

By Speed Post



F.No. NCST-10 OTH (DL)/1/2021-SSW
Government of India
National Commission for Scheduled Tribes

6th floor, 'B' Wing, Lok Nayak Bhawan
Khan Market, New Delhi-110 003
Date:- 14.02.2022

To

1. The Chief Secretary,
Govt. of NCT Delhi,
Delhi Secretariat,
New Delhi- 110002
Email :- csdelhi@nic.in

2. The Additional Chief Secretary,
D/o Power, GNCTD and
Chairman-Cum Managing Director,
Delhi Transco Ltd., Shakti Sadan,
Kolta Road, New Delhi-110002.
(Email: pspower@nic.in, cmd@dtl.gov.in)

Sub:-Fabricating documents and framing fraudulent vigilance case against a ST employee of Delhi Transco Ltd (DTL)-a representation dated 11.08.2021 of Shri Hemant Kumar working as Manager (T) in DTL.

Sir,

I am directed to enclose herewith a copy of the minutes of Sitting held on 04.01.2022 at 4.30 P.M under the Chairmanship of Shri Ananta Nayak, Hon'ble Member, NCST, New Delhi on the above mentioned subject for information and necessary action. The requisite information along with action taken report may please be furnished to the Commission at the earliest.

Encl: As above.

Yours faithfully,

(Dr. Lalit Latta)
Director

Tel: 011-24615012

Copy for information:-

1. Shri Hemant Kumar, Flat No.247, Sanskriti Apartments, Sector 19-B, Dwarka, New Delhi-110075 (Email hemantmaverick@gmail.com).
2. PS to Hon'ble Member, NCST.
3. SAS, NIC for uploading on the website of the Commission.

F. No. NCST-10 OTH(DL)/1/2021-SSW
National Commission for Scheduled Tribes

Minutes of the Sitting held on 04.01.2022 at 4:30 P.M. under the Chairmanship of Shri Ananta Nayak, Hon'ble Member, NCST, New Delhi in the case of Shri Hemant Kumar, Manager (T) DTL, Sanskriti Apartments, Sector-19B, Dwarka, New Delhi-110075 regarding fabrication of documents and framing of fraudulent case against a ST employee.

List of participants is Annexed.

Representation dated 11.08.2021 of Shri Hemant Kumar, DTL, Sanskriti Apartments, Sector-19B, Dwarka, New Delhi-110075 regarding fabrication of documents and framing of fraudulent case against a ST employee.

2. A sitting was convened on 09.11.2021 at 11:30 A.M. NCST, the minutes was circulated on 25.11.2021. The DTL vide letter dated 21.12.2021 has furnished the action taken report. The petitioner vide representation dated 21.12.2021 has again alleged that DTL has issued another charge sheet. He requested for earlier hearing. Accordingly, notice was issued for sitting on 04.01.2022 at 4.30 P.M. under the chairmanship of Shri Ananta Nayak, Hon'ble Member, NCST to discuss the matter with the Authority.

3. After detailed discussion with the both parties, Commission observed that DTL has revoked the suspension of Shri Hemant Kumar by order dated 10.12.2021. Before this, another charge sheet dated 09.12.2021 issued to him for insubordination, which was related to non-receiving of letter dated 19.08.2021, documents which apparently part of earlier charge sheet. However, this document was replied by the Shri Hemant Kumar. Further, DTL has refused to investigate the matter through a vigilance angle by saying that, there is no financial loss, although the 1st charge sheet mentions 'release of payment to security agency' and 'undue favor to security agency' in article of charge. Also, DTL refused to investigate the allegations of forgery by saying that the private forensic report clearly mentioned that no forgery has been observed, although, handwriting similarities in documents were considered as responsibility of Shri Hemant Kumar. Also, a fair inquiry via audio/video recording was refused by DTL by citing prerogative of Inquiring Authority. Lastly, the basis of enquiry was attendance registers. The question as to why only Shri Hemant Kumar was issued charge sheet when the attendance register was signed by two officers, was not answered by the DTL at all, which was also observed by this Commission in its earlier recommendation.



अन्तः **ANANTA NAYAK**
सदस्य/Member
राष्ट्रीय आयोग, अनुसूचित जनजात
NATIONAL COMMISSION FOR SCHEDULED TRIBES

4. In this background, when none of the aforesaid issues related to petitioner's objections were fairly dealt by DTL, this Commission strongly recommends that the ongoing inquiry against the petitioner be done impartially, and objections of petitioner be dealt in a detailed & fair manner.

An action taken report may be sent to this Commission within a month.

A. Ananta Nayak

**(ANANTA NAYAK)
MEMBER**

National Commission for Scheduled Tribes

श्री श्री अनन्ता नायाक
सदस्य
राष्ट्रीय अनुसूचित जनजाति आयोग
NATIONAL COMMISSION FOR SCHEDULED TRIBES
भारत सरकार/Govt. of India
नई दिल्ली/New Delhi

Annexure

List of participants of the sitting held on 04.01.2022 at 04.30.PM under the Chairmanship of Shri Ananta Nayank, Hon'ble Member, NCST, New Delhi in the case of Shri Hemant Kumar, Manager (T) DTL, Sanskriti Apartments, Sector -19B, Dwarka, New Delhi- 110075 regarding fabrication of documents and framing of fraudulent case against a ST employee.

| I | <u>D/o Power, GNCTD</u> |
|-----------|---|
| 1. | Azimul Haque, Special Secretary (Power) |
| 2. | S.P Singh, ED (Vig) DTL |
| 3. | R.N Pani, GM (HR) DTL |
| 4. | Mukesh Gupta |
| 5. | Praveen Kumar |
| 6. | Anand Singh Rawat |
| 7. | Chinmoy Mahapatra |
| 8. | G.S Rawat |
| II | <u>Petitioner</u> |
| 1. | Hemant Kumar |