

By Speed Post



**Government of India  
National Commission for Scheduled Tribes**

6<sup>th</sup> floor, 'B' Wing, Loknayak Bhawan  
Khan Market, New Delhi-110 003.

File No. OPM/1/2016/OUPSC/SEPROM/RU-I

Date: 03/09/2017

03/10/17

To

The Secretary,  
Ministry of Power,  
Shram Shakti Bhawan,  
Rafi Marg,  
New Delhi – 110001.

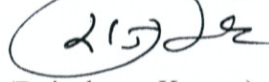
**Sub:** Representation dated 16/05/2016 received from Shri O. P. Meena, Deputy Director (HPA-II), Central Electricity Authority, HPA-II Division, 7th floor, Sewa Bhawan, R.K. Puram, New Delhi regarding relaxation in qualifying service for promotion from AD-II to AD-I in CEA.

Sir,

I am directed to enclose a copy of the minutes of Sitting held in the National Commission for Scheduled Tribes on 30/08/2017 on the above mentioned subject for immediate necessary action. Action Taken Report in this regard may be submitted to the Commission **expeditiously**.

Encl: As above.

Yours faithfully,

  
(Rajeshwar Kumar)  
Assistant Director

Copy to:

Shri O. P. Meena,  
Deputy Director (HPA-II),  
Central Electricity Authority, HPA-II Division,  
7th floor, Sewa Bhawan, R.K. Puram,  
New Delhi – 110066.

Copy for information to:

✓ SSA NIC (for hosting on Commission's website)

**Government of India**  
**National Commission for Scheduled Tribes**

**File No. OPM/1/2016/OUPSC/SEPROM/RU-I**

**Minutes of sitting held in the Commission on 30/08/2017 at 12:00 Noon in the case of Shri O. P. Meena, Deputy Director (HPA-II), Central Electricity Authority, HPA-II Division, 7th floor, Sewa Bhawan, R.K. Puram, New Delhi regarding relaxation in qualifying service for promotion from AD-II to AD-I in CEA.**

---

List of participants is at Annexure A.

Representation dated 16/05/2016 received from Shri O. P. Meena, Deputy Director (HPA-II), Central Electricity Authority, HPA-II Division, 7th floor, Sewa Bhawan, R.K. Puram, New Delhi has regarding his promotion from pay scale Rs. 7500-12000 (AD-II) to Rs. 8000-13500 (AD-I).

His representation dated 16/05/2016 was forwarded to Secretary, Ministry of Power vide letter dated 26/05/2016 (at p-7/c) and reminder on 18/07/2016 (at p-8/c).

Vide letter dated 05/07/2016 he has again represented to this Commission in the matter.

Ministry of Power vide letter dated 11/08/2016 *informed that his representation for granting / considering relaxation in qualifying service to him for promotion from AD-II to AD-I has been forwarded to the DoPT and UPSC for their comments / advice in the matter.*

His subsequent representation dated 05/07/2016 has again forwarded to Ministry of Power for their comments.

Hon'ble Chairperson has ordered on his subsequent representation dated 30/08/2016 for sitting for investigation / Action Taken in the matter.

Sitting has been fixed by the Hon'ble Chairperson, NCST with the Secretary, Ministry of Power on 22/09/2016 at 12:00 Noon in the matter. Minutes of sitting has been sent for necessary action vide this Commission's letter dated 10/10/2016.

In response to the Commission's minutes of sitting the Ministry of Power has informed vide their letter dated 05/12/2016 that the matter has been examined in consultation with the DoPT. The DoPT after examining the matter has conveyed that (no case was made out for grant of relaxation requested by Shri O.P. Meena. It was observed that acceding to the request in the instant case would open food gates for similarly placed Officers. Therefore, it is not possible to accede to the request of Shri O.P. Meena, Deputy Director (CEA) for relaxation in qualifying service for promotion to AD-I.

In this connection Shri O.P. Meena has submitted a subsequent representation dated 28/11/2016 and 13/12/2016 to the Commission. The matter was again taken up with the Ministry of Power vide this Commission's letter dated 22/12/2016 and 09/05/2017. In response to the Commission's above letter the Ministry of Power furnished a reply dated 23/05/2017. A copy of above reply was sent to the petitioner for information. Reference to above reply Shri O.P. Meena submitted a rejoinder dated 27/06/2017 to the Commission. Therefore, Shri H.C. Vasava, Hon'ble Member has fixed a sitting with the Secretary, Ministry of Power and Secretary, DoPT for discussion in the matter on 30/08/2017 at 12:00 Noon. Accordingly, a sitting notice has been issued.

  
**Harshadbhai Vasava**  
Member  
National Commission for Scheduled Tribes  
Govt. of India  
New Delhi

**Discussion:**

Ms. Bharati, Joint Secretary and Shri Suman Chatterjee, Deputy Secretary, Ministry of Power, Shri K. Prakasham, Under Secretary (RR) and Shri Raju Saraswat, Under Secretary (Reservation), DoPT appeared before the Commission on the day of sitting. Shri O. P. Meena, petitioner also presented in the sitting. The matter was discussed in details.

The Hon'ble Member asked to the petitioner about his case. The petitioner submitted to the Hon'ble Member that he was promoted from AD-II to AD-I on 23/03/2006 but he was eligible for promotion to the post of AD-I in the year 2003 & 2004 w.r.t. DoPT O.M. dated 25/05/1991.

The Hon'ble Member asked the Officers of Ministry of Power and DoPT to explain the case of Shri O. P. Meena. The Joint Secretary, DoPT submitted to the Commission that comments of CEA on the case of Shri O. P. Meena, D.D. were called. The C.E.A. after examining the case of Shri O. P. Meena to relax the qualifying service from 03 years to 02 years cannot be acceded to in the Review Departmental Promotion Committee as, the Central Power Engineering (Group A) service Rules 1990 stipulate the qualifying service of 03 years for promotion from AD-II to AD-I. Officers of DoPT submitted that as per suggestions made by the Ministry of Power in the case of Shri O.P. Meena, the matter may be re-considered by the DoPT.

**Conclusion:**

During the sitting, the Commission noticed that there was inadequate representation of ST category in post of AD-I since year 1992. The Commission also advised that vacancy based roster shall be replaced with posts based roster at the earliest.

The Commission further advised that as discussed in the Meeting, the matter may be again referred to DoPT by Ministry of Power on the issue raised by Shri O. P. Meena for their advice in the case after Shri O. P. Meena submits a point-wise representation in the matter.

  
Harshadbhai Vasava  
Member  
National Commission for Scheduled Tribes  
Govt. of India  
New Delhi

**List of participants**

<b>Sr. No.</b>	<b>Name and Designation</b>
<b>I</b>	<b><u>National Commission for Scheduled Tribes</u></b>
1.	Shri H. C. Vasava, Hon'ble Member
2.	Shri P.T. Jameskutty, Deputy Secretary
3.	Shri Rajeshwar Kumar, Assistant Director
4.	Shri H. R. Meena Senior Investigator
5.	Shri Manoj Mishra, P. S. to Hon'ble Member
<b>II</b>	<b><u>Ministry of Power</u></b>
1.	Ms. Bharati, Joint Secretary
2.	Shri Suman Chatterjee, Deputy Secretary
<b>III</b>	<b><u>Department of Personnel &amp; Training, Govt. of India</u></b>
1.	Shri K. Prakasham, Under Secretary (RR)
2.	Shri Raju Saraswat, Under Secretary (Reservation)
<b>IV</b>	<b><u>Petitioner</u></b>
1.	Shri O. P. Meena,