



सत्यमेव जयते
भारत सरकार

राष्ट्रीय अनुसूचित जनजाति आयोग

GOVERNMENT OF INDIA

NATIONAL COMMISSION FOR SCHEDULED TRIBES

File No. SM/6/2016/MHOM2/SEOTH/RU-III

6th floor, B Wing Loknayak Bhawan,
Khan Market,
New Delhi-110003

Dated: 20 -12- 2017

To,

- | | |
|--|---|
| 1 Secretary,
Ministry of Home Affairs,
North Block, New Delhi | 2 Joint Secretary (Reservation)
Department of Personnel Training (DoPT),
North Block, New Delhi |
| 3 The Director General,
Central Reserve Police Force,
C.G.O Complex, Lodhi Road,
New Delhi-110003 | 4 Collector,
District- Meerut,
(Uttar Pradesh) |

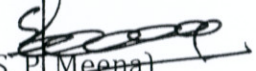
Sub: Representation of Shri Sandeep Meena, Mohalla- Meharmati Meena, Thana-Sardhana, Distt. Meerut, Uttar Pradesh regarding CRPF recruitment.

Sir,

I am directed to enclose herewith a copy of Proceeding of the Sitting taken by Shri Nand Kumar Sai, Hon'ble Chairperson, NCST on 15.12.2017 for information and urgent necessary action.

It is requested that action taken in this regard may be submitted to this Commission within two weeks.

Yours faithfully,


(S. P. Meena)

Assistant Director

Copy for information and necessary action to:

1. Shri Sandeep Meena,
Late Shri Puran Singh Meena,
Mohalla- Meharmati Meena,
Tehsil-Sardhana, Distt. Meerut,
(Uttar Pradesh)

2. NIC, NCST uploaded on the web site.

NATIONAL COMMISSION FOR SCHEDULED TRIBES

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Proceedings of the sitting taken by Hon'ble Chairperson with the officers of Ministry of Home Affairs, Department of Personnel and Training and CRPF in the case of Shri Sandeep Mina, resident of Village Meharmati Mina, Tehsil Sardhana, Meerut District (UP) regarding denial by CRPF to consider him as a Scheduled Tribe candidate in the state level recruitment for the post of constable/GD.

Date of sitting: 15.12.2017

List of officers present (Annexure.I).

A hearing was held on 15.12.2017 at 11.30 A.M. with the officers of Ministry of Home Affairs, Department of Personnel and Training and CRPF on the complaint of Shri Sandeep Meena, resident of village Meharmati Meena, Thana Sardhana, District Meerut Uttar Pradesh regarding denial by CRPF to consider him as a Scheduled Tribe candidate in the State level recruitment for the post of constable/GD.

On examination of the complaint and the correspondences with the concerned officers, it was revealed that the parents of the applicant originally belonged to Alwar District of Rajasthan who had migrated to Meerut (UP) in the decade of 1950s and the applicant has become domicile of Uttar Pradesh. He has obtained Domicile Certificate from Deputy Collector, Sardhana, Meerut District (Uttar Pradesh). He has also obtained caste (ST) certificate from Tahsildar, Sardhana, Meerut on the basis of caste (ST) certificate of his father in Rajasthan.

IG (Personnel) of CRPF mentioned that they are governed by MHA and DOPT's instructions in the matter which state that "if a candidate belonging to SC/ST category migrates from one State to another State, on migration he does



Nand Kumar Sai
Chairperson
National Commission for Scheduled Tribes
Govt. of India
New Delhi

Concl...

not lose his status as SC/ST, but will be entitled to the concessions/benefits admissible to the SC/ST from the State of origin and not from the State he has migrated". Joint Secretary (NCST) mentioned that in the instant case Shri Meena has not only migrated but has also become domicile of Uttar Pradesh and as such he will not fulfil the criteria of domicility in Rajasthan State because the above instruction of DOPT applies to candidates who have only migrated but not for those who have become domicile of another State. In the present scenario, a candidate like Shri Meena is ineligible in Uttar Pradesh due to non-acceptance of his ST status and at the same time, he is also ineligible in Rajasthan as he is no more a domicile of that State.

JS(DOPT) mentioned that the instructions of DOPT in such cases are vague and they would examine the issue in detail and intimate the Commission suitably in two weeks time.

Hon'ble Chairperson agreed with the suggestion of JS(DOPT) and advised that views of DOPT may be intimated to the Commission within a period of two weeks.


Nand Kumar Sai
Chairperson
National Commission for Scheduled Tribes
Govt. of India
New Delhi

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LIST OF OFFICERS PRESENT

National Commission for Scheduled Tribes

- Shri Nand Kumar Sai, Hon'ble Chairperson
- Shri H.K. Damor, Hon'ble Member
- Shri Raghav Chandra, Secretary
- Shri S.K. Ratho, Joint Secretary.
- Shri R.K. Dubey, Assistant Director
- Shri D.C. Katoch, Consultant.

Ministry of Home Affairs

- Shri R.B.S. Negi, Deputy Secretary.
- Shri Harish Rai, Under Secretary.

Department of Personnel and Training

- Shri Gyanandra Tripathi, Joint Secretary.
- Shri G. Srinivasan, Deputy Secretary.

Central Reserve Police Force

- Shri Sunit Kumar Rai, DIG (R)
- Shri Piyush Anand, IG, CRPF

Petitioner

- Shri Sandeep Meena