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By Speed Post



Government of India  
National Commission for Scheduled Tribes  
6<sup>th</sup> floor, 'B' Wing, Loknayak Bhawan  
Khan Market, New Delhi-110 003.

File No. PCM/10/2014/STGDH/SEHRMT/RU-I

Date: 06/01/2015

To

Shri P.K. Gupta,  
Commissioner,  
North Delhi Municipal Corporation  
Dr. S.P. M. Civic Centre,  
Pt. J.L.N. Marg, (Minto Road),  
New Delhi-110002.

Sub: Minutes of the Proceedings of the Sitting held under the Chairmanship of Hon'ble Vice Chairperson, NCST, to discuss the case of Shri P.C. Meena, Executive Engineer, regarding harassment of Tribal officer in Municipal Corporation of Delhi by denying promotion to the post of Superintending Engineer (Civil).

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*

(Pramod Chand)  
Deputy Secretary

Copy to -

Shri P.C. Meena,  
Executive Engineer,  
A-2/165, Janak Puri,  
New Delhi-58

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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. SSA (NIC)

*all*

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**Government of India**  
**National Commission for Scheduled Tribes**

File No. PCM/10/2014/STGDH/SEHRMT/RU-I

Date: 29.12.2014

1. The Sitting, under the Chairmanship of Hon'ble Vice Chairperson, NCST, to discuss the case of Promotion of Shri P.C. Meena, Executive Engineer, Municipal Corporation of Delhi, took place in the Conference Room of NCST on 24/12/2014 at 3:30 PM.
2. List of participants in the Sitting is at Annexure A.
3. At the outset the petitioner was asked to explain his point. The petitioner Shri P.C. Meena said that he should be given ad hoc Superintending Engineer post with effect from 28/07/2000 and also the next higher promotion as Chief Engineer. This is for the simple reason that 30 employees junior to him were promoted and are working as Chief Engineers.
4. Shri Lekh Raj, Office Superintendent, Central Establishment Department, North Delhi Municipal Corporation said that upon receipt of letter from NCST, MCD considered his case and ordered his promotion. He handed over a copy of Office order dated 19.12.2014, promoting notionally the petitioner Shri P.C. Meena, to the post of Superintending Engineer (Civil) with effect from 28.07.2000. He explained that P.C. Meena could not be given regular promotion as the authority of regular promotion vests with UPSC. Moreover, he could not be considered for higher promotion as there is a criminal case against him.

The petitioner P.C. Meena said that

- There was no criminal case against him when his promotion became due for the post of Chief Engineer, as charges were framed only in late 2006.
- When his juniors had been given ad hoc promotion why he has been given only **notional** which does not entail any consequential benefits of promotion and seniority.

To this Shri Lekh Raj stated that as Shri P.C. Meena had not served in the post of Superintending Engineer he can be given only notional promotion from back date viz 28/07/2000 and cannot be considered for promotion to post of Chief Engineer.


*Ravi Thakur*  
3-1-2015

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

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5. Hearing both the parties the Hon'ble Vice Chairperson, NCST ordered that MCD should clarify the following points within 15 days.
- The eligibility parameters specified in the Rules for promotion.
  - The periodicity of holding DPC Meeting and when it was held last
  - The periodicity of holding Screening Committee Meeting and when it was held last
  - From the year 2000 onwards, how many times promotions have been carried out/how many employees are promoted from the post of Executive Engineer to Superintending Engineer and from Superintending Engineer to Chief Engineer.
  - Out of this, how many are from SC, ST & OBC category.
  - Whether the Govt. of India Rules on Reservation in promotions are being complied with especially in respect of ST category employees.
  - In Superintending Engineer/Chief Engineer posts how many are earmarked for ST out of which how many are still vacant?
  - Screening Committee Meeting should be held immediately to consider the petitioner's case for ad hoc promotion from the due date, i.e., 28.07.2000.
  - List of 30 employees junior to the petitioner working as Chief Engineers to be provided.
  - MCD may also give a point wise reply to the rejoinder submitted by the petitioner in the Sitting.
6. The Hon'ble Vice Chairperson advised the officer, North Delhi Municipal Corporation to consider giving the petitioner his due according to his seniority and a compliance report may be submitted by **15/01/2015**. Otherwise, Commission will be constrained to issue Summon to the Commissioner, MCD to appear before the Commission in the next Sitting proposed for **30/01/2015 at 1100 AM**.

The Sitting ended with vote of thanks to the Chair.

  
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

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**National Commission for Scheduled Tribes**

ANNEXURE A

File No. PCM/10/2014/STGDH/SEHRMT/RU-I

Date: 24/12/2014

**Sub:** Sitting held on 24/12/2014 at 3:30 P.M. in the case of Shri P.C. Meena, Executive Engineer, office of the Executive Engineer (M-III)/WZ, C-Block, Vishal Enclave, New Delhi, regarding harassment of Tribal officer in Municipal Corporation of Delhi by denying promotion to the post of Superintending Engineer (Civil).

**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. Parthasarathy  
Consultant, RU-I

**II Municipal Corporation of Delhi**

1. Shri Lekh Raj, Superintendent, Central Establishment Department, NDMC

**III Petitioner**

1. Shri P.C. Meena