

IN THE HIGH COURT OF JHARKHAND AT RANCHI

W.P.(S) No. 4980 of 2017

1. Suraj Kant Alok Dhan, S/o Sri Sonika Oraon, Ex-Chief Booking Supervisor / Muri, South Eastern Railway, Resident of TirilDelaToli, Koker, PO R.M.C.H., PS – Sadar, District – Ranchi, Jharkhand.

2. Mohan Oraon, Ex Deputy Chief Yard Master (Dy. C.N.M.) / Patratu, East Central Railway, Dhanbad Division, Dhanbad, Resident of TirilDelaToli, Koker, PO- R.M.C.H. PS – Sadar, District – Ranchi, Jharkhand.

... ... **Petitioners**

Versus

1. The Union of India, through the Secretary Railway Board, Rail Bhawan, Sansad Marg, New Delhi – 110001.

2. The General Manager, South Eastern Railway, Garden Reach, Kolkata – 700043.

3. The Divisional Railway Manager, Ranchi Division of South Eastern Railway, at PO & PS - Hatia, District – Ranchi – 834003.

4. The Divisional Railway Manager, Dhanbad Division of East Central Railway, PO & PS – Dhanbad, Dhanbad, Jharkhand.

... ... **Respondents**

With

W.P.(S) No. 6315 of 2017

S. Santosh Kumar, S/o late Benjamin Satya Das, Ex ASI (Asstt. Sub-Inspector), In the Department of RPF, (Railway Protection Force), South Eastern Railway, Adra Division, Resident of Mausai Bari, Jagannathpur, PO & PS –Dhurwa, District – Ranchi, 834004, Jharkhand.... ... **Petitioner**

Versus

1. The Union of India, through the Secretary Railway Board, Rail Bhawan, Sansad Marg, PO & PS & District – New Delhi, 110001.

2. The Chief Secretary Commissioner, Railway Protection Force, South Eastern Railway, Garden Reach, Kolkata – 700043 (West Bengal).

3. The General Manager, South Eastern Railway, PO & PS – Garden Reach, Kolkata – 700043.

4. The Divisional Railway Manager, Adra Division of South Eastern Railway, at PO & PS –Adra, District – Purulia, (West Bengal).

... ...

Respondents

With

W.P.(S) No. 6829 of 2017

Lilakant Jha, Ex. Head Constable / RPF/ S.E. Rly. Aged about 66 years, S/o late N. Jha, C/O Achna Oraon, R/o Koker Tiril, DelaToli, PO- Bariatu, (RMCH), PS – Sadar, District – Ranchi, PIN – 834009, Jharkhand.

... ... **Petitioner**

Versus

1. The Union of India, through the Secretary Railway Board, Rail Bhawan, Sansad Marg, PO & PS & District – New Delhi – 110001.

2. The General Manager, South Eastern Railway, PO & PS – Garden Reach, Kolkata – 700043 West Bengal.

3. The Divisional Railway Manager, Adra Division of South Eastern Railway, at PO & PS –Adra, District – Purulia, (West Bengal).
4. Chief Security Commissioner, Railway Protection Force, South Eastern Railway, Garden Reach, PO & PS – Garden Reach, Kolkata – 700043, West Bengal.
5. The Chief Mechanical Engineer, N.E. Railway, Gorakhpur.

... ... **Respondents**

CORAM : SRI ANANDA SEN, J.

For the Petitioners	: Mr.Akshay KumarMahato, Advocate
For the Respondents	: Mr. GautamRakesh, Advocate

08/06th February2025

1. Heard the learned counsel for the parties at length.
2. Petitioners have approached this Court for appointment in Loyal Quota in the Indian Railways.
3. In the year 1970 - 75, there was a large number of agitation and work stop in the Indian Railways. The Railway Minister at that point of time made an announcement in the Parliament that services of each Loyal staff would not go un-recognized. There was a scheme to appoint sons, daughters and dependents of the Railway Employees on compassionate ground who has rendered exemplary service during the strike period. The Circular was issued sometime in the year 1974 wherein these types of appointments were made by the General Manager through Railway Service Commission by which some persons were also appointed. The petitioners also seeks appointment under the said scheme as they claim themselves to be the dependent sons of the Railway employees who had given exemplary service during the strike time.
4. These types of appointments, is nothing but a back-door entry in the establishment of Railways. These types of appointments are made without following Constitutional provisions. The Hon'ble Supreme Court on several occasions have deprecated the back-door entry in the government service.
5. Further from the order dated 10.10.2018 passed by Principle Chief Secretary Commissioner / RPF South Eastern Railway, Kolkata

(annexedwith Annexure – 3 to the counter affidavit dated **27.07.2023** in **W.P.(S). No. 6829 of 2017**), I find that the Loyal Quota is no longer in force after 31.12.1975 and no similarly situated person has been given appointment after withdrawal of such scheme.

6. Considering the aforesaid facts, no relief can be granted to the petitioners of these writ petitions.
7. Accordingly, these writ petitionsare dismissed.

(ANANDA SEN, J.)

Aditi