



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)

File No. JJM/1/2016/MTUR1/SEOTH/RU-IV

Dated: 27.12.2018

To,

The Director General,
 Archaeological Survey of India,
 Janpath,
 New Delhi – 110 011

Sub: Proceedings of the Sitting taken by Shri Nand Kumar Sai, Hon'ble Chairperson, National Commission for Scheduled Tribes (NCST) on 12.12.2019 in the case of Shri Jagdish Jangalu Mali (Distt. Aurangabad), S/o late Jangalu Shama Mali, Memorial Attendant Archaeological Survey of India regarding compassionate appointment.

Sir,

I am directed to enclose a copy of the proceedings of the Sitting held on 12.12.2019 under the Chairmanship of Shri Nand Kumar Sai, Hon'ble Chairperson, National Commission for Scheduled Tribes on the above mentioned subject for necessary action.

It is requested that action taken report in the matter may please be sent to the Commission within 30 days positively for placing the same before the Hon'ble Chairperson, NCST.

Yours faithfully,

(Signature)
 (Y.K. Bansal)
 Research Officer

(Encl: as above)

Copy to:-

Shri Jagdish Jangalu Mali,
 Vill+Post, Kankori,
 Taluka – Gangapur,
 Distt.- Aurangabad – 423 702
 (Maharashtra).

Copy to: - SAS, NIC, NCST.

NATIONAL COMMISSION FOR SCHEDULED TRIBES

PROCEEDINGS OF THE SITTING HELD ON 12.12.2019 CHAIRED BY HON'BLE CHAIRPERSON, DR NAND KUMAR SAI REGARDING REPRESENTATION OF SHRI JAGDISH JANGLU MALI, FOR APPOINTMENT ON COMPASSIONATE GROUND IN THE ARCHAEOLOGICAL SURVEY OF INDIA (ASI), AURANGABAD.

(Case No. JJM/1/2016/MTUR1/SEOTH/RU-IV)

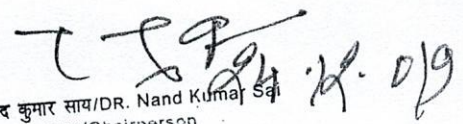
Date: 12.12.2019

The list of Participants is annexed.

The petitioner has submitted grievances that his father namely, late Shri Janglu Sama Mali, Monument Attendant at Ajanta Caves, Aurangabad circle, Aurangabad expired on 23.08.2007. He has requested the authorities of ASI to provide compassionate appointment on 21.02.2008. He married on 10.07.2008. The ASI refused to appoint him on compassionate ground because of his marital status. He also stated that the Commission took up his case and recommended to the Director General, Archaeological Survey of India for providing appointment on compassionate ground vide its recommendations dated 17.08.2017, 25.06.2018 and 08.08.2019. However, no action has been taken by the Department so far.

2. The Additional Director General in ASI stated before the Commission that the petitioner's case was considered by the Departmental Screening Committee (DSC) to consider the cases relating to appointment on compassionate grounds under revised guidelines. But his case was not recommended by the Committee as he was low in the merit list of other applicants. When asked about application of reservation policy in compassionate appointment, the Officer clarified that there is no provision of reservation for SC/ST/OBC in the appointments on compassionate ground.

3. The Commission was not satisfied by the submissions made by the ASI Officers and expresses its concern for having no provision of reservation for SC/ST/OBC in the appointments on compassionate ground. The Commission also observed that the petitioner belongs to poor ST low paid family and does not have any other source of living. His father was expired in the year 2007 and since then, he is making efforts to get employment by applying to the Department. The Department has also appointed those candidates who had applied after the applicant. But in the petitioner's case, his candidature was rejected 3-4 times by the Department concerned. In addition, the petitioner informed the Commission that the ASI authorities had also considered the cases of married applicant and provided employment prior to 2014 i.e. before issuance of revised guidelines by the DoPT. Thus it appears to be a case of harassment and discrimination against ST person. The Commission, however, recommends that rules should be changed so as to provide reservation for ST in cases of appointments on compassionate ground. The ASI authorities should take up this matter with Administrative Ministry / DoPT and submit the action taken report to the Commission expeditiously. It was also recommended that full details of the present case including DSC recommendations, criteria applied for consideration of compassionate appointment, marks obtained by the petitioner and other selected candidates and copy of guidelines of the Department applied in the case be submitted to the Commission for examination within 30 days positively.


डॉ. नन्द कुमार साय/DR. Nand Kumar Sai
अध्यक्ष/Chairperson
राष्ट्रीय अनुसूचित जनजाति आयोग
National Commission for Scheduled Tribes
भारत सरकार/Govt. of India
नई दिल्ली/New Delhi

NATIONAL COMMISSION FOR SCHEDULED TRIBES

Annexure

(File No. JJM/1/2016/MTUR1/SEOTH/RU-IV)

List of participants

NCST

1. Shri Nand Kumar Sai, Hon'ble Chairperson (In chair)
2. Shri H.K. Damor, Hon'ble Member
3. Shri K. Touthang, Joint Secretary
4. Dr. Lalit Latta, Director
5. Shri K.P. Singh, Consultant
6. Shri Y.K. Bansal, Research Officer
7. Shri H.R. Meena, Sr. Investigator

Officers of Archaeological Survey of India

1. Shri Rakesh Singhal, ADG, ASI
2. Shri P. G. Kaladharan, Director