



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/GAIL/37/2023-SSW

Dated: 26/02/2024

To,

Shri Sandeep Kumar Gupta
Chairman-cum-Managing Director
Gas Authority India Ltd. (GAIL),
GAIL Bhawan , 16 Bhikaji Cama Place, R.K Puram
New Delhi – 110066
Phone:- 26172580

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

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 Vice-Chairperson (Acting), National Commission for Scheduled Tribes (NCST) on 20.02.2024 at NCST, 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 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 (Acting), 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 GAS AUTHORITY OF INDIA LTD. (GAIL) 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/GAIL/37/2023-SSW]
Date of Review: 20.02.2024 at NCST, 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 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 Vice – Chairperson (Acting), 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-Cum-Managing Director and other senior officers, GAIL (under the Ministry of Petroleum and Natural Gas) on 20.02.2024 to evaluate the working of constitutional safeguards available to the Scheduled Tribes in the GAIL 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 GAIL, present in the Review Meeting at 11:45 AM on 20.02.2024 and office bearers of GAIL SC/ST Employees' Welfare Association, (GSEWA) who attended the meeting at 10:45 AM on 20.02.2024 at NCST, Lok Nayak Bhawan, Khan Market, New Delhi is Annexed.

4. Before the Review Meeting on 20.02.2024, the Hon'ble Vice-Chairperson (Acting), NCST, in the presence of Secretary, NCST, Joint Secretary and other officials of the Commission had interaction and discussion with Office bearers of GSEWA on the problems and difficulties faced by ST employees in the GAIL. The officer bearers of the GSEWA have drawn the attention of the Commission on the following issues:-



अन्ता नायक/ANANTA NAYAK
कार्यवाहक उपाध्यक्ष/Acting Vice-Chairperson
राष्ट्रीय अनुसूचित जनजाति आयोग
NATIONAL COMMISSION FOR SCHEDULED TRIBES
भारत सरकार/Govt. of India
नई दिल्ली/New Delhi

- a. The short fall / backlog vacancies reserved for STs need to be filled up on priority basis.
- b. The ST employees having outstanding APARs are dropped from the list of candidates for promotion to higher posts due to decisive parameters adopted by the management.
- c. The STs employees are not deputed / nominated in foreign training programmes.
- d. ST employees are rarely given promotion on time especially at higher levels i.e ED posts.
- e. The scholarship scheme for SC/ST students (twenty for engineering and ten for medical education) may be started by GAIL by bearing full academic tuition fee.
- f. In order to increase participation of SC/ST entrepreneurs, the following points may be considered by management.
 - Provision of trial orders of small value purchases and relaxation in Bid Evaluation Criteria (BEC) be provided to trained EDP candidates.
 - Some specific procurement (Service or Supply) should be reserved for successful EDP SC/ST Entrepreneurs
 - In order to provide opportunities to actual SC/ST entrepreneurs and to eliminate Benami/Frivolous SC/ST entrepreneurs, WHOLLY OWNED SC/ST Entrepreneurs /Firms in procurement process (including GEM) should be considered.
- g. The reservation policy needs to be implemented by GAIL in allotment of CNG stations and hiring of trucks for transportation of CNG/LPG and petrochemicals product of GAIL.
- h. The reservation policy may be implemented in the joint venture companies of the GAIL.
- i. The reservation for STs may be implemented in the education institutions, hospital and other societies run by GAIL.
- j. There is need to focus the utilization of CSR funds in Scheduled Tribes inhabited Areas.
- k. There should be ST representation in Board of Director of the GAIL.

5. After meeting with office bearers of GSEWA, the Hon'ble Vice-Chairperson (Acting), NCST, in the presence of the Secretary, Joint Secretary and other Sr. Officers of NCST reviewed GAIL with the CMD and Sr. Officers of GAIL regarding issues affecting the Scheduled Tribes employees in GAIL. After a round of introduction and briefing from Dy. Director, NCST regarding functions and duties of the NCST, the CMD, GAIL apprised the Commission about the activities being undertaken by the GAIL for welfare and protection of Scheduled Tribes Employees followed by a power point presentation on the growth, journey (from 1984 to 2023), present business and energy portfolio of GAIL. In addition to this, position of employees in the company as on 30.01.2024, concessions / relaxations given to STs in direct recruitment, mechanism to ensure proper implementation of reservation policy, measures taken for welfare of STs working in GAIL and GAIL HRIDAY – CSR initiatives of GAIL.



अनंत नायक/ANANTA NAYAK

कार्यवाहक उपाध्यक्ष/Acting Vice-Chairperson

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HRIDAY (GAIL CSR Philosophy) indicates following:-

- i. SAKSHAM (care for elderly and Differently Able)
- ii. UNNATI (Rural Development)
- iii. HARIT (Environmental Projects)
- iv. AROGYA (Health)
- v. UJJAWAL (Education)
- vi. SASHAKT (Women Empowerment)
- vii. KAUSHAL (Skill Development)

GAIL (India) Ltd. was incorporated in August, 1984 as a Central Public Sector Undertaking (PSU) under the Ministry of Petroleum & Natural Gas (M/o P&NG), with the mission of "accelerating and optimizing the effective and economic use of Natural Gas and its fractions for the benefit of the national economy". GAIL was formed with the objective, inclusive of the following:-

- To create necessary infrastructure for transportation, processing and marketing of gas
- To plan, design and construct pipelines, distribution systems and fractionation facilities (for extraction of LPG and C2/C3).

Being a Government Company under the administrative control of the Ministry of Petroleum and Natural Gas (M/o P&NG), Government of India, the Directors are nominated / appointed by the Government of India. Major shares are held with the Government of India. As on 30 June 2023, the President of India holds 51.52% shares of the Company. GAIL became a Navratna in 1997 followed by being conferred upon 'Maharatna' status in 2013 and is now one of the thirteen Maharatna Public Sector Undertaking, the highest status conferred to any PSU. GAIL's businesses consist of transmission and marketing of Natural Gas and GAIL is also involved in transmission of LPG, manufacturing of Petrochemicals and Liquid Hydrocarbon. GAIL is a pioneer in city gas distribution (CGD) business in India. It has presence in 67 Geographical Areas across India. The manpower of GAIL was reported 4981 (as on 30.09.2023) and 5019 (as on 30.01.2024)

6. Observations of the Commission:

In the reply to NCST Questionnaire, the GAIL has informed that the total number of employees in the company were 2133 (on 02.07.1997), 4021 (on 31.03.2014) and 4823 (as on 31.03.2023). As on 31.03.2023, the total No. of employees were 4823. The Management Group Employees were 3782 out of which 270 belong to ST category constituting 7.1%; and non management Group employees were 1041 out of which 58 belong to ST category constitute 5.5%. The total ST employees 4823 out of which 328 belongs to ST category constituting 6.8%. The total number of employees reported in different years did not match. The Action Taken Report on the meeting held on 05.04.2023 at NCST for review of utilization of CSR funds by the GAIL has been submitted.



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7. **Recommendations of the Commission:-**

After detailed discussion with CMD & other Sr. Officers of GAIL on various issues affecting the Scheduled Tribe employees in GAIL, the Commission recommends as under:-

- a. Action to be taken on the issues raised by the GSEWA as mentioned in Para 4.
- b. The category wise sanctioned strength position of the employees (management & non management) of the GAIL may be furnished as the number of employees of the GAIL informed by the management on 31.03.2023 and 31.01.2024 are different.
- c. Details of employees of the GAIL with ST employees therein working in the projects of GAIL (and State wise) may be furnished.
- d. Recruitment policy and process being adopted by the GAIL to fill up the backlog vacancies reserved for STs during 2023-24 may be furnished.
- e. Details of training imparted to ST employees before promotion to higher post by the GAIL may be provided.
- f. The details of employees including ST employees sent for training abroad during 2023-24 may be furnished.
- g. Details of employees including ST employees, who were transferred during last three years may be furnished.
- h. There is need to ensure ST representation in the higher posts (i.e Executive Director and other higher posts) of the GAIL.
- i. The minutes of structural meeting held in December, 2023 with management and GSEWA may be communicated to GSEWA. The action taken report on the points/recommendation/suggestions of the previous meeting may also be brought in the next meeting.
- j. The Liaison officer may be sent for training about roster and reservation policies for STs.
- k. Special training / programmes may be arranged / imparted to ST employees for enhancing their skills for betterment and promotion to the higher posts.
- l. The employees of the GAIL may be sensitized about the nature, culture and custom of ST employees.
- m. An Internal Grievance Redressal Committee for STs (as advised by NCST in August, 2021 to All Central Ministries/Department for setting in the PSUs/subordinate offices, copy of the composition of the committee is enclosed) may be setup and informed to all ST employees and GSEWA, Kanpur (UP).
- n. The Action Taken Report of the meeting held on 05.04.2023 at NCST, New Delhi regarding utilization of CSR funds by the GAIL may be provided.



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