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By Speed Post



Government of India
National Commission for Scheduled Tribes

6th floor, 'B' Wing, Loknayak Bhawan
Khan Market, New Delhi-110 003.

File No. MSM/3/2014STGDH/SHERMT/RU-I

Date: 05/01/2015

To

Shri Nikhil Kumar, IAS,
Secretary,
New Delhi Municipal Corporation,
Palika Kendra,
New Delhi-11000,
Fax No. 011 23363094.

Sub: Minutes of the Proceedings of the Sitting held under the Chairmanship of Hon'ble Vice Chairperson, NCST, to discuss the case of Shri Mohar Singh Meena & Others, N.D.M.C. Delhi regarding promotion to the post of Executive Engineer.

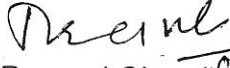
Sir,

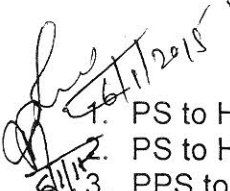
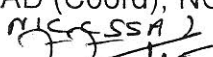




I am directed to enclose a copy of the minutes of the Proceedings of the Sitting held in the NCST on 24/12/2014 on the above mentioned subject for information and further necessary action.

Compliance Report may be submitted to the Commission by 15/01/2015.

Encl: As above

Yours faithfully,


(Pramod Chand)^{06/01}
Deputy Secretary


1. PS to Hon'ble Chairperson, NCST
2. PS to Hon'ble Vice Chairperson, NCST
3. PPS to Joint Secretary, NCST
4. AD (Coord), NCST
5. 







Government of India
National Commission for Scheduled Tribes

File No. MSM/3/2014/STGDH/SEHRMT/RU-I

Date: 03.01.2015

1. The Sitting, under the Chairmanship of Hon'ble Vice Chairperson, NCST, to discuss the case of Promotion of Mohar Singh Meena & others, Assistant Engineers (Civil), NDMC, took place in the Conference Room of NCST on 24/12/2014 at 4:30 PM.
2. List of participants in the Sitting is at Annexure A.
3. Putting forth their grievances, the petitioners stated that they were promoted on 29.12.2005 as Assistant Engineer (Civil) on ad hoc basis and they were regularized in the post on 12.09.2013. They insisted that their service as ad hoc AE (Civil) should be counted towards qualifying service for the promotion to Executive Engineer for which the requirement is 8 years of service in AE post. They also said that they top first five positions in the seniority list approved by the competent authority.
4. Shri R K Gaur, Director (Pers), NDMC informed that both the general category and ST category employees have moved the Hon'ble CAT and under the circumstances no further action could be taken. He also said that CAT, in their order dated 03.12.2013, has directed not to make any further promotions to the post of Executive Engineer for a period of 14 days. Shri Kochhar, Executive Engineer (Civil) NDMC, said that point-wise reply is to be furnished to the court.
5. The petitioners questioned that then how two AE level officers, junior to them, have been given looking after charge, ignoring the seniority list, when the case was subjudice. Also, since the Department has not furnished reply to the Hon'ble CAT, eligible senior ST candidates are suffering for no fault of theirs.
6. The Hon'ble Vice Chairperson, NCST pointed out that there is undue delay in getting the stay vacated and ordered clarification on the following points.
 - a. When was the promotion/seniority list stayed and what action NDMC has taken to get the stay vacated?
 - b. Responsibility be fixed for not furnishing timely reply to the Hon'ble CAT.
 - c. How order was issued giving looking after charge to the juniors ignoring eligible senior ST candidates.
 - d. Whether Gol Rules on Reservation in Promotions are complied with

Ravi Thakur
3-1-2015

रवि ठाकुर/RAVI THAKUR
उपाध्यक्ष/Vice Chairperson
राष्ट्रीय अनुसूचित जनजाति आयोग
National Commission for Scheduled Tribes

7. The Hon'ble Vice Chairperson, NCST directed the NDMC officers to
- Submit the seniority list of regular Assistant Engineers (Civil) approved by the competent authority.
 - Explore the possibility of giving the petitioners at least the looking after charge as they are the senior most in the seniority list by withdrawing the looking after charge order issued by the Department.
 - Submit Compliance Report to the Commission by 15th January 2015.

The meeting ended with vote of thanks to the Chair.

Ravi Thakur

3-1-2015.

रवि ठाकुर/RAVI THAKUR
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

File No. MSM/3/2014STGDH/SHERMT/RU-I

Date: 24/12/2014

Sub: Sitting held on 24/12/2014 at 4:30 P.M. in the case of Shri Mohar Singh Meena & Others, N.D.M.C. Delhi regarding promotion to the post of Executive Engineer.

Attendance Sheet

Sr. No. Name and Designation

I National Commission for Scheduled Tribes

1. Shri Ravi Thakur
Hon'ble Vice-Chairperson
2. Shri Mohan Das
PS to Hon'ble Vice Chairperson
3. Smt. S. Parathasarathy
Consultant (RU-I)

II New Delhi Municipal Corporation

1. R.K. Gaur
Director (Pers.)
2. Shri Kochhar
Executive Engineer (Civil)

III Petitioner

1. Shri Mohar Singh
2. C.L. Meena
3. H. Meena
4. B.L. Meena