



राष्ट्रीय अनुसूचित जनजाति आयोग
National Commission for Scheduled Tribes
(भारत के संविधान के अनुच्छेद 338क के अंतर्गत एक संवैधानिक निकाय)
(A Constitutional body under Article 338A of the Constitution of India)

File No. Review/23/BHEL/2023-SSW

Dated: 03/11/2023

To,

Dr. Nalin Shinghal
Chairman-Cum-Managing Director,
Bharat Heavy Electrical Ltd. (BHEL),
Bharat House, Siri Fort
New Delhi-110049
(Ph No. 011- 26001001)
(Email: cmd@bhel.in)

Sub: Review of Constitutional Safeguards for Scheduled Tribes of BHEL.

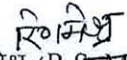
महोदय,

I am directed to refer to the subject cited above and to enclose copy of minutes of Review Meeting held under the Chairmanship of Shri Ananta Nayak, Hon'ble Member, National Commission for Scheduled Tribes (NCST) on 26.09.2023 at BHEL, New Delhi.

It is requested that the report on action taken/ to be taken on the recommendations may be sent within 30 days from receipt of the letter, for placing it before the Hon'ble Member.

Encl: As above.

Yours faithfully,


आर.एस.मिश्र/R.S. Misra)
अनुसंधानअधिकारी/Research Officer
Ph No. 011-24641640

Copy for information to:

1. PS to Hon'ble Member, NCST
2. PS to Secretary, NCST
3. O/o JS, NCST
4. NIC, NCST for uploading on the website of the Commission

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 BHARAT HEAVY ELECTRICALS LTD., (BHEL), NEW DELHI FOR EFFECTIVE IMPLEMENTATION OF CONSTITUTIONAL SAFEGUARDS AND REVIEW AND MONITORING OF SCHEMES FOR THE PROTECTION, WELFARE AND SOCIAL ECONOMIC DEVELOPMENT OF THE SCHEDULED TRIBES BY THE NATIONAL COMMISSION FOR SCHEDULED TRIBES.

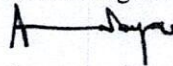
[File No. Review/23/BHEL/2023-SSW]
Date of Review: 26.09.2023 at BHEL, New Delhi

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 Scheduled Tribes in the country. As per constitutional provisions, the Union and every State Govt. shall consult the Commission on all major policy decisions affecting Scheduled Tribes. The Commission is required to present to the Hon'ble President of India reports upon working of those safeguards and all such reports are to be laid before each House of 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, Shri Ananta Nayak, Hon'ble Member, National Commission for Scheduled Tribes, in the presence of Smt. Alka Tiwari, Secretary, NCST and other senior officials of the Commission took review meeting with the Chairman & Managing Director (CMD) and other senior officers, BHEL (under the Ministry of Heavy Industry & Public Enterprises) on 26.09.2023 to evaluate the working of constitutional safeguards available to the Scheduled Tribes in the BHEL and to review implementation of various service safeguards and other developmental schemes / programmes for the welfare and development of Scheduled Tribes employees and Scheduled Tribes of the country.

3. The list of Officers of BHEL, who were present in the Review Meeting at 12:00 Noon on 26.09.2023 and office bearers of SC/ST Employees Welfare Association, BHEL and ST employees of BHEL, who attended the meeting at 11:00 AM on 26.09.2023 is Annexed.

4. Before the Review Meeting on 26.09.2023, the Hon'ble Member, NCST, in the presence of Secretary, NCST and other officials of the Commission had interaction and discussion with Office bearers of SC/ST Employees Welfare Association of BHEL Units, ST employees of BHEL and Liaison Officer, BHEL on the problems and difficulties faced by ST employees in the organization. The SC/ST Employees Welfare Association, BHEL Units and Liaison Officer has drawn the attention of the Commission on the following issues:



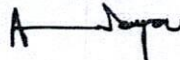
अनंत नायक/ANANTA NAYAK
सदस्य/Member
राष्ट्रीय अनुसूचित जनजाति आयोग
NATIONAL COMMISSION FOR SCHEDULED TRIBES
भारत सरकार/Govt. of India
नई दिल्ली/New Delhi

- a. A separate Liaison Officer for ST employees should be appointed/nominated in each Unit of BHEL.
- b. The ST employees who performed well should not be transferred to other units on promotion.
- c. The representation of ST should be ensured in all DPC where there are ST candidates for consideration.
- d. ST employees also need to be nominated/deputed for all types of training courses.
- e. The festivals/ events related to Scheduled Tribes communities like Birsa Munda, Eklavaya and Sevalal Maharaj Jayanthi events may be supported/encouraged by the Management.
- f. Three language policy needs to be adopted for the exams for recruitment of the ST employees to various posts at Units of BHEL.
- g. The renovation of Ambedkar Nagar Arch may be completed in time bound manner as requested by SC/ST Employees Welfare Association of Tiruchirappalli unit of BHEL.
- h. The ST employees working as Artisans may be promoted in time bound manner.
- i. The employee, who obtained bogus ST certificate may be terminated and make fresh recruitment.
- j. The certificates of various "Training(s)/courses" conducted by the BHEL in various fields should be issued by the Management to ST employees who attended the training courses.

5. After meeting with SC/ST Employees Welfare Associations, Units of BHEL, Hon'ble Member, NCST, in the presence of Secretary, NCST and Sr. Officers of NCST reviewed BHEL with the CMD and Sr. Officers of BHEL regarding safeguards made available to the Scheduled Tribes employees of BHEL. After a round of introduction, Secretary, NCST briefed all present about the functions and duties of the National Commission for Scheduled Tribes and requested CMD, BHEL to apprise about the activities undertaken by the BHEL management for the welfare and protection of Scheduled Tribes Employees. A Power Point presentation was made about the background, objectives and activities of the BHEL, the manpower, reservation status, roster, recruitment, SC/ST grievance cell and other activities.

6. It was reported to the Commission that the BHEL has 16 manufacturing units, 02 repair units, 04 regional offices, 08 service centers, 15 regional centers and more than 150 project sites across India and abroad. The BHEL engages in welfare activities/programmes in the local areas in which any unit /division /site / office of BHEL is located and districts contiguous thereto. BHEL plays a major part in contributing to social welfare activities in rural areas in the vicinity of its operations, especially near manufacturing.

7. In the BHEL Board Management, one independent director belongs to ST category. The NCST reviewed BHEL on 11.09.2018 and ATR was submitted by BHEL vide its letter dated 04.05.2019. The Commission was informed that the total number of employees is 29043 out of which there are 2203 ST employees which constitute 7.59%. There are 11493 Group A



अनंत नायक/ANANTA NAYAK
सदस्य/Member
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employees out of which 968 belong to ST category which constitute 8.42%, there are 3736 total employees in Group – B out of which 449 belong to ST category constituting 12.02% and out of 13814 employees in Group – C category, 786 belongs to ST category constituting 5.69%.


8. Observations of the Commission: -

The Commission observed that the BHEL has setup in December, 2021 an Internal Grievance Committee for redressal of problems of ST employees. The reservation policy in case of contractual employees is also followed by BHEL. In the Board of Director, BHEL, there is one Director who belongs to ST category. BHEL has also reported about appointment of Liaison Officers at Unit level.

9. Recommendations:-

After discussion with CMD & other Sr. Officers of BHEL on various issues affecting the Scheduled Tribe employees in BHEL and on the issues raised by SC/ST Employees Welfare Association of various units of BHEL, the Commission makes the following recommendations:-

- a. Management of BHEL may examine and consider the issues raised by the SC/ST Employees Welfare Association noted at para 5 (a) to (j) and send their comments/action taken reports to the Commission.
 - b. The Unit-wise and Post-wise total number of employees and the number ST employees therein along with ST percentage may be furnished to the Commission.
 - c. The Liaison officer separately for Scheduled Tribes employees may be appointed/nominated in the various units of BHEL.
 - d. The information about Internal Grievance Redressal Committee may be given to all SC/ST Employees Welfare Association at various Units of BHEL and also ensure grievance redressal online.
 - e. An action plan requires to be prepared for proper representation of ST in the administration/ management of the BHEL.
 - f. The minutes of last two meetings of Management of BHEL with SC/ST Employees Welfare Associations of various Units and action taken by the Management thereon may be furnished.
 - g. The APARs of the ST employees to be disclosed to the individual candidate.
10. BHEL to send the action taken reports on recommendations above to the Commission within one month from receipt of the Minutes.


(Ananta Nayak)

Member, National Commission for Scheduled Tribes
New Delhi

अनंत नायक/ANANTA NAYAK
सदस्य/Member
राष्ट्रीय अनुसूचित जनजाति आयोग
NATIONAL COMMISSION FOR SCHEDULED TRIBES
भारत सरकार/Govt. of India
नई दिल्ली/New Delhi

Annexure

List of participants of the Review Meeting held on 26.09.2023 at BHEL, New Delhi under the Chairmanship of Shri Ananta Nayak, Hon'ble Member, NCST, New Delhi.

I	<u>National Commission for Scheduled Tribes</u>
1.	Smt. Alka Tiwari, Secretary
2.	Shri K. Touthang, Joint Secretary
2.	Smt. Miranda Ingudam, Director
3.	Shri R.K. Dubey, Dy. Director
4.	Shri R. S Misra, Research Officer
5.	Shri R.K Tripathy, Spl. Rapporteur
6.	Shri Neelmani Thakur, JLRC
II.	<u>BHEL, Management</u>
1.	Dr. Nalin Singhal, CMD
2.	Shri K.K. Thakur, Director (HR)
3.	Shri M. Isadore, ED/HR
4.	Shri Sunil Kumar, GM & CLO, BHEL
5.	Ms. Shilpa Mayankar, Sr. DGM (HR)
III.	<u>SC/ST Employees Welfare Association of various units of BHEL</u>
1	श्री आशीर्वाद हेम्रम, Dy. Engineer
2	श्री रघुवीर मीना, अभियंता
3	Shri Jaipal Singh Kadope, Sub. Add. Eng.
4	Shri Mahindra Kumar Bhagat, AGM, President ST Welfare
5	श्री सुनील कुमार, महा प्रबंधक, मुख्य सम्पर्क अधिकारी
6	Shri Jafar Ali, AGM, LO, PSTS Noida
7	श्री के.बी. गुडटे, Sr. DGM, ROD- SP, New Delhi
8	श्री सुभाष चन्द, उप महा प्रबंधक, नोएडा (सम्पदा विभाग)
9	श्री विमल एक्का, कार्यपालक (वित्त)
10	Shri Amit Ranjan Kachap, Dy. Officer (HR)

11	Shri G. Arul Das, Artisan-I	
12	Shri Manish Chauhan, Artisan Grade - I	
13	Shri Babloo Kumar Gond, Artisan Grade-I	
14	Shri R. Bala Krishna, Artisan Grade-II	
15	Shri R. Hari Singh, Technician	
16	Shri Sonu Majhi , MGR	