



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-767/MOS/3/2023-SSW

Dated: - 27.08.2024

To,

Dr. N. Vinodkumar
Chairperson
Mormugao Port Authority,
Administrative Office,
Headland, Sada,
Mormugao-403-804 (Goa)
Email:- chairman@mptgoa.gov.in, Phone:- 0832-2521100, 0832-2521200


Sub: Denial of promotion to ST employees by the Momugao Port Authority -an online rep. dated 22.11.2022 of Shri Novidade Pinto, Export Superintendent, Momugao Port Authority, Goa.

महोदय,

I am directed to enclose herewith a copy of the minutes of the Sitting held under the Chairmanship of Shri Jatothu Hussain, Hon'ble Member, NCST on 06.08.2024 at 3:40 PM in the National Commission for Scheduled Tribes, Lok Nayak Bhawan, Khan Market, New Delhi 110003 on the above mentioned subject.

It is requested that the action taken/ to be taken in the matter may be intimated to NCST within stipulated time from receipt of the letter for placing it before the NCST.

Yours faithfully,


(आर.एस.मिश्र / R.S. Misra)
अनुसंधान अधिकारी / Research Officer
Tel:-011-24641640

Copy to:-

Shri Novidade Pinto,
Traffic Department, Mormugao Port Authority,
Headland-Sada,
Mormugao -403804 (Goa),
(Mob No. 9881914219, Email: pinto317@rediffmail.com)

Copy for information

1. PS to Hon'ble Member (Shri J. Hussain), 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 Shri Jatothu Hussain, Hon'ble Member, National Commission for Scheduled Tribes at Lok Nayak Bhawan, New Delhi regarding retrospective promotion – a representation 22.11.2022 by Shri Novidade Pinto, Export Superintendent, Mormugao Port Authority, Goa.

File: NCST/SER-767/MOS/3/2023-SSW
Date of the Sitting: 06/08/2024, 03:40PM
Participants in the Sitting: As per Annexure

Shri Novidade Pinto, Export Superintendent, Mormugao Port Authority, Goa vide his online rep. dated 22.11.2022 has alleged that the Mormugao Port Authority is not doing justice with him by denying his promotion. The representation was given to authority on 19.09.2022 and 26.10.2022 but no action was taken by them. He has also stated that Shri Vishnu Morudkar and Shri Dinanath Nirawdekar were promoted to the post of Assistant Traffic Manager, even though they do not have valid degrees and should not have been promoted. The petitioner would have been promoted if the department had not done this erroneous promotion in 2016.

NCST vide notice dated 21.02.2023 had referred the matter to Chairman, Mormugao Port Authority, Goa for furnishing the facts and comments within 15 days of the receipt of the notice. The Mormugao Port Authority, vide letter dated 21.03.2023 had furnished the facts and comments and stated that the promotion of Shri Nirawdekar and Shri Morudkar was done at the time without checking their degree. The error with the degree was discovered later and hence they were not promoted further. It was also stated that those employees had approached Goa Commission for SC/STs. The petitioner vide his letter dated 17.04.2023 informed that he wanted to proceed with the case in NCST and he had filed his reply in the Goa Commission for SC/STs only to oppose the plea filed by Shri Dinanath Nirawdekar.

The Commission decided to discuss the issue with Chairman, Mormugao Port Authority, Mormugao and the petitioner on 06.08.2024 at 03:40 PM in NCST. Accordingly a sitting notice is issued to concerned authority and petitioner on 29.07.2024.

The Chairman, Mormugao Port Authority was present along with other senior officials. The petitioner was also present. The petitioner reiterated his submission and requested for retrospective promotion from the year 2016. The officials of Mormugao Port Authority informed that the alleged officers belong to Scheduled Castes community and they have approached the Goa Commission for SC/STs regarding their further promotion. Further, the petitioner had been given one promotion in 2023 and would be eligible for next promotion in 2025, as and when present officer retire from the service. The petitioner alleged that Mormugao Port Authority had created a supernumerary post in the past, therefore, supernumerary post may be created for promotion.

The concerned officers of Mormugao Port Authority expressed their ignorance and told that the matter will be inquired and re-examined. The said post may be created in consultation with Ministry of Shipping only, as it would be a Group-A post.

It was observed that the port authority has not taken corrective action in right time, due to which ST employees get deprived from the promotional benefits.

After discussion with both the sides, the following points were recommended as suggested to submit the Action Taken Report in the matter within 30 days from receipt of the minutes –

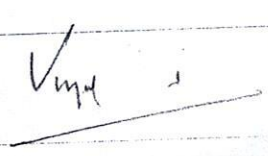

As alleged by the petitioner in the Sitting, the Mormugao Port Authority has created the supernumerary post in the past, he facts may be ascertained.

1. The matter may be re-examined for feasibility of promotion and if not possible, as per rules. As discussed in the meeting, the proposal for creation of supernumerary post for the petitioner may be referred to Ministry of Shipping by Mormugao Port Authority.
2. The Mormugao Port Authority is advised to reimburse the Travelling Allowance and grant Special Casual Leave in favor of the petitioner for attending the Sitting at NCST, New Delhi.

(Jatothu Hussain)
Member
Government of India
National Commission for Scheduled Tribes
New Delhi,

जाटोथु हुसैन / Jatothu Hussain
सदस्य / Member
भारत सरकार / Government of India
राष्ट्रीय अनुसूचित जनजाति आयोग
National Commission for Scheduled Tribes
नई दिल्ली / New Delhi

List of participants of the sitting held on 06.08.2024 at 3:40 PM under the Chairmanship of Shri J. Hussain, Hon'ble Member, NCST in the case of Shri Novidade Pinto, Export Superintendent, Mormugao Port Authority, Goa regarding denial of promotion to ST employees by the Mormugao Port Authority.

Sr. No.	Name and Designation	Address & Phone No.	Signature
<u>National Commission for Scheduled Tribes</u>			
I			
1.			
2.	Mrs. Miranda Ingudam Director		
3.	Shri R. S Misra Research Officer		
4.	Shri Akash Tripathy Sr. Investigator		
5.	Shri Neelmani Thakur JLRC		
6.			
<u>Mormugao Port Authority</u>			
Sr. No.	Name and Designation	Address & Phone No.	Signature
1.	Dr. N. Vinodkumar Chairperson, MAA	Mormugao Port Authority, Mormugao 403804	
2.			
3.			
4.			
<u>Petitioner</u>			
1.	Novidade Pinto	Mormugao Port Authority, Mormugao 9881914219	
2.			