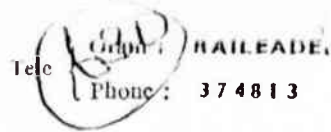
Address :

NIBEN KARA
Working President

JAGDISH AJMERA
General Secretary :

RAOMAL PUROHIT
Secretary :

C. TRIVEDI
KURIAKOSE
D. SATHE



Western Railway Employees' Union

Regd. Recognised & Affiliated to AIRF & HMS

Railway Station Bldg. (East),
Grant Road,
BOMBAY 400 007.

2939
20/9

No. WREU/79

Date 17/9/79 197

The General Secretary,
A.I.R.F. Delhi.

Dear Comrade,

Sub : May '74 Strike - Additional
Increment.

Ref : Your letter NO.AIRF/160-B(1974)
dt. 14/9/79

.....

The number participated in the 1974
strike, is 5,60,000, on the Indian Railways.

Financial implication will be less
than six crores if proforma benefit is given.

The same will be much less if arrears
are not paid.

With greetings,

Yours Sincerely,

Jagdish Ajmera
(Jagdish Ajmera)
Working President W.R.E.U.

21/9
AIRF/160-B(1974)


No. AIRP/160-B(1979)

Dated 24th Sept. '79

Shri K.P. Janardhana Nanicker
S.R.I.U.,
Secretary Open Line,
Podanur Junction.

Ref: Your letter dated 13.9.79.

We have noted your views. We have some of the major demands which you have referred in the demands of the Charter for Strike. Let us try to secure settlement thro' our united strength.


(J.P. Chaubey)
General Secretary.

2944
20-7-79 Podanur,
13.9.79.

Dear Comrade,

I am one among the many who want to do something for the Railwaymen and I have contacting several of our fellow workers comrades of our Unions.

I have just pointed out a few inferences of the workers in the enclosures.

The gulf between the salaries of the Railwaymen and workers of Government undertakings are widening day by day and unless we act immediately I fear, we will be cheated and thrown out to be played in the hands of Politicians again.

Yours sincerely,

(K.P. JAWARDHANA PANICKER)

To
Shri J.P. Chaubey,
General Secretary,
A.I.R.F. New Delhi.

R.P.S.
We have not
your views. We have
some of the most
demand which you have
submitted in the demand
sheet for strike. It is
in the demand of 20
years. Settlement
through our limited strength

160-B (1977) Pt. 2

2210

. 1)

SOUTHERN RAILWAY MAZDOOR UNION
MADRAS
(Registered, Recognised & Affiliated to A.I.R.F. &
Podanur Open Line Branch

Date: 28-8-19⁷⁵

Dear Comrade,

I have the following suggestions for a further struggle for achieving the basic demands of Railwaymen. I have arrived at these suggestions having consulted with several colleagues from various fields of Railways and from my own experience of having been put jail and thrown out of service for several months during 1974-75.

I hope that you will give due consideration to the suggestions and arrive at an appropriate decision regarding the strategy to be adopted in the forthcoming struggle of Railwaymen.

*Start with WORK TO RULE
- Co-operative movement*

K.P. Janardhana
(.K.P. Janardhana Pakicker.)
SECRETARY/OL/PTJ

SUGGESTIONS

(1) Panicstricken Workers: It is very difficult to mobilise the strength of the entire Rly. men as a unit as they are panicstricken from the experience of 1974 strike.

(2) 'Loyal Workers': Loyal workers amounted to a few lakhs in the 1974 strike. They were lagging behind only due to fear, and their moral support was for the cause of Railwaymen. A strategy should be adopted in which such 'loyal workers' also participate in the struggle.

This class of people are on the increase due to victimisation like removal from service, threatening at gun-point, molesting womenfolks and such other barbarian tactics adopted by the then Government.

(3) Over-burdened Workers: The Rly. men - about 90% of them - are overburdened due to meagre salary and loans and advances taken by them, and their carry-home salary will hardly suffice for two weeks' sustenance. They are afraid of indulging in a long-term struggle without receiving pay. This has to be avoided.

(4) Forbidding of Due Salary: Salary of the Rly. men are paid on different dates and hence most of them will not be in a position to receive their salary after commencement of the strike, for the period already worked. This will result in resorting to strike with an empty stomach thereby adding fuel to the burning fire.

(.....2)

(5) WORK TO RULE (Non-Co-operation Move)

Duly considering all these aspects, I suggest that 'WORK TO RULE' Struggle should be launched first before resorting to a total strike.

'Work To Rule' shall be declared for 60 days to be converted as a total strike. (We can hope for an early settlement if it emerges as a success and thereby avoiding a total strike.)

'Work To Rule' should be practically almost a strike apart from giving attendance by workers.

Watching the trend of the struggle, further course of action shall be decided by the leaders.

Staff engaged in the preparation of pay bills, pay clerks, sanitation and water supply staff shall be exempted from 'Work To Rule'.

Rolls to be played by each category of staff can be worked out and educated through personal contacts and Branch-level conferences of employees.

ADVANTAGES:

Struggle Fund: A 'Struggle Fund' should be raised to meet out the financial aspects of the struggle. Since every employee will be in a position to receive the salary, they will contribute their mite to the 'Struggle Fund.' Employees removed, if any, shall be ensured that the salary will be met with by such contributions made to the struggle fund. This will increase selfconfidence of the employees.

Consolidation of Labour Forces: Workers will be free from the fear that they are participating in a total strike, and therefore they will gain selfconfidence, and will hold the spirit for a total strike if necessary. Reluctant companions can be persuaded through various means by agitating workers as they are freely available in the workspot.

Moral Courage: A part of the workers breaking away in the middle and joining duty, and thereby disintegrating the moral courage of the striking employees was a common feature in the 1974 strike. If it is a 'Work to Rule', this will not recur and spirit of the staff can be kept up throughout the struggle.

Resisting of False Propaganda: A Railway Strike can be broken by the Administration by artificial running of a few trains, using mass media like radio, television and press repeatedly announcing that the strike is a total failure, inducing workers to attend duty by offering 'loyal benefits' and thereby demoralising the willpower of the working class and making a part of them to attend duty.

(3)

This kind of tactics will not function in the case of 'to Rule' struggle, in as much as the fear ~~psy~~ psychological, probationary and retiring stage employees, not arise in this case. Government cannot identify a rate class of loyal workers.

10% Operational Efficiency: By this strategy, operational efficiency can be brought down to a level of 10% of the existing capacity. Trains should move at the minimum possible speed due to non-co-operation of drivers, guards, signallers, ASMs and Section Controllers and Mechanical & Electrical Staff. Most of the scheduled trips should be made to be cancelled due to delay in running of trains. Staff of the administrative and allied offices should play their part, and put the management in darkness and helplessness. Functions of Gangmen and track-maintenance staff should be practically nil. Production and repairs in the Railway Workshops and Factories should be brought to a 10% level of capacity.

Each and every employee can play his role, and that should be rehearsed through local and Branch Committees.

Time to Act: In view of the political situation prevailing in India this is the time for us to act and not to relax, and wait for the result of the present ugly political gambling. We should go ahead with our demands to treat us on par with other working classes of Government and private undertakings. If the Care-Taker Government is not in a position to meet our demands on a permanent basis, interim relief as follows should be given:

i) Monthly payment of Rs.200/- each to all class IV and Class III workers, irrespective of their grades and pay scales should be given until a final settlement is arrived at.

ii) One month's salary should be paid as advance towards Bonus to be adjusted when the Bonus Issue is settled with the next Government.

REVIVE UNITY & GIVE A NATIONAL IMAGE: Details of the strategy to be adopted should be worked out duly inviting representatives from all recognised and non-recognised unions and staff bodies irrespective of their political affiliations and links. I also suggest the struggle should be started either from October 2nd or from November 14th of this year. (1979.)



ALL INDIA RAILWAYMEN'S FEDERATION

4 - STATE ENTRY ROAD

NEW DELHI-1100055

624

MOST URGENT

No. AIRF/160-B(1974)

14th September 1979

All General Secretaries
of Affiliated Unions/AIRF

Dear Comrade,

Re. May 1974 Strike - Additional
increment.

....

Please find out and let me know on phone or
by return dak the number of employees who were not
paid one additional increment on account of their
participation in the strike and also, if possible,
the financial implications involved.

The information is urgently required.

Yours faithfully,


(J.P. CHAUBEY)
General Secretary

ok



No. (623)

MIR 127 B/11

रेल मंत्री, भारत
MINISTER FOR RAILWAYS
INDIA

2723

1/9

New Delhi-110 001

August 28, 1979

30

My dear Shri Chaubey,

I have your letter of 27th instant regarding issues connected with the strike by Railwaymen in May 1974. I will have the points raised in your letter sorted out with the Railway Board.

With kind regards,

Yours sincerely,

9/3/79
A.P.P./H.P. (1979)
16078 (1974)

Shri J.P. Chaubey,
General Secretary,
All India Railwaymen's Federation,
4, State Entry Road,
New Delhi

J.P. Chaubey
General Secretary.
D.O.No. MFB/160-B (575)

Dear Shri Johri

Re: May 1974 Strike - Case of
Skilled Labour, T.No. 1258,
Mysore.

Kindly refer to my D.O. Letter of even no. 19.8.78 addressed to the former Director, Establish-
ment Board Shri K. Subramoniam and your office letter J
77AEI3-6 dated 8.9.78 on the above subject, where,
inter alia, stated that Shri N. Lakkiah was removed
due to misconduct.

It is pointed out in this connection that Shri
along with four others S. Shri J. T. Boriah, G. Hariyappa,
Sadashive and Fairoz Pasha were charged with misconduct
were initially removed from service under Rule 14(11)
Rules. But subsequently, except Shri Lakkiah, the four
were reinstated in service, and Shri Lakkiah was re/cd.
This is a case of discrimination against Shri Lakkiah &
not permissible in terms of Supreme Court decision details
which have been stated in the representation. Recourse
action under Rule 14(11) of P.S. Rules itself is unwarranted
since an enquiry under the normal rules could easily be
A further representation dated 12.8.79 addressed to the
Minister for Railways is herewith sent for consideration.

I shall be grateful if you will kindly call for
papers and reconsider your decision.

A line in reply will much oblige.

Yours faithfully,


(J.P. Chaubey)

Shri A. Johri,
Director, Establishment,
Railway Board,
New Delhi.

Copy to G.S., SRIU., MAS for information
Copy to Shri N. Lakkiah, Mysore.

ofc

From

N. Lakshiah,
T No.1258 (New No.2663)
Skilled Artizan, Wagon Fitting Shop,
Railway Workshop, Mysore South.

To

The Hon'ble Minister for Railways,
Ministry of Railways (Railway Board),
NEW DELHI.

May it please the Hon'ble Minister,

Subl Representation against removal from service
under Rule 14(11) of the Railway Servants
(Discipline & Appeal) Rules 1968.

There was a local stoppage of work in the Railway Workshop at Mysore South in the month of April 1974 over some trifling issue of importing an Apprentice Mechanic to fill the post of Chargeman "A" in the Machine Shop. Feelings were running high and in spite of the Unions' appeals the Management went ahead with the appointment. Consequently some of the Foremen and Chargemen stopped from work and they were removed from service including a Foreman "A" (He has been subsequently re-instated and even promoted as Asst. Mechanical Engineer). There was a demonstration by workers over this appointment outside the Works Manager's office, Mysore in which several members of the two recognized unions also took part.

2. On 12.5.74, I was removed from service with effect from 13.5.74 under rule 14(11) of the Railway Servants(Discipline and Appeal) Rules 1968 for the following alleged offence, by the Works Manager, Mysore South (a Senior Scale Officer) vide his penalty advice reproduced below:

"On 2.4.74 he was one of the leaders of the Gang of unruly workers who forcibly entered Work's Manager's office, outside the Workshop, during lunch interval and assaulted Sri A.S.V. Prasad, Sub-Inspector of Railway Protection Force, Mysore South."

The following other workers were also accused of the same charge as above and they are:

Messrs: J.S. Borish 2303 Skilled Artizan, CL Shop
G.Mariyappa, 2658 ,, Wagon shop
N.Sadashiva 2657 ,,
Fairuz Asaha Mistry, P & F Section

They were also removed from service on 2/6, 4/6, 15/5 and 13/5/74 respectively on the same charge.

Wrote
2. Pl
all
DE
2-9-74
KHP
12-5-74
S. J. Prasad
2/1/74

3. Rule 14 of the Railway Servants(Discipline & Rules) 1968 is set out below in full, for ready r

"(14). Special procedure in certain cases:- Notw anything contained in rules 9 to 13

- (i) where any penalty is imposed on a railway ser ground of conduct which has led to his convict criminal charge, or
- (ii) where the disciplinary authority is satisfied, to be recorded by it in writing, that it is not r, practicable to hold an inquiry in the manner provi these rules; or
- (iii) where the President is satisfied that in the interes the security of the State, it is not expedient to hol an inquiry in the manner provided in these rules;

the disciplinary authority may consider the circumstances of the case and make such orders thereon as it deems fit;

Provided that these Commissions shall be consulted, where such consultation is necessary, before any orders are made in any case under this rule".

Rule 14(ii) quoted above can be applied only when the Disciplinary is satisfied, for reasons to be recorded in writing that it is not reasonably practicable to hold an enquiry in the manner provided in the Rules. In this case, the incident alleged to have occurred was one of the normal features of any industry where one section, in the interest of gaining popularity, accuses the other. In this case the Disciplinary Authority has not stated in writing why it was not possible to hold an enquiry under the rules. The incident alleged to have taken place is on 2.4.79 and the notice of penalty was issued on 12.5.74 - 40 days after the incident - when there was ample time to hold an enquiry by suspending me, if necessary along with others if he felt so. The Disciplinary Authority has taken recourse to this rule to save himself from the trouble of holding an enquiry and coming to a conclusion thereon. This has seriously jeopardized my rights. What is more, the Addl. CME who went into my appeal has stated that "By the evidence on record the findings of the disciplinary authority are warranted". I do not know what "evidence on record". he had except the statement of the Disciplinary authority himself. There was no emergency, the security of the state was not seriously put at jeopardy by an isolated incident in a workshop in a corner of the country. I shall now quote from the A.I.F.1964, Crissa 39 in regard to the provision of Rule 14(ii) which is on all fours with Art.311 (2) Clause (2):--

"(10) When it is not reasonably practicable to hold such enquiry: Proviso (b) to Article 311(2) provides that Clause

(2) of the Article 311 shall not apply where the authority is empowered to dismiss or remove a person or to reduce his rank is satisfied that for some reasons to be recorded in writing, it is not reasonably practicable to hold such inquiry.

" In all disciplinary proceedings against a government servant he is entitled to be given a reasonable opportunity at all stages. In respect of both the stages in special circumstances the superior authority may dispense with the issue of the delinquent public servant. In the first stage he may proceed with the inquiry ex parte if the person concerned absconded or where it is for other reasons considered impracticable to communicate with him, but this he can do only for 'Special and sufficient reasons to be recorded in writing'. In the second stage also he may dispense with the issue of the notice if he is satisfied that for some reasons to be recorded in writing 'it is not reasonably practicable' to give the public servant concerned an opportunity of showing cause against the proposed punishment."

A careful reading of the decision of the Court, quoted above has placed the onus on the Disciplinary authority to record in writing the special and sufficient reasons and why it is not reasonably practicable to give the public servant an opportunity. Had these been given I would have been able to challenge the decision in the Higher branches of the administration, or in the Court of Law. Not giving me the reasons, has deprived me of my right to move a court of Law.

4. All the persons who were removed from service along with me were re-instated on various dates in 1977 except me, who was re-employed with effect from 29.3.78. All the persons were charged with the same offence, all the persons suffered the same penalty, yet when it came to the question of taking them back, I was singled out for discrimination. In this connection I can do no better than quote the observation of the Supreme Court reported in 1960 -1 LLJ 13, reproduced below for ready reference:

"(6) Discrimination not permitted in matter of punishments: When two employees are guilty of the same or similar misconduct but in spite of that, one employee is visited with more serious punishment and the other employee is given very light punishment and the discriminatory treatment cannot be explained on any rational grounds then it will be held that the employer is guilty of the invidious discrimination (Calcutta Gazette Pt. I-C dated 3.10.64 page 743). An employee can however be discriminated if he is guilty of aggravating circumstances or when his past record is bad as compared to other employee."

According to the charge of the Works Manager, I am one of those who are alleged to have entered his office and not the ring leader or who aggravated the circumstances. By applying the yardstick pointed out by the Supreme Court, I have been discriminated against in the matter of punishment, in that while others were re-instated I am re-employed as a fresh entrant in all respects.

J.P.Chaubey,
General Secretary.

D.O.No.AIRF/160-B(576)

Dated 27th

Dear Shri Pai,

Subject:ISSUES CONNECTED WITH THE S
IN MAY 1974.

.....

During the course of our discussion with you, your notice some of the issues of penal actions connct 1974 strike. Even though an impression has been creat railway that all penal actions taken against the railly connection with May 1974 strike had been completely w. the position is not so. Some of the instances are quot information and necessary action :-

1. The disciplinary actions against the railway emp connection with May 1974 strike were not taken according rules. The normal disciplinary procedure was dispensed w. special rules and procedures were adopted to deal with the employees. The A.I.R.F. had been pleading with the Board t' employee, what he is due under normal rules should not be particularly after the normal relationship between the or labour and the Administration had been restored.

2. The employees are entitled to full wages in the ev. acquittal by the courts either consequent upon the withdrawa the prosecutions or otherwise. This rule has not been uniform applied on all the railways. In many cases the employees have been paid full wages for the suspension period.

3. The General Managers have power to review the penalties awarded to the employees either on the request of the employe on their own motion. This rule has not been made applicabl' strike cases inspite of our pleadings.

4. Removal of inequality caused by grant of advance increme to the so-called loyal workers - The senior employees are getting less pay than their juniors because of advance increments having been given to some of the junior employees who did not participa in the strike. This is causing heart-burning amongst huge majori of senior employees. It is, therefore, urged that those employees who were not given advance increments should be given the same to remove the disparity.

I shall be grateful if you kindly look into the issues and pass necessary orders.

With kind regards,

of/ohy

Yours sincerely,

J.P.Chaubey
(J.P.Chaubey)

Shri T.A.Pai,
Minister of ~~Communications~~ Railways,
Government of India,
Railway Board, New Delhi.

There appears to be some confusion in thinking at the Board level in regard to this strike. It would appear the Board is mixing up this isolated strike in a Railway on par with the All India Railwaymen's Strike which took place in May 74. Whereas in respect of the May 74 strike by the period involved has been condoned, in respect of this strike in April 74 the period still remains uncovered and

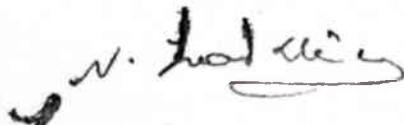
5. I would therefore request the Hon'ble Minister for Railways kindly to call for my papers and

- (i) set aside the removal order passed by the Works Manager Mysore South
- (ii) Re-instatement in service from the same day the others involved along with me as alleged, were re-instated
- (iii) benefits due to me as a result of item (ii) be extended by the Railway administration.

6. I have every hope and belief that the Hon'ble Minister will sympathetically consider my case, in view of the peculiar circumstances of the case and grant me the reliefs prayed for.

Thanking you,

Yours faithfully,



(W. LAKKAIAH).

Mysore, |
12 August 79. |

J.P. Chaubey,
General Secretary.

D.O.No. AIRF/165-B(576)

Dated 27th

Dear Shri Pai,

Subject: ISSUES CONNECTED WITH THE 3
IN MAY 1974.

.....

During the course of our discussion with you, your notice some of the issues of penal actions connected with May 1974 strike. Even though an impression has been created in the railway that all penal actions taken against the railway employees in connection with May 1974 strike had been completely withdrawn, the position is not so. Some of the instances are quoted below for your information and necessary action :-

1. The disciplinary actions against the railway employees in connection with May 1974 strike were not taken according to normal rules. The normal disciplinary procedure was dispensed with and special rules and procedures were adopted to deal with the employees. The A.I.R.F. had been pleading with the Board that an employee, what he is due under normal rules should not be particularly after the normal relationship between the employer and labour and the Administration had been restored.

2. The employees are entitled to full wages in the event of acquittal by the courts either consequent upon the withdrawal of the prosecutions or otherwise. This rule has not been uniformly applied on all the railways. In many cases the employees have not been paid full wages for the suspension period.

3. The General Managers have power to review the penalties awarded to the employees either on the request of the employees or on their own motion. This rule has not been made applicable in strike cases inspite of our pleadings.

4. Removal of inequality caused by grant of advance increments to the so-called loyal workers - The senior employees are getting less pay than their juniors because of advance increments having been given to some of the junior employees who did not participate in the strike. This is causing heart-burning amongst huge majority of senior employees. It is, therefore, urged that those employees who were not given advance increments should be given the same to remove the disparity.

I shall be grateful if you kindly look into the issues and pass necessary orders.

With kind regards,

of copy

Yours sincerely,

J.P. Chaubey

(J.P. Chaubey)

Shri T.A. Pai,
Minister of ~~Communications~~ Railways,
Government of India,
Railway Board, New Delhi.

दैनिक

१२.६.१९६५ / आपका विचार
उत्तम है
शुभ पत्र भेजना
जिसे द्वारा राय
विचार

श्रीमान् जनरल सेक्टर

आत्म इंडिया रेलवे मैगजिन

नई दिल्ली

विषय - रेल इंडिया 2 मई 1968 में
जैसे नौकरों को पुनः नौकरी पर रखने के
लिए आवेदन पत्र ।

महाशय

रेलवे में सविनय निवेदन यह है कि
जामालपुर स्टेशन के आदिवासी में एक नौकर
नौकरों के रूप में 2 महीने तक काम किया
इसके बाद रेल इंडिया ही गया । सभी को
जैसे तब भी उसने भाग लिया । रेल इंडिया
के कुछ दिनों के बाद सभी लोग नौकरी पर
ही भी गया परन्तु हमें नहीं रखा गया था
ही साथ एक नौकरों का जिसमें लिखा था
कि 2 मई 1968 रेल इंडिया के कारण आप
नौकरी से विन्यास जा रहा है । मार्च 1966
में रेल मंत्री का आदेश हुआ कि रेल इंडिया
में विन्यास जाये नौकरों को जो रेल इंडिया
पर रखा लिये जायेगा । साथ ही साथ रेल लिये
जाये परन्तु हमें नहीं रखा गया । मैं रेल मंत्री,
जनरल सेक्टर (ई) रेलवे कलकत्ता तथा

जामालपुर को आवेदन पत्र दिया तथा स्वयं
कानून मिला परन्तु कोई उत्तर नहीं हुआ ।
मैं श्रीमान् के पास जाकर स्वयं अपनी
परेशानी बताई । श्रीमान् ने तुरन्त कार्रवाई
की जो इस आवेदन पत्र के साथ लगी है
परन्तु कोई उत्तर नहीं हुआ अभी हमें किसी तरह
का खबर ही मिला ।

आतः श्रीमान् से धारणा है कि
मेरे तथा मेरे परिवार पर अमान्यता है
अ उचित कार्रवाई करने की कृपा की जाय
P.T.C P.T.O

No. AMB/160-S(836).

Dated 10th August, 1979

The Secretary (E),
Railway Board,
New Delhi.

Dear Sir,

Sub:-Re-engagement of casual labour
discharged in May 1974 strike.

....

Kindly refer to this office letter of even number dated 27th December, 1978 (copy enclosed for ready reference), to which only an acknowledgement has been received from the Board vide their No. E(SG)II/79/UL/ER/4 dated 21.2.1979.

While on organisational tour recently, the aggrieved man i.e. Shri Uma Shanker Singh, met the undersigned and represented that he has not still been re-engaged. Therefore, it seems that no action has been taken by the Board on this office letter referred to above.

The Board are requested to look into the matter and expedite their decision to the Eastern Railway, advising this office.

Yours faithfully,

kindly sign it ^{add:}

Bhish

10.8.79

BA/one as refd. to above.

J.F. Chaubey
(J.F. Chaubey)
General Secretary.

Copy to the General Secretary, ERMI, Calcutta for necessary action along with a copy of this office letter refd. to above.

Copy to Sh. Uma Shanker Singh, P.O. Vill.
BA/one Medhbalia, Distt: Chhapra (Saran), (Bihar).

Copy/

ALL INDIA RAILWAY MEN'S FEDERATION

(Estd. 1924)

No A IRF/160-B (836)

The Secretary/E,
Railway Board,
New Delhi.

ACK: M. E (NG) II / 79 / CL / ER / 4
dt. 21. 3. 79.

D/Sir,

Re : Re-engagement of casual labour-
discharged in May 1974 strike.

The Ministry of Railways have issued orders that all the labourers who were discharged following May, 1974 Strike should be on the last pay drawn by them. It has been represented that one Shri Singh who was working as a casual peon in the Accounts Office, E. Railway Workshop was discharged vide Dy. CAO/W, notice No. ADP/W/Rectt/Class IV and has not been taken back in service inspite of repeated representation Dy. CAO/W, however, stated vide his letter of even no. dt. 11/13.8.1977 name was noted for re-engagement, which has not been done.

It is requested that necessary orders may kindly be issued to to do the needful in the matter.

Yours faithfully,

Sd/-

J. P. Chaubey,
Genl. Secretary.

Copy to the Genl. Secy, DLW MU, Varanasi with the request that in future he should not sponsor the cases of employees who are working on other Rlys.

Copy to Genl. Secy, ERMU, Calcutta for n.a. and advising Br. Secy, Jamalpur Workshop for m.a. at his level.



D-6815/011/79

मिजी सचिव
उद्योग मंत्री, भारत
नई दिल्ली-११००११

(61)

1620
19/5/79

Addl. PRIVATE SECRETARY
MINISTER OF INDUSTRY, INDIA.
NEW DELHI - 110011.

NEW DELHI

May 17 1979

Dear Com. Narula,

I am enclosing herewith the copies of Com. Fernandes' latest letters to Home Minister and Chief Minister of Uttar Pradesh on the withdrawal of the cases against the Jhansi comrades.

With regards,

Yours sincerely,

self
RAVI NAIR

G.S.
Shri S.S. Narula,
Secretary,
National Railway Mazdoor Union,
Malgi Bhavan,
Near Mahoba Phatak,
Jhansi (U.P.)

Copy for information to Shri J.P. Chaubey,
General Secretary, All India Railwaymen's
Federation, 4 State Entry Road, New Delhi-110001.

Rnair
Ravi Nair.

Copy of Fernandes' letters to
- sent to G.S. (N.R.M.U. (C.R.U.))
17/160-B (1979/80)
"to Director
Encl. 0
shd")
V. Nair

COPY

D-10380/MI/79

MINISTER OF INDUSTRY
INDIA

NEW DELHI 110011

May 15, 1979

I had written to you shortly after you took over as Chief Minister of U.P. about the withdrawal of court cases instituted against the railway employees of Jhansi Division during 1974-strike period. These employees had fought to protect their rights. The Janata Government has reinstated many of those who were suspended or dismissed from service but these employees are still awaiting justice. I shall be grateful if you kindly order unconditional withdrawal of all the cases pending in courts immediately as this is causing anxiety and hardship to the families of the workers.

With regards,

Yours sincerely,

Sd/-
George Fernandes

Shri Banarsi Das,
Chief Minister of Uttar Pradesh,
Lucknow 226 001.

COPY

DO No. D-6595/MI, .

MINISTER OF INDUSTRY
INDIA
NEW DELHI 110011

May 15, 1979

I had written to you on April 6 vide my d.o. letter No. D-6595/M(IND)/79-I on the withdrawal of cases against the railway employees of Jhansi Division, but have not heard so far in the matter. The continued prosecution of the workers in these fabricated cases is causing anxiety and misery to the families of the workers. I would request you to immediately order unconditional withdrawal of these cases and keep me informed in the matter.

With regards,

Yours sincerely
Sd/-

George Fernandes

Shri H.M. Patel,
Minister of Home Affairs,
New Delhi 110001.

No. AIRF / ~~160~~ 160-B

Date. 9-7-79

Copy of the following is forwarded to (1) the Divisional Secretary, NRMU, Jhansi and (2) The General Secretary, NRMU Rly. Bombay for information. ~~with~~

J. Dandavate

For General Secretary

Copy of D.O. letter No. 3571-MI/79-V dated 6.7.79 from Shri Ravi Addl. Private Secretary, to the Minister of Industry, New Delhi, addressed to Shri S.S. Marula, Secretary, National Railway Mazdoor Union, Malgi Bhawan, Near Mahoba Phatak, Jhansi (U.P.) and copy to Shri J.P. Chaubey, General Secretary, AIRF, New Delhi.

.....

I am enclosing herewith copies of Com. Fernandes' latest letters ~~xxx~~ to Shri Dandavate and to the ~~UP~~ U.P. Chief Minister on the withdrawal of the cases. This is for your information. With regards.

Copy of D.O. letter No. 3571-MI/79-V dated 30-6-79 from Shri George Fernandes, Minister of Industry, New Delhi, addressed to Shri Banarsi Das, Chief Minister of U.P. ~~xx~~ Lucknow.

.....

This is in continuation of letter No. D. 10380 MI/79 dated May 15, 1979 regarding withdrawal of cases against the the railway employees of Jhansi. I understand that the State Govt. has not so far undertaken review of all such cases. I shall be grateful if you kindly issue instructions in the matter and ensure that recommendations for the unconditional withdrawal of all the cases are sent to the Home Ministry immediately. With regards.

Copy of D.O. letter No. 3371-MI/79-V dated 30.6.79 from Shri George Fernandes, Minister of Industry, New Delhi, addressed to Shri Madhu Dandavate, Minister of Railways, New Delhi.

.....

This is about the withdrawal of cases against the railway employees of Jhansi. I understand that the State Government of U.P. has not so far received any recommendations from the Railway Board for the unconditional withdrawal of the cases. I shall be grateful ~~if~~ if you kindly see that specific instructions for the ~~with~~ withdrawal of cases unconditionally are issued from your office to the Railway Board. With regards.

.....

96



2142
7-7-79
Addl.

3571-MI/78-V

निजी मन्त्रि,
उद्योग मंत्री,
नई दिल्ली।

609

PRIVATE SECRETARY TO THE
MINISTER OF INDUSTRY
NEW DELHI.

July 6, 1979

Dear Com. Narula,

I am enclosing herewith copies of Com. Fernandes' latest letters to Shri Dandavate and to the U.P. Chief Minister on the withdrawal of the cases. This is for your information.

With regards,

Yours sincerely,

sd/
RAVI NAIR

*Copy to Genl Secy
NRMU Jhansi
ES NRMU Amrity*

Shri S.S. Narula,
Secretary,
National Railway Mazdoor Union,
Malgi Bhavan,
Near Mahoba Phatak,
JHANSI (U.P.)

Q

Copy for information to
Shri J.P. Chaubey, General Secretary,
All India Railwaymen's Federation,
4 State Entry Road, New Delhi 110001.

*7/7
ES*

Nair
RAVI NAIR

may 7/7 copies sent

No. 3571/M.

COPY

MINISTER OF
INDIA
NEW DELHI 110

June 30, 1979

This is in continuation of my letter No. D 10380/MI/79 dated May 15, 1979 regarding withdrawal of cases against the railway employees of Jhansi. I understand that the State Government has not so far undertaken review of all such cases. I shall be grateful if you kindly issue instructions in the matter and ensure that recommendations for the unconditional withdrawal of all the cases are sent to the Home Ministry immediately.

With regards,

Yours sincerely,

Sd/-

George Fernandes

Shri Banarsi Das,
Chief Minister of Uttar Pradesh,
Lucknow 226001.

COPY

DO No. 3871/MI/79-v

MINISTER OF INDUSTRY
INDIA
NEW DELHI 110011

June 30, 1979

This is about the withdrawal of cases against the railway employees of Jhansi. I understand that the State Government of U.P. has not so far received any recommendations from the Railway Board for the unconditional withdrawal of the cases. I shall be ~~grateful~~ grateful if you kindly see that specific instructions for the withdrawal of cases unconditionally are issued from your office to the Railway Board.

With regards,

Yours sincerely,

Sd/-

George Fernandes

Shri Madhu Dandavate,
Minister of Railways,
New Delhi 110001.



20/06/79 11/79

निजी वि.
उद्योग मंत्रि.
नई दिल्ली। 551

ADDL. PRIVATE SECRETARY TO THE
MINISTER OF INDUSTRY
NEW DELHI.

1404
1-5-79

April, 1979.

Dear Com. Choubeyji,

Enclosed herewith is a copy of the letter written by Com. Fernandes to the Union Home Minister for the withdrawal of the Jhansi cases. You may use it either in the bulletin or the local branch could be asked to print leaflets

With regards,

Yours sincerely,

Ravi Nair

Ravi Nair

Shri J.P. Choubey,
General Secretary,
All India Railwaymen Federation,
4 - Estate Entry Road,
NEW DELHI - 11 00 01.

J.R

gs

~~RDH/179~~

ADRF/160-B

now 3/15

Please publish
the letter in
our journal
Sudha & Hnd
9/79

(50)

J.P. Chaubey,
General Secretary.

D.O.No. AIRF/ / 0-15 (345) Dated 2nd May, 1979.

Dear Shri Chowdhary,

Sub:- Settlement on issues arising out
of May 1974 strike.

Ref:- Your D.O.No. E(LR)I.79NM1/10
dated 25.4.1979.

....

All the office bearers of the Federation and
the General Secretaries of the affiliated Unions
will attend the meeting at 3 P.M. on 9th May, 1979.

Yours sincerely,



(J.P. Chaubey)

Shri P.U.C. Chowdhary,
Special Assistant to
Minister of Railways,
Railway Board,
New Delhi.

9c

COPY OF THE D.O. LETTER NO 3595/M(IND)/79.1 DATED THE 6TH
1979 WRITTEN BY GEORGE FERNANDES TO SHRI H.M. PATEL, MINISTER
OF HOME AFFAIRS.

....

I am writing to you about a matter concerning the lives of a few employees of the railways stationed at Jhansi. During the 1974 May strike, various fabricated criminal cases under Sections 118 of the DIR, 146; 47, 332, 333 of IPC and 126 of the Indian Railway Act were instituted against them by the then State Government at the behest of the former dictator.

With the change in Government in March 1977, there was no justification at all in continuing these cases against these employees. I had written to your predecessor and to the then Chief Minister of UP earlier also but did not hear anything from them in the matter. I would urge you to immediately order withdrawal of these cases and shall be grateful if you also kindly send me a copy of the orders issued by your Ministry in this regard.

I have written to the present Chief Minister of UP also in the matter.

With regards,

Yours sincerely,

Sd/-George Fernandes





रेल मंत्री के विशेष सहाय
SPECIAL ASSISTANT
MINISTER OF RAILWAYS
INDIA

NEW DELHI-110001.

D.O.NO.E(LR)I.79NM1/10.

APRIL 25, 1979.

The General Secretary,
All India Railwaysmen's Federation,
4-State Entry Road,
NEW DELHI.

1361
24/4/79

Subject: Settlement on issues arising out
of May 1974 strike.

Please refer to your D.O.No.AIRF/160/B(237)
dated 22nd March, 1979 on the above subject addressed
to the Minister for Railways.

The Minister for Railways will be glad to
meet a few representatives of your Federation in
this connection at 3 P.M. on 9th May 1979.

Please acknowledge receipt.

Yours faithfully,

P.U.C. Chowdary
(P.U.C. Chowdary)

Popis
g/s

*All office bearers,
and secretaries
of the union will
attend the meeting*

WJY
20/4
11.5



ALL INDIA RAILWAYMEN'S FEDERATION

4 - STATE ENTRY ROAD
NEW DELHI-110005

J.P.Chaubey,
General Secretary.

D.O.No.AIRF/160-B, (340)

Dated 1st May, 1979.

Dear Shri Chowdhury,

Sub:- Withdrawal of court cases against the
Railway employees, Jhansi - May, 1974
Strike.

.....

Minister for Railways wrote to the then Chief
Minister of Uttar Pradesh for withdrawal of the court
cases which were launched against the Railway employees
in connection with May, 1974 strike. The prosecutions
have not been withdrawn. I am sending one of our
representatives to see you in this connection. Kindly
do the needful.

Yours sincerely,

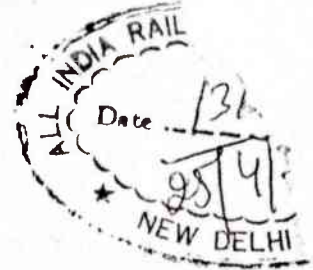

(J.P. Chaubey)

Shri P.U.C. Chowdhury,
Special Assistant to
Minister of Railways,
Railway Board,
New Delhi.

o/c

सेवा में,

श्रीमान् मुख्यमंत्री उत्तर प्रदेश श्री बनारसी दास जी लखनऊ।
श्रीमान् विधि एवं न्याय मंत्री उत्तर प्रदेश, लखनऊ।
श्रीमान् रेलमंत्री भारत सरकार, लखनऊ, नई दिल्ली।
श्रीमान् उद्योग मंत्री भारत सरकार, नई दिल्ली।
श्रीमान् प्रधानमंत्री भारत सरकार, नई दिल्ली।
श्रीमान् जिलाधीश, झांसी।
श्रीमान् नगर मजिस्ट्रेट, झांसी।
श्रीमान् पुलिस अधीक्षक, झांसी।
श्रीमान् मण्डल रेल प्रबन्धक, मध्य रेल्वे, झांसी।
श्रीमान् उप मुख्य वाणिज्य उ भ्रमन्ता कार झांसी।
श्रीमान् मुख्य वाणिज्य अधिकारी, मध्य रेल्वे बम्बई।



आपको विदित होगा कि दिनांक 28-3-79 को मण्डल ब्रांच नेशनल रेल्वे

मजदूर यूनियन का वार्षिक अधिवेशन हुआ और उस अधिवेशन में मध्य रेल्वे एन०
आर०एम०यू० के महामंत्री श्री एस० एन० पाटिल एवं अध्यक्ष श्री पी० आर० मेनन
आए। उनको रेल इडुताल पीड़ित कर्मियों की ओर से ज्ञापन दिया और पूर्ण
परिस्थिती से अवगत कराया। महामंत्री एवं अध्यक्ष द्वारा आश्वासन दिया गया
कि हम पूर्ण कोशिश करेंगे कि सरकार मई 74 की रेल इडुताल संदर्भ के मुकदमें शीघ्र
वापिस लें।

और दिनांक 7-4-79 को क्लर्क एवं स्टोर ब्रांच नेशनल रेल्वे मजदूर यूनियन
का वार्षिक अधिवेशन हुआ। इस अधिवेशन में ए०आइ०आर०एम० के महामंत्री
श्री जे० पी० चौबे नई दिल्ली से आये। उनको भी परिस्थिती की ओर से ज्ञापन
दिया। उन्होंने भी आश्वासन दिया कि हम नई दिल्ली पहुंचकर मुख्यमंत्री उत्तर
प्रदेश श्री बनारसी दास जी को पत्र लिखेंगे व उनसे मिलकर उचित फैसला
लेंगे और झांसी के रेल इडुताल मई 74 के मुकदमें भी वापिस हो जायेंगे जबकि सभी
जगह सरकार द्वारा वापिस ले लिये गये।

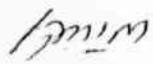
मण्डल मंत्री नेशनल रेल्वे मजदूर यूनियन श्री वी० आर० पुरी, श्री एस०
एस० नरला इत्यादि नेताओं द्वारा आश्वासन दिया गया कि केन्द्रीय मंत्री एवं
मुख्य मंत्री से मिलेंगे और मुकदमें वापिस हो जायेंगे। आप अपने कृत्रिक अनशन को
स्थगित कर दें। उपरान्त स्थानीय विधायक श्रीमति सूर्यमुखी शर्मा से मिले उन्हीं
के निवास पर और उनको पीड़ित कर्मचारी को उपर परेशानी इत्यादि से अवगत
कराया। उन्होंने भी आश्वासन दिया कि रेल मंत्री ने अपनी स्वीकृति प्रदान कर
दी है। और अब मुख्यमंत्री श्री बनारसी दास के द्वारा केस वापिस करा दिए जायेंगे।

और दिनांक 16-4-79 को माननीय श्री बच्चरश्मिबनारसी दास मुख्यमंत्री उत्तर प्रदेश लखनऊ के आसी आगमन पर अन्य यूनियनों द्वारा की रेल हड़ताल के निराधार मुकदमों को वापिस कराने हेतु सरकिट वाजस्त ज्ञापन दिया गया। समिति के मंत्री गाल सिंह, ओ० पी० सागर एवं ज्वाला और स्थानीय मण्डल के माननीय कमरेड श्री के० एन० पाठे, श्री एत० एत० नरला इत्यादि 18-4-79 को विधायक श्रीमती सूर्यमुखी शर्मा के निवास पर मुख्यमंत्री उत्तर प्रदेश से मिले और उन्हें ज्ञापन दिया। मई 1974 रेल हड़ताल के निराधार मुकदमों वापिस हो। माननीय मुख्य मंत्री श्री बनारसी दास जी द्वारा आश्वासन मिला एवं उन्होंने कहा कि उद्योग मंत्री श्री जार्ज फर्नान्डिस से बात हो चुकी है।

माननीय मुख्यमंत्री और विधायक एवं इत्यादि द्वारा आश्वासन प्राप्त पर विश्वास रखते हुए समिति को 30 अप्रैल अन्तर्गत धरना जोकि 26-4-79 से कक्षाप द्वार पर बरने हेतु दिनांक 17-3-79 को नोटिस भेजा था। उस क्रमिक अन्तर्गत धरना को स्थगित कर दिया गया।

अन्त में आशा है कि मई 74 रेल हड़ताल सदर्भ के कर्मचारियों पर के मुकदमों वापिस लेकर हमें एवं मजदूर क अनुश्रुति करेगे।

धन्यवाद।


सहस्रक्ष


मंत्री

दिनांक:-

- प्रतिनिधि:-
1. श्री जे० पी० सोडे महामंत्री ए०आर०एम०आर०, नई दिल्ली।
 2. श्री एत० एन० पाटिल महामंत्री एन०आर०एम०यू०, अम्बई।
 3. श्रीमती सूर्यमुखी शर्मा विधायक उत्तर प्रदेश, लखनऊ।
 4. श्री जी० एन० दुबे डी०ए०ओ० आफिस आसी।
 5. श्री वी० आर० पुरी मण्डल सत्री एन०आर०एम०यू० आसी।
 6. श्री एत० एत० नरला मंत्री एन०आर०एम०यू० श्रीमतीभवन आसी।

All India Railwaymen's Federation
4, State Entry Road,
New Delhi-110055.

J.P. Chaubey,
General Secretary

D.O.No.AIRF/160

B(237)

Dated 22nd March, 1979.

Dear Mr. Chandrasekhar,

Re:- Settlement on issues arising out of
May 1974 Strike.

.....

At the time of last P.M. meeting we had brief discussions with you on the issues connected with May 1974 strike which have not been settled so far. On account of your pre-occupation with the railway budget, the issues could not be discussed and you were good enough to agree that discussions will be followed up as soon as you are able to find time.

I shall be grateful if you could kindly now indicate as to when it would be possible for you to resume discussions on these issues.

With kind regards,

Yours sincerely,



(J.P. Chaubey)

Shri Madhu Chandrasekhar,
Minister for Railways,
(Railway Board),
New Delhi.

Copy to the General Secretaries, All affiliated
Unions for information.

Government of India.
Ministry of Railways.
(Railway Board)

No. E(LR)II-77/ST1-17 New Delhi, dated 21.12.78.

The General Secretary,
All India Railwaymen's Federation,
4, State Entry Road,
New Delhi -110055.

Dear Sir,

Sub: Issues connected with the Strike by
Railwaymen in May 1974.

In the correspondence ending with your D.O. No. AIRF/160-B (535), dated 29.8.78 addressed to the Hon'ble Minister for Railways and in the various meetings which the AIRF had with the Board, a number of issues in connection with the strike of May 1974 have been raised. These issues have been considered very carefully and at great length by the Ministry of Railways. The position in respect of each issue is given below briefly:-

(1). Payment for the strike period.

As you are aware, orders had already been issued on 1.3.78 for treating the period of absence during the strike of May 1974 as leave due.

(2) Complete cancellation of punishments (instead of from 1.4.77)

As you are aware, the effects of punishments have been withdrawn from 1.4.77 and pay has been refixed from 1.4.77, as if no punishment has been imposed. It has been brought to the notice of the Ministry of Railways that, on the civil side, orders exist that a competent authority can reduce or cancel the punishments but no arrears would be payable and the person concerned could draw higher pay only with prospective effect, i.e. from or after 14.4.78. On the other hand, in the case of Railways, the benefit of higher pay has been given from 1.4.77. A decision to cancel the punishments totally instead of from 1.4.77 will thus have far reaching repercussions on the civil side.

(3) Payment of full pay and allowances for the period of suspension and for the intervening period between the date of dismissal/removal and the date of reinstatement.

According to the orders applicable on the civil side during the period when the employees was out of service, he is to be paid only 50% of the salary as payable during the period of suspension. Any further favourable decision on the Railway side will have far reaching repercussions on the civil side.

Contd.

MR

AGENDA FOR THE MEET. WITH THE RAILWAY
MINISTER ON 17.2.79 FROM 10-30 A.M.

1. Payment of Bonus and parity in wages for railwaymen.
2. Discussion of the following issues connected with May strike and contained in Railway Board's letter No.E(Lh, II-77/ST1-17 dated 15/11.12.78.
 - (a) Payment for the strike period;
 - (b) Complete cancellation of punishments (instead of from 1.4.77);
 - (c) Payment of full pay and allowances for the period of suspension and for the intervening period between the date of dismissal / removal and the date of reinstatement;
 - (d) Treating casual labour/ substitutes (who were discharged in connection with the strike) as reinstated.
 - (e) Removal of inequality caused by the grant of advance increments to loyal workers;
 - (f) In case of acquittals by courts either due to withdrawal of prosecution or otherwise and in cases where the employees have been put back to duty without proceeding with prosecution and without imposing any penalty, the individuals should be given full wages for the intervening period;
 - (g) General Managers should have powers to review the penalties awarded to the employees either on the request of the individuals or on the G.M's own motion and to this extent the instructions issued should be modified suitably.
3. Industrial relations on the Railways - attitude of Minister of Railways towards recognised Unions and inordinate delay in settlement of the problems.
4. Recognition of Unions in Production Units.

B

S. Chandra

P.S: Reply received from the Rly. Board on the above issues is reproduced on the reverse.

...

AMR/60-8

- (4) Treating casual labour/substitutes (who were discharged in connection with the strike) as regular employees.

A specific distinction has been made between regular employees and casual labour/substitutes. However, such substitutes had already been given (i) the original seniority on re-engagement, (ii) the same rate of pay to which they were eligible earlier, (iii) the concession of counting earlier service for other purposes such as increment, passes and leave. Thus, in actual practice, most of the benefits of continued service have been extended to them by special orders from the date of re-engagement. The Ministry of Rlys. consider that this meets the point of the AIRF to a great extent. It is regretted that they cannot be treated completely at par with the regular employees.

- (5) Removal of inequality caused by the grant of advance increments to loyal workers.

It is not considered justified that an advance increment should be given to certain set of employees who went on strike with a view to equalise their pay with the pay of those who did not go on strike. It is also not considered administratively feasible and correct to withdraw a concession which has been given and enjoyed by a certain group of persons in accordance with the orders then obtaining.

- (6) In case of acquittals by courts either due to withdrawal of prosecution or otherwise and in cases where the employees have been put back to duty without proceeding with prosecution and without imposing any penalty, the individuals should be given full wages for the intervening period.

Necessary orders have already been issued in Board's letter No.E(LR)II77ST1-17(1), dated 28.9.1977 letter No.E(LR)II78COM/8, dated 16.11.1978. These mostly cover the points raised by the AIRF. It has been stated by the AIRF that such employees, who fall within the purview of these orders, are entitled to full wages for the intervening period. In this connection, it is pointed out for your information that, under the normal rules, where a court decides a case favourably on merits of the case, the intervening period has got to be treated as duty and the employee has to be given full pay and allowances. In other types of cases, it is left to the discretion of the competent authority to determine the quantum of pay and allowances for the intervening period and also to determine whether the intervening period should be treated as duty. As you are aware, the intervening period has already been treated as duty in all such cases. In regard to the quantum of pay and allowances, the Ministry of Rlys. feel that no general orders need be issued to give full pay and allowances in those cases where a case has not been decided favourably on its merits.

- (7) General Managers should have powers to review the penalties awarded to the employees either on the request of the individuals or on the GM's own motion and to this extent, the instructions issued should be modified suitably.

While the Ministry of Railways agree that the normal powers under the D&A Rules should not normally be withdrawn from a competent authority, it has to be realised that the cases in connection with the May '74 strike are peculiar in that a general decision had to be taken at the level of the Ministry of Rlys. covering all such cases. When a decision had been taken at the highest level, it is considered inappropriate that powers should be delegated to lower authorities to review such decisions taken at the highest level.

2. As stated in the beginning of this letter, all these issues have been carefully considered at very great length and at the highest level and the Ministry of Rlys. have come to the conclusion that in regard to the various issues connected with the strike of May, 1974, no further concessions need be given as grant of such concessions would be having far reaching repercussions elsewhere also.

3. It is specifically added for your information, that your letter under reply has been placed before the Hon'ble Minister for Rlys. before sending this reply to you.

Yours faithfully,

Sd/-

(N.V. Jayaraman)
Jt. Director, Estt. ~~XX~~ (L),
Railway Board.

...

4, STATE ENTRY ROAD,
NEW DELHI-110055.

No. ARF/160-B. (60)

Dated 22nd January,

The Secretary (E),
Railway Board,
New Delhi.

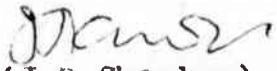
Dear Sir,

Sub:-Agenda for meeting with Railway Minister

....

It has been decided as intimated by SA to MR that AIRF's delegation will meet the Minister for Railways on 17th February in continuation of the PNM Meeting which is scheduled for 16th, 17th February, 1979. The following are the issues which we would discuss with the Minister for Railways :-

- 1) Payment of Bonus and parity in wages for railwaymen.
- 2) The following issues connected with May 1974 strike and content in Railway Board's letter No.E(LR)II-77/ST1-17 dated 15/21.12
 - (a) Payment for the strike period;
 - (b) Complete cancellation of punishments (instead of from 1.4.74);
 - (c) Payment of full pay and allowances for the period of suspension and for the intervening period between the date of dismissal, removal and the date of reinstatement;
 - (d) Treating casual labour/substitutes (who were discharged in connection with the strike) as reinstated;
 - (e) Removal of inequality caused by the grant of advance increments to loyal workers;
 - (f) In case of acquittals by courts either due to withdrawal of prosecution or otherwise and in cases where the employees have been put back to duty without proceeding with prosecution and without imposing any penalty, the individuals should be given full wages for the intervening period;
 - (g) General Managers should have powers to review the penalties awarded to the employees either on the request of the individuals or on the GM's own motion and to this extent, the instructions issued should be modified suitably.
- 3) Industrial relations on the Railways - attitude of Minister of Railways towards recognised Unions and inordinate delay in settlement of the problems.
- 4) Recognition of Unions in Production Units.

Yours faithfully,

(J.P. Chaubey)
General Secretary.

Copy to General Secretaries, All Affiliated Unions, for information.

ofc

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No.AIRF/160-3 (1983)

Date 5.1.79

The Secretary (E)
Railway Board
New Delhi

Dear Sir,

Sub:Payment of pay and allowances
equivalent to subsistence allowance
to victimised substitutes who had
attained temporary status.

&

Kindly refer to this office letter of even No. dated 11.7.1977 which was acknowledged under your letter No.E(LR)II-77,5T 1-78 dated 30-7-77. There are a large number of employees coming under this category. As over one year has elapsed since the reference was made, the Board are requested to issue clarification to the Railway administrations for payment of subsistence allowance to the ~~viz~~ victimised employees for the period from the date of their discharge to the date of their re-instatement.

An early action is requested.

Yours faithfully


General Secretary

Copy to the General Secretary, NRMU, Bombay for information with reference to his letter No.RBO/22 dated 19.12.78.

o/c

Tele. { Gram : RAILWAYMAN
Phone : 7711 C. RLY.

National Railway Mazdoor Union

C. Rly. Qrs. No. G-96, Bhandarkar Road, Matunga, Bombay 400 019.

ef. No. RBC/22

Date 19 - 12 - 1978

General Secretary,
AIRF
New Delhi.

Stamp: UNION RAILWAYMAN
Date: 30/12

Dear com.,

Sub: Payment of subsistence allowance to victimised substitutes who had attained temporary status.

Ref: Your letter No. AIRF/160-B (1983) dated 11/7/77 and this Union's letter of even no. dated 31-11-77 and 30-10-78.

Vide your letter under reference, you had represented the case of victimised substitutes who had attained temporary status to the Railway Board for payment subsistence allowance for the period between the date of their dismissal/~~by~~ removal to the date of their reinstatement. As there are a number of employees in this Railway who will get benefit of subsistence allowance if the case is decided in their favour, you are requested to please approach the Board for early favourable disposal of their case.

With greetings,

Yours fraternally,

C. Radhakrishnan
(C. RADHAKRISHNAN)
for GENERAL SECRETARY

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Government of India
Ministry of Railways
(Railway Board)



No. E(NG)1/79/CL/ER/4

New Delhi, dated 21.3.1979.

The General Secretary,
All India Railwaymen's Federation,
4, State Entry Road,
New Delhi-110055.

Dear Sir,

Sub: Re-engagement of casual labour -
discharged in May 1974 strike.

I am directed to acknowledge the receipt of
your letter No. AIRF/160-B(836) dated 27.12.78
on the above noted subject.

Yours faithfully,

for Secretary, Railway Board.

DA: Nil.

Noted

No. AIRR/ 160-B (836)

27th Dec, 1974

The Secretary/S,
Railway Board,
New Delhi.

D/Sir,

Re: Re-engagement of casual labour- discharged
in May 1974 Strike.

The Ministry of Railways have issued orders that all those casual labourers who were discharged following May, 1974 Strike should be re-engaged on the last pay drawn by them. It has been represented that one Shri Uta Shanker Singh who was working as a casual peon in the Accounts Office E. Railway, Jamalpur Workshop was discharged vide Dy. CAO/W, notice No. ADMR/Rectt/Class IV dt. 27.4.77 and has not been taken back in service inspite of repeated representations. The Dy. CAO/W, however, stated vide his letter of gen no. dt. 11/13.3.1977 that his name was noted for re-engagement, which has not been done.

It is requested that necessary orders may kindly be issued to ER Adm: to do the needful in the matter.

Yours faithfully,

sd/

Genl. Secretary.

Copy to the Genl. Secy, DEWMU, Varanasi with the request that in future he should not sponsor the cases of employees who are working on other Railways.

Copy to Genl. Secy, ERMU, Calcutta for n.a. and advising Br. Secy, Jamalpur Workshop for n.a. at his level.

o/c

No. AIRF/160-B/1(846)

Dated 29th Dec

The Secretary (S),
Railway Board,
New Delhi.

Attention:- Shri N.V. Jayaraman, Jt.

....

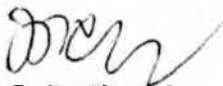
Dear Sir,

Sub:- ISSUES CONNECTED WITH THE STRIKE B.
IN MAY 1974.

.....

The reply contained in Railway Board's letter No. SF1-17 dated 15/21.12.78 ~~is~~ at variance with the disc held at the PMM between the AIRF and Railway Board. The against various issues are contradictory and confusing. decisions on these issues have been taken with the appro of Minister for Railways, it is requested that an early with the Minister for Railways be arranged so that the are discussed with the Railway Board and Minister for Ra Since the AIRF's membership is greatly exercised on this it is requested that an early meeting with the Minister for Railways may kindly be arranged.

Yours faithfully,


(J.P. Chaubey)
General Secretary.

Cop. to Shri P.U.C. Chowdhury, S.A. to M.R. Railway Board, New Delhi. He is requested to kindly arrange an early meeting of the office bearers of the Federation with the Minister for Railways and Railway Board.

q/c

भारत सरकार
रेल मंत्रालय (रेलवे बोर्ड)
GOVERNMENT OF INDIA (Bharat Sarkar)
MINISTRY OF RAILWAYS (Rail Mantralaya)
(Railway Board)

No.E(LR) II-77/ST1-17.

नई दिल्ली-110001, तिथि
New Delhi-110001, dated 15-12-1978.

19

To

The General Secretary,
All India Railwaymen's Federation,
4, State Entry Road,
New Delhi-110055.

Dear Sir,

Subject: ISSUES CONNECTED WITH THE STRIKE BY
RAILWAYMEN IN MAY 1974.

In the correspondence ending with your D.O. No.AIRF/160-B(535), dated 29.8.1978 addressed to the Hon'ble Minister for Railways and in the various meetings which the AIRF had with the Board, a number of issues in connection with the strike of May 1974 have been raised. These issues have been considered very carefully and at great length by the Ministry of Railways. The position in respect of each issue is given below briefly:-

✓(1). Payment for the strike period.

As you are aware, orders had already been issued on 1.3.1978 for treating the period of absence during the strike of May 1974 as leave due.

✓(2). Complete cancellation of punishments (instead of from 1.4.1977).

As you are aware, the effects of punishments have been withdrawn from 1.4.1977 and pay has been refixed from 1.4.1977 as if no punishment had been imposed. It has been brought to the notice of the Ministry of Railways that, on the civil side, orders exist that a competent authority can reduce or cancel the punishments but no arrears would be payable and the person concerned could draw higher pay only with prospective effect, i.e. from or after 14.4.78. On the other hand, in the case of Railways, the benefit of higher pay has been given from 1.4.77. A decision to cancel the punishments totally instead of from 1.4.77 will thus have far reaching repercussions on the civil side.

✓(3). Payment of full pay and allowances for the period of suspension and for the intervening period between the date of dismissal/removal and the date of reinstatement.

According to the orders applicable on the civil side

....2/-

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- 2 -

during the period when the employee was out of a to be paid only 50% of the salary as payable during of suspension. Any further favourable decision on side will have far reaching repercussions on the c.

- (4). Treating casual labour/substitutes (who were dismissed in connection with the strike) as reinstated.

A specific distinction has been made between regular and casual labour/substitutes. However, such staff have been given (i) the original seniority on re-engagement, same rate of pay to which they were eligible earlier, (ii) concession of counting earlier service for other purposes as increment, passes and leave. Thus, in actual practice, of the benefits of continued service have been extended to by special orders from the date of re-engagement. The Ministry of Railways consider that this meets the point of the AIRF to a great extent. It is regretted that they cannot be treated completely at par with the regular employees.

- (5). Removal of inequality caused by the grant of advance increments to loyal workers.

It is not considered justified that an advance increment should be given to certain set of employees who went on strike with a view to equalise their pay with the pay of those who did not go on strike. It is also not considered administratively feasible and correct to withdraw a concession which has been given and enjoyed by a certain group of persons in accordance with the orders then obtaining.

- (6). In case of acquittals by courts either due to withdrawal of prosecution or otherwise and in cases where the employees have been put back to duty without proceeding with prosecution and without imposing any penalty, the individuals should be given full wages for the intervening period.

Necessary orders have already been issued in Board's letter No.E(LR)II77ST1-17(2), dated 28.9.1977 letter No.E(LR)II78COM/8, dated 16.11.1978. These mostly cover the points raised by the AIRF. It has been stated by the AIRF that such employees, who fall within the purview of these orders, are entitled to full wages for the intervening period. In this connection it is pointed out for your information that, under the normal rules, where a court decides a case favourably on merits of the case, the intervening period has got to be treated as duty and the employee has to be given full pay and allowances. In other types of cases, it is left to the discretion of the competent authority to determine the quantum of pay and allowances for the intervening period and also to determine whether the intervening period should be treated as duty. As you are aware, the intervening period has already been treated as duty in all such cases. In regard to the quantum of pay and allowances, the Ministry of Railways feel that no general orders need be issued to give full pay and allowances in those cases where a case has not been decided favourably on its merits.

- (7). General Managers should have powers to award the penalties awarded to the employees either on the request of the individuals or on the GM's own motion and to this extent, the instructions issued should be modified suitably.

While the Ministry of Railways agree that the powers under the D&A Rules should not normally be taken from a competent authority, it has to be realised that cases in connection with the May '74 strike are peculiar in that a general decision had to be taken at the level of the Ministry of Railways covering all such cases. If a decision had been taken at the highest level, it is considered inappropriate that powers should be ~~passed~~ delegated to lower authorities to review such decisions taken at the highest level.

2. As stated in the beginning of this letter, all these issues have been carefully considered at very great length and at the highest level and the Ministry of Railways have come to the conclusion that in regard to the various issues connected with the strike of May 1974, no further concessions need be given as grant of such concessions would be having far reaching repercussions elsewhere also.

3. It is specifically added for your information that your letter under reply has been placed before the Hon'ble Minister for Railways before sending this reply to you.

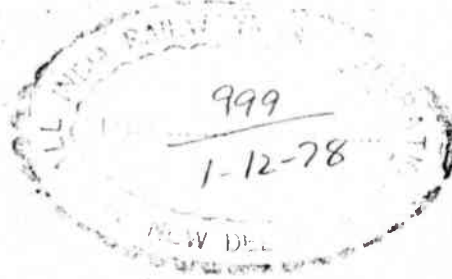
Yours faithfully,

N. V. Jayaraman

(N.V. Jayaraman)
Jt. Director, Establishment (L),
Railway Board.

INDIAN RAILWAYS CLASS II OFFICERS' FEDERATION

President:
M.P. BHARGAVA
M.A.C.P.M.I.R.
J-105, Badhwar Park,
Colaba, Bombay-5.



No. ROF/101

Dated: 20

Dear Shri Madhu Dandavate,

Sub: Emergency/Post Strike Excesses.

.....

Advance copies of identically worded representations from Asstt. Class II Officers at Bombay, addressed to you, are sent herewith for your kind information and necessary action.

2. It will be seen from these representations that gross injustice has been done to the rank and file of Railway employees in the matter of vertical mobility in the organisation during the Emergency and post-strike periods, when the Class II, III and IV employees were in a position to effectively resist such injustice.

3. It is unfortunate that the time honoured Code Rules vide para 133 of Indian Railway's Establishment Code Part I was unilaterally changed vide Railway Board's letter No.E(O)III/75 PM 6/4 dated 31.1.75 during Emergency without:

(i) consulting the recognised All India Federation of Class II Officers, whose promotional prospects were directly hit by the changes made,

(ii) considering the Efficiency and Safety aspect of Railway Operations in putting raw entrants to the Class I Service, with no background of Railway working and without even passing the Efficiency Bar Test, as District Officer (Sr. Scale).

4. The Railway Ministry had deposed before the last Pay Commission in camera when all other Ministries did it openly and it is not known whether it was brought to the specific notice of the Pay Commission that bringing down the Efficiency Bar Test from the 11th year of service to the 7th year of service for Asst. Officers Class I and II will automatically advance the promotion of Asst. Officers Class I from the 11th year of service to 7th year of service at the cost of the Asst. Officers Class II who would have otherwise officiated during this period of four years under the normal rules.

5. The officiating promotions of Asst. Officers Class I, after passing E.B. Test in 7th year of service as recommended by last Pay Commission was further brought down from 7th year of service to 5th year of service by Administrative fiat vide Railway Board's letter No. E(O)III 74 PM 6/165 dated 2.7.74 taking advantage of the post-strike period. Some promotions have been made even earlier than the 5th year of service, i.e. less than 3 years on a working post that too without passing the Efficiency Bar and ignoring the Class II Officers who had passed the Efficiency Bar and completed more than 3 years qualifying service.

.....2/-

11/2
ROF/1607B

Vital changes have also been made in the recruitment rules for Class I services during Emergency and post-strike periods calculated to give extra benefits to the Asst. Officers Class I at the cost of promotee Officers.

7. It may be added that during the same Emergency and post-strike periods, changes have been made locally by some Railway Administrations in the rules for allotment of housing accommodation and a number of residential flats, specifically justified in the works programme for Asst. Officers and Sr. Scale Officers and voted by the Parliament as such, have been taken away from the Asst. and Sr. scale Officers' pool and allotted to the Administrative Officers.

8. This federation therefore, request you to kindly consider these post-strike and Emergency period excesses with a view to revoke the same at the earliest possible time. This federation has been pursuing these items with the Administration but in vain. This has caused wide-spread resentment among the Officers promoted from the rank and file of Railway Employees as will be seen from the advance copies of their representations enclosed herewith and also those that may come to you direct from other places.

9. We earnestly request the favour of an early action in the matter.

Yours sincerely,



(M.P. BHARGAVA)

Madhu Dandavate,
Railway Minister,
Government of India,
NEW DELHI.

Copy forwarded for information to All General Secretaries with the request that they may please mobilise general opinion against these Emergency/Post-strike excesses for remedial action and advise the number of such Advance copies of the representations sent to Hon. M.R.

The date for the informal and formal meeting with the Railway Board has not yet been fixed but an Executive Committee Meeting is being called at Delhi in the first or second week of Dec. '78 by Gen.Secy. seperately.

भारत सरकार
रेल मंत्रालय (रेलवे बोर्ड)
स. ई(एल आर)॥ 78 सी.ओ/8(ए)

नयी दिल्ली दिनांक 16-11-1978

महाप्रबन्धक,

सभी भारतीय रेलों ।

(उत्पादन कारखानों तथा म. प. परि. सहित)

विषय:- मई, 1974 की हड़ताल ।

संदर्भ:- बोर्ड का 28.9.77 का पत्र सं. ई (एस. आर)॥ 77 एस टी 1-17

स्थायी वार्ता तंत्र की आल इंडिया रेलवे मैस फ्रेशन के साथ 16/17.8.77 बैठक में, फ्रेशन के निम्नलिखित मुद्दे उठाये :-

(क) वे रेल कर्मचारी, जिन पर न्यायालयों में मुकदमों चलये गये थे और जिन्हें विधिवत मुकदमा पूरा हो जाने या मुकदमा वापस ले लिये जाने के बाद छोड़ा गया था, निर्लवण/सेवा समाप्ति/सेवा से हटये जाने की तारीख से सेवा की तारीख तक की अवधि के लिए पूरा वेतन पाने के हकदार हैं ।

(ख) जिन रेल कर्मचारियों को हड़ताल के दौरान गिरफ्तार कर लिया गया था हड़ताल वापस ले लिये जाने के बाद छोड़ दिया गया था, और जिन पर मुकदमा चलाया गया और न ही जिनके विरुद्ध कोई अनुशासनिक कार्यवाई के भी जेल में रहने की अवधि के लिए पूरा वेतन पाने के हकदार हैं ।

इस सम्बन्ध में यह स्पष्ट किया जाता है कि इस मंत्रालय के 28.9.77 के पत्र में अनुदेश उपर्युक्त मद (क) और (ख) के अन्तर्गत आने वाले कर्मचारियों के मामले पर भी लागू किया जाना चाहिए ।

यह रेल मंत्रालय के वित्त निदेशालय की सहमति से जारी किया जा रहा है

जा.वि. : वायराजील.
(एन.डी. जे. एम.)

संयुक्त निदेशक, स्थापना (श्र)

रेलवे बोर्ड ।

GOVERNMENT OF INDIA
MINISTRY OF RAILWAYS
(RAILWAY BOARD)

No.E(LR)II78COM/8

.....
New Delhi, dt. 16-11-1978.

The General Managers,
All Indian Railways (including
Production Units & MTPs).

Sub: May 1974 strike

Ref: Board's letter No.E(LR)II77ST1-17(i)
dated 28-9-77

.....

In the PNM Meeting held with A.I.R.F. on 16/17.8.78, the
Federation raised the following issues:-

- (a) The Railway employees, who were prosecuted in the
Courts and were acquitted either after due prosecution
or as a consequence of withdrawal of the prosecution,
are entitled for the full pay for the period from the
date of suspension/termination/removal to the date of
reinstatement.
- (b) The employees, who were detained during strike and
on withdrawal of strike were released, they were
neither prosecuted nor any other disciplinary action
was taken against them, are also entitled for
full pay for the period they were detained in the jail.

In this connection it is clarified that the instructions
contained in this Ministry's letter of 28-9-77, should also be
made applicable to the cases of employees falling under
items (a) and (b) above.

This issues with the concurrence of the Finance Director
of the Ministry of Railways.

N.V. Jayaraman

(N.V. Jayaraman)
Jt. Director, Establishment(L)
Railway Board

No.E(LR)II78COM/8

New Delhi, dt. 16-11-1978.

Copy to:

1. F.A. & C.A.Os, All Indian Railways, Production Units
and F.A. & C.A.Os, MTPs, Calcutta, Bombay, Delhi and
Madras.
2. The ADAI (Rlys), New Delhi, with 140 spares.

N.V. Jayaraman

(N.V. Jayaraman)
Jt. Director, Establishment(L)
Railway Board.

.....2/-

- 2 -

No. E(LR) II78COM/8.

New Delhi, dt. 16-1

Copy to AIRF and NFIR (with 25 spares)

Copy to E(D&A), E(G), E(P&A) Branches of Railway

N.V. Jayaraman

(N.V. Jayaraman)

Jt. Director, Establishment
Railway Board.

Copy to F(E) III Branch (with two spares).

J.P. Chauboy.
General Secretary.

Dated 29th Av

D.O. No. AIRF/100-B (535)

Dear Sri Dandavato,

Sub: Discussion with Minister for Railway
and Railway Board on Strike problems.
1974 Issues.

The disciplinary action against railway employees in connection with May '74 Strike were not taken according to normal rules. The normal disciplinary procedure was dispe^d with and the special rules and procedures were adopted to with the striking employees. The A.I.R.F. has been pleading with the Board that the employee what he is due under normal rules in the following cases must not be denied:

The employees are entitled to full wages in the event of acquittal by the court either consequent upon withdrawal of the prosecution or otherwise. The employees are also entitled to full pay if there has been no prosecution and employees were put back to duty without any penalty. The General Manager have powers to review the penalties awarded to the employees either on request of the employee or on his ~~manager~~ own motion. The appreciation of these rules cannot be made applicable unless the instructions issued earlier are revised.

The matter was discussed in the P.M. Meeting between the A.I.R.F. and the Railway Board when we were told that the matter was put up to the Minister for Railways for necessary orders. We are not aware of the progress of the case. Since the employees are greatly agitated, we would like to discuss these issues with you personally and it might be helpful if C.R.B. and F.C. and others who are concerned are also associated with the discussion. I shall be grateful if you will kindly fix up an early date for discussion of these issues.

With kind regards,

Yours sincerely,


(J.P. Chauboy)

Sri Madhu Dandavato,
Minister for Railways,
Rail Haven, New Delhi.

OK

No. ADRP/1160-B

September 21, 1974

The General Secretary,
Southern Railway Mazdoor Union,
193-B, Railway Colony,
Mysore, Madras-600 008.

Dear Sir,

Sub: May 1974 strike - case of
Shri Lakkaiah, Skilled Labour,
T.C.No 1258, MC Shop, S.Ry.

The Railway Board have replied our letter D.O. No. AIRP/160-B of 19.8.1974 to Shri K.Subramaniam, Dir. Satab., stating that Shri Lakkaiah's removal from service was as a result of 'severe misconduct' involving an assault on RPF staff, not the result of participation in the strike of May 1974. The Board have, however, extended clemency to this employee and ordered his re-employment, and have held there was 'hardly any case for a further review'.

It is requested that you may, however, send me a special report on this case, giving out full details, to see whether we can pursue the matter further.

Yours faithfully,

J.P. Cauley
(J. P. CAULEY)
GENERAL SECRETARY. *KA*
2)

Copy to: Divisional Secretary, S.R.M.U., Mysore,
for information and necessary action.

भारत सरकार
रेल मंत्रालय (रेलवे बोर्ड)
GOVERNMENT OF INDIA (Bharat Sarkar)
MINISTRY OF RAILWAYS (Rail Mantralaya)
(Railway Board)

No. E(D&A) 77AE13-6

नई दिल्ली-110001, तिथि
New Delhi-110001, dated

-8-
8/9

To

Shri J.P. Chaubey,
General Secretary,
A.I.R.F.
4. State Entry Road, New Delhi.

Sub:- May 1974 Strike- Case of Shri N. Lakkaiah, Skilled
Labour, T.No. 1258, MC Shop, Southern Railway.

Sir,

I am directed to refer to your d.o. No. AIRF/160-B dated 19-8-78 to Shri K. Subramanian, Director, Establishment, Railway Board on the above subject and to advise that the issue whether Shri Lakkaiah's case could be covered by the instructions for reinstatement of May 74 Strikers, had been examined in detail in Board's office and it was found that Shri Lakkaiah's removal from service was not as a result of participation in Strike but as a result of severe misconduct involving assault on RPF staff. His case for reinstatement was, therefore, rejected by the Board. However, purely as an act of clemency he was ordered to be re-employed.

3. You will appreciate that there is hardly any case for a further review.

Yours faithfully,

(Gulzar Chand)
Dy. Director, Establishment,
Railway Board.

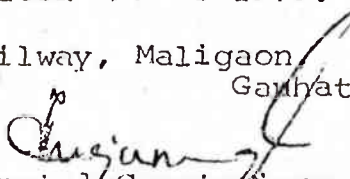
Copy to G.S. SRMU/MS and
SRMU, Mys.
Kys
11/9
may 8/9
(2) Please advise G.S. SRMU to
make enquires into the
case and submit a
detailed report in detail

- 2 -

E(LR)II78ST2/3.

New Delhi, dated 31 -8-1978.

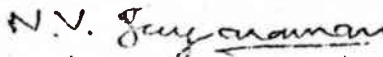
Copy to the Chief Auditor, N.F.Railway, Maligaon,
Gauhati.


for Financial Commissioner,
Railways.

No.E(LR)II78ST2/3.

New Delhi , dated 31 -8-1978.

Copy to members of the Departmental Council,
National Council, AIRF and NFIR (with 25 spares each) and
50 copies to E(LR)I Branch, Railway Board.


(N.V. Jayaraman)
Jt. Director, Establishment(L)
Railway Board.

Copy to F.E.(III) Branch, Railway Board.

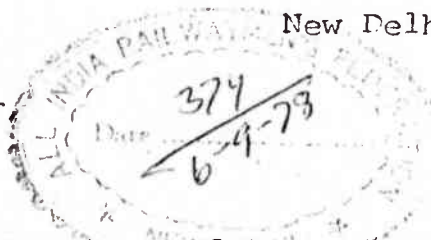
(56)

GOVERNMENT OF INDIA/BHARAT SARKAR
MINISTRY OF RAILWAYS/RAIL MANTRALAY
(RAILWAY BOARD)

No.E(LR)II78ST2/3.

New Delhi, dt. 31 -8-1974

The General Manager,
N.F.Railway,
Maligaon, Gauhati.



Sub: Picketing of Central and State
Government offices by students
in Assam - 7th to 11th May, 1974.

Reference correspondence resting with your Railway's
D.O.No.E/261/2/Con/Pt.III dated 26.9.74 and Board's D.O.
letter No.E(LU)74ST1-186 dated 19.10.74 on the above noted
subject.

The issue regarding regularisation of the absence of
the staff who could not attend office due to picketing of
Government offices on the above mentioned dates (i.e. 7th to
11th May, 1974), as duty came up for discussions at the
Meeting of the Departmental Council under the JCM held in
this office on 1st June, 1974. The matter has been considered
afresh and the sanction of the President is hereby communicated
to the absence of staff concerned on 7th May 1974 being
treated as special casual leave in accordance with para 1(ii)
of Board's letter No.E(LU)74ST2/9 dated 29.11.72.

Absence from 8th to 11th May, 1974 has already been
treated as 'leave due' for participation in May'74 strike.
However, if in case of any other staff, it is still shown as
'dies non' - he being not a striker - it may also be treated
as 'leave due'.

This issues with the concurrence of the Finance
Directorate of the Ministry of Railways.

N.V. Jayaraman
(N.V. Jayaraman)
Jt. Director, Estt. (L)
Railway Board.

No.E(LR)II78ST2/3.

New Delhi, dt. 31 -8-1974.

Copy to FA & CAO, N.F.Railway, Maligaon, Gauhati.

N.V. Jayaraman
(N.V. Jayaraman)
Jt. Director, Estt. (L)
Railway Board.

J.P. CHAUBEY,
GENERAL SECRETARY,

D.O.No.AIRP/160-13

Dated: 19-8-1978

Dear Shri Subramanian,

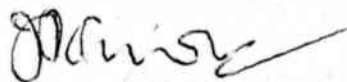
Re: May 1974 Strike - Case of Shri N. Lakkaiah,
Skilled Labour, T.No.1258, MC Shop, Southern
Railway, Mysore.

I enclose herewith a representation from Shri N. Lakkaiah addressed to the Minister for Railways for consideration. Consequent upon Minister's announcement in the Parliament, all employees were reinstated and it was expected that following those instructions Shri Lakkaiah should also have been reinstated. However, reinstatement orders in this case have not been passed by the G.M., South Railway. I shall be grateful if you will kindly look into the matter and have reinstatement orders passed with retrospective effect so that labour attitude of the Government also reflects in this case.

An early action in the matter is requested.

With kind regards,

Yours sincerely,


(J.P. Chaubey)

Encl: One

Shri K. Subramanian,
Director, Establishment,
Railway Board,
Rail Bhawan,
New Delhi.

cc: (i) Genl. Secy., S.R.M.U., Madras, for information.
(ii) P.P. Venugopal, Asstt. Genl. Secy., SRMU, Mysore.

with ref. to his letter dt. 18-8-78.

in letter
clow. ✓
PACRE
17/8

RF

o/c.

565

Southern Railway Mazdoor Union,

(REGD. NO. 3067 RECOGNISED & AFFILIATED TO AIRF)

PRESIDENT :
G. RAMACHANDRAN

GENERAL SECRETARY :
M. NAMASIVAYAM

Genl. Secretary : P. Venugopal.
Ref: Rmu/c

CENTRAL OFFICE

193-B, RA.

EGMORE, MF

437, Vishwalekshmi Nagar,

Date: 13.0

Dear Sri. Chubeyji,

I am enclosing herewith a representation submitted to you on 08.05.78 by com. N. S. Skilled Artizan, Rly. Work shop, Mysore South Bangalore city. In this work shop all the employees removed / dismissed were re-instated by the administration. But com. Lakkaiah who was also removed from service for May 1974 genl. strike was re-appointed on 29.04.78 after your intervention with the Railway Board chairman. He is appealing to the Chairman Railway Board, to consider his case for re-instatement in favour of other 35 employees who were re-instated in the same workshops. Therefore, I am requesting your good self to kindly use your good office in Railway Board and his case also to be considered for ~~reinstatement~~ re-instatement with retrospective effect and help this poor employee who is our active cadre in this work shop.

Thanking you,

Sbi. T. P. Chubey,
Asst. Secretary,
AIR/NDLS.

yours fraternally,
P. Venugopal
(P. VENUGOPAL)
AGS/SRMU; Mys.

(564)

The General Secretary,
All India Railway Men's Federation,
New Delhi.

Respected sir,

SUB:- Discrimination in re-instatement of 19
Strike victimised employees.

-0-

I was removed from service on 13-5-1978, along with several other employees of Southern Rly. Workshops Ashokapuram, Mysore South, Mysore. I was arrested under M.I.S.A. and D.I.R. on 20-5-1978 and was beaten in the Lock up before being taken to jail. I was not even able to stand for nearly six months as Medical aid was refused for me in the jail. Further, 3 cases were launched against me in the event. While two of the cases were dropped, one case dragged on till May 1978 and I have been acquitted even in this case by the Court. While re-instating the 1974 Strike Victimised employees, only 3 of us were left out on some grounds that is best known to the administration; even out of this, two were re-instated in 1977 by General Manager/Southern Railway, Madras, treating the period of absence as though it is under suspension. As far as me, while re-instating the administration has treated me as a fresh candidate.

While I was in Delhi, just before you obtained my re-instatement orders, you had instructed me to join duty in obedience to the orders of the Railway Board and then, submit an appeal. Accordingly, I have submitted an appeal, our General Secretary, has informed us that he has already apprised you of this.

I appeal to your goodself to persue my appeal with the concerned authorities in Railway Board and see the discrimination meted out in my case, is removed by treating me on par with other victimised Railway employees of 1974 Strike.

Yours freternally,

Mysore.

N. Lakshmin

(N. LAKKAMAH)

Dt. 19/8/78

No.	Name of the employee. S/S	T.No. & shop.	Offence.	Wg p	Whether reinstated or not.	Remarks.
1	N.Lakkaiah	1258/Skilled Machine shop	On 2-4-74, he was one of the leaders of the gang of unruly workmen et. who forcibly entered Works Manager's office outside the workshop, during lunch interval and assaulted Sri.A.S.V. Prasad, Sub-inspector, Rly. Protection force, Mysore South.	E/ 12		
2	J.S.Poraiah	2305/Skilled Carriage Lifting shop	-do-	E/2305/ 1-6-74 with from 2-6-	-do-	Re-instated.
3	G.Mariyappa	2658/Skilled Wagon shop	-do-	E/2658/ 3-6-74 with from 4-5-7-	-do-	-do-
4	N.Sadasbive	2657/Skilled Wagon shop	-do-	E/2657/WL	-do-	-do-
	Fairez Basha	Mistry, P&R, Sec.	-do-	MB/CS of 1 with effect fi	-do-	-do-
	Sreemantha Rao	Chargeman 'B' Wagon component shop	1. On 8-4-74 at about 8-30 Hrs. he addressed the workers in the Reverser Day inciting them to continue the an unauthorised stoppage of work at any cost. 2. On the same day after completing the speech in the Reverser Day, he entered the Line Office and forcibly pulled out the clerks from work. 3. On 9-4-74 at about 13.30 hrs. he ordered Sri.V.Thirumalai, senior Electrical chargeman, Electrical shop. to tear off the entries made	MB/CS of 1 with effect from 27	-do-	

Whether reinstated
or not.

Not yet re-instated.

&
les

Re-instated.

-do-

-do-

-do-

-do-


-do-

-do-

-do-

contd...

SOUTHERN RAILWAY


Works Manager
Mysore Sc
Dt.28-3-1978

No.SEC/1/74.

OFFICE ORDER NO. 60/78

Sri N. Lakkiah, T.No. 1258/Skilled, MC shop, was removed from service from 13-5-1974, is re-appointed entrant on the same pay and grade, he was drawing at the time of removal (i.e., Rs.366/- in grade Rs.260/400) and posted to the same shop from 29-3-1978. He is allotted with T.No. 2663.

Sd/-
Works Manager.

Copy to SS/WL: SS/MC, CTK/TO/MYSS.
P5, P2, P1, P7, pass, leave secs.
IPF/AP.
CPO/MAS. This has to ref.to his letter
No.P(A)90/MYSS/67 of 16-3-1978.

(52)

in his diary regarding allotment of work to him in the Electrical Brar day and forced him to the pages on threat of

4. On 17-4-74, at 8-30 hrs. at 11-00 hrs. Sri.P.Sree as a Member of the Action led a crowd of Mechanic workers to the Electric threatened the Electric with dire consequences if not stop work.

5. On the evening of 7-5-74, Sreemantharao went to the Sri.H.K.Srinivasa Rangachari Chageman and threatened him to to work on 8-5-74.

Khader 4382/Inspector. Inspection.

1. On 3-4-74 at about 12-20 hrs. S.A.Khader along with a small forced his way into the Worker's office and drove out the staff Personnel and Non-personnel & prevented them from working.

2. On 19/4/74 Sri S.A.Khader addressed a large of crowd of workers inside shops during lunch interval and instigated them to continue unauthorised stoppage of work on ground that he expected a decision from the Administration as a result of discussions in New Delhi and it was communicated to the workers person Sri.Namashivayam, General Secretary Madras, who was expected to visit shops on 22-4-74.

.Doddaiiah 75/Skilled- Carriage Building shop

1. On 5-4-74 at about 8-00 hrs. he addressed a very large crowd of workers inside shops during normal working hours instigating them to continue the unauthorised stoppage of work.

2. Again on 6-4-74 at about 8.30 hrs. addressed a large crowd of workers in the shops during normal working hours

560

- exhorting them to continue stoppage of work at any cost. Administration that the unauthorised stoppage of work should not be treated as a strike.
- 3. On 10-4-74 at about 8.45 hrs a large crowd of workers inside the shops during normal working hours and urged them to continue the unauthorised stoppage of work at any cost and he condemned the staff there not to land up with a raised stoppage of work that was in Mysore South shops.
- 4. Again on 13-4-74, 15-4-74 and 16-4-74 mornings he addressed a large crowd of workers inside the shops during normal working hours and urged them that they were preparing for a general divisional and shed staff to join in a raised stoppage of work, as only to teach a lesson to the Administration he urged the staff to continue the unauthorised stoppage of work at any cost.
- 5. On 17-4-74, Sri.M.H.Boddiah along with a committee members forcibly entered the repair shops and forced the Electricians and staff out of the shops for a day.
- 6. On 18-4-74 after the lunch break when the staff of Machine shop were ready to resume work even finished the Pooja, prior to the Pooja Sri-Boddiah rushed into the shop, got around him and instigated them vehemently to continue the unauthorised stoppage of work until the committee could discuss the matter further to an unanimous decision.
- 7. Again on 19-4-74 and 20-4-74 Sri.Boddiah addressed a large crowd of workers inside the shops during normal working hours and repeated that they should unite and continue the stoppage of work at any cost called off.

Verkatesh 3052/skilled
Foundry shop.

- 1. On 2-4-74 during the lunch interval, he led a mob of workmen to force their way into the Managers office and indulged in acts of violence. Sri.A.S.V.Prasad, Sub-Inspector, Railway Force Mysore South, deputed to protect the staff and office staff, was assaulted and some furniture and records damaged.

2. On 3-4-74 at about 12. along with a small crew the Works Manager's staff of personnel and prevented them from work.
3. (i) From 22-4-74 to 6-5-74 in vigorous propaganda the strike, by intimidating employees with drastic consequences to join and also by instigating loyal workers. He thereon manner prejudicial to mail services essential to the maintenance of Public order, with a view to the interests of the strikers.
(ii) He has also been absent from 6-5-74 and onwards from actively engaged outside the office and inciting other employees to join the strike. He has been intimidating loyal workers.
4. On 4-5-74 when Sri.K.G.Rao, Works Manager was holding a meeting from 16-30 Hrs. in the Works Manager's chamber with all the employees to discuss production and other problems, a group of men forced entry into the Works Manager's chamber at 16.30 Hrs. and demanded that all employees join the procession and join the procession threatening dire consequences at the time if their demand was not immediate.

Vasantharaj Junior clerk
Works Managers' office.

"Despite specific instructions per Head Clerk/Pay Commission at 10.30 Hrs. to prepare Duty passes for 38 Territorial Army soldiers to join at Bangalore on mobilisation, the Territorial Officer, Mysore South at 12.15 Hrs. deliberately refrained from making the arrangements required for the mobilised Territorial Army soldiers thereby, delaying their relief and the writing of these passes late in the evening, causing inconvenience in the arrangements at the Divisional Office.

Remarks: It can be seen from the statements that Sri.N.Lakshiah (and the other 9 employees are charged with similar

Subject: MAY, 1974 STRIKE - TREATMENT OF THE PERIOD OF ABSENCE.

Ref: Railway Ministry's letter of even number
dated 1.3.78

With reference to the orders contained in this Ministry's letter cited above, it was represented at the recent Departmental Council Meeting of the Joint Consultative Machinery, held on 1/2.6.78, that a number of employees did not have enough leave at their credit on 1.1.78 and they are now faced with recovery of overpayment on account of leave salary because of the fact that the absence during strike was adjusted as leave due as on 1.1.78 not leaving enough balance for adjustment of leave which had already been availed of before the receipt of these orders by the Railway Administrations.

2. As a result of discussion with the Staff Side in the said Joint Consultative Machinery meeting, it has been decided that in cases of the type mentioned above, recovery of overpayment of the leave salary may not be insisted upon; instead the leave may be adjusted against further credit of LAP to be earned on 1.7.78. This will, however, apply only in such cases where overpayment has taken place on account of adjustment of the absence during strike as leave due on 1.1.78 with the result that the leave account has been overdrawn in respect of leave taken subsequently i.e. after 1.1.1978, but before receipt of this Ministry's letter of 1.3.78. Where the credit of leave on average pay to be credited on 1.7.78 is not enough to adjust the entire period of leave already availed of as stated above the overpayment still remaining will have to be recovered and no further adjustment against future credit of leave will be permissible.

3. This has the approval of the President.

4. This issues with the concurrence of the Finance Directorate of the Ministry of Railways.

N.V. Jayaraman

(N.V. Jayaraman)

Jt. Director, Establishment(L)
Railway Board.

No.E(LR)II77ST1-17.

New Delhi, dated - 6-7-1978.

Copy to A.D.A.I.(with 45 spares), New Delhi.

Chingun
for Financial Commissioner/Rlys.

Copy to F.E.(III) and E(P&A)I Branches, Railway Board.

भारत सरकार
रेल मंत्रालय (रेलवे बोर्ड)
GOVERNMENT OF INDIA (Bharat Sarkar)
MINISTRY OF RAILWAYS (Rail Mantralaya)
(Railway Board)

10
4-8
NEW DELHI

No. E(LR) II77ST1-17.

नई दिल्ली-110001, तिथि
New Delhi-110001, dated

19
3-8- 1978.

To

✓ The General Secretary,
A.I.R.F.,
~~125~~ 4, State Entry
Road, New Delhi-110001.

The General Secreta
N.F.I.R.,
166/1, Panchkuian Ro
New Delhi-110001.

Dear Sir,

Sub: Reinstatement of employees dismissed/
removed/suspended in the context of
May, 1974 strike.

I am directed to send herewith 25 copies of this
Ministry's letter of even number dated 6.7.78 on the
subject mentioned above. Please acknowledge the receipt.

Yours faithfully,

N.V. Jayaraman

(N.V. Jayaraman)

Jt. Director, Establishment(L)
Railway Board.

Q
4/8
AORF/160-B

For publication abn m.
nay/s
4/8

GOVERNMENT OF INDIA (BHARAT SARKAR)
MINISTRY OF RAILWAYS (RAIL MANTRALAYA)
(RAILWAY BOARD)

No.E(LR)II/77ST1-17.

New Delhi, dt. 6-7-19

To

The General Managers,
All Indian Railways, including
C.L.W., D.L.W. and I.C.F.

The Principal, Railway Staff College, Baroda.

The Principal,
Indian Railway Institute of Adv. Track Technology, Poona.

The Principal,
Indian Railways Institute of Sig. Engg. & Telecommunication,
Secunderabad.

The Deputy Director,
Rail Movements/Calcutta/Mughalsarai.

The Chairman,
Railway Service Commission,
Allahabad/Bombay/Calcutta/Madras/Muzaffarpur.

The Railway Liaison Officer, New Delhi.

Chairman, Railway Rates Tribunal, Madras.

Secretary, Railway Labour Tribunal, Old Station Building,
Ahmedabad.

Indian Railways Institute of Mechanical & Electrical Engg.,
Jamalpur.

The Chief Administrative Officer,
Metropolitan Transport (Railways), Mercantile Building,
5th Floor, Magazine Street, Reay Road, Bombay-10.

The General Manager, Metropolitan Transport Project (Rlys.),
14 Strand Road (5th floor), Calcutta-1.

The Chief Administrative Officer,
Metropolitan Transport Project (Madras),
Poonamalai High Road, Madras-8.

The Chief Administrative Officer, Metropolitan Transport
Project, Delhi, 2nd Floor, Reservation Office, Northern Rly.,
State Entry Road, New Delhi.

The General Secretary, I.R.C.A., New Delhi.

contd.....2/-

B -
No. A.I.F/1607 (462)

Dated 25th July, 1978.

The Secretary (B),
Railway Board,
New Delhi.

Dear Sir,

Reg:- Pokon Strike on 19th September, 1968 -
Case of Shri D. Mahusekaran, now Accounts Officer,
Indian Railway Construction Co. Ltd., Bangalore.

.....

Shri Mahusekaran while working in the Accounts Office at Madurai on the Southern Railway, he participated on 19th September, 1968 - Pokon Strike. He was placed under suspension for a period of 10 months from 26.9.68. The charges were not established and yet he was given a Censure and the period was treated as suspension period. He has been appealing that the period should be treated as on duty, but the Southern Railway Administration has not given any consideration.

It is, therefore, requested that his case may be examined and orders issued for the period being treated as on duty.

Yours faithfully,



(J.P. Chatbey)

General Secretary.

Copy to the General Secretary, Southern Railway Mazdoor Union, Madras.

Copy to Shri D. Mahusekaran, Accounts Officer, Indian Railway Construction Co. Ltd., 18, Millers Road, Bangalore-46 with reference to his representation dated 25.7.78.

Reply recd. under Board's
No. E(L.P.) II. 78. ST. 3/5/17. dt. 8/6/78.
- Not agreed.

From

Camp

D. Madhusakaran

Accounts Officer

Indian Railway Construction Co. Ltd.,

18, Millers Road

Bangalore - 46.

To

The General Secretary

AIR

Sr,

Re. Token strike on the 19th Sep.

I come from S.Rly. In the year 1968, when the token strike ~~was on for a~~ took place on 19th September, I happened to be President of the S.Rly. Mazdoor Union (N.W. Branch), Madurai. I was then a Class 1st, working in D.A.O's office, Madurai.

After the token strike on 19-9-68, I was placed under suspension for a period of 10 months from 26-9-68. Disciplinary proceedings went on against me for about six months and yet no offence could be established against me. I was ~~you~~ let off with the award of censure, and was put back to duty in July, 1969. I now request you to kindly take necessary action to get the period

2

AIRF/150-B (1960)

Dt. 6t

The Secretary(E),
Railway Board,
New Delhi.

Dear Sir,

Sub: Regularisation of the period
date of removal to the date o.
of Shri A.K. Gopinathan, Traci
working under Goods Inspector
Wadi B under, C.Rly.

Shri A.K. Gopinathan was removed from serv
connection with 1960 Railway strike. He was subse
reinstated in the month of March 1973 and his pay
on the basis of the last pay drawn immediately prio
his removal from service. The period of break has b
treated as dies non. Due to this, the total number
completed years falls short of full pensionary benefit
other facilities. There are only 4 such cases on the
Central Railway including that of Shri A.K. Gopinathan.
All these employees have already made representations t
the Railway Minister which is yet to be decided.

Considering the limited number of cases of 1960 S,
and the plight of these employees, the Federation request
that the period of break be counted for proforma fixatio
pay and increments so that they might draw the full pensio
benefits as admissible without any deduction. The Railway
Board are requested to consider these cases sympathetical
and expedite their decision duly intimating this office of
the decision taken.

Yours faithfully,



(J.P. Chaubey)
General Secretary.

Copy to the General Secretary, NRID., C.Rly. for inf
w.r.t. WB/78/5 dt. 26.6.78.

National Railway Mazdoor Union

SEVA SADAN DR. BABASAHEB AMBEDKAR ROAD. PAREL, BOMBAY 400 012.

f. No. HB/78/5

General Secretary,
A.I.R.F.,
New Delhi.

Dear Comrade,

Sub: Regularisation of the period fr.
the date of removal to the date
reinstatement of Shri A.K.Gopina'
Tracing Clerk, working under Good
Inspector Office, WB, on Central

Ref: Your letter No. AIRF/12 of 23.2.197

Shri A.K.Gopinathan was removed from service in connection with 1960 Rly.Strike.

Shri A.K.Gopinathan was a member of the Working Committee of National Railway Mazdoor Union in 1960. He had addressed a meeting of the Kurla Car Shed workers a few days before the Strike and after the 1960 Strike, he was issued with a chargesheet for serious misconduct and was removed from service.

He was reinstated in the month of March 1973 and pay was fixed on the basis of the last pay drawn, immediately prior to his removal from service. The period of break has been treated as dies-non.

The employee, had undergone untold hardship, due to continuous unemployment for a long period of 13 years. As the period has ~~only been treated as dies-non~~, the total number of completed years of service, falls short of full pensionary benefits and other facilities.

We have on our Railway 4 such cases including that of Shri A.K.Gopinathan. All these employees, had made individual representation to the Railway Board, through the proper channel for treating the period as duty, so that they would be eligible for full benefits & pension, seniority and promotion.

Considering the limited number of cases of 1960 Strike and the plight of these employees, a policy decision in the matter has to be taken by the Railway Ministry in this connection.

You are, therefore, requested to do the needful in the matter.

Yours fraternally,

(GEORGE JOHN)

GENERAL SECRETARY

(22)

L. P. Chaudhry,
General Secretary.

Dated 3rd July, 1978

Dear Sir,


Subject: Regulation of suspension period
From 23.2.1974 to 23.12.1974 - Case
of Shri A. C. Gupta, retired Chief Goods
Inspector, N. H. V. Baramulla.

....

I enclose herewith an appeal from Shri A. C. Gupta,
retired Chief Goods Inspector, N. H. V. Baramulla for
necessary action. The punishment was inflicted in
connection with May 1974 strike. In view of the
changed situation, it should be possible for you to
review the orders and limit the period of suspension
as on duty.

With best wishes,

Yours sincerely,


(L. P. Chaudhry)

As per order of the

Chief Goods Inspector,
N. H. V. Baramulla,
Baramulla.

Copy to Shri A. C. Gupta, retired Chief Goods Inspector,
N. H. V. Baramulla, Baramulla.

ALL INDIA RAILWAYMEN'S FEDERATION

125/E, Babar Road,
New Delhi.

September 2, 1974

AIRF/160-B

To Affiliated Union of
The All India Railwaymen's Federation.

Dear Comrades,

19th September is hardly two weeks away, and it brings back to memory the sacrifices made by railwaymen and other Central Government Employees on that historic day six years ago.


While we are struggling and striving to overcome the new and more fierce attacks mounted on us by the government consequent upon the May Strike, it is but natural that we remember that day six years ago when we had made one more effort to assert our trade union rights and to secure our legitimate demands.

I would urge that railwaymen join with all other sections of the working people in the country and especially with other sections of the Central Government employees to observe 19th September as a day of dedication.

Through rallies, processions and demonstrations, we should pay our homage to the martyrs and other victims of that fateful day- 19th September, 1968 - and take a pledge not to rest quiet till we have won our democratic rights and legitimate demands.

With greetings,

Yours fraternally,


George Fernandes
President.

माननीय मधुदण्डवले जी,
केन्द्रीय रेल मंत्री,
भारत सरकार, नई दिल्ली ।

विषय :- रेलवे प्रशासन द्वारा चतुर्थ श्रेणी के कर्मचारियों के साथ किये गये तथा भेदभाव पूर्ण व्यवहार से हो रहे अन्याय के संबंध में ।

माननीय महोदय,

निवेदन है कि अंग्रेजों के शासन काल में जिस प्रकार चतुर्थ श्रेणी के कर्मचारियों की उपेक्षा और शोषण हुआ करता था आज भी हमारा देश आजाद हो जाने के बाद भी खेद है कि चतुर्थ श्रेणी के रेल कर्मचारियों की स्थिति में कोई सुधार नहीं हुआ

हम निम्नलिखित कुछ महत्वपूर्ण तथ्य प्रस्तुत कर रहे हैं जिसके अवलोकन से माननीय महोदय को स्पष्ट हो जावेगा कि किस प्रकार रेलवे प्रशासन चतुर्थ श्रेणी के कर्मचारियों के साथ भेदभाव तथा पक्षपातपूर्ण व्यवहार से गरीब कर्मचारियों का शोषण कर रहा है ।

आशा है कि माननीय महोदय जनता सरकार द्वारा जनता को किये गये वायदों को दृष्टि में रखते हुए हम गरीब कर्मचारियों को न्याय प्रदान कर होने वाले जुल्म और अत्याचारों को समाप्त कर शोषण से मुक्ति दिलाने की कृपा करेंगे :-

पक्षपात तथा भेदभाव पूर्ण व्यवहार के महत्वपूर्ण तथ्य :-

१। व्हीलेज पास की सुविधा के संबंध में :-

यहां चतुर्थ श्रेणी के कर्मचारियों को 30 वर्ष की सेवा करने के उपरांत रिटायर्ड होने पर दो वर्ष में एक ही पास दिया जाता है, इस पास से केवल सेवा निवृत्त कर्मचारी व उसकी पत्न ही यात्रा कर सकते हैं उसके आश्रित बच्चों को पास नहीं दिया जाता । जबकि प्रथम व द्वितीय श्रेणी के अधिकारी व कर्मचारियों को 25 वर्ष की सेवा पूर्ण होने पर ही वर्ष में 3 सेट पास की सुविधा प्राप्त करने की पात्रता हो जाती है तथा इन्हें पूरे परिवार का पास दिया जाता है, इसी प्रकार तृतीय श्रेणी के कर्मचारियों को वर्ष में 2 सेट पास उनके सन्तान परिवार के लिये दिये जाते हैं

अधिकांश चतुर्थ श्रेणी के कर्मचारी कम दूरी वाले स्थानों के ही पास लेते हैं और यदि कोई दूरस्थ स्थानों की यात्रा के लिये जाता भी है तो गरीब कर्मचारी को दू टायर व थ्री टायर में भुगतान करने के उपरांत ही यात्रा करने की सुविधा उपलब्ध हो सकती है । उच्च वेतन भोगी कर्मचारी जो भुगतान करने में सक्षम है उसे दू टायर व थ्री टायर में बिना भुगतान के यात्रा करने की सुविधा प्रदान की गई है । इस प्रकार के भेदभाव पूर्ण कर्तव्य न्याय संगत है, विचार योग्य है ।

२। शिक्षा की सुविधा के संबंध में :-

यहकि कर्मचारियों के बच्चों के लिये शासन द्वारा प्रदान की गई शिक्षा सुविधा उपलब्ध किये जाने हेतु रेल प्रशासन द्वारा निर्मित नियम इतने जटिल हैं, जो कि

साधारण कर्मचारी के लिये नियमों की औपचारिकता पूर्ण कर सुविधा उप-
कीर्ण ही नहीं बल्कि असंभव है ।

नियम सरल एवं व्यावहारिक होने चाहिये जिससे हर साधु।

आसानी से औपचारिकता पूर्ण कर सुविधा प्राप्त कर सके ।

१३१ मेडिकल की सुविधा :-

यहकि रेल्वे प्रशासन द्वारा चिकित्सा केन्द्रों की स्थापना बड़े-बू-

पर ही है, ४० प्रतिशत जंगलों में पड़ने वाले स्टेशनों पर कार्यरत कर्मचारी को
की हालत में चिकित्सा की सुविधा से वंचित रहना पड़ता है, इस तथ्य की यि-
कराई जावे तो यह स्पष्ट हो जावेगा कि १० प्रतिशत चतुर्थ श्रेणी को कर्मचारी रे-
प्रशासन की चिकित्सा सुविधा से वंचित रहते हैं तथा उन्हें निजी खर्च पर चिकित्सा
सुविधा जुटाना पड़ती है रेल्वे प्रशासन की चतुर्थ श्रेणी के कर्मचारियों के चिकित्सा के
प्रश्न पर उपेक्षित दृष्टिकोण होने के फलस्वरूप गरीब कर्मचारियों के धन व स्वास्थ्य की
क्षति तो होती है। साथ ही क ई कर्मचारियों को प्राणों से भी हाथ धोना पड़ा।

शासन द्वारा चिकित्सा बजट में निधिधरित राशि में प्रति कर्मचारी पर
जो व्यय करने का प्रावधान रखा गया है यदि वह राशि कर्मचारी को नकद भुगतान कर
दिया जावे तो कर्मचारी आवस्यकता पड़ने पर रवेच्छा से अच्छी से अच्छी चिकित्सा
सुविधा उपलब्ध करने में सक्षम हो सके।

१३२ क्वार्टरों की समस्या :-

यहकि रेल्वे प्रशासन का चतुर्थ श्रेणी के गरीब कर्मचारियों के प्रति अत्यधिक
उपेक्षा की रहती है, इसका प्राण चतुर्थ श्रेणी के कर्मचारियों को क्वार्टर्स के आर्बटन तथा
जो क्वार्टर्स दिये गये हैं वे रहने योग्य नहीं जहाँ क्वार्टर्स हैं वहाँ आवस्यक सुविधाओं के
अभाव में कर्मचारियों को क्वार्टर्स पशुवत जीवन व्यतीत करना पड़ता है, एक ही कमरे
में पूरे परिवार को जीवन निर्वाह करना पड़ता है तथा पानी व संडास की सुविधा भी
नहीं होती, अगर किसी जंगल के स्टेशनों पर भ्रमण ने अपने निर्वाह के लिये यदि कोई
छोटी सी झोपड़ी डाल लेता है तो उस कर्मचारी को क्वार्टर के किराये की अपेक्षाकृत
कहीं अधिक किराया देना पड़ता है ।

१३३ १२ घण्टे की ड्यूटी किये जाने के संबंध में :-

वर्तमान में देश के किसी भी उद्योग में ४ घण्टे से अधिक किसी भी श्रमिक
अथवा कर्मचारी ४४ से ड्यूटी नहीं ली जाती, तथा मिसां भाई ट्रिब्यूनल द्वारा दिये
गये निर्णय में यह स्पष्ट किया गया है किसी भी परिस्थिति में ४ घण्टे से अधिक
किसी भी परिवारलन विभाग के कर्मचारी से ड्यूटी न ली जाये किन्तु क्रांसी डिब्बीजन
में आज भी क ई स्थानों पर केवल चतुर्थ श्रेणी के कर्मचारियों से जबरन १२ घण्टे की
ड्यूटी ली जाती है जबकि उन्हीं स्थानों पर कार्यरत तृतीय श्रेणी के कर्मचारियों से
४ घण्टे की ही ड्यूटी ली जाती है ।

उपरोक्त तथ्यों को प्रस्तुत करते हुए अनुरोध है कि हम गरीब कर्मचारियों का दशा पर सहानुभूति पूर्ण विचार कर हम लोगों को न्याय प्रदान करने का

दिनांक -----

चतुर्थ का रेल कर्मचारियों

प्रतिलिपि :-

११४ अध्यक्ष, ए०आई०आर०एफ

१२४ अध्यक्ष, एन०एफ०आई०आर०

१३४ केबलमेन, रेलवे बोर्ड

१) जवाहरलाल दायिपुटा

पोस्टल जेनरल का शिक्षक

२) B. Y. Jindani
रिपम. ६०५४

३) रामचंद्रन पैन्नेयरु इस दुसरे
पार्ट में ए. वी. ए. आई. (सीएल) आई
इंजीनियरिंग पिन (१३) - १५६६६ भम्स

६) दीशमन शिवाजी का २-५०१ दांगिया

545

No. AIRF/ 160-B

April 30, 1978

The General Secretary
Southern Railway Mazdoor Union
MADRAS

Dear Comrade,

Re: Treatment of period of absence during
May 74 strike.

...

with reference to your letter Rmu/c/AIRF dated 7-4-78, I write to inform you that this is the utmost that could be done by the Ministry of Railways. Even the conversion of strike period into leave due was rejected by the Ministry of Home Affairs earlier. I am afraid any further liberalisation on this issue is not possible at the moment. However, the question of reviving cases of various penal actions taken in this connection is under consideration of the Ministry of Railways on representation by the A.I.R.F.

Yours fraternally,

jc

(J.P. Chaubey)
General Secretary

(2)

Southern Railway Mazdoor Union

(REGD. NO. 3067 RECOGNISED & AFFILIATED TO AIRF)

SRM

PRESIDENT :
G. RAMACHANDRAN

GENERAL SECRETARY :
M. NAMASIVAYAM

Ref: Rmu/c/ AIRF

CENTRAL OFFICE

193-B, RAILWAY
EGMORE, MADRA

10/4/78
FEDERATION

Date..... 7.4.1978

The General Secretary,
A.I.R.F., New Delhi

Dear Comrade,

Sub: Treatment of the period of absence during
Railway strike of May 1974.
Ref: Board's letter No.E(LR) II/77STI~~9~~/17 dt.
1.3.1978

The Board in their letter quoted above have communicated the decision that the period of absence of staff during the Railway strike of May 74 should be regularised by sanction of leave due and the amount should be adjusted against the leave standing at the credit of the employee in his leave account on 1/1/78. For this purpose, he should be first sanctioned LAP, if due. If LAP is not adequate or is not due, he should be sanctioned LHAP as due for the period as may be required. If the employee does not have any leave at his credit, he may be given extra-ordinary leave for the period of absence.

2. The Board's orders treating the period of absence during the May 1974 strike have been received in March. Many of the employees especially in class D service, who had some LAP or LHAP at their credit as on 1/1/78, had availed the same before the Board's orders were received with the result that their period of absence will now have to be regularised as extra-ordinary leave. This nullifies the benefit conferred in Board's letter quoted above in their cases. As the Board's orders are based on a sympathetic consideration of the representations received by Government from various sources and are intended for the benefit of the employees, it is requested that the Board may be approached to agree to the grant of "Leave not due" for the period of absence if an employee does not have any leave at this credit instead of granting "Extra-ordinary leave."

Yours fraternally,

M. Namavish

For General Secretary

Copy to: Branch Secy/Carri. Works/Perambur for information
ref. to his letter dt. 31/3/78.

11/4
Secy. DV
to RB Bd
MC
11/4

541

No. AIRF/160N(2073).

Dated

April, 1978.

The Secretary (E),
Railway Board,
New Delhi.

Dear Sir,

Reg:- Grant of pension to Ex. Martin Railway
staff now working in the Indian Railways

....

Board's kind attention is invited to this office
letter of even No. dated 14th August, 1977 on the
above subject. Although a considerable time has
elapsed since the issue of this letter, no reply
has been received from the Board. In view of the
points raised by this Federation, the Board are
requested that in exercising the Presidential
powers, deficiency of 10 years service for the
purpose of granting pension to Ex. Martin Railway
staff may kindly be condoned.

An early action in the matter under intimation
to this office is requested.

Yours faithfully,

J. Varadarajulu
(J. Varadarajulu)

for General Secretary.

Copy to the General Secretary, MTP Railwaymen's
Union, 12 Mission Row (4th Floor), Calcutta-1 now at
New Delhi for information.

To

(540)

Sri Priya Gupta,
President, All India Railwaymen's Federat
4 State Entry Road, New Delhi- 110001.

Subject.- Grant of pension to ex Martin
Light Railway staff now working
in the India Railway.

Reference.- Your letter No. AIRF/160B dated 1,
addressed to General Secretary, ~~MKP~~
Railwaymen's Union 12, Mission Row
(4th floor) Calcutta, Northern Rai
Men's Union, Bikaner's letter
No. BKN/NRMU/Divn/Misc/X dated 12-1-78

To Secretary (E)
Railway Board 4/1/78

Dear Sir,

With respect I beg to state that there is no
information received so far regarding the position of the
above case. Myself extremely feeling difficult to function
without proper accommodation. My retirement date is
31-10-78 from DS Office, Bikaner- N. Rly.

Will you kindly expedite the matter and intimate
the position of this matter at your earliest please?

It will be appreciated if expeditious arrangement
is made to.

An early reply is requested.

Yours faithfully,

Gandi Dhar Banerjee

(Gandi Dhar Banerjee)
Clerk, Engineering Branch,
Works Section, DS Office, N.R.,
Bikaner- 334001.

Dated- 30-3-78.

Copy to the Divisional Secretary, NRMU, Bikaner
for information and necessary action please in reference to his
letter as referred above.

Can issue
reminders
2.3/4

Expecting at least a little work
as corresponding since a year
hand.

539

J.P. CHAUBEY
General Secretary

D.O.No. AIRF/160-B

April 7, 1978

Dear Comrade Srinivasan,

I have received your letter dated 1-4-78. Enclosed is a copy of the letter which I have addressed to the Railway Board in respect of the subject referred to. In fact, there has been discussion between the Railway Board and the Federation. However, the final outcome of these discussions are still awaited.

With greetings,

Yours sincerely,

Encl: as stated.

J.P. Chaubey
(J.P. Chaubey)

Shri K.P. Srinivasan
Provisional Secretary
S. Railway Mazdoor Union
Railway Building UBL-600
Gadag Road, MUBLI.

rm*

Personally taken by
Shri M. G. Deshpande



South Central Railway Mazdoor Union

(Registered, Recognised & Affiliated to A.I.R.F. & H.M.S.) ● Hd. Qrs. SECUNDERABAD/
THERE IS NO REAL WEALTH BUT THE LABOUR OF MAN
Service to Humanity is service to God.

HUBLI DIVISION

538
Rly. Bldg. UBL-00
KADAG ROAD, HUBLI
Rly. Phone No.: 3

A. S. D'CRUZ
Vice President (Central)

R. SESHADRI B.Sc.,
Asst. Divl. Secy.

K. P. SRINIVASA
B.A. (HONS.) LL
Divisional Secretary

Ref. No. SCRUMU/UBL/DN/

Date 1 - 4 - 78

To

Shri. H. P. Chaubey
The General Secretary
AIRF/New Delhi-1

Respected Chaubeyji,

The bearer of this letter is Shri. M. G. Deshpande, the office-bearer of the Stores Branch of our Union at Hubli. Because he is coming on duty, he is advised to see you in connection with the other letter, I have given addressed to you. If any further details, if you require, he will be able to give you to some extent. Kindly help in the matter and also the person, if he seeks from you.

With fraternal greetings,

Fraternally, yours,

(K. P. Srinivasan.)

Divisional Secretary
& Member, AIRF N.C.



South Central Railway Mazdoor Union

(Registered, Recognised & Affiliated to A.I.R.F. & I.L.M.S.) • H.H. Qns. Accounts
THERE IS NO REAL WEALTH BUT THE LABOUR OF MAN
Service to Humanity is service to God.

HUBLI DIVISION

530
GADAG ROAD,
Rly. Phone

A. S. D'CRUZ
Vice President (Central)

R. SESHADRI B.Sc.,
Asst. Divl. Secy.

K. P. SRINIV
B.A. (HON
Divisional S.

Ref. No. SCRMU/UBL/DN/

Date 1 - 4 -

To
Shri. A.P. Chaubey
The General Secretary
AIRF/New Delhi-1

Respected Chaubeyji,

Re: Regularisation of Period of ~~xxxx~~ detention under MISA and the subsequent period of dismissal/removal till the date of reinstatement... during May'74 Strike.

Thanks that the Strike Period is ~~xxxx~~ directed to be treated as leave due. That has given a lot of relief to numerous strikers, no doubt. However in this connection too more types of cases represented to us are conveyed to you for your early kind action and advice:

1. Before the strike started regularly from 8.5.74, some of the important men of different organisations including our's were arrested ~~xx~~ from early hours of 1st May'74 onwards. ~~xxxxxxxxxx~~ This was under MISA/DIR. Subsequently during their detention they were dismissed under Art.311(2)(b) of the C.O.I. These men were ~~xxxx~~ taken back i.e., reinstated after many months, say ranging from 6 months to 18 months.

Such cases are not being taken up for regularisation under the above such recent orders. Also you will appreciate that these men will have no leave to that extent and also that is not fair and just.

Now as the Govt. are withdrawing such MISA etc., and such arrests ~~xxxx~~ and dismissals were illegal and unjust, the whole period of their absence as above may please be got treated as DUTY as in case of removals/dismissals coming under banned organisations during internal emergency.

From the Indian Railwaymen for March'78 at Page 7 I find some reference in the matter i.e., the Board have advised you, the AIRF vide their letter Number NS/Policy/19 ~~xxxx~~ dated 9/12.2.78 that such cases have been generally covered by the Board's letter of ~~xxxxxxxxxxxx~~ dt. ~~xxxx~~ 20.10.77 w.r.t. ~~xxxx~~ AIRF PNM Meeting of 20/21.7.77, item 51(d). But we do not find any such letter of 24.10.77 in the Administration and also they say they have not received any instructions as such in the matter clearly as in case of other types.

Kindly clarify the matter and send ~~xxx~~ me the copy of the Authority received, if any, in the matter. ~~xxx~~ Otherwise kindly take up this type of cases for early settlement as above.

2. In other type of cases i.e., wherein the men were convicted by the lower courts and acquitted by the appellate courts for want of observance of certain essentials by the lower courts etc., the Administration is not in favour of treating such cases as admissible for the purpose of duty and consequential benefits, saying that they were acquitted only for technical lapses on the part of the prosecution. Thus they are not prepared to treat such ~~xxxx~~ removal/suspension under the fundamental rule(s) as per the Board's orders. Please see that the instructions ~~xxxx~~ Board to treat such cases also straight away as per ~~xxxx~~ pay the arrears etc.,

Yours

No. AIRF/160-B (209)

Dated 4, 1, 1978

The Secretary (E),
Railway Board,
New Delhi.

Dear Sir,

Reg:-Premature retirement under E.R.56
2046 RII.

.....

It has been represented that in the wake of May, Strike and ~~and~~ Emergency, a good number of Class IV employees prematurely retired by the railway administration. At the instance of AIRF and JCM (Staff Side), the Railway Board have, however, issued instructions vide their letter No. E(P&A)I-77/RT-16.2.1978, clarifying that the Class IV railway servants are not at all to be reviewed under the provision of 2046-RII, who have not opted for pension. In other words, all the removal orders issued by the respective Zonal Railway Administrations were without jurisdiction and powers. Therefore, the premature retirements were illegal.

The Railway Board are, therefore, requested to direct Zonal Railway Administrations to treat the intervening period (from the date of premature retirement to reinstatement) of Class IV employees as on duty for all purposes.

It has also been reported that there are few cases where the competent authorities have reviewed and rejected reinstatement of Class IV employees. Therefore, specific directives may kindly be issued to the Zonal Railways in this connection. The cases of those employees who have already attained the age of superannuation are also to be considered as it will be beneficial in respect of having their settlement dues (having direct repercussion on DCRG).

An early action in the matter under advice to this office is requested.

Yours faithfully,

J. Varadarajul

(J. Varadarajul
for General Secretary)

AC
Copy to the General Secretary, NERMU, Gorakhpur
with reference to his letter No. NERMU/Fed.13 dt.23.2.1978.



एन० ई० रेलवे मजदूर यूनियन (NERMU)

(ट्रेड यूनियन ऐक्ट के अन्तर्गत पंजीकृत, आल इन्डिया रेलवेमेन्स फेडरेशन एवं हिन्दू मजदूर सभा से सम्बद्ध तथा एन० ई० रेलवे प्रशासन द्वारा मान्यता प्राप्त)

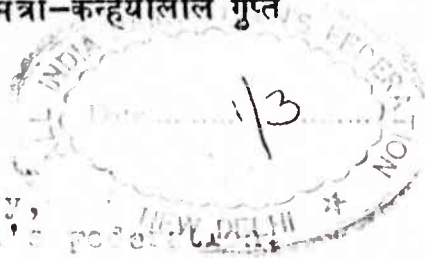
मदम्य-नेशनल सेफ्टी कार्डिनल

भध्यक्ष-बसावन सिंह

महामंत्री-कन्हैयालाल गुप्त

केन्द्रीय कार्यालय
गोरखपुर, पिन (273001)
फोन नं० 2928 (रेलवे)

पत्र नं० NERMU/P.R. 12



दिनांक 22.2.78

The General Secretary,
All India Railwaymen's Federation,
1, State Entry Road,
New Delhi.

Respected Friend, Sub: - Premature Retirement under P.R. 20
2016 RII.

I am to enclose herewith a copy of Railway Board's letter dated 16.2.78 on the above subject.

In the wake of May, 1974 railway strike and emergency a good number of Class IV employees were prematurely retired by the railway administration. At the instance of A.I.R.F. and J.C.M. (staff side) the orders have since been issued clarifying that the Class IV railway servants are not at all to be reviewed under the provision of 2016-RII, who have not opted for pension. In other words all the removal orders issued by the respective zonal railway administration were without jurisdiction and powers, therefore the premature retirement were illegal.

Will you kindly use your good office so that the Railway Board may direct the zonal railway administrations to treat the intervening period (from the date of premature retirement to reinstatement) of Class IV employees as on duty for all purposes.

There are few cases wherein the competent authorities have reviewed and rejected reinstatement of Class IV employees this should also be brought to the notice of the Board for their specific directives. The case of those employees who have already attained the age of superannuation are also to be considered as it will be beneficial in respect of having their settlement dues (having direct repercussion on DCRG).

An early action is requested.

With regards,

Shri Ghosh

G.S.
2/3
DA/AS LEAVE.

Yours friendly,

General Secretary.

GOVERNMENT OF INDIA
Ministry of Railways / Railway Board.

No. E(P&A)1-77/RT-39.

New Delhi, dated

Shri K.R. Chatterjee,
Member (Staff Side), National Council/JCM
59, Humayunpur (North), GORAKHPUR.

Dear Sir,

SUB: Retirement under FR 56.

I am directed to refer to your letter No. NERMU/JCM/76 dated July 5, 1977 addressed to the Chairman National Council JCM, Ministry of Home Affairs, New Delhi, on the subject noted above and to say modification in proviso to clauses (j) and (k) in Fundamental Rule as done vide Ministry of Finance Memorandum No. F-7(10)-E.V./66 dated 29.10.66 was duly considered by this Ministry and it was decided not to adopt the same on railway side. It has, however, been clarified to the Railways that the case of class IV Railway servants are not to be reviewed under the provisions of Rule 2046 R. II. This will, however, be without prejudice to the review under the Pension Rules in respect of pensionable class IV railway servants after they have completed 30 years of qualifying service for pension.

Yours faithfully,
Sd/-
for Secretary, Railway Board

533

No. AIRF/160-B (207)

Dated 3rd April, 1978

The Secretary (E),
Railway Board,
New Delhi.

Dear Sir,

Re:- Discrimination in the matter of proforma fixation of the victimised employees and their re-instatement.

....

This is to bring to the notice of the Railway Board the in terms of their decision contained in their letter No.E(LR) STI-17(11) dated 28.9.77, the victimised staff (Substitutes/Temporary) and Casual Labour having attained Temporary Status who were reinstated following the announcement in Parliament by the Railway Minister, are denied proforma fixation of their pay at par with their colleagues who were reinstated prior to 28.3.77 through Departmental review.

This is clearly a case of discrimination. The Board are, therefore, requested to look into the matter sympathetically and remove this disparity to staff of identical status and thus redress the genuine grievances by allowing the victimised, their due arrears on the basis of proforma fixation.

An early reply in the matter will be appreciated.

Yours faithfully,

J. Varadarajulu
(J. Varadarajulu)

for General Secretary.

Copy to Shri K.M. Bhadra, Working Committee Member, AIRF, Camp: 95/15, Abinash Banerjee Lane, Sibpore, Howrah-2 in reference to his letter No. AIRF/SE/7 dated 17.3.1978.

W-11
K. N. Bhadra
Life member

Camp: 75/15, Abina
Subpre

5732

Ref. No. - AIRF/SE/7

To
The General Secretary,
All India Railwaymen's Federation,
New Delhi.

INDIA RAILWAY

20/3

NEW DELHI

Ref.:- Railway Board's letter no. E(LR)177ST
dated 28.9.77.

Dear Comrade,

In terms of the above decision the victimised staff (Substitutes/Temporary) and Casual Labour having attained Temporary Status) who were reinstated following the announcement in Parliament by the Railway Minister, are denied proforma fixation of their pay ~~at~~ per with their colleagues who were reinstated prior to 28.3.77. through Departmental review.

This is clearly a case of discrimination. The Board should be approached to remove this disparity to staff of identical status and thus redress the genuine grievances by allowing the victimised, their due arrears on the basis of Proforma fixation. This has ref. to my letter of even no. ~~1574~~ 7.1.78.

Issue
Please reply early.

With greetings.

Yours fraternally,

K. N. Bhadra

(K. N. Bhadra.)

RB

21/3



J.P. CHAUBEY
General Secretary

D.O.No. AIRF/160-B (180)

March 21,

Dear Shri Mahadevan,

Re: Pay for the suspension period - May '74.

...

I had discussed with you sometime back the question of payment of full wages to the employees who were detained in jail during the May 1974 strike. I had explained to you that the normal rules were not applied in dealing with strike cases as a result of which even where the employees were acquitted by the Court or, where they were detained in jail only and not prosecuted, they have not been paid full pay for the period. There are also cases where the employees were not punished or the disciplinary proceedings were not started against them and yet, full pay for the suspension period was not given.

Under the normal rules the competent authorities are required to take a decision in respect of payment of wages for the suspension period on the merits of each case. But, the competent authorities were prevented to do so by issue of an order from the Railway Board that the employee should invariably be paid Subsistence allowance and not anything else. However, in view of the changed circumstances, I had requested you to kindly clarify to the Railways that all such cases should be reviewed on merits by the competent authorities and wherever admissible under the extant rules the employees should be given full pay for the suspension period.

An early action in the matter is requested.

Yours sincerely,


(J.P. Chaubey)

Shri P.S. Mahadevan
Industrial Adviser
Railway Board
New Delhi

pn*

भारत सरकार
रेल मंत्रालय (रेलवे बोर्ड)
GOVERNMENT OF INDIA (Bharat Sarkar)
MINISTRY OF RAILWAYS (Rail Mantralaya)
(Railway Board)

No. NS/Policy/19.

नई दिल्ली-110001, तिथि 19 .
New Delhi-110001, dated 14-3- 19 78

The General Secretary,
A. J. R. F.,
125-E/Babar Road,
New Delhi.

Sub: Payment of full pay and allowances to employees who were suspended due to their detention under MISA/DIR during Emergency and reinstated later without any punishment being imposed on them.

Dear Sir,

In continuation of Railway Ministry's letter of even number dated 9/10-2-78, the undersigned is directed to state that it has been decided that in the case of Railway employees who were arrested under DIR (which was amended to read as DISIR during the internal Emergency) and later reinstated without any punishment being imposed on them, each case may be examined on merits and a decision taken by the competent authority on the question of admissibility of pay and allowances for the period of suspension as well as the treatment of such period for various purposes, after taking into account all the circumstances of the case.

Yours faithfully,

N. V. Jayaraman

(N. V. Jayaraman)
Jt. Director Establishment,
Railway Board.

Copy to all Gen. Secretaries
of official unions & also
in Rly. mem.

2/1/78

2/1/78

2/1/78

GOVT. OF INDIA
MINISTRY OF RAILWAYS
(Railway Board)

(528)

No. S(LR)1177041/2

15-3-1973

The General Secretary
A.L.S.F., New Delhi.

Sir,

Re: Withdrawal of pending court cases filed in
connection with the May 1974 Railway strike.

...

Reference item B(1)(a) - portion regarding pending
court cases in the context of May'74 strike.

As you are aware, the court cases were instituted by
the State Governments. If the cases are to be withdrawn
the State Governments have to take necessary action in the
matter.

In connection with the pending court cases, the
Ministry of Home Affairs, who were addressed by the Ministry
of Railways to advise the State Governments suitably, have
asked the State Governments to undertake review of all the
court cases in consultation with the Divisional Superintendents
of the Railways.

The Railways have also been asked by the Ministry of
Railways to pursue the various cases with the State Govts.
with a view to expedite matters.

Yours faithfully,

Sd/- (N.V. Jayaraman)
Jt. Dir. Estt(L) Rly. Board.

MHF/160-B

March 21, 1973

Copy forwarded to the General Secretaries of
all affiliated unions for information.


For General Secretary

en*

o/c

GOVERNMENT OF INDIA/BHARAT SARKAR
MINISTRY OF RAILWAYS/RAIL MANTRALAYA
(RAILWAY BOARD)

No.E(LR)II77COM/2.

New Delhi, dt. 15-3-1978.

To

The General Secretary,
All India Railwaymen's Federation,
4, State Entry Road,
New Delhi.

20/3

Sir,

Sub: Withdrawal of pending court cases filed in
connection with the May 1974 Railway Strike.

Reference item B(1)(a) - portion regarding pending
court cases in the context of May '74 strike.

As you are aware, the court cases were instituted by
the State Governments. If the cases are to be withdrawn,
the State Governments have to take necessary action in the
matter.

In connection with the pending court cases, the Ministry
of Home Affairs, who were addressed by the Ministry of Railways
to advise the State Governments suitably, have asked the State
Governments to undertake a review of all the court cases in
consultation with the Divisional Superintendents of the Railways.

The Railways have also been asked by the Ministry of
Railways to pursue the various cases with the State Governments
with a view to expedite matters.

Yours faithfully,

N.V. Jayaraman

(N.V. Jayaraman)
Jt. Director, Estt.(L)
Railway Board.

Copy to all GS of affiliated
unions of AARF & also
in Rly. men.

20/3
G.S.
20/3

21/3

No. AIRF/16c-B(181)

Dated 17th Marc

The Secretary (E),
Railway Board,
Rail Bhavan,
New Delhi.

Dear Sir,

Sub:-Re-instatement of Shri R. Vallyana Kris
Shed Khalasi, Loco Shed, South Central
Vijaywada.

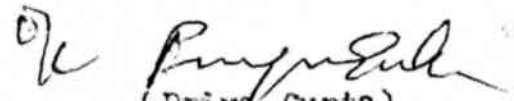
.....

It is represented that Shri R. Vallyana Krishna, Loco
Shed, South Central Railway, Vijaywada was removed
service following his conviction in a court case on the
charge of involvement in political (Naxalite) movement. He
since been released from jail custody in December, 1977.

He has submitted an appeal to you on 2nd March, 1978 (as
enclosed) praying for re-instatement in service.

I would request you to call for the papers and to
re-instate Shri Krishna so that he can earn his livelihood.

Yours faithfully,


(Priya Gupta)
President/AIRF.

Encl: 1

Copy to Shri K.S.N. Murty, President, S.C. Rly Mazdoor Union,
Vijaywada for favour of information please.

Priya Gupta,
President/AIRF.

ALL INDIA RAILWAYMEN'S FEDERATION

4, State Entry Road, New Delhi

D.O.No. AIRF/360


13th March, 1978.

Dear Shri Dandavate,

The All India Railway Engineering Staff Conference will be held under the aegis of All India Railwaymen's Federation from 14th to 15th March, 1978 in the Northern Railway Badminton Hall/Stadium Compound at New Delhi.

a Note detailing
I enclose some of the burning problems of the Engineering Staff for favour of your sympathetic consideration and early action in the matter.

Yours sincerely,



(Priya Gupta)

Encl: One.

Shri Madhu Dandavate,
Minister for Railways,
Rail Bhavan,
New Delhi.

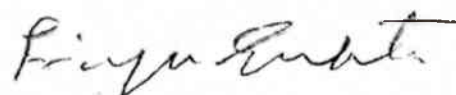
.....
.....
.....
P R O G R A M M E
.....
.....

14th March, 78 at 3 P.M. Inauguration by
- Com. George Fernandes,
Union Minister for
Industries.

15th March, 78 at 12 Noon-
Delegate Session to be
addressed by
Com. Madhu Dandavate,
Minister for Railways.

N.B: Detailed programme is being
circulated separately.
.....
.....

Copy to Com. George Fernandes, Union Minister for Industries, Govt. of India, New Delhi for favour of information and necessary action.



(Priya Gupta)
President/AIRF

Encl: One (as above).

ALL INDIA RAILWAYMEN'S FEDERATION (A.I.R.F.)

Enclosure to President/AIRF's letter No. AIRF/360 dated 13/ to Shri Madhu Dandavate, Minister for Railways, Govt. of India New Delhi.

Indian Railways Engineering Staff Conference to be held on 14th & 15th March, 1978, in New Delhi.-under the aegies of All India Railwaymen's Federation.

NOTE:

Indian Railway Engineering Staff Conference under the aegies of All India Railwaymen's Federation will be held from 14th to 15th March, 1978, at the Northern Railway Stadium (Badminton Hall Compound), New Delhi. Class IV ('D' Staff) and Class III ('C' Staff) of the three different Sections i.e. Permanent Way, Works and Bridges, both of the Open Line working under the Permanent Way Inspectors, Inspector of Works and Bridge Inspectors as well as the Engineering Workshops from all the Indian Railways including the Zonal Railways and the Production Units will attend:-

Permanent Way

Gangmen
Gatemen
Chowkidars
Trolleyman
Keymen
P.W. Mate
Permanent Way Ministry
Blacksmiths
Bellowmen
Carpenters
Khalasis
Patrolmen
Head Trolleyman
Permanent Way Inspectors in various grades.
Casual Labour etc.

Work Section

Khalasis
Gharani
Carpenters
Blacksmiths
Painters
Fitters,
Masons
Plumbers

Filter Plant Operators
Valvemen
Bellowmen
Hammermen
Gauge Readers
Boatmen
Helpers to the Skilled categories
Khalasis
Chowkidars
Trolleyman
Head Trolleyman
Inspectors of Works
Pump Drivers
Casual Labours etc.

Bridge Engineering

Erectors
Store Clerks
Clerks
Crane Drivers
Dolleyman
Welders (Gas/Electric)
Fitter drivers
Air Compressor Operators
Fitters
Carpenters
Blacksmiths
Markmen
Bellowmen
Platers
Reivettors
Template Makers
Chowkidars
Trolleyman
Head Trolleyman
Mistries
Bridge Inspectors
Casual Labours etc.

Sleeper Treatment Plant

Khalasis
Egging & boring staff
Stationery Plant Attendants
Fitters
Mistries
Chargemen
Asstt. Foremen
Foremen

Engineering Workshops

Welders (Gas & Electric)
Gas Cutters
Template Makers

Platers
Markers
Fitter drivers
Compressor drivers
Stationery Plant Attendants (SPAs.)
Air Compressor Operators
Pump Drivers
Revetters
Blacksmiths
Hammermen
Strikers
Moulers
Painters
Coremen
Fetlers
Pattern makers
Copolamen
Furnishmen
Crane Drivers
Shunters
Mistries
Chargemen
Asstt. Foremen
Foremen
Time Keepers
Stores Clerks
Clerks
Chowkidars
Substitutes etc.

Heart Burning of the Engineering Staff

Continuance of the cadre of casual labour against regular vacancies and regular nature of jobs performed by Gangmen, Gatemen, Chowkidars, Patrolmen, Khalasis etc. is the cause of heart burning of the Engineering staff. The A.I.R.F. has been fighting with the Railway Board to abolish the system of casual labour and grant sanction for regular staff and the regular scale of pay against regular nature of jobs. The rules are violated and even in places where casual labourers are appointed (against non-regular jobs), there also the protection is granted by the Railway Board, i.e. -

. . . . /-

- (a) Continuity of service is broken by 'Artificial Break' done by the departmental bosses on the unwritten behest of the higher bosses.
- (b) Non-sanction of temporary status and C.P.C. scales of pay even after completion of the prescribed period of service by the casual labour.
- (c) Non-implementation of the decision of the privileges like leave, medical facilities and other benefits in spite of Railway Board's sanction.
- (d) They are also discriminated during absorption against regular vacancies.

N.B: It will be seen that a work like patrolling the track ~~where~~ whether it is for the purpose of security or monsoon, the casual labour is recruited against these jobs and, in fact, permanent gangmen are withdrawn from the permanent ~~gang~~ gangmen strength and they are deputed to work as patrolmen for security and monsoon on the track and in place of these gangmen those casual labours ~~are~~ appointed for patrolling are deputed to work as gangmen in the normal maintenance, repair and overhauling of the tracks. These all facts will prove that patrolling is a job which requires extraordinary expertise which can only be gathered by experience in working as gangmen for some years. Against the gangmen who are deputed for the patrolling jobs, it is suggested that the regular employees in regular scales of pay i.e. CPC scales of pay from the very date of appointment against these posts.

.../-

Permanent Way Maintenance vis-a-vis Introduction
of Speedy trains and increase in number of trains
both passenger and goods.

It is needless to point out the importance of strengthening of the gang strength in commensurate with the increase in the number of passenger and goods trains ~~XXXXXX~~ moreso in view of the speedier trains since introduced/to be introduced also in future. The total wear and tear necessitates proper and regular maintenance and more intensive attendance and check^{up}/by the gangmen.

Whereas the earlier increase in the gang strength on its existing load recommended by ~~the~~ "MAFLIN FORMULA" earlier and then "Kunzru Accident Committee" later on, has not yet been implemented.

On the top of this with this short staff on the existing workload so many numbers of trains both passenger and ~~XXXXXX~~ being increased and more speedier trains were ~~XXX~~, introduced and the gang strength remains what it was before. The cumulative ^{adverse} effect will be earlier wear and tear and deterioration in the condition of track which are one of the immediate causes of accidents.

Bridge Maintenance Service

In a country like India with torrential rains and untamed rivers specially in the Himalayan terrain, bridges require immediate reconditioning and repairs and replacement of certain ~~XXXXXXXXXX~~ major parts. This has also been looked into and recommended by the "Wanchoo Accident Committee."

done to increase the cadre of the Bridge Section in the Workshops and Open Line with the result that exploitation of labour in the Bridge Section and moreso when the payment of overtime has been stopped. Immediate increase in the strength of staff of the Bridge Department, both Open Line and Workshops is called for, in commensurate with the increase of load and the nature of work.

WORKS

The existing roads of the Railway Colonies and Offices, quarters and residential accommodation of officers and staff and station buildings, are in a most dilapidated condition due to non-attendance to the minimum normal maintenance, works ^{patch} like/repairs, re-building of the broken portions or worn out portions, white washing etc. ~~and should be taken up early.~~ It may be remembered also that most of the buildings have outlived their normal life and all the more require more attention for repairs and maintenance. On the top of this, due to construction of new lines, station buildings, railway stations ~~and~~ drains and roads etc., no fresh staff of the IOWs are sanctioned. In some cases post of IOW is created and one or two ELRs (Extra Labour in Casual Labour) without even a fitter, carpenter, mason, blacksmith etc. with the result that the post of the IOW becomes useless and no repair or normal attendance of the residential buildings, office buildings, station buildings is done. In addition to these it is found that some of the works which can be done departmentally, are being off-loaded to the contractors, and staff are decreased and the required strength of the staff is not increased. This is no economy. The contractor

... /-

will not do the job at a loss to him but must always get a lumpsum profit out of that. On the spot at such places where the work has been ~~km~~ off-loaded to the contractor, it will be seen that the departmental expenditure is much less and the work is much more perfect.

The demand is that the increase in the workload in the Engineering Workshops and Sleeper Treatment Plants should not be off-loaded to the contractors but the number of departmental staff required in commensurate with the quantum of job should be increased and sanctioned in the Engineering Workshops and Sleeper Treatment Plants in its respective appropriate grades.

In nutshell the demands are -

- (i) Abolition of Casual Labour System;
- (ii) Job Evaluation of all categories of staff mentioned above, and fixation of yardstick.
- (iii) Introduction of 20% Selection Posts in all the categories of Class IV ('D' staff) and Class III ('C' Staff).
- (iv) Percentage of upgradation of the Artisan staff from skilled to highly skilled must not be less than 50% and more posts should be created ~~and~~ on worth of charge basis if and when necessary.
- (v) More posts of Mistries should be created.

..../-

- (vi) 3rd. Pay Commission has been recommending for the sanction of Master Craftsmen posts and the Railway Board has not done anything in this connection as yet. Atleast 10% posts of Master Craftsmen should be created in each of the categories.
- (vii) In the Workshops the man power ratio in the Engineering Workshops and Sleeper Treatment Plants should be at par with other Workshops.
- (viii) In these Sections of Engineering, Way, Works and Bridge and Sleeper Treatment Plant, Way, Works and Bridge, both Open Line and Workshops and Sleeper Treatment Plants, there should be no question of any unskilled job excepting in a few cases of loading and unloading. Therefore, all unskilled posts should be in semi-skilled scale of pay.
- (ix) All semi-skilled posts should be converted into skilled posts since they are doing all the work independently.
- (x) There must be one promotion atleast after 5 years of service bringing it at par with Class I officers in the Indian Railways.
- (xi) Nobody should be stagnated for more than 3 years at the maximum of the scale because most of the ~~stagnation~~ staff are stagnating even after the 3rd Pay Commission.
- (xii) The scales Rs.840-1040 and Rs.1040-1200 must all be implemented with retrospective effect

... /-

at par with Workshop Staff to all the Sup
in the Engineering Departments (Chargemen,
PWIs., ICWs, Bridge Inspectors and Draftsmen
etc.)

- (xiii) Uniform for Winter; Summer and rainy seasons must be supplied to staff of the Engineering Department with appropriate style and scale. Finely supply should also be ensured.
- (xiv) Proper Medical facilities for all staff and educational facilities for the children of Railwaymen.
- (xv) Special Allowance for Patrolling Track and Field Allowance for other Staff due to Hazards and facing vagaries of nature.
- (xvi) Proper Duty Hours for all Engineering Staff and over time for attending break down or other extra work of urgent nature in off hours, for all categories of Engineering Branch.
- (xvii) Special Allowance to Engineering Supervisors for handling vast stores.
- (xviii) Rest Shelters for way side workers.
- (xix) All Engineering Staff should be treated as Continuous.
- (xx) BONUS FOR ALL RAILWAYMEN
8.33% Pay as Bonus should be granted to all Railwaymen as the Railwaymen are industrial workers.

(518)

GOVERNMENT OF INDIA
MINISTRY OF RAILWAYS
(Railway Board)

No. E(LR)II77ST3/W/3

dated 13-2-1978

The General Secretary
A.I.R.F.
NEW DELHI

Dear Sir,

Re: Pen-down strike in offices
at Ajmer - Western Railway.

....

I am directed to refer to your letter No. AIRF/160-B(2311) dated November '77 on the above subject and to state that the break in service has already been condoned and the period treated as dispensation in keeping with the usual practice. It is regretted that it is not possible to extend any further concession about the treatment of the period.

Yours faithfully,

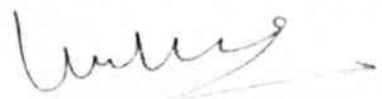
sd/- (N.V. JAYARAMAN)
Jt. Secretary, Estt. (L)
Railway Board

AIRF/160-B(2311)

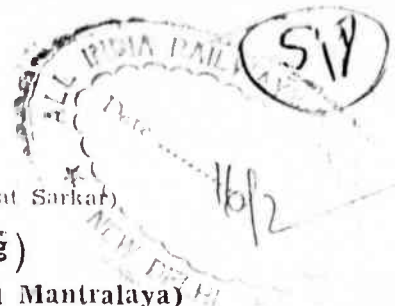
March 10, 1978

Copy forwarded for information to:

1. The General Secretary, Western Railway Employees' Union, Bombay
2. Shri T.C. Jain, C/o Western Railway Employees' Union Station Building, Ajmer.


For General Secretary

rn*



भारत सरकार
 GOVERNMENT OF INDIA (Bharat Sarkar)
 रेल मंत्रालय (रेलवे बोर्ड)
 MINISTRY OF RAILWAYS (Rail Mantralaya)
 RAILWAY BOARD

नई दिल्ली-110001, तिथि: 19
 No.E(LR)II77ST3/W/8. Delhi-110001, Dated } -2- 19 78

The General Secretary,
 A.I.R.F.,
 4, State Entry Road,
 New Delhi.

Dear Sir,

Sub: Pen-down strike in the
 offices at Ajmer - Western Railway.

I am directed to refer to your No.AIRF/
 160-B(2811) dated November'77 on the above
 subject and to state as follows. The break
 in service has already been condoned and the
 period treated as 'dies non' in keeping
 with the usual practice. It is regretted
 that it is not possible to extend any further
 concession about the treatment of the period.

Yours faithfully,
 N.V. Jayaraman
 (N.V. Jayaraman)
 Jt. Director, Estt.(L)
 Railway Board.

Copy to Am
 16/2

copy to:- General Secretary, WREU/
 Bombay for information

for General Secy
 No. # 902F

UNOFFICIAL BUREAU
WORKING PRESIDENT:

No. AIRP/78 160-B

Dated 16th March,

The Editor,
Financial Express,
New Delhi.

Sir,

Your editorial dated 5th March, 1978, under the caption "Vanishing Rail Surplus" has shocked and surprised every railwayman whosoever has read it. Indeed my office has been flooded by persistent suggestions to address you on the subject. On behalf of the All India Railwaymen's Federation may I ~~submit~~ state -

- (i) that Railway Strike of May, 1974 was distinct in the sense that by arresting leaders on 1st night, the strike was precipitated and thrust by the then Government on railwaymen. You might be aware that the negotiations were going on and in fact the next round of talks was fixed at 10 A.M. on 2nd May and the strike was scheduled from 8th May, 1974.
- (ii) that it is not correct to say that the Railway Minister had ordered for payment of salaries for strike period. Though it was the demand and justifiably so in view of what has been stated in (i) above, the Railway Minister has only agreed to treat the strike period as 'leave due'. In doing so the Railway Ministry has done the least that could be done to remove the bitter feeling of railwaymen.
- (iii) that in treating the period as 'leave due' no extra expenditure is involved. The Railwaymen are entitled for payment against leave period at any time during their service.
- (iv) that in adjusting the leave against strike period of May, 1974, if it has made any difference, the same is in the favour of Railway Administration. It is because the payment has been ordered at the rate of pay as admissible in May, 1974 and not as admissible in the year 1978. It needs no mention that the quantum at the rate of pay in 1978 would be certainly higher than May, 1974.

...../-

(v) that it is factually not correct to say that a doing so the departure from some 141 down prior has been made. There are unpteen examples when the strike period has been treated as leave due Besides examples of the Railwaymen in the past, the examples of strikes of State Government emp in U.P., Rajasthan and Maharashtra should be qu fresh in the memory. There are numerous cases of settlement wherein the period has been treated as leave due. Indeed by such a settlement the empl loses nothing and creates an atmosphere of underst ing removing the bitter taste.

Under the circumstances the mention of strike period in the ~~an~~ editorial appears to be founded on inaccurate information. May I, therefore, request you to very kindly correct the impression by publishing this letter in your valued paper.

Yours faithfully,



(Urmamal Purohit)

Working President, A.I.R.F.

Encl: Nil.



To All Secy's

Dear Comdr, we are appending below a letter to the editor financial expenses for your information to see to this that uncollected for preparation of a pt- document is considered at all with delay.

South Central Railway Mazdoor Union

(Registered and Recognised)

Affiliated to A. I. R. F. & H M. S.

1136

MASTHANKHAN,
Chairman.

A. L. F. ISACS,
Secretary.



Station Branch
Mazdoor Bhavan,
483, Railway Building,
VIJAYAWADA-1.

Date 9-8-1977.

Ref. No. RMU / STN / CL.

To

The Divisional Superintendent,
S.C. Railway, Vijayawada.

Sir,

Sub:- Reinstatement of Tranship shed casual labourers
at BZA who participated in 1974 strike -

Ref:- Railway Board's letter No. E(LR)II/77/4/17 item no.
VIII sub item no. 6 dated 6-4-1977.

The ~~xxx~~ casual labourers as per the list enclosed whose date of engagement is noted against each were working in the tranship shed at Vijayawada upto 7-5-1974. They enblock joined the strike on 8-5-1974. Due to the revengeful attitude of the then officers and due to the then prevailing atmosphere they were not re-engaged till October, 1975. All the documents and correspondence between the administration and the Chief Transshipment Clerk show conclusively that all of them were casual labourers and went on strike and continued to be working as casual labourers.

Hence this Union request you to please take all these persons back to duty as casual labourers as per the Railway Board's letter cited under referenc e and screen them forthwith to absorb them in permanent vacancies as per seniority.

Thanking you,

Yours faithfully,

(A.L.F. ISACS)
SECRETARY.

Copy to General Secretary/SCRMU/SC.

Copy to General Secretary/AIRF/NDLS with a request to move this issue at the Railway Board's level.

Encl:- 12.

RB
1/8

(COPY)

CONFIDENTIAL

GOVERNMENT OF INDIA (BHARAT SARKAR)
MINISTRY OF RAILWAYS (RAIL MANTRALAYA)
(RAILWAY BOARD)

No.E(LR) II/77ST1-17

New Delhi, 1-3-78.

To:

The G.Ms.,

All Indian Rlys., incl.

CLW, DLW & ICF.

The Principal, Rly. Staff College, Baroda.

The Principal,

Indian Rly. Institute of Adv. Track Technology, Poona.

The Principal,

Indian Rlys. Instt. of Sig. Engg. & Telecom.,

Secunderabad.

The Dy. Director,

Rail Movements/Calcutta/Mughalsarai.

The Chairman,

Rly. Service Commission,

Allahabad/Bombay/Calcutta/Madras/Muzaffarpur.

The Railway Liaison Officer, New Delhi.

The Chairman, Railway Rates Tribunal, Madras.

Secretary, Railway Labour Tribunal, Old Station Building,
Ahmedabad.

Indian Rlys. Institute of Mech. & Elec. Engg.,

Jamalpur.

The Chief Administrative Officer,

Metropolitan Transport (Rlys.), Mercantile Bldg.,

5th Floor, Magazine Street, Reay Rd., Bombay-10.

The G.M., M.T.P.(Rlys.),

14-Strand Rd., (5th Floor), Calcutta-1.

The Chief Administrative Officer,

Metropolitan Transport Project (Madras),

Poonamalai High Rd., Madras-8.

The Chief Administrative Officer, Metropolitan Transport

Project, Delhi, 2nd Floor, Reservation Office, Northern Rly.,

State Entry Road, New Delhi.

The Genl. Secy., IRCA, New Delhi.

Sub:- TREATMENT OF THE PERIOD OF ABSENCE DURING
THE RAILWAY STRIKE OF MAY 1974.

Reference Board's letter No. E(LU)74ST1-91, dated
6th June, 1974. The strike started on a few Railways on
2nd/3rd May and on other Railways on 8th May and was
called off on 28th May, 1974. The staff were absent
between these dates for periods ranging from a few hours

....2/-

0-B

to the entire period of strike. In Board's letter No.E(L) 74ST1-91 dated 6.6.1974, orders were issued that those who were absent during the period of strike would lose their pay on the principle of "no work no pay" and that they would get a break in their service. General Managers were also authorised to condone the break in service. Accordingly, the break in service has been condoned in the case of practically all the employees who had taken part in the strike, particularly after the issue of Board's letter No. E(LR)II77ST1/17 dated 6.4.77.

2. Representations have been received by Government from various sources requesting that the period of absence during the Railway Strike of May '74 should be treated as duty, if not, at least as leave due. The Ministry of Railways have given careful and sympathetic consideration to the requests made and have decided as follows:-

- (A) Those Railway employees who continued to be in service on 1.1.1978.

The period of absence should be regularised by sanction of leave due and the amount should be adjusted against the leave standing at the credit of the employees in his leave account on 1.1.1978. For this purpose, he should be first sanctioned LWP, if due. If LWP is not adequate or is not due, he should be sanctioned LWOP as due for the period as may be required. If the employee does not have any leave at his credit, he may be given extra-ordinary leave for the period of absence. Where part of his absence during the strike could be covered by sanction of leave due, the balance would be regularised by sanction of extra-ordinary leave. The period so regularised by sanction of extra-ordinary leave will count for increment and retirement benefits.

- (B) Those who ceased to be in service (due to retirement, death, dismissal etc.) before 1.1.1978.

Where an employee has ceased to be in service on 1.1.1978, the period of absence during the strike will be adjusted against the leave due to him on the date of his quitting service.

- (C) Leave Salary:

In all cases, leave salary should be calculated with reference to the emoluments drawn in May, 1974. In respect of those who have ceased to be in service on 1.1.1978, no pension and pensionary equivalent will be deducted.

3. The orders contained in para 2 above have the sanction of the President.

..../-

This has the concurrence of the Finance Directorate
the Ministry of Railways.

The Board realise that the quantum of additional work
involved in implementing the above orders will be considerable,
as payment may have to be made to about 5.91 lakhs of railway
employees after settling their leave accounts. They desire
that steps should be taken to expedite working out of leave
accounts, and payments to staff should begin only from 1st April,
1978 and be completed by 30th June, 1978,

Sd/- N.V. Jayaraman
Joint Director, Establishment (L)
Railway Board.

No. E(LR) II/77/ST1-17

New Delhi, dated 1-3-78.

Copy to ADAI (Rlys.) with usual spares.

Sd/--xxxxxxxxxxxx
for Financial Commissioner/Railways.

-----○-----

Government of India
Ministry of Railways
(Railway Board)

(512)

NoE(P&A) 1-77/RT-31

New Delhi, dt. 4.6.1977.

The General Secretary,
All India Railwaymen's Federation,
125/E, Babar Road,
New Delhi - 110001.

Dear Sir,

Sub: Regularisation of the period of the employees
conspicuously related on recruitment.

I am directed to acknowledge the receipt of your
letter No. 1118/10.6.1977 dt. 11/6/77 on the above
noted subject.

Noted
[Signature]

DA: Nil.

Yours faithfully,

[Signature]

for Secretary, Railway Board.

RIYA GUPTA:
PRESIDENT:

XXXXXXXXXXXXXXXXXXXX
4-State Entry Road,
New Delhi.

D.O.No.AIRF/160-B (144)

Dated: 27.2.78.

Respected Shri Dandavate,

Re: Selection Grades in Group 'C' & 'D'
Cadres - Implementation of the recommenda-
tions of the 3rd Pay Commission. Removal
of penal action against the Railway employ-
ee who took part in Railway Strike, 1974.

When I met you this morning while appreciating
your stand expressed during submission of the Railwa
Budget, I invited your kind attention to some of the follow-
ing most important omissions which may kindly be taken into
account:-

- (i) The orders for implementation of the
selection grades in the Class III Cadre
in general have not yet been implemented.
This is a discrimination which may kindly
be rectified.
- (ii) Regarding Selection posts in Class IV
categories in some non-technical posts,
the implementation of the creation of the
selection posts have been complied with whereas-
- (e) In the Artisan cadre the matter was
pending on the plea of setting up of
Railway Workers Classification Tribunal
which has since been cleared and,
therefore, categorical orders for the
technical staff in Class IV Cadre should
also be covered for implementation of
selection grade for ~~it~~ which orders for
implementation of selection posts are yet
to be issued.

.../-

*included in
March 78 issue
JN
28/2*

(b) In respect of other non-technical cadre in Class IV, many cadres have been left and a clear order categorically for each cadres of Class IV categories may please issued and also provision of select on pos should be made.

(iii) In respect of the assurances to remove the ~~disparities~~ disparities of the May, 1974, Rail Strike, including wages for the strike period, regularisation of the suspension period and the period of the departmental removal, suspension etc. and grant of additional increment to striking employees which has been granted to the 'so-called' loyal employees, cancellation of all penal action including transfers, withdrawal of all cases etc., you said that separate orders will be issued soon. The employees are very much aggrieved and, therefore, I draw your kind attention to this matter.

With

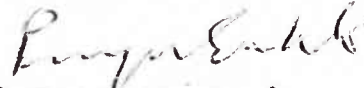
We have been giving the details regarding the above and discussing each of them for the last so many months

Also kindly note your assurances of appointments to sons and dependents of railwaymen against a certain quota of direct recruitment in Class III & IV.

An early action on the suggestions given above will be very much appreciated.

With kind regards,

Yours sincerely,


(Priya Gupta)

Shri Madhu Dandavate,
Minister for Railways,
Rail Bhawan,
New Delhi.

Government of India
Ministry of Railways
(Railway Board)

(5)

No.E(LR)II77ST1-17.

New Delhi, dated 1.3.1978.

To

✓ The General Secretary,
A.I.R.F.,
4, State Entry Road,
New Delhi.

The General Secretary,
N.F.I.R.,
166/1, Panchkuian Road,
New Delhi.

Dear Sir,

Sub: May 1974 strike.

I am directed to send herewith 25 copies of this Ministry's letter of even number dated 1.3.1978 on the subject mentioned above. Please acknowledge the receipt.

DA/As above.

Yours faithfully,

N. V. Jayaraman

(N.V.Jayaraman)
Jt. Director Estt. (L).
Railway Board.

ASRP/160-B

CONFIDENTIAL

GOVERNMENT OF INDIA (BHARAT SARKAR)
MINISTRY OF RAILWAYS (RAIL MANTRALAYA)
(RAILWAY BOARD)

No. E(LR)II/77ST1-17.

New Delhi, 1-3-1978.

To

The General Managers,
All Indian Railways, including
C.J.W., D.L.W. and I.C.F.

The Principal, Railway Staff College, Baroda.

The Principal,
Indian Railway Institute of Adv. Track Technology, Poona.

The Principal,
Indian Railways Institute of Sig. Egg. & Telecommunication,
Secunderabad.

The Deputy Director,
Rail Movements/Calcutta/Mughalsarai.

The Chairman,
Railway Service Commission,
Allahabad/Bombay/Calcutta/Madras/Muzaffarpur.

The Railway Liaison Officer, New Delhi.

Chairman, Railway Rates Tribunal, Madras.

Secretary, Railway Labour Tribunal, Old Station Building,
Ahmedabad.

Indian Railways Institute of Mechanical & Electrical Engg.,
Jamalpur.

The Chief Administrative Officer,
Metropolitan Transport (Railways), Mercantile Building,
5th Floor, Magazine Street, Reay Road, Bombay-10.

The General Manager, Metropolitan Transport Project (Rlys.),
14 Strand Road (5th Floor), Calcutta-1.

The Chief Administrative Officer,
Metropolitan Transport Project (Madras),
Poonamalai High Road, Madras-8.

The Chief Administrative Officer, Metropolitan Transport
Project, Delhi, 2nd Floor, Reservation Office, Northern Rly.,
State Entry Road, New Delhi.

The General Secretary, I.R.C.A., New Delhi.

contd..../2

Subject:- TREATMENT OF THE PERIOD OF ABSENCE DURING
THE RAILWAY STRIKE OF MAY 1974.

Reference Board's letter No. E(LU)74ST1-91, dated 6th June, 1974. The strike started on a few Railways on 2nd/3rd May and on other Railways on 8th May and was called off on 28th May, 1974. The staff were absent between these dates for periods ranging from a few hours to the entire period of strike. In Board's letter No. E(LU)74ST1-91 dated 6.6.1974, orders were issued that those who were absent during the period of strike would lose their pay on the principle of "no work no pay" and that they would suffer a break in their service. General Managers were also authorised to condone the break in service. Accordingly, the break in service has been condoned in the case of practically all the employees who had taken part in the strike, particularly after the issue of Board's letter No. E(LR)II77ST1/17 dated 6.4.1977.

2. Representations have been received by Government from various sources requesting that the period of absence during the Railway strike of May '74 should be treated as duty, if not, at least as leave due. The Ministry of Railways have given careful and sympathetic consideration to the requests made and have decided as follows:-

(A) Those Railway employees who continued to be in service on 1.1.1978.

The period of absence should be regularised by sanction of leave due and the amount should be adjusted against the leave standing at the credit of the employee in his leave account on 1.1.1978. For this purpose, he should be first sanctioned LAP, if due. If LAP is not adequate or is not due, he should be sanctioned LMAP as due for the period as may be required. If the employee does not have any leave at his credit, he may be given extra-ordinary leave for the period of absence. Where part of his absence during the strike could be covered by sanction of leave due, the balance would be regularised by sanction of extra-ordinary leave. The period so regularised by sanction of extra-ordinary leave will count for increment and retirement benefits.

(B) Those who ceased to be in service (due to retirement, death, dismissal etc.) before 1.1.1978.

Where an employee has ceased to be in service on 1.1.1978, the period of absence during the strike will be adjusted against the leave due to him on the date of his quitting service.

...../-

(C) Leave Salary.

In all cases, leave salary should be calculated with reference to the emoluments drawn in May, 1974. In respect of those who have ceased to be in service on 1.1.1978, no pension and pensionary equivalent will be deducted.

3. The orders contained in para 2 above have the sanction of the President.

4. This has the concurrence of the Finance Directorate of the Ministry of Railways.

5. The Board realise that the quantum of additional work involved in implementing the above orders will be considerable, as payments may have to be made to about 5.91 lakhs of railway employees after settling their leave accounts. They desire that steps should be taken to expedite working out of leave accounts, and payments to staff should begin only from 1st April, 1978 and be completed by 30th June, 1978.

N. V. Jayaraman

(N.V. Jayaraman)

Joint Director, Establishment(L)
Railway Board

No. E(LR)II/77ST1-17.

New Delhi, 1-3-1978.

Copy to A.D.A.I. (Railways) with usual spares.

G. Venkatesh

for Financial Commissioner/Railways.

South Central Railway Mazdoor Union

(REGISTERED & RECOGNISED AFFILIATED TO AIRF & IIMS)

503

CENTRAL OFFICE

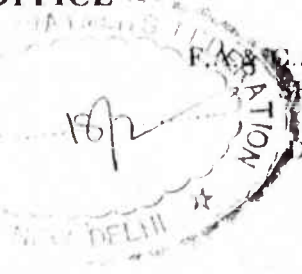
K. S. N. MURTHY
President.

A. V. K. CHAITANYA
General Secretary

7-C, Railway Building,
F.A.S.T.E.A. O' S Office Compound,
SECUNDERABAD-500025.

Ref. JRMU/CO/ 20/A

The General Secretary,
AIRF / New Delhi.



Date...15-2-78.....

Dear Comrade,

Sub:- Option to come on to the revised scales of pay.

It is represented to the Union that there are some staff who were removed/dismissed/suspended in connection with May '74 strike and who had'nt been opted, ~~and~~ consequently, to come to the revised scales of pay. As they've now been brought back to duty and they desire they may also be given a chance to opt for to the revised pay scales, the Board may kindly be addressed in this connection, to ~~the~~ extend an opportunity for the strikers.

LC Regn
A.V.K.
15/2

Yours fraternally,

(N. Sundaresan)
for General Secretary.

Copy to Divl. Secretary, BZA for infn. w.r.t his lr.
dttd. 23.1.78.

for Gen. Secretary.

XXXXX

PREYA GUPTA:
PRESIDENT:

XXXXXXXXXXXXXXXXXXXXX
4-State Entry Road,
New Delhi.

D.O.No.ARF/160-B (147)

Dated: 27.2.78.

Respected Shri Dandavate,

Re: Selection Grades in Group 'C' & 'D'
Cadres - Implementation of the recommenda-
tions of the 3rd Pay Commission. Removal
of penal action against the Railway employees
who took part in Railway Strike, 1974.

When I met you this morning while appreciating
your stand expressed during submission of the Railway
Budget, I invited your kind attention to some of the follow-
ing most important omissions which may kindly be taken into
account:-

- (i) The orders for implementation of the
selection grades in the Class III Cadre
in general have not yet been implemented.
This is a discrimination which may kindly
be rectified.
- (ii) Regarding selection posts in Class IV
categories in some non-technical posts,
the implementation of the creation of the
selection posts have been complied with whereas-
 - (a) in the Artisan cadre the matter was
pending on the plea of setting up of
Railway Workers Classification Tribunal
which has since been cleared and,
therefore, categorical orders for the
technical staff in Class IV Cadre should
also be covered for implementation of
selection grade for ~~xxx~~ which orders for
implementation of selection posts are yet
to be issued.

.../-

9/1 c

- (b) In respect of other non-technical categories in Class IV, many cadres have been left and a clear order categorically for each cadres of Class IV categories may please issued and also provision of select on post should be made.
- (iii) In respect of the assurances to remove the ~~disparities~~ disparities of the May, 1974, Rail Strike, including wages for the strike period, regularisation of the suspension period and the period of the departmental removal, suspension etc. and grant of additional increment to striking employees which has been granted to the 'so-called' loyal employees, cancellation of all penal action including transfers, withdrawal of all cases etc., you said that separate orders will be issued soon. The employees are very much aggrieved and, therefore, I draw your kind attention to this matter.

With

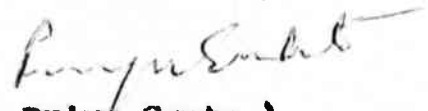
We have been giving the details regarding the above and discussing each of them for the last so many months

Also kindly note your assurances of appointments to sons and dependents of railwaymen against a certain quota of direct recruitment in Class III & IV.

An early action on the suggestions given above will be very much appreciated.

With kind regards,

Yours sincerely,


(Priya Gupta)

Shri Madhu Dandavate,
Minister for Railways,
Rail Bhawan,
New Delhi.

South Central Railway Mazdoor Union

(REGISTERED & RECOGNISED AFFILIATED TO AIRF & IIMS)

503

CENTRAL OFFICE

K. S. N. MURTHY
President.

A. V. K. CHAITANYA
General Secretary

7-C, Railway Building,
F.A.S. C.A. O' S Office Compound,
SECUNDERABAD-500025.

Ref. JRMU/CO/ 20/A

Date...13-2-78.....

The General Secretary,
AIRF / New Delhi.



Dear Comrade,

Sub:- Option to come on to the revised scales of pay.

It is represented to the Union that there are some staff who were removed/dismisssed/suspended in connection with May '74 strike and who had'nt been opted, ~~and~~ consequently, to come to the revised scales of pay. As they've now been brought back to duty and they desire they may also be given a chance to opt for to the revised pay scales, the Board may kindly be addressed in this connection, to ~~the~~ extend an opportunity for the strikers.

15/2
15/2
15/2

Yours fraternally,

(N. Sundaresan)
for General Secretary.

Copy to Divl. Secretary, BZA for infn. w.r.t his lr.
dtc. 23.1.78.

for Gen. Secretary.

15/2

(524)

AIRF/160-B.(144)

Dated 24th Feb.'78.

The Secretary(E),
Railway Board,
New Delhi.

Dear Sir,

Sub: Option to be given to strikers
to come over to the revised
scales of pay.

It has been represented by the South Central Railway Mazdoor Union, an affiliate of AIRF that there are some staff who were removed/dismissed/suspended in connection with the May '74 Strike and who had not opted consequently to come over to the revised scales of pay. Since they have now been brought back to duty, it is desirable that they are now given a chance to opt for the revised scales of pay. The Railway Board are as such requested to look into the matter and do the needful in the peculiar circumstances of the case under intimation to this office.

Yours faithfully,

J. Varadaraulu

(J. Varadaraulu)

for General Secretary.

7/e

Copy to the General Secretary, SCRNU., SC
for inf. w.r.t. SCRNU/CO/20/A dt. 13.2.78.



TELEPHONE (3 2 2 9 9)

TELEGRAM : RAILWAYMEN

All India Railwaymen's Federation

(Estd. 1924)

SD/

160-B.

4, STATE ENTRY ROAD,
NEW DELHI - 110055.

Dated 21st Feb. '78.

The General Secretary,
S.E. Railwaymen's Union,
S.E. Railway Colony,
Garden Reach,
Calcutta. -700 043.

Dear Comrade,

Sub: Grant of annual increment
to staff who took part in the
Strike of 1974.

Kindly refer to your letter No.CEN/REP/GRC
dated 15.2.78 addressed to the undersigned on the
above subject. We have already taken up the issue
and you will be advised of the result .

Yours fraternally,

J. Varadara julu
(J. Varadara julu)
for General Secretary.

South Eastern Railwaymen's Union

[Regd. No. : 3580]

Recognised by the S. E. Railway Administration & Affiliated to All India Railwaymen's Fedn

GENERAL SECRETARY.



Central Office : S. E. Railway Colo
Garden Reach,
Calcutta-700 043.

Rly. Phone : 2792
P & T Phone : 45-1741 : Extn. 7

Ref. No. CEN/REP/GRC.

Date.....15.2.78.....197 ..

To

The General Secretary,
All India Railwaymen's Federation,
4- State Entry Road,
New Delhi.

17/2

Dear Comm.

Sub: Grant of annual increment to staff who took part in the strike of 1974.

I enclose a ~~copy~~ copy of the joint Accounts and Personnel Branch Procedure order No. P/3rd PC/44 dated 28.1.1978 on the above subject. The Union contents that the procedure laid down in the said order is based on wrong appreciation of the principles determining deferment of increment and also contrary to the principles ~~determining~~ followed in this regard in past similar cases of strike.

With the acceptance of the recommendation of the 3rd Pay commission to ~~antidate~~ antedate increments to the 1st of the respective month when increment fall due, the date of the increments of the staff for all purposes fall on the first day of the month. The recommendation was made effective from 1.11.73 and in May 1974, when the strike in the railway took place all staff had first of a month for their date of increment. Deferment of the increment suggested in the aforesaid joint procedure order would amount to illegal recovery from wages of an employee. Our negotiation with General Manager of South Eastern Railway have failed.

Your attention is also drawn to the Railway Board's letter No. PC/3/74/increment/1 dated 4.8.76 (copy enclosed) in which the Board, in reply to clarifications sought by this Railway in connection with the deferment of increments for absence in the strike period maintained that the normal date of increment should be worked out from the first of the month.

Your attention is also drawn to the decision taken in the similar cases of the strike in 1960 and 1968 when the period of the unauthorised absence was treated as 'Dies non' for all purposes and was also record as if it were ~~leave~~ leave with allowances for the purpose of provident fund, pension, and increment only. We feel there is no reason why the Railway administration could not follow the same principal in case of May 1974 strike. It will be ~~very~~ queer that the present Government, which is considered to have an outlook much more liberal and beneficial to the common workers than the Govt. in office in the past years,

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Copy 2

South Eastern Railwaymen's Uni

[Regd. No. : 3580]

Recognised by the S. E. Railway Administration & Affiliated to All India Railwaymen's Fed



Central Office : S. E. Railway Colo,
Garden Reach,
Calcutta-700 043.

Rly. Phone : 2792
P & T Phone : 45-1741 : Extn. 7

Ref. No.....

Date.....197

-2-

would inflict greater and unnecessary hardship on its employ

In view of the fact that when we could not achieve our demand for bonus, pay for the strike period, and one increment at par with the so called loyal workers, this cut in the wages of the workers will have a far reaching consequence and your immediate intervention is requested.

Please treat this as most urgent.

With greetings,

Yours fraternally

Assistant General Secretary.
For General Secretary...

Encl:2

ALL INDIA RAILWAYMEN'S FEDERATION

4, State Entry Road,
New Delhi-110055.

No. AIRF/80

Dated: 13th Feb. 1978.

General Secretaries,
All affiliated Unions and Members of the Working Committee

Dear Comrades,

Copy of the undermentioned letters are sent herewith for information.

- 1) D.O. No. AIRF/80 dated January 23, 1978 from Shri J.P. Chaubey, General Secretary, AIRF to Shri Madhu Dandavate, Minister for Railways New Delhi, copy endorsed to Chairman, Railway Board, New Delhi.
- 2) D.O. No. AIRF/69 dated December 20, 1977 from Shri J.P. Chaubey, General Secretary, AIRF to Shri Madhu Dandavate, Minister for Railways, New Delhi.
- 3) AIRF/24 dt. 7.2.78.

Yours fraternally,

J. V. Vaidarajulu
(J. V. Vaidarajulu)
for General Secretary.

- 1). Copy of letter referred to in (1) above.

Sub-Industrial relations on Railways -
Formation of Indian Railways Personnel Services.

You might recall our brief discussions on this subject in the course of the meeting of the C.E.C. and also on subsequent occasions.

I have gone into the matter further and have also discussed the issue with my colleagues. In this regard I have to make following concrete proposals for your consideration.

I need hardly mention here that in the present situation when there is complete freedom of association and for industrial actions like agitations, to achieve legitimate demands, it is very necessary that an effective negotiating machinery supplemented by an effective functioning of the Indian Railway Personnel Services should exist on the Railways.

16/15
Yesterday, I had the occasion to meet the Prime Minister along with the President of I.R.F. The Prime Minister also laid emphasis that remedy should be available to the employees to see immediate redressal of their grievances and problems, so that strikes and other industrial actions become redundant. In the past we saw many agitations and stoppage of work on the Railways on some petty problems, which could have been easily solved if timely attention would have been given to the matter. You have been good enough to agree that there should be entirely a

separate cadre of the Indian Railways Personnel Services - Class I and, these services should be made attractive like other technical services of the Railways. For that purpose you have even decided that all posts upto the Industrial Adviser, should be filled in from the Personnel Branch cadre officers only on Railways, and in the Railway Board, entirely by promotion of officers from amongst the Indian Railways Personnel Services.

Originally the services were not so attractive, in which efficient and capable administrators who possessed necessary background and experience of the Personnel Branch of Railways, did not opt. It is, therefore, necessary that the services of the Indian Railways Personnel Services should be made more attractive. In fact, now like any other services on the Railways, officers from these services will also be eligible for promotion as Divisional Superintendents, General Managers and subsequently as Member Staff as well.

There is another aspect of working of the Personnel Branch which needs careful examination. Although, in the Railway Budget provisions for allotment of adequate funds for welfare schemes are provided yet there is no appropriate cadre of the Welfare Officers to manage these activities. Even in the private companies, as you are aware, there is provision for post of Chief Welfare Officer. On the Indian Railways we have only one Welfare Officer in the senior scale only in Headquarters Offices and not even in the administrative rank. In all fairness, the Welfare Department needs being adequately strengthened. In my opinion, one post of Chief Welfare Officer, in the rank of H.O.D. Level I, will be justified on each zone of the Indian Railways. Besides, the lower formation of this department should also comprise of junior administrative and senior scale officers, both in the headquarters, divisions and workshops, on each railway. The strength of the Welfare Inspectors more in the highest grades, is also required to be augmented.

The man-management techniques bring in achievements in the modern times. Various types of courses have been introduced in our country and also abroad in this regard. Therefore, the railways should also have either their own prescribed courses or the officers of the Indian Railways Personnel Service should be sent to the institutions training man/personnel management which are already functioning at Bombay, Ahmedabad, Delhi, Calcutta etc.

In short, I would suggest that :-

- (i) A second option should be given to the existing senior officers with background of personnel branch working - preferably those who have already worked for atleast 3 years on the Personnel side.
- (ii) The existing distinction between Class I and Class II officers working at present in the personnel branch be wiped out for the purpose of seniority in the I.R.P.S. and the seniority of the existing senior scale officers of the personnel branch who have come up the ladder from the non-gazetted services and have already proved their worth, be reckoned in the junior scales from the date they have been empanelled officiating in Class II services as A.P.O.s, so the

they could come up atleast to the junior administrative grade H.C.D. level-II in the new formation of the I.R.P.S.

- (iii) There should be a cadre review of the personnel branch officers and it should be strengthened from time to time and its services thus made more attractive.
- (iv) It should be made known that the officers of the personnel branch services are also eligible for promotion as Divisional Superintendents and General Managers, like all other services officers.

I have also discussed and shared some of my thoughts with Shri P.S. Mahadevan, Advisor, Industrial Relations in the Ministry of Railways. I am sure it should be possible for him to put up necessary proposals and justifications so that the industrial relations on Indian Railways achieve new dimensions and, it may thereby be possible for us to maintain peaceful and fruitful negotiations and cordial industrial relations on the Railways.

With kind regards,

.....

2. Copy of letter referred to in (2).

....

Sub:- Filling up of the posts in the Directorate of Management Services.

.....

During the course of a recent statement in Parliament on the restructuring of the Railway Board, you have announced your intention to create a post of Director (Management Services) in order to establish an integrated machinery to tackle the problems of nearly nine thousand officers on the Railways.

2. While the above step is unquestionably welcome, it is understood that attempts are unfortunately being made to fill all the posts in that Directorate only with directly recruited officers belonging to the Railway Services Class I, displacing the number of Railway Board Secretariat Service Officers, who have so far been ably assisting the Secretary in dealing with the cases of gazetted officers. Apart from the important aspect of their promotional chances being curtailed, it does not seem to be advisable to man the new directorate entirely by officers of the Railway Services for the following reasons :-

- (i) Personnel administration, like the other distinct category of services, is a specialised field and the importance of this is being increasingly realised as will be evident from the decision to have a separate Personnel Department on the Railways. Officers from the regular railway services cannot be expected to do full justice to the various problems because of their lack of experience in this field, unless they have previous background of personnel matters. This is not merely a view, but is substantiated by the failure of the Personnel Organisations on the Railways, whose top posts are being manned exclusively by Class I Railway Officers, mostly not well-versed in personnel matters.

(ii) There are a number of railway services belonging to different departments with conflicting interests. There has been till recently a sort of regular "caste-system" on the railways and the posts in the top layers have been the close preserve of two or three departments only to the consternation of members of other services of the other departments. Only of late, attempts are being made to set right this imbalance. The proposal to man the posts in the new directorate exclusively by Railway Officers will be a retrograde step.

3. It will be recalled that, during the British regime, there was a law that an Englishman who commits an offence should be tried by a judge who is an Englishman and not an Indian. The foreign rulers believed in the theory of "ruler" and the "ruled" and held that the "ruled" should not have any say in regard to the "rulers". The present proposal of the Railway Officers' Association that the new Directorate to deal with the gazetted services should be manned only by railway officers is more or less on the same pattern of law during the British regime. It is most unfortunate that even such a suggestion should have been sponsored by an Association of Officers in a free country after 30 years of independence and that too in the present regime which is out and out democratic in character and which believes in the equality of all. It is earnestly hoped that the suggestion of that officers' body - which will result in the introduction of a perfect "class" society in the Ministry of Railways - will not be tolerated and will not be acted upon. In the other Ministries of the Government of India, which control several gazetted services, there is no such practice of leaving the administration entirely to the services concerned. On the other hand, on the civil side, the officers of the Central Secretariat Service are manning such posts like Under Secretary, Deputy Secretary, Joint Secretary and even Additional Secretary and Secretary.

4. If, however, it is ultimately decided that the entire gazetted posts in the new Directorate should be manned only by Railway Officers Class I, it will mean that the Government is virtually conceding the principle that only the individual, who belongs to or who once belonged to a particular service, should deal with matters relating to that service.

5. The recognised and unrecognised unions on the Railways have been complaining that the Personnel Departments on the Railways have not, unfortunately, been functioning properly. By stretching the point referred to in the preceding paragraph, the Railway unions are entitled to demand that their cases should be handled only by persons who belong to the non-gazetted cadres or at least who once belonged to non-gazetted cadres and who may now be occupying higher posts. To put it in a blunt way, the suggestion is that the posts of Chief Personnel Officers, Additional Chief Personnel Officers and Dy. Chief Personnel Officers etc. should all be manned only by promoted officers and not by direct recruits, who have not worked in the non-gazetted cadre and cannot, therefore, be expected to fully comprehend and solve the problems of the non-gazetted staff in the proper way. Also, the other post of Director, Establishment, which is to deal with essentially non-gazetted matters, should in all fitness be filled only by

such a promoted officer. It will again stand to reason that the post of Member Staff/Addl. Member Staff, who will deal with non-gazetted services should also be reserved only to be filled by promoted officers and not by direct recruits. To this extent, all the existing rules, including the rules for the newly formed Indian Railway Personnel Service, may have to be amended.

Taking all factors into consideration, it is suggested that the proposal of the Railway Officers Association that the new Directorate should be manned only by directly recruited officers of Railway Service, Class I, may not be accepted.

With kind regards,

....

Copy of letter No. AIRF/24 dt. 7.2.78 from Shri Priya Gupta, President/AIRF (at Bombay) to Shri Madhu Dandavate, Minister for Railways.

Sub: Burning grievances of the Railwaymen.

It is under great pain that I have to disturb you here in Bombay during your busy hours for which I beg to be excused. But I feel, I should have failed in my duties if the following burning problems which are uppermost and agitating the minds of ranks and file of the railwaymen and needs immediate redressal be not represented to you.

The following are the most important:-

1. Six point Charter of Demands of May, 1974 including Bonus and abolition of casual labour system etc.
2. Removal of the disabilities arising out of May '74 Railway Strike including -
 - (a) Payment of full wages of the strike period;
 - (b) Payment of full wages to the removed employees reinstated subsequently;
 - (c) Granting of one additional increment to the striking employees to bring them at par with the so-called loyal employees who were given one advance increment.
 - (d) Withdrawal of Court Cases at Jhansi, Matunga & Gorakhpur.
3. 20% posts to be filled by the children and immediate dependents of railwaymen.
4. Refund of C.D.S.
5. Granting of one slab of Dearness Allowance from 1st of Jan. 78 on increase of 12 monthly average Consumer Price Index from 312 to 320 points.
6. CBI enquiry into the recent murder of Sh. Rameshwar Pandey, Secy. Locoshed Branch, Northern Railwaymen's Union, Lucknow, on which the details have been submitted to you vide AIRF/24 of 6-2-1978.
7. Restoration of the recognition of N.E. Railway Mazdoor Union an affiliate of the A.I.R.F.
8. Recognition of all the Unions affiliated to AIRF in the 3 production units, viz ICF, DLW & CLW and as well as in the MPP Railway Projects.

**

....

** The railwaymen look to you for immediate sympathetic consideration and doing the needful at an early date.



AIR / 16013

ALL INDIA RAILWAYMEN'S FEDERATION

125/E, BABAR ROAD
NEW DELHI - 110001

NO AIRF/34

4, State Entry Road,

(MS)

From

Dated: 7th Feb. 1978.

Prity Gupta,
President.

Camp: Bombay

Shri Madhu Bhandvate,
Minister for Railways,
at BOMBAY.

Dear Sir,

Subj: - turning grievances of the Railwaymen.

.....

It is under great pain that I have to disturb you here at Bombay during your busy hours for which I beg to be excused. But I feel, I should have failed in my duties if the following burning problems which are uppermost and agitating the minds of ranks and file of the railwaymen, - and needs immediate redressal, be not represented to you.

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 - (a) Payment of full wages of the strike period;
 - (b) Payment of full wages to the removed employees re-instated subsequently;
 - (c) Granting of one additional increment to the striking employees to bring them at par with the so-called loyal employees who were given one advance increment.
 - (d) Withdrawal of Court Cases at JHANSI, MATUNGA, etc.
3. 20% posts to be filled by the children immediate dependents of railwaymen. GOMKHPAN
4. Refund of C.D.C.
5. Granting of one slab of Dearness Allowance from 1st of January, 1978 on increase of the 12 monthly average

o/c

...2

(48)

Consumer Price Index from 312 to 320 points.

- 6. CBI enquiry into the recent murder of Shri Rameshwar Pandey, Secretary, Loco Shed Branch, Northern Railwaymen's Union, Jaikhow, on which the details have been submitted to you vide letter No. AIR/24 dated 6.2.1978 (copy enclosed).
- 7. Restoration of the recognition of N.E. Railway Mazdoor Union, an affiliate of A.I.R.F.
- 8. Recognition of all the Unions affiliated to A.I.R.F. in the 3 Production Units, viz: ICF, ILW and CLW and as well as in the NTP Railways Projects.

The Railwaymen look to you for immediate sympathetic consideration and doing the needful at an early date.

With kind regards,

Yours faithfully,

Priya Gupta

(Priya Gupta)

Incl: 1 / o/c

Copy to all General Secretaries of the unions affiliated to AIRF and members of working committee AIRF for forwarding information

Priya Gupta

Mr. Ravi / Mr. Jha

① Kindly get this cyclostybed & copies despatched.

② Also publish in *Pratidin* / *Pratidin*

Priya Gupta

(1185)

MRP/160-B(1983)

Feb. 2, 1978.

The secretary (E),
Railway Board,
New Delhi.

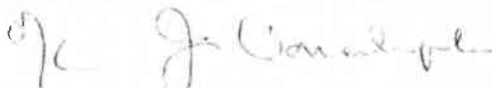
Dear Sir,

Sub: Payment of subsistence allowance
to victimised substitutes who had
attained temporary status.

...

Kindly refer to this office letter of
even number, dated 11.7.1977 on the above subject
to which a reply from the Board is still awaited.
The Board is, therefore, requested to kindly expedite
their decision advising this office.

Yours faithfully,



for General Secretary.

Copy to the General Secretary, NRMU, Bombay
for information in reference to their letter
No. RBO/22, dated 31.12.1977.

...

Gram : RAILWAYM
Tele. Phone : 44/416
" : 7711 C. RLY.

National Railway Mazdoor Union

SEVA SADAN

DR. BABASAHEB AMBEDKAR ROAD, PAREL, BOMBAY-400 012.

484

Ref. No. RBO/22

Date 31.12.1977

The General Secretary,
AIRF, New Delhi.



Dear Comrade,

Sub: Payment of subsistence allowance
to victimised substitutes who had
attained temporary status


Ref: Your letter No. AIRF/160/B/1983 dt.
11.7.1977 addressed to Secretary(E),
Railway Board.

...

The issue referred to above which was taken
up by you at Board's level is one of vital importance
and you are requested to please use your good offices to
get it settled in favour of the employees at the
earliest.

With greetings,

Yours fraternally,


(C. RADHAKRISHNAN)
General Secretary

*Answer received
me
6/1/78*

(1403)

MRP/160-B(1983)

Feb. 2, 1978.

The Secretary (E),
Railway Board,
New Delhi.

Dear Sir,

Sub: Payment of subsistence allowance
to victimised substitutes who had
attained temporary status.

...

Kindly refer to this office letter of
even number, dated 11.7.1977 on the above subject
to which a reply from the Board is still awaited.
The Board is, therefore, requested to kindly expedite
their decision advising this office.

Yours faithfully,

J. C. ...

for General Secretary.

Copy to the General Secretary, NRMU, Bombay
for information in reference to their letter
No. RBO/22, dated 31.12.1977.

...

AIR/ 161-B(60)

Dated 31st

The Secretary(E),
Railway Board,
New Delhi.

Dear Sir,

Sub: Cases of 1960 Strike - Review of
of.

Kind attention is invited to item No.17 on page of the statement indicating progress of action taken or minutes of the PNM Meeting held with the Railway Board, position as on 10.5.1972, sent to AIRF by the Railway Board at the time of PNM meeting held on 16.5.1972. In para 2 it was brought out by the Federation that the Board has not taken the decision for giving retirement benefits to the persons for the period of suspension and punishment.

By the time the Railway Board agreed to cancel the punishment of recurring effect and other disabilities, so of the affected persons retired from railway service. The benefit of the Board's orders, however, was not given to the retired persons and they are now undergoing great financial loss. In the circumstances, the Railway Board are requested to look into the matter and issue suitable directive to the Zonal Railway boards for giving the benefit to the retired Railway employees also under intimation to this office.

Yours faithfully,

J. Varadaraजू
(J. Varadaraजू)
for General Secretary.

Copy to the G.S., WREU., Bombay for information
w.r.t. F/2/78 dt. 11. 1.78.

President :
MANIBEN KARA



Tele { Gram : RAILEADER
Phone : 374813

482

General Secretary :
IMRAOMAL PUROHIT

Western Railway Employees' Union

Secretaries :
AGDISH AJMERA
C. TRIVEDI
KURIAKOSE

Regd.. Recognised & Affiliated to AIRF & HMS

Railway Station Bldg. (East),
Grant Road,
BOMBAY-400007.

2571

Ref. No. F/ 2 /78

Date 11th Jan., 1978.

The General Secretary,
A.I.R.F. - New Delhi.

Sub:- Punishment of cases of 1960
Strike.

Dear Comrade,

Your attention is invited to item No.17 on page 6 of the statement indicating progress of action ~~taken~~ taken on the minutes of PNM meeting held with Railway Board, position as on 10-5-1972, submitted to AIRF by the Railway Board at the time of PNM held on 16-5-1972. In para 2, it was brought out by the Federation that the Board have not taken decision for giving retirement benefits to the persons for the period of suspension and punishment.

In this connection, it is stated that by the time the Board agreed to cancel the punishment of re-curring effect and other disabilities, some of the affected persons were retired from Railway serve. The benefit of Railway Board's orders, however, was not given to the retired persons and they are now undergoing great financial loss.

In view of the above, it is requested that the matter may kindly be represented to the Railway Board for giving the benefit of Railway Board's orders to the retired Railway employees also.

RB
J
2571

(K.C.Trivedi)
for General Secretary.

GOVERNMENT OF INDIA
MINISTRY OF RAILWAYS
(Railway Board)

No. E(IA)1177STB/SE/1

20-1-1978

The General Secretary
A.I.R.F. 4-State Entry Road New Delhi

Dear Sir,

Sub: Extension of benefits of Railway Board's order dated 6-4-77 to the victimised employees of strike prior to 1-4-1977.

...

I am directed to refer to your letter No. AIRF/160-B dated 15th Aug. 77 on the above subject. Instructions to railways have already been issued to apply benefits of Rail Board's letter dated 6-4-77 to the employees who had retired before 1-4-77. In this connection, a copy of letter No. E(IA)11/77ST1-17 dated 28-4-77 issued to the railways is enclosed. Attention is also invited to Board's letter No. E(IA)1177ST1-17 dated 24-8-77, a copy of which is enclosed.

In respect of the cases of 4 employees of Kharagpur Division of South Eastern Railway referred to in your letter, South Eastern Railway have already been taken necessary action for settlement of dues except in the case of one Shri D. Jagga Rax-saunter, loco/KGP who has filed an appeal against his retirement which is under consideration.

Yours faithfully

Sd/- S N.V. Jayaraman)
Jt. Director Estt.(I)
Railway Board

AIRF/160-B(2070)

Jan 27, 1978

Copy forwarded to the General Secretaries of all affiliated unions for information.


For General Secretary

En*

GOVERNMENT OF INDIA
MINISTRY OF RAILWAYS
(Railway Board)

No. B(LR)1177/T1-17

28-4-1977

All General Managers (Including Production Units)

Sub: Reinstatement of employees dismissed/removed in
the context of May 1974 strike.

...

Reference Railway Ministry's letter of even number
dated 6-4-1977.

Age of
Some Railway employees who were removed from service
in the context of the strike of May 1974 have attained
the age of superannuation and have since retired; there are also
cases of employees who died during the interim period.
It has been decided that such employees should be deemed
to have been reinstated and subsistence allowance and
other dues admissible upto the age of superannuation/death
be paid to them or their legal heirs, as the case may be.

Sd/- (N. V. Jayaraman)
Jt. Dir. (Estt) (I) Ry. Bd.

....

GOVERNMENT OF INDIA
MINISTRY OF RAILWAYS
(Railway Board)

E(LR)II773T1-17

24-3-1977

The General Managers
All Indian Railways etc.

sub: Reinstatement of employees dismissed/removed/su
in the context of May 1974 strikes.

...

Reference Board's letter No.E(LR)II773T1-17 dated :
in which it was stated that those who were dismissed/removed
from service in the context of the strike of May 1974 and
had attained the age of superannuation or had died in the
intervening period, should be deemed to have been reinstated
and their dues paid upto the date of superannuation/death.

Points have been raised as to how the retirement bene
will be determined in such cases. The Ministry of Railway
Board, with the approval of the President, decided that in s
cases :-

- (i) in relation of the provisions of Rules 2544(C) (CGR
and 2545 (CGR 437) R-II, emolument/average emolument
for DCAI/pension may be reckoned on the basis of those
determined on pro forma basis in terms of this Ministry's
letter of even number dated 6-4-77 including the
benefit of emolument that would have been drawn but
for the imposition of penalties as referred to in
para (vi) of para I of this Ministry's letter of
6-4-77, referred to above,
- (ii) in the case of employees governed by the GPF
Contributory Rules, the pro forma government contri-
bution/special contribution will, in relaxation of
the rules, be calculated on the basis of the pro forma
emolument/pay, as the case may be, as determined
in terms of this Ministry's letter of 6-4-77 including
the benefit admissible in terms of sub para (vi) of
para I thereof.

sd/- (N.V.Jayaraman)
Jt. Dir.(E&T)(I) Railway Board

....

भारत सरकार
रेल मंत्रालय (रेलवे बोर्ड)
GOVERNMENT OF INDIA (Bharat Sarkar)
MINISTRY OF RAILWAYS (Rail Mantralaya)
(Railway Board)

No.E(LR)II77ST3/SE/1.

नई दिल्ली-110001, तिथि
New Delhi-110001, dated

20-1-

The General Secretary,
All India Railwaymen's Federation,
4, State Entry Road,
New Delhi.



Dear Sir,

Sub: Extension of benefits of Railway Board's circular dated 6.4.77 to the victimised employees of May 1974 strike prior to 1.4.77.

.....

I am directed to refer to your letter No.AIRF/160-B(2) dated 15th August, 1977 on the above subject. Instructions to the railways have already been issued to apply benefits of Railway Board's letter dated 6.4.77 to the employees who had retired before 1.4.77. In this connection, a copy of letter No.E(LR)II/77St1-17 dated 28.4.77 issued to the railways is enclosed. Attention is also invited to Board's letter No.E(LR)II77ST1-17 dated 24.4.77, a copy of which is enclosed.

In respect of the cases of 4 employees of Khargpur Division of South Eastern Railway referred to in your letter, South Eastern Railway have already taken necessary action for settlement of dues except in the case of one Shri D.Jagga Rao, Ex-Shunter, Loco/KGP, who has filed an appeal against his retirement which is under consideration.

Yours faithfully,

N. V. Jayaraman
(N.V. Jayaraman)
Jt. Director, Estt.(L)
Railway Board.

Sharmaji
Copies do. All

No AIRF/160-B(2070) dt. 1-78

General Secretaries of
affiliate unions of AIRF

one copy for I.R. also will enclose.
Sh

23/11

GOVERNMENT OF INDIA
MINISTRY OF RAILWAYS (RAILWAY BOARD)

No.E(LR)II77ST1-17.

New Delhi, dated 28.4.1977.

The General Managers,
All Indian Railways(including Production units & MTP)

Sub: Reinstatement of employees dismissed/removed
in the context of May'1974 strike.

.....

Reference Railway Ministry's letter of even number
dated 28.4.1977.

Some Railway employees who were removed from service in
the context of the strike of May, 1974 have attained the
age of superannuation and have since retired; there are
also cases of employees who died during the interim period.
It has been decided that such employees should be deemed to
have been reinstated and subsistence allowance and other
dues admissible up to the age of superannuation/death be
paid to them or their legal heirs, as the case may be.

N.V. Jayaraman

(N.V. Jayaraman)

Jt. Director, Establishment(L)
Railway Board.

DA/Nil.

No.E(LR)II77ST1-17

New Delhi, dated 28.4.1977.

Copy (with 140 spares) forwarded for information to
A.D.A.L.(Railways), New Delhi.

for Financial Commissioner, Railways.

Copy to E(D&A), E(NG)I&II, E(P&A), F.E. and E(G)
sections of Railway Board.

.....

- 2 -

Copy to A.I.R.F. and N.F.I.R. (with 25 spares)

(Copy to E(D&A), E(G), E(P&A), F.E. branches of
Railway Board.)

N. V. Jayaraman

Joint Director, Estt.(L),
Railway Board

No.E(LR)II77ST1-17 (~~N.F.R.~~)

24-8-1977.

Copy to the ADAI (Railways), New Delhi.

[Signature]

for Financial Commissioner, Railways

GOVERNMENT OF INDIA/BHARAT SARKAR
MINISTRY OF RAILWAYS/RAIL MANTRALAYA
(RAILWAY BOARD)

No.E(LR)II77ST1-17.

....
New Delhi, dt. 24-8-1977.

To

The General Managers,
(All Indian Railways and Production Units,
D.G./R.D.S.O. and C.A.O.'s/M.T.P.s)

Sub: Reinstatement of employees dismissed/removed/
suspended in the context of May, 1974 strike.

Reference Board's letter No.E(LR)II77ST1-17 dated 28.4.1977 in which it was stated that those who were dismissed/removed from service in the context of the Strike of May, 1974 and who had attained the age of superannuation or had died in the intervening period, should be deemed to have been reinstated and their dues paid upto the date of superannuation/death.

Doubts have been raised as to how the retirement benefits will be determined in such cases. The Ministry of Railways have, with the approval of the President, decided that in such cases:-

- (i) in relaxation of the provisions of Rules 2544 (C) (CSR 486 C) and 2545 (CSR 487) R-II, emoluments/average emoluments for DCRG/pension may be reckoned on the basis of those determined on proforma basis in terms of this Ministry's letter of even number dated 6.4.77 including the benefit of emoluments that would have been drawn but for the imposition of punishments as referred to in sub para (vi) of para I of this Ministry's letter of 6.4.77, referred to above,
- (ii) in the case of employees governed by the SRPF Contributory Rules, the proforma Government contribution/special contribution will, in relation of the rules, be calculated on the basis of the proforma emoluments/pay, as the case may be, as determined in terms of this Ministry's letter of 6.4.77 including the benefit admissible in terms of sub para (vi) of para I thereof.

(This also disposes of Dy.C.P.O., N.F.Rly's D.O.No.E/261/Sec/74/Pt. IX dated 19.7.77.)

N. V. Jayaraman

(N.V. Jayaraman)
Joint Director, Estt. (L)
Railway Board

GOVERNMENT OF INDIA
MINISTRY OF RAILWAYS
(Railway Board)

No.E(NG)II/77/CL/SCR/6

18-1-1978

The General Secretary
All India Railwaymen's Federation
4-State Entry Road, New Delhi.

Dear Sir,

Sub: Non-reinstatement of Tranship Sued casual
labourers at BZA who participated in
1974 strike.

....

I am directed to refer to your letter No. AIRF/160-B (2082) dated 18-8-1977 on the above subject and to state that all these 35 piece-rated workers who had been discharged in connection with the May 1974 strike were taken back to duty in October 1975. They are being engaged in addition to 45 regular TP Hamals and their engagement depends upon the rush of wagons. Their work is never continuous as they hardly get work for 10 days in a month. The piece-rated workers are purely engaged for loading and unloading of wagons and are paid on maundage basis. The question of screening and absorption of these workers in class IV vacancies does not, therefore, arise. The regular class IV vacancies are filled by casual labourers on the basis of length of their service. However, as a measure of mercy, the services rendered by these workers before May 1974 will be taken into account as casual labour for absorption as per their seniority.

Yours faithfully,

Sd/- (M.A. Bhagat)
For Secretary, Railway Board

Jan 23, 1978

AIRF/160-B (2082)

Copy forwarded to the General Secretary,
S.C. Railway Mazdoor Union, Secunderabad for
information.


For General Secretary

भारत सरकार
रेलवे मंत्रालय (रेलवे बोर्ड)
GOVERNMENT OF INDIA
MINISTRY OF RAILWAYS
(Railway Board)

नई दिल्ली-१, तिथि

New Delhi-1, dated 18-1-

No.E(NG)II/77/CL/SCR/6.

The General Secretary,
All India Railwaymen's Federation,
4, State Entry Road,
New Delhi.



Dear Sir,

Sub : Non-reinstatement of Tranship Shed casual labourers at BZA who participated in 1974 strike.

I am directed to refer to your letter No.AIRF/160-B (2082), dated 18.8.1977 on the above subject and to state that all these 35 piece-rated workers who had been discharged in connection with the May 1974 strike were taken back to duty in October 1975. They are being engaged in addition to 45 regular TP Hamals and their engagement depends upon the rush of wagons. Their work is never continuous as they hardly get work for 10 days in a month. The peice-rated workers are purely engaged for loading and unloading of wagons and are paid on maundage basis. The question of screening and absorption of these workers in Class IV vacancies does not, therefore, arise. The regular Class IV vacancies are filled by casual labours on the basis of length of their service. However, as a measure of mercy, the services rendered by these workers before May 1974 will be taken into account as casual labour for absorption as per their seniority.

Yours faithfully,

M. N. Nagul
18/1/78
For Secretary, Railway Board.

Copy to:- General Secretary, S.C. Ryms union
Secunderabad for information

for General Secretary
All India Ryms Federation
at 22/1



Eastern Railwaymen's Union.

Registered under Indian Trade Union Act 1926 (Regd. No. 2770)

Recognised by the Eastern Railway Administration.

Affiliated to The All India Railwaymen's Federation.

Y.P. Singh

Working President(C)

CENTRAL OFFICE,
23 & 24, STRAND ROAD
Calcutta-700 001.

Camp: Dehri-on-sona

No. EU/Post-strike/78

Cal-1 January 8.

To

The General Secretary
All India Railway men's Federation
New Delhi



Dear comrade,

Sub: Entries in the service record in regard to M. strike.

Ref: R.B's letter No. E(LR)1177 ST 1-77 Dated 8.12.77 to all G.M.

From a reading of the aforesaid circular it appears that Railway Board do not intend to delete the entries made in the service record of the Employees in regard to their participation in May'74 strike in its entirety. They only indicate that the entries should be deemed to be non-existent for certain purposes as indicated therein. I am sure that this was never the purpose of the representation made by the AIRF on this score. The representation was, if I could correctly understand from the papers available, to delete the entries altogether from the service record. In view of this, the aforesaid, circular does not meet our point. I am sure you will share my views.

I would, therefore, hope that the AIRF will protest against this and press for the deletion of the entries made in the service record in its total entirety.

Yours faithfully,

Working President (C)
Eastern Rly. Men's Union
Camp Dehri-on-Sona.

Pl. Council

Mo

24/1/78

connected pl.

1981/78

File



Phone : Union
Office { Railway 816

NORTHERN RAILWAYMEN'S UNION

(Registered and Recognised)

AFFILIATED TO : ALL INDIA RAILWAYMEN'S FEDERATION AND HIND MAZDOOR SA.

D.D. Vasisht,
General Secretary.

CENTRAL OFFICE :
12, CHELMSFORD ROAD
NEW DELHI-110055.

Ref. No. NRMU/ 102/78

Dated 12-1-78 197

My dear Shri Chaubey,

Sub:- Payment to staff which were involved in court cases in connection with the Strike of 1974.

We appreciate the efforts made by the Federation for getting the order issued from the Railway Board for making full payments in cases where the Administration had gone to courts and lost, there we find a snag in the issue of these orders and subsequent clarification by the General Manager to divisional and extra-divisional offices confidential with;

where

1. Full payment should be made only in cases where there has been clear acquittal.
2. No payment is to be made where the cases have been withdrawn.

You would agree that in most of the cases after withdrawal of strike and subsequently on your representation, the Government was obliged to withdraw the cases of most of the strikers which eventually were to be rejected by the courts. Therefore, it is an utmost necessary that clarifications from the Railway Board are to be sought for making full payment in cases where the Government/Administration was obliged to withdraw the cases against the strikers.

There are certain cases in some of the divisions, to mention in Amritsar W/Shop, where cases have been filed on requesting by the Administration to withdraw them and the judgement is also available for the acquittal. The wordings as we put to are since the P.P. for State has requested for the withdrawal of the cases, he is allowed to withdraw and the accused are deemed to be acquittal. In the interest of the staff, it is therefore necessary that cases as mentioned above may also be treated as acquittal and full payments for the period is allowed to them.

With regards,

Yours sincerely,
(Signature)
(D.D. Vasisht)

Shri J.P. Chaubey,
General Secretary.
A.I.R.F.,
4- State Entry Road,
New Delhi.

Teak
2
1871

(M)

GOVERNMENT OF INDIA/BHARAT SARKAR
MINISTRY OF RAILWAYS/RAIL MANTRALAYA
(RAILWAY BOARD)

No.E(LR)II77ST1-17.

New Delhi, dt. 8-12-1977

The General Managers,
All Railways and Production Units,
M.T.Ps and R.D.S.O.

Subject: STRIKE OF MAY, 1974.

It has been represented by the A.I.R.F. to the Ministry of Railways that the entries in service records etc. about participation in the strike of May 1974 are operating against the individuals. The Ministry of Railways have considered the matter and decided that:-

- (i) the entries in service records regarding participation in the strike of May, 1974 and the later condonation of the break should be deemed to be non-existent for purposes of promotion, etc.;
- (ii) the entries regarding imposition of the punishments in connection with the strike should be deemed to be non-existent for purposes of promotion, etc.;
- (iii) if there are any entries in confidential reports relating to the strike or if any entries have been influenced by participation in strike or punishments that might have been imposed, such entries in the confidential reports should be cancelled by a proper authentication so that they do not operate against the individuals.

N.V. Jayaraman
(N.V. Jayaraman)
Jt. Director, Estt.(L)
Railway Board.

No.E(LR)II77ST -17

New Delhi, dt. 8-12-1977.

Copy with 25 spare copies to (i) A.I.R.F. and (ii) N.F.I.R.

N.V. Jayaraman
(N.V. Jayaraman)
Jt. Director, Estt.(L)
Railway Board.

AIR F

COPY

Govt. of India
Ministry of Railways (Rail Mantralaya)
(Railway Board)

No.E(LR)II77ST3/C/1 New Delhi, dated 9.12.1977.

The General Secretary,
AIRF, New Delhi.

Dear sir,

Subj: Non-payment of wages and allowances for the interregnum in favour of S/Shri J.A.Jhirad, G.N.Kumar, Mewalal, D.R.Panda of Central Railway, Jabalpur Division who have been reinstated as a result of court decision.

...

I am directed to refer to your letter No. AIRF/160-B dated 18th August, 1977 on the above subject. Shri J.A.Jhirad and other employees mentioned by you who were dismissed from service in the context of May, 1974 strike, had filed suit in the High Court of Bombay which was decided in their favour in that the orders of dismissal were quashed on technical ground. The case was, therefore, examined and it was decided that the above mentioned employees should be paid 50 per cent of the pay and allowances as per rules for the intervening period i.e., from the date of dismissal to the date of reinstatement.

The cases of other employees referred to by you were paid full pay and allowances for the intervening period as the High Court had specifically so decided in their favour.

Yours faithfully,

Sd/-

(N.V.Jayaraman)

Jt. Director, Estt.(L)
Railway Board.

DA/N11.

...

AIRF/160-B(2081)

Dec. 16, 1977.

Copy to the General Secretary, NRMU, Bombay for information.



for General Secretary.

COPY

Govt. of India
Ministry of Railways (Rail Mantralaya)
(Railway Board)

No.E(LR)II77ST3/C/1 New Delhi, dated 9.12.1977.

The General Secretary,
AIRF, New Delhi.

Dear Sir,

Subj: Non-payment of wages and allowances for the
interregnum in favour of S/Shri J.A.Jhired,
G.N.Kumar, Mowalal, D.R.Panda of Central
Railway, Jabalpur Division who have been
reinstated as a result of court decision.

...

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dated 18th August, 1977 on the above subject. Shri J.A.Jhired
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service in the context of May, 1974 strike, had filed suit
in the High Court of Bombay which was decided in their favour
in that the orders of dismissal were quashed on technical ground.
The case was, therefore, examined and it was decided that the
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pay and allowances as per rules for the intervening period
i.e., from the date of dismissal to the date of reinstatement.

The cases of other employees referred to by you
were paid full pay and allowances for the intervening period
as the High Court had specifically so decided in their favour.

Yours faithfully,

Sd/-

(N.V.Jayaraman)

Jt. Director, Estt.(L)

Railway Board.

DA/N11.

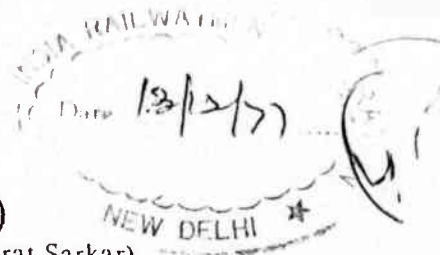
...

AIRF/160-B(2081)

Dec. 16, 1977.

Copy to the General Secretary, NRMU, Bombay for
information.

J. C. ...
for General Secretary.



भारत सरकार
रेल मंत्रालय (रेलवे बोर्ड)
GOVERNMENT OF INDIA (Bharat Sarkar)
MINISTRY OF RAILWAYS (Rail Mantralaya)
(Railway Board)

No.E(LR)II77ST3/C/1.

नई दिल्ली-110001, तिथि
New Delhi-110001, dated 9-12-

To

The General Secretary,
All India Railwaymen's Federation,
4, State Entry Road,
New Delhi.

Sub: Non-payment of wages and allowances for the
interregnum in favour of S/Shri J.A.Jhirad,
G.N. Kumar, Mewalal, D.R.Panda of Central
Railway, Jabalpur Division who have been
reinstated as a result of court decision.

I am directed to refer to your letter No.AIRF/160-B(2081)
dated 18th August, 1977 on the above subject. Shri J.A. Jhirad
and other employees mentioned by you who were dismissed from
service in the context of May 1974 strike, had filed suit
in the High Court of Bombay which was decided in their favour
in that the orders of dismissal were quashed on technical grounds.
The case was, therefore, examined and it was decided that the
above mentioned employees should be paid 50 per cent of the
pay and allowances as per rules for the intervening period
i.e., from the date of dismissal to the date of reinstatement.

The cases of other employees referred to by you were
paid full pay and all wances for the intervening period as the
High Court had specifically so decided in their favour.

Yours faithfully,

N. V. Jayaraman

(N.V. Jayaraman)
Jt. Director, Estt.(L)
Railway Board.

DA: Nil.

(16)

No. AIRF/160-B (23511)

Dated Nov., 1977.

The Secretary (E),
Railway Board,
New Delhi.

Sub: Pen-down strike in the offices
at Ajmer - Western Railway.

Dear Sir,

The office staff of General Offices and Accounts offices at Ajmer, were on pen-down strike from 24-4-1974 to 30-4-74. This was a few days prior to Mar-1974 strike. The period is treated as dies-non. The employees were on their seats. The work has not suffered. There was enough provocation from the then Administration and the Government for the staff to take the action which they took, in the existing circumstances. This period has not been taken as on duty, resulting in recurring financial loss.

The AIRF is, therefore, requested the Board that this period from 24-4-1974 to 30-4-74 in their cases, be treated as on duty for all other purposes.

Yours faithfully,



(J.P. Chaubey)
General Secretary.

Copy to General Secretary, WREU, Bombay
for information in reference to their
letter No. F/72/77 dated August 26, 1977.

President :
MANIBEN KARA

General Secretary :
U. SOMAL PUROHIT

Secretaries :
JAGDISH AJMERA
K. C. TRIVEDI
C. KURIAKOSE



Western Railway Employees' Union

Regd., Recognised & Affiliated to AIRF & HMS

Railway Station Bldg. (East),
Grant Road,
BOMBAY-400007.

Ref. No. F/ 72 / 177.

Date August 26, 1974.

The General Secretary,
All India Railwaymen's Federation,
New Delhi.

Sub: Pen-down Strike in the Offices
At Ajmer - Western Rly.
Dear Comrade,

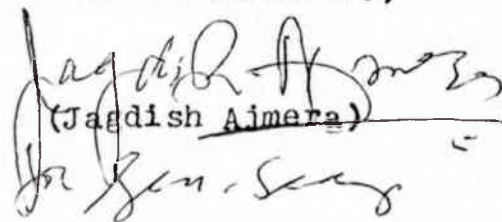
The Office Staff of General Offices and Accounts Offices at Ajmer, were on pen-down strike from 24-4-74 to 30-4-74. This was a few days prior to May 1974 Strike. The period is treated as dies-non. The employees were on their seats. The work has not suffered. There was enough provocation from the then Administration and the Government for the staff to take the action which they took, in the existing circumstances. This period has not been taken as on duty, resulting in recurring financial loss.

2. It is, therefore, requested that this period from 24-4-74 to 30-4-74 in their case, be treated as on duty for all other purposes.

Kindly make suitable representation.

With regards,

Yours sincerely,


(Jagdish Ajmera)

Slaw
31/8

46

NORTHERN RAILWAYMEN'S UNION
CENTRAL OFFICE

No. NRMU/ 11-2/77

The General Secretary,
A.I.R.F.,
4- State Entry Road,
New Delhi.

.....
Dated 11/10/77
NEW DELHI

Sub:- Vacation of victimization consequent to strike 1968.

Sarvashti P. S. Sarkar Railway skilled turner and Matu Singh of Kalka workshop were removed from service consequent to one day token strike of 19th September, 1968 but in spite of repeated appeals and favourable judgment from court of law remains to be reinstated. All efforts on Zonal Bench proved unfruitful. Kindly take up their issue on the Railway Board level to get them reinstated early as they are reaching a stage of starvation.

to RB

P. Sarkar
General Secretary.

165

AIRF/130-B. (2231)

Dated 19th Oct.'77.

The Secretary(E),
Railway Board,
New Delhi.

Dear Sir,

Sub: Reinstatement of victimised
employees of 1968 Token Strike -
Cases of S.Shri P.S.Sarkar and
Mata Singh of Kalka W/S, N.Rly.

S.Shri P.S.Sarkar, Skilled Turner and Matu
Singh of Kalka Workshop were removed from service
consequent to one day token strike of 19th September
1968 but in spite of repeated appeals and favourable
judgement from court of law ~~xx~~ they are yet to be
reinstated. The Railway Board are, therefore, request-
ed to look into the case and issue necessary directive
to the Northern Railway admn. for their reinstatement
as the employees 've reached a stage of starvation.

Yours faithfully,

J.P. Chaubey
(J.P. Chaubey)
General Secretary.

Copy to the General Secretary, NRMU., New Delhi
w.r.t. his letter No.NRMU/ 11-2/77 dt. 8.10.77.

1163

Govt. of India
Ministry of Railways
(Railway Board)

No.E(NG)II/77/TR/47

New Delhi-110001, dated 6.10.77.

The Genl.Secy.
AIRF,
New Delhi.

Dear Sir,

Sub: Hardships after the strike 1974 - request of transfer - Shri K.M.Naidu, Head Clerk, Loco Foreman's Office, South Central Railway, Mi

...

I am directed to refer to your letter No.AIRF/160-1 dated 13.7.1977 regarding transfer of Shri K.M.Naidu, Head Clerk, Loco Foreman's Office, South Central Railway, Miraj to Southern Railway on compassionate grounds and to state that under the existing orders inter-railway transfers at employees request are allowed only in the initial recruitment grade or in such intermediate grades in which there is an element of direct recruitment.

2. As Shri K.M.Naidu is working as Head Clerk which is not an initial recruitment grade nor is there an element of direct recruitment in this grade, his request for inter-railway transfer could not be considered by the Southern Railway.

Yours faithfully,


sd/-
(H.R.Bhagat)
for Secretary, Railway Board.

...

AIRF/160-B(1999)

Nov. 18, 1977.

Copy to the Genl.Secy. SRMU, Madras for
information.


for General Secretary.

(V)

भारत सरकार
रेल मंत्रालय (रेलवे बोर्ड)
GOVERNMENT OF INDIA (Bharat Sarkar)
MINISTRY OF RAILWAYS (Rail Mantralaya)
(Railway Board)

No.E(NC)II/77/TR/47.

नई दिल्ली-110001, तिथि
New Delhi-110001, dated

6-10-77

The General Secretary,
All India Railwaymen's Federation,
125-E/Babar Road,
New Delhi-110 001.

Dear Sir,

Sub : Hardships after the strike 1974 - request for
transfer - Shri K.M. Naidu, Head Clerk, Loco
Foreman's Office, South Central Railway, Miraj.

I am directed to refer to your letter No.AIRF/160-B(1999)
dated 13.7.1977 regarding transfer of Shri K.M. Naidu, Head
Clerk, Loco Foreman's office, South Central Railway, Miraj to
Southern Railway on compassionate grounds and to state that
under the existing orders inter-railway transfers at employee's
request are allowed only in the initial recruitment grade or in
such intermediate grades in which there is an element of direct
recruitment.

2. As Shri K.M. Naidu is working as Head Clerk which is not
an initial recruitment grade nor is there an element of direct
recruitment in this grade, his request for inter-railway transfer
could not be considered by the Southern Railway.

Yours faithfully,

H.R. Bhagat
(H.R. BHAGAT) 3/7/77
for Secretary, Railway Board.



Ravi Nair,
First Personal Assistant

(U6)

उद्योग मंत्री
भारत
Minister of Industry
India
New Delhi-110011

October ,1977

Dear Guptaji,

I am returning herewith the files of the Federation concerning the Railway strike which Comrade George Fernandes had taken for the Seminar on the Railway strike in the Hague. I must thank you so much for lending them and also must apologise for the inconvenience caused.

AGPT/160-1
File

Yours sincerely,

Ravi Nair
(Ravi Nair)

Shri Priya Gupta,
President,
All India Railway Federation,
State Entry Rd
New Delhi.

AIRF/160-B (2262)

Oct. 29, 1977

The Secretary (E),
Railway Board,
New Delhi.

Dear Sir,


Sub: Option for the revised scale of pay
from a date subsequent to 1.1.73 in case
of removed railway employees in connection
with May/74 strike and reinstated afterwards.


...

The Railway Servants (RP) Rules, 1973 had given facilities to the railwaymen to opt either from 1.1.73 (with provision if no other subsequent date was opted, 1.1.73 was to be deemed as the date opted for effecting the revised scale of pay) but the employees who were removed during the last May, 74 strike and were reinstated after March/77 could not avail of the opportunities. Earlier too, Railway employees who were removed from service in connection with May, 74 strike but were reinstated prior to February, 1976 were given this facility in terms of Railway Board's letter No. PC/III-75/MP-217, dated 23.2.76, the last date of which expired in May, 1976.

The Board is, therefore, requested to kindly look into the matter and issue necessary order on the subject by extending the date of option upto the 31st December, 1977 and if possible this facility may be extended to them who could not opt owing to their ignorance or otherwise.

Yours faithfully,


(J.P. Chaudhary)

 General Secretary.

Copy to the ~~Bank~~ J. NRMU, Katihar-854105,
for information in reference to his letter No. MU/KB/WC/C/77,
dated 6.10.77.

...

न० एफ० रेलवे मजदूर यूनियन
N. F. Railway Mazdoor Union

REGISTERED UNDER TRADE UNION ACT REGD. No. 425

Registered to all India Railwaymen's Federation & H. M. S. Recognised by N. F. Rly. Administration.

HEAD OFFICE PANDU (ASSAM) RAILWAYMEN'S FEDERATION

President :-
B. C. Ghose
General Secretary :-
Priya Gupta



No. MU/KB/WC/C/27

To
The General Secretary,
All India Railwaymen's Federation,
125 E Babar Road, New Delhi.

Sub:- Option for the revised scale of pay
from a date subsequent to 1.1.73 in case
of removed railway employees in connection
with May/74 strike and re-instated after wards.

Dear Comrade,

The Railway servants (RP) Rules 1973 had given facilities to railwaymen to opt either from 1.1.73 (with provision if no other subsequent date was opted, 1.1.73 was to be deemed as the date opted for effecting the revised scale of pay) but the employees who were removed during the last May/74 strike and were re-instated after March/77 could not avail of the opportunities. Earlier to railway employees who were removed in connection with May/74 strike but were reinstated prior to Feb/76 were given this facilities in terms of RB No. PG/III-75/RDP-217 dated 28.2.76 the last date of which expired in May/76.

It is, therefore, suggested to approach the RB to extend the date of option upto the 31st Dec/77 and if possible this facility may be extended to them who could not opt owing to their ignorancy.

Comradely yours,

(Sudama Pd. Singh)
Secretary
N.F.Rly Mazdoor Union,
Katihar Branch.

10/7

ALRF/160-B (2197)

Dated September 23, 1977.

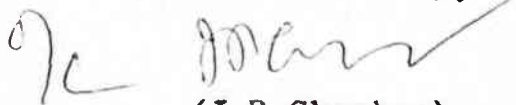
The Secretary(E),
Railway Board,
New Delhi.

Dear Sir,

Sub: Grievances of casual labour staff
of S.Rly who were victimised
during May '74 Strike.

A joint petition addressed to the Minister for Railways by casual labour staff of Madurai Division, Southern Railway who were victimised during the May '74 Strike is sent herewith for consideration. It has been represented by the signatories that they were working as casual staff on authorised scales of pay enjoying benefits of leave, asses etc prior to the strike and they were discharged from service during the strike period for participation in the strike. Although they have been taken back to duty as per extant orders on the subject, it has been represented that they have not been given their due seniority, authorised scales of pay and pay privileges which they were enjoying during the pre-strike period. The Railway Board is as such requested to look into the matter and issue suitable directive to the S.Rly. admn. for redressal of their grievances under intimation to this office.

Yours faithfully,



(J.P. Chaubey)
General Secretary.

DA Competition.G.S., SRMU., MAS for inf. w.r.t. Rmu/c/17
17.9.77.

457

Southern Railway Mazdoor Union, Madr

(REGD NO: 3067 RECOGNISED & AFFILIATED TO AIRF)

CENTRAL OFFICE

PRESIDENT :

~~XXXXXXXXXXXXXXXXXXXX~~

GENERAL SECRETARY :

M. NAMASIVAYAM

193-B, RAILWAY COLON

EGMORE, MADRAS-600 00

Date 17-9-77. 19

Ref: Rmu/c/ 17

General Secretary
All India Railwaymen's Federation,
New Delhi.

Sub: Indirect victimisation for organising one day
token strike on 19.9.68 - case of Sri M.Namadevan,
Branch Secretary/CBS, Southern Railway.

Appeal to the Hon'ble Minister for Railways by the
above named is enclosed for your necessary action.


General Secretary.



TELEPHONE : 40947

TELEGRAM : RAILWAYMEN

All India Railwaymen's Federation

(Estd. 1924)

AIRF/160-B (2718)

125/E, BABAR ROAD
NEW DELHI-110001.

Dated 12th Oct. 1977.

The Secretary(E),
Railway Board,
New Delhi.

Dear Sir,

Sub: Reinstatement of temporary employees -
case of Shri Hari Ram, Khalasi,
Loco Shed, C.Rly., Jhansi.

The above named railway employee was discharged from railway service in the context of May 1974 Strike. He has not yet been taken back on duty. This employee is facing trial under Section 302 Cr. P.C.. In case he could not be taken back on duty on account of the court case, he should have been placed under suspension. It is however requested that he may please be put back on duty. A copy of his application is enclosed herewith,

Yours faithfully,

(J.P. Kaubey)
General Secretary.

DA : 1 representation.

10/5

10/9

SOUTH EASTERN RAILWAYMEN'S UNION

BHILAI BRANCH,
BHILAI, RS.

D. K. RAO,
BRANCH SECRETARY.

D. O. No. CON/BIA/1.
Dated 6th, September,

To

Sri. Madhu Jhandavate,
Hon. Railway Minister,
Ministry of Railways,
N E W D E L H I.

Honoured Sir,

Re:- Reinstatement of Sri. D.K. Rao, Time Keeper
P.W.I's Office, S.E. Railway, BHILAI, RS.

The above case has been represented by
Sri. Madan Tiwari, Member of Parliament, and Sri. Mohanlal
Jain, Member of Parliament, and remained several times.

I have personally explained my case, and
shown the Detention orders under MISA, to your honour, by me
and Sri. Madan Tiwari, Member of Parliament, in your bungalow
and very clear assurance was given to me by your honour, but
so far nothing has been done in my case, for my reinstatement.

Since I have exposed the heavy leakage
Railway Revenue of 30. (Thirty) Crores) at Bhilai Complex
area, and cheating the Railway Administration, I have been
rewarded with 'DISMISSAL ORDERS' by taking the full advantage
of May/1974, and Congress Government Emergency,

To save all Corrupt Elements, the S.E. Ry
authorities submitting the false reports to your honour,
and withheld my case, and forcing to vacate the Railway
quarters which is in my occupation.

I, therefore, pray your honour to look
into this matter personally, and issue orders for my
reinstatement with full benefits, and settle all of my
grievances mentioned in Sri. Madan Tiwari, Member of Parliament
(Lok Sabha) and issue immediate instructions to General
Manager, S.E. Railway, to withdraw all types of illegal orders
issued on me immediately.

An early action will be highly appreciated.

Thanking you,

Yours Faithfully,

D. K. RAO
BRANCH SECRETARY, BHILAI.

Copy to Sri. J. P. Chobey, General Secretary, A.I.R.F.,
125/Babar Road, New Delhi, for information and necessary
action please.

.....

J.P. Choubey,
General Secretary.

AIRF/160-B

454
Sept. 14, 1977

Dear Shri Dandavate,

Re : Employment on compassionate ground of the wife
of a striking employee who died while under a

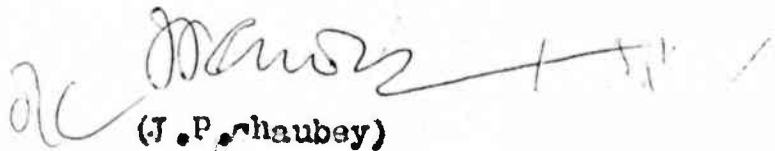
...

Shri Santi Ranjan Das who was a Fitter in C&M at Bhojudih in Adra Division of the S.E. Railway was removed from the service in connection with May, 1974 strike. He fell sick and died before he could be reinstated. However, after his death he was treated as having been reinstated. His widow Smt. Sheli Das is a Matriculate and is in great distress. She has applied for appointment on compassionate ground to the General Manager, S.E. Railway. Nothing has so far been heard. Apparently, there was no atmosphere for consideration of this case before March, 1977. I shall be grateful if you could kindly direct the Railway Administration to employ her in a class III post on compassionate grounds.

A copy of her application is also enclosed herewith.

With kind regards,

Yours sincerely,


(J.P. Choubey)

Encl: as above.

Shri Madhu Dandavate,
Minister for Railways,
Govt. of India,
New Delhi.

copy to Smt. Sheli Das
Q.No. TY/T5A, Anara Rly. colony, P.O. Anara(RS), Distt. Purulia,
West Bengal for information.

...

To

The Hon'ble Minister for Railways,
Govt. of India,
New Delhi.

4153

Reg:- Employment to a widow of a discharge Railway
Employee owing to participation in May, 1974
All Indian strike.

Respected Sir,

While expressing my heartfelt congratulation to you for the victory of the Janta party in the election, stood for the cause of the toiling masses of the country, I beg to draw your attention to the miseries of a widow of a discharge employee, suffered during these black days after May '74 All Indian Railway strike.

That my husband Late SANTI RANJAN DAS (S.R. Das), Ex-fitter Carriage & Wagon, Bhojudih, Adra Division, S.E. Rly was a Branch secretary of S.E. Rly Men's Union, Bhojudih Branch and member of Divisional N.C.C.R.S. of Adra Division. For participation in May 1974 All India Rly. Strike and to organise other's participation to make the strike total successful in this area, he was discharged from service. In that state of discharge condition, my husband attacked with fever. The Railway Administration was bias and the Railway Hospital refused his treatment, and he died on 9th Nov, 74, for want of proper medical treatment as due to extreme poverty affords could not be made for out side treatment.

At the time of his death he left upon me the burden of widow mother, two minor daughters and one posthumous son still in mother's womb, who came to the earth after 3 months of his father's death.

Though my husband completed 22 years of service in the Railway, yet I received on Rs. 700/- as P.F., because major portion of his service, he was out of employment. During 1960 All India Railway strike he was out of employment being discharged from service about 10 years and re-employed at the end of 1969. Now you shall realise that, in what miserable and distressed condition I am passing days. Only on the help of some neighbour I would have keep my family members alive in half starvation, but now seeing the dark destiny for all of us to die on starvation.

When hundreds and hundreds of so-called Royal Employees' sons, daughters, relatives and widows were taken to employment, my prayer for any humble job were straight away rejected on the point that my husband was a striker. I am a Matriulate but even a Class IV job of an Aya was not given to me but in my front as a tr of a victor they employed non-matriulates to Class III posts even.

I can not forget the last days of my husband, when he was marching ahead to death in complete unrest and untreated condition, in delirium he used to assured that the discharged Railway men- that have faith on the leaders and AIRF president Mr. George Fernandez, they shall left no stone unturn to take you back to duty. His dream in delirium is now fulfilled all are going back to duty, but what about me, my husband who lead the strike in the Division expired, his family in starvation. Can there be no way out for me? Can I not get an employment as striker's widow to grow up a next generation of fighter from toiling masses by keeping my posthumous son alive.

Dear saviour of the Railwaymen please extend your mercy to the poor widow and provide me with some employment and save my family from death and greater cause of humanity.

Thanking you,

Yours faithfully,

Dated: Bhojudih,
The 19.9.1977.

Sheli Das,

c/o. Shri Kanti Ranjan Das, Cr. No. TY/T5A,
Anara Rly. colony, P.O. Anara (RS),
Distt. Purulia, West Bengal.

DPY

(152)

GOVT. OF INDIA
MINISTRY OF RAILWAYS
(Railway Board)

No.E(LR)II77ST1-17(SB)

New Delhi, dated 3.8.77.

The General Secretary,
AIRF,
New Delhi.

Sir,

Sub: May'74 strike - incorrect implementation
of Railway Board's orders.

...

I am directed to refer to your letter No. AIRF/160-B (1845), dated 25th May, 1977 on the subject mentioned above and to state that the subsistence allowance is calculated on the basis of the pay drawn by employees immediately prior to their dismissal/removal/discharge/suspension and the allowance so calculated would be paid till the date of their reinstatement or the employees joining duty following revocation of suspension. In all these cases of reinstatement, the pay in the grade in which they were working prior to their dismissal/discharge/removal would be revised by allowing only proforma increments for the period from the date of dismissal/removal till the date of their reinstatement.

Yours faithfully,
SA/-(N.V. Jayaraman)
Jt. Director, Estt. (Labour)
Railway Board.

AIRF/160-B

9th sept. 1977.

Copy to all the General Secretaries of the affiliated unions of the AIRF for information.

AC

[Signature]

xxx General Secretary.

(45)

GOVERNMENT OF INDIA (BHARAT SARKAR)
MINISTRY OF RAILWAYS (RAIL MANTRALAYA)
(RAILWAY BOARD)

No.E(LR)II77ST1-17(SE)

New Delhi, dt. 3-8-1977.

To

✓
The General Secretary,
A.I.R.F.,
125/E, Babar Road,
New Delhi.



Sir,

Sub: May'74 strike- incorrect implementation of Railway Board's orders.

I am directed to refer to your letter No.AIRF/160-B(1345) dated 25th May,77 on the subject mentioned above and to state that the subsistence allowance is calculated on the basis of the pay drawn by employees immediately prior to their dismissal/removal/discharge/suspension and the allowance so calculated would be paid till the date of their reinstatement or the employees joining duty following revocation of suspension. In all these cases of reinstatement, the pay in the grade in which they were working prior to their dismissal/discharge/removal would be refixed by allowing only proforma increments for the period from the date of dismissal/removal till the date of their reinstatement.

Yours faithfully,

N.V. Jayaraman

(N. V. Jayaraman)
Joint Director, Estt.(Labour)
Railway Board.

To all hands.
me
6/9

Copy to F(E) II and E(D&A) Branches of the Railway Board's office.

AIRF/160-B(2143)

6th Sept. 1977

The Secretary (E),
Railway Board,
New Delhi.

Dear Sir,

Sub: General Strike, May, 1974 - Re-engagement of
C.L. on A.P.S.

Ref: Railway Board's letter, dated 6.4.1977.

...

Under Rules 149 R-II, many C.Ls on AS of the Indian Railways were terminated from service during 1974 general s

Subsequently, out of these C.Ls on AS whose services were terminated in May, 1974 strike, some were straightaway taken to service as C.L on AS and the rest were taken only as C.L on daily rates.

Consequent on the instructions issued vide para 6 of Board's letter dated 6.4.77, clarification was sought from some of the CPOs by some Controlling Officers whether the case of the other C.Ls on RS taken as C.Ls on daily rates should also be reviewed and treated as re-engaged as C.L on RS and whether arrears of salary (difference between daily rates and in scale Rs.196-232-RS) should be paid to them.

In turn the CPOs of the Railways asked clarification from the Railway Board during 3rd week of May, 1977 and the reply is still awaited from Railway Board.

As a matter of fact these C.Ls on RS also should have been straightaway taken as C.L on RS like some others as mentioned earlier and it is gross injustice that the Administration has only agreed taking them as C.L on daily rates which was caused by the policy of the previous Govt. To undo the injustice meted out to them, they should have been paid arrears already instead of making this unnecessary reference to Railway Board causing further delay without realising and implementing the spirit of the policy of the present Govt. in this issue communicated through para 6 of Board's letter dated 6.4.77.

The Board is requested to look into the matter and issue necessary orders.

Yours faithfully,

J.P. Chaubey
(J.P. Chaubey)
General Secretary.

... to the Genl. Secy. SRMU,
adras in reference to his letter No.
MU/c/17, dated 5th July, 1977.

Southern Railway Mazdoor Union,

(REGD NO.: 3067 RECOGNISED & AFFILIATED TO A.I.R.F.)

Madr
U.U.

CENTRAL OFFICE

PRESIDENT :

~~P. R. KUMARANTHAKAN~~

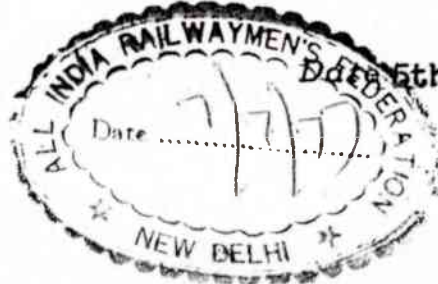
193-B, RAILWAY, COL

GENERAL SECRETARY :

M. NAMASIVAYAM

EGMORE, MADRAS-6

Ref: Rmu/c/ 17



The General Secretary,
A.I.R.F.

Sub: General Strike May 1974 - Re-Engagement
of C.L. on APS.

Ref: Our letter of even No. of 22-6-1975.

May I invite your kind attention to our letter
quoted above, copy enclosed for ready reference, and let us
have a word in reply.

As the workers are pressing me almost everyday,
I shall be grateful, if you will do the needful and advise
me.

Encl:

an
General Secretary

M. Nam...

9/7/75

(Page 1)

1148

Copy:

Copy of letter dated 22-6-1977 from General Secretary/SAMU to the General Secretary, A.I.R.F. New Delhi.

Sub: General Strike May 1974 - Re-engagement of CL on APS

Ref: Railway Board's letter dated ~~xxxxxx~~ 6-4-1977

Under Rules 149 R-II, Many CLs on AS of this Rail were terminated from service during 1974 General Strike.

Subsequently out of these CLs on AS whose services were terminated in May 1974 Strike, some were straightaway taken to service as CL on AS and the rest were taken only as CL on daily rates.

Consequent on the instructions issued vide para 6 of Board's letter dated 6-4-1977, clarification was sought from CPO/M, by some controlling officers whether the cases of the other CLs on RS taken as CLs on daily rates should also be reviewed and treated as re-engaged as CL on RS and whether arrears of Salary (Difference between daily rates and in Scale Rs.196-232 RS) should be paid to them.

In turn CPO/Southern Railway asked Clarification from Railway Board during 3rd week of May 1977 and the reply is still awaited from Railway Board.

As a matter of fact these CLs on RS also should have been straightaway taken as CL on RS like some others as mentioned earlier and it is gross injustice that the Administration has done to them by taking them as CL on daily rates which was caused by the policy of the previous Government. To undo the injustice meted out to them, they should have been paid arrears already instead of making this unnecessary reference to Railway Board causing further delay without realising and implementing the spirit of the policy of the Present Government in this issue communicated through para 6 of Board's letter dated 6-4-1977.

As such I would request you to take up this issue with the Railway Board and to see that necessary favourable clarification is issued to the CPO/S. Railway/MAS at the earliest.

Sd/-
General Secretary

The Board is requested to look into this matter & issue necessary order

cc _____

[Handwritten signature]

Gram : RAILWAYMAN
Tele. } Phone : 447416
RAILY.



National Railway Mazdoor Union

SEVA SADAN Dr. BABASAHEB AMBEDKAR ROAD, PAREL, BOMBAY-400 012.

Ref. No. KYN/787

878700

Date 5-8-1977

General Secretary,
A.J.R.F.,
New Delhi-110001.

Dear comrade,

AIRF/160-B

Sub: Reinstatement of Employees victimised
in connection with the 1960 Rly. Strike
-Case of Shri N.R. Gawale, Basic Fitter,
Kalyan Loco Shed.

*A correct
into AIRF*

Ref: Your letter No. AIRF/160-B of
18-7-1977.

In this connection, I have to reproduce below
the full text of Secretary to General Manager's letter
dated 18-9-1976 addressed to the undersigned.

" The Union's request for re-instatement of the
abovenamed has been carefully considered and
it is regretted that it cannot be agreed to."

Q
98

This ^{is} for your information and necessary action
please.

Yours fraternally,

(V.B. Mahadeshwar)
GENERAL SECRETARY.

1146

Government of India
Ministry of Railways
(Railway Board)

No. E(116)14-77/CB/SCR/6 New Delhi, dt: .9.1977.

The General Secretary,
All India Railwaymen's Federation,
125/E, Babar Road,
New Delhi - 110001.

Dear Sir,

Sub: Non-reinstatement of Township Shed
Casual Labourers at BZA who
participated in 1974 strike

I am directed to acknowledge the receipt of your
letter No. AIRF/116-P (2082) dt. 18-8-77 on the
above noted subject.

Yours faithfully,

DA:Nil.

Handwritten initials and date:
NOLF
4/9

Handwritten signature:
for Secretary, Railway Board.

(47)
AIRF/160-B (43)

Dated 2

The Secretary(E),
Railway Board,
New Delhi.

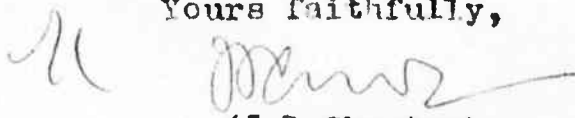
Dear Sir,

Sub: Payment to staff who were involved
in court cases against whom the
cases were withdrawn by the admn.

The Board are aware that extant orders on the subject provide for making full payment for the intervening period in cases where the railway admn. had gone to courts in connection with the general strike of '74 and lost them. There are, however, snags in the issue of these orders. It has been represented by the Northern Railwaymen's Union New Delhi, an affiliate of AIRF that clarification has been given by the General Manager of the Railway to the Divisional and extra divisional offices under him confidentially that full payment should be made in cases where there has been clear acquittal and that no payment is to be made where the cases were withdrawn.

It will be appreciated that court cases filed against the railway employees were withdrawn by the railway admn. after the general strike was over, which would eventually have been ~~rejected~~ rejected by the courts. For example in Amritsar Workshops, some cases were filed against the employees and were subsequently withdrawn, and the judgement for their acquittal is also available. The reading of the judgement in such cases is that since the P.P. for the State has requested for the withdrawal of the cases he is allowed to withdraw and the accused are deemed to be acquitted. The AIRF feel that in such cases full payments for the intervening period should be made treating them as acquittal. The Railway Board are, therefore, requested to look into the matter and issue clarification accordingly under intimation to this office.

Yours faithfully,



(J.P. Chaubey)
General Secretary.

Copy to G.S., NRMU.,
New Delhi for inf. w.r.t.
NRMU/102/78 dt. 15.1.78.

445

J.P. Chaubey,
General Secretary:

D.O.No. AIRP/160-B (2106)

Dated 19th August, 1977.

Dear Shri Rajan,

Re: Reinstatement of employees - May, 1974 Strike -
Case of Shri P.S. Bedi, Relieving ASM, Navsari,
Bombay Division, Western Railway.

Shri Bedi was on strike in May, 1974. After the withdrawal of the strike he was transferred from Navsari to Ranala on 6-6-74 vide D.S.O., Bct's letter No.E/T/839/2/VOL/IX Office Order No.E/T/26 dated 7/8-6-74. He could not proceed on transfer on account of his wife's sickness and also death of his only son which occurred immediately after the strike on his release from the jail. He requested for cancellation of his transfer to Ranala, but as happened with other strikers, his request was not considered and ultimately he was dismissed from service on 6-3-76. He had been submitting medical certificate in support of his absence but these were no consideration during that period to appreciate the employee's inability to move on transfer. Since the removal from service was on account of his absence and not proceeding on transfer which was ordered in connection with the strike, the Western Railway Administration has now taken the decision that his removal from service was not in connection with the strike. This is entirely wrong. He was transferred immediately after the strike and thereafter removed from service. Therefore, in terms of the announcement made by the Minister for Railways in the Parliament, he should have been reinstated in service.

It is requested that Western Railway may be advised to reinstate Shri P.S. Bedi immediately and pay him for the intervening period. He should be posted and reinstated and posted at Navsari.

I shall be grateful for an early action in the matter.

With kind regards,

Yours sincerely,

(J.P. Chaubey)

Shri K.S. Rajan,
Member Staff,
Railway Board,
New Delhi.

Copy with one spare copy for information to Shri K.L. Gandhi,
Branch Secretary, WREU, Chalthal (Western Railway), Distt. Surat.

Government of India/Bharat Sarkar
Ministry of Railways/Rail Mantralaya
(Railway Board).



No. E(P&A)I-77/RT-31 New Delhi, dt. 14-7-1977.

The General Secretary,
All India Railwaymen's Federation,
125/E, Babar Road,
New Delhi-1.

Dear Sir,

Sub:- Regularisation of the period of the
employees compulsorily retired on
reinstatement.

....

I am directed to refer to your letter No. AIRF/160-B(1900) dated June 11, 1977 on the above subject and to state that the cases of premature retirement have been treated by Government on a different basis from that of the category of removal/dismissal/compulsory retirement. Instructions on railways in regard to both the categories are based on the instructions issued by the Department of Personnel & Administrative Reforms. It will, therefore, not be possible to unilaterally adopt a part of instructions relating to removal/dismissal/compulsory retirement under Rule 14 (ii) to the category of premature retirement.

Yours faithfully,

A handwritten signature in cursive script, appearing to read "H. R. Bhagat".

(H. R. Bhagat)
for Secretary, Railway Board.

160-B
19/7

AIRF/160-B (2051)

Dated 18th August 1977.

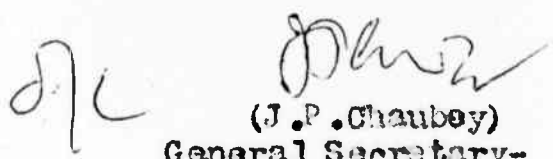
The Secretary(E),
Railway Board,
New Delhi.

Dear Sir,

Sub: Non-payment of wages and allowances
for the interregnum in favour of
S. Shri J.A. Jhirad, G.N. Kumar, Mewalal,
D.R. Panda of Central Railway, Jabalpur
Dn. who have been reinstated as a result
of court decision.

S. Shri J.A. Jhirad, G.N. Kumar, Mewalal and D.R. Panda, railway employees of Central Railway Jabalpur Division who were dismissed from service in the context of May 1974 Railway Strike under Rule 14(2) of the Railway Servants (D & A) Rules, 1968 filed writ petitions in the High Court of Madhya Pradesh Jabalpur Bench). They were reinstated in terms of Board's instructions contained in their letter dated 6.4.77. While other comrades of the Central Railway who were also taken back to duty after 6.4.77, as a result of their success in the writ petitions in the High Court of Bombay were allowed full payment of wages and allowances for the interregnum, Shri Jhirad and others mentioned above whose cases are identical were allowed only subsistence allowance for the interregnum and not full pay. The Railway Board is therefore requested to look into the matter and issue suitable instructions for payment of wages and allowances to Shri Jhirad and others as has been done in other similar cases, under intimation to this office.

Yours faithfully,


(J.P. Chaubey)
General Secretary-

Copy to the G.S., NRMU., C.Rly., Bombay for information
w.r.t. his letter No. RBO/22 dt. 8.8.77.

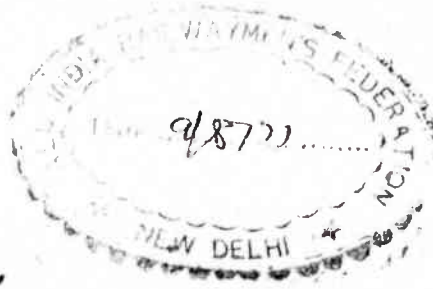
National Railway Mazdoor Union

SEVA SADAN

DR. BABASAHEB AMBEDKAR ROAD PAREL, BOMBAY-400 012.

No. RBC/22

Date 8-8



(11/2)

The General Secretary,
A. I. R. F.,
New Delhi.

Dear Comrade,

Sub: Full payment of wages, allowances for the intergrum in favour of Sarvashri J.A. JHIRAD, G.N.KUMAR, MEWALAL, D.R. PANDA OF CENTRAL RAILWAY JABALPUR DIVN. WHO HAVE BEEN REINSTATED AS A RESULT OF COURT DECISION.

2/23
14/8

The abovenamed employees had filed a Writ Petition in the High Court of Madhya Pradesh (Jabalpur Bench) against their dismissal from service in the context of May, 1974 Rly strike under Para 2 of Rule 14 of the Railway Servants (D&A) Rules, 1968. They were reinstated after issue of the Board's instructions dated 6-4-1977. While other Comrades of the Central Railway who were also taken back to duty after 6.4.77 as a result of their success in the Writ Petitions in the High Court of Bombay were allowed full payment of wages & allowances for the intergrum, Comrades Jhirad and others whose case is quite identical, were allowed only subsistence allowance and not full pay.

2. This may please be taken up with the Railway Board to obtain due payment of full pay & allowances in favour of the abovenamed Comrades.

Yours fraternally,

A handwritten signature in cursive script, appearing to read "Mahadeshwar".

(V. B. Mahadeshwar),
GENERAL SECRETARY.

All India Railwaymen's Federation

(Estd. 1924)

4, State Entry

NEW DELHI

AIRF/160-B (2074)

August 13,

From : Priya Gupta,
President,
All India Railwaymen's Federation,
4, State Entry Road,
New Delhi.

To
The Secretary (E),
Railway Board,
New Delhi.

Dear Sir,

Sub: Denial of posting in the former post of Confidential Assistant in grade Rs. 650-960 of Shri B.B. Mitra under G.M./MTP (R), Calcutta for participation in strike.

...

Shri B.B. Mitra, Confidential Assistant to the General Manager, MTP (R), Calcutta in grade Rs. 650-960 was reverted as Stenographer in scale of Rs. 550-750 for participation in the May, 1974 strike.

Shri B.B. Mitra was not put back to his former post inspite of his representation to the General Manager, MTP (R), Calcutta.

This may kindly be looked into and necessary instruction may please be issued to put back Shri Mitra to his former post.

Thank you,

Yours faithfully,

Priya Gupta
(Priya Gupta)
President/AIRF.

Copy to the General Secretary, MTP, Railwaymen's Union,
12, Mission Road, (4th Floor), Calcutta-1 now at NDLE
for information.

Priya Gupta
(Priya Gupta)
President/AIRF.

All India Railwaymen's Federation

(Estd. 1924)

4404, State Entry Road

NEW DELHI-110001

August 14, 1973

AIRF/160 B (2073)

From : Priya Gupta,
President,
All India Railwaymen's Federation,
4, State Entry Road,
New Delhi-110001.

To The Secretary (E),
Railway Board,
New Delhi.

Dear Sir,

Re: Grant of pension to Ex.Martin Railway Staff now
working in the Indian Railways.

...

While taking Martin Railway Staff in the Indian Railway in 1972, they were taken as new entrants. This forfeiture of their past services caused shortfall of 10 years service which is essentially required to qualify for pensionary benefit. As they are guided under Non-Contributory Provident Fund, they are not eligible for bonus benefit, as a result of which, while retiring most of the Ex.Martin Railway Staff now working in the Indian Railways do not get any benefit as guaranteed under Social Security Benefit - Family Pension Scheme. As the normal rule does not permit to grant pension for shortfall of 10 years service, it is requested that in amending the rule 2438 RII necessary condonation of the deficiency of service of an employee to qualify grant of pension by exercising power of President of India, will be made.

The cases of Martin Railway Staff had althrough considered by the Ministry of Railways. It is, therefore, requested that in exercising of the President's powers, the deficiency of 10 years' service will be condoned for the purpose of granting pension to the Ex-Martin Railway Staff.

An early action will be much appreciated.

Thanking you,

Yours faithfully,



(Priya Gupta)
President/AIRF.

Copy to the General Secretary, MTP Railwaymen's Union, 12
Mission Row (4th Floor), Calcutta-1, now at NDLS for information.



(Priya Gupta)
President/AIRF.

All India Railwaymen's Federation W/38

(Estd. 1924)

125/E, BABAR ROAD
NEW DELHI-110001

AIRF/160-B. (2070)

Dated 15th August

The Secretary(B),
Railway Board,
New Delhi.

Dear Sir,

Sub: Extension of benefits of Railway Board circular dated 6.4.77 to the victimised employees of May 1974 Strike prior to

The benefits envisaged in Railway Board's circular d 6.4.77 have been extended only to those employees who are in service as on 1.4.77. There are a good number of employees over who were victimised in some form or other as a sequel to the May, 1974 Strike and have been retired on attaining age of 58 prior to 1.4.77. These retired employees are put to serious pecuniary loss as they were reverted or subjected to stoppage of increments. This has further affected their retirement benefits. Their suspension period has not been treated as duty for the purpose of retirement benefits.

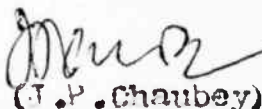
The AIRF would, therefore, request you to kindly issue suitable instructions with a view to give relief to the employees who have retired of the benefits of Railway Board's circular dated 6.4.77.

The AIRF further requests that the cases of the following employees of Kharagpur Division of the S.E. Railway may kindly be examined and relief given to them:

1. Shri K.K. Murthy, Ex. Vice President, AIRF
O/S, Sr. DME (Traction), KGP.
2. Shri D. Jagaree, Shunter, Loco Shed, KGP.
He was retired and reverted in that grade.
3. Shri Gopalu, Boiler Maker, Loco/KGP.
(Reverted as DEM after strike and retired in that grade).
4. Shri R. Shukla, Fitter, Diesel Shed, KGP.

An early reply indicating the action taken will be appreciated.

Yours faithfully,



(J.P. Chaubey)
General Secretary.



(423)

1. Mr. E.A. Murphy, Ex-Loco President, ALAF
O/C No. 271 (Trenton), RGP.
2. Smt. D. Jagaree, Ex-Loco Secy, RGP
He was reverted and retired in that grade.
3. Smt. Gopalu. Roller L. Secy, Loco/ALAF,
(reverted as RL after strike and retired in that grade)
4. Smt. Kamala, Fitter, Diesel Shop, RGP.

It is hereby notified that the action taken
will be as per above.

Yours faithfully,

(J.P. Chaubey)
General Secretary.

INDIAN RAILWAYMEN & BHARATIYA RAILWAYMEN
JOURNALS.

By Subscription.	18,237-80	Printing & paper for Journals.	60,471-76
By Advertisement.	200-00	Postage.	4,297-15
By Subsidy from AJRF.	47,087-01	Conveyance.	441-80
		Printing and Stationery incldg.	
		Misc. exp.	314-10
<hr/>		<hr/>	
Total.	65,524-81	Total.	65,524-81
<hr/>		<hr/>	

Interest ~~is~~ earned on Fixed Deposits with the Bank during 1980.

Interest earned during the year 1,35,833-99

Fixed deposit during 1980 comes to 10,71,200-00

Shree Shree

Short description of Income & Expenses account for 1980.

<u>Credit.</u>		<u>Debit.</u>	
By affiliation fee during the year	2,51,321-30	1. Allowances and re-imbursment of Exp. to Office bearers.	20,100-00 ✓
Fro Sale proceeds.	1,834-25	2. Establishment Exp.	42,665-30 ✓
		3. Conveyance	3,731-31
		4. Membership/Subscription to National Council (Staff Side) JCM.	1,300-00
		5. Annual Convention Exp.	20,292-11 ✓
		6. XXXXXX Audit fee.	550-00
		7. Meetings & Exp Entertainment Exp.	3,900-18
		8. Printing and Stationery.	25,868-52 ✓
		9. Postage.	3,206-65
		10. Telephones and Phonograms.	5,541-75
		11. Air Ticket.	7,585-00
		12. Office rent & Electricity	3,936-31
		13. Propaganda & Publicity.	14,226-80 ✓
		14. Foreign delegation.	26,707-57 ✓
		15. P.L.B. to staff.	4,538-30
		16. Affiliation fee to I.T.F.	21,000-00 ✓
		17. Furniture & Fixture A/c.	9,049-55
		ii) Office Equipment.	<u>528-41</u> 9,577-96
		18. Books.	10/167-16 591-20
		19. Subsidy to Journals.	<u>47,087-01</u>
Total.	<u>2,53,655-55</u>	<i>including News Print</i>	<u>2,61,507-97</u>

AIRF/160-3 (2082)

Dt. 18th August 1977.

The Secretary(E),
Railway Board,
New Delhi.

Dear Sir,

Sub: Non-reinstatement of Tranship Shed
Casual Labourers at BZA who partici-
pated in 1974 Strike.

The casual labourers as per the list enclosed whose date of engagement has been noted against each and were working in the Tranship Shed at Vijayawada upto 7.5.74 joined the May '74 Railway Strike en bloc on 8.5.74. Due to the revengful attitude of the then Officers and due to the then prevailing atmosphere they were not re-engaged till October 1975. There is conclusive evidence to show that all of them were casual labourers and went on strike and continued to be working as casual labourers. In terms of Board's letter dt. 6.4.77 they are entitled for being taken back to duty and screened forthwith for absorption in permanent vacancies as per seniority. The Railway Board is therefore requested to look into the matter and issue suitable instructions to the Zonal Railway in the matter under intimation to this office.

Yours faithfully,


(J. D. Chaubey)
General Secretary.

DA: 1 List.

Copy to the Secretary, SCRNU., Vijayawada for information w.r.t. his letter No. RNU/SIN/CL dt. 9.8.77.
Copy to GCS., SCRNU., Secunderabad for information.

(134)

B/P.Con/564/CL.

D/28-8-75.

From: D.P.O/BZA.

To: C.T.C/BZA.

Re:Engagement of Casual Labourer in TP Shed/BZA.

An approved list of 40 Casual Labourers for engagement in TP Shed/BZA is sent herewith. They may be engaged as need arises, if the labour already working do not turn up for duty as reported. This may be exhibited on the notice board where labourers are required.

Encl: One list.

sd/- x x x x
D.P.O/BZA.

/true copy/

From: CTC/BZA RP Shed.

To: D.P.O/BZA.

Thro: SS/BZA.

Sub: Re-engagement of Casual Labourers/Substitutes.

Ref: Your letter B/P.Com/407/P of 22-9-'75.

The following Casual Labourers/Substitutes who have been discharged in connection with the strike of May 1974 have been taken back to rolls from the date mentioned below. This is for your information vide your above referred letter.

1. P. Chand Basha Khan	8/10/75	sd/- x x x x	20. P. Ruth Orford	10/10/75
2. D. Devaiah.	"		21. D. Prabhudas.	8/10/75
3. Ch. Joseph	"		22. K. Aharone	"
4. G. Subbarao	"		23. Ch. Basava Raju	9/10/75
5. P. Jaya Rao	10/10/75		24. P. Guruvaiah.	8/10/75
6. Shaik Bhairavi Saheb	8/10/75		25. Y. Israel.	"
7. Sk. Shajahan	"		26. B. Abraham.	10/10/75
8. T H D Raju	9/10/75		27. Z. Devadanam.	8/10/75
9. M.G. Yohan	"		28. T. Joseph	"
10. B. Ranga Rao	8/10/75		29. K. Lazaru	9/10/75
11. K. Peda Daniel	9/10/75		30. V. Prabhakararao.	10/10/75
12. S. Venkateswarlu	"		31. Ch. Mariadas.	8/10/75
13. V. Venkateswararao	8/10/75		32. Kola Yesu.	10/10/75
14. Md. Mustaffa	"		33. Ch. Devadanam.	"
15. Z. Ananda rao.	"		34. G. Yesudas.	"
16. M. Joseph	"		35. N. Joseph.	"
17. A. Nageswararao.	"		36. K. Israel.	"
18. Sk. Noor Mohammed.	"		37. A. Vaddelu.	"
19. Md. Yeseen	"		38. M. Joseph.	16/10/75

B/P.Com/564/CL.

D/3-11-'76.

From: Sr.DPO/BZA.

To: SS/BZA.

Sub: Casual Labourer in TP Shed/Vijayawada.

--
The Casual Labourers in TP Shed/BZA have been repeatedly representing for absorption in regular vacancies. Please furnish the service particulars of those Casual Labourers should the aggregate services of each CL (no. of days of service from the date of appointment). It is represented by them that some of them have been taken as Substitutes earlier and the list has been handed over to SS/BZA. Please offer your remark.

sd/- x x x
Sr.DPO/BZA.

Copy to CTC/BZA for information.

// true copy //

1135

South Central Railway.

No. SS/CL.

SS/O/BZA
10/12/75

W33

To
C.T.C/BZA.

Re: Casual Labourers and Substitutes employed during the period from 1972 to 1973, 1973 to '74, '74 to 1975.

Ref: DPO/BZA letter No.B/F.171/S&T/CLs of 30/11/75.

Please furnish the particulars of the Casual labourer and substitute employed during the period for 1972 to '73, '73 to '74, '74 to '75 in the enclosed statement as the same is to be consolidated and put up for information as per the DPO/BZA letter cited above. It should reach this office on or before 12/12/'75 certain.

Matter should be treated as most urgent.

Encl: One.

sd/- x x x
S.S/BZA.

/True copy /

No.SS/EL/75.

10/5/75.

W32

From: SS/BZA.
To: CTC/BZA.

Sub: Grant of monthly scales of pay to Casual Labourers on daily rates of pay.

Ref: DPO/BZA letter No.B/F.407/F of 28/4/75.

Please arrange to send the muster in duplicate for the following Casual Labourers from their initial engagement to till date to be submitted to DPO/BZA for grant of monthly scales of pay as per DPO/BZA letter No.cited above.

1. P. Simhachalam.
2. Sk.Khan Saheb.
3. P.Karemullah Khan .. 19-6-74
4. G.Ch.Manibabu.
5. P.Koti Prakasha Rao .. 19-6-74
6. I.V.V.Apparao. .. 22-6-74
7. Syed Khasim Peera. .. 29.5.74
8. K.V.N.prasad. .. 18-8-74
9. Sk.Khadervalli .. do.
- 10.K.Sivaji. .. 20.8.74.

sd/- x x x
SS/BZA.

South Central Railway.

DS/C/Office/BZA.

Date: 5-7-75.

Commercial Circular No. 92/1975.

No. B/C.325/DCS/Inspection/75.

All SMs & CIs.

1. No casual labourers shall be engaged without the clear orders from Sr.DCS or DCS or ACS.

With immediate effect all Casual Labourers who are not permitted by any one of the Officers as stated above, should not be entertained or continued. Otherwise the relevant payment will be recovered from the salary of the concerned.

No. RP/C1/74.

From: CTC/BZA.

To: S.S/BZA.

BZA, 3/5/74.

Sir,

Reg: Issue of EDP for 8 Casual Labourers
Ex. BZA to PVD and back.

Ref: DCS/BZA letter No. B/C.560/II/45/6/74
of 2.5.'74.

Kindly arrange to issue EDP in favour of eight casual labourers Ex. BZA to PVD and back for unloading, checking and re-loading of two wagon Nos. CRC ~~58~~ 59196/320 b/s tamarind & WRC 39388/58 bales gunnies.

- | | |
|---------------------|-----------------------|
| 1. Th D Raju | 2. N. Sambasiva Rao |
| 2. A. Nageswararao. | 4. XM.G. Yohan |
| 5. D. Prabhudas. | 6. Sk. Shahajahan |
| 7. S. Venkateswarlu | 8. Sk. Noor Mohammed. |

sd/- x x x x
C.T.C/BZA.

/true copy/

B/C.19/CL.
From
Sr.DCS/BZA.

17/7/74

U129

To
Sri D.Venkateswararao,
C/o Late D.Veerarwamy,
Ex.Running Room Care Taker (SCR)
Kasturibaipet,Vijayawada.

Sub: Appointment of Casual Labourer.
Ref: Your appeal dated ~~13~~ 13/7/74.

--
With reference to your application cited above you are hereby directed to report to CTC/BZA on or before 26/7/74 to whom necessary instructions have been issued.

Please note that no further appeal will be entertained if you fail to report before 26/7/74.

sd/- x x x
Sr.DCS/BZA.

Copy to CTC/BZA(RP) Shed. He will please take the above named on rolls as Casual Labourer.

/True Copy/

RP/C1/74

BZA, 25-7-74.

From: CTC/BZA.
To: DFO/BZA.

U120

Through: SS/BZA.

Sub: Annual return of Casual Labourers/Substitutes working in BZA(RP) during 1.4.'73 to 31.3.'74.

I enclose herewith a statement in duplicate showing the No. of CLs/Subs.working in BZA/RP during 1.4.73 to 31.3.74 as called for vide your above letter.

Encl: One statement.

sd/- x x x, CTC/BZA.

Annual Return of CLs/Subs. Working at BZA/TF from 1.4.73 to 31.3.74.

Subject.	Before 6 months.	6 to 12 months.	1 to 3 years	3 to 5 years.	5 to 10 years.	Over 10 yrs.
Casual Labourers.	62	4	-	-	-	-
Substitutes.	-	1	5	43	-	-

sd/- x x x, CTC/BZA.

/true copy/

(M22)

From: S.S/BZA.
To C.T.C/BZA.

Please take Sayed Khasim Peera as Casual Labour as per ACS/I orders who has worked in the strikeperiod. He may be given special preference over others since he has worked in the strike period in TP Shed whereas others refused.

sd/- x xx
S.S/BZA.

(M25)

Office of the Divisional Personnel Officer
No.B/P.407/1 dated:29-6-1971.

K. Abraham, CL Substitute/TP Shed/BZA .. He shouldbe utilised against the vacancy in order of seniority.

B/P.407/1/APC dated:26.2.'73.
Office Order No.PCT/IV/16/73.

Grant of temporary status of Substitutes/CLs.

K. Yobu, TP Shed.	..	7/11/63	..	1/8/62
Y.Kondaiah, TP Shed	..	21/8/'69	..	"
M.Ramanaidu, SS/BZA	..	12/6/'71	..	"

Government of India
Ministry of Railways
(Railway Board)

1174

No. LRP/1105/77

New Delhi, dt. 11.7.77. 1977.

The General Secretary,
All India Railwaymen's Federation,
125/E, Babar Road,
New Delhi - 110001.

Dear Sir,

Sub: Regularisation of strike period towards grant of Annual increment

I am directed to acknowledge the receipt of your letter No. AIRF/160B/1983 dt. 11-7-77 on the above noted subject.

Yours faithfully,

M. Nagarja

for Secretary, Railway Board. 14/7/77

DA: Nil.

Office of the Divisional Superintendent,
(Personnel Branch), Vijayawada.

No. B/P.407/VI/BZA dated: 23-5-'72.

1126

MEMORANDUM

Sub: Grant of temporary status to substitutes.

M.R.Purushotham	..	1/8/63	..	20/4/71
F.Nagendraro.	..	9/5/64	..	21/4/71
E.Abraham.	..	24/4/64	..	11/2/71
K.Peturu	..	18/5/64	..	21/4/71
K.Abraham.	..	21/1/64	..	7/1/72
K.Fitchaiah.	..	23/6/64	..	24/12/71
B. Yesu.	..	30/10/64	..	7/1/72
D.Sudersanam.	..	1/5/65	..	"
G.Veeraiah.	..	22/5/65	..	"
B.Balakotaiah.	..	26/5/65	..	"
S.Venkateswararao.	..	2/2/67	..	"
K.David.	..	27/6/65	..	29/2/72
K.L.Martin.	..	5/8/65	..	17/1/72
Sk.Galeb Saheb.	..	22/2/69	..	25/1/72

sd/- Nagarja,
Divisional Personnel Officer.

Government of India
Ministry of Railways
(Railway Board)

423

Nol E (R) 505/1078 New Delhi, dt. 30.7.1977.

The General Secretary,
All India Railwaymen's Federation,
125/E, Babar Road,
New Delhi - 110001.

Dear Sir,

Sub: Payment of Pay & allowances equivalent to
the subsistence allowance to substitutes.

I am directed to acknowledge the receipt of your
letter No. AIRF/160B(1983) 11-7-77 on the above
noted subject.

Yours faithfully,

M. Bhagat

DA: Nil.

for Secretary, Railway Board. 1/7/77

Government of India
Ministry of Railways
(Railway Board)

422

Nol E (NG) 777TR/477 New Delhi, dt. 7.7.1977.

The General Secretary,
All India Railwaymen's Federation,
125/E, Babar Road,
New Delhi - 110001.

Dear Sir,

Sub: Hardships after the strike 1974 -
request for transfer - Shri K.M. Naidu,
HE. Clerk, Loco Foreman's Office,
CC Railway, Miraj.

I am directed to acknowledge the receipt of your
letter No. AIRF/160-B(1983) dt. 13.7.77 on the above
noted subject.

Yours faithfully,

M. Bhagat

(H.R. Bhagat)

19/7/77

DA: Nil.

for Secretary, Railway Board.

421

AIRF/28 160-B.

Dated 23rd July 1977.

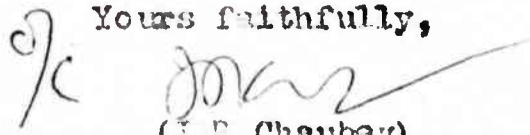
The Secretary(E),
Railway Board,
New Delhi.

Dear Sir,

Sub: Non-reinstatement of railwaymen
victimized as a sequel to May 1974
Strike - S.E.Railway.

Enclosed please find a copy of representation
16.7.77 addressed to Shri Madhu Dandavate, Minister for
Railways on the above subject, for sympathetic consi-
deration. It will be seen from a perusal of the repre-
sentation that are still 8 Railwaymen on the S.E.Rly.
who were victimised as a sequel to the Railway strike
of May 1974 and are still to be reinstated. The Railway
Board are requested to look into the matter and issue
suitable directives to the Railway adan. for their
immediate reinstatement under intimation to this office.

Yours faithfully,



(T.P. Chaubey)
General Secretary.

DA: One representation.

Copy to to the G.S., SERMU., Kharagpur for informati
with ref. to his letter No. UR/15/74 dt. 16.7.77.

**SOUTH EASTERN
RAILWAYMEN'S UNION**

दक्षिण पूर्व रेलवेमेन्स युनियन

(420)

Central Office

Union Building

Kharida, Kharagpur (W. B.)

Phone : P. & T. 34L

Rly. 2787

Regd. No. 3580

Affiliated to AIRF, AITUC &
Trade Union International of
Transport Workers, Prague.

N.C.Roy Choudhuri.
General Secretary.



No. UR/15/74.

16 July, 1974.

To

Shri J.P.Choubey,
General Secretary,
All India Railwaymen's Federation,
125/E Babar Road,
New Delhi-110001.

Dear Comrade.

Sub: Reinstatement of railwaymen victimised as a
sequel to the strike of May, 1974 on S.E.Rly.


Enclosed herewith is a representation addressed
to the Minister of Railways.

After we saw the Minister on June 24, none of the
remaining eight railwaymen is reinstated.

Kindly see the Minister urging him to reinstate
these railwaymen victimised as a direct consequence of the
strike of May, 1974.

With greetings,

Yours fraternally,


(N.C.Roy Choudhuri)
General Secretary.

Please see
ARB


20/7

(419)

AIR/150-B

Dated 18th July 1977.

The General Secretary,
N.R.M.U.,
Bombay.


Dear Comrade,

Re: Reinstatement of Employees victimised
in connection with the 1960 Rly. Strike
- Case of Shri N.R. Gawale, Basic
Fitter, Kalyan, Loco Shed.

Ref: Your letter No. KN/787 dt. 3.6.77.

Let us not work on presumption. Please discuss
the case with the General Manager of your Railway and
let me know if he does not agree for reinstatement.

Yours fraternally,

AC 
(J.P. Chaubey)
General Secretary.

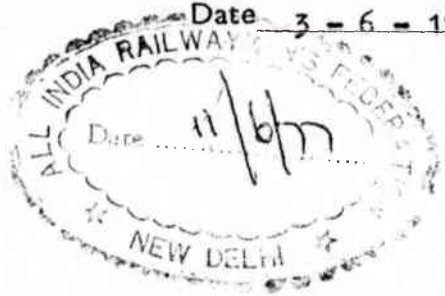
NATIONAL RAILWAY MAZDOOR UNION

418

'Seva Sadan',
Dr. B. R. Ambedk. Road,
Parel, Bombay-400 0...

Ref. No. KYN/787

Date 3 - 6 - 1974



The General Secretary, ✓
A . I . R . F . . ,
New Delhi.

Dear Comrade,

Sub: Regarding Reinstatement of Employees victimised
in connection with the 1960 Railway Strike —
Case of Shri N.R. Gawale, Basik Fitter, KYN
Loco Shed.

The above named was removed from Service on account of his al-
active participation in the 1960 Railway Strike. He has submitted his
explanation to the Charge Sheet served on him in connection with his
participation in the 1960 Railway Strike. A Departmental enquiry was held
and as in the case of several others he was found guilty of participation
in the illegal Strike and was removed from the Service. Shri N.R. Gawale
thereafter filed a Petition in the Bombay City Civil Court and the matter
is still pending in the court.

2. While the Union took up the case of other employees who are
victimised in connection with 1960 Railway Strike, the case of Shri N.R. Gawale
was lost sight of by the Union. However a representation was made to the
General Manager, Central Railway Bombay by the Union on 29/4/74 vide
Unions Letter number KYN/787. The Central Railway Administration has not
yet decided his case favourably and it is likely that the case pending in
the Bombay City Civil Court may take more time for deciding this case.
Shri N.R. Gawale had never been Office Bearer of the Union prior to the
1960 Strike. Being an active worker of the Union during the 1960, He was
victimised by the Local Railway Administration.

3. You are therefore, requested to kindly represent this case
to Railway Board so that the matter can be decided in his favour.

Yours fraternally,

[Signature]
General Secretary.

Repl
Let us not work on
presumptions. Please
discuss the case with
GM & let me know if
he does not agree for
reinstatement.

217

AIRF/160-B

Shri S. Mylandan,

Dt. 18th July 1977.

A.I.R.F. Working Committee Member

and Divisional Secretary, SRMU., Guntakal.

Dear Comrade,

Sub: Re-appointment of Shri S.
Habebur Rahman, Clerk, DCOS/UBL

Ref: Your letter No. RMU/D dt. 16.5.77

Since the Railway Minister has now made a statement in Parliament on 11.6.77 for unconditional reinstatement of all such employees, please take up the matter with the General Manager, South Central Railway, Secunderabad.

Yours fraternally,



(J.P. Chaubey)
General Secretary.





Southern Railway Mazdoor Union, Madras

Regd. No. 3067 - Recognised Affiliated to A. I. R. P.

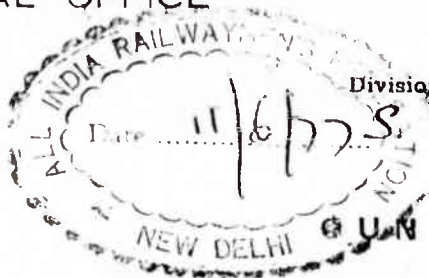
DIVISIONAL OFFICE

416

Divisional President:

M. R. Rajagopalun

Divisional Secretary:



S. Mylandan

Ref: RMU/D/

Dear Comrade,

Date 16-5-77.

Sub: Re-appointment to Shri S. Habeebur Rahman,
Clerk, DCS/O/UBL.

I request you to cause early orders to the above by manoeuvring at your level as the individual was penalised unnecessarily. Incidentally, I may be permitted to invite your kind attention on the changed attitude of new Government. You are aware that the Central Government employees whose services were terminated because of their alleged links with the Organisations like RSS, Jamath-Islami are to be re-instated. But the said employee's innocence was proved long back and he is to be reinstated yet.

History of the case: The said employee by name I. Habeebur Rahman was appointed as a clerk in DCS/O/UBL on 10-3-1972. Suddenly he was served with the termination notice and stopped from 8-8-72. On enquiry, it is understood that termination took place on the plea he was the first member of Muslim league. The employee made several appeals to various level. And subsequently the GM/SC Rly./SC called for a verification report from Collector/Anantapur, as he belongs to ATP District. The Collector/Anantapur after verification from DIG/Int/HYB advised GM/SC Rly./SC during May, 1975 that the said employee is not an active member of Muslim League and severed all his connections several years back. So, as the position stands every thing is cleared, and, only re-appointment order has to be served.

Present position: The employee met the then Dy. Minister for Railways Shri Md. Quereshi at his chamber at MDIS and handed over his application dated 29-1-1977 requesting for early orders. In turn, the Minister called for the concerned file on 4-2-77 and it was sent by the GM/SC Rly./SC on 21/22-2-77 to the Rly. Minister File No. E.77/SCT/74. In the meantime, General Election came and so many changes took place. The file is still there only. So, I request you to cause action at MDIS level so as to send the file to GM/SC Rly./SC after passing favourable orders. It appears the then Minister promised of favourable orders.

Now, the ball in the Court of Railway Minister. Please see that it is done without delay as it causes much anxiety to the aged father and the youngman who was thrown out of job. A line of reply would help me to inform the affected please.

With best wishes,

Yours fraternally,

[Handwritten signature and date 11/6]

[Handwritten signature]

(S. MYLANDAN)
AIRF Wkg. Committee Member
& Divl. Secretary/Guntakal.

To:
Shri Choubey,
General Secretary,
AIRF/MDIS.

[Handwritten notes:]
Smei Minister has
now made a statement
for his Parliament on 11/6/77
requesting for all
such employees, please
take up the matter
with GM SC Rly.

(415)

AIRF/160(69)(2006)

July 14, 1977

The secretary (E)
Railway Board
New Delhi

Dear Sir,

Re: Regularisation of suspension period -
1960 strike of Central Govt. Employees.

...

In continuation of this office letter of even number dated Febuary 24, 1972, a copy of representation of Shrimati Hiramoyee Devi, widow mother of Shri R.N. Chaklader, Guard, S.E. Railway, Jharsugala is herewith enclosed. This representation is addressed to the Minister for Railways for consideration.

Yours faithfully,

DA/one

AC

(J.P. Chaubey)
General Secretary

en*

Post script: This case also refers to Railway Board's letter E(D&A)70-AE-10-3 dated 2.7.1971.

(1)

(114)

AIRF/160-B(1999)

July 13, 1977

The secretary (E)
Railway Board
New Delhi

Dear Sir,

Re: Hardships after the strike 1974 -
request for transfer - Shri K.M.Naidu,
Hd. Clerk, Loco Foreman's Office
SC Railway, Miraj.

...

Please find herewith an application from
the above employee, for his transfer from S.C.
Railway to Southern Railway. His case may kindly
be dealt with on compassionate grounds.

Yours faithfully,

DA/one.

AC

(J.P. Chaubey)
General Secretary

Copy to Shri B.R.Kulkarni, Divisional President
S.C.R.M.U. Hubli Division, Railway Building No.26
Miraj 416 410, for information. Inter railway
transfers are dealt with the G.Ms. Transfer from
one railway to another in intermediate grade is
prohibited under orders of the Board.

South Central Railway Mazdoor Union.

SECUNDERABAD.

Affiliated to AIRF.
Recognised & Rgd. No. 2934.

Branch : MIRAJ.

M 13

Rly. Bldg. No. 26
PIN. 416410

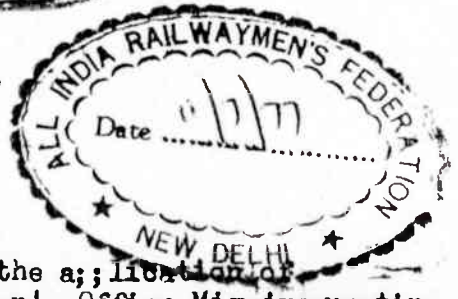


6 th July 77

Ref. No. SCR MU/MRI.

To

The General Secretary.
All India Railwaymen's Federation.
New Delhi.



Dear Comrade,

I am herewith enclosing the application of Sri K.M. Naidu Head Clerk in Loco Fore man's Office Miraj requesting for a transfer to Bangalore City in Mysore Division Southern Railway.

He is one of the staunch workers of our Union and worked as an office bea rer for many years. Also is the only one employ employee from the Loco Shed Belgaum who went on Strike and was under a arrest.

His case is genuine and I request you to use your good office in his case and get him the transfer to Banga lore City in Mysore Division Southern Railway where he will continue his work for the Union.

With kind regards.

Yours Fraternally.

B.R. Kulkarni
Div. President
(Hubli Division)

Copy to General Secretary.
S. & R. M. U. Secunderabad.

Sheo

M

12/1

(112)

AIRF/35^{160-B} (1985)
A

July 11, 197

The Secretary (E)
Railway Board
New Delhi

Dear Sir,

Reg: Regularisation of strike period towards
grant of Annual increment.

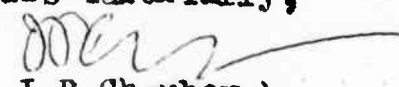
...

The Railway Board are aware that the AIRF has demanded that the strike period and also the suspension period of May 1974 strike should be treated as 'on duty' and full payment of wages for this period should invariably be made to all those employees who went on strike or were arrested in connection thereof. It is unfortunate that no decision has so far been taken by the Board.

The Railway Minister has since announced in the Parliament that the increment and seniority of all those employees who were affected by the May 1974 strike shall be restored. However, inspite of this announcement, the strike period i.e. from May 2 '74 to May 28 '74 has not been treated as 'on duty', even for the purpose of increment. Since it has already been decided that the increment of the employees shall remain unaffected even though they participated in the strike, it is requested that orders may be issued early that the strike period which was earlier treated as dies non, should be counted for Annual increment.

These employees have also suffered in respect of fixation of their pay in the revised scales. In many cases punishments have been reduced or have been waived off and, in all cases the period has been treated as 'on duty' for the purpose of fixation of pay. The staff who were out of service have been given the option to opt for revised scales of pay from any date upto 31st December '74. Similar facilities, to opt for the revised scales should be given to all those employees who went on strike, after the decision to treat the strike period as 'on duty', for increment is taken, so that the recurring loss to many employees is remedied. An early action in the matter will oblige.

Yours faithfully,


(J.P. Chaubey)
General Secretary

cc/all general Secretaries
for information

Also copy to
Sh. S.D. Kapoor

cc/ Sh. S.D. Kapoor, Br. Secy. NRMU/Amritsar Workshop Branch
Opposite Northern Rly. Loco Workshop, G.T. Road/Amritsar.

United We Stand

Phones | Federation Office : 40947
Central Office : 46558

Northern Railwaymen's Union

REGISTERED & RECOGNISED

Affiliated to : ALL INDIA RAILWAYMEN'S FEDERATION & HIND MAZDOOR SABHA

Central Office :
115-E, Babar Road,
NEW DELHI.

Branch Office :
Opp. N. Rly. Locomotive Workshop,
G. T. Road,

Ref. No. NRMU/W-S/... 10/77

AMRITSAR.....8.....1977

S. D. KAPOOR
Secretary

The General Secretary,
115-E Babar Road,
New Delhi.

Dear Sir,

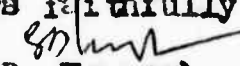
Subj:- Extension of the date of options
in revised Scales.

Recently there has been an overhaul of the policy in respect of the staff who were effected consequent of may 74 strike. In many of the cases, punishment have been reduced or waived off and in all cases the period have been treated as duty for the purpose for fixation of pay. Staff who were out of Duty, have been given an option to opt for revised scales from any date upto 31-12-74 which was favour-able to them, but similar facility have not been provided to the other effected staff (such as who were placed under Suspension or whose services for the strike period was not counted)

It is therefore desired that General Manager, Rly Board may please be approached so that the effected revise staff may be given a chance to exercise their options from the date of their increment falling up to 31-12-74 (including the period of their suspension or they remained on strike) on the basis of their notional pay which has now been arrived at by treating the period as duty for the purpose of fixation of pay.

This may please be treated as urgent as the staff is undergoing recurring financial loss.

Copy to:
General Secretary, AIRF
NDLS.

Yours faithfully

(S.D. Kapoor)

410

160-B
AIR/86 (1983)

July 11, 1977

The Secretary (E)
Railway Board
New Delhi

Dear Sir,

Re: Payment of pay & allowances equivalent to the subsistence allowance to substitutes having attained temporary status and working against clear vacancies for over 3 years or 5 years consequent upon their reinstatement in services.

...

It was represented to the Board in one of the P.N.M. meetings that temporary employees/substitutes who attain temporary status, who were dismissed/removed/discharged from service in connection with May '74 strike, were eligible to receive subsistence allowance, atleast on their reinstatement in service. The Railway Board had agreed to this proposition. Orders in this regard, were however, not issued.

Orders contained in Para 6 of Railway Board's letter no.E(IR)II773T1/17 dated 6-1-1977 also do not state the position clearly. In view of reinstatement of these employees the Board are requested to issue orders that such employees should invariably be paid Subsistence Allowance.

Temporary employees who were reinstated consequent on the announcement made by the Minister for Railways in Parliament are also eligible to receive Subsistence Allowance for the period from the date of their discharge to the date of their reinstatement. The Board are requested to issue immediate clarifications on this subject.

Yours faithfully,

(J.P. Chaubey)
General Secretary

9c

en*

Copy to the Divisional Secretary, N.R.M.U. Allahabad, Divisional Branch Office, Near TTE's Rest Room, Allahabad Station, w.r.t. his letter DC/12/ALD/77 of 4-7-77.

Copies forwarded to the General Secretaries of all affiliated unions, for information.

Copy sent
23

Reminded to file
on 5/11/77

Northern Railwaymen's Union (409)

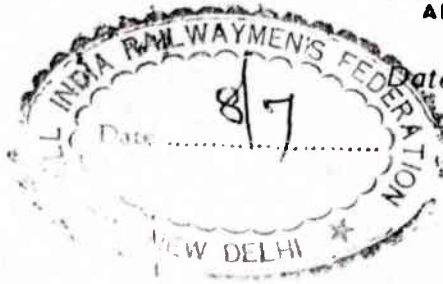
Registered & Recognised

Affiliated to: ALL INDIA RAILWAYMEN'S FEDERATION & HIND MAZDOOR SABHA

Divisional Branch Office:

Near T. T. E's Rest Room,
ALLAHABAD STATION (N. Ry).

Ref No. DC/12/ALD/77



Dated 4th July, 1977.

Shri J. P. Chaubey,
General Secretary,
AIE/New Delhi.

Dear Sir,

Reg:- Payment of pay & allowance equivalent to the subsistence allowance to substitutes having attained temporary status and working against clear vacancies for over 3 or 5 years - involved in May '74 Strike.

Ref:- Hly. Board's letter No. R(11)1177 SSI/17 dated 3.8.77.

Vide Para 6 of Railway Board's letter No. quoted above under reference Substitutes and Casual Labour involved in May '74 Strike have been made eligible for payment of wages only from the date of their re-engagement. Further Railway Board vide Para (VII) has made a mention for regular temporary employees to be treated at par with permanent employees.

The issue of payment of subsistence allowance to the ~~substitutes~~ Substitutes having attained temporary status and are working over 3 to 5 years against clear vacancies was discussed at the Divisional level. While quoting the above orders of the Board they expressed their inability to pay any subsistence allowance to the employees.

On the Division there are over hundred such employees who have been deprived of this payment and therefore I would request you to kindly look into the matter with a view to have the orders of the Board revised so that these Substitutes who are virtually regular temporary employees may also be considered at par with permanent employees for payment of Subsistence Allowance.

Yours faithfully,

(H. N. Pandey)
Divisional Secretary.

....

भारत सरकार
GOVERNMENT OF INDIA (Bharat Sarkar)
रेल मंत्रालय (रेलवे बोर्ड)
MINISTRY OF RAILWAYS (Rail Mantralaya)
RAILWAY BOARD

नई दिल्ली-110001, तिथि..... 19 ..
New Delhi-110001, Dated..... 25-5-1977.

To
The General Secretary,
A.I.R.F.,
125/E, Babar Road,
New Delhi.

Sir,

Sub: Harassment of railway employees-
case of Sh. U.K.Sengupta, Chargeman,
RTS, Izatnagar, N.E.Rly.

With reference to your letter No. AIRF/
160-B dated 4th April 1977 on the
subject mentioned above, I am directed
to state that the necessary orders for
retaining Sh. Sengupta on promotion in
Izatnagar W/shops in the post of Chargeman
'A' (pay-scales 550-750), have been issued
on 21.4.77.

Yours faithfully,

N. Krishnamurthy

(N. Krishnamurthy)
Section Officer (Spl) I.

for Secretary, R. Board,

1132RB/75-GIPF

(1108)

GOVERNMENT OF INDIA
MINISTRY OF RAILWAYS
(Railway Board)

No.N11

New Delhi dated 25-5-1977

The General Secretary
A.I.R.F.
125-E Babar Road, New Delhi-I

Sir,

Sub: Harassment of railway employees - case of Shri
U.K.Sengupta, Chargeman, RTS, Izatnagar, N.E.Rly.

....

With reference to your letter No. AIRF/160-B(1655) dated
4th April, 1977 on the subject mentioned above, I am directed
to state that necessary orders for retaining Shri Sengupta on
promotion to Izatnagar W/Shop in the post of Chargeman 'A'
(Pay scale 50-750), have been issued on 21.4.77.

Yours faithfully,

Sd/- (N. Krishnamurthy)
Section Officer (Spl)I.
for Secretary, Railway Board

AIRF/160-B(1655)

Copy to General Secretary
N.E. Railway Mazdoor Union
Gorakhpur,

for onward transmission to the concerned at
* Izatnagar.

J. Vardharajulu
(J. Vardharajulu)
For General Secretary/AIRF.

rn*

Government of India
Ministry of Railways
(Railway Board)

(U.C.L.)

No. K(H) 77551.12 (ML)

New Delhi, dt. 6/7.1978.

The General Secretary,
All India Railwaymen's Federation,
125/E, Babar Road,
New Delhi-110001.

Dear Sir

May/74 - Railway Strike.

I am directed to acknowledge the receipt of your
letter No. AIRF/160-B(1800)dt. 18.5.1977 on the above noted
subject. :

Yours faithfully,

M. M. M. M. M.
for Secretary, Railway Board. 22/9/77

Noted
DA: Nil.

405

FR 1151
FR 143

No. AIRF/160-B/1975

June 22nd, 1977.

To:

8.7.77

Chairman,
Railway Board,
New Delhi.

Dear Sir,

Re: Reinstatement of employees suspended in
connection with the strike, Jhansi.

You are aware that the Minister for Railways has made a statement in the Parliament that persons suspended or dismissed in connection with the strike shall be reinstated. The following employees of Central Railway, Jhansi, have not yet been put back on duty. They have not been put back on duty because presently they have been prosecuted under Sections 302 & 307 I.P.C. These prosecutions will take very long time and we will be wasting man-power. It is not mandate that employees should be kept under suspension ~~xxx~~ when proceedings in the Court continue:-

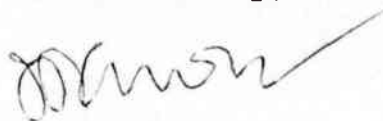
- | | | |
|-------------------------|-----|---------------------------|
| 1. Corey Lal | | |
| 2. Kaniyha Lal | | |
| 3. Prem Narain | | |
| 4. Ghamandi Lal | | Working in W/Shop, Jhansi |
| 5. Rakesh Kumar | | under Dy.CME. |
| 6. Barindaban | | |
| 7. Natou Lal | | |
| 8. Raghunath Singh | | |
| 9. Jawala Prasad Tiwari | ... | Under Sr. D.A.O., Jhansi |
| 10. Har Prasad | ... | Under D.S., Jhansi. |
| 11. Hari Ram | ... | -- do -- |
| 12. Omkar Nath | ... | -- do -- |
| 13. Osman Khan | ... | -- do -- |
| 14. Ramji Lal | ... | -- do -- |
| 15. R.K. Warma | ... | -- do -- |

p.t.o.

It is, therefore, suggested that the above employees be taken back on duty pending decision of the court in the cases. Instances are not wanting when employees charged under these Sections are allowed to continue on duty and action is taken against them only after they are convicted.

In another case of alleged violence there are about 70 railway employees who are being prosecuted. All have been put back on duty excepting the 2 employees viz: Gulab Chand and Chandu Singh working in the Jhansi Workshop. It is suggested that these two employees may also be put back on duty.

Yours faithfully,



(J.P. Chaubey)
General Secretary.

DA:Mil.



(103)

J.P. CHAUBEY
General Secretary

D.O. No. AIRF/160-B (1960)

Dated: June 25, 1977

Dear Shri Dandavate,

Reg: Premature retirement of employees before the age
of superannuation and their reinstatement in service.

....

Yesterday I explained to you personally that over a thousand employees on the Indian Railways were retired even before attaining the age of superannuation, on the grounds that their workings were found unsatisfactory.

The Railway Board have been assuring the Federation that they have issued instructions in this regard and the cases of such employees of premature retirement, would be reviewed. I, however, find that these cases have not been properly reviewed by the General Managers and, in most cases they have stated that the orders for premature retirement passed against the employees are thoroughly justified. I therefore, explained to you that unless the orders issued by the Board are very specific and, all those employees against whom there were charges of corruption are properly reviewed and such employees are reinstated in service unconditionally, there would be little benefit of the announcement which you made in the Parliament, in this regard. The manner in which the Board proposes to issue the orders, in compliance with the announcement made by you in Parliament, therefore, does not serve any useful purpose.

Incidentally, I may state here that it has been brought to my notice that 2 employees on the Northern Railway, namely S/Shri Yash Pal Singh Tyagi, Ex. Station Master, Guldhar and O.P. Bhardwaj, Ex. PWI, Meerut City, were retired prematurely. On representation by the General Secretary of our affiliated union on Northern Railway, it was stated that the quality of service of these two employees had been extremely unsatisfactory. Therefore, the General Manager was satisfied that there was no case for review of the orders earlier passed against them.

I therefore, request you to kindly have specific and suitable orders issued by the Board so that the General Managers do not have such wide powers in refusing the reinstatement of such of the employees who were prematurely retired arbitrarily and, against whom there were no charges of corruption etc. An early action will oblige.

Yours sincerely,

S/C *Maurya*
(J.P. Chaubey)

Shri Madan Dandavate
Minister for Railways
New Delhi

(402)

NORTHERN RAILWAY
HEADQUARTERS OFFICE
BARODA HOUSE
NEW DELHI

No. 961E/105/30/77 NRMU E. Union
Dated: 23.6.1977.

The General Secy.,
N. R. M. U.,
115-E, Babar Road,
New Delhi.

Dear Sir,

Sub: Premature retirement from Railway service -
Appeal of S/Shri Yash Pal Singh Tyagi, ex.
S.M. Guldhar and O.P. Bhardwaj, ex. PWI,
Meerut City.

Ref: Your letter No. NRMU/4/5/77(339) dated
6th May, 1977.

The issue has been reviewed by the General Manager who
has opined that Shri Yash Pal Singh is not fit to be
continued taking into account the quality of his
service which had been extremely unsatisfactory.
Shri Yash Pal Singh cannot be classified as victim
of the emergency.

Yours faithfully,

R. B. Mathur
(R. B. Mathur)
for General Manager (P)

15/6/77
or cash
2/2/77

The case is attached
Siddiqui P/S



TELEPHONE 140947

(140947)
ALL INDIA RAILWAYMEN

All India Railwaymen's Federation

(Estd. 1924)

125/E, BABAR ROAD
NEW DELHI-110001.

AIRF/160-B

Dated 21st June 1977.

The General Secretary,
S.C.R.M.U.,
Secunderabad.

Dear Comrade,

Sub: Reinstatement of victimised
employees of 1960 Railway
Strike.

With reference to your letter No. SCRMU/
G-45 dt. 6.6.77, I send herewith a copy of D.O.
Letter No. AIRF/160-B dt. 15.6.77 addressed to Shri
Madhu Dandavate, Minister for Railways and copy
endorsed to CRB and G.S., SCRMU., SC on the
subject.

Yours fraternally,

(Signature)
(Signature)
(J. Varadaraaju)
for General Secretary.

Enc. 1

Grams: "RAILWAYMAN"

Phone: 6994

South Central Railway Mazdoor Union

(REGISTERED & RECOGNISED, AFFILIATED TO AIR & HMS)

CENTRAL OFFICE

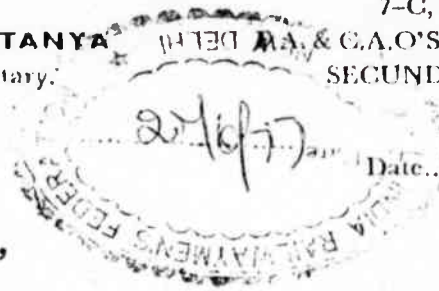
1100

K. S. N. MURTHY
President.

A. V. K. CHAITANYA
General Secretary.

7-C, Railway Building,
& C.A.O'S Office Compound,
SECUNDERABAD-500 025.

Ref. SCRMU/CO/ C-45.



Date: 6-6-1977.

Sri J.L. Chaubey.,
General Secretary,
A. I. R. F.,
New Delhi.

Dear Comrade,

Sub: Re-instatement of Victimised employees of 1960
Rly. Strike. ***

Further to our representation to Ministry of Rlys. I send herewith the names of Victimised employees for your ready reference. You are requested to pass a letter to Ministry of Railways, and see that immediate action is taken to re-instate them. I am aware that these cases were recommended by Railway Board, Ministry of Railways, which runed down.

Yours fraternally,

(A.V.K. CHAITANYA)
General Secretary.

Enc: One.

Copy sent
21/6/77

*we have already written
Please Encl- 21/6*

(299)

VICTIMISED EMPLOYEES OF 1960 RAILWAY STRIKE:

- 1) Sri B. Sundaram, Fireman 'B'/Lallaguda/Secunderabad
- 2) Sri K. Nuthiah L. Nuthiah, Revitter Plate, T.No. 1029, SGT Workshop, Nettuguda/Secunderabad.
- 3) Sri Solomon Xavier, T.No.62, Fitter Officiating Highly Skilled, Lallaguda Workshop, Lallaguda, Secunderabad.
- 4) Sri Annugun, Fitter, Lallaguda Workshop/Secunderabad.

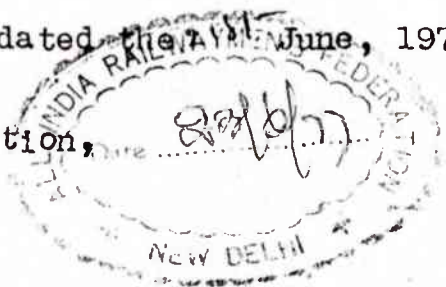
No. D. 3498/77-NID.
Ministry of Home Affairs
Government of India

398

.....

New Delhi dated 21st June, 1977

The General Secretary,
All India Railwaymen's Federation,
125/E, Babar Road,
New Delhi-110001.



Dear Sir,

Sub: Excesses during emergency - Detention of
Shri Ram Singh, Pointsman, Railway
Workshops, C.Rly., Jhansi.

.....

I am desired to acknowledge receipt of your
letter No. AIRF/160-B(1892) dated 8th June, 1977 addressed
to the Union Home Minister and to say that the case of
Shri Ram Singh is being taken up with the concerned
authorities.

Yours faithfully,

A handwritten signature in cursive script, appearing to read "S.D. Srivastava".

(S.D. Srivastava)

Under Secretary to the Government of India

A large, stylized handwritten mark or signature, possibly a checkmark or a specific name, located on the left side of the page.

AIRF/160-B-1892

(39)

AIRF/160-B(1790)

June 21, 1977

The Secretary (E)
Railway Board
New Delhi

Dear Sir,

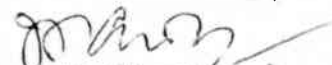
Re: Repatriation of foreign railway staff
from the South Eastern Railway
Electricification Project.

...

Kindly refer to this office letter of
number dated May 12, 1977, on the above
subject, and expedite Board's decision in the
matter under advice to this office.

Yours faithfully,

dc


(J.P. Chaubey)
General secretary

rn*

Copy to Shri J.M. Biswas
South Eastern Railwaymen's Union
Garden Reach, Calcutta, for information.

(396)

All India Railwaymen's Federation,
New Delhi.

J.P. Chaubey,
General Secretary:

15th June, 1977.

D.O.No. AIRF/160 B

Dear Shri Dandavate,

Re: Reinstatement of employees dismissed
in 1960 Strike.

Kindly recall my discussion with you in respect of 4 railway employees of South Central Railway, Secunderabad who were dismissed from service in the wake of 1960 General Strike. After discussion at PIM Meeting between AIRF and Railway Board, the case of these employees was recommended for reinstatement. It is unfortunate that the Railway Ministry's proposal for reinstatement was not concurred in by the Department of Personnel in the then prevailing situation. Since the Railway Ministry has all along been maintaining that these employees should also be reappointed in service on the last pay drawn in the same grade, it is requested that the cases of these employees may be revised and the Department of Personnel may be approached so that needed relief is given to these employees. It is stated that other employees who were placed in similar situation, were reappointed on the last pay drawn in the same grade after our discussions with the Railway Ministry. The names of these employees are given below:-

- (i) Shri K. Muthiah, L Muthiah, Rivetter, Plate T.No.1029, S&T W/Shop, Secunderabad.
- (ii) Shri Solomon Xavier, T.No.62, Fitter, Offg. highly skilled, Lallaguda W/Shop, Lallaguda.
- (iii) Shri Arumugum, Fitter, Lalluguda W/Shop, Lallaguda.
- (iv) Shri B. Sundaram, Fireman B, Lallaguda.

A.I.R.F. will be grateful if you will kindly have these employees taken back in railway service at an early date.

With kind regards,

Yours sincerely,

Shri Madhu Dandavate,
Minister for Rlys., New Delhi.

Raul
15/6/77
J.P. Chaubey
(J.P. Chaubey)

Copy to Chairman, Railway Board, New Delhi.

15/6
20

p.to.



TELEPHONE 140947

TELEGRAM RAILWAYMEN

All India Railwaymen's Federation
(Estd. 1924)

125/E, BABAR ROAD
NEW DELHI-110001.

AIRF/160-B

Dt. 14th June 1977.

The General Secretary,
Eastern Railwaymen's Union,
Calcutta.

Dear Comrade,

Re: Deferring of increment by 20
days strike dies-non period
of the Strikers.

Ref: Your letter No. AIRF/Pt.II dt.
10.6.77.

This will be discussed in the meeting with
the Railway Board.

Yours fraternally,

J. Varadarajulu

(J. Varadarajulu)
for General Secretary.

(394)



Eastern Railwaymen's Union.

Registered under Indian Trade Union Act 1926 (Regd. No. 2770)

Recognised by the Eastern Railway Administration.

Affiliated to The All India Railwaymen's Federation.

Bimal De,
General Secretary.



No. AIRF/Pt. II.

The General Secretary,
All India Railwaymen's Federation,
125/E, Babar Road,
New Delhi.

Dear Comrade,

Re : Deferring of increment by 20 days
strike Dies-non period of the
strikers.

As I had a talk with you over phone you told me that date of increment of the Railway staff who participated in last 1974 Railway Strike will not be deferred by 20 days and the decision of the Board would be communicated to the General Managers shortly.

The said instruction has not yet come. Will you kindly cause the instruction sent early.

Yours comradely,

Sujit Roy
General Secretary.

Copy
This will be discussed in the meeting with Mr. Bhowmik
SD
13/6

(373)

J.P.Chaubey,
General Secretary.

AIRF/160-B (1904)

June 11, 1977.

Dear Shri Jagdish Lal,

Sub: Withdrawal of Court cases in connection with 1974 Railway Strike. Case against Shri A.V.K.Chaitanya, Clerk, Accounts Office, Secunderabad and General Secretary, S.C. Railway Mazdoor Union.

...

The case filed against Shri A.V.K.Chaitanya in connection with 1974 strike under section 631/74 of DIR has not yet been withdrawn. The 10th Metropolitan Magistrate, Secunderabad is proceeding with the case. You are requested to please advise the General Manager, South Central Railway for arranging the withdrawal of the case. The case is posted for hearing on 20th June, 1977.

An early action in the matter will oblige.

Yours sincerely,



(J.P.Chaubey)

Shri Jagdish Lal,
Director, Estt.,
Railway Board,
New Delhi.

c.c. to Shri K.S.Rajan, General Manager,
South Central Railway, Secunderabad,

c.c. to Shri A.V.K.Chaitanya, General Secretary,
SCRMU, Secunderabad for information in reference
to his letter No.SCRMU/CO/G-53, dated 6.6.77.

...

Grand "RAILWAYMAN"

Phone : 6991

South Central Railway Mazdoor Union

(REGISTERED, & RECOGNISED, AFFILIATED TO AIRF & HMS)

CENTRAL OFFICE

7-C, Railway Building,

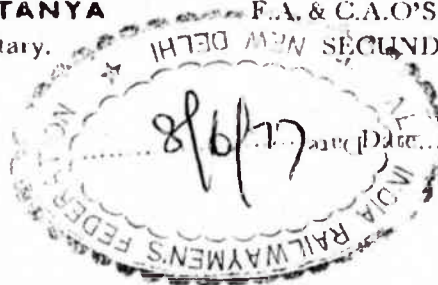
K. S. N. MURTHY
President.

A. V. K. CHAITANYA
General Secretary.

F.A. & C.A.O'S Office Compound,
NEW DELHI SECUNDERABAD-500 025.

Ref. SCRMU/CO/ G-56.

Com J.P. Chauboy.,
General Secretary,
A. I. R. F.,
New Delhi.



Sub: Court case in connection with 1974 Rly. Strike.

The Court Case filed against me in connection with 1974 Strike under 651/74 under DIR is not yet withdrawn. The 10th Metropolitan Magistrate, Secunderabad wants to proceed with the case.

If you are requested to contact CR B or see the instructions are issued to Manager, S.C. Railway for arranging the trial of the case. The case is posted on June, '77.

Advise the action taken.

Yours fraternally,

A. V. K. Chaitanya
(A. V. K. CHAITANYA)
General Secretary.

VJ
8/6

(39)

AIR/100-B (1977)

June 11, 1977.

The Secretary (E),
Railway Board,
New Delhi.

Dear Sir,

Sub: Regularisation of the period of the employees
compulsorily retired on reinstatement.

....

The Board are aware that a good number of employees are compulsorily retired before attaining the age of superannuation. According to the revised policy of the Govt., these employees have been reinstated. The period from the date of compulsory retirement to the date of reinstatement has been treated as leave due. In many cases the employees are not due any leave. In such cases this caused a break-in-service and the period so regularised is not counted for the purpose of increment, etc. As a matter of fact, these employees were compulsorily retired arbitrarily and, therefore, they are entitled for full pay for the intervening period. Pending examination of this demand in detail request that immediate orders may please be issued that the period of non-employment will be treated as duty for all purposes except pay and allowances. A subsistence allowance as in the case of others removed under Rule 14(ii). The Board are requested to issue necessary orders on the subject.

*Acknowledged by Bd.
vide 4 no P&A E(P&A) 1-77/RT-31
dt 24.6.77*

Yours faithfully,

Sd/-

(J.P. Choubey)
General Secretary.

c.c. to Shri G. Ramachandran, , 77, Rly. Quarters,
Tiruchirappalli-620001 for information in reference to
his letter, dated 6.6.77.

...

G. RAMACHANDRAN.



(370)

My dear Chaubeyji,

Re: Re-instatement of dismissed, removed,
suspended employees - Southern Railway.

Ref: Your letter No. AIRF/160-B(1706) dated
27th May, 1977.

Please refer to your above letter. Sarva Shri A.R. Shaik-
Masthan, S. Aseervatham and Gajapathi Babu (who were compulsorily
retired before attaining the age of superannuation in JUNE, 1974
as a sequel to participation in the Strike but not indicated so)
have been re-instated and they have also joined duty on 30-5-77.
I thank you for your efforts.

Further, the period from the date of the retirement in
June, 1974 and re-instatement in May, 1977 has been treated as
leave due unlike in the cases of those removed, dismissed and
re-instated.

Please take appropriate steps to have the period of
employment as duty for all purposes except pay and allowances,
subsistence allowance as in the case of others removed
under clause 14(ii) of the D & AR or 149 R.I. The cases of this
Southern Railway is only 4 in number including the above
three.

With Greetings,

Yours sincerely,

Shri J. P. Chaubey,
General Secretary, A.I.R.F.,
125-E, Babar Road,
New Delhi.

Slu
18/6

All India Railwaymen's Federation

(Estd. 1924)

125/E, BABAR ROAD
NEW DELHI-110001

Dated 8th June 1977.

AIRFA 60-B (1892)

Shri Charan Singh,
Union Home Minister,
Government of India,
New Delhi.

Dear Sir,

Sub: Excesses during emergency. Detention
Shri Ram Singh, Pointman, Railway
Workshops, C.Rly., Jhansi.

I enclose herewith an application from Shri Ram Singh, Pointman, Railway Workshops, Central Railway, Jhansi under D.S. Jhansi for your kind perusal. Shri Ram Singh has stated in his application that he was arrested by B.S.F. at Jhansi on 4th May 1974 in connection with the May 1974 Railway Strike, along with other railway employees. He was kept in Central Jail, Naini. His family members were not advised about his detention at Naini. His family i.e. father, mother, wife, brothers and sisters did not know the exact place and prison in which he was detained. He was released from the Naini Jail on 26th May 1977. He went to Jhansi where he was advised by his neighbours that the Railway Quarter (No. 4, Railway Colony, C.P. Bazar) was locked by B.S.F. The employee immediately left Jhansi and the whereabouts of his family members are not known. He has contacted his nearest relatives to no avail. He has not the undersigned today and handed over the enclosed application. Shri Ram Singh is in a shattered condition and if immediate help is not rendered to him, his condition will further deteriorate. He also approached the Divisional Superintendent, Central Railway, Jhansi who showed his ignorance about the locking of his quarter and exterment of members of his family. He was also not paid any salary etc. or even subsistence allowance whilst under detention. He is at the moment on personal bond. You are, therefore, requested to kindly issue necessary instructions so that the matter is enquired into and his family is restored to him immediately.

Yours faithfully,



(J.P. Chaubey)
General Secretary.

Copy forwarded to

- (i) Dr. Chenna Reddy, Governor, Uttar Pradesh, Lucknow.
- (ii) The Secretary (E), Railway Board, New Delhi.
- (iii) The G.S., N.R.M.U., Bombay.
- (iv) Shri Attar Singh, Vice President, NRMU., JHS. This

The employee
being directed to

employee was sent to this office with a letter from Shri D.P. Sharma. The matter should be enquired into and further particulars submitted to this office.*

(2,800)

The General Secretary,
All India Railwaymen's Federation,
New Delhi.

Dear Sir,

I, Ram Singh, Pointman, Jhansi Workshops, Centre
Railway, Jhansi under the Divisional Superintendent, C.Rly
Jhansi beg to state as under:-

I was arrested on 4.5.74 in connection with the
May 1974 Railway Strike by the B.S.F. and kept under detention
at Central Jail, Naini. I have been released on personal bond
26.5.1977.

After my release I went to Jhansi to my old Railway
Quarter - C.14, C.P.Bazar, Railway Colony, Jhansi. I was told
by my neighbours that after my arrest my quarter was locked
that my family members viz. wife, 4 children, father and
mother, 2 sisters and 2 brothers had left the place. ~~There~~
Their whereabouts are not known to me. They even could not see
me in prison obviously they were not aware of the exact place
and prison where I was detained.

I have not been paid my salary or even subsistence
allowance during the entire period. I am quite helpless now
and am in a deteriorated condition. I shall be grateful if
necessary action is taken to trace the whereabouts of my
family members and also render me financial help in the mean

Thanking you,

Yours faithfully,



(Ram Singh)

350

AIRF/160-B (1990)

Dt. 18th May 1977.

The Secretary,
Railway Board,
New Delhi.

Dear Sir,

**Sub: Repatriation of foreign railway staff
from the South Eastern Railway
Electrification Project.**

The erstwhile Railway Electrification Project was an organisation directly under the Railway Board like of zonal Railways. The Project was manned mainly by drafted staff from other zonal Railways and in certain cases by direct recruitment of staff from open market.

On 22 December 1967, it was decided by the Railway Board to reorganise the Railway Electrification Project. On 19th June 1968, it was directed by the Railway Board that the residual Railway Electrification organisation at Calcutta should be transferred under the administrative control of the General Manager, South Eastern Railway w.e.f. 1.7.68.

It was a fact that those staff who joined the Project from other Railways (mainly from Eastern, NF. and GM) earlier got accelerated promotions in the Project which they would not get had they been in their parent Railways where they hold their liens. Certain staff were even promoted (and still continuing in S.E. Railway) to the rank of Class II Officers / Office Superintendents Gr. I and II (adhoc) though their position in the parent cadre is as Junior and Senior Clerks.

After merger of the residual Railway Electrification Project with the South Eastern Railway, these staff filed several writ petitions in the Calcutta High Court claiming their absorption on the S.E. Railway with full protection of seniority benefits enjoyed by them in the Electrification Project including promotions. In other words, they claimed to supersede the senior staff of S.E. Railway in the matter of promotion and confirmation on the S.E. Railway cadre on which they have no right, claim or title.

*Acknowledged by Bd
vide Lfms E(N6) III 77/R61/12
dt. 10.6.72*

While the hearing of the court cases were on process, in the Calcutta High Court, the Hon'ble judge directed the Railway Board to explain the policy and intention behind the documents regarding the reorganisation of the Railway Electrification Project with particular reference to its effect on the transfer of the employees' service. Accordingly, Railway Board submitted a supplementary affidavit on 1.2.72 in C.R.No.2006(W) of 1971. In para 14 of the supplementary affidavit, the Railway Board stated as under

"With the reorganisation of the erstwhile Railway Electrification Project and transfer of the various Electrification Projects to the respective zonal Railways, these Projects became the local local Projects on zonal Railways. The posts in such local Projects on Zonal Railways are ordinarily filled up from among the regular open line staff of the concerned Railway. The foreign railway staff working on such projects immediately after the transfer of those Projects under the control of the zonal Railway had to be repatriated to their respective Railways, where they have their liens....."

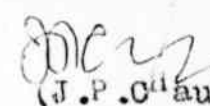
On reliance on the affidavit of the Railway Board and other records and documents, all the petitions of the foreign railway staff have been dismissed by the Calcutta High Court. The appeal made by the foreign railway staff against this judgement has also been dismissed by the appellate court. Their petition to move the matter further to the Supreme Court has also been dismissed by the Calcutta High Court.

After the above judgement of the Calcutta High Court, most of the foreign railway staff have been repatriated to their parent Railways. But near about 20 loyal foreign railway staff made an unholy alliance, after the Railway Strike of 1974, with some of the officers and let loose reign of terror and humiliation on the S.E.Rly. staff of the Project, most of whom were strikers.

Since last one and half years, this Union is constantly pressing for repatriation of these 20 loyal foreign railway staff. In their last PNM Meeting with the General Manager, this item was discussed and the G.M. assured them that all the individual cases would be examined. But these staff have now managed their cases to the Ministry of Railways through political level and any how managed to keep the policy of repatriation in abeyance till final decision from the Ministry of Railways on the issue.

Since these foreign railway staff have no right or title to hold the posts of S.E.Rly. (as decided by the Court of Law) depriving the senior S.E.Railway staff from their legitimate promotions, the Board is requested to review the position and issue necessary orders.

Yours faithfully,


(J.P. Chaudhary)
General Secretary.

Copy to the G.S., SERMU, Garden Reach, Calcutta for information w.r.t. his letter dt.29.4.77.

SOUTH EASTERN RAILWAYMEN'S UNION

Recognised by S. E. RAILWAY ADMINISTRATION
Affiliated to A I R F : Regd. No. 3580

CONFIDENTIAL.

President Central
SARDAR AMZAD ALI M. P.
General Secretary
J. M. BISWAS



Central Office
S. E. Rly. Colony, Garden
CALCUTTA-700043.
Phone 279

Dt. 29.4.77

Dear Comrade Chaubey,

I am sending herewith a case for your personal attention and necessary action.

It is reported to us that the black-leggers from whom we are trying to get rid of and who humiliated our men during the time of Railway Strike of 1974 and thereafter, met Com. Priya Gupta with a letter from an M.P. of Janata Party and mis-represented the case to the Hon'ble Railway Minister through him by-passing our organisation.

Since there is great resentment among the S.E. Railway staff on this issue, I would request you kindly to apprise the Hon'ble Minister for Railways of the fact of the case before he takes final decision on the issue.

Thanking you,

With regards,

Encl: One letter bearing
No. CEN/REP/RE/77
Dt. 24.4.77.

Yours fraternally,

(Ranjit Das)
Asstt:General Secretary.

Com. J.P. Chaubey,
General Secretary,
All India Railwaymen's Federation,
New Delhi-110001.

SOUTH EASTERN RAILWAY MEN'S UNION

Recognised by S. E. RAILWAY ADMINISTRATIO.
Affiliated to A I R F : Regd. No. 3680

347



President Central
SARDAR AMZAD ALI M. P.
General Secretary
J. M. BISWAS

Central Office :
S. E. Rly. Colony, Garden Reach,
CALCUTTA-700043.
Phone: 2792

No. CEN/REP/RE/77

Dated, April 29, 1977.

To
The General Secretary,
All India Railwaymen's Federation,
125-E, Babar Road,
New Delhi-110001.

Secy E

Dear Comrade,

Sub: Repatriation of foreign railway staff from
the South Eastern Railway Electrification Proj.

The erstwhile Railway Electrification Project was an organisation directly under the Railway Board like other Zonal Railw. The Project was manned mainly by drafting staff from other Zonal Railways and in certain cases by direct recruitment of staff from op market.

On 16th December, 1967, it was decided by the Railway Board to reorganise the Railway Electrification Project. On 15th June, 1968, it was directed by the Railway Board that the residual Railway Electrification organisation at Calcutta should be transferred under the administrative control of the General Manager, South Eastern Railway with effect from 1.7.68.

It was a fact that those staff who joined the Project from other Railways (mainly from Eastern, N.F. Railway), got accelerated promotions in the Project which they would not get had they been in their parent Railways where they hold their positions. Certain staff were even promoted (and still continuing in S.E. Railway) to the rank of Class II Officers/Office Superintendents Gr. I & II (ad-hoc) though their position in the parent cadre is as Junior and Senior Clerks.

After merger of the residual Railway Electrification Project with the South Eastern Railway, these staff filed several writ petitions in the Calcutta High Court claiming their absorption on the South Eastern Railway with full protection of undue benefits enjoyed by them in the Electrification Project including promotions. In other words, they claimed to supersede the senior staff of South Eastern Railway in the matter of promotion and confirmation on the South Eastern Railway's cadre on which they have no right, claim or title.

While the hearing of the Court cases were on process in the Calcutta High Court, the Hon'ble Judge directed the Railway Board to explain the policy and intention behind the documents regarding the reorganisation of the Railway Electrification Project with particular reference to its effect on the transfer of the employees' service.

Contd- page 2.

SOUTH EASTERN RAILWAY MEN'S UNION

Recognised by S. E. RAILWAY ADMINISTRATION,
Affiliated to A I R F : Regd. No. 3680

2146



President Central
SARDAR AMZAD ALI M. P.
General Secretary
J. M. BISWAS

Centre Office :
S. E. Rly. Colony, Golden Reach,
CALCUTTA-700043.
Phone: 2792

Page-2.

Accordingly, Railway Board submitted a supplementary affidavit on 1.2.1972 in C.R.No. 2005(W) of 1971. In para 14 of the supplementary affidavit, the Railway Board stated as under:-

" With the reorganisation of the erstwhile Railway Electrification Project and transfer of the various Electrification Projects to the respective Zonal Railways, those Projects became the local Projects on Zonal Railways. The posts in such local Projects on Zonal Railways are ordinarily filled up from among the regular open line staff of the concerned Railway. The foreign railway staff working on such Projects immediately after the transfer of those Projects under the control of the Zonal Railways, had to be repatriated to the respective Railways, where they have their liens....."

On reliance on the affidavit of Railway Board and other records and documents, all the petitions of the foreign railway staff have been dismissed by the Calcutta High Court. The appeal made by the foreign railway staff against this judgement has also been dismissed by the Appellate Court. Their petition to move the matter further to the Supreme Court has also been dismissed by the Calcutta High Court.

After the above judgement of the Calcutta High Court, most of the foreign railway staff have been repatriated to their parent railways. But near about 20 loyal foreign railway staff made an unholy alliance after the Railway Strike of 1974, with some of the officers and let loose reign of terror and humiliation on the South Eastern Railway staff of the Project, most of whom were "Strikers".

Since last one and half years, this Union is constantly pressing for repatriation of these so called loyal foreign railway staff. In our last P.N.M. meeting with the General Manager, this item was discussed and the General Manager assured us that all the individual cases would be examined. But these staff have now moved their cases to the Ministry of Railways through political level and any how managed to keep the policy of repatriation in abeyance till final decision from the Ministry of Railways on the issue.

Since these foreign railway staff have no right or title to hold the posts of S.E.Railway (as decided by the court of law) depriving the senior S.E.Railway staff from their legitimate promotions, I would request you kindly to move this matter to the Ministry of Railways so that these black-leggers who managed to get promotion over their seniors are repatriated to their parent railways where they hold their liens.

Thanking you,

the Board is requested to receive the position & issue necessary project order
Yours fraternally,
Sanjit Das
GENERAL SECRETARY.

345

No. AIRP/160-12(1300)

May 18, 1977.

To:

Secretary (E)
Railway Board,
Rail Bhavan,
New Delhi.

....2/-

Dear Sir,

Sub: May/74 - Railway Strike.

Ref: Railway Board's letter No. E(LR)
1177 ST1/17 dated 6.4.1977.

Kindly refer Para 7 of the Railway Board's letter under reference which reads as under:-

"7. Employees who had been transferred from their posts for participation in the May, 1974 strike, either immediately after the strike or at the time of their reinstatement/re-employment, should now be posted back to the same station (in the same position)."

There are cases on the railways where after withdrawal of strike, the participants have been posted in original station of posting but have been transferred after few days either in another station or even in another Division. Such cases are not covered by para 7 of the Board's letter referred to above and therefore it needs further direction.

Para 1(iii) of the letter reads - "The period from the date of dismissal/removal to the date of reinstatement will be treated as duty for purposes of drawal of increments, retirement benefits etc." The orders under reference have not been correctly implemented over N.E. Railway and the same is being read with para (v) wherein it has been stated that benefit of proforma increment be given with effect from 1.4.77 for the period from the date of dismissal/removal upto 31.3.77 including the period of re-employment in lower grade.

*Accounted by Bd
vide order (LR) 77-ST1-17 (NE)
off. 6.7.77
4/17*

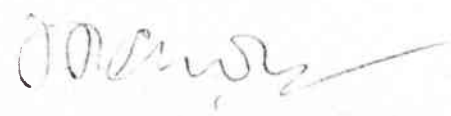
....2/-

344

- 2 -

According to the Federation, there cannot be any question of granting increment on proforma basis. Stoppage of increment is a penalty under D&A Rules, and therefore it should be granted unless otherwise specifically stopped.

Yours faithfully,



Jc (J.P. Chaubey)
General Secretary

Copy to General Secretary, N.E. Railway Mazdoor Union, Kendriya Karalaya, Gorakhpur, with reference to his letter No.NERMU/Fed/13 dated 27.4.77.



एन० ई० रेलवे मजदूर यूनियन

(NERMU)

343

(इस यूनियन के अंतर्गत पंजीकृत, भारत इण्डिया रेलवेमेन्स फेडरेशन एवं हि. मजदूर सभा से सम्बद्ध तथा एन० ई० रेलवे प्रशासन द्वारा मान्यता प्राप्त)

सदस्य-नेशनल सेफ्टी काउंसिल

सदस्य-बसावन सिंह

महामंत्री-कन्हैया लाल गुप्त

केन्द्रीय कार्यालय
गोरखपुर

पत्र सं० NERMU/Fed/13.

दिनांक 27.4.1977

The General Secretary,
All India Railwaymen's Federation,
125-E Babar Road, Rly Qrs.,
NEW DELHI.



Respected friend,

SUB: May/74 - Railway Strike.

REF: Railway Board's letter No.E(LR)
IJ77 ST1/17 dated 6.4.1977.

Kindly refer para 7 of the Railway Board's letter under reference which reads as under:-

"7. Employees who had been transferred from their posts for participation in the May, 1974 strike, either immediately after the strike or at the time of their reinstatement/re-employment, should now be posted back to the same station (in the same position)."

There are cases on the railways where after withdrawal of strike, the participants have been posted in original station of posting but have been transferred after few days either in another station or even in another division. Such cases are not covered by para 7 of the Board's letter referred to above and therefore it needs further direction.

Para 1(iii) of the letter reads - "The period from the date of dismissal/removal to the date of reinstatement will be treated as duty for purposes of drawal of increments, retirement benefits etc." The orders under reference have not been correctly implemented over N.E. Railway and the same is being read with para (v) wherein it has been stated that benefit of proforma increment be given with effect from 1.4.77 for the period from the date of dismissal/removal upto 31.3.77 including the period of reemployment in lower grade.

According to the union, ~~there~~ there cannot be any question of granting increment on proforma basis. Stoppage of increment is a penalty under D&A Rules, and therefore it should be granted unless otherwise specifically stopped.

The matter may kindly be taken up at appropriate level
With regard,

Your's faithfully
GENERAL SECRETARY

To RB

9/4/77

7.2.1977

11.4

COPY

ALL INDIA RAILWAYMEN'S FEDERATION

(242)

Government of India
Ministry of Railways
(Railway Board)

No. E(LR)II77ST1-17

New Delhi, date 7-4-1977.

To

The General Secretary,
A.I.R.F.,
125-E, Babar Road,
New Delhi.

Dear Sir,

Sub: Reinstatement of employees dismissed/removed
suspended in the context of May, 1974 strike.

I am directed to send herewith 25 copies of this
Ministry's letter of even No. dated 6-4-1977 on the
subject mentioned above. Please acknowledge receipt.

Yours faithfully,

Sd/- N. Krishnamurthi

for secretary, Rly. Board.

COPY OF RAILWAY BOARD'S LETTER NO. E (LR)II77ST1/17 dated
6-4-1977 ADDRESSED TO GENERAL MANAGERS, ALL INDIAN RAILWAYS.

Sub: Re-instatement of employees dismissed/
removed/suspended in the context of May, 1974
Strike.

In pursuance of the announcement made by the Minister
for Railways in his Budget Speech in the Parliament on
28th March, 1977 in connection with the Budget, the
Ministry of Railways have decided that the following steps
should be taken forthwith:-

- i) All permanent/temporary Railway employees, who
were dismissed/removed/suspended and have
not so far been put back to duty, should be
reinstated forthwith in the same post.
- ii) For the period from the date of dismissal/
~~removal~~ removal to the date of reinstatement
they should be paid pay and allowances equivalent
to the subsistence allowance in terms of sub-rule
(4) of rule 2044 RII read with sub-rule (7)
thereof.
- iii) The period from the date of dismissal/removal
to the date of reinstatement will be treated
as duty for purposes of drawal of increments,
retirement benefits etc.
- iv) In the case of those railway employees who are
under suspension and are being put back to duty
in terms of these instructions, the subsistence
allowance already paid should stand and the
period of suspension will be treated as duty as
indicated in item (iii) above.

- v) The above instructions will equally apply to those railway employees who were dismissed, removed from service but were later re-employed i.e. they will be treated as having been re-instated in service and their pay and allowances for the intervening period also regulated accordingly, the period being counted as duty. In case the reemployment was in a lower grade than that from which the Railway employee was dismissed/removed from service, the employee should be restored in that grade w.e.f. 1-4-77 and allowed proforma increment for the period from the date of dismissal/removal upto 31-3-1977 including the period of re-employment in the lower grade.
- vi) In the case of those railway employees who have already been taken back to duty after imposing some punishment such as stoppage of increment reduction in rank etc., their pay should be refixed on 1-4-77 as if no punishment had been imposed on them. Other employees, who were not dismissed/removed but were even originally given some other punishment affecting their pay such as with-holding of increment, reduction ~~in~~ in rank, reduction to a lower stage in the same time scale of pay etc., should be restored to their original grade and/or stage of pay and their pay should be refixed w.e.f. 1-4-77 as if the punishment had not been imposed.
- vii) Regular temporary employees, who were discharged from service under Rule 149-R1, including those who have already been taken back to duty, should be treated in the same manner as the permanent employees removed/dismissed from service and are now reinstated.
- viii) All the railway employees, who are taken back to duty in terms of these instructions as well as those who have been taken back to duty earlier, will be restored to the same seniority position which they were assigned prior to their dismissal/removal/termination.

2. The Ministry of Railways consider that implementation of the above instructions should be possible within the existing sanctioned strength of posts. In inescapable cases, however, additional posts may be created by you in consultation with the F.I.A. & C.A.O., these posts being worked off in the normal course against future vacancies in the cadre.

3. In cases where consequent on restoration of seniority the Railway employee concerned would have become due for further promotion, his claim for promotion to the higher grade should be considered in accordance with the prescribed procedure against the next available vacancy after due selection. Any panel for promotion of employee to such a higher grade already formed in the intervening

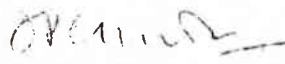
period will remain valid except that in the event of the employee who will now be considered against the next available vacancy in the higher grade being selected, he will be restored to the position which he would have occupied in the panel had his claim been considered at the relevant time. Such staff will also be given the benefit of proforma fixation in higher grade w.e.f. the date they would have been promoted in the normal course. These instructions do not, however, apply to those employees who are not selected for promotion in the first selection after the issue of these instructions.

4. Court cases which have been filed by the Railways against the employees should be withdrawn forthwith.
5. The break in service in the cases of all the employees who participated in the strike, including those covered by these instructions should be condoned if not already done.
6. Substitutes and casual labour, whose services were terminated at the time of the strike, should be taken back in service forthwith. They will be restored to their original position in the seniority list held in each unit before the strike and they will be considered for placement in the select list for absorption in regular service on the basis of that seniority. They will receive wages only from the date of their re-engagement.
7. Employees who had been transferred from their posts for participation in the May '74 strike, either immediately after the strike or at the time of their re-employment/re-employment, should now be posted back to the same station (in the same position).
8. These instructions have the concurrence of the Finance Directorate of this Ministry and have the approval of the President.
9. The Board desire that action on the above lines should be completed before 1-5-77, without fail. The progress of implementation beginning with the position as on Friday, the 15th April, 1977 should be sent to the Board by wireless in the form to be indicated separately by name to Sri M.V. Jayaraman, Joint Director (E) every alternate day till all the action has been completed. In case any clarifications are required, the matter should be referred to Director, Establishment on telephone, followed in writing. No delays in implementation of these instructions would be condoned. The progress should also be reported in your P.C.D.O.
10. Please acknowledge receipt.

No. AIRF/160-B

Dated April 12, 1977.

Copy to All General secretaries of the affiliated Unions and Working Committee Members of the AIRF for information and wide publicity.



(J.P. Chaubey)

General Secretary

(340)

J.P. Chaubey,
General Secretary:

No. AIRF/160-B (1194)

May 18th, 1977.

Dear Shri Madhu Daudawate,

Reg: Removal of employees from service on the allegations of being in possession of some circulars allegedly issued by Shri George Fernandes.

...

Kindly refer to my D.O. letter of even number dated 28th March, 1977 to which a reply is still awaited. It may be stated here that in the Southern Railway, two railway employees viz: Shri Parthasarathi, Khalasi, Carriage Workshop, Perambur, and Shri P.C. Manikam, Fitter, Loco Shed, Tirunelveli were removed from service on the allegation that they were in possession of some circular letters alleged to have been issued by Shri George Fernandes during the period of Emergency. Shri Parthasarathi is still under suspension and facing trial in the Court of Additional Ist Class Magistrate. Shri P.C. Manikam has, however, been removed from service and the Railway did not await the decision of the trial court in his case. You are fully aware that the Congress Government was extremely prejudiced against Shri George Fernandes and, therefore, any allegation connected with him was to be considered on the same basis. Since the employees are facing hard I shall be grateful if you will kindly direct the Railway Administration to reinstate them in service. The State Government may also be advised to withdraw the proceedings,

With kind regards,

Yours sincerely,



(J.P. Chaubey)

Shri Madhu Daudawate,
Minister for Railways,
Rail Bhavan,
New Delhi.

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J.P. Chaubey,
General Secretary:

May 18th, 1977.

D.O.No.AIRF/160-B (1795)

Dear Shri Dandavate,

Reg: Review of cases of removal/ dismissal
from service/ compulsorily retired during
emergency.

My office has been flooded with representations from
the affected employees who were removed or compulsorily
retired from service after May, 1974 Strike and also
during the period of Emergency. This problem was brought
by me to your personal notice under my D.O. letter No.
AIRF/160-B(1675) dated 12-4-77 to which reply is awaited.
I shall be grateful if you will kindly issue necessary
directive on the subject,

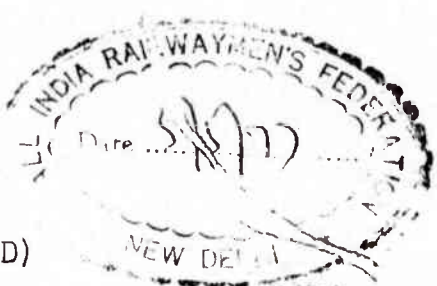
With kind regards,

Yours sincerely,

J.P. Chaubey
J.P. Chaubey

Shri Madhu Dandavate
Minister for Railways
Rail Bhavan
New Delhi.

2355



GOVERNMENT OF INDIA
MINISTRY OF RAILWAYS (RAILWAY BOARD)

No.E(LR)II77ST1-17.

New Delhi, dated 28.4.1977.

The General Managers,
All Indian Railways (including Production units & MTP)

Sub: Reinstatement of employees dismissed/removed
in the context of May'1974 strike.

.....

Reference Railway Ministry's letter of even number
dated 11.4.1977.

Some Railway employees who were removed from service in
the context of the strike of May, 1974 have attained the
age of superannuation and have since retired; there are
also cases of employees who died during the interim period.
It has been decided that such employees should be deemed to
have been reinstated and subsistence allowance and other
dues admissible up to the age of superannuation/death be
paid to them or their legal heirs, as the case may be.

File

N.V. Jayaraman

(N.V. Jayaraman)

Jt. Director, Establishment(L)
Railway Board.

DA/Nil.

No.E(LR)II77ST1-17

New Delhi, dated 28.4.1977.

Copy (with 140 spares) forwarded for information to
A.D.A.I.(Railways), New Delhi.

9/6/5

for Financial Commissioner, Railways.

Copy to E(D&A), E(NG)I&II, E(P&A), F.E. and E(G)
sections of Railway Board.

11. 10/16-23

.....

(337)
PR 314

Government of India
Ministry of Railways (Railway Board)

....

IMMEDIATE.

No.E(LR)II77ST1-17.

New Delhi, dated 27.4.1977.

The General Managers,
All Indian Railways (including Production Units & MTP).

Sub: Re-instatement of employees dismissed/removed/
suspended in the context of May, 1974 strike.

Reference para 6 of Board's letter of even number dated
6.4.1977 regarding taking back to service of substitutes and
casual labour whose services were terminated at the time of the
strike. In this connection, it is clarified that:

- (i) those who were already on regular scales of pay should be taken back on the same scale at the same rate of pay which they were drawing before they were discharged, the earlier service counting for further increments in the scale; and
- (ii) those, who had not come on to the regular scales of pay before they were discharged at the time of the strike, will be allowed to count their earlier service for purposes of completion of the minimum necessary period for being brought on to the regular scales of pay.

N.V. Jayaraman

(N.V. Jayaraman)

Jt. Director, Establishment (L),
Railway Board.

DA: Nil.

No.E(LR)II77ST1-17.

New Delhi, date 27.4.1977.

Copy for information to A.D.A.I. (Railways), New Delhi.

G. Srinivasan

for Financial Commissioner, Railways.

Copy to E(D&A), E(NG) I & II, E(F&A), F.E. and E(G)
Sections of Railway Board.

(336)

Government of India/Bharat Sarkar
Ministry of Railways/Rail Mantralaya
(Railway Board)

MOST IMMEDIATE.

No. E(LR) II 77 ST 1/17. New Delhi, dated 6th April 1977.

To

The General Managers,
All Indian Railways (including Production Units & NTPs)

Sub:- Reinstatement of employees dismissed/removed/
suspended in the context of May 1974 strike.

In pursuance of the announcement made by the Minister for Railways in his Budget Speech in the Parliament on 28th March 1977 in connection with the above, the Ministry of Railways have decided that the following steps should be taken forthwith :-

- (i) All permanent/temporary railway employees, who were dismissed/removed/suspended and have not so far been put back to duty, should be reinstated forthwith in the same post.
- (ii) For the period from the date of dismissal/removal to the date of reinstatement, they should be paid pay and allowances equivalent to the subsistence allowance in terms of sub-rule (4) of rule 2044 RII read with sub-rule (7) thereof.
- (iii) The period from the date of dismissal/removal to the date of reinstatement will be treated as duty for purposes of drawal of increments, retirement benefits, etc.
- (iv) In the case of those railway employees who are under suspension and are being put back to duty in terms of these instructions, the subsistence allowance already paid should stand and the period of suspension will be treated as duty as indicated in item (iii) above.
- (v) The above instructions will equally apply to those railway employees who were dismissed/removed from service but were later re-employed, i.e. they will be treated as having been reinstated in service and their pay and allowances for the intervening period also regulated accordingly, the period being counted as duty. In case the reemployment was in a lower grade than that from which the railway employee was dismissed/removed from service, the employee should be restored in that grade w.e.f. 1.4.77 and allowed proforma increment for the period from the date of dismissal/removal upto 31.3.1977 including the period of reemployment in the lower grade.
- (vi) In the case of those railway employees who have already been taken back to duty after imposing some punishment such as stoppage of increment, reduction in rank etc., their pay should be revised on 1.4.77 as if no punishment had been imposed on them. Other employees, who were not dismissed/removed but were even originally given some other punishment affecting their pay such as withholding

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of increment, reduction in rank, reduction to a lower stage in the same time scale of pay etc., should be restored to their original grade and/or stage of pay and their pay should be refixed w.e.f. 1.4.77 as if the punishment had not been imposed.

- (vii) Regular temporary employees, who were discharged from service under Rule 149-RI, including those who have already been ~~baken~~ taken back to duty, should be treated in the same manner as the permanent employees removed/dismissed from service and are now reinstated.
- (viii) All the railway employees, who are taken back to duty in terms of these instructions as well as those who have been taken back to duty earlier, will be restored to the same seniority position which they were assigned prior to their dismissal/removal/termination.

2. The Ministry of Railways consider that implementation of the above instructions should be possible within the existing sanctioned strength of posts. In inescapable cases, however, additional posts may be created by you in consultation with the FA & CAO, these posts being worked off in the normal course against future vacancies in the cadre.

3. In cases where consequent on restoration of seniority, the Railway employee concerned would have become due for further promotion, his claim for promotion to the higher grade should be considered in accordance with the prescribed procedure against the next available vacancy after due selection. Any panel for promotion of employees to such a higher grade already formed in the intervening period will remain valid except that in the event of the employee who will now be considered against the next available vacancy in the higher grade being selected, he will be restored to the position which he would have occupied in the panel had his claim been considered at the relevant time. Such staff will also be given the benefit of proforma fixation in higher grade w.e.f. the date they would have been promoted in the normal course. These instructions do, however, apply to those employees who are not ~~xx~~ selected for promotion in the first selection after the issue of these instructions.

4. Court cases which have been filed by the Railways against the employees should be withdrawn forthwith. ||

5. The break in service in the cases of all the employees who participated in the strike, including those covered by these instructions should be condoned if not already done.

6. Substitutes and casual labour, whose services were terminated at the time of the strike, should be taken back in service forthwith. They will be restored to their original position in the seniority list held in each unit before the strike and they will be considered for placement in the select list for absorption in regular service on the basis of that seniority. They will receive wages only from the date of their reengagement.

7. Employees who had been transferred from their posts for participation in the May 1974 strike, either immediately after the strike or at the time of their reinstatement/re-employment, should now be posted back to the same station (in the same position).

8. These instructions have the concurrence of the Finance Directorate of this Ministry and have the approval of the President.

9. The Board desire that action on the above lines should be completed before 1.5.1977 without fail. The progress of implementation beginning with the position as on Friday the 15th April, 1977 should be sent to the Board by wireless in the form to be indicated separately by name to Shri N.V. Jayaraman, Joint Director, Establishment (Labour) every alternate day till all the action has been completed. In case any clarifications are required, the matter should be referred to Director, Establishment on telephone, followed in writing. No delays in implementation of these instructions would be condoned. The progress should also be reported in your PCDO.

10. Please acknowledge receipt.

Sd/-

(Jagdish Lal)

Director, Establishment,
Railway Board.

D.A.Nil.

No.E(LR)II77ST1/17. New Delhi, dated 6th April 1977.

Copy (with 140 copies) forwarded for information to ADAI (Railways), New Delhi.

Sd/ N.Padmanabhan.

for Financial Commissioner, Railways.

Copy to E(D&A), E(NG)I & II, E(P&A), F.E. and E(G) Sections of Railway Board.

No. NRMU/26 /1586

दिनांक 7/3/77

The General Secretary,
N.R.M.U./New Delhi.

407
17.3.77

Dear Comrade,

Reg: Victimisation of Mgy'74 strike.

Ref: Your No.NRMU/102/77 dt. 26.2.77.
===

Entire position has already been communicated vide this office letter of even number dated 24.11.75 and 18.5.76. However the details are given below for your ready reference as desired :-

ITEM NO: 1 - Nil
" 2 - Nil
" 3 - Nil
"" 4 - Nil
" 5 - Nil
" 6 - Nil

ITEM NO: 7 - Ashok Kumar Kh. and Chunni Lal Chaturvedi,
Khallasi, Sick Line, Lucknow.

" 8 - Nil

ITEM NO: 9 - Ram Prasad, Trolleyman, Bhairo Pd. Mason,
Rae Bareli, Sri Ram, IOW/Kh./RBL and others
at RBL in the same case admitted by the court.

1) A.N.Sharma, Fireman/FD. 2) Ram Badan wari,
3) Shunter/FD. 4) Jagdish Singh, DSL Asstt./FD. 5) C.P.Tewari
Guard/FD. 6) Ram Dulare, Gangman,PWI/FD. 7) Nand Kishore,
Gangman/FD. 8) Rati Bhan Singh, Wireman,FD. 9) Prabhakar
Misra, Cabinman,Cabinman/PBH. 10) Suraj Bux Singh, Fitter/PBH.
11) S.B.Jairat, MSM/PBH, 12) S.B.Singh, ASM/PBH. 13) R.K.Misra
Clerk/LF/PBH. 14) Ganga Singh, F/Man/PBH. 15) Jagdish Pd.
Gangman/RBL. 16) Umashanker Singh,Clerk, PWI/JNU. 17) Gorakh,
Gangman/PWI/JNU. 18) Kunwar Bahadur, Fitter/JNU. 19) Rafiq
Ahmad, S/Wala/JNU. 20) Jeewan Lal, S/Wala,JNU. 21) A.P.Misra,
Lineman/JNU. 22) Vinay Kumar,Kh.TI/JNU. 23) K.P.Gupta,IOW/
SLN. 24) K.Q.Jama, ASM/SLN. ~~24) S.N.Tripathi~~ 25) R.S.Pandey,
Guard/SLN. 26) K.P.Pathak,Guard/SLN. 27) S.N.Tripathi,GD/
SLN. 28) J.P.Yadav, TXR/SLN. 29) Hari Har Pandey, Fitter/
SLN. 30) Mohd.Ilias, Painter/SLN. 31) P.P.Dubey, Clerk,PWI/
SLN. 32) Daya Ram Fitter/SLN. 33) Kanhaya Lal,Kh./SLN.
34) Sheo Sampat, F/smith/SLN. 35) Mohd.Husain,Trolleyman/S LN.
36) Mohd.Jalil,N PO/SLN. 37) Ram Asrey, Kh.N PO/SLN.

contd... 2

See
21/3
20/1/77

- 38) Naimi Hasan, Kh./SLN. 39) Burmadin Carpenter, NPO/SLN.
40) O.P. Misra, TXR/SLN. 41) Mohd. Umar, SPA/SLN. 42) Deep
Narain Singh, Kh. IOW/SLN. 43) Sampat Singh, PWM/KBE.
44) Laiq Ahmad, F/man/SLN. 45) B.M. Pandey, LR/ASM/BSB
46) Om Prakash, Painter, HTXR/IKO. 47) Prem Carpt. HTXR/IKO.
48) Ashok Kumar, Kh. HTXR/IKO 49) G.S. Tewari, RG/ASM/Reedganj.
50) A.P. Verma, MC/LE/IKO. 51) Ram Autar Elec. Fitter/IKO.
52) Surat Singh, Wireman/IKO. 53) Raj Mangal, IOW/Kh. IKO.
54. Jarnail Singh, Elec. Kh. IKO. 55) S.N. Tewari, Elec. Kh./IKO.
56). Sidheshwar Dixit, Wireman, Kh. IKO. 57) Satruhan, F/man/IKO.
58) Jagannath Pd. Yard Foreman, IKO. 59) Ram Singh, Carpt./IKO.
60) J.P. Suri, Guard/IKO. 61) R.M. Nigam, TXR/RBL.
62) B.D. Tewari, Hd. T.C./IKO. 63) Pragyankar Tripathi, Clerk,
D.S./IKO along with 9 other other clerks of D.S. office.

ITEM NO: 10 - Nil.

ITEM NO: 11 - Nil.

ITEM NO: 12 - S.M. Lal, HTDR/Lucknow now at ALD.

Yours faithfully,

(V. P. TRIVEDI)
Divisional Secretary

332



Government of India
Ministry of Railways
(Railway Board)

No.E(LR)II77ST1-17.

New Delhi, dated 30.4.1977.

To

✓ The General Secretary,
A.I.R.F.,
125-E, Babar Road,
New Delhi-110001.

The General Secretary,
N.F.I.R.,
166/1, Panchkuian Road,
New Delhi-110001.

Dear Sir,

Sub: Reinstatement of employees dismissed/
removed/suspended in the context of
May, 1974 strike.

I am directed to send herewith 25 copies of each
this Ministry's letter of even number dated ~~30.4.1977~~ on
the subject mentioned above. Please acknowledge the
receipt.

27.4.77 &
28.4.77

Your faithfully,

for Secretary, Railway Board.

Handwritten notes:
20/5
A.I.R.F. / 125-E

2331

GOVERNMENT OF INDIA
MINISTRY OF RAILWAYS (RAILWAY BOARD)

No.E(LR)II77ST1-17. New Delhi, dated 28.4.1977.

The General Managers,
All Indian Railways(including Production units & MTP)

Sub: Reinstatement of employees dismissed/removed
in the context of May'1974 strike.

.....

Reference Railway Ministry's letter of even number
dated 11.4.1977.

Some Railway employees who were removed from service in
the context of the strike of May, 1974 have attained the
age of superannuation and have since retired; there are
also cases of employees who died during the interim period.
It has been decided that such employees should be deemed to
have been reinstated and subsistence allowance and other
dues admissible up to the age of superannuation/death be
paid to them or their legal heirs, as the case may be.

N.V. Jayaraman

(N.V. Jayaraman)

Jt. Director, Establishment(L)
Railway Board.

DA/Nil.

No.E(LR)II77ST1-17 New Delhi, dated 28.4.1977.

Copy (with 140 spares) forwarded for information to
A.D.A.I.(Railways), New Delhi.

for Financial Commissioner, Railways.

for Financial Commissioner, Railways.

Copy to E(D&A), E(NG)I&II, E(P&A), F.E. and E(G)
sections of Railway Board.

.....

(330)

GOVERNMENT OF INDIA
MINISTRY OF RAILWAYS (RAILWAY BOARD)

No.E(LR)II77ST1-17. New Delhi, dated 28.4.1977.

The General Managers,
All Indian Railways(including Production units & MTP)

Sub: Reinstatement of employees dismissed/removed
in the context of May'1974 strike.

.....

Reference Railway Ministry's letter of even number
dated 6.4.1977.

Some Railway employees who were removed from service in
the context of the strike of May, 1974 have attained the
age of superannuation and have since retired; there are
also cases of employees who died during the interim period.
It has been decided that such employees should be deemed to
have been reinstated and subsistence allowance and other
dues admissible up to the age of superannuation/death be
paid to them or their legal heirs, as the case may be.

N.V. Jayaraman

(N.V. Jayaraman)

Jt. Director, Establishment(L)
Railway Board.

DA/Nil.

No.E(LR)II77ST1-17 New Delhi, dated 28.4.1977.

Copy (with 140 spares) forwarded for information to
A.D.A.I.(Railways), New Delhi.

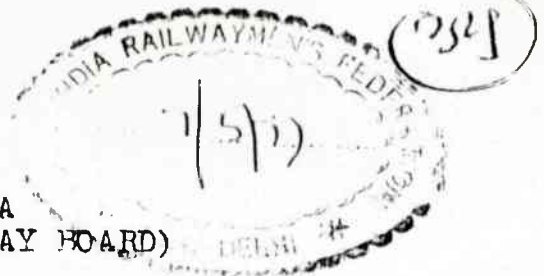
13/10/77 B

28.4.1977
for Financial Commissioner, Railways.

Copy to E(D&A), E(NG)I&II, E(P&A), F.E. and E(G)
sections of Railway Board.

.....

GOVERNMENT OF INDIA
MINISTRY OF RAILWAYS (RAILWAY BOARD)



No. E(LR) IP77ST1-17.

New Delhi, dt. 2-5-1977

The General Managers,
All Indian Railways (including Production units & MTP)

Sub: Reinstatement of employees dismissed/removed
in the context of May'1974 strike.

Reference Railway Ministry's letter of even number
dated 6.4.1977.

It is possible that in some cases the employees have been paid their settlement dues following their dismissals/removal. It has been decided that the arrears admissible to them on account of the subsistence allowance, re-fixation of pay, etc., may be adjusted towards the amount required to be repaid by them under the rules (provident fund money as well as gratuity/special contribution), the balance due being recovered in easy instalments up to a maximum of 24 as a special case.

This adjustment should be done in the following order:

- i) special contribution to Provident Fund/Gratuity.
- ii) Government contribution to Provident Fund.
- iii) Provident Fund subscription of the employee.

In cases where the money has been spent for purposes for which withdrawal from provident fund is permitted, such as marriage, house building, etc., the recovery can be completed on production of a proper certificate by the individual and the withdrawal treated as final, and in such cases the question of any adjustment should not arise. As regards temporary withdrawals, recovery should be made as provided under the rules. Wherever employees have now completed the requisite length of service for final withdrawal and satisfy other conditions laid down in the rules, temporary withdrawals may be converted into final ones wherever admissible and applied for by the employee.

N. V. Jayaraman
(N. V. Jayaraman)
Jt. Director, Establishment (L)
Railway Board

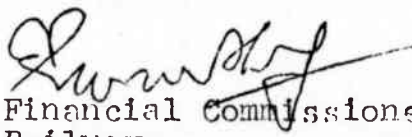
DA/Nil.

.....2/.

No.E(LR) II77ST1-17

New Delhi, dt. 2-5-77.

Copy (with 140 spares) forwarded for information to
A.D.A.I.(Railways), New Delhi.


for Financial Commissioner,
Railways.

No.E(LR) II77ST1-17.

New Delhi, dt. 2-5-77.

Copy together with 25 spares, forwarded to :-

1. General Secretary, All India Railwaymen's Federation.
125/E, Babar Road, New Delhi.
2. General Secretary, National Federation of Indian
Railwaymen, 166/1, Panchkuian Road, New Delhi.

✓
Copy to all Members of the National Council & Secretary,
Staff Side, National Council, No.9, Ashok Road, New Delhi.

Copy to E(LR) I, E(LR) III, E(D&A), E(NG) I&II, E(P&A),
F.E. and E(G) sections of Railway Board.


for Secretary, Railway Board.

J.P.
Lalbooy

(328)

INDIA RAILWAYS FEDERATION
Date: 1/10/77
NEW DELHI

GOVERNMENT OF INDIA
MINISTRY OF RAILWAYS (RAILWAY BOARD)

No.E(LR)IP77ST1-17.

New Delhi, dt. 2-5-1977

The General Managers,
All Indian Railways (including Production units & MTP)

Sub: Reinstatement of employees dismissed/removed
in the context of May'1974 strike.

Reference Railway Ministry's letter of even number
dated 6.4.1977.

It is possible that in some cases the employees have been paid their settlement dues following their dismissals/removal. It has been decided that the arrears admissible to them on account of the subsistence allowance, re-fixation of pay, etc., may be adjusted towards the amount required to be repaid by them under the rules (provident fund money as well as gratuity/special contribution), the balance due being recovered in easy instalments up to a maximum of 24 as a special case.

This adjustment should be done in the following order:

- i) special contribution to Provident Fund/Gratuity.
- ii) Government contribution to Provident Fund.
- iii) Provident Fund subscription of the employee.

In cases where the money has been spent for purposes for which withdrawal from provident fund is permitted, such as marriage, house building, etc., the recovery can be condoned on production of a proper certificate by the individual and the withdrawal treated as final, and in such cases the question of any adjustment should not arise. As regards temporary withdrawals, recovery should be made as provided under the rules. Wherever employees have now completed the requisite length of service for final withdrawal and satisfy other conditions laid down in the rules, temporary withdrawals may be converted into final ones wherever admissible and applied for by the employee.

N.V. Jayaraman
(N.V. Jayaraman)
Jt. Director, Establishment(L)
Railway Board

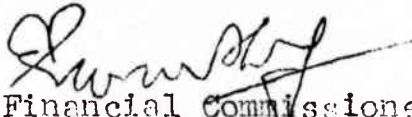
DA/Nil.

.....2/.

No.E(LR)II77ST1-17

New Delhi, dt. 2-5-77.

Copy (with 140 spares) forwarded for information to
A.D.A.I.(Railways), New Delhi.


for Financial Commissioner,
Railways.

No.E(LR)II77ST1-17.

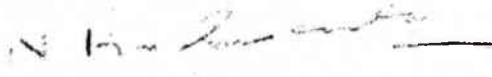
New Delhi, dt. 2-5-77.

Copy together with 25 spares, forwarded to :-

1. General Secretary, All India Railwaymen's Federation,
125/E, Babar Road, New Delhi.
2. General Secretary, National Federation of Indian
Railwaymen, 166/1, Panchkuian Road, New Delhi.

Copy to all Members of the National Council & Secretary,
Staff Side, National Council, No.9, Ashok Road, New Delhi.

Copy to E(LR)I, E(LR)III, E(D&A), E(NG)I&II, E(P&A),
F.E. and E(G) sections of Railway Board.


for Secretary, Railway Board.

(327)

J.P. CHAUBEY
General Secretary

D.O.No. AIRF/VL 68

April 25, 1977

My Dear Rao,

I am glad to know that you have been reinstated.

Please write to me well in advance whenever you plan to visit Delhi to meet me.

I hope you are doing well.

Yours fraternally,



(J.P. Chaubey)

Shri V.K.T. Rao
Railway Quarter No. 27/A
Vishakhapatnam -18

rn*

(325)

J.P. CHAUBEY
General Secretary

D.O.No. AIRF/160-B(1706)

April 25, 1977

Dear Shri Dandawate,

Re: Reinstatement of dismissed, removed,
suspended employees.

...

The Orders issued by the Ministry on this subject cover employees who were dismissed in connection with May '74 strike. There are three employees of the Mysore Division Workshop who were dismissed from services by the Southern Railway Administration in April 1974. Apparently the instructions issued for reinstatement do not cover the cases of these employees. Names of these are as under :-

S/Shri H.H. Dodaiah, Skilled Artisan, Mysore workshop;
M. Lakshiah, Skilled Artisan, Mysore workshop;
K. Vasantharaj, Clerk/MYS.

Besides, the following 3 employees were prematurely retired immediately following the strike, on payment of 3 months' pay :-

S/Shri A.R. Shaik Mastan, Hd. Clerk/ P.Branch/TPJ;
S. Aseerwadhan, Engrs. W/Shop, Adkonam;
Gajapathi Babu, Clerk, CSTM's office, Madras.

S/Shri A.R. Shaik Mastan and S. Aseerwadhan who were office bearers of our affiliated Union on Southern Railway, were also dismissed from service and have not yet been reinstated. These two cases are definitely victims of the May '74 strike.

I shall be grateful if you could kindly look into the matter and direct the Railway Administration to reinstate these employees back in service.

With kind regards,

Yours sincerely,
J.P. Chaubey
(J.P. Chaubey)

Shri Madhu Dandawate
Minister for Railways
Rail Bhavan
New Delhi

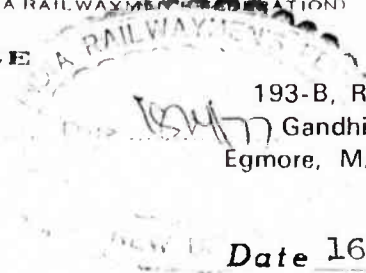
cc/ 1. Sh. G. Ramachandran, 77-Rly. Qrs. TRILMIY JN. 620001
2. Shri H. Ramasivayam, Gen. Secy. SRSU/Madras.

Southern Railway Mazdoor Union, Madras

(323)

REGD. NO. 3967, RECOGNISED & AFFILIATED TO THE ALL INDIA RAILWAYMEN'S ASSOCIATION

CENTRAL OFFICE



193-B, Railway Colony,
Gandhi Irwin Road,
Egmore, MADRAS-600 008.

SIVAYAM
SECRETARY

LY
OTE
17

Date 16-4-77 197 .

Dear Chaubeji,

Sub: Reinstatement of Sarvasri S. Aseervatham, Welder
T.No. 129, EMS/AJJ - Vice-President SRMU, A.R.
Shaik Masthan, Head Clerk, DPO/TPJ Office and
Branch President/TPJ Branch, P.V. Gajapathi Bahu,
Asst. Draughtsman/CSTE/O/MAS, Vice-President/
H.Qrs./MAS Branch.

The above three Office-bearers were compulsorily retired from service when they joined duty after participation in the Strike. They were not taken back to duty at all when they wanted to join duty. As you may know the Southern Railway administration resorted to different methods to do away with the services of the strikers and since the above named completed 30 years of service, they were removed from service under 2042.

You will remember when we represented the case to Member Staff, he played jokes telling that he knows of only one Masthan. The Southern Railway administration has all along been showing these 3 cases as strike cases in all their returns submitted to the Railway Board so far.

I shall be much grateful if you will speak to Railway Board and see that orders are issued for their reinstatement. It appears to me that there will be no difficulty in treating these cases of compulsory retirement as a sequel to strike in as much as Southern Railway Administration itself has classified and shown these cases as strike cases in all their returns to Railway Board.

Yours sincerely,

Sri J.P. Chaubey,
General Secretary,
A.I.R.F., New Delhi.

*Do letter to
M. S. Rao*

Ln

[Signature]
2574

(322) 160-12-11

Dt. 25th April '77.

J.P. Chaubey.
General Secretary.

Dear Shri Dandavate,

Re: Prosecution of employees on the
allegation of being in possession
underground material during Emerge

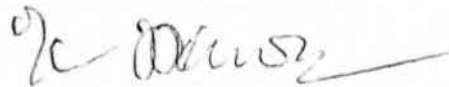
In the Tamil Nadu State, two employees are .
prosecuted on the allegation of being in possessio
some underground material, circulars etc. alleged
issued by Shri George Fernandes when he was under
One of them Shri Parthasarthy is a Khalasi in Carri
Workshop, Perambur, Southern Railway, Madras. The
case against him has since been withdrawn vide cop
letter dated 3.4.77 issued by the Superintendent,
Government Railway Police, Tiruchirappell (attached)

Since he was removed from service for being in
possession of peditious literature as stated above,
you are requested to kindly look into the matter &
issue orders to the Railway Admn. for reinstating
in service.

I shall be grateful if immediate action is
taken in the matter.

With kind regards,

Yours sincerely,



(J.P. Chaubey)

Shri Madhu Dandavate,
Minister of Railways,
Rail Bhavan,
New Delhi.

DA: 1

Copy to the General Secretary, S.R.M.U., Madras
for information w.r.t. his letter No. Rmu/c/17 dt.
18.4.77.

(32)

Office of the Supdt., Govt. Rly.
Police, Tiruchirappal.
Dt. 3.4.1977.

Memorandum.

Sub: EMERGENCY - Proceeds of Moramlisation -
Cases registered under the provision of DISR -
Cases recommended for withdrawal for dropping
action - orders of Government communicated.

- 1. Ref: Madras Central R.P. Cr. No. 3151/75 Sec 36(6)
R/W 43(1)(a)(c) 5 of 1971.
- 2. Special Branch CID Secretar Memorandum C.I.
No. 19880 O/C dt. 31.3.77.

The Government has examined the question of
proceedings against Parthasarthy concerned in Madras Central
Cr.No. 3151/75 Sec.36(6) R/W43(1) (a)(c)5 of 1971 and
has ordered in G.O. R.T.No. 1116 and 1117 Public (Law and
Order) department dated 16.3.77 to drop further action
and withdrawn from trial.

Please taken necessary action and report the
receipt of this reference may be acknowledged by
return of post.

Sd/-
Superintendent, Govt. Rly. Police,
Tiruchirappalli.

True copy.

Southern Railway Mazdoor Union, Madras

(REGD NO.: 3067 RECOGNISED & AFFILIATED TO AIRF)

CENTRAL OFFICEPRESIDENT:
P. R. KUMARAMANGALAMGENERAL SECRETARY:
M. NAMASIVAYAM193-B, RAILWAY COLONY,
EGMORE, MADRAS-600 008.

Ref: Rmu/c/ 17

Date...18...4...1977...19

The General Secretary,
AIRF/New Delhi.

Dear Sri Choubaji,

Sub: Removal of employees from Service on the
allegations of being in possession of
some circulars allegedly issued by
Sri George Fernandes.

-000-

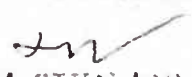
Kindly refer to your letter No AIRF/160-P(1646) dt. 28
28.3.1977.

Case against Sri Parthasarathy has since been dropped
vide copy enclosed. Case against Sri P.C. Manickam
has not been withdrawn so far.

I shall be glad if you will write to Hon'ble Railway
Minister to reinstate Sri Parthasarathy in as much as
the case has been withdrawn as presumably he was
removed from service for being in possession of seditious
literature.

With Greetings!

Yours fraternally,


(M. NAMASIVAYAM)
General Secretary.

(319)

C. No. 305/SP/19/77

Office of the Supt., Govt.
Rly, Police, Tiruchirappalli.
dt. 3.4.1977.

MEMORANDUM

Sub: EMERGENCY -Proceeds of Normalisation -Cases registered under the provision of DISR -Cases Recommended for withdrawal for dropping action orders of Government-Communicated.

Ref: 1. Madras Central R.P. Cr.No. 3151/75 Sec 36(6) R/W 43(1) (a) (c) 5 of 1971.
2. Special Branch C.I.D Secret Memorandum C.I. No. 19820 O/C dt. 31.3.1977.
-oOo-

The Government has examined the question of proceedings against Parthasarathi concerned in Madras Central R.P. Cr. No. 3151/75 Sec.36(6) R/W 43(1) (a) (c) 5 of 1971 and has ordered in G.O. R.T. No.1116 and 1117 Public (Law and Order) department dated 16.3.77 to drop further action and withdrawn from trial.

Please take necessary action and report the receipt of this reference may be acknowledged by return of post.

Sd. XXXXXX XXXXXXXX
Supt.,
Govt. Rly. Police,
Tiruchirappalli.

/True copy/

COPY

Government of India
Ministry of Railways
(Railway Board)

318

No. E(LR)II77ST1-17

New Delhi, dated 7-4-1977.

To

The General Secretary,
A.I.R.F.,
125-B, Babar Road,
New Delhi.

Dear Sir,

Sub: Reinstatement of employees dismissed/removed
suspended in the context of May, 1974 strike.

I am directed to send herewith 25 copies of this
Ministry's letter of even No. dated 6-4-1977 on the
subject mentioned above. Please acknowledge receipt.

Yours faithfully,

Sd/- N. Krishnamurthi

for secretary, Rly. Board.

COPY OF RAILWAY BOARD'S LETTER NO. E (LR)II77ST1/17 dated
6-4-1977 ADDRESSED TO GENERAL MANAGERS, ALL INDIAN RAILWAYS.

Sub: Re-instatement of employees dismissed/
removed/suspended in the context of May, 1974
Strike.

In pursuance of the announcement made by the Minister
for Railways in his Budget Speech in the Parliament on
28th March, 1977 in connection with the above, the
Ministry of Railways have decided that the following steps
should be taken forthwith:-

- i) All permanent/temporary Railway employees, who
were dismissed/removed/suspended and have
not so far been put back to duty, should be
reinstated forthwith in the same post.
- ii) For the period from the date of dismissal/
~~removal~~ removal to the date of reinstatement
they should be paid pay and allowances equivalent
to the subsistence allowance in terms of sub-rule
(4) of rule 2044 RII read with sub-rule (7)
thereof.
- iii) The period from the date of dismissal/removal
to the date of reinstatement will be treated
as duty for purposes of drawal of increments,
retirement benefits etc.
- iv) In the case of those railway employees who are
under suspension and are being put back to duty
in terms of these instructions, the subsistence
allowance already paid should stand and the
period of suspension will be treated as duty as
indicated in item (iii) above.

- v) The above instructions will equally apply to those railway employees who were dismissed/removed from service but were later re-employed i.e., they will be treated as having been re-instated in service and their pay and allowances for the intervening period also regulated accordingly, the period being counted as duty. In case the reemployment was in a lower grade than that from which the Railway employee was dismissed/removed from service, the employee should be restored in that grade w.e.f. 1-4-77 and allowed proforma increment for the period from the date of dismissal/removal upto 31-3-1977 including the period of re-employment in the lower grade.
- vi) In the case of those railway employees who have already been taken back to duty after imposing some punishment such as stoppage of increment reduction in rank etc., their pay should be refixed on 1-4-77 as if no punishment had been imposed on them. Other employees, who were not dismissed/removed but were even originally given some other punishment affecting their pay such as with-holding of increment, reduction in rank, reduction to a lower stage in the same time scale of pay etc., should be restored to their original grade and/or stage of pay and their pay should be refixed w.e.f. 1-4-77 as if the punishment had not been imposed.
- vii) Regular temporary employees, who were discharged from service under Rule 149-R1, including those who have already been taken back to duty, should be treated in the same manner as the permanent employees removed/dismissed from service and are now reinstated.
- viii) All the railway employees, who are taken back to duty in terms of these instructions as well as those who have been taken back to duty earlier, will be restored to the same seniority position which they were assigned prior to their dismissal/removal/termination.

2. The Ministry of Railways consider that implementation of the above instructions should be possible within the existing sanctioned strength of posts. In inescapable cases, however, additional posts may be created by you in consultation with the F.A. & C.A.O., these posts being worked off in the normal course against future vacancies in the cadre.

3. In cases where consequent on restoration of seniority the Railway employee concerned would have become due for further promotion, his claim for promotion to the higher grade should be considered in accordance with the prescribed procedure against the next available vacancy after due selection. Any panel for promotion of employee to such a higher grade already formed in the intervening

period will remain valid except that in the event of the employee who will now be considered against the next available vacancy in the higher grade being selected, he will be restored to the position which he would have occupied in the panel had his claim been considered at the relevant time. Such staff will also be given the benefit of preformation fixation in higher grade w.e.f. the date they would have been promoted in the normal course. These instructions do not, however, apply to those employees who are not selected for promotion in the first selection after the issue of these instructions.

4. Court cases which have been filed by the Railways against the employees should be withdrawn forthwith.
5. The break in service in the cases of all the employees who participated in the strike, including those covered by these instructions should be condoned if not already done.
6. Substitutes and casual labour, whose services were terminated at the time of the strike, should be taken back in service forthwith. They will be restored to their original position in the seniority list held in each unit before the strike and they will be considered for placement in the select list for absorption in regular service on the basis of that seniority. They will receive wages only from the date of their re-engagement.
7. Employees who had been transferred from their posts for participation in the May '74 strike, either immediately after the strike or at the time of their reinstatement/re-employment, should now be posted back to the same station (in the same position).
8. These instructions have the concurrence of the Finance Directorate of this Ministry and have the approval of the President.
9. The Board desire that action on the above lines should be completed before 1-5-77. without fail. The progress of implementation beginning with the position as on Friday, the 15th April, 1977 should be sent to the Board by wireless in the form to be indicated separately by name to Shri N.V. Jayaraman, Jt. Director (E) every alternate day till all the action has been completed. In case any clarifications are required, the matter should be referred to Director, Establishment on telephone, followed in writing. No delays in implementation of these instructions would be condoned. The progress should also be reported in your P.C.D.O.
10. Please acknowledge receipt.

No. AIRF/160-B

Dated April 12, 1977.

Copy to All General secretaries of the affiliated Unions and Working Committee Members of the AIRF for information and wide publicity.

(J.P. Chaubey)
General Secretary/AIRF

Government of India
Ministry of Railways
(Railway Board)

315

8.4.77

No.E(LR)II77ST1-17

New Delhi, dated 7.4.1977.

To

✓ The General Secretary,
A.I.R.F.,
125-E, Babar Road,
New Delhi.

The General Secretary,
N.F.I.R.,
166/1, Panchkuian Road,
New Delhi-1.

Dear Sir,

Sub: Reinstatement of employees dismissed/
removed/suspended in the context of
May, 1974 strik.

I am directed to send herewith 25 copies of this
Ministry's letter of even number dated 6.4.1977 on the
subject mentioned above. Please acknowledge the receipt.

Yours faithfully

N. K. S. S. S.

for Secretary, Railway Board.

1/1/77
Pl. Serial to send to
AIREWC Members.

Government of India/Bharat Sarkar
Ministry of Railways/Rail Mantralaya
(Railway Board)

314

MOST IMMEDIATE.

FR 33)

No.E(LR)II77ST1/17

New Delhi, dated 6.4.1977.

The General Managers,
All Indian Railways (including
Production Units & MTP).

Sub: Re-instatement of employees dismissed/
removed/suspended in the context of
May, 1974 strike.

In pursuance of the announcement made by the
Minister for Railways in his Budget Speech in the
Parliament on 28th March, 1977 in connection with the
above, the Ministry of Railways have decided that the
following steps should be taken forthwith:-

- (i) All permanent/temporary Railway employees, who were dismissed/removed/suspended and have not so far been put back to duty, should be reinstated forthwith in the same post.
- (ii) For the period from the date of dismissal/removal to the date of reinstatement, they should be paid pay and allowances equivalent to the subsistence allowance in terms of sub-rule(4) of rule 2044 RII read with sub-rule (7) thereof.
- (iii) The period from the date of dismissal/removal to the date of reinstatement will be treated as duty for purposes of drawal of increments, retirement benefits etc.
- (iv) In the case of those railway employees who are under suspension and are being put back to duty in terms of these instructions, the subsistence allowance already paid should stand and the period of suspension will be treated as duty as indicated in item (iii) above.
- (v) The above instructions will equally apply to those railway employees who were dismissed/removed from service but were later re-employed, i.e. they will be treated as having been reinstated in service and their pay and allowances for the intervening period also regulated accordingly, the period being counted as duty. In case the re-employment was in a lower grade than that from

which the Railway employee was dismissed/removed from service, the employee should be restored in that grade w.e.f. 1.4.77 and allowed proforma increment for the period from the date of dismissal/removal upto 31.3.77 including the period of re-employment in the lower grade.

- (vi) In the case of those Railway employees who have already been taken back to duty after imposing some punishment such as stoppage of increment, reduction in rank etc. their pay should be refixed on 1.4.77 as if no punishment had been imposed on them. Other employees, who were not dismissed/removed but were even originally given some other punishment affecting their pay such as with-holding of increment, reduction in rank, reduction to a lower stage in the same time scale of pay etc., should be restored to their original grade and/or stage of pay and their pay should be refixed w.e.f. 1.4.77 as if the punishment had not been imposed.
- (vii) Regular temporary employees, who were discharged from service under Rule 149-RI, including those who have already been taken back to duty, should be treated in the same manner as the permanent employees removed/dismissed from service and are now reinstated.
- (viii) All the railway employees, who are taken back to duty in terms of these instructions as well as those who have been taken back to duty earlier, will be restored to the same seniority position which they were assigned prior to their dismissal/removal/termination.

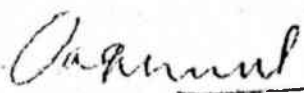
2. The Ministry of Railways consider that implementation of the above instructions should be possible within the existing sanctioned strength of posts. In inescapable cases, however, additional posts may be created by you in consultation with the F.A. & C.A.O., these posts being worked off in the normal course against future vacancies in the cadre.

3. In cases where consequent on restoration of seniority, the Railway employee concerned would have become due for further promotion, his claim for promotion to the higher grade should be considered in accordance with the prescribed procedure against the next available vacancy after due

approval of the President.

9. The Board desire that action on the above lines should be completed before 1.5.77 without fail. The progress of implementation beginning with the position as on Friday, the 15th April, 1977 should be sent to the Board by wireless in the form to be indicated separately by name to Shri N.V. Jayaraman, Jr. Director (E) every alternate day till all the action has been completed. In case any clarifications are required, the matter should be referred to Director, Establishment on telephone, followed in writing. No delays in implementation of these instructions would be condoned. The progress should also be reported in your P.C.D.O.

10. Please acknowledge receipt.

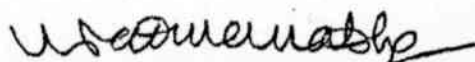

(Jagdish Lal),
Director, Establishment,
Railway Board.

DA/Nil.

No. E(LR)II77ST 1/17

New Delhi, dated 6.4.1977.

Copy (with 140 copies) forwarded for information to A.D.A.I. (Railways), New Delhi.


for Financial Commissioner, Railways.

F.E.
Copy to E(D&A), E(NG) I & II, E(P&A) and E(G) sections of Railway Board.

(312)

AIRF/ 160-B (1632)

April 15, 1977.

The Secretary (E),
Railway Board,
New Delhi.

Dear Sir,

Sub: Arbitrary transfer of Shri B.K. Roy Choudhury,
YM/KIR from KIR to NBQ in APDJ Division.

...

Shri B.K. Roy Choudhury was removed from service in connection with May, 1974 strike. He was subsequently reinstated and posted as YM/KIR in scale Rs. 550-750/-. Sri Roy Choudhury is on the verge of retirement and only few months are left. Only after a few months of his resumption at Katihar he has been transferred to New Bongaigaon vice Sri Syed F. Hasan, YM/NBQ transferred to Katihar vide ACOPS(G)'s Office order No. E/283/123/PIV(T), dated 17.12.76. This transfer apparently is out of turn. In the order of transfer there is no reason mentioned for the same.

It is reported that Sri Hasan is closely related to Shri Shah Mohammad Tariq Anwar, President, Yuva Congress/Bihar who happened to be a candidate from Katihar Parliamentary Constituency in the last election on congress ticket. It is, therefore, apparently a motivated and political transfer.

The transfer was ordered in contravention to the Board's order that when an employee is on the verge of transfer he should not normally be transferred.

It is reported that Sri Roy Choudhury has not moved on transfer upto now and has preferred an application to retire voluntarily instead.

The AIRF, therefore, desires that the N.F. Railway Admn. be advised to cancel the transfer order against Sri Roy Choudhury asking him to resume at Katihar, and the N.F. Railway Mazdoor Union, an affiliate of the AIRF is hereby advised to ask Sri Roy Choudhury a Union activist to withdraw his application for voluntary retirement. An early action in the matter will be appreciated with due intimation to this office.

Yours faithfully,

(J.P. Chaubey)
General Secretary.

cc. to the General Secretary, NFRMU, Pandu for information.

...

*acknowledged by Bd
4/20/77
1.30.5.77*

(311)

AIRF/160-B

April 14, 1977.

The General Secretary,
N.E. Railway Mazdoor Union,
Gorakhpur.


Dear Comrade,

Re : Orders issued by the Railway Board
in regard to reinstatement of employees
and vacation of other penal actions.

...

I have gone through your letters
No. NERMU/Fed.13, dated 8.4.77 and NERMU/WC/30,
dated 12.4.77, addressed by you on the subject.
I had also informal discussions with the Minister
for Railways. The issues which you have raised
in your letters will be sorted out by discussions
with the Railway Board and the Minister for
Railways.

Yours fraternally,


(J.P. Chaubey)
General Secretary.



एन० ई० रेलवे मजदूर यूनियन (NERMU)

(310)

(ट्रेड यूनियन ऐक्ट के अन्तर्गत पंजीकृत, आन इन्डिया रेलवेमेन्स फेडरेशन एवं हिन्द मजदूर सभा से सम्बद्ध तथा एन० ई० रेलवे प्रशासन द्वारा मान्यता प्राप्त)

सदस्य-नेशनल सेफ्टी काउंसिल

अध्यक्ष-बसावन सिंह

महामंत्री-कन्हैया लाल गुप्त

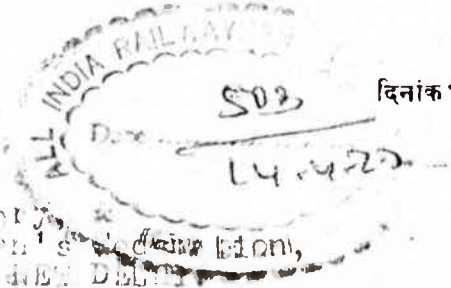
केन्द्रीय कार्यालय

गोरखपुर

12.4.1977

पत्र सं० NERMU/.../30

दिनांक.....१६



The General Secretary,
All India Railwaymen's Federation,
125-B, Barber Road, NEW DELHI

Respected Friend,

SUB: Re-instatement of employees dismissed/removed/
suspended in the context of May/74 strike.

Railway Board's letter No.E(LR)II-276T/1/17 dated
6.4.1977 has since been received by the zonal railway
admn and under the signature of General Manager instructions
are being repeated for compliance.

The letter under reference, is far from expectation
which we had from the present Government. It is rather a
consolidation of earlier circulars and orders issued by
the Railway Board from time to time including Code Rules,
with the only exception that they are to be implemented by
1st of May, 1977 without fail.

Recumbent losses suffered by the railwaymen during
the course and after strike/74 will continue to be as it was.
The order is also not in conformity with the demand of the
Federation - Resolution No. 4. In this connexion your kind
attention is drawn to the following items:-

- " 2.(a) That all the cases of re-appointment be treated
as reinstated and their period between removal
and reinstatement/re-appointment be treated as
spent on duty and full wages for the period of
removal be paid.
- (b) That all punishment imposed be cancelled and
persons transferred on reinstatement, re-appoint-
ment or otherwise be re-transferred to their
original place of posting.
- 22. The entire days of May, 1974 Railway strike be
treated as duty. "

It would be too kind of you, if the matter is taken up
appropriately with the Hon'ble Minister who had the privilege
of having lengthy deliberation ~~xxxx~~ in the floor of
Parliament in May, 1974 at the cost of our struggle.

With regards,

Yours friendly,

GENERAL SECRETARY

cut
14/4

एन० ई० रेलवे मजदूर यूनियन

(NERMU)

307

(इं ड यूनियन ऐक्ट के अन्तर्गत पंजीकृत, आल इन्डिया रेलवेमेन्स फेडरेशन एवं हिन्दू मजदूर
सभा से सम्बद्ध तथा एन० ई० रेलवे प्रशासन द्वारा मान्यता प्राप्त)

सदस्य-नेशनल सेफ्टी काउंसिल

अध्यक्ष - बसावन सिंह

महामंत्री - कन्हैया लाल गुप्त

Fed. 13.

नं० NERMU/.....

The General Secretary,
All India Railwaymen's Federation,
125-E, Bhabar Road,
New Delhi.



Respected Friend, Sub:- Rule 14(ii) of DAR, 1968.

The Hon'ble Minister for Railways has been kind enough to announce that all those who have been removed in the wake of May, 1974 railway strike will be taken back within six weeks from the announcement in the Lok Sabha. This announcement has been hailed by all corners with a great joy and it is expected that the Hon'ble Minister for Railways commitment in the floor of Lok Sabha will be fulfilled by the beuro-cracy.

The main question remains whether the rule 14(ii) should continue to remain in P.A.R. giving chance of its mis-use. This question is to be got answered from the Hon'ble Minister for Railways. After promulgation of internal emergency, under MISA/DIR arrests were made in which almost all political leaders including some of the ruling party were taken into custody and given all sort of troubles and the members of present ruling party were good enough to consider about mis-use of the rule and have taken necessary action so that in future this rule may not be used to torture humility. Even in the manifesto of Janata Party they have declared so in a good language.

If a correct accountal is made more than thousands employees have since been removed under Rule 14(ii) of DAR, 1968 from May, 1974 Railway strike and onwards. The announcement of Hon'ble Railway Minister about reinstatement of railway employees who are still out of employment without any pre-condition may utmost benefit about 17 thousands persons who were originally removed under rule 14(ii) of DAR, 1968. But what about those who have been removed under rule subsequently during the course of emergency. It is therefore requested that action may kindly be taken from the side of the Federation to ensure that rule 14(ii) is declared as void by the ministry so that it may not be used in future like that of MISA/DIR under internal emergency orders.

After decision of Supreme Court in Chellappan's case and the orders of various High Courts on Rule 14(ii) there was a ray of hope that in the appeal Supreme Court will be able to restrict mis-use of rule 14(ii) in their judgment for its future use like that of Moti Ram Deca's case after declaring termination of permanent employees with 3 months notice as void.

You are therefore requested to kindly consider the problems and take necessary action so that it is redressed.

With regards,

Yours friendly,

General Secretary.

(211)

J.P. Chaubey,
General Secretary.


AIRF/160-B

April 7, 1977.

Dear Shri Rao,

The Railway Board's orders for reinstating the employees on the basis of the Railway Minister's assurance have been already issued to all the Zonal General Managers and I understand now the cases will be expedited. I have no doubt, under the orders issued by the Board there will be any hitch for reinstatement now.

Yours sincerely,


(J.P. Chaubey)

Shri V.K.T. Rao,
PWI, Waltair Marshalling Yard,
Railway Qr.No. 27/A,
Maddipati,
Vinayapatnam-13 (A.P.).

(30) Vissahapatnam - 18
Dt 30/3/1977

Dear Sri Chaubey ji,

6.09
31.3.77

I have received your letter no AIR F/160-B dated 21-3-1977

I am very much grateful for the assurance of my reinstatement.

In view of the Rly minister's assurance I request you to kindly pursue my case and reinstate me at an early date. Awaiting for your kind reply.

Yours faithfully

Urdu

V. K. T. Rao

PWD/Walter's Marshalling Yd
Railway Qr no 27/A
Marripalem

Vissahapatnam - 18

(A.P)

slc
A
94

(21)

AIRF/160-B (1675)

J.P. Chaubey
General Secretary.

Dt. 12th April 1977.

Dear Shri Dandavate,

Reg: Review of cases of removal/ dismissal
from service/ compulsorily retired
during emergency.

During emergency, indiscriminate compulsory retirement of the employees on completion of 30 years of service or 5' of age was ordered on some of the Railways. The Railway employees were also removed from service under Rule 14(2) of Discipline and Appeal Rules. Under this rule, the removal of or the employees were passed without giving them a chance of defence or calling for their explanation. The provision of rule has unfortunately been mis-used during and after the 19' Railway Strike. Even now, the employees are being removed under this rule. You will appreciate that no employee should be condemned without giving an opportunity to defend himself. T immediate necessity, therefore, is to issue an administrative order to the Railways that the employees should henceforth be not removed under this rule, and wherever the disciplinary action is called for against any employee, normal procedure should be adopted. With regard to compulsory retirement, it is submitted that under the extant rules, the Class IV and Artisan Staff are not liable to be retired before attaining the age of 58 years but employees from these categories were also retired compulsorily and they have not been taken back in service. The Working Committee of the Federation discussed this issue and it was resolved that your personal attention be drawn to this aspect of the excesses committed by the Railway Adms. so that you may direct the Rly. Adms. that these cases should also be reviewed. The A.I.R.F. will certainly not plead for those

(205)


-2-

who were taken up or retired compulsorily for corrupt practices but for other cases we plead for a review.

I shall therefore be grateful if you will kindly issue suitable directives on the subject and send me a line in reply.

With kind regards,

Yours sincerely,


(J.P. Shaubey)

Shri Madhu Dandavate,
Minister for Railways,
Rail Bhavan,
New Delhi.

Copy forwarded to the General Secretary, I.I.D.,
for information and action.



एन० ई० रेलवे मजदूर यूनियन (NERMU)

304

(इंटर्नैट यूनियन गेनट के अन्तर्गत पंजीकृत, आन इन्डिया रेलवेमेन्स फेडरेशन एवं हिन्द मजदूर सभा से सम्बन्ध तथा एन० ई० रेलवे प्रशासन द्वारा मान्यता प्राप्त)

सदस्य-नेशनल सेफ्टी काउंसिल

अध्यक्ष-बसावन सिंह

महामंत्री-कन्हैया लाल गुप्त

केन्द्रीय कार्यालय
गोरखपुर

पत्र सं० NERMU/Regd/13.

दिनांक: April 5, 1977.

The General Secretary,
All India Railwaymen's Federation,
125/A, Labor Road, Rly Quarters,
New Delhi-1.

Dear Sirs,

Re:- Reinstatement of staff removed
under Rule 14(ii) of DAR 1938
during Emergency.

According to press report double Minister for Rlys. have been told enough to assure in the floor of parliament that all those who were removed under Rule 14(ii) of 1938 in wake of May '74 strike would be put back to duty within 5 weeks.

A very large number of Rly employees over the N.E.Rly. were also removed during wake of emergency, under Rule 14(ii) and normal DA Rules. The undernoted tabulated figures will indicate the position :-

Particulars	Total removed	Total taken back
Removed under 14(ii) of DAR 1938	775	234
Dismissed under 14(ii) of DAR 1938.	75	28

(13)

In addition to the above, certain employees were put under suspension being arrested under DAR and one under MISA out of which only 5 (under DAR), are still to be reinstated.

You may kindly take early necessary action for reinstatement of all these personnel by using your good offices.

These figures do not include those retired under 2013 R.JI(PR.53). The no. of staff victim of these orders (Class III & Class IV will be about 1000). Recently Rly. Board vide their letter No. E(124)J-750P-7 dt. 2.2.77 have communicated all G.Ms to consider appeals against the notice of premature retirement and have formulated a detailed procedure. In para 2 of their letter they have emphatically mentioned that provision may be strictly enforced after a lapse of reasonable period to ensure that the employees are aware of these provisions. Railway Administration have

contd..2/-

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303

circulated the same confidentially. A copy of the circular alongwith Board's letter is enclosed for ready reference.

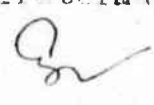
150

A cursory reading of the Zonal Riys instructions would indicate that it will not be very much helpful to those employees who have been served with notices of premature retirement under rule 2046 R.11(FR 56). It is, therefore, requested that the matter may kindly be represented appropriately to ensure that orders, withdrawn at Board's instance, and if there is any serious lacuna with the employee as mentioned in para 1 of Mr.GP Warrior's DO letter dated 10.10.75, they may be taken under the normal of rules. A copy of the letter is enclosed for ready reference.

Anxiously awaiting for your kind action.

With best wishes,

Yours fraternally,



GENERAL SECRETARY.
N.E.R.M.U.

D/As above.

(202)

CONFIDENTIAL

NORTH EASTERN RAILWAY

No.E/91/O(Con)I.

Office of the
General Manager (P),
Gorakhpur, March 11 1977.

All Heads of Departments,
All Divisional Superintendents,
All Personnel Officers,
All Extra Divisional Officers,
N.E.Railway.

Sub: Premature retirement- consideration of
representations against - procedure for.

A copy of Board's letter No.E(P&N)I-76/RT-7 dated 2.2.77 is sent herewith for information and guidance. The Board's earlier letter No.PC-68/RT/5 dated 16.1.70 referred to in para was circulated vide this office letter No.E/91/O(Con) dated 27.1.70.

2. The Board have now revised the procedure for consideration of representations against premature retirement. The initial review will continue to be conducted by a Committee consisting of (i) departmental HOD (level I or Level II), (ii) CPO/ACPO/Dy.CPO, and (iii) Sr.DGM in cases involving Vigilance. The employee's representation against notice of retirement or an order of retirement (by payment of pay and allowances in lieu of notice) will now be examined by a second review committee consisting of members of the initial review committee ~~xx~~ plus at least an additional member of the appropriate status. After the second review committee has given its advice, an authority superior to the authority which issued order of premature retirement will give final orders.

3. In order that the procedure outlined in the Board's letter of 2.2.77 is followed expeditiously, the additional officer in respect of each department has been nominated as under :-


Department	* Members of the 1st Review Committee--	Designation of the Addl.member of 2nd Review Committee
Engineering	CE	CBE
	ACPO	
	CBE	
	ACE/T-1	
	ACE/T-2	
Mechanical	ACE/G	CME
	ACPO	
	CME	
	ACME (M)	
	ACME (C&W)	

<u>Department</u>	<u>* Members of the 1st Review Committee.</u>		<u>Designation of the Addl. member of 2nd Review Committee.</u>
Operating	COPS ACOPS (Coaching)	ACPO ACPO	CCO ACOPS (Goods)
Commercial	CCO CCS ACCS (G)	ACPO ACPO ACPO	CCS CCO CCO
Personnel	CPO ACPO	SDGM SDGM	FA & CAO Addl. FA
Stores	COS	ACPO	CPLO
Managing	SDGM	ACPO	CPLO
Accounts	FA&CAO Addl. FA	ACPO ACPO	SDGM SDGM
Security	CSO	ACPO	CPLO
Medical	CMO	ACPO	CEE
Electrical	CE	ACPO	CMO
Signal	CSTE	ACPO	CBE

*with SDGM in case involving vigilance.

3. The Board's letter of 2.2.77 lays down a tight time-schedule for submission and consideration of the representations against premature retirement. All concerned will please take early steps to ensure compliance with the time-schedule.

Enclos:-As above.


(P.N. Talwar)
for General Manager

(Copy of Railway Board's letter No.E(P&A)I-76/RT-7 dated 2.2.77 addressed to all General Managers.etc.)

Sub: Premature retirement - Consideration
of representations against - Procedure
for.

In supersession of this Ministry's Confidential letter No.PC-68/RT/5, dated 16.1.70, instructions contained in the succeeding paragraphs will regulate consideration of representations against order/notice of premature retirement under Rule 2046 RII or under Pension Rules, as the case may be, received from the individuals concerned.

1. A Railway servant who has been given a notice of retirement under the provisions mentioned above, or who has been issued with an order of premature retirement by payment of pay and allowances in lieu of notice, should submit a representation within three weeks from the date of service of such notice/order. This provision may be strictly enforced after the lapse of a reasonable period to ensure that the employees are aware of this provision.

On receipt of a representation it should be examined whether it contains any new facts or any new aspect of a fact already known but which was not taken into account at the time of issue of notice/order of premature retirement. This examination should be completed within two weeks from the date of receipt of the representation. After such examination, the case should be placed before the appropriate Review Committee for consideration. The composition of the Committee for the purpose of considering the representations against premature retirement shall be as indicated in the Annexure to this letter.

The Review Committee considering the representation shall make its recommendations on the representation within two weeks from the date of its receipt from office. The authority which is empowered to pass final orders on the representation (as indicated in the Annexure) should pass its orders within two weeks from the date of receipt of the recommendations of the Review Committee on the representation.

If, in any case, it is decided to reinstate a prematurely retired Railway servant in service after considering his representation in accordance with these instructions, the period intervening between the date of premature retirement and the date of reinstatement may be regulated by the authority ordering reinstatement as duty, or as leave or as dies non, as the case may be, taking into account the merits of each case.

Representations from Railway servants who have been served with a notice/order of premature retirement, but have obtained any order(s) from a court against the order/notice of premature retirement need not be considered until the disposal of the court case. Thereafter, the cases may be examined as outlined above but also taking into account any material ~~representations~~ substantive decision that may have been given in the court judgement.

7. These instructions will not apply to cases of Railway servants who have been prematurely retired in the past and whose earlier representations/petitions have already been rejected by the appropriate authority, where the decision to order premature retirement, was taken before the issue of Board's letter No.PC-68/RT/5 dated 2.8.75.

ANNEXURE

CONSTITUTION OF COMMITTEES TO CONSIDER REPRESENTATIONS FROM PREMATURELY RETIRED RAILWAY SERVANTS.

Classification	X	Composition of Committee		
XX	XX	XX	XX	XX
Non-Gazetted officers who are/were working in or under a Ministry/Department.		Same as the Committee which earlier considered the case of the officer representing against his premature retirement, with the modification that it should include at least one member of appropriate status who was not in the said Committee earlier. Final orders shall be passed by the authority superior to the authority which issued orders of premature retirement. Where, however, the order of premature retirement was issued by the President, final orders on the representations shall be passed by the Minister-in-charge of the Ministry/Department concerned.		
XX	XX	XX	XX	XX

300

SECRET
IMMEDIATE

Government of India (Bharat Sarkar)
Ministry of Railways (Rail Mantralaya)
(Railway Board)

G.P.W. er
Member of,
Railway Board

D.O.No.FC-38/ST/5

New Delhi, dt. 10.10.1975.

My dear Misra,

Complaints have been received from staff that the Railways are adopting a rather too severe approach in compulsory retiring Class III and Class IV staff. In the case of Class III and Class IV staff, specially the lower formations, they should not be retired purely because they have one or two average confidential reports. Unless there are adverse entries against them in their confidential reports or their performance is below average, one should hesitate to retire Class III and Class IV employees. If there are doubts about their integrity and proven vigilance cases, it is, of course, a different matter and it has to be viewed with seriousness.

2. I shall be glad if suitable instructions are issued and the reviews done so far in the case of Class III staff looked into once again to see that there is no hardship caused to class III and Class IV employees.

Please acknowledge receipt of this letter.

Yours sincerely,

Sd/- G.P.Warrier,

Shri S.C.Misra,
General Manager,
N.E.Rly.
Gorakhpur.

(285)

J.P.Chaubey,
General Secretary.

AIR/16 B (1655)

April 4, 1977.

Dear Shri Sawhney,

Harassment of railway employees - Case of Shri U.K. Sengupta, Chargeman, RTS, Izatnagar, N.E. Railway.

...

Shri U.K.Sengupta was removed from service in connection with strike. On reinstatement he was transferred to Izatnagar. He was awarded the punishment of stoppage of increments which delayed his promotion. He was promoted as Senior Chargeman by the General Manager, N.E.Railway, Gorakhpur under his letter No.E/210/A/7/WS/ix, dated 3.10.1976 and posted in Izatnagar shop as Chargeman Grade 'A'. The Deputy CME did not carry out the order and spare him to move on transfer to Gorakhpur.

Shri Sengupta has already suffered heavy financial loss and the orders issued by the Headquarters Office should be implemented and he should be promoted in Izatnagar Workshop.

I shall be grateful if you could kindly direct the N.E. Railway Administration accordingly.

With kind regards,

Yours sincerely,



(J.P.Chaubey)

Shri V.P.Sawhney,
Member Staff,
Railway Board,
New Delhi.

16

The General Secy.
All India Railwaymen's Federation
New Delhi

(280)

Sir,

Sub: Harassment by Railway administration
for taking part in the May '74 Rly strike

In respect I beg to submit that I am being harassed by the railway administration at the local levels of Dzatnagar Work shop.

In retaliation for participating in the May '74 railway strike I was removed from service, put to jail, put under suspension, increments stopped and transferred from GKP to 12N work shops. Now as per the orders of GM(P)/GKP I have been promoted and posted in Dzatnagar work shop after promotion ref. 3/10/76.

But so far I have not been promoted and very surprisingly by Dy. CME/12NS issued an order on 23/3/77 that I had been spared with immediate effect to report to Dy. CME/GKPS for getting my promotion. I have already submitted a representation to Dy. CME/12NS to this effect, a reply to which is still awaited.

I am enclosing here with a copy of the representation made to Dy. CME/12NS, order of my transfer issued by him and the order made by GM(P)/GKP for your ready ref.

At 3/4/77 }

Hoping for an early action, with regards,

Yours Faithfully
UK Senjivle
Chfman/RTE, NER, 12NS.

पूर्वांतर रेलवे
कार्यालय अहमदाबाद

(280)

निम्न लिखित चार्जमेंट (ल) मिलरशिट वेतन मान (425-700) जो चार्जमेंट (31) मिलरशिट वेतन मान (550-750) पर के लिये योग्य पाये गये हैं, उनकी पदोन्नति चार्जमेंट (1) मिलरशिट वेतन मान (550-750) में की जा रही है तथा उनकी नियुक्ति प्रत्येक के सम्बन्धित लिखित स्थानों पर की जाती है।

क्रमांक	नाम	वर्तमान चार्ज स्थान	पदोन्नति पर नियुक्ती।
1.	राजनीत शाही चार्जमेंट (ल)	इज्जतनगर	इज्जतनगर
2.	आर. के. डेव चार्जमेंट (ल)	गोरखपुर	गोरखपुर
3.	यु. के. सेनगुप्ता चार्जमेंट (ल)	इज्जतनगर	इज्जतनगर
4.	आर. डी. श्रीवास्तव चार्जमेंट (ल)	इज्जतनगर	इज्जतनगर
5.	पी. एन. प्रसाद चार्जमेंट (ल)	इज्जतनगर	गोरखपुर
6.	एस. पी. एस. वर्गन चार्जमेंट (ल)	गोरखपुर	गोरखपुर

(केवल 6: नाम)

कृते महाप्रबंधक (कार्यक)

पत्र सं. का/210/8/7/कारखाना/नवम दिनांक 8.10.76
प्रतिलिपि सूचानाए एवं आवश्यक कार्यवाही के लिए प्रेषित।

- 1 - वित्त सहायकार सहाय मुख्य लेखाधिकारी। गोरखपुर
- 2 - उप मुख्य सहायक इंजिनियर (साप)। इज्जतनगर
- 3 - उप मुख्य सहायक इंजिनियर (साप)। गोरखपुर
- 4 - अ-2 प्रतिलिपि

कृते महाप्रबंधक (कार्यक)

(216)
NORTH EASTERN RAILWAY.

Office of the
DY C.M.E.(S)/ IZN.

Office order 89.

Consequent upon the expiry of the period of punishment of WIP for two years on 12/3/ 77 Shri U.K.Sen Gupta ch/man 'B'(425-700) who is now eligible for promotion to the post of ch/man 'A'(550-750) is spared with immediate effect to report to Dy CME(W) GKP for his promotion as ch/man 'A'(550-750) there being no post to accommodate him in this workshop.
(Authority (P)/ GKP's office order No.E/210/8/7/ WS/IX of 3/1976 .

DY C.M.E.(W)/IZN

NO.M/E/ 210/1/ 8(MTS)

Dated. 23.3.77.

Copy to G.M.(P), GKP. He will please approve the posting of Shri U .K.Sen Gupta on promotion as ch/man 'A' in GKP Workshop.

TO

The Dy C.M.E.(S).
NERLY/ Izatnagar

Through: Proper channel.

Sir,

Subject : My posting as ch/man 'A' in Izatnagar workshop.

Reference: G.M.(P)/ GKP's office order No.E/210/8/7/WS/
IX dated 8/10/76.

With due respect I beg to submit as under to make it very clear as to how the Rly Admn is harrasing me since the Railway strike of 1974.

1. That as penal measure for taking part in the May/74 Railway strike -

A. I was removed from service wef 14.5.74 to 31.8.74 vide Dy CME/ GKP's letter No.E/PC/ 2141 dated 14/5/76.

B). Put under suspension wef 1.9.74 to 19.11.74 vide Dy CME CME/ GKP's letter No.E/PC/ U.K.Sen Gupta dated 11.10.74.

C). Two years increment stopped wef 1.9.74 vide ACME/W/ GKP's order dated 1.9.74 communicated through Dy CME(S)/P/GKP's letter No.E/PC/ /U.K.Sen Gupta dated 18/9/74.

D). Transferred to IZN/shops vide Dy CME(S)GKP's letter NO.E/283/ IV/ 6/ MPS dated 20/11/74.

2. That despite the above measures of penalty I am being harrassed by the local administration in the following way-

(A). Though as per the orders passed by the ACME(W)/GKP as mentioned in 1/C above, my increment was stopped for 2 yrs (NC) wef 1.9.74 I am being deprived off the privilege of resumption of the increment from 1.9.76. As interpreted by the APO(W) IZN in front of you I am eligible for the same on 18/3/77 taking in view my next date of increment (i.e. 1.12.74) from the date of order of the ACME/W/GKP (ie 1.9.74) and further a period of 3 months and 17 days (i.e. my removal period which was later treated as on suspension vide Dy CME / GKP's order No.E/GKP-WS/ Con/74 dated 1/7/75/ 9-7-75) being added to my period of punishment.

(B). Though G.M.(P) GKP has very clearly ordered vide his letter No.E/210/ 8/7/WS/IX dated 3/10/76 that I have been promoted to ch/man 'A' from ch/man 'B' and posted in Izatnagar shops I have not yet been promoted.

(c) That I have learnt from some very reliable sources that though as per the orders of G.M.(P)/ GKP I have been posted in Izatnagar Shops, on promotion still for the reasons known to you I have been transferred to GKP shops vide your orders for getting my promotion there only.

Now in the above circumstances keeping in view the Govt. stand on Railway strike of 1974 I would request your honour not to put me in any more undue trouble and make necessary orders for my promotion with retrospective effect since the orders passed by G.M.(P)/ GKP on 3/10/76.

Thanking you in anticipation.

With regards.

Yours faithfully,

(U.K.Sen Gupta)

Southern Railway Mazdoor Union, Madras

(Regd. No. 3067 — Recognised — Affiliated to AIRF)

TIRUNELVELI BRANCH

61, RAILWAY FEEDER ROAD

TIRUNELVELI-627001

Ref. No. SRMU, TEN/

Date 27-3-77

To
Shri R.C.Pandah,
Under Secretary (Public Law & Order)
Government of Tamil Nadu,
Fort St. Geo
Madras-9.

Dear Sir,

Sub: Withdrawal from the prosecution of the case C.C. No.100 of 1977 of the Chief Judicial Magistrate Tirunelveli in Tirunelveli Bridge Police station Crime No.402 of 1976 against Shri P.C.Manickam, Turner, Locoshed, southern Railway and Branch President, Southern Railway Mazdoor Union, Tirunelveli Headquarters Branch, Tirunelveli under section 43(1)(c)(2) and (5) of D.I.S.I. Rules for alleged possession of a cyclostyled copy of the recorded speech by Shri George Fernandez to the Special Convention of 'Indians for Democracy' held in New York USA in Jan 31 and Feb.1 1976 - requested.

Ref: This Union representation dated 1-5-76 and reminder dated 19.7.76 to the District Collector, Tirunelveli.

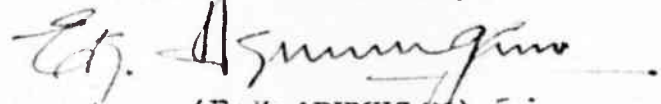
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We invite your kind attention to the above representations on the subject. Now the Police has filed the charge sheet dated 14.2.77 and the above case is pending before the Chief Judicial Magistrate, Tirunelveli under Calendar Case No.100 of 1977 and stands posted to 12.4.77 for trial. Shri P.C.Manickam, Branch President of Southern Railway Mazdoor Union, Tirunelveli and Turner, locoshed Southern Railway, Tirunelveli is still under suspension suffering with mental agony and lot of financial difficulties.

2. In the present context, there is absolutely no justification for the proceeding of the trial or case. Therefore, we pray that the orders may be issued directing the Police (Tirunelveli Bridge Police station) to withdraw from the prosecution of the case early.

Thanking you,

Yours faithfully,


Asst. General Secretary.

Copy to:-

Shri George Fernandez, Hon'ble Minister for communication, New Delhi-1. for information and necessary action please. (Enc Gist of case)

Shri M.Namasivayam, Genl. Secretary, SRMazdoor Union, Madras.

✓ Shri Chakraborty, Genl. Secretary All India Railwaymen Federation, New Delhi with a request for an early action in the matter. (Enc: Gist of the case)

The Governor, Govt. of Tamilnadu, Madras for favour of necessary action

To R 13

See

A
5/7

Southern Railway Mazdoor Union, Madras

(Regd. No. 3067 — Recognised — Affiliated to AIRF)

TIRUNELVELI BRANCH

01, RAILWAY FEEDER ROAD
TIRUNELVELI-627001

Ref. No. SRMU, TEN/

Date _____

ENCLOSURE

The gist of the Police case foisted against Shri P.C. Manickam, Branch President, Southern Railway Mazdoor Union, Tirunelveli and turned accused, Southern Railway, Tirunelveli for alleged possession of a cyclostyled copy of the recorded speech by Shri George Fernandez sent by post from Aurangabad.

On 18.3.1976 being tipped to the Police (C.I.D., Tirunelveli) that a copy of the cyclostyled circular of the recorded speech by Shri George Fernandez to the Special Convention of 'Indian for Democracy' held in New York USA in Jan.31 and Feb.1, 1976 is sent by post (bearing Aurangabad Post office), the police have arrested the above employee with the said communication. The arrest was made on 18.3.76 at about 22.00 hrs and he was produced before the Chief Judicial Magistrate, Tirunelveli on 20-3-76 as though he was arrested at 7.30 a.m. on that date. The Police have registered a case against him in Crime No.402 of 1976 of the Tirunelveli Bridge Police station under section 43(1)(e) 43(2) and 43(5) of D.I.S.I. Rules. He was released on bail on 19-4-76. He was placed under suspension by the Railway Administration (the Divl. Superintendent, S.Rly. Madurai) from 19.3.76 to till date. After a lapse of 11 months, the police has filed a charge-sheet on 14-2-77 and the case is pending before the Chief Judicial Magistrate, Tirunelveli and stands posted to 12.4.77 for trial.

J.P. Chaubey,
General Secretary.

AIRF/160-B

March 28, 1977.

Dear Shri Charan Singh,

Subject: Prosecution of employees on the allegations of being in possession of underground material during emergency.

...

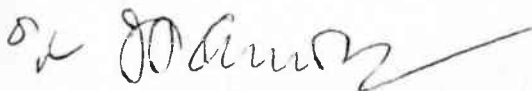
In the State of Tamil Nadu, two railway employees are being prosecuted on the allegations of being in possession of some underground material, circulars, etc., allegedly issued by Shri George Fernandes when he was underground. One of them, Shri Parthasarathi is a Khalasi under Carriage Workshop, Perumbur, Southern Railway, Madras. He is being prosecuted in the Court of Additional Ist Class Magistrate, Tirunelveli under C.C.66. The other employee, Shri E.C. Manikam, Fitter, Loco Shed, Tirunelveli, Southern Railway is also facing trial under C.C.402/76 in the Court of District Magistrate, Tirunelveli.

You are aware that the Congress Government was extremely prejudiced against the opposition parties and particularly Shri George Fernandes, and, therefore, many people were unnecessarily involved in one or the other cases. However, in the changed situation it should be possible to withdraw these prosecutions.

I shall be grateful if you could kindly look into the matter and direct the State Government to withdraw these prosecutions.


With kind regards,

Yours sincerely,



(J.P. Chaubey)

Shri Charan Singh,
Minister for Home Affairs,
Govt. of India,
New Delhi.


c.c. to the General Secretary, SRMU, Madras
for information.

...

All India Railwaymen's Federation

(Estd. 1924)

AIRF/160-B

125/E, BABAR ROAD
NEW DELHI - 1100.

Dated 26th March

Dear Shri Morarji Bhai,

While greeting you with all cheers and on your election as the Leader of the Ruling Janata in the 6th Parliament of India and thus taking the Prime Minister of Democratic Janata Government India, we on behalf of the A.I.R.F. and ourselves the proud privilege of congratulating you warmly assuring you of all support and cooperation of Rail to your Government in steering the tasks ahead.

We are sure under your Leadership the Janata Government will be able to deliver the goods to the Nation including the working classes who were the victims during the last 30 years.

The A.I.R.F. as you are well aware of, have been struggling all through for the cause of the working class in general and the Railwaymen in particular and this organisation was wholly involved in the great fight against injustices during the last more than twenty months.

On this occasion of victory of the democratic forces in the country we would like to share jubilation with you as also the burden of the committed task before your Government. We would like thus to take a few minutes of your valuable time to meet you to express the problems of Railwaymen and to present our view point for their lasting solutions. The A.I.R.F.'s Working Committee is meeting in New Delhi from 1st to 3rd April 1977 and therefore, any time that suits you during these days will be most welcomed.

With regards and greetings,

Yours sincerely,

J.P. Chaubey
(J. P. Chaubey)
General Secretary.

Shri Morarji Desai,
Prime Minister of India,
New Delhi.

AIRF/160-B (1642)

Dated 12th March 1977.

The Secretary (E),
Railway Board,
New Delhi.


Dear Sir,

Sub: Reinstatement in service of Shri
Govind Mahadik, Painter, Paint
Western Railway.

Shri Govind Mahadik, Painter, Paint Shop under
Dy. C.M.R.(C) - Parel, W. Railway was dismissed from
service along with certain other employees in connection
with May 1974 strike. He has not been charged in
the Court and was also not arrested. Other 15 workers
who were also dismissed from service for alleged
offences of instigating and intimidating workers were
ordered reinstatement in service by the Maharashtra
High Court. In fact he is the only person in the
Parel Workshop who has not been taken back to duty.
His appeal (for review) to Railway Board was rejected
by the Railway Admn. Had he filed a writ petition
along with the other 15 employees referred to above
his case would have also been decided in his favour.
In the circumstances, the Railway Board are requested
to consider his case sympathetically and issue
instructions to the Railway Admn. for his reinstatement
in service, in accordance with the extant policy on
the subject.

Yours faithfully,




(J.P. Chaubey)
General Secret

Copy to the General Secretary, W
for information w.r.t. his
F/ST/3/77 dt. 10.3.77.

President :
MANIBEN KARA



Tele (Gram) : RAILRADER
Phone: 3748130

General Secretary :
UMRAOMAL PUROHIT

Western Railway Employees' Union

Secretaries :
JAGDISH AJMERA
K. C. TRIVEDI
C. KURIAKOSE

Regd., Recognised & Affiliated to AIRF & HMS

Railway Station Bldg., (East,
Grant Road,
BOMBAY-400 007.

Ref. No. F/ST/3/77

Date 10th March 1977

To,
The General Secretary,
AIRF, New Delhi

Sub: Reinstatement of dismissed workers
case of Shri Govind Mahadik, Painter
Paintshop, Dy.CMD(C)-Parel, W.Rly:

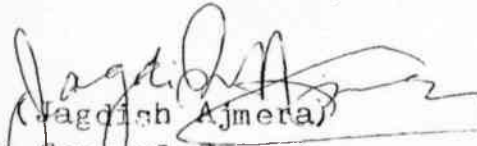
The above named was dismissed in connection with the 8th May 1974 strike along with others. He is not charged in the court for violence. He was not arrested. Other 15 workers who had also been dismissed for instigating strike and intimidating loyal workers by the same Dy.CMD(C)-PL have been ordered reinstatement by Maharashtra High Court. He is the only one person in the Parel Workshop who has been not taken back on duty. His appeal (Review) to Railway Board was rejected. If he would have filed writ petition alongwith others, his case would have also been decided in his favour.

Unfortunately, however, his case was represented by Smt. Parvati Krishnan and Smt. Roza Dange Deshmukh, and he was under the impression that at their instance he would be taken back and therefore, he did not go to the court. Now it is too late to file a writ petition.

WRMU and AIRF have been trying for reinstatement of each and every railway employee who had been dismissed in connection with 8th May Strike irrespective of fact as to which organisation or union a particular railway employee belonged.

You are requested to make an individual representation to Board in this case, endorsing a copy to this union.

Yours sincerely,


(Jagdish Ajmera)
for General Secretary.

T&R

1)
2/3



TELEPHONE : 40047

TELEGRAM : RAILWAYMEN

All India Railwaymen's Federation

(Estd. 1924)

'160-B

125/E, BABAR ROAD,
NEW DELHI - 110001;

Dated 21st March 1977.

My Rao,

I have received your letter of 13th March 1977. It might be possible to do something after the new Government is formed. I shall try to get you reinstated. I shall be writing to you as soon as there is some progress. In the meantime you are to pursue the court case.

with greetings,

Yours sincerely,


(J.P. Chaudhary)

Shri V.K.T. Rao,
Railway Quarter No. 27/A,
Marpalem,
Visakhapatnam - 18.
Andhra Pradesh.

To
Shri J.P. Chaudhary
Genl Secretary (AIRF)
New Delhi - 1

(27B)

Dear Comrade,

Shri

405
13/11/77
2: Your letter no AIRF/160-B
dated 8-3-1977.

Thank you for your kind letter dated 8-3-77.
As per your advise I consulted my lawyer
to move the court to give effect to the order
of the lower court. The judgement published
in Jan 77 journal is not applicable to my case.
The provisions of the Industrial dispute act 47
are not applicable to me because my wages
exceeded five hundred rupees. In the I.D
act 47 it says the 'workman' who being
employed in supervisory capacity draws
wages exceeding five hundred rupees per month
does not come under I.D act 47.

I am one of the subscribers of AIRF
journal. I need not tell you the position of
stream railway mens union. I am thankful
for kind replies to my letter.

(PTO)

I request you to kindly inform the
approximate time for
a final decision of Supreme Court on rule 14(2)

Thanking you.

Yours faithfully

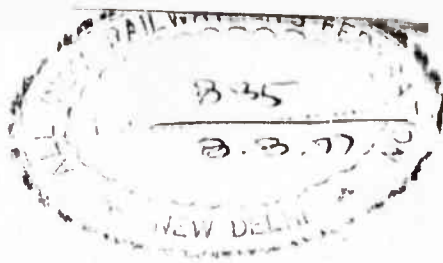
Chunabhai

13/3/77

Address

V. K. P. Rao
Railway Qr no 22/A
Maddurpet
Visakhapatnam-18
Andhra Pradesh.

To
Sri J. P. Chaudhary
General Secretary
AIRF New Delhi - 1



Ref: your letter no AIRF/160-B
dated 25-10-1976

Dear Com,

I am glad to inform you that my suit
in the 1st District Munsiff Court, Visakhapatnam
was decreed on 31.1.1977 stating that the order passed by the
Chief Engineer/SE Rly is illegal and invalid and directing
the defendant to reinstate with all service benefits and
increments of Salaries. I am enclosing the copy of the judgement
delivered on 31.1.1977. I have submitted this judgement
and a letter requesting for reinstatement to the General
Manager/SE Rly through the Sr. Dy. Supt. SE Rly/Walton on 19/2/77.

But the Sr. Dy. Engineer-I/WATAIA preferring an
appeal against the judgement. He is only interested in this
case but not the Chief Engineer. I met Chief Engineer/SE Rly
on 14/2/77 and requested for reinstatement. He said that
he would consider the case when it comes to his table.

In this connection I request you to kindly
~~request~~ advise Mr Biswas General Secretary
of SERMU to negotiate with Chief Engineer
in my case and stop preferring an appeal.
Kindly send me a copy of the letter addressed to
Mr Biswas in this connection.

I am enclosing the following to kindly go
through and advise me further.

Yours faithfully

V. K. Trinadhara Rao. P.W.D.

Rly Qr no

11

Dt 2/3/1977.

200
1
83

To

The General Manager,
South Eastern Railway,
Garden Reach,
C A L C U T T A-43.

(Through the Divisional Superintendent, S.E.Rly, Waltair-
(12)

. . .

Respected Sir,

Sympathetic consideration and reinstatement to
services.

I, V.K.T. Rao, P.W.I Grade III/Waltair Marshalling Yard
residing in railway quarter No. 27/A, Marripalem beg to place the
following few lines for your sympathetic consideration.

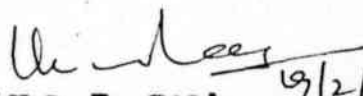
I have been facing lot of troubles to maintain my family for
the past two and half years.

I pray the authorities to pardon me and reinstate to services
in view of the judgment delivered in O.S. 87/75 for which act of
kindness I shall be ever grateful to you.

I promise I shall render services in the interest of
administration.

Thanking you Sir,

Yours faithfully,


(V.K.T. RAO) 9/2/77
P.W.I. Gr. III/W.M.Y.
Cr. No. 27/A, Marripalem,
Visakhapatnam-2.18

Date: 19-2-1977.

Encl:- Certified copy of the judgment delivered in O.S. 87/75
consisting of 55 pages.

IN THE HONOURABLE COURT OF THE 1st ADDITIONAL
DISTRICT MUNSIF AT VISAKHAPATNAM.

O.S.87 of 75 I.A 217 of 77

Between

The Union of India represented
by the General Manager, S.E.Rly.

Petitioner/
Dependent

and
V.K.Trinadha Respondent Plaintiff.

Affidavit under order 19 of rule 1 CPC.

- 1) T.S.Nagaraja r . Late T.Sethurao, aged 45 years residing
at Visakhapatnam. I solemnly and sincerely affirm and state as
follows.
1. I am the Divisional Engineer-1 of the petitioner Railways at
Visakhapatnam and am acquainted with the facts of the case.
 2. The above suit was filed by the plaintiff respondent for a
declaration that the dismissal order passed by the Chief Engi-
neer, S.E.Rly, Calcutta is illegal, and invalid and for other
consequential reliefs.
 3. The honourable court by a judgement dated 31-1-77 decreed the
plaintiff's suit and directed his reinstatement. The petitioner/
defendent is advised that the Andhra Pradesh High Court in W.P. 4448
of 75y dated 30-12-75 ruled that a dismissal without enquiry under
rule 14(2) is quite valid, and Challappan's case did not in any way
alter the legal position.
 4. It is submitted that the Railway administration have been advised
that they have strong case on the above aspect and also on the
question of resjudicata and the petitioner is intending to file
an appeal and infact they have already applied for the public copy
of judgment.
 5. It is submitted that ^{under} rules the stay of execution of the decree is
granted for a period of 2 months, to enable the petitioner to get
the orders of stay from the appellate court. The petitioner will
be put to a great loss. The petitioner is depositing the costs
awarded by the honourable court.
 6. It is therefore, prayed that it is necessary in the interest of
justice, that your honourable court be pleased to grant stay or
execution for a period of two months as otherwise the petitioner
will be put to a great hardship and irreparable loss.

Visakhapatnam,

Dated 07-2-77.

Sd/- T.S.Nagaraja Rao,
Deponent.

DEN-I/SERLY/WALTAIR

Solemnly affirmed before me.

Advocate,

Visakhapatnam.