



भारत सरकार

Government of India

राष्ट्रीय अनुसूचित जनजाति आयोग
National Commission for Scheduled Tribes

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

File No. G/2/2018/STGDH/SEOTH/RU-I

Date: 30/08/2018
31

To

The Secretary (Education),
Govt. of NCT of Delhi,
Directorate of Education,
Old Secretariat,
Delhi – 110054.
Fax: 011-23890187.
Email: secyedu@nic.in
Tel: 011-23890119.

Sub: Representation dated nil received from Smt. Guddi, W/o Shri Ramsingh Meena, R/o C-283, Pul Prahladpur, Badarpur, New Delhi - 110044 regarding re-instate in service of her husband (Shri Ramsingh Meena), Ex PGT History.

Sir,

I am directed to refer to the subject cited above and to enclose a copy of the minutes of Sitting held in the National Commission for Scheduled Tribes on 07/08/2018 at 12:00 Noon re-scheduled for 2:00 P.M. under the Chairmanship of Shri Nand Kumar Sai, Hon'ble Chairperson, National Commission for Scheduled Tribes in the matter, for perusal and appropriate action.

Encl: As above.

Yours faithfully,

(Rajeshwar Kumar)
Assistant Director
Tel: 24641640

Copy to:

Smt. Guddi,
W/o Shri Ramsingh Meena,
R/o C-283,
Pul Prahladpur, Badarpur,
New Delhi – 110044.

Copy for information to:

1. PS to Hon'ble Chairperson, NCST
2. NIC (for hosting on Commission's website)

भारत सरकार
Government of India
राष्ट्रीय अनुसूचित जनजाति आयोग
National Commission for Scheduled Tribes

Minutes of sitting held on 07/08/2018 at (12:00 Noon) re-scheduled for 2:00 P.M. under the Chairmanship of Shri Nand Kumar Sai, Hon'ble Chairperson, NCST on the representation of Smt. Guddi, W/o Shri Ramsingh Meena, Ex-PGT (History), I.D. No. 19891259 (R/o C-283, Pul Prahladpur, Badarpur, New Delhi) regarding re-instate in service of her husband (Shri Ramsingh Meena).

(File No. G/2/2018/STGDH/SEOTH/RU-I)

Date of Sitting : 07/08/2018 at 2:00 P.M.

List of participants is annexed.

Smt. Guddi, W/o Shri Ramsingh Meena, Ex-PGT (History), I.D. No. 19891259 (R/o C-283, Pul Prahladpur, Badarpur, New Delhi) vide representation dated nil requested the NCST to re-instate in service of her husband (Shri Ramsingh Meena).

Sitting was convened on 14/05/2018 under the Chairmanship of Hon'ble Chairperson, NCST. The Regional Director (South) and Deputy Director (South) and Section Officer, DDE (South) appeared before the Commission on behalf of Directorate of Education. Smt. Guddi Devi & her husband (Shri Ramsingh Meena) were also appeared before the Commission for discussion in the matter.

In the sitting, the Commission asked the representative of Education Department what are the alternative and remedies available in the case of Shri Meena and who is competent to take a decision in this case. The representative was unable to explain the alternative and remedies available in such cases and informed that Principal Secretary, Education Department and Chief Secretary, Govt. of NCT are competent to decide further course of action in the case. After discussions, the Commission suggested / recommended that information of following points may be submitted to the Commission within fortnight from receipt of the minutes of sitting. After that, a sitting to be convened by the Commission to discuss the issue with the Higher Authorities (Education Department) and Govt. of NCT of Delhi.

- (i) ACR and grading thereon in last five years of service of Shri Meena.
- (ii) Possibility of compulsory retirement with retirement benefits instead of dismissal.
- (iii) Remedies available in such cases.

The Deputy Director of Education appeared in the sitting held on 14/05/2018 on behalf of Secretary (Education), Govt. of NCT of Delhi vide letter dated 02/06/2018 and 18/07/2018 has furnished the information. In this letter dated 18/07/2018, Deputy Director (Education) has furnished the point-wise information in respect of recommendation of NCST and informed that "there is no further remedy is available at the level of Directorate of Education. Since, it is time barred matter, there is no appellate authority left as per Central Civil Services (Classification, Control and Appeal) [CCS (CCA)] Rules 1965 who could review the order issued by the Secretary (Education).



Nand Kumar Sai
Chairperson
National Commission for Scheduled Tribes
Govt. of India
New Delhi

The Hon'ble Chairperson, NCST called the sitting on 07/08/2018 at 2:00 P.M. to discuss the issue with the Secretary, Education Department and the petitioner. The Secretary, Education Department, Govt. of NCT of Delhi alongwith Deputy Director, Education (South) and Section Officer attended the sitting. The petitioner and her husband and daughter were present in the sitting. The Hon'ble Chairperson asked the Secretary, Education to told the further remedies available in the case of Shri Ram Singh Meena. The Secretary, Education informed that there is no remedy available with the Department as per CCS (CCA) Rule, 1965, as it is a time barred matter, there is no appellate authority left who could review the order No. DE.7/105/DP/PGT/Vig./HQ/15/4156-62 dated 08/08/2017 issued by Secretary (Education), Govt. of NCT Delhi.

The petitioner again pointed out their problems and informed that there is no source of income to arrange / pay the rent of house and to continue the Education of children and for treatment of husband. Please do the justice and suggest the further remedy in the matter.

The Commission observed that applicant has completed 26 years of service. Due to his good service record, he was promoted as PGT (History). Considering his pathetic / poor condition and ill health, he might have been given VRS / CRS instead of imposing the penalty of dismissal from service because he is ill and is under treatment.

After detailed discussions with the Hon'ble Chairperson, Hon'ble Vice-Chairperson and Hon'ble Member, NCST and the Secretary, Education, Govt. of NCT of Delhi, Commission observed that there is no action left for Department of Education, NCT of Delhi and the NCST. However, Commission suggested that as per provisions of 29 A of CCS (CCA) Rules, 1965, the petitioner may approach the Hon'ble President of India in the matter through an Appeal.

229
29.8.18
Nand Kumar Sai
Chairperson
National Commission for Scheduled Tribes
Govt. of India
New Delhi

Govt. of India
National Commission for Scheduled Tribes

(G/2/2018/STGDH/SEOTH/RU-I)

Sitting held on 07/08/2018 at 12:00 Noon (postponed for 2:00 P.M.) under the Chairmanship of Shri Nand Kumar Sai, Hon'ble Chairperson, NCST in the case of Smt. Guddi, W/o Shri Ramsingh Meena, R/o C-283, Pul Prahladpur, Badarpur, New Delhi - 110044 regarding re-instate in service of her husband (Shri Ramsingh Meena), Ex PGT History.

List of Participants

Sr. No.	Name and Designation
I	<u>National Commission for Scheduled Tribes</u>
1.	Shri Nand Kumar Sai, Chairperson
2.	Ms. Anusuiya Uikey, Hon'ble Vice-Chairperson
3.	Shri H. K. Damor, Member
4.	Shri Sisir Kumar Rathao, Joint Secretary
5.	Shri Rajeshwar Kumar, Assistant Director
6.	Shri R. S. Misra, Senior Investigator
II	<u>Education Department, Govt. of NCT of Delhi</u>
1.	Shri Sandeep Kumar, Secretary
2.	Ms. Savita Drall, Deputy Director Education (South)
3.	Shri Naveen Kumar, Section Officer
III	<u>Petitioner</u>
1.	Smt. Guddi (wife of Shri R. S. Meena)