



भारत सरकार

Government of India

राष्ट्रीय अनुसूचित जन जाति आयोग

National Commission for Scheduled Tribes

(A Constitutional Body set up under Art. 338A of the Constitution of India)

File No. MKM/10/2018/MFIN9/SEOTH/RU-IV

Dated: 02.11.2018

To,

1. **The Chairman,**  
LIC of India,  
4<sup>th</sup> Floor, West Wing, Yogakshema,  
P.B. No. 19953, Jeevan Bhima Marg,  
Nariman Point,  
Mumbai - 400 021 (Maharashtra).
2. **The Senior Divisional Manager,**  
LIC of India,  
Divisional Office, 1<sup>st</sup> Jeevan Praksash,  
Bhawani Singh Road,  
Jaipur - 302 005 (Rajasthan).

**Sub: Proceedings of the sitting taken by Smt. Maya Chintamn Ivate, Hon'ble Member, National Commission for Scheduled Tribes (NCST) on 29.10.2018 in the matter of Shri Mahesh Kumar Meena, Financial Service Executive, LIC of India, Jaipur Tehsil-Baswa, District Dausa, Rajasthan regarding Terminate by showing Absent.**

Sir,

I am directed to enclose a copy of the Proceedings of the Sitting held under the Chairmanship of Smt. Maya Chintamn Ivate, Hon'ble Member, National Commission for Scheduled Tribes on 29.10.2018 on the above mentioned subject for necessary action at your end.

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 Member, NCST.

Yours faithfully,

*(Signature)*  
(Y.K. Bansal)  
Research Officer

Copy to:-

Shri Mahesh Kumar Meena,  
Dhyawana Ki Dhani,  
Baswa,  
District - Dausa - 303 327  
(Rajasthan)

*Copy to: - SAS, NCST.*

**NATIONAL COMMISSION FOR SCHEDULED TRIBES**

Case File No. MKM/10/2018/MFIN9/SEOTH/RU-IV

PROCEEDINGS OF SITTING HELD ON 29.10.2018 AT 12.30 P.M. CHAIRED BY SMT. MAYA CHINTAMN IVNATE, HON'BLE MEMBER, NATIONAL COMMISSION FOR SCHEDULED TRIBES (NCST) IN THE CASE OF SHRI MAHESH KUMAR MEENA, EX-FINANCIAL SERVICE EXECUTIVE, LIC OF INDIA, JAIPUR REGARDING FORCEFULLY TERMINATION AND REINSTATEMENT INTO SERVICE IN LIC OF INDIA.

Date of Sitting: 29.10.2018

List of officers present in sitting is Annexed.

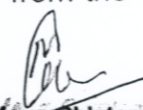
The petitioner Shri Mahesh Kumar Meena vide his representation dated nil has represented before the Commission regarding forcefully termination and reinstatement into service in LIC of India.

He alleged that he was appointed as Financial Service Executive at LIC, Bhiwadi Branch on 11.11.2013. He did work there sincerely. However, his services were terminated on 07.06.2014 on the ground of showing absent without conducting any Departmental Inquiry and without giving any opportunity to submit the facts. Actually, he was not remained absent. But his present was shown absent by tempering records and making white fluid in the attendance register. In addition, he achieved target given by the LIC Management.

2. As per procedure, the NCST vide its letter dated 22.06.2018 sought report from the LIC Management. Accordingly, the LIC of India vide letter dated 11.07.2018 has reported to the Commission that the petitioner Shri Mahesh Kumar Meena was appointed as Financial Services Executive under Bhiwadi Branch on 11.11.2013 on contractual basis. He remained on Extra Ordinary Leave (EOL) of 60 days. As per Clause 19 of the LIC of India (Financial Services Executives) Scheme, 2007 (modified as on 01.07.2013) of the scheme "Total period of EOL which can be granted to a FSE in 30 days, if EOL exceed 30 days, the contract shall be liable to be terminated". Since, the petitioner was remained absent from 13.02.2014 to 30.03.2014, therefore, a show cause notice was issued to Shri Mahesh Kumar Meena on 31.03.2014 and asked to submit his reply within 15 days. However, he failed to file any reply. Thereafter, a penalty of termination from service of Financial Services Executive vide office order dated 07.06.2014 was imposed against him.

3. Since the LIC's action taken report was not convincing and therefore, a sitting was fixed on 29.10.2018 before the Hon'ble Member, Smt. Maya Chintamn Ivnate in the Commission.

4. The Senior officers from the LIC of India appeared before the Commission along with exemption request letter from the Chairman, LIC of India. The petitioner was also present.

  
**Smt. Maya Chintamn Ivnate**  
Member  
National Commission for Scheduled Tribes  
Govt. of India, New Delhi



5. During the Sitting, the petitioner and the Department concerned have submitted their points of view. The Senior Divisional Manager, LIC of India, Jaipur has also shown the attendance register to the Commission. He also informed that scheme of the contractual employment has been abolished on the direction of the Hon'ble Supreme Court w.e.f. 2016. At present no contractual employee in the cadre of Financial Services Executives exists.

6. The case was discussed in detail. The Commission observed that the petitioner was appointed as Financial Services Executives w.e.f. 11.11.2013 on contractual basis and his services was terminated on 07.06.2014 as per clause 19 LIC of India (Financial Services Executives) Scheme, 2007 (Modified as on 01.07.2013) on the grounds of unauthorisedly absent. The attendance register shown by the officers of the LIC of India, there was no proof of tempering of record or making white fluid on petitioner's attendance. In addition, the scheme of contractual appointment was abolished in the year 2016 as per the Hon'ble Courts order. The Commission has also not found any breach in the terms and conditions of contractual appointment. Hence, it appears that there is no deviation of rules. Accordingly, the case is closed.



\*\*\*\*\*

**Smt. Maya Chintamni Ivate**  
Member  
National Commission for Scheduled Tribes  
Govt. of India, New Delhi

**NATIONAL COMMISSION FOR SCHEDULED TRIBES**

**Annexure**

(File No. MKM/10/2018/MFIN9/SEOTH/RU-IV)

**List of participants**

**NCST**

1. Shri Maya Chintamn Ivnate, Hon'ble Member (In chair)
2. Shri P.T. Jameskutty, Hon'ble Member
3. Shri Y.K. Bansal, Research Officer
4. Shri S.K. Atram, PS to Hon'ble Member (MCI)
5. Shri H.R. Meena, Sr. Investigator

**Officers of LIC of India**

1. Shri. P.C. Paikray, Secretary (M-B&AC), Corporate Office
2. Shri Shobha Ram Meena, Sr. Divisional Manager

**Petitioner**

Shri Mahesh Kumar Meena