



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)

Speed Post

File No. S/2/2018/MPNT3/SEHRMT/RU-IV

Dated: 02.11.2018

To,

The Chief Post Master General,  
Telangana Circle,  
DAK Sadan Building  
Abids Circle, JN Road, Abids  
Hyderabad - 500001

**Sub: Proceedings of the sitting taken by Smt. Maya Chintamn Ivnate, Hon'ble Member, National Commission for Scheduled Tribes (NCST) on 08.10.2018 in the matter of Shri Srinivasulu, Postal Assistant, Wanaparthy H.P.O., Wanaparthy Postal Division, Telangana Postal Circle regarding harassment and suspension from service.**

Sir,

I am directed to enclose a copy of the Proceedings of the Sitting held under the Chairmanship of Smt. Maya Chintamn Ivnate, Hon'ble Member, National Commission for Scheduled Tribes on 08.10.2018 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,

(Y.K. Bansal)  
Research Officer

Copy to:-

Shri Srinivasulu,  
Postal Assistant,  
Postal Assistant,  
Wanaparthy H.P.O.,  
Wanaparthy Postal Division,  
Telangana Postal Circle - 509 103

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6/11/18  
जाती रिपोर्ट  
ISSUED

Copy to: I. S.A.S. NIC, NCST.

O/C



**NATIONAL COMMISSION FOR SCHEDULED TRIBES**

S/2/2018/MPNT3/SEHRMT/RU-IV

**PROCEEDINGS OF SITTING HELD ON 08.10.2018 AT 02.00 P.M. CHAIRED BY SMT. MAYA CHINTAMN IVNATE, HON'BLE MEMBER, NATIONAL COMMISSION FOR SCHEDULED TRIBES (NCST) IN THE CASE OF SHRI SRINIVASULU, POSTAL ASSISTANT, WANAPARTHY H.P.O., WANAPARTHY POSTAL DIVISION, TELANGANA POSTAL CIRCLE REGARDING REVOCATION OF SUSPENSION.**


Date of Sitting: 08.10.2018

List of officers present in sitting is Annexed.

The National Commission for Scheduled Tribes received a representation dated 14.08.2018 from Shri Srinivasulu, Postal Assistant, Wanaparthi Postal Division, Telangana Postal Circle Telangana regarding revocation of suspension. The petitioner has alleged that his case for revocation of suspension was heard by the Hon'ble Member, Maya Chintamn Ivate, NCST on 25.07.2018 and the Commission had recommended for his revocation of suspension. However, the Chief Post Master General, Telangana Circle did not implement the Commission's recommendations and did not revoke his suspension. The Chief Post Master General, Telangana is insisting him to submit undertaking letter along with the receipt applied to the Hon'ble CAT, Hyderabad for vacation of stay order in OA No. 21/197/2018 dated 07.03.2018. Actually, the OA is concerned only for stay for Departmental proceedings but, that not concerned for revocation of suspension. He has also not paid 75% subsistence allowances as per rules for suspension period. He has requested the Commission to issue necessary directions to the Department concerned for early redressal of his grievances.

2. Earlier, the petitioner's grievances of revocation of suspension was heard by the Hon'ble Member, Smt. Maya Chintamn Ivate, NCST on 25.07.2018. The Commission recommended that the Postal Department will consider the revocation of suspension of the petitioner and the Departmental inquiry will be completed within a period of three months. At the same time the petitioner will file an application before the Hon'ble CAT to vacate the stay order and in this regard an undertaking from the petitioner's side would be submitted to the Department concerned with finalization of inquiry. The postal Department should also ensure that no justice or harassment will be meted out against the petitioner.

3. Thereafter, the Chief Post Master General, Telangana circle vide its letter dated 30.08.2018 submitted an action taken report. He informed the Commission that as per Commission's recommendations, the petitioner has not submitted any undertaking to the Department till date. However, the petitioner submitted a representation to the Chief Postmaster General, Telangana Circle with a request to revoke his suspension. This is not in accordance with the directions of the Commission. Therefore, the petitioner was again advised vide office letter number INV/1/4-2/12-13 dated 24.08.2018 to comply with the directions of Hon'ble Commission. The petitioner has not yet responded to the said letter. In the meanwhile, a meeting of Suspension Review Committee was held on 03.08.2018 and Committee recommended for continuation of the petitioner's suspension for another period of 180 days from 04.08.2018.

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



4. Since the report of the Postal Department and the allegations levelled in the petitioner's representation dated 14.08.2018 were found contradictory and therefore a Sitting was fixed on 08.10.2018 in the Commission.

3. During the Sitting, the petitioner has raised the grievances of non implementation of Commission's recommendations dated 25.07.2018 regarding revocation of suspension and non payment of 75% subsistence allowances for suspension period. He was stated that he submitted an application for revocation of suspension. But the Chief Post Master General is insisting him to submit undertaking letter along with receipt applied to the Hon'ble CAT, Hyderabad to vacate stay in OA No. 21/197/2018 dated 07.03.2018. Actually, the OA is concerned only for stay for Departmental proceedings but, that not concerned for revocation of suspension. The Hon'ble CAT Hyderabad ordered in the said OA that the petitioner's request is concerned as the witnesses to be examine and documents to be exhibited in Criminal case and in the Departmental Inquiry is one. Hence considered the same saying that of further proceedings in the Departmental Inquiry is granted until further orders. Thus, putting a condition for submission of undertaking letter along with receipt of the Courts Registry for application of vacation of stay by the Chief Post Master General, Telangana is not justified and further harassing to him.

4. The Hon'ble Member, NCST asked the Officers of Postal Department, Telangana circle to present the facts of the case and reasons for non revocation of suspension.

5. The Post Master General, Hyderabad Region, Telangana circle has submitted an action taken report on the Commission's recommendations. He was stated that the petitioner has not submitted an undertaking along with receipt of the Hon'ble CAT order with regard to vacation of stay order as per the Commission's recommendations. The petitioner was also repeatedly informed to submit the requisite document for processing of the case of revocation of suspension. In addition, the same issue was earlier raised by the petitioner before the Hon'ble CAT, Hyderabad and Hon'ble High Court of AP and Telangana which has been rejected by the Court.

6. After hearing from both side, the Commission observed that there is Court cases in the matter. The petitioner's apprehension is that if he will withdraw the case from the Hon'ble CAT, then he will get harsh punishment. The petitioner is also under suspension for last 7 years and inquiry has not been completed so far. Thus, it appears to be a case of harassment. The Commission decides that the case will be decided by the full Commission. Accordingly, the concerned Section is advised to put up the case before the Hon'ble Chairperson, NCST for deciding the next date of Sitting.



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

**NATIONAL COMMISSION FOR SCHEDULED TRIBES**

**Annexure**

(File No. S/2/2018/MPNT3/SEHRMT/RU-IV)

**List of participants**

**NCST**

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

**Officers of Chief Post Master General, Telangana Circle**

1. Brig. B. Chandrasekhar, Chief Post Master General
2. Shri Akash Deep, Post Master General, Hyderabad Region, Telangana Circle

**Petitioner**

1. Shri Srinivasulu
2. Dr. K. Narayana Rao