



सत्यमेव जयते

## 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)

File No: NCST/SER-1556/DL/3/2024-SSW-RU-IV

Dated:- 09.04.2025

To,

**Shri Ashwani Kumar**  
Municipal Commissioner,  
Municipal Corporation Of Delhi,  
4th Floor, Civic Centre,  
New Delhi- 110002.  
Email Id: [commissioner@mcd.nic.in](mailto:commissioner@mcd.nic.in)  
Tel. No: 011-2322590

Sub: Representation dated 04.09.2024 received from Shri Ram Roop Meena, Ex. Executive Engineer(Civil) regarding transfer and invocation of 56(j) meant for premature retirement of ST Employee by Municipal Corporation of Delhi.

Ref: NCST notice dated 23.10.2024 (copy enclosed)

Sir,

Whereas the National Commission for Scheduled Tribes, as per the Constitutional mandate conferred upon it under Article 338A of the Constitution of India has decided to investigate into the aforementioned matter.

2. Dr. Asha Lakra, Hon'ble Member, National Commission for Scheduled Tribes has fixed a Sitting in the Commission on **17.04.2025 at 01.00 P.M.** in the Court Room of NCST, 6th Floor, 'B' Wing, Lok Nayak Bhawan, Khan Market, New Delhi for investigation/inquiry/action to be taken in the matter.

3. Accordingly, you are requested to appear in person for examination before the Hon'ble Member on the above scheduled date and time along with full facts and all relevant original records/documents pertaining to the case.

4. Please take notice that in case you fail to attend the Sitting, the Commission is at liberty to exercise the powers of Civil Court under Clause (8) of Article 338A of the Constitution of India for enforcing your attendance before the Commission.

Yours faithfully

(एच.आर.मीना/H.R.Meena)

अनुसंधान अधिकारी/Research Officer

Email ID : [hari.rammeena@ncst.nic.in](mailto:hari.rammeena@ncst.nic.in)

Copy for information regarding attending the sitting:

**Shri Ram Roop Meena,**  
Qtr. No. C-6, Vikaspuri,  
West Delhi-110018  
Mobile No:9717788710

PS to Hon'ble Member (Dr. Asha Lakra)  
✓ NIC for uploading



राष्ट्रीय अनुसूचित जनजाति आयोग  
**National Commission for Scheduled Tribes**

(भारत के संविधान के अनुच्छेद 338क के अंतर्गत दीवानी न्यायालय की शक्तियों को प्रयोग करने वाला एक संवैधानिक निकाय)  
(A Constitutional body exercising powers of a Civil Court under Article 338A of the Constitution of India)

**NOTICE**

File No.- NCST/SER-1556/DL/3/2024-SSW

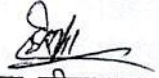
Date : 22/10/2024

Sh. Ashwani Kumar  
Municipal Commissioner,  
Municipal Corporation Of Delhi,  
4th Floor, Civic Centre,  
New Delhi- 110002.  
Email Id: [commissioner@mcd.nic.in](mailto:commissioner@mcd.nic.in)  
Tel. No: 011-23225901

**Sub: Transfer and invocation of 56(j) meant for premature retirement of ST Employee by Municipal Corporation of Delhi- a representation dated 04.09.2024 received from Shri Ram Roop Meena, Ex. Executive Engineer(Civil).**

Whereas a Petition has been received by National Commission for Scheduled Tribes from **Shri Ram Roop Meena dated 04/09/2024** as enclosed and the Commission has decided to investigate/inquire into the matter in pursuance of the powers conferred upon it under clause (8) Article 338A of the Constitution of India. You are hereby requested to submit the facts and information on the action taken on the said allegations/matters to the Commission **within 30 days** of receipt of this notice either by post or in person or by any other means of communication.

Please take notice that in case the Commission does not receive reply from you within the stipulated time, the Commission may exercise the powers of Civil Court conferred upon it under clause (8) of Article 338A of the Constitution of India and issue summons for your appearance in person or by a representative before the Commission.

  
(एच. आर. मीना/H.R. Meena)  
अनुसंधान अधिकारी /Research Officer  
Telephone No. : 24641640

Copy to

Shri Ram Roop Meena,  
Qtr. No. C-6, Vikaspuri,  
West Delhi-110018  
Mobile No:9717788710



To

Hon'ble Chairman,  
National Commission for Schedule Tribes,  
6<sup>th</sup> Floor, B-Wing, Lok Nayak Bhawan,  
Khan Market, New Delhi-110003

*By Hand*  
*4/9/24*

**Subject: Regarding victimization and caste based discrimination and unfair treatment by Municipal Corporation of Delhi against the petitioner in the matter of transfer as well as invocation of 56(j) meant for premature retirement of 'Deadwood'.**

Sir,

With due respect, it is humbly submitted that the petitioner inspite of being all adverse circumstances was successful in getting appointment as Assistant Engineer (Civil) against DR quota in ST category. Although, the petitioner's faced caste based discrimination and victimization from very inception, however the petitioner preferred to ignore the same inasmuch as, he wanted to grow in his service career. Unfortunately, the said silence on the part of petitioner has been construed otherwise and the same is evident from the adverse action taken by the higher authority in Corporation in the matter of initiating disciplinary action on false and frivolous allegations, forging the signature of petitioner to give undue favor to others at his cost and not allowing him to discharge his official duties and responsibilities as Executive Engineer (EE) (Civil).

The petitioner was one of the few EE (Civil) in erstwhile South Delhi Municipal Corporation who took prompt action against all unauthorized construction as raised without following the building byelaws of the Corporation. The petitioner took strict action against unauthorized construction and removed the same completely (photographs/articles of newspapers/page 188-214), despite repeated hindrance created by local politicians, building mafia and their associates (photographs/page 176-187). However, the petitioner made to pay price for the said honest and sincere action and he was targeting not only by senior officers but also by the local



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leaders by addressing him by his caste i.e. Schedule Tribe (MINA). The Petitioner was also manhandled twice (08.01.2018 & 28.07.2019) (photographs/page 171-175, 181 & 184-185) during the demolition action in the presence of local politician and police and also abused in filthy language by the local politician, building mafia and their associates. The same resulted in premature transfer of petitioner within 45 days of joining as EE (Bldg.-II)/CNZ. The petitioner was humiliated in the meetings as he was the only person who was not allowed to bring his mobile phone in the meeting of the then Commissioner, Municipal Corporation of Delhi, Mayor of SDMC, Chairman Standing Committee, Chairman Ward Committee, Central Zone, DCs etc. In the said meeting dated 21.03.2018, the petitioner was not only directed to go outside and keep the mobile out of the meeting place, whereas the other Engineers of Corporation were allowed to keep the mobile with them in the meeting. The said apparent humiliation was witnessed by all the authorities and officers, however none of them attempted to prevent the said caste based humiliation. The petitioner was even transferred and he had to approach the court of law to stop said harassment. The court of law was pleased to interfere and the said transfer order had to be cancelled due to court intervention. However, considering the sensitive nature of issues raised by the petitioner, the Writ Petition was converted into PIL and kept pending. The respondents took the same otherwise and started more caste based victimizing the petitioner by withdrawal of staff/other resources including trained Personal Assistant (PA) and shifting of 3 wards from the jurisdiction of the Petitioner to save illegal construction and even made to serve as EE (Civil) without required staff as attached to the post of EE (Civil) including trained Personal Assistant (PA). As per the rules, being EE (Civil), the petitioner was entitled to have 6-8 AEs and 12-15 JEs as per required and sanctioned post as per yard stick, whereas the petitioner was left most of the time with 01 AE and 02-03 JEs to handicap him and thereafter disciplinary action was initiated against him vide RDA No. 1/02/2019(charge-memo not issued) on wrong/manipulated facts which were finally found false by IO after completing enquiry against all the subordinates (the RDA in respect of petitioner was kept in abeyance on 06.11.2020) (page 91 & 119-122). When the petitioner objected the same, he was apparently humiliated by using caste based remarks.



However, the caste based victimization did not come to an end inasmuch as, the same continued in different forms including the frequent transfers. The petitioner was again transferred from EE (Bldg.-II)/CNZ on 08.08.2019 in EMS Department without post of EE (Civil). The said transfer order was again challenged and Hon'ble High Court was pleased to issue order to produce the original record before Hon'ble Tribunal on 20.09.2019 (**Annexure-3**) (page 45-46). Just to hide the illegalities and apparent biasness, the petitioner was subjected to 56(j) by issuing order of compulsory retirement on 13/16.09.2019.

As the petitioner comes in ST category and does not have links with the higher-ups, therefore he always felt helplessness, but did not come under the pressure of local politicians as well as senior officers who were hand in glove for their personal benefit. Considering the fact that the petitioner was the man of principle and remained concerned to uphold the rule of law, instead of violating the same under the pressure of local politicians and senior officers, the said biased senior officers hatched a conspiracy and retired the petitioner prematurely under 56(j) in complete defiance of rules and violation of Article 14 & 16. The said draconian action of Corporation is influenced by Caste biasedness and the same is proved from the fact that JE (Civil), AE (Civil), EE (Civil) & SE (Civil) of General Category have been allowed to continue inspite of facing two or more than two major penalties, whereas the petitioner has been retired prematurely and the order of said premature retirement has not been reviewed inspite of order passed by Hon'ble High Court.

Infact, the main purpose to take resort to 56(j) in MCD was to remove the petitioner from service and the same is evident from the fact that after cancellation of premature transfer order on intervention of Hon'ble High Court and thereafter, Hon'ble High Court was pleased to issue order to produce the original record before Hon'ble Tribunal on 20.09.2019 of again transfer of Petitioner, the order of 56(j) has been issued by relying on such punishments which did not even attained finality as the Statutory Appeals were pending against the same. The erstwhile SDMC made a criteria to retire MCD Officials prematurely and as per the said



criteria, the Municipal Engineer having more than two or more major penalties have been retired prematurely. Whereas, the petitioner has been retired without having two or more major penalties even at the time of passing of order of premature retirement on 13.09.2019, the petitioner's Appeal against the orders of penalty were pending, still the said penalties were made basis to pass said order prematurely, whereas, in case of general category, pendency of more than two disciplinary proceedings and the punishment orders were ignored on the ground that the same did not attained finality. In case of petitioner, the Hon'ble High Court of Delhi not only once but on three occasions vide separate orders dated 20.05.2022, 23.12.2022 and 16.11.2023 as well as two interim orders vide dated 18.08.2022 and 10.07.2023 (**Annexure-1-colly**) (page 07-20) directed to review the order of premature retirement, however inspite of repeated orders of Hon'ble High Court of Delhi and also ignoring advice of Standing Counsel of MCD (page 29 para 5 & page 35 para 8), the premature retirement order has not been reviewed merely because the higher authorities are bent upon to keep the petitioner out of service because of his category i.e. Schedule Tribe. It has been openly stated that in case the petitioner is reinstated back, he would rise high and may become Engineer-in-Chief in Municipal Corporation of Delhi. While making said observations, caste based remarks have been made openly. The petitioner has been meted out hostile discrimination for years together and the said caste based hostile discrimination is evident from the chargesheets issued on false allegations and the order of premature retirement. On disposal of Statutory Appeal, all the punishment orders, except one have been set aside (**Annexure-5-colly-along with all orders of chargesheets/penalties**) (page 80-122) and on the date of passing of premature retirement dated 13.09.2019, the petitioner left with just one minor penalty of reduction in pay by two stage without cumulative effect and the same penalty has been treated as minor penalty and not falling in the criteria formulated for premature retirement for general category such as namely S.H. Mujtaba etc, as evident from the minutes of the meeting (**Annexure-4-colly along with order dated 13/16.09.2019**) (page 47-79) as culminated into order of premature retirement. After aforesaid orders, the impugned order of compulsory



retirement was required to be withdrawn, however the same has not been done by the respondents. There cannot be more glaring example of caste based discrimination, particularly for Schedule Tribe of MINA Community than the case of petitioner where order of premature retirement has been passed without any justification and review of the same has been denied four times vide dated 22.07.2022, 14.09.2022, 12.06.2023 and 04.04.2024 (**Annexure-2-colly**) (page 21-44) by recording the facts incorrectly in stereotype manner inspite of three orders of Hon'ble High Court of Delhi.

In view of aforesaid facts, the petitioner left with no remedy except to approach the Hon'ble Commission to protect him from caste based discrimination and humiliation. On perusal of relevant original record regarding passing of order of premature retirement would show that the petitioner has been punished merely because he belongs to ST Community. No reasons have been disclosed as to why inspite of having with just one minor penalty, the petitioner has not been reinstated in service by withdrawing the order of premature retirement. Whereas, the general category EE (Civil) as well as holder of other Engineering post have been continued.

In order to save his service career and to stop the apparent caste based victimization, the petitioner had approached the Commission in the year 2018 also through his advocate. In the said Complaint vide letter dated 21.03.2018 (**Annexure-6**) (page 123-124), the petitioner pointed out his caste based discrimination, harassment, humiliation and victimization as well as threats to him and requested to take prompt action in the matter against wrongdoers and to ensure his safety but the apparent hostile caste based discrimination was not stopped and the same is still continuing. The petitioner also pointed out that he facing threats of suspension and removal from service as the same was duly communicated to the respondents/others through Advocate vide letter dated 21.03.2018, 04.06.2018 (page 125-126) and representation dated 26.03.2018 (page 127-133) (para 16 & 20) and 23.10.2018 (page 134-170) (para 19) and in order to humiliate him, the higher authorities had decided to place him under suspension. After knowing about the aforesaid



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complaints/representations, the suspension order was not issued, but the apparent hostile caste based discrimination was not stopped and the same is still continuing. The copies of above **along with other relevant documents are annexed as Annexure-7-colly** (page 125-214).

The petitioner has only one penalty as imposed vide order dated 09.06.2009 modified, as without cumulative effect, by Hon'ble Tribunal vide order dated 05.11.2020, still his order of premature retirement has not been withdrawn inspite of order of Hon'ble High Court, whereas number of General Category of Municipal Engineers having two or more than two major penalties continued in service.

In view of aforesaid, it is humbly prayed that the Commission may kindly interfere and call the original record containing the details as made basis to pass order of premature retirement in respect of petitioner and other officers as well as the relevant record wherein the review of order of premature retirement has been declined inspite of order of Hon'ble High Court of Delhi. It is further requested to make appropriate recommendations to review the order of premature retirement dated 13.09.2019 and reinstate the petitioner in service by treating him at par with general category Engineers. It is further requested to make recommendation to apply the same criteria in case of petitioner as applied to general category i.e. premature retirement for such Municipal Officials having two major penalties.

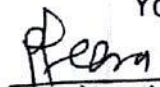
I hope for your kind intervention and prompt action.

Thanking you,

Enclosures:- As Above (Page 01-214).

Date: 04.09.2024

Yours sincerely,

  
04.09.2024

R. R. Meena (Ram Roop Meena)

Address:- Qtr. No. C-6, Vikaspuri,  
New Delhi-18.

Mobile No. 9717788710