



सत्यमेव जयते

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/9/CPCL(Chennai)2018/RU-I

Dated: 30/01/2019

To,

The Managing Director,
Chennai Petroleum Corporation Ltd.,
No. 536, Anna Salai, Teynampet,
Chennai – 600018.
Tel: 044-24349833, 24349542, 25940367.
Fax: 044-24341753.

Sub: Review Meeting held on 07.12.2018 at CPCL, Chennai 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 cited above and to say that Review Meeting was held on 07.12.2018 at 1100 Hrs at Chennai under the Chairmanship of Miss Anusuiya Uikey, Hon'ble Vice- Chairperson, National Commission for Scheduled Tribes, New Delhi. Report and recommendations of the Commission on the Review of CPCL is enclosed.

It is requested that action taken/ proposed to be taken on the suggestions/ recommendations of the Commission may please be sent within one month to the NCST.

Yours faithfully,

(Rajeshwar Kumar)
Assistant Director
Tel: 011-24641640

Copy to:

1. PS to Hon'ble Chairperson
2. PS to Hon'ble Vice- Chairperson
3. 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 OF INDIA ON THE MEASURES TO BE TAKEN BY THE CHENNAI PETROLEUM CORPORATION LTD., CHENNAI FOR THE EFFECTIVE IMPLEMENTATION OF CONSTITUTIONAL SAFEGUARDS AND OTHER MEASURES FOR THE PROTECTION, WELFARE AND SOCIO-ECONOMIC DEVELOPMENT OF SCHEDULED TRIBES

(FILE NO. REVIEW/9/CPCL(CHENNAI)/2018/RU-I)
DATE OF REVIEW: 07/12/2018 AT CHENNAI

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 constitution provisions, the Union and every State Govt. shall concerned the Commission on all major policy matters affecting Scheduled Tribes. The NCST is required to present to the Hon'ble President of India report(s) on working of those safeguards and all such reports are to be laid before each house of Parliament alongwith memorandum explaining the action taken are proposed to be taken on the recommendations relating to the Union and regions for non-acceptance, if any, of any such recommendations.

2. In pursuance of provisions of Article 338A, a review meeting was held under the Chairmanship of Ms. Anusuiya Uikey, Hon'ble Vice-Chairperson, NCST on 07/12/2018 at Chennai Petroleum Corporation Ltd., (CPCL) Chennai on evaluation and monitoring, implementation of reservation policy (Service Safeguards) for Scheduled Tribes and schemes for their socio-economic development with the Officers of CPCL at Corporate Office, Chennai.

3. The list of participants is annexed.

4. Hon'ble Vice-Chairperson in her inaugural address mentioned about the role and responsibilities of the NCST and requested CPCL Officers to give clarification on some issues which emerged from the information furnished by the CPCL in respect of the questionnaire and the meeting held with the Office bearers of Scheduled Tribes Employees Welfare Association, CPCL, Chennai on 07/12/2018 at 10:30 A.M. at CPCL, Chennai.

5. The Managing Director (MD), Chennai Petroleum Corporation Ltd. informed that the Chennai Petroleum Corporation Ltd. (CPCL) (formerly known as Madras Refineries Ltd.) formed as a joint venture of the Govt. of India, Amoco India Inc., USA and National Iranian Oil Company (NIOC, Iran with the initial equity contribution in the ratio of 74:13:13. The Company was incorporated on 30/12/1965 as Public Ltd. Company. Amoco Inc disinvested its equity holding in favour of Govt. of India 1985. Later, Govt. of India transferred its equity share of 51.89% to the Indian Oil Corporation Ltd. There are eleven members in Board of Management / Directors of the CPCL. It was pointed out that out of eleven members, two nominees of National Iranian Oil Company.

MD asked CPCL Officers to explain the activities of the CPCL. Officers of CPCL gave a brief presentation about the CPCL activities which includes historical background, objectives, nature and scope of the business activities of the CPCL since its establishment. It was informed that:

The Manali Refinery was originally designated for processing to 2.5 MMTPA (Million Metric Tons per Annum) of imported Darius crude from Iran. The construction of the Refinery was completed in a record time of 27 months at a cost of Rs. 43 Crores without any cost or time overrun. The Manali Refinery was Commission in the year 1969. The CPCL Manali Refinery capacity was increased from 2.5 MMTPA to 2.8 MMTPA in a year 1980 through debottlenecking. Subsequently, the Refinery capacity was doubled to 5.6 MMTPA in 1984-85 at a cost of Rs. 170 Crores. The overall Refinery capacity at Manali was enhanced further to 6.5 MMTPA in March 1993 in order to meet the stringent product specifications, which were made mandatory in a phased manner from 2005, CPCL had setup a 3.0 MMTPA expansion project paving the way for upgrading

the quality of products produced, improving the yield of Distillates and retaining emissions to the existing levels even at higher capacity at Manali. This 3.0 MMTPA unit was revamped to 4.0 MMTPA in the year 2010, thus raising the capacity of Manali Refinery to 10.5 MMTPA.

CPCL Cauvery Basin Refinery (CBR) was commissioned in November, 1993 with a capacity of 0.5 MMTPA as well head Refinery to process Narimanam Crude. In addition to Narimanam Crude, the Off-Shore PY-3 Crude was also allocated to CBR. The CPCL completed CBR expansion from 0.5 to 1.0 MMTPA in 2002 and addition of Jetty facility was commissioned in 2003. The CPCL, is the first Indian Refinery to obtain ISO 9002 certification and first South Indian Refinery to obtain ISO 14001 certification. The total Refinery capacity of CPCL is 11.5 MMTPA (Manali Refinery 10.5 and CBR 1.0 MMTPA).

The main products of the Company are LPG, Motor Spirit, Superior Kerosene, Aviation Turbine Fuel, High Speed Diesel, Naphth, Bitumen, Lube Base Stocks, Paraffin Wax, Fuel Oil and Hexane. In addition, CPCL is a mother industry supplies Petro-chemical feed stocks like Propylene, Butylenes stream for the manufacturer of Propylene Oxide, Propylene Glycol, MEK, Polybutylene and Kerosene stream for the manufacture of Linear Alkyl Benzene etc. The CPCL has always strive to adhere to specification and produce quality products. In responding to free market competition, CPCL has started innovating to produce new products like Crumb Rubber Modified Bitumen and Rubber Processing Oil. CPCL started producing BS diesel and MS from January 2005 and is currently meeting BS-IV HSD and MS requirement as per the Fuel Policy-Road map of Ministry of Petroleum and Natural Gas.

The CPCL has been signing annually Memorandum of Understanding (MoU) with the Govt. of India since 1990-91 onwards and with the present parent Company i.e. Indian Oil from the year 2004-05. The MoU prescribes targets under a five point scale from "Excellent" downwards. All Fuel products including

Bitumen and Lubes of the Manali Refinery and all the products of CBR are marketed through Indian Oil Corporation Ltd. However, CPCL also does direct marketing of some of its special products from Manali Refinery like Paraffin Wax, Propylene, Hexane, Naphtha, Lab and Petrochemicals feedstock, etc.

6. The presentation reveals that staff strength of scheduled tribes employees as on 31/03/2018 was in post 'A' category – 3.97%, post 'B' category 2.97%, post 'C' category 1.25% and post 'B' category and overall 2.46% ST employees in the CPCL. No vacancies reserved for Scheduled Tribes have been de-reserved in Direct Recruitment or in Promotion during last three years. ST employees have been nominated for external as well as internal training programmes to broaden their functional as well as behavioral competencies.

A Cell consisting of the Liaison Officer, a representative of the SC/ST Employees Welfare Association and also the General Secretary of the ST employees Welfare Association has been constituted, for disposal of grievances and representations of SC/ST employees. The Chief Manager (Grade 'E') has been appointed as a Liaison Officer for SCs and STs in CPCL. The grievances of the ST employees discussed in quarterly structured meetings held with the CGM (HR & Legal) and the record note of discussions held is given to the Associations. The representation of SC/ST/OBC in CPCL has been mentioned in Annual Report – 1 & 2 as on 1st January of every year and is being submitted to the respective Administrative Ministry. No case of sexual harassment of ST category women employees was informed by the CPCL. There are no backlog vacancies.

The two cases of fake / false / fraudulent ST community certificates were reported. It was informed that the cancellation of ST certificate of both the cases have been challenged before the Hon'ble High Court of Madras.

Under CSR initiatives, it was informed that CPCL in compliance with the provisions of the Company's Act, 2013 and applicable DPE guidelines from time to time spending not less than 2% of the average profit of last three years for CSR activities in around its Refineries in Thiruvallur (near Chennai) and Nagapattinam Districts of Tamil Nadu. Various activities like, Healthcare, Education, Skill Development, Swachchh Bharat etc. have been undertaken under CSR. In addition to this construction and repairing of Park, Community Hall, Library, Tailoring Courses for girls / women, sponsorship of National / State Level Sport event in Tamil Nadu State, Drinking Water facilities assistive devices for differently able through ALIMCO, support during natural calamities and Livelihood Projects for downtrodden people and support to Anganwadies under ICDS. An amount of Rs. 101 Lakhs during 2013-14, Rs. 116.58 Lakhs during 2014-15, Rs. 233.02 Laksh during 2015-16 Rs. 187.51 Lakhs during 2016-17 and Rs. 918.18 Lakhs during 2017-18 spent towards CSR. Under Infrastructure programme, CPCL renovated the Vivekanand Park, near Vivekanand House, a Heritage Place at Chennai which was inaugurated by Hon'ble Governor of Tamil Nadu on 08/02/2018.

Apart of CSR activities for 2018-19, CPCL have collaborated with IIT Madras to adopt three villages Vellalpakkam, Gopurajapuram and Pannangudi in Nagapattinam District in Coordination with the State Govt. of Tamil Nadu. As first phase of the project, assessment study, social survey, base line analysis, awareness generation will be carried out. The said project will cover activities like drinking water and sanitation facilities, water bodies rejuvenation, pedagogy in schools, solar power for households etc.

7. Prior to Review Meeting with Officers of CPCL, President, Vice-President(s), Joint Secretary(s), General Secretary and Treasurer of ST employees Welfare Association of CPCL met the Commission on 07/12/2018 at 10:30 A.M. and discussed problems of the association and employees. Some of the key points raised by ST Employees Welfare Association are given below:-

- (a) **Promotion from non Supervisor to Supervisor (Gr. A)** – The deserving ST candidate(s) were not considered even though backlog vacancies were available.

(b) **Office accommodation** – Management has not provided the Rooms for the association. Therefore the rooms for Office of association may be allotted.

(c) **Implementation of TSP funds in tribal areas** – CPCL management may be asked to implement TSP funds allocated under CSR activities in scheduled tribes areas in Tamil Nadu State.

(d) **A separate ST Cell and appoint a Liaison Officer (for SCs and STs) from reserved category** – A separate Cell for scheduled tribes employees needs to be set up in CPCL and the Liaison Officer to be from ST/SC category.

(e) **Representation of Recruitment Selection Committee and DPC Committee** – The CPCL management be asked to nominate a representative from ST category in Recruitment Selection Committee and also in DPC Committee of the CPCL.

8. The Commission observed that the percentage of scheduled tribes employees in CPCL was not upto the mark i.e. 7.5%. The grievance management system has not been computerized. The detail about the last two meeting(s)/discussions on the grievances of ST employees with the management was not mentioned. The exclusive amount(s) / funds required to be allocated for the welfare of scheduled tribes under CSR activities taken by CPCL.

9. Observations of the Commission are:


(i) The Commission appreciates for expending funds under CSR activities for constructions of community toilets, running of four community health centers (three in Chennai and one in Nagapattinam) and upgradation of services of facilities of community health centers and adoption villages in Nagapattinam through IIT Madras.

- (ii) There were no backlog vacancies in CPCL, was appreciable. No cases of sexual harassment of ST women employees reported in CPCL were also appreciable.

10. The recommendations of the Commission are as under:

- (a) ST employees need to be trained by giving advance training in respect of their nature of job for promotion in higher grade.
- (b) Reservation and Roaster system in respect of recruitment as well as promotion should be computerized by CPCL at the earliest. The same should be placed in the public domain for use of employees which will provide transparency in the implantation of reservation policy.
- (c) Grievance redressal mechanism / system should be computerized.
- (d) ST incumbent / employee should be designated / nominated as a Liaison Officer for ST Welfare Employees Association.
- (e) ST candidates should be nominated / designated in the Board of Management / Directors of the CPCL.
- (f) CPCL should approach the Hon'ble High Court of Madras to early disposal of the case of employee(s), who obtained employment in CPCL on the basis of fake ST certificate.
- (g) Details of last two meeting(s) held between CPCL Management and the SC/ST employees association to sort out their problems and grievances of ST employees may be made available.
- (h) Basic facilities for ST employee's welfare association of CPCL may be provided by the CPCL management, as issue rose by them in the meeting with the Commission before the review meeting with the management of CPCL.

- (i) During the review meeting, it had been noted and informed by the management of CPCL that the CPCL actively works for the downtrodden people of the society. Therefore, it was advised / suggested that the CPCL management should find out the poor ST students from the IIT, Chennai and University of Madras to help them for higher studies like admission in IIT and University and other basic amenities.


सुश्री अनुसुइया अणुसुइया उइकेय
(Ms. Anusuiya Uikey)
उप-अध्यक्ष/ Vice-Chairperson
राष्ट्रीय आयोग/ National Commission for
संशुद्ध जाति/ Scheduled Tribes
भारत सरकार/ GOVT. OF INDIA
नई दिल्ली/ New Delhi

भारत सरकार
राष्ट्रीय अनुसूचित जनजाति आयोग

List of participants of Review Meeting taken by Hon'ble Vice- Chairperson, NCST on 07/12/2018 at 11:00 A.M. with officers of CPCL, Chennai in Corporate Office of CPCL, Chennai.

- I** **National Commission for Scheduled Tribes, New Delhi**
- 1 Ms. Anusuiya Uikey, Hon'ble Vice-Chairperson (In chair)
 - 2 Shri H. K. Damor, Hon'ble Member
 - 3 Shri H. C. Vasava, Hon'ble Member
 - 4 Smt. Maya Chinatamn Ivnate, Hon'ble Member
 - 5 Shri S. K. Ratho, Joint Secretary
 - 6 Dr. Lalit Latta, Director
 - 7 Shri R. S. Misra, Senior Investigator
- II** **Chennai Petroleum Corporation Ltd. (CPCL) Chennai**
- 1 Shri S. N. Pandey, Managing Director
 - 2 Shri R. Srikanthan, Director (Technical)
 - 3 Shri G. Aravindan, Director (Operations)
 - 4 Shri Rajeev Ailawadi, Director (Finance)
 - 5 Shri M. Shankaranarayanan, CGM (HR & Legal)
 - 6 Shri M. Tamizhmuthalvan (General Manager – Personnel)
 - 7 Shri B. Isac, Deputy General Manager & Liaison Officer for SCs & STs.