



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-1089/MDEF/22/2023-SSW  
F.No. NCST/SER-1209/MDEF/26/2024-SSW

Dated: 29.11.2024

To,

Shri Amitabh Prasad  
Joint Secretary & CAO  
M/o Defence  
Defence Offices Complex, Africa Avenue, New Delhi -110023  
Email:- [prasad@cag.gov.in](mailto:prasad@cag.gov.in) , Phone:- 24199401

**Sub:- Non Implementation of reservation in promotion from Assistant to the Grade of regular Section Officer in Armed Forces Headquarters- an online representation dated 7.10.2023 of Shri Thangkhsiam Tonsing, Deputy Director, LW & E Dte, QMGs Branch, IHQ of MoD (Army), Sena Bhawan, New Delhi.**

महोदय,

I am directed to enclose herewith a copy of the minutes of the sitting held on 04.11.2024 at 3:00 PM under the Chairmanship of Shri Antar Singh Arya, Hon'ble Chairperson, 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,

(एच.आर.मीना /H.R Meena)  
अनुसंधान अधिकारी / Research Officer  
Tel:- 24641640

Copy for information:-

1. Shri Thangkhsiam Tonsing  
House No. 891, Sector- 8,  
R.K Puram, New Delhi – 110022  
(Mobile No. 9968655998)
2. Shri Raghunath Meena,  
Deputy Director,  
DAV Dte, Air HQ, Subroto Park,  
New Delhi (Mobile No:9968270576)
3. Shri Ummedi Lal Meena  
Deputy Director  
LW & E Dte, QMG's Branch  
IHQ of MoD (Army)  
D-II wing, Room No. 300, Sena Bhawan,  
New Delhi (Mob No. 9582333425)
4. PS to Hon'ble Chairperson, NCST.
- ✓ 5. NIC, NCST for uploading on the website of the Commission.



National Commission for Scheduled Tribes

Minutes of the Sitting held under the Chairmanship of Shri Antar Singh Arya, Hon'ble Chairperson, National Commission for Scheduled Tribes at Lok Nayak Bhawan, New Delhi in the case of Shri Thangkhosiam Tonsing, Deputy Director, Shri Raghunath Meena, Deputy Director and Shri Ummedi Lal Meena, Deputy Director regarding retrospective promotion.

1. (F. No. NCST/SER-1089/MDEF/22/2023-SSW)
2. (F.No. NCST/SER-1209/MDEF/26/2024-SSW)

Date of the sitting: 04.11.2024, 03:00 PM

Participants in the sitting - As per Annexure

Shri Thangkhosiam Tonsing, (Deputy Director, LW & E Dte, QMGs Branch, IHQ of MoD (Army) ) Sena Bhawan vide an online representation dated 07.10.2023 has alleged that he has joined the AFHQ Civil Service as Assistant on 19 Feb, 1993. The office of JS and CAO issued Select List for promotion for the grade of Assistant to Section Officer for the DPC year 2001-02 on 19 July 2023. The same day, promotion order was also issued and draft revised seniority of Section Officer circulated on 24 July 2023. Select List for DPC year 2001-02 empanelled 176 officers, 140 in regular panel and 36 in extended panel. Only 105 officers from the Select List were promoted with effect from 26.05.2001. The department did not fill up the entire vacancy as per the court order. Further, only 07 officers from the ST category were promoted out of 105 officers promoted. Considering reservation in promotion, minimum 08 Officers should be from the ST community. Being the 8th officer from the ST community in the ibid Select List, he should also be promoted with effect from 26.05.2001. By not filling up the actual number of vacancies and incorrect implementation of reservation in promotion, the ST community officers are deprived of their right of reservation in promotion in service.

2. NCST had made various correspondences with the Ministry of Defence and petitioner to resolve the issue. In this connection, a sitting was also convened on 20.02.2024 at NCST. In the sitting, following recommendations were made and forwarded to authority for submission of ATR on 26.02.2024.

- The roster register maintained for Assistant Grade prior to 2001-02 may be supplied.
- After the final judgement of the Hon'ble Supreme Court in the case, the seniority list (with keeping the interest of the ST person) may be finalised in consultation with the DoPT. In case any promotion is done during the pendency of the Court case, the case of proportion of the petitioner also needs to be considered.
- An Internal Grievance Committee for redressal of grievances of ST employees may be constituted, as advised by NCST to the Ministries/Departments in August 2021”

3. Ministry of Defence vide letter dated 22.03.2024 has submitted the ATR. This was forwarded to the petitioners vide NCST letter dated 16.05.2024 for information. The petitioner vide rejoinder dated 15.07.2024 has refuted the facts and comments, which was forwarded by NCST on 24.07.2024 to Ministry of Defence for further comments.

अंतर सिंह आर्य/Antar Singh Arya  
अध्यक्ष/Chairperson  
भारत सरकार/ Government of India  
राष्ट्रीय अनुसूचित जनजाति आयोग  
National Commission for Scheduled Tribes  
नई दिल्ली/New Delhi



4. In response to NCST letter dated 24.07.2024, the M/o Defence vide letter dated 14.08.2024 has furnished the facts and comments and stated that the matter is still pending with the Hon'ble Supreme Court and the case is listed for the next hearing in the month of Oct, 2024. This reply was sent to the petitioner for further comments. The petitioner vide rejoinder dated 10.09.2024 has stated that the department is conducting the DPC for the post of Joint Director and Director, which are against the information provided by the Department. Hence, a sitting may be convened to resolve the issue.

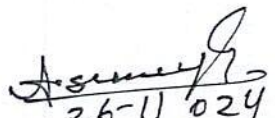
5. The NCST had decided to discuss the issue with the authority and the petitioner(s) on 04.11.2024 to resolve the issues. Accordingly, a sitting notice was issued to concerned authority and petitioners on 15.10.2024.

6. The Joint Secretary and CAO, Ministry of Defence vide letter dated 4.11.2024 has requested for exemption and deputed Director (HR) and Director of the Department for appearing in the sitting. The petitioner(s) (Shri Thangkhosiam Tonsing, Deputy Director, Shri Raghunath Meena, Deputy Director and Shri Ummedi Lal Meena, Deputy Director) were also present.

7. The officers of Ministry of Defence has informed that the issue is still sub-judice in Hon'ble Supreme Court. The DPC for the various posts, as alleged by the petitioners have been conducted by the Department by incorporating the relevant provision i.e., subject to condition of the decision of the Hon'ble Supreme Court. It was also informed that the petitioners are likely to be promoted within this Month (November 2024), as Department is initiating for calling the DPC to the post of Joint Director.

8. After discussion with the officers and petitioners, the following were recommended and suggested to submit the Action Taken Report within 15 days from the receipt of the Minutes, after that the Commission will decide further course of action-

- Details of ST vacancies for the said post (Both Direct and Promotion Quota) and Number of ST candidates promoted, since 1998 to 2010.

  
26-11-2024  
(Antar Singh Arya)  
Chairperson  
Govt. of India  
National Commission for Scheduled Tribes  
New Delhi

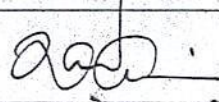
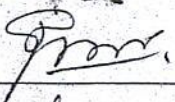

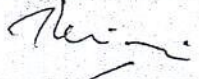
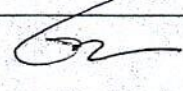
अंतर सिंह आर्य/Antar Singh Arya  
अध्यक्ष/Chairperson  
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राष्ट्रीय अनुसूचित जनजाति आयोग  
National Commission for Scheduled Tribes  
नई दिल्ली/New Delhi



(i) File No. NCST/SER-1089/MDEF/22/2023-SSW

(ii) File No NCST/SER-1209/MDEF/26/2024-SSW

List of participants of the sitting held on 04.11.2024 at 3:00 PM under the Chairmanship of Antar Singh Arya, Hon'ble Chairperson, NCST regarding Shri Thangkhosiam Tonsing, Shri Raghunath Meena & Shri Ummedilal Meena regarding non-implementation of reservation in promotion from Assistant to the Grade of regular Section Officer in Armed Forces Headquarters

Sr. No.	Name and Designation	Address & Phone No.	Signature
<b>I</b> <u>National Commission for Scheduled Tribes</u>			
1.	Shri Surat Singh Director		
2.	R. S. Misra Consultant		
3.	Shri Akash Tripathy Sr. Investigator		
4.	Shri Mukesh Investigator		
5.	Shri Neelmani Thakur Consultant (Legal)		
6.	Shri Ajay Andley Consultant		
<b>II</b> <u>Ministry of Defence</u>			
Sr. No.	Name and Designation	Address & Phone No.	Signature
1.	AARON PAMEI DIRECTOR (HR)	9910179732	
2.	K. GANESH DIRECTOR (RG)	9965285591	
3.	ASHUTOSH SECTION OFFICER	8587049432	
4.			
<b>III</b> <u>Petitioner</u>			
1.	THANGKHOSIAM TONSING DEPUTY DIRECTOR	9968655998	
2.	RAGHUNATH MEENA DY DIRECTOR	9968270576	
3.	Ummedilal Meena	9953035719	