



सत्यमेव जयते

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)

File No. NCST/SER-748/DL/3/2023-SSW

Dated: 15/07/2024

To,

1. Shri Bhupesh Chaudhary,
Director,
Directorate of Training and Technical Education,
Muni Maya Ram Marg,
Pitampura, New Delhi - 110034
Email - dirtte.delhi@nic.in
Ph - 011-20817224

2. Dr. T. G. Sitharam,
Chairman,
All India Council for Technical Education,
Nelson Mandela Marg, Vasant Kunj,
New Delhi - 110070
Email - chairman@aicte-india.org
Ph- 011-26131498

Sub: Harassment of ST Employee by withdrawal of accrued seniority by management of Directorate of Training and Technical Education and All India Council for Technical Education - a petition dated 07-11-2022 received from Shri Hardev Meena, Sr. Lecturer, Pusa Institute of Technology.

महोदय,

I am directed to enclosed herewith copy of the minutes of Sitting held under the Chairmanship of Dr. Asha Lakra, Hon'ble Member, National Commission for Scheduled Tribes (NCST) on 07.06.2024 at 01:00 PM in NCST, New Delhi on the above mentioned subject for information.

It is requested that action taken/ to be taken in the matter may be submitted with stipulated time for placing it before the Hon'ble Member, NCST.

Yours faithfully,

(आर.एस.मिश्र/R.S. Misra)

अनुसंधान अधिकारी/Research Officer

Ph No. 011-24641640

Copy to:-

Sh. Hardev Meena
F-26, ITI Pusa Campus, Pus,
New Delhi-110012
(Mobile - 9911889474)
(Email:- pusalecturerhard@gmail.com)

Copy for information to:-

1. PS to Hon'ble Member (Dr. A.L), NCST
2. NIC, NCST for uploading on the website of the Commission.

National Commission for Scheduled Tribes

Minutes of the Sitting held under the Chairmanship of Dr. Asha Lakra, Hon'ble Member, National Commission for Scheduled Tribes at Lok Nayak Bhawan, New Delhi, in the case of Shri Hardev Meena, Sr. Lecturer, Pusa Institute of Technology New Delhi regarding his accrued seniority of 5 years was withdrawn by postponing the date of grant of Lecturer (Sr. Scale) and simultaneously denying the grant of Lecturer (Selection Grade) to Level 12.

F. No. NCST/SER-748/DL/3/2023-SSW

Date of the sitting: 07.06.2024, 01:00 PM

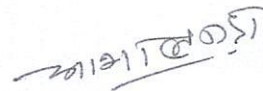
Participants in the Sitting - As per Annexure

Shri Hardev Meena, Sr. Lecturer, Pusa Institute of Technology vide his petition dated 07-11-2022 has stated that his accrued seniority of 5 years was withdrawn by postponing the date of grant of Lecturer (Sr. Scale) and simultaneously denying the grant of Lecturer (Selection Grade) in Level 12. He further states that Hon'ble Principal Bench, CAT, New Delhi disposed off his case without going into merits and directed DTTE to hear his representation. The petitioner alleges that the order of the department is flawed. He also states that he has been continuously harassed by his superior upper caste officers. He has suffered economic loss as well as mental trauma and hence requested for justice.

NCST vide notice dated 03.02.2023 had referred the matter to Director, Directorate of Training and Technical Education, GNCTD and Chairman, All India Council for Technical Education, New Delhi for facts and comments.

In response to NCST Notice dated 03.02.2023, the All India Council for Technical Education (AICTE) vide letter dated 24.02.2023 has furnished the facts and comments and stated that it is not the mandate of AICTE to intervene in the day to day administrative/ service matters pertaining to the individual employees which fall within the exclusive domain of the concerned Institution/ University/ DTE/State/UT. This Council does not act either as an appellate or reviewing authority in the decisions taken by the concerned DTTEs in respect of service matters of employees working under their control. Hence, it is up-to the respective State/ UT Govt./ State DTE/ concerned Institution to implement and take-up the issues of individual faculty pertaining to implementation of these recommendations. The representations of Sh. Hardev Meena has to be disposed off by DTTE, GNCTD, while keeping in view the clarification issued by this Council vide AICTE letter no. 27/P&AP/Pay/01/2019-20/138(Sept.) dated 11.03.2020 and dated 03.12.2021.

In response to NCST Notice dated 03.02.2023, the DTTE vide letter dated 16.02.2023 has furnished the facts and comments and stated that the rules and regulations issued by AICTE are uniformly applicable to all employees governed by it and no pick and choose policy is applicable in such situations. If and when a clarification is issued by AICTE, the same is made applicable to all those who fall under the purview of it and while doing so no discrimination are made between similarly circumstanced employees on any basis. There are a large numbers of similarly circumstanced lecturers who have been dealt by the same norms as the complainant and hence the question of discrimination cannot arise.



डॉ. आशा लकड़ा/Dr. Asha Lakra
सदस्य/Member
भारत सरकार/Government of India
राष्ट्रीय अनुसूचित जनजाति आयोग
National Commission for Scheduled Tribes
नई दिल्ली/New Delhi

The reply dated 24.02.2023 of AICTE and reply dated 16.02.2023 of DTTE was given to the petitioner on 16.03.2023. Shri Hardev Meena vide rejoinder dated 31.03.2023 has refuted the facts and comments and again requested to reinstate him as Lecturer (Senior Scale) in AGP Rs. 7000 w.e.f 13.10.2015 and also requested to pass an order to grant Lecturer (Selection Grade) in Level 12 (AGP 8000) w.e.f. 13.10.2020. NCST vide letter dated 04.09.2023 has forwarded the rejoinder dated 31.03.2023 of the petitioner to Director, DTTE, New Delhi and Chairman, AICTE, New Delhi for facts and comments.

In response to NCST letter dated 04.09.2023, The DTTE, New Delhi vide letter dated 12.10.2023 and AICTE, New Delhi vide letter dated 17.10.2023 has reiterated its earlier comments, which were given to petitioner. The petitioner vide letter dated 22.12.2023 and 21.02.2024 has refuted the facts and requested for hearing in the matter.

Hence the NCST decided to discuss this matter with the authorities and petitioner on 07.06.2024 at 01:00 PM. Accordingly, a sitting Notice was issued to Director, DTTE and Chairman AICTE and petitioner on 27.05.2024. On behalf of Chairman, AICTE, the Adviser-II (T&LB), AICTE and Director, DTTE were present in the sitting. The petitioner was also present.

After hearing both the sides, the Commission recommends the following and action taken report to be furnished within one month of receipt of minutes. After receipt of information, the NCST will decide further course of action.

1. The detail of candidates who are eligible for promotion, including their essential qualifications, date of promotion and level to which they were promoted. The name of ST employees may also be indicated.
2. Copy of order for constituting Screening Committee along with minutes of Screening Committee which reviewed the order dated 06.07.2017 for granting AGP 7000/- to the Lecturers who were granted benefits erroneously without completion of 5 years services from AGP of Rs. 6000/-.
3. The AICTE may also review the guidelines issued to various DTTE's as discussed with the representatives of AICTE in the sitting.

आशा लकड़ा
12/07/2024

(Dr. Asha Lakra)

Member

Government of India

National Commission for Scheduled Tribes

New Delhi

डॉ. आशा लकड़ा/Dr. Asha Lakra
सदस्य/Member
भारत सरकार/Government of India
राष्ट्रीय अनुसूचित जनजाति आयोग
National Commission for Scheduled Tribes
नई दिल्ली/New Delhi

Annexure

List of participants of the meeting held on 07.06.2024 at 1:00 PM under the Chairmanship of Dr. Asha Lakra, Hon'ble Member, NCST in the case of Shri Hardev Meena, Sr. Lecturer, Pusa Institute of Technology New Delhi regarding his accrued seniority of 5 years was withdrawn by postponing the date of grant of Lecturer (Sr. Scale) and simultaneously denying the grant of Lecturer (Selection Grade) to Level 12.

I	<u>DTTE, Govt of NCTD</u>
	Shri Bhupesh Chaudhary, Dir TTE
II	<u>AICTE</u>
	Dr. Ramesh Unnikrishnan, Advisor
II	<u>Petitioner</u>
	Shri Hardev Meena