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भारत सरकार
Government of India

राष्ट्रीय अनुसूचित जनजाति आयोग
National Commission for Scheduled Tribes

(A Constitutional Body under Article 338A of the Constitution of India)

File No. Review/3/2018/GAIL/RU-I

Date: 02/11/2018

To

The Chairman-cum-Managing Director,
Gas Authority of India Ltd.
16 Bhikaiji Cama Place, R.K. Puram,
New Delhi – 110066.
Tel: 26172580. Fax: 26185941.

Sub: Review Meeting held on 12.10.2018 at GAIL, New Delhi on the effective Implementation of Constitutional Safeguards and other measures for the protection, welfare and Socio- economic development of the Scheduled Tribes.

Sir,

I am directed to refer to the subject mentioned above and to enclose copy of the Minutes of the Review Meeting held on 12.10.2018 under the Chairmanship of Ms. Anusuiya Uikey, Hon'ble Vice- Chairperson, NCST on the effective implementation of constitutional safeguards and other measures for the protection, welfare and Socio- economic development of the Scheduled Tribes.

It is requested that a report on action taken/ to be taken on the recommendations of the NCST in the Review Meeting may please be furnished within 30 days from receipt of the letter, for placing the same before the Hon'ble Chairperson, NCST.

Yours faithfully,

(Rajeshwar Kumar)
Assistant Director
Tel: 011-24641640

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5/11/18
ISSUED

Copy to:

1. PS to Hon'ble Chairperson
2. PS to Hon'ble Vice- Chairperson
3. Coordination Cell, NCST
4. NIC (for hosting on Commission's website)



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National Commission for Scheduled Tribes

REPORT AND RECOMMENDATIONS UNDER ARTICLE 338A (5) (e) OF THE CONSTITUTION ON THE MEASURES TO BE TAKEN BY THE GAS AUTHORITY OF INDIA LIMITED (GAIL) NEW DELHI FOR THE EFFECTIVE IMPLEMENTATION OF CONSTITUTIONAL SAFEGUARDS AND OTHER MEASURES FOR THE PROTECTION, WELFARE AND SOCIO-ECONOMIC DEVELOPMENT OF THE SCHEDULED TRIBES.

(File No: REVIEW/3/2018/(GAIL)/RU-1)

Date of Review: 12.10.2018

The National Commission for Scheduled Tribes (NCST) is a Constitutional Body set up under Article 338A of the Constitution of India 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 Hon'ble 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 Miss, Anusuiya Uikey, Hon'ble Vice- Chairperson, National Commission for Scheduled Tribes on 12th October, 2018 at GAIL Corporate Office, Bhikaji Cama Place, New Delhi on evaluation and monitoring implementation of reservation policy (service safeguards) for Scheduled Tribes and schemes for their socio-economic development with the officers of GAIL in Corporate Office, New Delhi.

3. The list of participants is annexed.

4. Hon'ble Vice- Chairperson, NCST in his inaugural address mentioned about the role and responsibilities of the NCST and requested GAIL officers to give clarification on some issues which emerged from the information furnished by the GAIL in the questionnaire and the meeting held with the SC/ST Employees Welfare Association, GAIL, New Delhi on 12.10.2018 at 11.00 AM at GAIL Corporate Office, Bhikaiji Cama Place, New Delhi.

5. Chairman-cum-Managing Director (CMD) GAIL informed that the GAIL was incorporated on 16th August, 1984 as a Central Public Sector Undertaking under the Ministry of Petroleum & Natural Gas, Government of India. CMD asked GAIL officers to explain the activities of the GAIL. Officers of GAIL gave brief presentation about the GAIL activities, which includes historical background, objectives, nature and scope of business activities of the GAIL since its establishment. It was informed that:

GAIL began as a gas transmission company, in a little over three decades, GAIL emerged as the leading player in Indian hydrocarbon sector. Today, GAIL is the flagship natural gas company of India having presence in entire gas value chain. Over the years, GAIL has developed the backbone of India's gas infrastructure which includes over 11000 Km of Natural Gas trunk pipelines across 19 States/UTs and six processing plants along gas pipelines with combined liquid hydrocarbon production capacity of 1.3 MMPTA. GAIL is operating two LPG Pipelines having length of 2038 Km with 3.8 MTPA Capacity. GAIL is also a pioneer in using gas for producing petrochemicals and has an integrated 810 KTPA gas based petrochemical complex in Uttar Pradesh. GAIL is co-promoter of two other petrochemicals plants including 280 KTPA Complex in Assam and 1.1 MMPTA OPAL project in Gujarat. GAIL holds participating interest in eleven domestic E&P blocks, two E&P blocks in Myanmar and one shale gas asset in United States. Further, GAIL holds equity in Dabhol regasification terminal and operates it as "Owners Engineer".

GAIL is a pioneer in City Gas Distribution business in India with Nine Joint Ventures, notably Indraprastha Gas Limited (IGL) in Delhi and Mahanagar Gas Limited (MGL) in Mumbai and one fully owned subsidiary GAIL Gas Limited. It holds equity stakes in Fayum Gas Company & National Gas Company in Egypt and in China Gas Holdings Limited in China.

GAIL has successfully set up wind energy power projects of 118 MW across States of Gujarat, Tamil Nadu and Karnataka and 5 MW Solar Plant in Rajasthan.

In historic move, GAIL received an approval for construction of the prestigious 'Pradhan Mantri Urja Ganga' natural gas pipeline project spanning 2600 kilometres from Jagdishpur to Haldia-Bokaro-Dhamra covering Five States with a thrust to connect eastern India with the gas grid network. Along with

these projects in east India, GAIL is pursuing completion of other major pipeline projects including Kochi-Mangaluru segment.


GAIL has Six gas processing plants at Five locations in the country with the combined production capacity of 1.3 million MT of LPG and other liquid hydrocarbons i.e. Propane, Pentane and Naphtha. The plants located at "Petrochemical Complex at Pata, District- Auraiya (UP); LPG Recovery Plant, Vijaipur (2 units) District- Guna, (Madhya Pradesh); LPG Recovery Plant, Vaghodia District- Baroda, (Gujarat); LPG Recovery Plant, Gandhar, Taluka- Amod, District- Bharuch, (Gujarat) and LPG Recovery Plant, Usar, Taluka- Alibagh, District- Raigad, (Maharashtra).

In the international market GAIL sources the gas from different countries i.e. USA, Russia, Qatar and Australia though different long term and medium term contracts.

The GAIL has set up its Compressor Station at Jhabua, (Madhya Pradesh) which is the predominantly a Scheduled Tribes area. The SV/RR Stations have been set up at District- Dahod in (Gujarat).

6. Presentation reveals that staff strength of Scheduled Tribes as on 31.03.2018, was in Management category-6.3% and Non-Management category shows 6.8%. No vacancies reserved for STs have been de-reserved in Direct Recruitment or in Promotion during last three years. All employees in GAIL are imparted minimum two days in-service training in a year on the basis of organizational requirement and individual training needs in the company's, Two Training Institutes at Noida (Uttar Pradesh) and Jaipur (Rajasthan). As a special measure in GAIL, one additional training is given all ST categories employees.

A Chief Liaison Officer (CLO) for STs (SCs and PWDs) and Eleven Liaison Officer (s) have been nominated for all States and Union Territories, where employees of GAIL are posted. The online grievance redressal system has been adopted by GAIL. None of the complaints are pending for disposal. The management holds periodical meetings with SC/ST category employees to sort out their problems and grievances. The meetings were convened on 14.10.2016 and 26.09.2017 and recently in last months of October 2018. No case of sexual harassment of ST category women employees was informed by the GAIL.


सुश्री अनुसुइया उइके/Miss Anusuiya Uikey
उपाध्यक्ष/Vice Chairperson
राष्ट्रीय अनुसूचित जनजाति आयोग
National Commission for Scheduled Tribes
भारत सरकार/Govt. of India
नई दिल्ली/New Delhi

Under CSR initiatives, GAIL focus on Arogya (Wellness); Ujjwal (Education initiatives); Kaushal (Livelihood Generation and Skill development initiatives); Unnati (Progress Rural Development); Sashakt (Women Empowerment initiatives); Saksham (Care of the elderly and differently abled) and Harit (Environment centric initiatives).

The major CSR activities undertaken by GAIL are as under:

- Financial support of Rs. 2.00 crores towards construction of Tribal Hostel at Bhubaneswar (Odisha), under Swachh Bharat Abhiyan.
- Over the last three year GAIL provided financial support for construction of 4305 toilets in 23 Districts of Eight States. Out of these, 358 toilets constructed in Jhabua, wherein 87% of the beneficiaries from ST category.
- 28 Mobile Medical Units in various Districts of Odisha, Uttar Pradesh, Madhya Pradesh, Uttarakhand, Bihar, Punjab, Gujarat & Andhra Pradesh States. The total number of beneficiaries seven lakh in a year, out of which around 25% beneficiaries from ST communities.
- 764 candidates trained under Support for training in Plastic Product Manufacturing (in Central Institute of Plastic Engineering and Technology (CIPET) at Guwahati, Imphal, Chennai and Aurangabad) since 2013-14 out of these approximate 30% of candidates belongs to Scheduled Tribes communities.
- Under India Speed Star- Since 2015-16 to 2017-18, GAIL covered 29 States and 120 Districts and selected Twenty-five candidates for talent hunt activities training across India for participation in National and International event like 2020 Olympics. Out of which six candidates from ST communities.

7. Prior to Review Meeting of officers of GAIL, the Chairman, Vice- Chairman, General Secretary, Joint Secretary and Executive Member (s) of SC/ST Employees Welfare Association of GAIL met the Commission on 12.10.2018 at 11.00 AM and discussed many issues. Some of the key points raised by SC/ST Employees Welfare Association are indicated below.

- a) Reservation in recruitment & filling of backlog: - The backlog of around 1 % in Scheduled Tribes vacancies are yet to be filled.
- b) In-spite of having set promotion policies for Executives, the deserving Scheduled Tribes candidates are being dropped in promotions repeatedly particularly at higher level. Hence, following points be considered:
 - i. Cases of repeated drops for the promotion be scrutinized and considered for promotion for the higher level.

- ii. The previous data/ results requires to be analysed and remedial action be shared and implemented in the promotion rules.
- c) The number of ST candidates for Foreign Training & Assignment should be increased, as previous records shows the ST candidates had not been nominated adequately.
- d) At least 25 % of the Corporate Social Responsibility (CSR) fund should be spent for Scheduled Castes and Scheduled Tribes as a part of Special Component Plan (SCP) and Tribal Sub Plan (TSP). The proportionate fund should be earmarked for the welfare of Scheduled Tribes.
- e) As per Public Procurement Policy, 2012 all PSU/Govt. Department to ensure 4% of total work/purchase order value to be placed to SC/ST owned Micro & Small Entrepreneurs (MSEs) but GAIL is lacking in this aspect. The following points needs to be considered:
- i. SC/ST entrepreneurs be developed by GAIL by conducting Entrepreneur Development Program for creating new SC/ST entrepreneurs in GAIL.
- ii. Under policy of not asking experience for the tender valuing less than 7 lakhs, should be enhanced to Rs.15 lakhs.
- f) The GSEWA working for the welfare of ST employees of GAIL. Hence, the GSEWA be included in the Superannuation Benefit Fund Trust (SBF Trust) and the SC/ST employees should be included in the Transfer Petition Committee (TPC).
- g) The GSEWA Membership subscription from salary needs to be resumed/started immediately. The well-furnished office space be provided to the GSEWA in Delhi/NCR region.
- h) The Joint Ventures Companies may be asked to implement the reservation policy.
- i) The Educational Institution/ Schools/ Hospitals, which received the financial assistance from GAIL may be asked to implement the reservation policy.
8. The Commission observed that there is shortfall in backlog of ST vacancies. Similarly, Scheduled Tribes employees have not been sponsored proportionately for specialised training abroad during last three years i.e. from 2015-16 to 2017-18. The exclusively amounts required to be allocated for welfare of Scheduled Tribes under CSR activities taken by GAIL.

9. Observations of the Commission are:

- i. Commission appreciate for providing financial assistance for construction of hostel for Scheduled Tribes at Bhubaneswar, 4305 toilets in Eight States in Twenty-Three Districts, specially 358 in District- Jhabua, (Madhya Pradesh) under Swachha Bharat and operating 31 Mobile Medical Units in Eleven States. Three Mobile Medical Units are being operated in Jhabua (Madhya Pradesh). The GAIL spending more percentage of amount against stipulated under CSR activities.
- ii. There no grievance of Scheduled Tribes pending in the GAIL was appreciable. No cases of sexual harassment of ST woman employees reported in GAIL was also appreciable.

10. The recommendations of the Commission are as under:

- i. Details of Scheduled Tribes affected families and their rehabilitation by setting up of Compressor Station at Jhabua (Madhya Pradesh) and SV/VR Station at Dahod (Gujarat) should be available at GAIL. This information may also be shared with the Commission.
- ii. Seminars/ Workshops and research and evaluation studies needs to be conducted by GAIL before undertaking the CSR activities in the country for the welfare and advancement of Scheduled Tribes communities.
- iii. ST employees needs to be trained by giving advance training in respect of their nature of job for promotion in higher grade.
- iv. Reservation and roster system in respect of recruitment as well as promotion should be computerised by GAIL at the earliest. The same should be placed in public domain for use of employees which will provide transparency in the implementation of Reservation policy.
- v. Officer bearers of GAIL SC/ST Employees Welfare Association (GSEWA), who belongs ST category should be transferred only after consulting the Chief Liaison Officer/ Liaison Officer in respect of Corporate Office and State Offices.
- vi. ST incumbent should also be designated/ nominated as a Liaison Officer.
- vii. Before nomination's name of employees for foreign training, Chief Liaison Officer/ Liaison Officer for nomination of ST employees should be asked/consulted by Management.

- viii. Education Institutions/ Schools/ Hospitals, which receive financial assistance from GAIL, should be asked to follow the reservation rules/policy.
- ix. The Scheduled Tribes owned Micro & Small Enterprises be given preference for assignment of work/ purchase order.
- x. Micro & Small Enterprises, who owned by Scheduled Tribes needs to be sponsored programmes/ training to compete the market by GAIL. In this regard, GAIL may take up the matter with the Ministry of Micro Small & Medium Enterprises.

Anusuiya
सुश्री अनुसुईया उईके/Miss Anusuiya Uikey
उपाध्यक्ष/Vice Chairperson
राष्ट्रीय अनुसूचित जनजाति आयोग
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Government of India
राष्ट्रीय अनुसूचित जन जाति आयोग
National Commission for Scheduled Tribes

Date of Review Meeting: 12.10.2018 at 1130 Hrs

List of Participants

(No. REVIEW/3/2018/(GAIL)/RU-I)

National Commission for Scheduled Tribes

1. Miss. Anusuiya Uikey, --- In Chair
Hon'ble Vice-Chairperson
2. Shri Hari Krishna Damor,
Hon'ble Member
3. Shri H.C. Vasava,
Hon'ble Member
4. Smt Maya Chintamn Ivnate,
Hon'ble Member
5. Shri Raghav Chandra,
Secretary
6. Shri S.K. Ratho,
Joint Secretary
7. Dr. Lalit Latta,
Director
8. Shri Rajeshwar Kumar,
Assistant Director,
9. Shri Gaurav Kumar,
PS to Hon'ble VC
10. Shri R.S. Misra,
Senior Investigator

Gail Authority of India Limited

1. Shri B.C. Tripathi,
Chairman-cum-Managing Director
2. Shri P.K. Gupta,
Director (HR)
3. Shri D.V. Shastry,
E.D. (HRD)
4. Shri. A.K. Shrivastava,
E.D. (HR)
5. Shri Ayush Gupta,
GM (HRD)
6. Shri S.S. Pangti,
GM & Chief Liaison Officer