



राष्ट्रीय अनुसूचित जनजाति आयोग
National Commission for Scheduled Tribes
(भारत के संविधान के अनुच्छेद 338क के अंतर्गत एक संवैधानिक निकाय)
(A Constitutional body under Article 338A of the Constitution of India)

File No. NCST/SER-730/RJ/23/2023-SSW

Dated: - 05.08.2024

To,

1. Shri Ajit Kumar Mohanty
Secretary
D/o Atomic Energy
Anushakti Bhawan, C.S.M. Marg
Mumbai -400001 (Maharashtra)
Email: chairman@dae.gov.in
Phone :- 022-22022543

2. Shri S. Satyakumar,
Chief Executive
Heavy Water Board
5th Floor, Vikram Sarabhai Bhavan
Anushakti Nagar,
Mumbai -400094 (Maharashtra)
Email:- ce@mum.hwb.gov.in
Phone:- 022 - 2556 3240 / 2548 6090

Sub: Non-implementation of Hon'ble High Court of Telangana at Hyderabad order dated 03.03.2022 regarding re-designation to the post of S.A/B from the date of initial appointment i.e 16.06.1992 - a rep. dated 16.01.2023 of Shri H.P. Meena, TO/E, PC & AL, Heavy Water Plant (Kota), Rajasthan.

महोदय,

I am directed to enclose herewith a copy of the minutes of the Sitting held under the Chairmanship of Shri Jatothu Hussain, Hon'ble Member, NCST on 22.07.2024 at 11:00 AM in the National Commission for Scheduled Tribes, Lok Nayak Bhawan, Khan Market, New Delhi 110003 on the above mentioned subject.

It is requested that the action taken/ to be taken in the matter may be intimated to NCST within stipulated time from receipt of the letter for placing it before the NCST.

Yours faithfully,

(आर.एस.मिश्र / R.S. Misra)

अनुसंधान अधिकारी - Research Officer
Tel:-011-24641640

Copy to:-

Shri H. P Meena
Technical Officer/E
Heavy Water Plant Kota, via -Kota
District - Chittorgarh (Rajasthan) - 323303
Mobile No - 9460742706

Copy for information

1. PS to Hon'ble Member (Shri J. Hussain), NCST
2. NIC, NCST for uploading on the website of the Commission.

National Commission for Scheduled Tribes

Minutes of the Sitting held under the Chairmanship of Shri Jatothu Hussain, Hon'ble Member, National Commission for Scheduled Tribes at Lok Nayak Bhawan, New Delhi regarding re-designation from SA-A to SA-B from date of initial appointment i.e. 16.06.1992 and recognition of higher educational qualification for promotion to higher post - a representation dated 16.01.2023 of Shri H.P. Meena, Technical Officer/E, Heavy Water Plant (Kota), Rajasthan.

File: NCST/SER-730/RJ/23/2023-SSW
Date of the Sitting: 22/07/2024, 11:00 AM
Participants in the Sitting: As per Annexure

Shri Hanuman Prasad Meena, TO/E, PC & AL, Heavy Water Plant (Kota), Rajasthan vide his rep. dated 16.01.2023 has stated that the Hon'ble High Court of Telangana at Hyderabad vide order dated 03.03.2022 has dismissed the petition filed by D/o Atomic Energy and supported the order of Central Administrative Tribunal dated 31.05.2000 regarding re-designation to the post of SA-B from the date of initial appointment. He alleged that the D/o Atomic Energy is not executing the order of Hon'ble Court for re-designating him to the post of SA-B from 16.06.1992.

NCST vide notice dated 01.02.2023 had referred the matter to Secretary, D/o Atomic Energy, Mumbai and Chief Executive, Heavy Water Board, Mumbai for furnishing the facts and comments. The D/o Atomic Energy vide letter dated 10.03.2023 has communicated that the Department is examining the issue in consultation with Heavy Water Board, one of the constituent unit of this Department wherein Shri H.P. Meena is employed, a detailed reply in the matter will be sent shortly. Thereafter the petitioner submitted multiple letters stating that the department had not taken any positive action in the case and had not sent detailed compliance report either. The Commission sent a reminder letter dated 06.10.2023 to Secretary, D/o Atomic Energy and Chief Executive, Heavy Water Board to furnish the facts and comments.

The D/o Atomic Energy vide letter dated 30.11.2023 has communicated that the matter is under examination and the case of the petitioner will be reviewed along with all others similar cases at appropriate time. The petitioner vide letter dated 8/12/23 and 25/12/2023 stated that his case is being delayed without reason. Hence he has requested for a sitting to resolve the issues.

The Commission decided to discuss the issue with Secretary, D/o Atomic Energy, Mumbai and Chief Executive, Heavy Water Board, Mumbai and the petitioner on 22.07.2024. Accordingly, the sitting notice was issued on 18.07.2024 to all concerned.

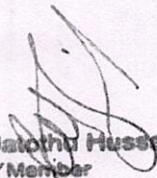
The Secretary, D/o Atomic Energy, Mumbai and Director, (Operations) Heavy Water Board and other officials were present. The petitioner was also present. The petitioner stated that he was not a party to the court case but his case was similar to the five employees, who were part of the case for re-designation of post from SA-A to SA-B. Since they had been granted benefits as per CAT order, he should also be granted the same. He further stated that his additional qualification which he obtained in 2006 after taking due permission, was not considered by the Department due to apparent miscommunication.

The officials of D/o Atomic Energy and Heavy Water Board informed that the D/o Atomic Energy has filed a Review Petition in December 2023 against the order of Hon'ble High Court of Telangana. It was also informed that the issue for providing benefits of additional qualification to the petitioner will be examined by the department.

After hearing both the sides, the following points were recommended and suggested to submit the Action taken report within 30 days from receipt of the minutes of the sitting –

1. The present position of the Review Petition filed D/o Atomic Energy, Mumbai before Hon'ble High Court of Telangana at Hyderabad as discussed in the sitting may be informed.
2. The case for extending the benefits of additional qualification obtained by the petitioner in 2006 for

3. The petitioner was advised to submit the detailed note along with necessary certificates of qualification to the department, under intimation to NCST.


जाटोही हुसैन / Jatohi Hussain
सदस्य / Member
भारत सरकार / Government of India
राष्ट्रीय अनुसूचित जनजाति आयोग
National Commission for Scheduled Tribes
नई दिल्ली / New Delhi

Annexure

List of participants of the sitting held on 22.07.2024 at 11:00 AM under the Chairmanship of Shri Jatothu Hussain, Hon'ble Member, NCST in the case of Shri H.P. Meena, TO/E, PC & AL, Heavy Water Plant (Kota), Rajasthan regarding non-implementation of Hon'ble High Court of Telangana at Hyderabad order dated 03.03.2022 regarding re-designation to the post of SA/B from the date of initial appointment i.e 16.06.1992

I	<u>Department of Atomic Energy</u>
1.	Shri A.K. Mohanthy, Secretary
2.	Ms. Anjali Sinha, JS
3.	Shri V.V.S. A Prasad, Director (Operation), Heavy Water Board
4.	Shri K. Swaminathan, CAO & Liaison Officer for SC/ST, Heavy Water Board
II	<u>Petitioner</u>
	Shri H. P Meena