



भारत सरकार

Government of India

राष्ट्रीय अनुसूचित जनजाति आयोग

National Commission for Scheduled Tribes

(A Constitutional body set up under Article 338A of the Constitution of India)

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

File No. NCST-17012(MDEF)/3/2020-RU-4 (SSW)

Dated: 25/01/2022

To,

1. Secretary,
Ministry of Defence,
South Block,
New Delhi-110001
Email: defsecy@nic.in

2. Directorate General of EME (Civ),
Master General of Ord Branch,
IHQ of MoD (Army),
Delhi Cantt-110010
(Ph No. 011-25693235)

Sub: Representation from Shri Nandlal, EE Mechanic, 505 Army Base Workshop, Ministry of Defence, Delhi Cantt regarding discrimination, harassment and denial of promotion to the post of MCM.

Sir,

I am directed to refer to the subject cited above and to enclose copy of minutes of Sitting held on 05.01.2022 at 03:00 P.M. under the Chairmanship of Shri Anant Nayak, Hon'ble Member, National Commission for Scheduled Tribes, Lok Nayak Bhawan, New Delhi-110003 in the matter.

It is, requested that action taken on the suggestions / recommendations of the Commission may please be sent to the NCST.

Encl: As above.

Yours faithfully,

(Dr. Lalit Latta/डॉ. ललित लट्टा)

Director/निदेशक

Tel: 011-24615012.

(Email: director@ncst.nic.in)

Copy to:

Shri Nandlal,
T-40, Baba Faridpuri,
West Patel Nagar,
New Delhi – 110 008.
(Mob No. 9818351173)
(Email: nandlaldable@gmail.com)

(a copy of the reply submitted by the M/o Defence in the sitting is enclosed for reference)

Copy for information to:-

1. PS to Hon'ble Member,
2. NIC, (please upload on the Commission's website and also send the e-mail to concerned)

NATIONAL COMMISSION FOR SCHEDULED TRIBES

Case File No. NCST-17012(MDEF)/3/2020-RU-IV(SSW)

PROCEEDINGS OF SITTING HELD ON 05.01.2022 CHAIRED BY SHRI ANANTA NAYAK, HON'BLE MEMBER NATIONAL COMMISSION FOR SCHEDULED TRIBES (NCST) IN THE CASE OF SHRI NANDLAL, EE, MECHANIC, 505 ARMY BASE WORKSHOP, DELHI CANTT, REGARDING DISCRIMINATION IN PROMOTION TO THE POST OF MCM.

List of officers present in sitting is Annexed.

Shri Nandlal vide his representation to Commission dated 16.06.2020 submitted that he was appointed in 505 Army Base Workshop, Delhi Cantt in the year 1997, after relieving himself from Delhi Police, where he worked as Constable MT from year 1995 to 1997. His grievance is - petitioner's period of service in Delhi Police was included only in the year 2016, for the limited purpose of pension and not promotion. The Co-worker's services were included and they were promoted before the Petitioner.

A Notice dated 30.06.2020 was issued to the Ministry of Defence and Director General, EME for facts and comments.


In reply to these allegations, Respondent Authority clarified that Petitioner got promotion in the year 2007 as per policy, where 10 years of service is counted for promotion. Further, the period when Petitioner was working in Delhi Police, was not counted in promotion, as the service at Delhi Police was not a skilled /highly skilled one as mentioned in the Policy.

The reply was objected to by the Petitioner by filing Rejoinder and with subsequent communications between parties, Summons were issued to Director General, EME for Sitting in Commission Headquarters on 05.01.2022 at 03:00 PM, chaired by Shri Ananta Nayak, Hon'ble Member, National Commission for Scheduled Tribes.

The Petitioner reiterated the grievance and submitted that his services at Delhi Police, being a technical one, must be counted for promotion. In reply, the Respondent Authority submitted that the grievance will be duly considered if Petitioner establishes that the service at Delhi Police as Skilled /Highly Skilled as per the Policy.

In light of aforesaid sitting, the written submission filed by Respondent to Commission is forwarded to Petitioner for his reply to Respondent Authority directly, with intimation to Commission.

Once the Petitioner submits his reply, Respondent will decide the issue of his Promotion within 15 days. Thereafter, an action taken report may be submitted to the Commission by Respondent, within one 30 days period.


(ANANTA NAYAK)
MEMBER

National Commission for Scheduled Tribes

अनंत नायक/ANANTA NAYAK
सदस्य/Member
राष्ट्रीय अनुसूचित जनजाति आयोग
NATIONAL COMMISSION FOR SCHEDULED TRIBES
भारत सरकार/Govt. of India
नई दिल्ली/New Delhi

List of participants of the sitting held on 05.01.2022 at 03:00 P.M under the Chairmanship of Shri Ananta Nayak, Hon'ble Member, NCST in the case of Shri Nandlal, EE Mechanic, 505 Army Base Workshop, Ministry of Defence, Delhi Cantt regarding discrimination, harassment and denial of promotion to the post of MCM.

I	<u>Directorate General of EME (Civ), Delhi Cantt</u>
1	Shri A.V. Ramesh, ADG, EME (C)
2	Shri Anshul Sharma, Col (Admin), 505
3	Shri Vijay K. Kapoor, Col. EME, (Civ)
II	<u>Petitioner</u>
1	Shri Nandlal