



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/NICL/2018/RU-IV

Dated: 13.11.2020

To

The Chairman and Managing Director,  
National Insurance Company Limited,  
3, Middleton Street,  
Kolkata – 700 071  
(West Bengal).

**Sub:** Review and monitoring of Implementation of Reservation Policy and Constitutional safeguards for Scheduled Tribes in National Insurance Company Limited (NICL).

Sir,

I am directed to refer to the subject mentioned above and to forward herewith a copy of the Report and recommendations of NCST on the Review Meeting under taken by the Commission under the Chairmanship of Hon'ble Chairperson, NCST on 05.02.2020 on the measures to be taken by the National Insurance Company Limited for the effective implementation of Constitutional safeguards and other measures for the protection, welfare and socio-economic development of the Scheduled Tribes for necessary action.

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 by E.mail and post.

Yours faithfully,

(Encl: as above)

(Dr. Lalit Latta)  
Director

E.mail: [director@ncst.nic.in](mailto:director@ncst.nic.in)

NIC



सत्यमेव जयते

भारत सरकार

Govt. of India

राष्ट्रीय अनुसूचित जनजाति आयोग

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 NATIONAL INSURANCE COMPANY LTD. (NICL) KOLKATA FOR THE EFFECTIVE IMPLEMENTATION OF CONSTITUTIONAL SAFEGUARDS AND OTHER MEASURES FOR THE PROTECTION, WELFARE AND SOCIO-ECONOMIC DEVELOPMENT OF SCHEDULED TRIBES**

(FILE NO. REVIEW/NICL/2018/RU-IV)

DATE OF REVIEW: 05/2/2020 AT KOLKATA.

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 consult 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 the working of those safeguards annually to the Commission may deem fit and all such reports are to be laid before each Houses of Parliament alongwith memorandum explaining the action taken or proposed to be taken on the recommendations relating to the Union and reasons 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 Dr. Nand Kumar Sai, Hon'ble Chairperson, NCST on 05/2/2020 in afternoon at Kolkata as a part of evaluation and monitoring, implementation of reservation policy (Service Safeguards) for Scheduled Tribes and schemes for their socio-economic development with the Officers of NICL.

3. The list of participants is annexed.

नन्द कुमार साय/Nand Kumar Sai  
अध्यक्ष/Chairperson

राष्ट्रीय अनुसूचित जनजाति आयोग  
National Commission for Scheduled Tribes  
भारत सरकार/Govt. of India  
नई दिल्ली/New Delhi

4. Prior to the Review Meeting with the Management of NICL, the office bearers of All India General Insurance SC/ST Employees Welfare Association, (Eastern Region) Kolkata and All India General Insurance SC/ST Employees Parishad (Jayamurthy), (East Zone) met the Commission on 05/2/2020 at Kolkata and discussed many issues. The Office bearers of All India General Insurance SC/ST Employees Welfare Association, (Eastern Region) Kolkata had submitted the following issues for necessary action:-

- (i) The GIPSA management is experimenting the promotion policy for the employees and officers which is against the interest of SC/ST. The OICL management has started one time promotion for all group D employees. NICL should also follow the same to keep parity in the industry. The promotion policy of 2017 for officers is faulty and it is against the DOPT guidelines and violating the protection clause as well as supersession of clause. The DOPT guidelines should be implemented immediately.
- (ii) The DOPT guidelines should be followed for transfer and posting.
- (iii) The management should initiate action for appointment of the family members of late employees, as long list is pending for compassionate appointment.
- (iv) ST employees should be nominated for foreign training and encouraged for annual training and for updating their knowledge and skill.
- (v) The cases of four employees [Shri A.K. Majhi, Manager, (Ranchi, R.O); Shri Nilesh Rajesh Tirkey, Sr. D.M; Shri R. Keledar, A.O Nagpur, and Shri Pankaj Daima, Assistant Jaipur]for not giving promotion to them may be considered immediately.

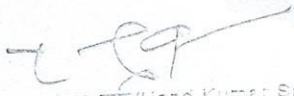
All India General Insurance SC/ST Employees Parishad (Jayamurthy), (East Zone) had also raised the following issues:-

- (i) Shri Kuru Rabin, AO, CRO-II should be transferred to Tejpur DO under GRO which is nearer to his hometown, as his mother is ill and the climate of Kolkata City is not suitable to him.
- (ii) Shri Kashu Hembram, AO, CRO-II should be transferred to Midnapur DO under CRO II as his wife is very seriously ill and cannot look-after.

- (iii) Shri Prabodh Minz, AO, Malbazar BC, should be transferred to Jalpaiguri DO under CRO II, as he met with an accident and is not in a proper health. So he may be posted to his Hometown, Jalpaiguri.
- (iv) Shri Kunga Wagchuk Bhutia, AO, CRO-I should be transferred to Gangtok DO under CRO II, as his father died and there is no one to look after his ailing mother who is living alone.
- (v) Shri Prem Tshering Sherpa, AO, Gangtok DO, should be transferred to Kalimpong BO/Siliguri DO due to is health condition.
- (vi) Smt. Mary Minz, AO, Clive Row Branch while she was posted in Kolkata DO VII was harassed by Divisional in-charge and his undergoing a traumatic period. Smt. Minz has been transferred but the culprit has not been taken into task. Therefore, culprit should be thrown out from all sensitive position and posted in some other place.

5. The Hon'ble Chairperson, NCST in his opening remarks mentioned about the role and responsibilities of the NCST and thereafter, requested Chairman Cum-Managing Director, (CMD) NICL to give clarification on issues which emerged from discussion held with the All India General Insurance SC/ST Employees Welfare Association, (Eastern Region) Kolkata and All India General Insurance SC/ST Employees Parishad (Jayamurthy), (East Zone) in the meeting and about the activities of the NICL, implementation of safeguards for the Employees of ST and CSR activities.

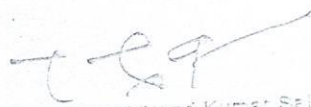
6. After introduction of each officers present in the meeting, the CMD, NICL informed that NICL is India's oldest General Insurance Company. It was incorporated in Kolkata on 5<sup>th</sup> December, 1906 to fulfill the nationalist aspiration for Swadeshi movement from 1906. National Insurance transacted only Life Insurance business. In 1931 it formed a subsidiary named national Fire and General Insurance Company Ltd. to handle General insurance activities. From 1950 onwards the present company started transacting General Insurance Business. On 19<sup>th</sup> January 1956 all Life Insurance were nationalized and entire Life Insurance business was taken over by the Govt. of India.

  
नन्द कुमार साठी (Nand Kumar Sati)  
अध्यक्ष/Chairperson  
राज्यीय अनुसूचित जनजाति आयोग  
National Commission for Scheduled Tribes  
मंत्रालय, सरकार, भारत  
Ministry of Tribal Affairs, Government of India  
New Delhi

General Insurance Business was nationalized on 1<sup>st</sup> January, 1973 wherein 21 foreign and 9 Indian companies were merged with National Insurance Company Ltd. National Insurance became one of the 4 subsidiaries of the Govt. owned General Insurance Corporation of India. The only PSGIC with HQs in Kolkata, National Insurance has several firsts to its credit. It was the first to introduce product customization both Corporate and Rural. First to establish specialized Techno Marketing Project Cells for insuring mega projects and introducing the Farmers Package policy to suit the agrarian customer (s). It was also the first Indian insurance company to enter into Strategic Alliances with the country's largest Automobile manufacturer M/s Maruti and Two Wheeler major M/s. Hero Moto Corp and many others. These tie ups ushered in a paradigm shift in Service Delivery method for Motor Insurance. NIC also pioneered Bancassurance in India, by forging tie-ups with the country's largest Banks with a work force of 11873 (as on 31.12.2019) skilled personnel, 1735 offices and more than 50,000 agents all over India including operations in Nepal. National Insurance stands tall today as one of India's largest non-life insurers measured by its gross direct written premiums (GDWP). In the current year, there are 16 "Insurance on Wheels (IOW)" operating in various Regional Centres. IRDA has registered 254 Insurance Marketing Firms (IMFs), out of which National has a tie-up arrangement with 34 IMF's. The company has also had 27 Corporate agents as on 31<sup>st</sup> March, 2019 of which 13 are Banks. Apart from these, there is tie up with two web aggregators, Policy Bazaar and cover fox and strategy for integration with other web aggregators in on.

7. Thereafter, a Power Point presentation was given by NICL which reflects the hierarchy of the various position of the company, Board of Directors of the company and implementation of service safeguards for Scheduled Tribes.

As on 31.12.2019, the total No. of employee of NICL were 11873 out of which 1045 belong to ST category representing 8.80%. The No. of Class-I employees was 5903 out of which 522 belong to ST category representing 8.84%; No. of Class-II employees was 427 out of which 15 belong to ST category representing 3.51%; No. of Class-III employees was 4639 out of which 427 belong to ST category representing 9.20% and No. of Class-IV employees was 904 out of which 81 belong to ST category representing 8.96%.

  
रन्द कुमार सायन/Rand Kumar Saini  
भारत/Chairperson  
संघीय अनुसूचित जनजाति आयोग  
(for Scheduled Tribes)

8. The rosters are maintained for direct recruitment and promotion for all posts. Separate roster is maintained for recruitment to cadre of Assistant and Administrative officers. There was no backlog in ST category. Sr. Executive in the cadre of Chief Manager is appointed to Act as Chief LO. The LO belonging to reserved community is also appointed at Head Office. The company has also appointed officers belonging to reserved community as LO in Regional Offices. 33 LO has been appointed in Regional Offices and at Head Offices. Four cases of fake ST certificate were reported which has been terminated from service by the company. Out of four, one candidate approached the NCST and was reinstated but did not join the company as she got selected elsewhere.

Management conducts structured meetings with checked off associations periodically. Moreover, un-documented meetings with SC/ST unions to sort out the grievances are done periodically. No case of sexual harassment of ST category woman employee was reported by the Company. NICL imparts induction training to all new recruit officers/assistants as a batch. Pre-promotion training for written qualifying exam is provided to SC/ST/OBC up to scale -IV and pre-recruitment training programmes are also being conducted for SC/ST/OBC.

Under CSR initiatives it was informed that NICL supported the activities in the field of Education/Literacy Enhancement & vocational training; Sanitation & drinking water projects including rain harvesting; Healthcare/Medical Facility; Welfare & Rehabilitation of underprivileged & differently abled persons; Relief of victims of natural calamities/disasters; Environment Protection and any other areas of contemporary importance. NICL associated with the Artificial Limbs Manufacturing Corporation of India Camps (ALIMCO), TATA Medical Centre Paediatric Ward (at Kolkata), Akshaya Patra Foundation, Bengaluru, Siruthuli, Coimbatore. The NICL sponsored various programme/projects like Friends of Tribal Society, renewed the Ramakrishna Mission Project (Gadadhar Abhyudaya Prakalpa), TB Sanatorium, Ranchi, Ramakrishna Mission, Shillong, Ramakrishna Sharda Mission, Kolkata, Blind persons associations, Ahmadabad and Shri Sankardeva Netralaya, Guwahati. The CSR activities are undertaken in the States of Assam, Bihar, Gujarat, Jharkhand, Karnataka, Kerala, Madhya Pradesh, Maharashtra, Meghalaya, Manipur, Nagaland, Sikkim, Odisha, Punjab, Tami Nadu, Tripura, Uttar Pradesh and West Bengal.

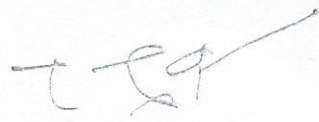
8. Observation of the Commission are:

- i. Commission appreciates the fact that there was no complaint or grievance pending for disposal in the NICL in respect of employees belonging to ST community. No case of sexual harassment of ST woman employees has been reported.
- ii. The Commission also appreciates the programmes implemented/sponsored for the Welfare of Scheduled Tribes under CSR.

9. The recommendations of the Commission are as under:

- (1) The roster for all posts should be made online.
- (2) Grievance Management system should be online.
- (3) The ST employees should be encouraged to undergo training in order to update their working knowledge.
- (4) The demand/issues of All India General Insurance SC/ST Employees Welfare Association, (Eastern Region) Kolkata and All India General Insurance SC/ST Employees Parishad (Jayamurthy), (East Zone) as mentioned above may be considered as per rules. The cases of employees proposed for transfer may also be considered on sympathetic ground.
- (5) The L.O should be appointed at Head Office and Regional offices from ST category on rotation basis.
- (6) The ST reservation should be followed with 7.5 % for Class-II posts.
- (7) The officers of the Company should be sensitized about their Junior ST employees in respect of grading of APAR.

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

भारत सरकार  
राष्ट्रीय अनुसूचित जनजाति आयोग

LIST OF PARTICIPANTS IN THE REVIEW MEETING HELD ON 05.2.2020 AT KOLKATA WITH THE OFFICERS OF THE NATIONAL INSURANCE COMPANY LTD. (NICL) KOLKATA FOR THE EFFECTIVE IMPLEMENTATION OF CONSTITUTIONAL SAFEGUARDS AND OTHER MEASURES FOR THE PROTECTION, WELFARE AND SOCIO-ECONOMIC DEVELOPMENT OF SCHEDULED TRIBES.

I National Commission for Scheduled Tribes, New Delhi

- 1 Shri Nand Kumar Sai, Hon'ble Chairperson (In chair)
- 2 Smt. Maya Chintamni Inate, Hon'ble Member
- 3 Shri K. Touthang, Joint Secretary
- 4 Shri S.P. Meena, Assistant Director
- 5 Shri R.K. Dubey, Assistant Director
- 6 Shri R. S. Misra, Senior Investigator
- 7 Shri Virender Jaiswal, PS to Hon'ble Chairperson
- 8 Shri Rahul Mishra, PA to Hon'ble Chairperson
- 9 Ms. Rekha Koram, PA to Hon'ble Member (MCI)

II National Insurance Company Ltd.

- 1 Ms. Tajinder Mukherjee, Chairman Cum-Managing Director
- 2 Shri Sidharth Pradhan, Director & General Manager
- 3 Shri T.Mohan Narayan Rao,
- 4 Shri Rama Kant Jena, Chief Manager (Chief LO)
- 5 Shri Yongjam Lama, DGM
- 6 Shri Ravi
- 7 Shri A.K. Jha



(Annexure)

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राष्ट्रीय अनुसूचित जनजाति आयोग

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