



सत्यमेव जयते

भारत सरकार

राष्ट्रीय अनुसूचित जनजाति आयोग

GOVERNMENT OF INDIA

NATIONAL COMMISSION FOR SCHEDULED TRIBES

No. KNM/1/2012/MSTR2/SEHRMT/RU-IV

छठी मंजिल, 'बी' विंग, लोक नायक भवन
खान मार्केट, नई दिल्ली-110003

6th Floor, 'B' Wing, Lok Nayak Bhawan
Khan Market, New Delhi-110 003

Dated 21.02.2013

To

The Secretary
Ministry of Shipping
Parivahan Bhawan
New Delhi

Sub: Representation dated 28.11.2011 from Shri K.N. Milli, AHS, MPSO Navi
Mumbai regarding reduction of pay.

Sir,

I am directed to refer to this Commission' letter of even number dated
07.01.2013 on the above subject and to forward herewith a copy of the
proceedings of the Sitting held in this Commission on 30.01.2013 for necessary
action.

2. It is requested that action taken report with reference to the above
proceedings may please be sent to this Commission at an early date.

Yours faithfully,

(N. Balasubramanian)
Research Officer

Copy for necessary and action to:-

The Director General, Shipping, Jahaz Bhawan, Watchand Hirchand Marg,
Mumbai - 400 001

Copy to:-

Shri K.N. Milli, B/26, Type-IV, Ekta Vihar CGS Colony, CGD-Belapur, Navi
Mumbai - 400 614(Maha)

(N. Balasubramanian)
Research Officer

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No. KNM/1/2012/MSTR2/SEHRMT/RU-IV

Proceedings of the Sitting held in the NCST on 30.01.2013 at 03.00.P.M to discuss the case of Shri K. N. Milli, Assistant Hydro Surveyor, Minor Ports Surveyor Organization, Navi Mumbai regarding reduction of pay.

The following were present:

NCST

1. Smt. K. Kamala Kumari, Hon'ble Member
2. Shri N. Balasubramanian, Research Officer

M/o Shipping & Director General of Shipping

1. Shri C.B. Singh, Adviser, M/o Shipping
2. Shri S.D. Kaushik, Deputy Secretary, M/o Shipping
3. Shri K. Raja Mohanan Nair, Assistant D.G., Minor Ports Survey Organization, Mumbai

Petitioner:

1. Shri K.N. Milli

Issue: Representation dated 28.11.2011 of Shri K. N. Milli, Assistant Hydro Surveyor, Minor Ports Surveyor Organization, Navi Mumbai regarding reduction of pay.

Back ground

A representation dated 28.11.2011 was received from Shri K.N. Milli, Navi Mumbai regarding penalty to lowest stage in the time scale of Rs. 15600- 39100. by the Minor Ports Survey Organization, Navi Mumbai under Ministry of Shipping.

K. Kamala Kumari

2013

2. In his representation Shri Milli alleged as under; —

- (a) He was singled out for making false allegations of mis-use of temporary advances for contingency expenditure and sole basis of such an allegation was the delay in settlement of the account.
- (b) He was charged of submission of bogus TA/DA bills during his official tour to Andaman & Nicobar Islands by providing inadequate, insufficient and distorted evidences.
- (c) A manipulation and distorted allegations were leveled against him that he had misused the amount of Rs. 15,716/- pertaining to pay and allowances of Mr. Ganga Dutt.
- (d) He was alleged to have two employments during the period from 26.12.1997 to 17.01.1998 based on his own declaration in his application for the post of Under Secretary, National Legal Services, Govt. of India.
- (e) A deliberately manipulated and fabricated attempt by his superior who had raked up old record with malafide intention to implicate him in the inquiry; an allegation was made of forging of date of flight journey ticket in Xerox copy furnished in TA Bill submission for journeys from A&N Island to Calcutta by suppressing information or furnishing false information for personal gains.

K. Kamalakumari

K. KAMALAKUMARI
SPECIAL INCHARGE
NATIONAL LEGAL SERVICES
GOVT. OF INDIA
New Delhi

3. In addition to this, the Department inquiry was delayed for 7 years and the long period of inquiry proceeding² has caused great mental agony, financial strain to him. Shri Milli also reiterated the charges contained in his representation dated 30.01.2013. He concluded that due to systematic harassment by the officials continuously from 1997 to till date is not over and therefore, requested NCST for investigation and fair Justice in his case.

4. The matter was taken up with the Secretary Ministry of Shipping New Delhi vide Commission's letters of even number dated 02.02.2012, 19.06.2012 followed by a D.O. reminder dated 18.07.2012 from the Joint Secretary, NCST to the Secretary, Ministry of Shipping, New Delhi.

5. As no reply/report was received form the Ministry of Shipping. Hon'ble Member (KKK) decided to discuss the case with the Officers of Ministry of Shipping, Director General of Shipping, Mumbai. Accordingly, a Sitting was fixed on 30.01.2013 at 1500hrs to discuss the issue.

Discussion

6. At the outset, an opportunity was given to Shri Milli to explain his case. The petitioner projected harassment meted out by him in the Department. He further mentioned that he was appointed as Group 'A' officer and the Department had down graded the post to Group 'B'. He also informed that most

K. Kamalakar
National Commission for Scheduled Tribes
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of the charges were disproved by him and still the punishment regarding penalty to lowest stage in the time scale of Rs. 15600-39100 was imposed on him by the Minor Ports Survey Organization.

7. With regard to his point about down grading Group 'A' post to Group 'B', the officers of the M/o Shipping informed that the post~~s~~ is not down graded and still it~~s~~ is in Group A only. The matter is already sub-judice in the court of law since some employees had filed a case in the court. The benefits will be available after the decision of the court. At that stage, the petitioner will also be benefited irrespective of his community status. They also informed that the matter will be referred to the UPSC for advice regarding his Appeal to the Department in his case.

8. Adviser, M/o Shipping assured the Commission that petitioner's Appeal will be re-looked into and a decision will be taken in the matter. Further, the petitioner has not been harassed in any manner by the Department.

Conclusion:-

9. After detailed discussion, the Commission observed that the post held by the petitioner is still in Group 'A' only. The Ministry of Shipping/DG of Shipping was advised to dispose the Appeal of the petitioner sympathetically and to watch the interest of the STs employees. The Ministry of Shipping and DG Minor Ports Survey Organization ~~was~~ ^{were} also asked to send the compilation/action taken report in the matter within 30 days to the Commission taking into consideration the facts of the case.

K. Kamal Kumari
के० कमला कुमारी / K. KAMALA KUMARI
सं.स.स. / Member
राष्ट्रीय अप्रत्यक्ष कर आयोग
National Commission for Backward Tribes
भारत सरकार / Govt. of India
नई दिल्ली / New Delhi