



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/40/PPT/2023-SSW

Dated: 07/02/2024

To,

Shri P. L. Haranadh, IRTS,
Chairman,
Paradip Port Authority (PPA),
Administration Building Port Trust,
Paradeep Municipal Coast Guard,
Paradeep-754142 (Odisha)
(Email: chm@paradipport.gov.in)

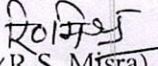
Sub: Review of Constitutional Safeguards for Scheduled Tribes of PPT.

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 13.12.2023 at Paradip (Odisha).

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)
अनुसंधान अधिकारी/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 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 PARADIP PORT AUTHORITY., (PPA), ODISHA 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.

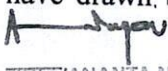
[File No. Review/40/PPT/2023-SSW]
Date of Review: 13.12.2023 at Paradip, Odisha

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 Chairperson and other senior officers, PPA (under the Ministry of Ports, Shipping and Waterways) on 13.12.2023 to evaluate the working of constitutional safeguards available to the Scheduled Tribes in the PPA 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 PPA, present in the Review Meeting at 12:00 Noon on 13.12.2023 and office bearers of SC/ST Employees Welfare Association, PPA and ST employees of PPA, who attended the meeting at 06:00 PM on 12.12.2023 is Annexed.

4. Before the Review Meeting on 13.12.2023, 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 PPT SC/ST Employees Welfare Association, Paradip, District-Jagatsinghpur (Odisha) on the problems and difficulties faced by ST employees in the PPA. The officer bearers of associations PPA and Liaison Officer have 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

- i. The Paradip Port Authority need to take immediate action to fill up vacant posts earmarked for ST Employees. The report prepared by the PPA Management as submitted to Ministry of Ports, Shipping and Waterways has not taken into account the total sanctioned cadre strength in line with the post based roster. Necessary action is required to be initiated immediately to fill up the backlog vacancies of Scheduled Tribes.
- ii. Reservation policy is not followed by the Management for outsourced jobs. The Association has many times requested PPA Authority to issue Administrative Circular to Outsourced Contractor to keep percentage of reservation meant for STs as per Government Guideline but it has not been implemented so far;
- iii. New Projects Works have been taken up on BOT basis. The BOT operators may be asked to engage the ST Employees as per reservation policy of the Government.
- iv. The SC/ST cell of the PPA may be strengthened and made more functional. Well furnished room with 2/3 trained officials for operating the Cell may be provided;
- v. The ST employees are not given opportunity for promotion to the higher post.
- vi. The ST related programmes (like protection, safeguards and reservation policy/roster etc.) training should be arranged/imparted to the ST employees.
- vii. The hostel facilities for ST trainees/candidates called for the interview/tests by the PPA may be created by the PPA under CSR activities, as there are no such facilities in Paradip.
- viii. The Birsa Munda School, Paradip may be run by Management of PPA under the CSR activities.

5. After meeting with office bearers of SC/ST Employees Welfare Association(s), PPA, the Hon'ble Member, NCST, in the presence of the Secretary, NCST and Sr. Officers of NCST reviewed PPA with the Chairperson and Sr. Officers of PPA regarding issues affecting the Scheduled Tribes employees in PPA. After a round of introductions and briefing from Secretary, NCST regarding the functions and duties of the NCST, the Chairperson, PPA then apprised the Commission about the activities being undertaken by the PPA for welfare and protection of Scheduled Tribes Employees followed by a power point presentation on the location and features of PPA, awards won by PPA, Principal Commodity Wise Traffic Handled during last 03 years, Financial Performance in last 03 years, recently completed projects, upcoming projects, enhancing port connectivity of PPA, Port led industrialization, smart initiative, PPA vision 2047, manpower strength (as on 01.12.2023) implementation of reservation policy, status of ST employees, backlog vacancies (as on 01.12.2023) posts beyond the purview of the reservation and CSR activities under taken by PPA during last 03 years.

6. Observations of the Commission:

In the reply to NCST Questionnaire, the NALCO has informed that the total number of employees in the company were 2389 (on 02.07.1997), 1899 (on 31.03.2014) and 509 (on 31.03.2023). As on 31.03.2023, the total No. of employees are 509. The Category CL-I Employees were 91 out of which 11 belong to ST category constituting 12.09%; Category CL-II employees were 52 out of which 05 belong to ST category constituting 9.62%, Category CL-III employees were 320 out of which 99 belong to ST category constituting 30.94% and


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 नई दिल्ली/New Delhi

Category CL-IV employees were 41 out of which 11 belong to ST category constituting 26.83%. The five sanitary health worker belong to SC category

7. Recommendations of the Commission:-

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

- i. The category wise sanctioned strength position of the employees of the PPA may be supplied, as the number of employees of the PPA informed by the management on 02.07.1997, 31.03.2014 and 31.03.2023 are different.
- ii. The backlog vacancies reserved for STs may be filled on priority basis.
- iii. Comparative statement indicating the general and ST employees sent for skill development programmes / training during last 03 years may be furnished.
- iv. Grievance Redressal Mechanism to be made online.
- v. Internal Grievance Redressal Committee for STs (as advised by NCST in August, 2021 to All Central Ministries/Department) may be setup and information given to all employees and SC/ST Employees Welfare Association.
- vi. Roster for all posts (where reservation is applicable) may be prepared on the basis of sanctioned posts and made online, for easy reach of ST employees.
- vii. The reservation for STs in outsourced posts may be adopted by making the provision(s) in tender(s) for awarding the works.
- viii. Structured meetings with SC/ST Employees Welfare Association(s), PPA may be convened regularly in a periodic manner. The minutes of meeting may also be communicated to SC/ST Employees Welfare Association. The action taken report on the points/recommendation/suggestions of the previous meeting may also be brought in the next meeting.
- ix. The Liaison officer(s) may be sent for training about the rosters and reservation policies for STs.
- x. The SC/ST cell of the PPA may be strengthened and made functional.
- xi. Special training / programmes may be imparted to ST employees for enhancing their skills before promotion to the higher post.
- xii. As assured by Chairperson of PPA in the meeting, the Birsa Munda School at Paradip to be handed over to Birsa School Management Association by March, 2024. The action taken by the PPA management may be informed to the SC/ST Employees Welfare Association, Paradip.



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 13.12.2023 at PPA, Paradip, District-Jagatsinghpur (Odisha) 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>Paradip Port Authority</u>
1.	Shri P. L. Harandh, Chairperson
2.	Shri Nilabhra Dasgupta, Dy. Chairperson
3.	Shri P.N. Bahekar
4.	Shri H.S.Rout
5.	Shri R.N. Mishra
6.	Shri B.S. Naik, Liaison Officer
7.	Shri G. Edison, Traffic Manager, PPA
8.	Caption A. Sahoo, Dy. C, PPA
9.	Shri P. Tudu, Dy. Secretary
III.	
	<u>SC/ST Employees Welfare Association of PPA</u>
1	Shri Paresh Murmu, Working President
2	Shri Sumit Lahura, EE (Mech).
3	Shri Narayan Behura, AE, (Elect)
4	Shri R. N. Sahoo, Advisor
5	Dr. Bibhu Prasad Tarai, President
6	Shri Padamcharanthe Durre, President,
7	Shri G.D. Sethi, Secretary
8	Shri M.S. Naik, SE (Mech)
9	Shri B.S. Naik, SE (Electric) & Liaison Officer
10	Shri Maheswar Soren, T.F

अलका तिवारी, भा.प्र.सं.

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.

 6th Floor, Loknayak Bhawan, Khan Market, New Delhi -110003
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(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,

Alka Tiwari
(Alka Tiwari) 8/21

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