



Government of India
National Commission for Scheduled Tribes
(A Constitutional Commission set up under Art. 338A
of the Constitution of India)

File No. KLS/1/2016/MTUR1/SEHRMT/RU-IV

23.08.2016

To,

1. The Secretary,
Ministry of Culture,
Shastri Bhawan,
C- Wing,
New Delhi.
2. The Director General,
National Museum,
Janpath,
New Delhi - 11.

Sub: Representation of Dr. Kanak Lata Singh, Assistant Curator (Painting), National Museum, Janpath regarding harassment and victimization of ST female official in the National Museum.

Sir,

I am directed to enclose a copy of the Proceedings of the Sitting held in the NCST on 28.07.2016 on the above mentioned subject for necessary action and to send the action taken report to the Commission at an early date.

Yours faithfully,

D.S. Kumbhare
23.8.16
(D.S. Kumbhare)
Under Secretary
Ph. No. 24657271

Copy to:-

Dr. Kanak Lata Singh,
R/o Rm No. 526,
Sarojani House,
6, Bagwan Das Road,
New Delhi - 110 001.

NATIONAL COMMISSION FOR SCHEDULED TRIBES

File No. KLS/1/2016/MTUR1/SEHRMT/RU-IV

Proceedings of sitting taken by Hon'ble Vice-Chairperson, NCST on 28.07.2016 at 4.30 p.m. in the petition filed by Dr. Kanak Lata Singh, Assistant Curator (Painting), National Museum, Janpath, New Delhi against harassment and victimization by officials of National Museum, New Delhi.

List of officers present in the sitting is Annexed.

A representation was received on 04.03.2016 from Dr. Kanak Lata Singh, Assistant Curator (Painting), National Museum, Janpath regarding harassment and victimization of Scheduled Tribe female official in the National Museum. The matter was taken up with Secretary, Ministry of Culture, New Delhi on 22.03.2016 followed by a reminder dated 11.04.2016.

2. A detailed reply dated 22.04.2016 was received from the Ministry of Culture. A copy of the said letter dated 22.04.2016 was sent to the petitioner on 28.04.2016. The Ministry of Culture informed that the petitioner approached the Hon'ble Central Administrative Tribunal, Principal Bench, New Delhi for redressal of her grievances. Accordingly, Commission informed the petitioner that the Commission does not interfere in the matter which is subjudice before a Court of law.

3. The petitioner then submitted another representation dated 16.05.2016 under the provisions of the Scheduled Caste and Scheduled Tribe (Prevention of Atrocities) Act, 1989 and Amendment Act – 2015 No.1 of 2016 for the Prevention of Atrocities against the officials of National Museum, New Delhi who victimized the petitioner. The matter was again taken up with the Secretary, Ministry of Culture, New Delhi on 23.05.2016. No reply was received by the Commission within the stipulated date.

4. Hence Hon'ble Vice- Chairperson, NCST desired to hold a Sitting in this case and hearing was Chaired on 28.07.2016 at 4.30 P.M. to discuss the matter with the



रवि ठाकुर/RAVI THAKUR
उपाध्यक्ष/Vice Chairperson
राष्ट्रीय अनुसूचित जनजाति आयोग
National Commission for Scheduled Tribes
भारत सरकार/Govt. of India
नई दिल्ली/New Delhi

Secretary, Ministry of Culture, New Delhi and the Director General, National Museum, New Delhi.

5. Secretary, Ministry of Culture vide his D.O. letter dated 27.07.2016 has requested for his exemption from personal appearance which has been accepted by the Chair. Secretary, Ministry of Culture nominated Joint Secretary, Ministry of Culture to attend the hearing on 28.07.2016 along with Under Secretary of the Ministry. Shri P.L. Sahu, Joint Secretary and Administrator, National Museum attended the hearing along with Sh. P.K. Nagta, Director (C&A), National Museum and Shri S.K. Singh, Under Secretary, Ministry of Culture.

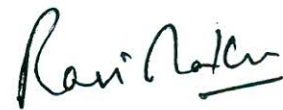
6. The Hon'ble Vice Chairperson enquired about the facts of the case from the representatives of Ministry of Culture and National Museum. Representative of Ministry of Culture and National Museum informed that the petitioner has filed a case before the Hon'ble CAT against the National Museum to reinstate her into Government service in National Museum. It was also informed that the undertaking was given by the petitioner that if she is selected for the post of Assistant Professor in BHU, Varanasi she will resign from the post of Assistant Curator in National Museum, but her request in this regard is not traceable in the concerned file.

7. However, they could not show the resignation letter submitted by Dr. Kanak Lata Singh, the Petitioner, to the Cadre Controlling Authority stated to have been submitted by her, so as to enable her to join the new post. The petitioner has stated that she has not submitted any resignation letter to the National Museum authorities. She has only enquired in writing from the National Museum authorities to know how much time it will take the administration of National Museum, if she wanted to get relieved from National Museum. National Museum authorities instead of informing the applicant about the queries made, relieved her from her job itself abruptly, without following the established rules of Government of India. Though a written request was given by her 29th January, 2016 not to relieve her from the job, she was relieved on 30th January, 2016. The job offered to her by BHU, Varanasi could not be accepted by her due to some personal reasons. She is left with no job as on date. Hence she



had to approach the Hon'ble C.A.T. under distress, as she was left with no other way. The possibility of the grievance redressal channel available in the NCST were not known to her earlier. She has further stated that she was harassed by every official of the National Museum fully knowing that she is a woman and a tribal. Hence action should be taken against them for harassment and atrocities committed against her, and she may be re-instated in her erstwhile post in the National Museum with all consequential benefits from where she was relieved from the post without her resignation letter nor based on any reason.

8. The National Commission for Scheduled Tribes, which is a Constitutional Authority established under Article 338A of the Constitution, Government of India observed that the procedure adopted by National Museum is not appropriate and has not followed the rules of procedure of Government of India. Hence she needs to be re-instated in the post which she was holding earlier with all consequential benefits. Representative of National Museum agreed that the procedure adopted by National Museum was wrong and suggested that if the petitioner withdraws the case from the Hon'ble CAT, the National Museum will re-instate her in the post which she was holding in National Museum. Accordingly, it was decided that the petitioner will withdraw the case from Hon'ble CAT, Principal Bench, New Delhi and the National Museum will reinstate the petitioner in the post of Assistant Curator in National Museum forthwith, with all consequential benefits like pay, seniority and conformity and continuity of service. The Commission has also advised Ministry of Culture to investigate the entire matter leading to the relieving of Dr. Kanak Lata Singh and accordingly fix responsibility on those officials who was instrumental in harassing Dr. Kanak Lata Singh, and report to the Commission, the action taken in the matter.



रवि ठाकुर/RAVI THAKUR
उपाध्यक्ष/Vice Chairperson
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List of participants

NCST

1. Shri Ravi Thakur, Hon'ble Vice Chairperson (In chair)
2. Shri Pramod Chand, Deputy Secretary
3. Shri D.S. Kumbhare, Under Secretary
4. Shri R.S. Misra, Investigator
5. Shri P.V. Mohandas, PS to VC

Officers of Ministry of Culture

1. Shri P.L. Sahu, Joint Secretary & Administrator, N M
2. Shri S.K. Singh, Under Secretary

Officers of National Museum, New Delhi

1. Shri P.K. Nagta, Director, C&A

Petitioner

Dr. Kanak Lata Singh