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भारत सरकार

Government of India

राष्ट्रीय अनुसूचित जनजाति आयोग

National Commission for Scheduled Tribes

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

File No. BPN/1/2018/MPPP1/DEOTH/RU-I

Dated: 22/10/2018

To

The Secretary,
Department of Personnel & Training,
Room No. 112, North Block,
New Delhi – 110001.
Tel: 23094848, Fax: 23094500.

Sub: Illegal directions by the Parliamentary Committee on SC/ST's to Govt./PSU Organizations to hold meetings of grievances committee with SC/ST combine Associations.

Sir,

I am directed to refer to the subject cited above and to enclose a copy of the minutes of Sitting held on 28.09.2018 at 3:00 P.M. under the Chairmanship of Shri Nand Kumar Sai, Hon'ble Chairperson, 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.

Yours faithfully,

(Rajeshwar Kumar)

सहायक निदेशक

Tel: 011-24641640.

Copy to:

1. Shri B. Prasad Naik,
General Secretary,
Andhra Bank Scheduled Tribe Employees's Welfare Association,
261, MIG II, 9th Phase, KPHB Colony,
Kukatpally
Hyderabad – 500072.
(Telangana).
(Mob: 09490421541).
Email: abstewa@gmail.com
2. President,
All India ST Railway Employees Welfare Association,
No. 34 M.K.M Nagar, Dr. Ambedkar College Road,
Vyasarpadi, Chennai- 600039
3. President,
Bhilai Steel Plant ST Shikshan and Welfare Association,
Street No. 25, Qtr No. 10/B Sector-4,
Bhilai Nagar, District- Durg (Chhattisgarh)
4. General Secretary,
All India Scheduled Castes & Scheduled Tribes Railway Employees Association,
Room No. 7 (Ground Floor), Rail Bhawan,
New Delhi.
Telefax: 23073145.
(Mob: 09717635815).
Email: aisctreacec@yahoo.co.in
5. General Secretary,
SC/ST Employees Welfare Association of BSNL (SEWA),
D-3, Atul Grove Road, Behind Eastern Court,
New Delhi – 110001.
Telefax: 011-23321792.
(Mob: 09868094176).
Email: jaiibheem@sewabsnlcha.com

Copy for information to:

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

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National Commission for Scheduled Tribes


Sub: Minutes of the meeting held on 28.09.2018 at 3.00 PM under the Chairmanship of Shri Nand Kumar Sai, Hon'ble Chairperson, NCST regarding illegal directions by the Parliamentary Committee on SC/ST's to Govt./PSU Organizations to hold meetings of grievances committee with SC/ST combine Associations.

List of participants is annexed.

The General Secretary, Andhra Bank Scheduled Tribe Employees Welfare Association, Hyderabad vide representation dated 03.09.2018 stated that the Parliamentary Committee on Scheduled Castes & Scheduled Tribes issued the directions to Department of Personnel & Training (DoPT) to advise the Government/PSU organizations to hold the grievance redressal committee meetings only with the majority association from combined association of Scheduled Castes & Scheduled Tribes, which is totally against the spirit of our constitution and also violation of the fundamental rights of Scheduled Tribes. Therefore, requested the NCST to advise the DoPT to issue directions to Govt./PSU Organizations to hold meetings of grievances committee with the association formed separately and exclusively for the welfare of Scheduled Tribes. This step of Commission will not only save the ST Employees from the clutches and domination of SC Employees, but also their grievances can be resolved without any bias.

Accordingly, Hon'ble Chairperson, NCST fixed a meeting on 28.9.2018 to discuss the issue with the DoPT and the General Secretary, Andhra Bank Scheduled Tribe Employees Welfare Association, Hyderabad and the officers of All India SCs/STs Railway Employees Association, New Delhi and the SCs/STs Employees of Bharat Sanchar Nigam Limited, New Delhi for facts and solution. In the meeting, the Joint Secretary and Deputy Secretary from DoPT, the General Secretary, Andhra Bank Scheduled Tribe Employees Welfare Association, Hyderabad, officers of All India Scheduled Tribe Railway Employees Welfare Association, Chennai and officers of Bhilai Steel Plant Scheduled Tribes Shikshan and Welfare Association were appeared.

The General Secretary, Andhra Bank Scheduled Tribe Employees Welfare Association, Hyderabad informed in the meeting that the Andhra Bank has not formed a separate ST cell; the Liaison Officer from SCs last 30 years from the inception of cell; the Bank has not promoted the ST candidate in officers/ executive cadre proportionately and not giving the opportunities to ST employees to work in administrative offices, thereby the administrative exposure is lacking. Therefore, the separate ST Employees Welfare Association needs to be formulated for the welfare of Scheduled Tribes in the Andhra Bank.


नंद कुमार साई Nand Kumar Sai
अध्यक्ष Chairperson
राष्ट्रीय अनुसूचित जनजाति आयोग
National Commission for Scheduled Tribes

The representatives of All India ST Railway Employee Welfare Association, Chennai has also informed that the Railway authorities are not recognizing the ST Railway Employee Welfare Association, whereas the various VIPs had referred the matter to Ministry of Railway for granting the recognition to separate ST Welfare Association. The SC/ST Railway Employees Association are not focusing the issues of Scheduled Tribes. Hence, the ST Welfare Association should be formed separately.

The representatives of Bhilai Steel Plant Scheduled Tribes Shikshan and Welfare Association informed that the Association have been registered on 25.01.2016 by the Registrar of Chhattisgarh. This was communicated to related division in the Bhilai Steel Plant, but the Bhilai Steel Plant Management has not given the approval for discussion with the officers of the ST Employees Welfare Associations so far. Hence, Bhilai Steel Plant Management be directed to discuss the issue with the officers of Bhilai Steel Plant Scheduled Tribes Shikshan and Welfare Association for welfare of Scheduled Tribes Employees.

The Hon'ble Chairperson asked the representatives of DoPT to explain the facts and comments in the matter. The representatives of DoPT informed that in the year 1993 the DoPT had notified "the Central Civil Services (Recognition of Service Association) Rules, 1993". Under clause 5 (f) of this rule, it has been mentioned that:

the service Association shall not be formed to represent the interest, or on the basis, of any caste, tribe or religious denomination or of any group within or section of such caste, tribe or religious denomination;

In view of this rule, DoPT is not advising to Government/PSU/Organizations to recognize the separate Associations for SCs and STs. The representatives of Associations present in the meeting informed the DoPT has recognize the OBC Welfare Associations separately.

The Hon'ble Chairperson pointed out that the Government of India is well-wisher of the Scheduled Tribes. Accordingly, in year 1999 had set up a separate Ministry for Scheduled Tribes i.e. Ministry of Tribal Affairs (carved out from Ministry of Social Justice and Empowerment) ; in year 2004 under Article 338 A set up a separate National Commission for Scheduled Tribes (By bifurcation of National Commission for Scheduled Castes and Scheduled Tribes) and the various organizations and schemes have been separated for welfare and advancement of Scheduled Tribes.

The Hon'ble Chairperson and Members feels that demand of Associations is justified as the employment and privileges of ST Employees in the Government/PSU/PSE stand on different footing vis-à-vis other class of employees. Their nature and characteristics too are entirely distinct from other people. So it is imperative to set up a separate forum to address their problems and grievances so that they are appropriately represented to safeguard their interests. This would facilitate in creating a healthy working environment giving balanced and equal opportunity to all employees.

After discussions, the Commission recommended/ suggested that keeping in view for creation of separate Ministry i.e. Ministry of Tribal Affairs and Commission i.e. National Commission for Scheduled Tribes, "the Central Civil Services (Recognition of Service Association) Rules, 1993", should be revised by DoPT, so that separate forum to address the problems of ST Employees in Government Organizations/ PSU/ PSE be recognized for welfare of Scheduled Tribes Employees. The action taken/ to be taken in the matter may be communicated to Commission within a month from receipt of minutes of the meeting.

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18.10.18
नन्द कुमार साय/Nand Kumar Sai
अध्यक्ष/Chairperson
राष्ट्रीय अनुसूचित जनजाति आयोग
National Commission for Scheduled Tribes
भारत सरकार/Govt. of India
नई दिल्ली/New Delhi

Government of India
National Commission for Scheduled Tribes

Annexure

F. No. BPN/1/2018/MPPP1/DEOTH/RU-I

- I. **National Commission for Scheduled Tribes**
1. Shri Nand Kumar Sai, Hon'ble Chairperson (In chair)
 2. Ms. Anusuiya Uikey, Hon'ble Vice-Chairperson
 3. Shri H.K. Damor, Hon'ble Member
 4. Shri H.C. Vasava, Hon'ble Member
 5. Shri Raghav Chandra, Secretary
 6. Shri S.K. Ratho, Joint Secretary
 7. Dr. Lalit Latta, Director
 8. Shri Rajeshwar Kumar, Assistant Director
 9. Shri R.S. Misra, Senior Investigator
- II. **Department of Personnel & Training**
1. Shri Gyanendra D. Tripathi, Joint Secretary
 2. Shri Juglal Singh, Deputy Secretary
- III. **Andhra Bank Scheduled Tribe Employee's Welfare Association, Hyderabad**
1. Shri Ramarao Chauhan, Chairman
 2. Shri P. Kishan, Vice President
 3. Shri B. Prasad Naik, General Secretary
 4. Shri K. Govind Naik, Joint Secretary
- IV. **All India Scheduled Castes & Scheduled Tribes Railways Employees Association, New Delhi**
- Nil
- V. **All India ST Railway Employees Welfare Association, Chennai**
1. Shri J. Subbarayudu, President
 2. Shri D. Nataraju, General Secretary
 3. Shri M.V. Ramshankar, Member
- VI. **SC/ST Employees Welfare Association of BSNL (SEWA), New Delhi**
- Nil
- VII. **Bhilai Steel Plant Scheduled Tribes Shikshan and Welfare Association, Bhilai**
1. Shri Ghanshyam Singh, President
 2. Shri Rukham Singh Taram, Vice President
 3. Shri Narayan Dhruw, Joint Secretary
 4. Shri Inder Ram Netam