



Speed Post

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/SER-531/MHRD/5/2022-SSW

Dated: - 26 .09.2022

To,

The Director,
Indian Institute of Management
Management City NH-10 Southern Bypass, Sunaria, Rohtak- 124010 (Haryana)
(Email:- director@iimrohtak.ac.in) (Phone:- 01262-274050)

Sub:- Harassment of ST employee by the IIM, Rohtak Management- a representation dated 14.08.2022 of DR. Madhu Mandal(Assistant Professor, IIM Rohtak) F-17/A, Faculty House, IIM Rohtak, Sunaria, Haryana.

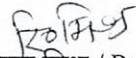
Sir,

I am directed to enclose herewith a copy of the minutes of Sitting held under the Chairmanship of Shri Ananta Nayak, Hon'ble Member, NCST on 19.09.2022 at 04:30 P.M. in the National Commission for Scheduled Tribes, Lok Nayak Bhawan, Khan Market, New Delhi 110003 on the above mentioned subject.

It is requested that the action taken/ to be taken in the matter may be intimated to NCST within stipulated time for placing it before the Hon'ble Member.

Yours faithfully,

Encl:- as above


(आर.एस.मिश्र / R.S. Misra)
अनुसंधान अधिकारी / Research Officer

Copy to :-

Dr. Madhu Mandal
Village- Gouripur, PO- Mahadeopur, Thana- Pranpur
Katihar- 854116 (Bihar)
(Email:- mandal.madhu@gmail.com), (Mob No. :- 9971428176)

Copy for information

1. The Secretary,
Department of Higher Education, Ministry of Education
127-C, Shastri Bhawan, New Delhi – 110001
(Email:- secy.dhe@nic.in) (Phone :- 011-23386451)
2. PS to Hon'ble Member, NCST.
3. NIC, NCST for uploading on the website of the Commission.

National Commission for Scheduled Tribes

No. NCST/SER-531/MHRD/5/2022-SSW

Minutes of the Sitting held under the Chairmanship of Shri Ananta Nayak, Hon'ble Member, National Commission for Scheduled Tribes at Lok Nayak Bhawan, New Delhi, in the case of Dr. Madhu Mandal (Assistant Professor, IIM Rohtak) regarding harassment by the management of IIM Rohtak for denial of probation closure and withholding of salary.

Date of the sitting: 19/09/22, 04:30 PM

Participants in the sitting: As per Annexure

Dr. Madhu Mandal (Assistant Professor, Marketing Area), IIM Rohtak vide her petition dated 14/08/2022 alleged that she was being harassed by IIM Rohtak through various means such as denial of probation closure, withholding of salary, de-activating her official email, forcing her to vacate her office and locking the office with her possessions inside it. The petitioner further communicated on 24/08/2022 that after sending the complaint to NCST, she was asked to complete no dues formalities even though she has not resigned nor has been terminated. She was asked to vacate her office and after some days it was locked along with her possessions. Further she was sent an email asking her not to attend faculty meetings and later her email address was revoked. Accordingly, the NCST issued a revised notice on 26/08/2022 to Secretary, Department of Higher Education and Director, Indian Institute of Management Rohtak to furnish fact and comments along with ATR within 7 days. The Department of Higher Education, vide letter number 10-4/2022-TS-V dated 30/08/2022 which was addressed to Director, IIM Rohtak, and NCST has instructed IIM Rohtak to furnish the ATR at the earliest.

IIM Rohtak vide a reply dated 30-08-2022 stated that they were not aware about her caste and have not discriminated, and that they have followed all the rules for closing of probation. FDEC (Faculty Development and Evaluation Committee) is constituted for everyone. Performance of the petitioner was found unsatisfactory. The Hon'ble Member decided to discuss the issue with the Director, IIM Rohtak and the petitioner in a sitting on 19/09/2022. Accordingly, the summon was issued on 13/09/2022 to Professor Dheeraj P Sharma, Director, IIM Rohtak. Meanwhile, the Department of Higher Education, vide letter dated 07/09/2022 stated that IIM Rohtak has been directed to constitute Internal Grievance Committee and examine the case of complainant.

In the Sitting, the petitioner stated that she was unfairly denied closure of probation. Her publications had been unfairly marked as paid while it is not so. She had not been terminated and she was not given any notice period and yet her salary from July 2022 onwards had been stopped and her office had been locked.



अनंत नायक/ANANTA NAYAK

सदस्य/Member

राष्ट्रीय अनुसूचित जनजाति आयोग

NATIONAL COMMISSION FOR SCHEDULED TRIBES

भारत सरकार/Govt. of India

नई दिल्ली/New Delhi

The Director, IIM Rohtak stated that they had followed the same procedure for closure of probation as they follow for everyone. The publication was found to be paid and hence the petitioner's submission to that particular publication could not be accepted. He stated that the email sent on 28th April 2022 by the Dean (AA IIM Rohtak) to Dr Mandal regarding non closure of probation should be considered as termination letter whereas the email states that "With deep regret on the behalf of the FDEC, I convey to you that your probation can not be closed at this point in time as you are not meeting the minimum requirement. Please let us know, how we can facilitate." The Commission questioned him as to how it could be considered as termination when her case had also been forwarded to external examiners one month after the said email. The Director, IIM (Rohtak) vehemently opposed the arguments of the petitioner.

After hearing both the sides, the Commission recommends the following and if ATR is not received within stipulated time, the Commission will hear the case in the first week of November 2022

- The Director, IIM, Rohtak to revisit the case and personally look into the grievances of the petitioner and solve the dispute with a humanitarian approach.
- The Director will submit the Bio-Matric attendance and the work profile with the performance of duties of the petitioner.
- The Director shall take all the steps to release the arrear of salaries to the petitioner with immediate effect.
- The Director shall take all the steps to release the incentive claims to the petitioner with immediate effect.
- The Director, shall submit the findings of the internal grievance committee, within a week.
- The Director shall submit the external experts detailed comments and feedback to close the probation of the petitioner.
- The Director shall submit the complete report on the incentive claim of the petitioner for the year 2019-20.
- An ATR to be submitted within 30 days from receipt of the minutes


(Ananta Nayak)
Member

National Commission for Scheduled Tribes

अनंत नायक/ANANTA NAYAK

सदस्य/Member

राष्ट्रीय अनुसूचित जनजाति आयोग

NATIONAL COMMISSION FOR SCHEDULED TRIBES

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नई दिल्ली/New Delhi

Annexure

List of participants of the sitting held on 19.09.2022 at 04:30 PM under the Chairmanship of Shri Ananta Nayank, Hon'ble Member, NCST, New Delhi in the case of DR. Madhu Mandal(Assistant Professor, IIM Rohtak) F-17/A, Faculty House, IIM Rohtak, Sunaria, Haryana regarding harassment of ST employee by the IIM, Rohtak Management.

I	<u>Indian Institute of Management (IIM, Rohtak)</u>
1.	Dr. Dheeraj Sharma, Director
2.	Shri Vikrant Vashisth, Legal Counsel
II	<u>Petitioner</u>
1.	Dr. Madhu Mandal, Assistant Professor, IIM Rohtak