



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)

F.No NCST/SER-623/MDEF/14/2022-SSW

Dated: 03.10.2024

To,

Dr. M Raghavendra Rao
Director
DRDO,
Terminal Ballistics Research Laboratory,
Sector-30, Chandigarh -160030
Email: director.tbrl@gov.in , Ph No. 0172-2307117

Sub:- Harassment of ST employee by the Upper Caste employees and Management of TBRL, DRDO - a rep dated 22.09.2022 of Shri Kshitij Kumar (Technician B), TBRL, Ramgarh Range, DRDO, Chandigarh.

महोदय,

I am directed to enclose herewith a copy of the minutes of the sitting held on 12.09.2024 at 5:40 PM under the Chairmanship of Dr. Asha Lakra, Hon'ble Member, 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 from receipt of the letter for placing it before the Commission.

Yours faithfully,


(H.R. Meena)
Research Officer
Tel:- 011-24641640

Copy to :-

Shri Kshitij Kumar,
Qtr: B1, Ground Floor, Type-II, TBRL Residential Colony,
Ramgarh Range, Panchkula-134118 (Haryana)
Mob No- 9877531648

Copy for information

1. PS to Hon'ble Member (Dr. AL), NCST.
2. NIC, NCST for uploading on the website of the Commission.



राष्ट्रीय अनुसूचित जनजाति आयोग National Commission for Scheduled Tribes

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Minutes of the sitting held under the Chairmanship of Dr Asha Lakra, Hon'ble Member, National Commission for Scheduled Tribes at Lok Nayak Bhawan, New Delhi regarding discrimination at workplace in the case of Shri Kshitij Kumar (Technician B), TBRL, Ramgarh Range, DRDO, Chandigarh.

F. No. NCST/SER-623/MDEF/14/2022-SSW
Date of the sitting: 12.09.2024, 05:40 PM
Participants in the Sitting - As per Annexure

Shri Kshitij Kumar (Technician B), TBRL, Ramgarh Range, DRDO, Chandigarh vide his rep. dated 22.09.2022 has stated that he is being harassed by employees and administration of TBRL, DRDO Chandigarh.

In the sitting held on 03.01.2024 at NCST Headquarters, New Delhi, the Commission had recommended the following and suggested to submit the ATR within 30 days from receipt of the minutes-

- The DRDO, Chandigarh to relook into the matter on equitable grounds and revoke the penalty imposed on the petitioner.
- A Internal Grievance Committee to be set up in the DRDO (as advised by NCST to Ministries/Departments in August 2021) for looking after the grievances of STs within the organization.
- An advisory may also be issued to sensitize the employees about the STs”.

The minutes were communicated by NCST vide letter dated 19.01.2024 to Director, TBRL, Chandigarh. The petitioner vide his letter dated 20.03.2024 informed the Commission that the recommendations of NCST had not been followed and the penalty imposed was executed from January 2024. The petitioner vide his letter dated 21.05.2024 communicated the copy of appeal dismissal order. NCST vide letter dated 27.05.2024 had reminded DRDO, Chandigarh that ATR was not yet furnished and forwarded the rejoinder received from the petitioner.

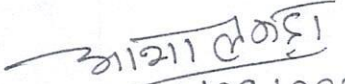
TBRL, DRDO Chandigarh vide letter dated 13-06-2024 informed the Commission that the appeal was considered by appellate authority (Chairman, DRDO) and after careful consideration, the appeal was dismissed. A Committee was constituted to look into the allegation against Shri Ganpat Lal and no merit was found in the complaint against Shri Ganpat Lal.

The Commission decided to discuss the issue with the authority and the petitioner on 12.09.2024 at 05:40 PM Accordingly, a sitting notice was issued to Director, DRDO, TBRL, Chandigarh and petitioner on 05.09.2024.

In the sitting, the Director, TBRL, DRDO alongwith other officials appeared. The petitioner was also present. The petitioner informed that the penalty had been upheld by Chairman, DRDO. The Director, TBRL, DRDO informed that the Chairman, DRDO had duly considered the recommendations before upholding the penalty imposed. The Chairman, DRDO is the competent authority for deciding the issue raised in the appeal and the matter does not come under the jurisdiction of Director, TBRL, Chandigarh anymore. The Commission took a serious view of the situation. It was observed that the physical fight between the parties does not involve official dealings and it was a matter to be dealt with by the Police. Moreover, a compromise was reached between the petitioner and the other party and FIR was closed by the Police, this is not a case of disciplinary proceedings. It seems that an ST employee has been targeted through departmental proceedings and penalty has been imposed solely on the ST employee.

After hearing both the sides, the Commission recommends the following and suggests that action taken/to be taken report may be submitted to NCST within 30 days of receipt of the minutes. The Commission will decide further course of action based on the reply by Chairman, DRDO.

- The provision of review appeal may be informed by DRDO.
- The Chairman, DRDO may reconsider the decision taken vide order number DOP/DRTC/00020/DISC/TBRL/P/39 dated 02.05.2024 on the appeal of the petitioner, as after a compromise between the petitioner and the other parties, only the ST employee had been targeted through departmental proceedings and penalty had been imposed solely on the ST employee.


27/09/2024
(Dr. Asha Lakra)

Member
National Commission of Scheduled Tribes
New Delhi

डॉ. आशा लकड़ा/Dr. Asha Lakra
सदस्य/Memner
भारत सरकार/Government of India
राष्ट्रीय अनुसूचित जनजाति आयोग
National Commission for Scheduled Tribes
नई दिल्ली/New Delhi

Annexure

List of participants of the sitting held on 12.09.2024 at 5:40 PM under the Chairmanship of Dr. Asha Lakra, Hon'ble Member, NCST, New Delhi in the case of Shri Kshitij Kumar (Technician B), TBRL, Ramgarh Range, DRDO, Chandigarh regarding harassment of ST employee by the Upper Caste employees and Management of TBRL, DRDO

I	<u>DRDO, Chandigarh</u>
1	Dr. M. Raghavendra Rao, Director, TBRL
2	Shri Kamal Kant, SAO-I, TBRL
3	Shri Dharendra Gupta, SC 'G', TBRL
II	<u>Petitioner</u>
	Shri Kshitij Kumar