



Government of India
National Commission for Scheduled Tribes

6th floor, 'B' Wing, Loknayak Bhawan
Khan Market, New Delhi-110 003.

File No. KSP/1/2017/MPNG1/DEOTH/RU-I

Date: 15/05/2018

To

The Managing Director / CEO,
Amazon Transportation Services Pvt. Ltd.,
24th floor, World Trade Centre,
Dr. Rajkumar Road,
Malleshwaram West,
Banglore – 560055 (Karnataka).

Sub: Representation of Smt. Kokilaben Sumanbhai Patel, Prop: Kedaria Traders, S/4 Iconic Building, Taluka Panchayat Kacheri Road, Valsad, Gujarat-396001 regarding financial loss to scheduled tribe because of termination of contract on flimsy ground by M/s Amazon Transportation Services Pvt. Ltd., Registered Office at Delhi.

Sir,

I am directed to refer to the subject cited above and to enclose a copy of the minutes of Sitting held in the National Commission for Scheduled Tribes on 08/05/2018 at 11:00 A.M. under the Chairmanship of Shri H. C. Vasava, Hon'ble Member, National Commission for Scheduled Tribes in the matter.

It is, requested that action taken on the suggestions / recommendations of the Commission may please be sent to the NCST at the earliest.

Encl: As above.

Yours faithfully,

(Rajeshwar Kumar)
Assistant Director

Copy for necessary action to:

Shri Kastubh Nandan Sinha,
Amazon Transportation Services Pvt. Ltd.,
Eros Plaza, Eros Corporate Centre,
Nehru Place,
New Delhi – 110019.

(Rajeshwar Kumar)
Assistant Director

Copy to:

Smt. Kokilaben Sumanbhai Patel,
Prop: Kedaria Traders,
S/4 Iconic Building, Taluka Panchayat
Kacheri Road, Valsad,
Gujarat-396001.

Copy for information to:

1. PS to Hon'ble Member, NCST
2. NIC (for hosting on Commission's website)

Govt. of India
National Commission for Scheduled Tribes

(File No. KSP/1/2017/MPNG1/DEOTH/RU-I)

Minutes of sitting held on 08/05/2018 at 11:00 A.M. under the Chairmanship of Shri H. C. Vasava, Hon'ble Member, NCST in the case of Smt. Kokilaben Sumanbhai Patel, Prop: Kedaria Traders, S/4 Iconic Building, Taluka Panchayat Kacheri Road, Valsad, Gujarat-396001 regarding financial loss to scheduled tribe because of termination of contract on flimsy ground by M/s Amazon Transportation Services Pvt. Ltd., Registered Office at Delhi.

List of participants is annexed.

Representation was received from Smt. Kokilaben Sumanbhai Patel, Prop: Kedaria Traders, S/4 Iconic Building, Taluka Panchayat Kacheri Road, Valsad, Gujarat-396001 regarding financial loss to scheduled tribe because of termination of contract on flimsy ground by M/s Amazon Transportation Services Pvt. Ltd., Registered Office at Delhi.

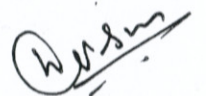
As per procedure, the matter was taken up with the CMD, BPCL for necessary action vide this Commission's Notice dated 26/04/2017. No reply was received from the BPCL. The Hon'ble Member (HCV) had fixed a sitting with the CMD, BPCL for discussion in the matter on 07/06/2017. BPCL Officials appeared before the Commission on the day of sitting and informed to the Commission that above complaints / matters does not concerned with the BPCL, but concerned with the Amazon Transportation Services Pvt. Ltd. The BPCL Officials suggested to the Commission that the matter may be directly taken up with the Amazon Transportation Services Pvt. Ltd. It was also informed that BPCL has no objection if the contract is restored.

Accordingly, Hon'ble Member (HCV) fixed a sitting for 06/07/2017. In the sitting representative of Amazon Transportation Services Pvt. Ltd. (namely Shri Vikas Chopra and Shri Kaustubh Nandan Sinha) appeared before the Commission for discussion. In the sitting, "the Commission suggested to the Amazon to restore the contract service to Kedaria Traders, the petitioner within 30 days at lease for two more years. The representatives of Amazon agreed to this suggestion". The proceedings of sitting were sent on 13/07/2017 to Amazon Transportation with request to submit the action taken report within 15 days, positively and copy endorsed to petitioner.

Representative of M/s Amazon Transportation Services Pvt. Ltd. (Shri Vikas Chopra who appeared in the sitting) as an Advocate vide letter dated 20/07/2017 has denied the points mentioned in the proceedings of the sitting held on 06/07/2017 and requested the Hon'ble Chairman, NCST for hearing on the issue. The Hon'ble Member, Shri H. C. Vasava decided to called a sitting on 16/08/2017. But, this sitting was postponed and re-fixed on 23/04/2018 at 12:00 Noon. In the sitting dated 23/04/2018, a representative from Amazon appeared and stated that the notice for sitting was not received in the organization. The petitioner's husband was attended the sitting.

The Hon'ble Member therefore fixed sitting for 08/05/2018 at 11:00 A.M. for discussion with the Managing Director / CEO M/s Amazon Transportation Services Pvt. Ltd. at Bangalore and the petitioner. In the sitting on 08/05/2018, the M/s Amazon Transportation Services Pvt. Ltd. has deputed Shri Kastubh Nandan Sinha, Office of Amazon at Nehru Place, New Delhi. In addition to that Shri Vikas Chopra on behalf of M/s Amazon Transportation Services Pvt. Ltd. was also present in the sitting. Shri Suman C. Patel appeared on behalf of the petitioner i.e. Kedaria Traders, Valsad, Gujarat.

हरदभाई वसावा/Harshadbhai Vasava
सदस्य/Member
राष्ट्रीय अनुसूचित जनजाति आयोग
National Commission for Scheduled Tribes
भारत सरकार/Govt. of India
नई दिल्ली/New Delhi



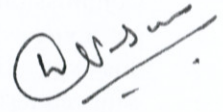
The Hon'ble Member asked representative of Kedaria Traders to explain the grievance. The representative of Kedaria Traders stated that his organisation has invested the money for further business. The organisation have the expertise in effectively dealing the contracted services and requested the contract should be extended so that a tribal woman, an owner of Kedaria Traders get justice.

The representative of M/s Amazon Transportation Services Pvt. Ltd. explained that as per Master Service Agreement signed between Kedaria Traders and M/s Amazon Transportation Services Pvt. Ltd. the Amazon has power to terminate any work order or any portion thereof, without cause and / or without the occurrence of a default, by giving at least (30) days prior written notice to contractor. Accordingly, the Amazon terminated the contract w.e.f. 31/10/2016.

Hon'ble Member asked the representative of the Amazon, who is competent to take a decision for extending the contract on humanitarian ground for helping the scheduled tribe and also the point wise reply on the issue raised in the representation of the petitioner. The representative of M/s Amazon Transportation Services Pvt. Ltd. informed that they will submit the complete address of the competent authority in the organisation and assured that the point wise reply on the issue raised by the petitioner in representation dated 11/04/2017 sent to the Commission.

After detailed discussion, Hon'ble Member, NCST suggested that the following information should be provided by M/s Amazon Transportation Services Pvt. Ltd. to the NCST within a month from the date of receipt of the proceedings, after that Commission will decide further course of action in the matter.

- (i) The point wise reply on the issue raised in the representation dated 11/04/2017 of Kedaria Traders should be submitted by the M/s Amazon Transportation Services Pvt. Ltd. to the Commission.
- (ii) Complete address (Name, Designation and Phone / Fax / Email) of the competent authority in M/s Amazon Transportation Services Pvt. Ltd. who competent to take decision should be informed.



हर्षदभाई वरावा/Harshadbhai Vachava
सदस्य/Member
राष्ट्रीय अनुसूचित जनजाति आयोग
National Commission for Scheduled Tribes
भारत सरकार/Govt. of India
नई दिल्ली/New Delhi

Govt. of India
National Commission for Scheduled Tribes

Annexure

(File No. KSP/1/2017/MPNG1/DEOTH/RU-I)

List of Participants in date of sitting held on 08/05/2018 At 11:00 A.M.

Sr. No.	Name and Designation
I	
<u>National Commission for Scheduled Tribes</u>	
1.	Shri H. C. Vasava, (In chair) Hon'ble Member
2.	Shri P.T. Jameskutty, Deputy Secretary
3.	Shri Rajeshwar Kumar, Assistant Director
4.	Shri R. S. Mishra, Senior Investigator
5.	Shri Manoj Mishra, P.S. to Hon'ble Member
II	
<u>M/s. Amazon Transportation Services Pvt. Ltd.</u>	
1.	Shri Kastubh Nandan Sinha, Eros Corporate Centre, Nehru Place, New Delhi.
2.	Shri Vikas Chopra
III	
<u>Petitioner</u>	
1.	Shri Suman C. Patel, Kedaria Traders, Valsad, Gujarat