

Speed post



Government of India
National Commission for Scheduled Tribes
(A Constitutional Commission set up under Art. 338A of the Constitution of India)

File No. CT/1/2017/MFIN8/SEFCC/RU-IV

Dated: 05.09.2018

To,

1. The Chairman & Managing Director,
National Insurance Company Limited,
3, Middleton Street,
Kolkata – 700 071 (West Bengal).
2. The General Manager,
National Insurance Company Ltd.
4th Floor, Appolo Tower,
2 M.G. Road, Indore (MP).

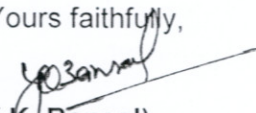
Sub: **Proceedings of the Sitting taken by Miss Anusuiya Uikey, Hon'ble Vice-Chairperson, National Commission for Scheduled Tribes (NCST) on 29.08.2018 in the case of Miss Shreyanshi Hansda, A-2, Padmavathi Nagar, Mandsaur (Madhya Pradesh) regarding verification of caste certificate and reinstatement into service in NICL, Mandsaur Branch under Indore Regional Office.**

Sir,

I am directed to enclose a copy of the Proceedings of the Sitting held on 29.08.2018 under the Chairmanship of Shri Miss Anusuiya Uikey, Hon'ble Vice-Chairperson, National Commission for Scheduled Tribes on the above mentioned subject.

It is requested that action taken report in the matter may be intimated to the Commission, within one month positively for placing the same before the Hon'ble Vice-Chairperson, NCST.

Yours faithfully,


(Y.K. Bansal)
Research Officer

Copy to:-

Miss Shrenyanshi Hansda,
A-2, Padmavati Nagar,
Mandsaur – 458 001
(Madhya Pradesh).

Copy to:- I. SAS, NICL, NCST.

NATIONAL COMMISSION FOR SCHEDULED TRIBES

CT/1/2017/MFIN8/SEFCC/RU-IV

PROCEEDINGS OF SITTING HELD ON 29.08.2018 AT 03.00 P.M. CHAIRED BY MISS ANUSUIYA UIKEY, HON'BLE VICE-CHAIRPERSON, NATIONAL COMMISSION FOR SCHEDULED TRIBES (NCST) IN THE CASE OF REPRESENTATION OF MISS SHREYANSHI HANSDA, A-2, PADMATHI NAGAR, MANDSAUR (MADHYA PRADESH) REGARDING VERIFICATION OF CASTE CERTIFICATE AND REINSTATEMENT INTO SERVICE IN NICL, MANDSAUR BRANCH UNDER INDORE REGIONAL OFFICE.

Date of Sitting: 29.08.2018

List of officers present in sitting is Annexed.

Reference to proceedings of previous Sitting held in the Commission on 24.05.2018 before the Hon'ble Vice-Chairperson, NCST, no action taken report was received from the National Insurance Company Limited (NICL), therefore, Miss Anusuiya Uikey, Hon'ble Vice-Chairperson, NCST has fixed a further Sitting on 29.08.2018 with the CMD, NICL and GM, NICL, Indore. Accordingly, sitting notice was issued on 08.08.2018.

2. The Chief Manager, NICL and DGM, NICL appeared before the Commission on 29.08.2018. The officer appeared has also submitted a request letter dated 27.08.2018 from the General Manager (P), NICL wherein it was informed that at present, the post of CMD is vacant and he is unable to attend the Sitting in the Commission on account of Annual Transfer Movement Policy finalization of the company. The same was taken into record. The petitioner was also present in the day of Sitting.

3. During the Sitting, the Deputy General Manager, NICL has submitted an action taken report. He also submitted that as per the Commission's recommendations the competent authority has approved the reinstatement of services of the petitioner, Miss Shreyanshi Hansda, Assistant from the date of rejoining in the services of the Company on the basis of the confirmation report from SDO, Chaibasa on verification of ST caste certificate. The petitioner has been informed vide letter dated 16.08.2018 and asked to join the duty. However, the petitioner did not join the duty.

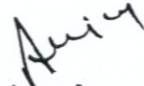
4. The petitioner was stated that as per the Commission's recommendations, her reinstatement into service was not considered w.e.f. the date of 13.06.2017 i.e. date of termination with all consequential monetary benefits and seniority. In addition, she has been deprived from departmental promotion exams scheduled in 2018 due to unnecessary delay in re-joining the duty. She has not paid salary from 14.06.2017 to

till date i.e. date of reinstatement. No experience certificate and good conduct certificate was issued to her.

5. The case discussed in detail. After hearing, both sides, the Commission observed that the Commission's recommendations were not fully implemented. Though, on the basis of the Commission's recommendations, the NICL Management has reinstated the services of Miss Shreyanshi Hansda (petitioner) w.e.f 16.08.2018 without consequential benefits and seniority. But the benefits of due salary were not paid from the date of termination to the petitioner. She was also deprived to appear in the promotional exam scheduled in 2018. The experience certificate and good conduct certificate was also denied. In the instant case, at initial stage, the petitioner's ST certificate was not verified from the issuing authority resulting which termination from services. However, later on, on the basis of Commission's recommendations, the caste certificate was verified and was found to be genuine. Thus it proves that there was a negligence from the department concerned.

6. The Commission therefore, recommends that NICL Management should review the case and will provide all consequential monetary benefits (salary, promotion, seniority etc,) w.e.f. the date of termination to the petitioner. Necessary steps for issuing of experience certificate and good conduct certificate may also be taken.

7. Action taken report be submitted to the Commission within 30 days.


सुश्री अनुसुईया उइके/Miss Anusuiya Uikey
उपाध्यक्ष/Vice Chairperson
राष्ट्रीय अनुसूचित जनजाति आयोग
National Commission for Scheduled Tribes
भारत सरकार/Govt. of India
नई दिल्ली/New Delhi

NATIONAL COMMISSION FOR SCHEDULED TRIBES

Annexure

(File No. CT/1/2017/MFIN8/SEFCC/RU-IV)

List of participants

NCST

1. Miss Anusuiya Uikey, Hon'ble Vice-Chairperson (In chair)
2. Shri P.T. Jameskutty, Hon'ble Member
3. Shri Y.K. Bansal, Research Officer
4. Shri Gaurav Kumar, PS to Hon'ble Vice-Chairperson
5. Shri H.R. Meena, Sr. Investigator

Officers of National Insurance Company Ltd.

1. Shri. A.K. Singh, Deputy General Manager
2. Shri Rama Kant Jena, Chief Manager

Petitioner

Miss. Shreyanshi Hansda