

Speed Post



भारत सरकार

राष्ट्रीय अनुसूचित जनजाति आयोग

GOVERNMENT OF INDIA
NATIONAL COMMISSION FOR SCHEDULED TRIBES

6th floor, 'B' Wing, Loknayak Bhawan
Khan Market, New Delhi-110 003

File No. RN/7/2019/MHRD2/SEOTH/RU-III

File No. RN/7/2019/MHRD2/ Date: 05.11.2020

To,

The Vice-Chancellor,
Jawaharlal Nehru University,
New Mehrauli Road,
JNU Ring Road,
Delhi 110067

Sub: Minutes of the sitting taken by Hon'ble Chairperson of National Commission for Scheduled Tribes, (NCST) on. 26.02.2020 in the matter Representation dated 02.09.2019 of Ms. Reena (Technical Assistant), Language Lab Complex, Jawaharlal Nehru University, New Delhi - 110067 regarding Gross violation of rules and injustice done to a women ST Employee.

Sir,

I am directed to enclose herewith a copy of Minutes of the sitting taken by Dr. Nand Kumar Sai' Hon'ble Chairperson of National Commission for Scheduled Tribes (NCST) on 26.02.2020 at 12.30 p.m. for information and necessary action.

It is, requested that action taken report in this regard may please be sent to the Commission within 15 days.

Encl: As above

Yours faithfully,

(R.K. Dubey)
Assistant Director

Copy to:

1. Ms. Reena (Technical Assistant),
Language Lab Complex,
Jawaharlal Nehru University,
New Delhi – 110067
2. SAS, NIC, NCST upload on the web site.

Government of India

NATIONAL COMMISSION FOR SCHEDULED TRIBES

(RN/7/2019/MHRD2/SEOTH/RU-III)

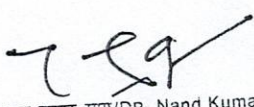
PROCEEDING OF SITTING TAKEN BY DR. NAND KUMAR SAI, HON'BLE CHAIRPERSON, NCST ON 26/02/2020 IN THE CASE OF MS. REENA (TECHNICAL ASSISTANT) LANGUAGE LAB COMPLEX, JAWAHARLAL NEHRU UNIVERSITY, NEW DELHI- 110067 REGARDING GROSS VIOLATION OF RULES AND ALLEGED INJUSTICE DONE WITH WOMEN ST EMPLOYEE.

Date of sitting : 26/02/2020
List of officers present in sitting : Annexure

1. The National Commission for Scheduled Tribes received a representation dated 02/09/2019 from Ms. Reena (Technical Assistant) Language Lab Complex Jawaharlal Nehru University, regarding gross violation of rules and injustice to ST employee. The Commission issued notice dated 03.09.2019 to Vice Chancellor JNU. A reply letter no. F.I/222/Admin IV/356 dated 19.09.2019 from JNU has been received by the Commission and copy of reply was sent to the petitioner. The petitioner was not satisfied by the reply and approached the Commission for Sitting.
2. As per direction of the Hon'ble Chairman, a sitting was convened on 26/02/2020 at 12.30 Hrs. In the sitting Prof. M. Jagadish Kumar, Vice Chancellor, Shri P. Ajai Babu, Deputy Registrar, Shri Narendra Chauhan, S.O from the Jawaharlal Nehru University were present.
3. During the sitting, the Commission desired to know the status of grievance of the petitioner, who submitted that the University has violated the rules of reservation in promotion and done injustice to her. University has recently promoted Mr. Ganeshan to the post of Senior Technical Assistant in SLL&CS. He was temporarily transferred from School of Computational & Integrated Sciences (SC&IS) to (Language Lab Complex) LLC in Nov 2010 as Technical Assistant. Despite transfer he continued to remain with his parent Department i.e. SC&IS. Again he was transferred from LLC to SLL&CS through internal note. Further in the year 2014 his transfer order no. 110/2014 dated 16.04.2014 was issued transferring him from LLC to SC&IS. Dean of School SLL&CS vide his letter dated 24.04.2014 had made request to JNU Administration to

readjust him against the sanctioned post of TA in SLL&CS. As per the petitioner granting him seniority in School of SLL&CS is violation of rules. As per the recruitment rules approved by Executive Council of the University on 12.01.2001, "Approval of maintenance of school wise/ Department wise seniority in respect to technical staff viz. STA/TA/Lab Assistant/Lab Attendant was given. As he was temporarily transferred in SLL&CS School, he can't claim his Seniority in this Department.

4. The petitioner stated that she had submitted representation dated 11.04.2019 to postpone the DPC which was going to be held on 12.04.2019 for the post of STA but JNU Administration has not heard her submission and given promotion benefits to Mr. Ganeshan.
5. The Deputy Registrar of JNU stated that Mr. Ganeshan was initially posted in BIC (Bio Informatics Centre) which was discontinued & posts were absorbed with different Schools i.e. SC&IS w.e.f. 06.07.2000 posted in SCIS & temporarily transferred along with the post from SCIS to LLC/SLL&CS vide transfer Order no. 19.11.2010 and subsequently posted permanently in LLC/SLL&CS along with this post vide Office order no. 159/2011 dated 19.08.2011 which is prior to the appointment of Ms. Reena i.e. 06.11.2012 & according to him the post was merged with sanctioned strength of SLL&CS. Mr. Ganeshan was given promotion according to the seniority and merit.
6. The petitioner stated that Mr. Ganeshan was temporarily transferred in SLL&CS as per Order no.159/2011 dated 19.08.2011. After that Dean of SLL&CS vide his letter dated 24.04.2014 had made request before JNU Administration to readjust him against the Open quota post lying vacant in LLC/SLL&CS. It shows that no official order has been issued for merger of the post of TA in LLC/SLL&CS. As per requisite RRs of the post, minimum five years' experience in handling language labs/audiovisual, equipment's/conference/video studio and others is required for promotion. Mr. Ganeshan has never entertained the work of LLC as coordinator of LLC. The Dean of SLL&CS has given promotion to Mr. Ganeshan against the post of STA with a motive to harass her as being a member of ST category.
7. The Commission, after hearing from both parties made the following recommendations:-
 - The Jawaharlal Nehru University administration is advised that the whole matter may be reinvestigated according to the rules through Liaison Officer for SC/ST and seniority issue should also be


डॉ. नन्द कुमार साय/DR. Nand Kumar Sai
अध्यक्ष/Chairperson

राष्ट्रीय अनुसूचित जनजाति आयोग
National Commission for Scheduled Tribes
संघ, सरकार/Govt. of India

reviewed to ensure that no violation is made with reference to roster and relevant RRs.

- A report based on the inquiry by Liaison officer for SC/ST of the University along with ATR may be submitted to NCST.

In compliance with the above recommendations, the Commission may be sent the action taken report within two months of receipt of the proceedings.

7/27.02.2020

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

Government of India

NATIONAL COMMISSION FOR SCHEDULED TRIBES

(RN/7/2019/MHRD2/SEOTH/RU-III)

LIST OF PARTICIPANTS IN THE SITTING HELD ON 26/02/2020 IN THE NATIONAL COMMISSION FOR SCHEDULED TRIBE, NEW DELHI. IN THE CASE OF MS. REENA (TECHNICAL ASSISTANT) LANGUAGE LAB COMPLEX, JAWAHARLAL NEHRU UNIVERSITY, NEW DELHI- 110067 REGARDING GROSS VIOLATION OF RULES AND INJUSTICE DONE WITH WOMEN ST EMPLOYEE.

NATIONAL COMMISSION FOR SCHEDULED TRIBES

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|-------------------------|---------------------|----------|
| 1. Shri Nand Kumar Sai, | Hon'ble Chairperson | IN CHAIR |
| 2. Shri Maya C. Ivrate, | Hon'ble Member | |
| 3. Shri S. Prashad, | Secretary | |
| 4. Shri K. Touthang, | Joint Secretary | |
| 5. Dr. Lalit Latta, | Director | |

OFFICER OF THE JAWAHARLAL NEHRU UNIVERSITY

- | | |
|-----------------------------|-------------------------|
| 1. Prof. M. Jagadish Kumar, | Vice Chancellor |
| 2. Shri P. Ajai Babu, | Deputy Registrar (Adm.) |
| 3. Shri Narendra Chandan, | S.O |

PETITIONER

1. Ms. REENA