



Government of India
National Commission for Scheduled Tribes

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

File No. GM/1/2014/MSJE/SEHRMT/RU-II

Dated: 05/11/2015

To

The Secretary to the Government of India,
Department of Empowerment of Persons with Disabilities,
Ministry of Social Justice & Empowerment,
5th Floor, B Wing,
Paryavaran Bhavan, CGO Complex,
New Delhi-110003

Sub: Representation dated Nil received from Shri Ghyanshyam Meena, G-1/122, Indra Enclave, Sector-21D, Faridabad, Haryana regarding fixation and seniority.

Sir,

I am directed to enclose a copy of the minutes of the Proceedings of Sitting held in the NCST on 12.10.2015 on the above mentioned subject for information and further necessary action.

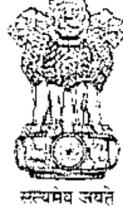
Encl: as above.

Yours faithfully,

(Pramod Chand)
Deputy Secretary

Copy to:-

1. Shri Ghyanshyam Meena, G-1/122, Indra Enclave, Sector-21D, Faridabad, Haryana.
2. PS to Hon'ble Vice Chairperson, NCST
- ✓ 3. SSA NIC (for hosting on Commission's website)



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File No. GM/1/2014/MSJE1/SEHRMT/RU-II

Sub: Minutes of the Sitting held on 12-10-2015 at 4.00 PM in respect of the petition filed by Shri Ghanshyam Meena, UDC, Occupational Therapy Division, Pandit Deendayal Upadhyay Institute for the Physically Handicapped, 4 Vishnu Digamber Marg, New Delhi regarding fixation of his pay considering his previous appointment on adhoc / temporary basis.

Shri Ghanshyam Meena, Upper Division Clerk, Occupational Therapy Division, Pandit Deendayal Upadhyay Institute for the Physically Handicapped, New Delhi vide his application personally submitted to the Hon'ble Vice Chairperson in the National Commission for Scheduled Tribes, New Delhi on 29-9-2015 has mentioned that he has not been given the benefit of pay fixation consequent upon the regularization of his adhoc service from 21-5-1990 and 3-11-1992.

2. Accordingly it was decided to fix a sitting in this case on 12-10-2015 at 4.00pm with the Secretary of the Department. Notice to this effect was issued on 1-10-2015. In compliance with the notice so issued, Shri Lov Verma, Secretary, in the Department of Empowerment of Persons With Disabilities, Government of India, Ministry of Social Justice & Empowerment, Government of India, Dr. Dharmendra Kumar, Director, Pandit Deendayal Upadhyay Institute for the Physically Handicapped, Shri M. L. Meena, Deputy Secretary in the Ministry of Social Justice & Empowerment and the petitioner Shri Ghanshyam Meena attended the sitting on 12-10-2015 at 04.00pm.

3. Deputy Secretary in the National Commission for Scheduled Tribes explained the case to the Chair. It was also explained that in this case a sitting was held earlier on 29-06-2009 by the then Hon'ble Vice Chairperson Shri Maurice Kujur and it was recommended that the adhoc service / broken period of service from 21-5-1990 to 3-11-1992 of Shri Ghanshyam Meena may be regularized by condoning the break in service. Accordingly the period was regularized by the Institute by condoning the break in service only for the purpose of pensionary benefits and notional seniority vide their office order dated 23-7-2009. Shri Meena is now requesting for further benefit of pay fixation from his date of joining on adhoc basis i.e. from 21-5-1990.

4. Secretary of the Department of Empowerment of Persons with disabilities has stated that the period in question cannot be counted for fixing his pay and consequential benefits as the period was purely adhoc / temporary and his service in the Government service was not continuous and in between the service has broken periods. Hence the request is not covered under the Rules. The request of the applicant is not the only one

Ravi Thakur

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

case of this nature. There are several other officials who belongs to the general category have not been given the benefit which the applicant is asking for. Since his request is not covered under the rules, the request cannot be acceded to. The case of Smt. Harbhajan Kaur which the applicant has mentioned during discussion is different from the case of the applicant and hence no parallel can be drawn to give the same benefit to the applicant.

5. In view of the above submission and as there is no Rules to get pay fixation for adhoc service which has break in between, the Commission did not find any merit in this case and has decided to close the request of Shri Ghanshyam Meena.



रवि ठाकुर/RAVI THAKUR
उपाध्यक्ष/Vice Chairperson
राष्ट्रीय अनुसूचित जनजाति आयोग
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