



भारत सरकार

Government of India

राष्ट्रीय अनुसूचित जनजाति आयोग

National Commission for Scheduled Tribes

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

Case File No.: NCST-17012(MTUR)/1/2021-RU4

Dated: 01.09.2021

To,

The Secretary,
Ministry of Culture,
Shastri Bhawan,
New Delhi – 110 001.
E-mail: secy-culture@nic.in

Subject: Online Representation dated 11.06.2021 received from Ms. Rige Shiba, Museum Education Officer, Department of L&E, National Museum, New Delhi regarding grievances against new proposed Recruitment Rules (RR) sent by the National Museum, New Delhi.

Sir,

I am directed to enclose herewith a copy of the Proceedings of the Sitting held on 10.08.2021 under the Chairmanship of Shri Ananta Nayak, Hon'ble Member, National Commission for Scheduled Tribes on the above mentioned matter for necessary action and submission of compliance report to this Commission within 30 days positively for placing the same before the Hon'ble Member, NCST.

(Encl: As above)

Yours faithfully,

(Dr. Lalit latta)
Director

Copy forwarding proceedings of the Sitting for submission of compliance report to NCST to:

The Additional Director General,
National Museum,
Ministry of Culture,
Janpath, New Delhi- 110001

Copy for information to:

Ms. Rige Shiba,
Museum Education Officer,
Department of L&E, National Museum,
Janpath Road, New Delhi – 110001
E.mail: rige.shiba6@gmail.com

✓ Copy for upload at NIC website to
NIC, NCST

NATIONAL COMMISSION FOR SCHEDULED TRIBES

Case File No. NCST-17012(MTUR)/1/2021-RU4

PROCEEDINGS OF SITTING HELD ON 10.08.2021 CHAIRED BY SHRI ANANTA NAYAK, HON'BLE MEMBER, NATIONAL COMMISSION FOR SCHEDULED TRIBES (NCST) IN THE CASE OF ONLINE REPRESENTATION DATED 11.06.2021 RECEIVED FROM MS. RIGE SHIBA, MUSEUM EDUCATION OFFICER, DEPARTMENT OF L&E, NATIONAL MUSEUM, NEW DELHI REGARDING GRIEVANCES AGAINST NEW PROPOSED RECRUITMENT RULES (RR) SENT BY THE NATIONAL MUSEUM, NEW DELHI.

Date of Sitting: 10.08.2021

List of officers present in sitting is Annexed.

Ms. Rige Shiba, Museum Education Officer, Department of L&E, National Museum, New Delhi vide her representation dated 11.06.2021 has submitted grievances against new proposed Recruitment Rules (RR) sent by the National Museum, New Delhi to DoPT and avoidance of an unintentional discrimination against her.

2. The petitioner submitted that presently she is working as Museum Educational Officer (MEO) in the Lecturing and Education Department, National Museum since 07.03.2014. The existing Recruitment Rules provides that a MEO is eligible for direct promotion to the post of Curator (L&E) after a regular service of 08 years. Thus, she will be eligible for promotion to the post of Curator in the year 2025. Now, the National Museum, Ministry of Culture has decided to revise the Recruitment Rules and proposed that a Museum Education Officer will be eligible for promotion to the post of Curator after a total 13 years of combined service. Thus, the increased number of years from 08 to 13 is hindering the carrier progress of the employees as she will be forced to stagnate to the post of MEO for 06 long years in the Grade pay of Rs. 4600/- due to no promotional channel in the Grade pay of Rs. 5400/- and all her colleagues who have joined either with her or after her are given the opportunity to get Rs. 5400/- Grade pay. The National Museum management has completely neglected the channel of MEO as there is no attempt made to include MEO for promotion to the post of Deputy Curator. It may be mentioned that as per the current RR, she was promoted to the post of MEO after 03 years of regular service and she was promoted as per rule. Now, as per draft proposed recruitment rules, all Assistant Curators will be promoted from Group B (Rs. 5400/- Grade Pay) to Group A (Rs. 6600/- Grade pay) after a service period of 08 years only whereas it would take 10 years for MEO (Rs. 4600/- Grade pay) to get promotion from Group B to Group A level. In this regard, she has represented before the National Museum Management that the MEO channel may be considered in the promotion channel to the post of Deputy Curator in the proposed RR which is now sent to the DoPT and if the same is not acceptable then the year of service of MEO to get promoted to the post of Curator be considered as per existing Recruitment Rules. Moreover, the minimum years of service of MEO to get promoted to the post of Curator may not be disturbed and to remain 08 years. Thus, the proposed revision of the RR is against the officials and deprive the petitioner who belong to ST community who is eligible to be considered for promotion as per old recruitment rules. Since her grievance has not heard by the Museum management, she has requested the Commission to intervene in the matter and protect the interest of STs.
3. As per procedure, the Commission sought report from the Secretary, Ministry of Culture vide NCST notice dated 16.06.2021. Thereafter, the Ministry concerned has submitted a report vide letter dated 09.07.2021 which is taken on record.
4. The Commission decided to hold a sitting in the case on 10.08.2021 and issued Summons for appearance of Secretary, Ministry of Culture. In reply to Summons, the Secretary, Ministry of Culture vide D.O. letter dated 09.08.2021 has sought exemption and requested to allow Additional Director General, National Museum to attend the sitting. Accordingly, Shri Subrata Nath, Additional Director General, National Museum appeared. The petitioner was also present.
5. In the sitting, the petitioner presented her case stating that her grievances and objection against the proposed revision of the Recruitment Rules for the post of MEO is because she will be at

disadvantage and will deprive her of getting timely promotion to the post of Curator. She also stated that the proposed Recruitment Rules has been framed/drafted increasing the residency period from the existing 8 to 13 years thereby delaying promotional avenue to the post of Curator. In addition, the National Museum has proposed Recruitment Rules after merging all cadres of Assistant Curator, Deputy Curator and Curator posts and there is no promotional channel of MEO. As per the existing Recruitment Rules, she will be eligible for promotion as Curator in the year 2025 after completion of 10 years combined service and if the proposed RRs is to be implemented, then she will have to wait for promotion additional 3 more years. She requested that the existing RRs for promotion from MEO to Curator should be followed.


6. The Additional Director General, National Museum briefed the case stating that the DoPT has issued guidelines dated 31.12.2010 that the recruitment rules should be reviewed once in 05 year with a view to effecting such change as necessary to bring them in conformity with a changed position. Since, the revision of Recruitment Rules were not made after the year 2008 onwards and therefore, it was necessary to revise the Recruitment Rules for all cadre posts of National Museum. The National Museum has posts of Assistant Curator, Deputy Curator, MEO and Curator in different discipline. These posts are scattered and due to non-availability of eligible incumbents in respective cadre / discipline, the posts are sometimes abolished. The Administration have to exercise for revival of abolished posts. Accordingly, the National Museum has decided to revise the Recruitment Rules of all cadre posts by merging of scattered posts of different disciplines of Assistant Curator, Deputy Curator and Curator into combined cadre of Assistant Curator, Deputy Curator and Curator. The increase of eligibility years of service has been proposed as per the DoPT guidelines. There will be no loss to the petitioner as she will get promotion to the post Curator after approval of proposed Recruitment Rules. The Department is also working for revival of abolished posts. If the existing Recruitment Rules are to be implemented, then there will be no surety that the post of Curator (Education) will be available in the cadre when the petitioner will be eligible for consideration. Presently there is no eligible candidate available to be considered for promotion and the post will be abolished as per the Department of Expenditure guidelines. The finalization and notification of the proposed draft amendment of the RRs in Gazette of India has to be done with the approval of DoPT, UPSC and Department of Legal Affairs. The process of submission of the proposed draft amendment of RRs is under way on DoPT's RRFAMS portal with the approval of Hon'ble Minister of Culture.

7. The case was discussed in detail. After hearing both the parties, the Commission decided to examine the case further to see whether the proposed revision of the RR will lead to deprivation to the petitioner who belong to a Scheduled Tribe community. Accordingly, the Commission recommended that the National Museum management will provide following documents for examination of the case:

Existing Recruitment Rules for all cadre posts of Assistant Curator, MEO, Deputy Curator and Curator (discipline wise).

- Draft revised Recruitment Rules for the posts of Assistant Curator, Deputy Curator and Curator.
- Total sanctioned cadre strength, incumbents in position in all cadre posts.
- Reservation Rosters for each cadre of posts.
- Shortfall / backlog of ST vacancy, if any and reasons thereof.

8. An action taken report along with all requisite documents in to the case may be sent to the Commission within 30 days.



(ANANTA NAYAK)

MEMBER

अनंत नायक/ANANTA NAYAK

सदस्य/Member

राष्ट्रीय अनुसूचित जनजाति आयोग

NATIONAL COMMISSION FOR SCHEDULED TRIBES

भारत सरकार/Govt. of India

नई दिल्ली/New Delhi

Attendance Sheet
National Commission for Scheduled Tribes

File No. NCST-17012(MTUR)/1/2021-RU4

Sitting held on 10.08.2021 at 11.00 A.M. in the case of online representation dated 11.06.2021 received from Ms. Rige Shiba, Museum Education Officer, Department of L&E, National Museum, New Delhi regarding grievances against new proposed Recruitment Rules (RR) sent by the National Museum, New Delhi.

Sl. No.	Name and Designation	Address & Phone No.	Signature
I	<u>National Commission for Scheduled Tribes</u>		
1.	Shri Harsh Chouhan Hon'ble Chairperson	In Chair	—
2.	Shri Ananta Nayak Hon'ble Member	In Chair	
3.	Smt. Alka Tiwari, Secretary	—	—
4.	Shri K. Touthang, Joint Secretary		P.
5.	Dr. Lalit Latta Director		P
5.	Shri Y.K. Bansal, Research Officer		<i>[Signature]</i>
6.	Shri D.D. Tripathi, Legal Consultant		
7.			
II	Officers from Ministry of Culture		
1.	<i>Subrata Nath</i>		<i>[Signature]</i>
2.			
3.			
4.			
5.			
6.			
III	Petitioners		
1.	<i>Rige Shiba</i> <i>10/8/2021</i>	9810795347	
2.			