



भारत सरकार

Government of India

राष्ट्रीय अनुसूचित जन जाति आयोग

National Commission for Scheduled Tribes

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

File No. Review/Port Trust (Goa)/2018/RU-IV

Dated: 13.05.2019

To,

The Chairman,
Mormugao Port Trust,
Headland Sada, Vasco Da Gama,
Coa - 403 804.

Sub: Minutes of the Review Meeting undertaken by the NCST held on 09.01.2019 on the effective Implementation of Constitutional Safeguards and other measures for the protection, welfare, and Socio- economic development of the Scheduled Tribes in Mormugao Port Trust.

Sir,

I am directed to refer to the subject mentioned above and to forward herewith a copy of the Minutes of the Review Meeting held on 09.01.2019 under the Chairmanship of Hon'ble Chairperson, NCST on the effective Implementation of Constitutional Safeguards and other measures for the protection, welfare, and Socio- economic development of the Scheduled Tribes in Mormugao Port Trust for necessary action at your end.

It is requested that an action taken report on the Commission's recommendations in the matter may be furnished to the Commission within 30 days for placing the same before the Hon'ble Commission.

Yours faithfully,

(Y.K. Bansal)

Research Officer

Ph. No. 24601346

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14/5/19
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ISSUED

d/c

(Encl: as above)

Copy to: - SASNIC, NCST.



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 Mormugao Port Trust for the effective implementation of constitutional safeguards and other measures for the protection, welfare and socio-economic development of the Scheduled Tribes.

No.Review/Goa/2018/RU./IV
Dated: 9th January, 2019.

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 team from the National Commission for Scheduled Tribes comprising of Dr. Nand Kumar Sai, Hon'ble Chairperson, Ms. Anusuiya Uikey, Hon'ble Vice Chairperson and S/Shri Harshadbhai Chunnilal Vasava also Shri H.K. Damor, Hon'ble Members, Shri S.K. Ratho, Joint Secretary and Shri P.T. Jameskutty, Deputy Secretary, NCST visited Goa from 8th to 10th January, 2019 to review the implementation of the constitutional safeguards for Scheduled Tribes in respect of Mormugao Port Trust.
3. On 9th January, 2019, 10.00 AM, the Commission reviewed the functioning of MPT. The Commission first had a meeting with ST Employees Association.

NKS

नन्द कुमार साय/Nand Kumar Sai
अध्यक्ष/Chairperson
राष्ट्रीय अनुसूचित जनजाति आयोग
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(i) During the meeting, Shri Bandekar, Gen. Secretary, MPT SC/ST Employees Welfare Association stated that although the Port is running in losses, Port has been providing all possible facilities to the ST Community and there is no discrimination towards them. He further stated that whenever their assistance is required, the ST Association has been with the Management and till date there are no issues regarding promotion, reservation etc.

(ii) Shri Meena, Vice President, MPT SC/ST, Employees Welfare Association, complained that he has been working as Sanitary Inspector from 1994 and there is no promotional avenue in that category. He further complained that the management has been favouring the General Category and post have been created for other categories in the past for General category and he requested the Commission to look into the matter and address his issue.


(iii) Shri Manguesh Kuttikar, Executive Member of SC/ST Employees Association of MPT & DLB, complained that the ST roster is not maintained in order. He further stated that the same is manipulated, he is Physically Handicapped (PH) candidate, and till date he has not been given promotion to the next post and his issue has not been addressed by the authorities inspite of several representations.

(iv) Shri Ajit Gaude, Executive Member of SC/ST Employees Association of MPT informed that the Engineers in Civil Engineering, are not considered in the zone of promotion for Class I post and requested ST Commission to look into the matter.

(v) Shri T.J. Gaonkar, Advisor, MPT SC/ST Employees Welfare Association complained that no member from the ST community has been nominated for various training by the Port.

(vi) Shri Chavan, President, MPT SC/ST Employees Welfare Association complained/ informed that in MPT the ST community has been underrepresented. He further stated that reservation for ST community in Port is 7.5% whereas in Goa Govt. it is 12%.


He further stated that the E.O./O.S. of all Departments have to be trained in maintaining the ST roster register.


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4. Meeting with Management of MPT

- (i) After the meeting with ST Association, the Commission held a meeting with the Management of MPT.
- (ii) Referring to the points raised in the questionnaire, Chairperson, NCST enquired about the activities/programmes/schemes extended to the ST community under CSR, other rehabilitation and resettlement of the project affected/displaced families and education and employment to the members of these families and details of various activities taken up by MPT for the welfare and socio-economic development of MPT.
- (iii) Chairman of MPT gave a brief introduction of the organizational set up and the composition of the Board of Trustees of the Port. Further, he explained in brief the objectives and activities of the Port.
- (iv) Chairman, MPT informed that Mormugao Port is one of the oldest Port and was developed to handle iron ore and was handling 80% of iron ore. In the year, 2012, due to ban on


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iron ore by Hon'ble High Court, Port had to handle alternative commodities such as liquid cargo, coal coke, wood chips, granite, Bauxite, steel coils, food grains, containers etc. However, the traffic volume dropped down and as a result the Port faced financial crisis. However, the Port is making concerted efforts to handle Cruise vessels as Goa is a tourist destination.

(v) Chairman, MPT further informed that there is no adverse impact on the local tribal population of Goa due to activities of MPT. He also explained the activities taken up by Port under CSR activity and explained that around 40 entrepreneurs were trained under the 'I Create India' awareness programme. He further mentioned that Mormugao Port Trust Education Society runs the Kindergarten, Primary, Secondary and Higher Secondary School and one School for special children wherein, about 2000 children are studying which covers ST employees' children also.

(vi) Thereafter, he explained in brief, the service safeguards for ST with regards to employment status. The reservation for ST is 7.5% for promotion and Direct Recruitment in Class-I & II cadre & Promotion for Class-III & IV cadre. However, Govt. of Goa has included Gowda and Kunbi Community under ST category and ST reservation quota in MPT for Class-III & IV cadre under Direct Recruitment is no 12% as per regional basis.

(vii) Chairman, MPT further informed that there is a ban in Direct recruitment and downsizing is taking place, however, specialized and technical posts such as Marine Pilots and Chief Engineer (Marine), which are of highly technical nature have been advertised but there are no eligible ST candidates applied.

(viii) Under Special Recruitment Drive, Chairman informed that the 1 post of J.E, 2. Post of outdoor clerks are filled in. However, 1 post of staff nurse is not filled in due to financial crisis.


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5. Recommendation of the Commission:

(i) Hon'ble Chairperson mentioned about the case of that Shri Meena, Sainitary Inspector who had complained that he has been working as Sanitary Inspector for more than 15 years and there is no promotional avenue in that category. The Hon'ble Chairperson advised the Chairman, MPT to check whether a post can be created as done for the General category as stated by Shri Meena.

(ii) Hon'ble Chairperson, informed that Shri Manguest Kuttikar, has complained that the ST roster is not maintained and is not in order. He further stated that Shri Kuttiyar is Physically Handicapped (PH) candidate, till date he has not given promotion to the next post and his issue has not been addressed by the authorities inspite of several representations.

The Chairperson suggested that the roster register maintained in the Departments should be checked by Liaison Officer for SC/ST of the Port and submitted to the Ministry for certification and training should be provided to those who are maintaining the roster register.

(iii) The Commission recommended that the SC/ST community is represented adequately in the Board of Trustees.

(Handwritten signature)

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(iv) The Commission also recommended that since education plays an important role in shaping up the future of the country, Port has to extend some educational facilities to the children of SC/ST community under CSR activity.

(v) Certain conditions should be laid down by Port to recruit person from ST while outsourcing a contract.

(vi) It was pointed out that Shri Mahadeo Chavan, President, MPT SC/ST Employees Welfare Association has complained that he had put up a request for transfer which was not considered. The Commission advised MPT to look into his request.

(vi) The roster has to be prepared by the administration and verified and signed by the Liaison Officer from Ministry of Shipping to avoid any discrimination towards ST employees. The Liaison Officer for SC/ST of MPT, Shri Gadkar to inspect the roster register before submitting the same to the Ministry.



NKS

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