



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)

F.No NCST-246/19/SER-123/106/2021-RO-BHUV

Dated: 29.11.2024

To,

Prof. Arindam Banerjee
Director
Indian Association for the Cultivation of Science
2A & B Raja S C Mullick Road,
Kolkata – 700032 (West Bengal)
Email:- bcab@iacs.res.in , Phone:- 033-24734971

Sub:- Complaint against forcefully deduction of salary for Rs 25,000/- of Shri Sajal Barua, since October, 2020-regarding.

महोदय,

I am directed to enclose herewith a copy of the minutes of the sitting held on 16.10.2024 at 12:00 (Noon) under the Chairmanship of Shri Jatothu Hussain, Hon'ble Member, National Commission for Scheduled Tribes, Lok Nayak Bhawan, Khan Market, New Delhi 110003 on the above mentioned subject, for information.

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 Hon'ble Commission.

Yours faithfully,

(एच .आर.मीना /H.R. Meena)
अनुसंधान अधिकारी / Research Officer
Phone -24641640

Copy to :-

Shri Debatosh Majhi
Flat-D2, Anandadeep Apartment, H-Road
Anandapuri, Barrackpore, Kolkata – 700122 (West Bengal)
Mobile No - 9432332872

Copy for information:-

1. PS to Hon'ble Member (J.H), 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 deduction of salary of Shri Sajal Barua in the case of Shri Debatosh Majhi, President, SC, ST & OBC Forum IACS, Jadavpur, Kolkata.

File: NCST-246/19/SER-123/106/2021-RO-BHUV

Date of the sitting: 16.10.2024, 12:00 PM

Participants in the Sitting - As per Annexure

President, Employees Forum of SC, ST & OBC of IACS, Jadavpur, Kolkata, vide his representation dated 13.09.2021 has alleged that the IACS administration has forcefully deducted an amount of Rs.25,000 from salary of Sh. Sajal Barua (Wash Boy cum Bearer, School of Chemical Sciences, IACS) w.e.f. October, 2020, without providing him pre-fixation rules or an OM.

2. NCST had convened the Sitting in this matter on 06.04.2022 at State Guest House, Bhubaneswar under the Chairmanship of the then Hon'ble Member, Shri Ananta Nayak. The following recommendations were made by NCST and minutes were forwarded to concerned authority on 21.04.2022 –

1. In view of the above, the Commission recommends to the Director, IACS to submit an up-to-date reservation roster for both the faculty and non-faculty position (for recruitment and promotion) to the Commission within 30 days.
2. It is further recommended that the salary deducted from Shri Sajal Barua as well as other ST employees to be returned w.e.f. October 2020 as per the provisions of the bye-laws of IACS by the Director, IACS.
3. The Secretary, DST shall be conveyed about the recommendations of the Hon'ble National Commission for Scheduled Tribes for necessary action.
4. The Commission recommends the Secretary, DST to appear in person with detailed reports and ATR in next date of hearing for proper consideration of the matter to meet the ends of justice.

3. The ATR was not received from concerned authority. The petitioner vide rejoinder dated 17.05.2022 informed that –

“As far as the implementation of the recommendation on other issues is concerned, the IACS authority has complied with only Para-3 of the same partially. The salary deducted from Shri Barua and other ST employees has been returned but their designations are not given back as per provisions of the bylaws. Their salaries are not computed in terms of 6th CPC till 31.12.2015 they have not been given the full benefit of 7th CPC from 01.01.2016. All the arrangements are made even provisionally and conditionally. No other recommendation of the Commission has been considered by the IACS authority. We do request you to kindly arrange for another hearing to resolve the issues.”



जाटोतु हुसेन / Jatothu Hussain
सदस्य / Member
भारत सरकार / Government of India
राष्ट्रीय अनुसूचित जनजाति आयोग
National Commission for Scheduled Tribes
नई दिल्ली / New Delhi


4. NCST vide letter dated 15.07.2022 has reminded IACS for furnishing ATR, but there was no reply. Commission decided to discuss the issue with the concerned authority and the petitioner on 16.10.2024 for which a Sitting Notice was sent by NCST on 09.10.2024.

5. Director, IACS and petitioner were present in the Sitting. Director stated that IACS is following the orders communicated by Department of Science and Technology, Ministry Of Science and Technology, Government of India. A copy of reply dated 19.10.2023 submitted to NCST was also provided in the Sitting. The petitioner informed that the salary which was deducted earlier, was restored as per recommendations of NCST but was again deducted in 2022 by ICAS.

6. The Director reiterated that it was done as per Department of Science and Technology, Gov of India orders. The Director also informed that several court cases on the same issue are pending. The Director was not able to explain the queries raised by Commission and also could not present relevant documents.

7. After hearing both the sides, the following was recommended and suggested to submit the Action Taken Report within 30 days from the receipt of the minutes –

1. Copy of the letter of ICAS by which the recommendations of the sitting of NCST held on 6.4.2022 sent to DST, may be provided
2. Copy of orders of Department of Science and Technology, Ministry of Science and Technology, by which the salary had been deducted of Shri Barua (after recommendations of NCST) may be provided.
3. Rosters for various posts of ICAS should be made available online.
4. Recruitment for backlog vacancies for Scheduled Tribes may be initiated.
5. TA and Special Leave may be reimbursed/granted in favour of petitioners for attending the sitting at NCST


(Jatothu Hussain)

Member

Govt. of India

National Commission for Scheduled Tribes

New Delhi

जाटोलु हुसेन / Jatothu Hussain
सदस्य / Member
भारत सरकार / Government of India
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National Commission for Scheduled Tribes
नई दिल्ली / New Delhi

List of participants of the sitting held on 16.10.2024 at 12:00 (Noon) under the Chairmanship of Shri Jatothu Hussain, Hon'ble Member, NCST in the case of President, SC/ST & OBC Forum, IACS, Jadavpur, Kolkata regarding Complaint against forcefully deduction of salary for Rs.25,000/- (Rupees twenty five thousand only) of Sri Sajal Barua, since October, 2020.

I National Commission for Scheduled Tribes			
1.			
2.	Shri Surat Singh Director		X
3.			
4.	Shri Akash Tripathy Sr. Investigator		
5.	Shri Mukesh Investigator		
6.	Shri Neelmani Thakur Consultant - Legal		
7.	Shri Ajay Andley, Consultant		
II Indian Association for the Cultivation of Science			
Sr. No.	Name and Designation	Address & Phone No.	Signature
1.	Prof. Arindam Banerjee	96744 82237	A. Banerjee 16.10.2024
2.			
3.			
III Petitioner			
1.	Sajal Barua.	9051601628	<i>Sajal Barua</i>
2.	Debatash Majhi	9432 392879	<i>E..</i>
3.	Prabir Manna	91237 36846	<i>Prabir</i>