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224/2017

पूर्वोत्तर रेलवे

कार्यालय
महाप्रबन्धक (कार्मिक)
गोरखपुर।

ई.पी.सं०-11-26

क्रमांक- 224/2017

सं० ई/91/3/भाग-2/चार

दिनांक 31-10-2017

सचिव/महाप्रबन्धक

सचिव/अपर महाप्रबन्धक

सभी विभागाध्यक्ष

सभी मण्डल रेल प्रबन्धक

सभी कार्मिक अधिकारी

सभी मुख्य कारखाना प्रबन्धक

सभी अतिरिक्त मण्डलाधिकारी/स्थापना

पूर्वोत्तर रेलवे।

विषय:-एसएलपी(सी)सीसी नं० 4482/2017 भारत संघ व अन्य बनाम काला सिंह एवं
अन्य सेवा निवृत्त लोको पायलट मेल/एफजेडआर-ओडएन० 1333/2011
सीडब्ल्यूपी नं० 7714/2016

रेलवे बोर्ड के पत्र संख्या ई(पी एण्ड ए)-2015/आरटी-43 दिनांक 27.10.2017
(प्रतिलिपि संलग्न) के आलोक में आप सभी को लारजेस सम्बन्धी समस्त कार्यवाही अगले आदेश
तक स्थगित करने का निर्देश दिया जाता है।

संलग्नक/यथोपरि

(यू० पी० सिंह)
उपमुकाधि/अराज.
कृते महाप्रबन्धक/कार्मिक

प्रतिलिपि निम्न को सूचनार्थ एवं आवश्यक कार्यवाही हेतु प्रेषित :-

- 1- महामंत्री/एन.ई.रेलवे मजदूर यूनियन/गोरखपुर - 40 प्रतियों में।
- 2- महामंत्री/प्रमोटी अधिकारी संघ/पूउरे/गोरखपुर - 02 प्रतियों में।
- 3- महामंत्री/रेसुब एशोसियेशन/पूउरे/गोरखपुर - 02 प्रतियों में।
- 4- पूर्वोत्तर रेलवे प्रथम श्रेणी अधिकारी संघ/गोरखपुर - 01 प्रति में।
- 5- महामंत्री/एससी/एसटी एवं ओबीसी एशोसियेशन/गोर०-02 प्रतियों में।
- 6- अध्यक्ष, पूर्वोत्तर रेलवे पेंशनर्स एसोसियेशन 18, जाहिद अली क्वार्टर, मेडिकल रोड
शाहपुर, पो०-गीतावाटिका शाहपुर, गोरखपुर-273006
- 7- मुकार्याधी/एमपीपी को बेबसाइट पर अपलोड हेतु - 01 प्रति में।

कृते महाप्रबन्धक/कार्मिक

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224/2017

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

CPO

DRMS

No. E(P&A)-I-2015/RT-43

New Delhi Dated: 27-10-2017

The General Manager,
Northern Railway,
New Delhi

- Sub: SLP (C) CC No. 4482/2017 titled UOI & Ors. V/s Kala Singh & Ors. Retired Loco Pilot Mail/FZR – OA No. 1333/2011, CWP No. 7714/2016.
Ref: Northern Railway's letter No. 21-SC-SLP-HQ-16-LCP dated 26.07.2017.
Northern Railway's letter No. 21-SC-SLP-HQ-16-LCP dated 22.08.2017.
Northern Railway's letter No. 21-SC-SLP-HQ-16-LCP dated 07.09.2017.

With reference to above referred letters on the case related to the Liberalised Active Retirement Scheme for Guaranteed Employment for Safety Staff (LARSGESS), the proposal for filing an SLP has been under consideration in Board's Office in consultation with the Legal Directorate of Railway Board and the Ministry of Law and Justice against the Order of the Hon'ble High Court of Punjab and Haryana at Chandigarh in Review Application (RA-CW-330-2017) dated 14.07.2017 titled Kala Singh & Ors. vs UOI & Ors. The Hon'ble High Court has found "that such a policy was prima facie violative of Article 14 & 16 of the Constitution of India" and directed the Railways "to revisit the offending policy keeping in view the principle of equal opportunity in public employment before further appointments are made. Such a direction was necessitated keeping in view the mandate of the Constitution Bench in Secretary, State of Karnataka and Ors. vs. Uma Devi (2006) 4 SCC 1". The Ld. Solicitor General of India has opined to file the SLP (copy enclosed). In view of the opinion of Ld. SG, it has been decided to file an SLP in the Hon'ble Supreme Court.

2. A draft SLP as received from the Central Agency Section, Supreme Court of India has been supplemented at this end and is enclosed. It may be ensured that the draft SLP should be in line with the policy instructions issued from time to time in respect of LARSGESS. The final SLP to be filed before the Hon'ble Supreme Court may be prepared suitably in consultation with a Senior and experienced Railway Advocate and verified for factual accuracy.

3. Since, this case involves the policy of LARSGESS having wide ramifications, it should be monitored by the Principal CPO personally so that there are no lapses in contesting the case. All efforts should be made to file the SLP on priority. A copy of the SLP filed may be sent to this office. Board should be kept apprised of the developments in the case from time to time.

4. Keeping in view the aforesaid, it has also been decided to keep the LARSGESS on hold till further orders.

DA: As above.

Anil Kumar
(Anil Kumar)
27/10/2017
Dy. Director Estt. (P&A)-I
Railway Board.

Copy to: The General Manager, All Indian Railways – In view of the aforesaid, all the General Managers are directed to keep the LARSGESS on hold till further orders.

Anil Kumar
(Anil Kumar)
27/10/2017
Dy. Director Estt. (P&A)-I
Railway Board.