

NATIONAL COMMISSION FOR SCHEDULED TRIBES

File No. Review/M/o FPD (FCI)/8/9/2013/RU-IV

Proceedings of the Sitting taken by the Chairperson, NCST on 19.09.2013 regarding Review and Monitoring of implementation of Service Safeguards and Development programmes/schemes run by Food Corporation of India for STs and other pending issues relating to association of FCI.

List of the officials present in the meeting is Annexed.

1. At the outset the Hon'ble Chairperson in brief informed the participants that National Commission for Scheduled Tribes (NCST) has been constituted under Article 338A of the Constitution of India. The duties assigned to the Commission under Clause (5) of this Article includes monitoring of all matters relating to the safeguards provided for the Scheduled Tribes under the Constitution or under any other law in force or under any order of the Government, to evaluate working of these safeguards and, to inquire into specific complaints with respect to deprivation of rights and safeguards of Scheduled Tribes. This Article further enjoins upon the Commission to participate and advice on the planning process of the socio-economic development of the Scheduled Tribes and to evaluate the progress of their development under the Union or any State. Accordingly NCST desired to review and monitoring of implementation of service safeguards and development programmes/schemes run for STs by the Food Corporation of India (FCI).
2. The CMD, FCI informed the Commission that FCI has made a special exercise to fill up the posts reserved for the STs and at present there was no backlog vacancies since 7.5% percentage of posts reserved for STs has been achieved. At Regional Level STs in group IV representation is about

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13.22%. The Chairperson, NCST desired CMD FCI to share his experience undertaken to fill up the posts and maintenance of rosters and following their own merit concept with other public enterprises in implementation of Govt. policy on reservation.

3. It was further informed that FCI took the exercise of recasting of Reservation Rosters by setting up zone wise committees. The Liaison Officer is actively involved. The FCI imparts periodically training to their officers on the subject. CMD also mentioned that FCI is getting ST candidates in Direct Recruitment also.
4. Thereafter FCI gave presentation with regard to implementation of Reservation Policy in FCI that in terms of Regulation 11 of FCI (Staff) Regulation 1971, FCI, is following the Government of India Orders issued from time to time in respect of reservation for SCs & STs in services and providing Reservation to STs 7.5% with concession and relaxations as per Govt. of India instructions and presentation highlighted the following status as on 30.6.2013
 - I) Total sanctioned strength of FCI is 36515 and total number of employees Men in Position (**MIP**) i.e. as on date is 25752 out of which total number of STs constitutes 2732 i.e. 10.61%.
 - II) Category wise ST numbers percentage as on 30.06.2013.

| <u>Category</u> | <u>ST</u> |
|-----------------|---------------|
| I | 118 (14.88%) |
| II | 657 (13.59%) |
| III | 1336 (9.18%) |
| IV | 1846 (11.14%) |

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- III) The representation of STs in key posts like ED(Zone), CGM, GM, DGM and AGM on following : -

| <u>Designation</u> | <u>Post held by ST</u> |
|--------------------|------------------------|
| ED (Zone) | 1 |
| CGM | 0 |
| GM | 5 |
| CMO | 0 |
| ZMO | 1 |
| DGM | 12 |
| AGM | 99 |
| Medical Officer | 0 |

5. As regards status of employment on the basis of the false caste certificate it was informed that there are total 132 cases out of which 32 employees had been terminated, 21 cases are under verification and 75 cases are pending in the Courts. The Hon'ble Chairperson advised to provide the information for each case regarding employment obtained in FCI on the basis of ST fake certificates pending inquiry / litigation with their current status.

Action by FCI

The Joint Secretary, NCST suggested that FCI should initiate system of maintenance of Roster logic driven roster system and grievances management system.

Action by FCI

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6. Issues of Food Corporation of India Scheduled Tribe Staff & Officers Welfare Association taken by FCI

Representations dated 14.10.2011 and 11.12.2011 and rejoinder dated 17.02.2012 filed by General Secretary, FCI Staff & Welfare Association, Warangal (AP) **(Annexure - II)**.

- I) Recasting of the rosters in all zones.
- II) (a) Large number of ST candidates were not promoted since ACRs not available at the time of ZPC especially in the East zone, Kolkata.

(b) It is very pertinent to mentioned that the FCI HQs, New Delhi has transferred the vacant promotion posts from surplus zone/cadre to deficit zone/cadre under Inter cadre/inter zonal operation scheme to promote the stagnated general candidates who have completed 12 years of service vide HQs Cir No. 41(2)/2006, OMISS/Vol.II dated 12.08.2008, where as though the ST. Candidates who are working in North East Zone, Guwahati and stagnated for more than 20 years in the same post, they were not considered their due promotion.
- III) Direct Recruitment – No action has been taken to fill up 103 categories for posts and 5 category 3 ST posts in AP region.
- IV) No action was taken by the FCI management for employment obtained by employees in West zone, Mumbai on the basis bogus ST certificates.
- V) Non recognition of the ST staff & officers Welfare Association by FCI Management.

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VI) Harassment to the ST Officer/Official by way of awarding major punishment to Shri B. Raju, DGM (Finance) RO, Raipur and Shri Raymond Dungdung, Ex AG-II Depot FCI DO Gaya.

VII Non implementation Govt. of India instructions and transfer the ST officials frequently to other zones.

| Sl. No. | Name of the Officer and present place of working | Requested | Reasons |
|---------|---|-------------------------------|-----------------------------------|
| A. | Shri E. Balan, Area Manager, D.O. Bangalore | Bangalore to AP | |
| | Reasons: 1. Due for retirement in 6/2012 leaving only 4 months service 2. Having two marriageable daughters. 3. Completed at present place of working for more than 3 years. | | |
| B. | Shri Ramana Banotu, Manager, A/c, D.O. Raichur | Karnataka to AP | Under spouse case |
| C. | Shri R. Hemu, AGM (Q.C) | West Zone to South Zone – AP | Native State and tenure completed |
| D. | Shri D. Ratna Prasad, AGM (Gen.) | West Zone to South Zone – AP | Native State and tenure completed |
| E. | Shri P.V. Chalapathi, AGM (C.E.) | North East Zone to South Zone | Native State and tenure completed |

General Secretary further requested to give notional promotion to all the eligible ST candidates in all cadre/grades with retrospective effect.

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7. In this regard, FCI informed that during the last one year, 03 meetings were held with SC/ST Employees Welfare Associations on 23.11.2012, 21.12.2012 & 29.05.2013 respectively.
8. Matter of Shri Alan V. Sinate, Sector 18, Gurgaon, Haryana regarding denial of appointment as Assistant General Manager (Gen. Admin) in FCI Direct Recruitment and not extended the panel validity depriving the ST candidate was also discussed.
9. The Hon'ble Chairperson categorically mentioned and explained to the General Secretary, FCI, STEWA, Warangal (AP) that Commission does not interfere in the transfer and disciplinary cases. Hon'ble Chairperson further advised to CMD, FCI to call the General Secretary, FCI Welfare Association and look into the unsettled issues raised by the Association as admissible under the Rule of Reservation and extant rules.

Action by FCI

10. In the matter of Shri Alan V. Sinate, Sector 18, Gurgaon, Haryana regarding denial of appointment as Assistant General Manager (Gen. Admin) in FCI Direct Recruitment and not extended the panel validity depriving the ST candidate, it was advised by the Chairperson to look into the matter and consider the case on its merit .

Action by FCI

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List of participants in respect of the she sitting with FCI

NCST

1. Dr. Rameshwar Oraon, Hon'ble Chairperson
2. Shri Aditya Mishra, Joint Secretary
3. Mrs. K.D. Bhansor, Deputy Director
4. Shri T.D. Kukreja, PS to Hon'ble Chairperson
5. Shri N. Balasubramanian, Research Officer
6. Shri H.R. Meena, Senior Investigator

Officers of FCI

1. Shri C. Viswanath, Chairman cum Managing Director
2. Dr. D. Bhalla, Executive Director(P)
3. Shri R.K. Chaturvedi, General Manager (Ect.)
4. Shri A.S. Arunachalam, General Manager
5. Shri D. Mishra, Deputy General Manager
6. Shri G.N. Raju, Deputy General Manager (Estt, CLO)
7. Shri Pradip Ghosh, Manager (Pers)
8. Shri Dulichand, AGI

Petitioners

1. Shri B. Chekre Naik, General Secretary, FCI, STEWA, Warangal, AP
2. Shri Alan V. Sinate, Sector 18, Gurgaon, Haryana

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