



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/39/NALCO/2023-SSW

Dated: 25/01/2024

To,

Shri Sridhar Patra,
Chairman-Cum-Managing Director,
National Aluminium Company Ltd. (NALCO),
NALCO Bhawan, P/1, Nayapalli,
Bhubaneswar - 751013 (Odisha)
(Ph No. 0674-2300250)
(Email: cmd@nalcoindia.co.in)

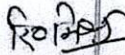
Sub: Review of Constitutional Safeguards for Scheduled Tribes of NALCO.

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 12.12.2023 at NALCO, Bhubaneswar.

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 Commission.

Yours faithfully,


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

Copy for information to:

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

राष्ट्रीय अनुसूचित जनजात 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 NATIONAL ALLUMINUM COMPANY LTD., (NALCO), BHUBNESHWAR 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/39/NALCO/2023-SSW]


Date of Review: 12.12.2023 at NALCO, Bhubneshwar

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 the constitutional provisions, the Union and every State Govt. shall consult the Commission on all major policy decisions affecting Scheduled Tribes. The Commission presents its Reports to the Hon'ble President of India and all such Reports of the Commission upon the working/implementation of the Constitutional safeguards provided for Scheduled Tribes 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 by the Ministry of Tribal Affairs, Government of India.

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, NALCO (under the Ministry of Mines) on 12.12.2023 to evaluate the working of Constitutional safeguards available to the Scheduled Tribes in the NALCO 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 NALCO, present in the Review Meeting at 11:30 AM on 12.12.2023 and office bearers of SC/ST Employees Welfare Association, NALCO and ST employees of NALCO, who attended the meeting at 10:00 AM on 12.12.2023 is Annexed.

4. Before the Review Meeting on 12.12.2023, 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 NALCO SC/ST Employees Welfare Association of (M&R Complex), Damanjodi, Koraput (Odisha); NALCO Corporate SC & ST Employees Welfare Association Bhubaneswar and NALCO SCs & STs Employees Welfare Association (S&P Complex), District Angul and Liaison Officer, NALCO on the problems and difficulties faced by ST employees in the organization. The officer bearers of these associations, NALCO and Liaison Officer has drawn the attention of the Commission on the following issues:-


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

- a. ST Employees are not promoted to the post of Executive(s).
- b. Adequate funds are not allocated to the SC/ST Welfare Association(s) for undertaking various social, cultural and welfare activities / celebrations.
- c. Reservation is not followed in case of lateral entry to the post of Executives.
- d. There is no record of the SC/ST candidates engaged on outsourced basis.
- e. Special Drive for recruitment of ST candidates has not been conducted by the company since a long time.
- f. The reservation policy for conversion from Technical Grade –II to Supervisory Grade is not followed.
- g. The provision of relaxation in promotion with regard to zone of consideration and extended zone are not followed in the company.
- h. The company is not providing special training to ST employees to upgrade their skill i.e communication, conversation, industrial visit and attending seminars.
- i. Two additional representatives may be included in House Allotment Advisory Committee of the company.
- j. The Management has not given proper status to the Association (s).
- k. The reservation policy in recruitment and allotment of seats for tribal students are not followed in the Delhi Public School (English Medium) and Saraswati Vidya Mandir (Odiya Medium).
- l. The member of displaced families working in the company may not be counted as ST employee.
- m. Preference may be given to members of displaced families in the recruitment of the company.

5. After meeting with SC/ST Employees Welfare Association(s), NALCO, the Hon'ble Member, NCST, in the presence of the Secretary, NCST and Sr. Officers of NCST reviewed NALCO with the CMD and Sr. Officers of NALCO regarding issues affecting the Scheduled Tribes employees in NALCO. After a round of introduction and briefing from Secretary, NCST regarding the functions and duties of the NCST, the CMD, NALCO then apprised the Commission about the activities being undertaken by the NALCO for welfare and protection of Scheduled Tribes employees followed by a power point presentation on the Background; Performance; Regular Manpower Position; Liaison Officer for STs; Employment given to Project Affected Families, concession to candidates in direct recruitment and CSR Activities.


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

The National Aluminum Company Ltd. (NALCO) is a Navratan CPSE under M/o of Mines established on 07.01.1981 with its office at Bhubaneswar. The company is Group A, CPSE, having integrated and diversified operations in mining, metal and power. Presently, Government of India holds 51.28% equity of NALCO, Globally, NALCO has achieved the distinction of being the lowest cost producer of Bauxite and Alumina in the world as reported by M/s Wood Mackenzie.

NALCO is the one of the largest integrated Bauxite-Alumina-Aluminum- Power Complex in the Country. At present, it has 68.25 lakh TPA Bauxite Mines & 21.00 lakh TPA Alumina Refinery and 4.60 lakh TPA Aluminum Smelter & 1200MW Captive Power Plant. The company has registered sales offices in Delhi, Kolkata, Mumbai, Chennai and 7 operating stockyards at various locations in the Country to facilitate domestic consumers.

600 families have been enlisted jointly by District Administration(s) and NALCO as land displaced families, out of which one member from each 599 families have already been provided regular employment in NALCO on the basis of Para 2.1 of the Rehabilitation Policy. The case of remaining one family is pending due to non finalization of nominee from the family by the district administration.

6. Observations of the Commission:

In the reply to NCST Questionnaire, the NALCO has informed that total number of employees in the company were 6277 (on 02.07.1997), 7425 (on 31.03.2014) and 5190 (on 31.03.2023). As on 31.03.2023, the total No. of employees are 5190. The Group-A Employees were 5188 out of which 145 belong to ST category (9.13%), Group-B employees were 2322 out of which 548 belong to ST category (23.60%), Group-C employees were 1270 out of which 304 belong to ST category (23.94%) and Group-D employees were 10 out of which 2 belong to ST category (20%).

7. Recommendations of the Commission:-

After detailed discussion with CMD & other Sr. Officers of NALCO on various issues affecting the Scheduled Tribe employees in NALCO, the Commission makes the following recommendations:-

- The post wise sanctioned strength position of the employees of the NALCO may be supplied, as the number of employees of the company informed by NALCO on 02.07.1997, 31.03.2014 and 31.03.2023 are different.
- The case wise detail of families displaced and rehabilitated by NALCO for acquiring the land for the project(s) may be furnished.
- Detail of last Recruitment Drive conducted by NALCO for filling of vacant posts reserved for ST may be informed.
- Specialized training to be given to officers/employees belonging to Scheduled Tribes for enhancing their skills.
- The preparatory coaching may be imparted to ST employees for promotion(s) and recruitment for various posts in the company.
- Online grievance mechanism portal may be operationalised immediately.


अनंत नायक/ANANTA NAYAK

सदस्य/Member

राष्ट्रीय अनुसूचित जनजाति आयोग

NATIONAL COMMISSION FOR SCHEDULED TRIBES

भारत सरकार/Govt. of India

नई दिल्ली/New Delhi

- g. Internal Grievance Redressal Committee for STs (as advised by NCST in August, 2021) may be setup and information to be given to all employees.
- h. Roster for all posts may be made online, for easy access of ST employees.
- i. The provision of relaxation in promotion adopting zone of consideration and extended zone, as prescribed by DoPT may be implemented.
- j. The reservation for STs in outsourced posts may be adopted by making this provision(s) in tenders for awarding the works.
- k. The reservation in recruitment and seats for education to employees and students for STs may be made applicable in the schools (DPS and Saraswati Vidya Mandir) run by NALCO.
- l. Structured meetings with SC/ST Employees Welfare Association(s), NALCO may be convened regularly. The action taken report on the points raised in the previous meeting may also be presented in the next meeting.
- m. The Liaison officers may be sent for training about the roster and reservation policies for STs.
- n. Two additional representatives may be included in House Allotment Advisory Committee of the company.
- o. The necessary basic facilities may be extended to SC/ST Employees Welfare Association(s). The training programme/other important activities conducted by NALCO for Welfare of STs Employees may be brought to the notice of all association(s) of the company by the management promptly.
- p. The members of displaced families who got employment in the company may not be adjusted against the ST vacancies.
- q. Preference may be given to member of land displaced families in the recruitment of the company.



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 12.12.2023 at NALCO, 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.	Smt. Miranda Ingudam, Director
3.	Shri R.K. Dubey, Dy. Director
4.	Shri R. S Misra, Research Officer
5.	Shri P.K. Parida, PS to Hon'ble Member
6.	Shri Govardhan Munde, Sr. Investigator
7.	Shri D.K. Palai, UDC, NCST, (RO-BBSR)
II.	<u>NALCO, Management</u>
1.	Shri Sridhar Patra, CMD
2.	Shri Radheshyam Mahapatra, Dir (HR)
3.	Shri Asutosh Rath, CGM (Admn & PRCC)
4.	Shri Amarendra Kumar Mihsra, GGM (H&A), M&R Complex, Damanjodi
5.	Shri Chandra Mohan Mohanta, GM (H&A), S&P Complex, Angul
6.	Shri Saroj Kumar Patra, GM (H&A) Corporate Office
7.	Shri V. Purivando, AGM, Corporate Office
8.	Shri H.S. Pradhan, GM (H&A) Corporate Office
III.	<u>SC/ST Employees Welfare Association of NALCO</u>
1	Shri Nunath Marndi, Chargeman-II, Damanjodi
2	Shri Satrugan Khora, Chargeman-II, Damajodi
3	Shri Pune Chandra, Sr. Tech, Grade-I, Damanjodi
4	Shri B. Naik, Sup Operator, Grade-I, Angul
5	Shri K. Dehury, President, NALCO SC/ST Empl. Welfare Asso. , Angul
6	Shri B.K. Naik, JO (Sectt), Co. Office
7	Shri Sukadev Pattayat, Advisor, NCST-EWA, Damajodi
8	Shri Peter Topno, Jr. Officer/Co. Office

9	Shri Balabhadra Naik, Dy. Manager (Sectt)
10	Shri Rama Chandra, Jr. Officer/Co. Office
11	Shri Jatindra Naik, Jr. Office (Sectt)
12	Shri Santosh Kumar Sethi, JO (S)
13	Shri Mihir Kumar Jeena, JO (S)
14	Shri B.S. Das, Jr. Executive Officers, BBSR

No. AS-13/1/2021-SCT-PNG
भारत सरकार
Government of India
पेट्रोलियम और प्राकृतिक गैस मंत्रालय
Ministry of Petroleum & Natural Gas
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शास्त्री भवन, नई दिल्ली
Shastri Bhawan, New Delhi
दिनांक: 17th August, 2021

To

1. The Chairman & Managing Director
IOCL, HPCL, BPCL, ONGC, GAIL(India) Ltd., EIL, CPCL, OIL, NRL, CPCL, BLL
2. Secretary, OIDB
3. The Registrar
RGPIT, IIPE

Subject: Constitution of "Internal Grievance Committee" in redressal of employment/service related grievances of Scheduled Tribe employees- reg.

Sir,

I am directed to forward herewith a copy of the National Commission for Scheduled Tribes D.O. No. 18/01/NCST(IGR)2021-Coord dated 3rd August, 2021 on the above subject for necessary compliance under intimation to this Ministry. The National Commission for Scheduled Tribes may also be intimated about the action taken.

भवदीय
Yours faithfully,

(मोहम्मद रेयज़ान नज़मी)
(M.R. Nazmi)

अवर सचिव, भारत सरकार

Under Secretary to the Govt. of India

Encl: As above.

अलका तिवारी, भा.प्र.से.

सचिव, भारत सरकार

ALKA TIWARI, I.A.S.
SECRETARY TO GOVT. OF INDIA

सत्यमेव जयते

भारत सरकार
राष्ट्रीय अनुसूचित जनजाति आयोग
GOVERNMENT OF INDIA
NATIONAL COMMISSION FOR SCHEDULED TRIBES

D.O.No. 18/01/NCST(IGRC)2021-Coord.

3rd August, 2021

Respected Sir,

As you are aware, the National Commission for Scheduled Tribes (the Commission) has been set up under Article 338A of the Constitution of India on 19.02.2004 and vested with the responsibility, inter-alia, to investigate and monitor all matters relating to the safeguards provided to the Scheduled Tribes under the Constitution or under any order of the Government and other laws for the time being in force and to evaluate the working of such safeguards.

2. Every year, the Commission receives a large number of complaints relating to service matters on issues such as (i) Non maintenance of reservation roster and not filling up of reserved vacancies, (ii) Discrimination in promotion/seniority/MACP/ACP, (iii) Non-appointment on compassionate grounds, (iv) Downgrading of APARs, (v) Termination /dismissal from service, (vi) Discrimination in transfer/posting (vii) Denial of pensioner benefits etc.

3. To ensure active participation of various Government Departments in redressal of employment/service related grievances of Scheduled Tribe employees, the Commission recommends that the Departments and the Autonomous Bodies/PSUs/Attached/Subordinate offices, which are controlled by the Department should constitute an "Internal Grievance Committee". The composition of the committee may be as under:

(i)	SAG level officer of the Ministry/Department	Chairperson
(ii)	SAG/Director level officer of external Department (Scheduled Tribe)	Member
(iii)	Chief Liaison Officer/Liaison Officer (not below the rank of Deputy Secretary)	Member
(iv)	Director/Deputy Secretary level Officer (Having good knowledge of rules & procedure of Govt. of India)	Member
(v)	ST Officer of Director/Deputy Secretary/Deputy Director level (preferably lady to be nominated from other Ministry/Department in case an officer is not available within the Ministry/Department)	Member

.....2/-

Set.

-2-

(Note: In so far as Internal Grievance Committee to be set up in Autonomous Bodies /PSUs / Attached / Subordinate Offices under the Central Govt. Department is concerned, the Committee may be chaired by an Executive Director level Officer with the Chief Liaison Officer and a senior officer belonging to ST community as members).

4. The Internal Grievance Committee will examine the complaints of the employees belonging to Scheduled Tribes on matters such as (i) Non-maintenance of reservation roster and not filling up of reserved vacancies, (ii) Discrimination in promotion/seniority/MACP/ACP, (iii) Non-appointment on compassionate grounds, (iv) Adverse/downgrading of APARs, (v) Termination/dismissal from services, (vi) Discrimination in transfer/posting (vii) Denial of pensioner benefits etc. and take necessary action for immediate redressal of the grievances. The Committee will prepare monthly report and submit to the Head of Organization who will monitor the action taken on the grievances and submit a quarterly report to the Commission including the reports received from the Autonomous Bodies/PSUs/Attached/Subordinate offices under the administrative control of the Department, in the format given below:

Quarterly Report for the period fromto

Sl.No.	No. of grievances registered	No. of grievances successfully redressed	No. of grievances unresolved	Action taken against wilful defaulting officer(s)	Remarks
1	2	3	4	5	6

With regards,

Yours sincerely,

Artisan
(Alka Tiwari) 8/21

Shri Tarun Kapoor
Secretary
Ministry of Petroleum & Natural Gas
Shastri Bhawan A-Wing,
Dr. Rajendra Prasad Road,
New Delhi-110001