



भारत सरकार
Government of India
राष्ट्रीय अनुसूचित जनजाति आयोग
National Commission for Scheduled Tribes

(A Constitutional Commission set up under Art 338A of the Constitution of India)

No.Review/9/2017/NTPC/RU.I

To

छठी मंजिल, बी विंग, लोकनायक भवन,
खान मार्केट, नई दिल्ली -110003

6th Floor, 'B' Wing Lok Nayak Bhawan,
Khan Market, New Delhi -110003

Dated 15.03.18

The Managing Director,
NTPC Ltd.,
NTPC Bhawan, Scope Complex Institutional Area,
Lodhi Road,
New Delhi-110003.

Sub: Report and recommendations of the National Commission for Scheduled Tribes on the implementation of Constitutional Safeguards for Scheduled Tribes by NTPC.

Sir,

I am directed to send herewith the Report and Recommendations under Article 338A(5)(e) of the Constitution on the measures to be taken by NTPC Ltd. for the effective implementation of the constitutional safeguards and other measures for the protection, welfare and socio-economic development of the Scheduled Tribes, duly signed by the Hon'ble Chairperson, National Commission for Scheduled Tribes for kind information and necessary action at your end.

It is requested that a report on the action taken or proposed to be taken on the recommendations and the reasons for non-acceptance, if any, of any of such recommendations may be furnished before 16.04.2018 for placing the same before the Commission.

Yours faithfully,


15.03.18
(S.K. Ratho)

Joint Secretary to the Government of India

✓ Copy to: SAS, NIC, NICST.



Government of India
National Commission for Scheduled Tribes

Report and recommendations under Article 338A(5)(e) of the Constitution on the measures to be taken by the NTPC Ltd. for the effective implementation of constitutional safeguards and other measures for the protection, welfare and socio-economic development of the Scheduled Tribes.

No.Review/9/2017/NTPC/RU.I.

Dated: 14 March, 2018.

The National Commission for Scheduled Tribes (NCST) is a constitutional body set up under Article 338A of the Constitution to investigate and monitor all matters relating to protection, welfare and socio-economic development of the Scheduled Tribes in the country. As per Constitutional provision, the Union and every State Government shall consult the Commission on all major policy decisions affecting Scheduled Tribes. The Commission is required to present to the President reports upon working of those safeguards and all such reports are to be laid before each House of the Parliament along with memorandum explaining the action taken or proposed to be taken on the recommendations relating to the Union and the reasons for non-acceptance, if any, of any of such recommendations.

2. In pursuance of the above constitutional mandate, a review meeting was held under the Chairmanship of Shri Nand Kumar Sai, Chairperson, National Commission for Scheduled Tribes on 25th January, 2018, at New Delhi on evaluation and monitoring of implementation of reservation policy

नन्द कुमार साय/Nand Kumar Sai
अध्यक्ष/Chairperson
राष्ट्रीय अनुसूचित जनजाति आयोग
National Commission for Scheduled Tribes
द्वारा सरकार/Govt. of India
नई दिल्ली/New Delhi



(service safeguards) for Scheduled Tribes and programmes as well as CSR activities taken up by NTPC schemes for socio-economic development of Scheduled Tribes.


3. The list of participants is appended.

4. While welcoming the CMD and other senior officials of NTPC, Hon'ble Chairperson, NCST stated that the Commission undertakes review meetings with the organisations under the control of Government to ascertain the implementation of reservation programmes in appointments of different categories of posts and also the assessment of the implementation status of the development project for socio-economic advancement of STs.

5. NTPC gave a presentation on implementation of reservation policy for ST employees working in NTPC. It was informed that as on 31.12.2017, NTPC has about 22,000 employees out of which 1438 are STs, which amount to 6.6% of the total employees. In recruitment, special provision like age relaxation of 5 years is given to ST people and qualifying marks is 40%. In the year 2014, a total of 166 employees were sent to foreign training, out of which 4 are ST employees. NTPC gave a detailed presentation on "Three Stage Online Grievance Redressal Mechanism", which has helped in reducing the number of grievance to a large extent. Some of the special activities undertaken for the benefit of STs are as under:

- (i) NTPC Organises awareness programme for ST employees to make them aware of the reservation matters.




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- (ii) Every year annual conference of liaison officers is organized to making them aware of the rate of development on reservation matters.
- (iii) Pre-promotion trainings are conducted for ST employees..

6. It was also informed that following activities are taken up under CSR covering ST community in Project Sites:

- (i) Scholarship to 50 Engineering, MBA/PGDM and MBBS ST students.
- (ii) NTPC Utkarsh Scholarship to 1700 SC/ST students of Class X and XII.
- (iii) Holistic educational support to 30 students every year from each Class VI-XII students of special backward tribe Pahadi Korva in Chhattisgarh by NTPC Korba.
- (iv) Construction of ST boys and girls hostel.
- (v) Skill development programme in tailoring to ST women in adopted Knnala tribal village.
- (vi) Skill development training to about 50 youth for mid-level Ophthalmic assistance to tribal community of Purulia District, West Bengal.
- (vii) Vocational training to rural youth on trades like mobile repairing, motor driving, computer classes, etc. to Korba.

7. The Commission appreciated the good work being done by NTPC for the ST employees working with them as well as the ST community where NTPC have projects. The Commission specifically noted the Online Grievance Redressal Mechanism in NTPC, construction of ST Boys and




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Girls Hostels, providing scholarships for ST students, adopting villages for improving the living conditions of the villages there, etc. The Commission also noticed certain issues which need specific attention of NTPC for improvement:

- (a) Computerisation of roster system.
- (b) Percentage of Scheduled Tribe staff strength as on 1.1.2015 is only 6%. It should have been 7.5% or more.
- (c) Number of backlog vacancies for ST as on 1.1.2015 is indicated as 1321 for all the categories of poswts.
- (d) It is seen that in the year 2014, in all 166 employees were sent for foreign training, out of which only 4 ST employees were included.
- (e) There are 3 cases of ST category where persons obtained employment in NTPC on the basis of false caste certificate.



8. The Commission also referred to the discussion it had with NTPC SC/ST Employees Association representatives and some of the important points raised by the union representatives have been flagged before NTPC management for their consideration:

- (i) Relaxation for employment for tribals in mazdoors/labourers category to class 3 pass instead of 5th class pass. They can be employed after giving required training.
- (ii) Manpower for NTPC is drawn from UPL which is a joint venture of NTPC and Reliance (50% each). Since there is a private party involved there is no reservation in UPL. It is necessary to provide reservation in UPL after consultation with DoPT.


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- (iii) There is no representation of ST in senior management level of NTPC.
- (iv) Performance Management Committee (PMC) should have a representative of ST employees.


9. The following are the observations of the Commission:

- (i) The Commission is pleased to record its appreciation for NTPC initiative of "Three Stage Grievance Redressal Mechanism". This has resulted in reducing employees grievance and has helped in creating a healthy environment for ST employees in the Organisation.
- (ii) The Commission also acknowledges NTPC Corporate Social Responsibility (CSR) activities in more than 400 villages covering 10 lakh beneficiaries mostly in tribal dominated districts. NTPC's focus on education, health, hygiene, sanitation and drinking water in CSR activities is laudable.

10. Following are the recommendations of the Commission:

- (i) Reservation Roster System in respect of recruitment as well as promotion should be computerized by NTPC Ltd. within a year. The same should be placed in public domain for every one to see. This will provide transparency in implementation of reservation policy.
- (ii) Reservation in recruitment to Groups (C) and (D) level posts should be held on regional basis instead of adopting national level reservation of 7.5 per cent for ST candidates.
- (iii) NTPC should ensure that land acquired in Scheduled Areas is strictly as per the provisions of 'Right to Fair Compensation and



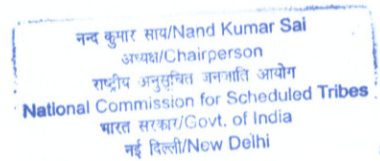

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Transparency in Land Acquisition and Rehabilitation and Resettlement Act of 2013'.

- (iv) NTPC and the concerned State Government should ensure that alternate land allotted to tribals under R&R scheme is adjoining the project area and not more than 50 kms away from their original land.
- (v) While relocating tribal people, their cultural, social and religious aspects should be R&R Plan and sufficient land should be provided for social infrastructure in the relocated/resettlement colonies.
- (vi) CSR activities should also include sports promotion activities especially for tribal youth.
- (vii) The concept of Tribal Sub Plan (TSP) should be introduced in the expenditure statement under CSR so that targeted intervention is made for Scheduled Tribes communities.

NKS

(Nand Kumar Sai)
Chairperson
National Commission for Scheduled Tribes.



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