



भारत सरकार

Government of India

राष्ट्रीय अनुसूचित जनजाति आयोग

National Commission for Scheduled Tribes

(A Constitutional body set up under Article 338A of the Constitution of India)

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

Dated: 04/3/2020

File No. AS/5/2019/MPNG1/DEOTH/RU-I

To,

The Chairman,
Bharat Petroleum Corporation Ltd.
Bharat Bhavan,
4 and 6 Currimbhoy Road, Ballard Estate,
PB No. 688,
Mumbai- 400001
(Ph. No. 22713000, 22214000
(Fax No. 22713874)

Sub: Representation dated 03.12.2019 of Shri Ajit Sebastian Distributor, Jai Hind Bharat Gas Agency, at Oyoor, Kerala regarding harassment by Authority of BPCL.

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 18.02.2020 at 02:00 P.M. under the Chairmanship of Dr. 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 Commission at the earliest.

Yours faithfully,

(S.P. Meena/एस.पी.मीना)

Assistant Director/सहायकनिदेशक

Tel: 011-24641640.

Copy to:

Shri. Ajit Sebastian,
Distributor,
Jai Hind Bharat Gas Agency,
511/XI, Kurishinmoodu jn.,
Oyoor,
Kollam, Kerala-691510
(Mob. No. 9495632827)

Copy for information to:

1. PS to Hon'ble Member (MCI), NCST
2. NIC (please upload on the Commission's website)


Government of India
National Commission for Scheduled Tribes

MINUTES OF SITTING HELD IN THE NCST'S HEADQUARTERS ON 18/02/2020 AT 02:00 PM UNDER THE CHAIRMANSHIP OF DR.NAND KUMAR SAI, HON'BLE CHAIRPERSON, NCST IN THE CASE OF SHRI AJIT SEBASTIAN DISTRIBUTOR, JAI HIND BHARAT GAS AGENCY, AT OYOOR, KERALA REGARDING HARASSMENT BY AUTHORITY OF BHARAT PETROLEUM CORPORATION LTD. (BPCL).

(F. No. AS/5/2019/MPNG1/DEOTH/RU-1)

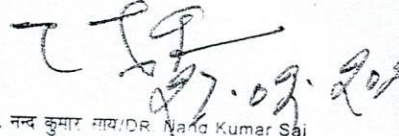
List of participants is annexed.

2. Shri Ajit Sebastian, Distributor, Jai Hind Bharat Gas Agency at Oyoor, (Kerala) vide representation has stated that the BPCL has terminated the LPG agency which is clear violation of Marketing discipline norms against ST candidate. The matter was referred to Chairman-Cum Managing Director, BPCL, Mumbai on 06.12.2019 for facts and comments. The BPCL vide letter No. LPGHQ.15.CON dated 30.12.2019 has intimated that the petitioner working is in CMC Vellore since last 16 years from 2003 and that the distributorship was not managed by himself personally establishes violation of guidelines and clauses of distributorship agreement. Hence, BPCL had to terminate the distributorship, which was done on 29.6.2019.
3. These facts were communicated to the petitioner whether he is satisfied with the reply of BPCL. The petitioner vide rejoinder refuted the facts and requested for justice. The Hon'ble Chairperson has fixed the sitting for 18.2.2020 to discuss the matter with the CMD of BPCL and petitioner. The sitting notice was issued on 04.2.2020. The CMD, BPCL vide letter No. C&MD.3.2.CON dated 14.2.2020 had informed that due to pre-scheduled meeting on 18.2.2020, he is not able to attend the sitting and deputed Executive Director (LPG) to attend the sitting.
4. On the day of the sitting, Executive Director (LPG) and other officers of BPCL and the authorized person of the petitioner appeared. The Hon'ble Chairperson asked the representative of the petitioner to explain the grievance. The representative of the petitioner informed that the BPCL had not considered the request of the petitioner and terminated the LPG agency. This is a harassment of ST person.


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

5. The Hon'ble Chairperson asked the representative of BPCL to explain the facts and action taken by BPCL in the matter. The representative of BPCL informed that the LPG agency has been terminated by the company after following the due procedures. The petitioner is working in the Christian Medical College, Vellore and drawing the salary, as this has been mentioned in the Counter Affidavit filed on behalf of the Fourth Respondent (by the Principal, Christian Medical College, Vellore) in the W.P. (C) No. 7629/2016 dated 10.1.2019, before the Hon'ble High Court of Kerala at Ernakulam.

6. After detailed discussion with the representative of BPCL and representative of petitioner, the Hon'ble Chairperson suggested that the term [Registrar (Non PG); Registrar (DGO Trainee); Registrar (Non PG); Tutor (Diploma); P.G. Registrar (MD Trainee); P.G. Tutor; Assistant Professor Gr-II and Assistant Professor Gr-I] used by Principal, Christian Medical College, Vellore for designation of the petitioner should be clarified by the petitioner from the CML Vellore, as to whether these posts falls under salary or stipend category. Thereafter, Commission will decide further course of action.


डॉ. नन्द कुमार साय/DR. Nand Kumar Sai
अध्यक्ष/Chairperson
राष्ट्रीय अनुसूचित जनजात आयोग
National Commission for Scheduled Tribes
भारत सरकार/Ministry of India
नई दिल्ली/New Delhi

List of participants of the sitting held on 18/2/2020 at 02:00 P.M under the Chairmanship of Dr. Nand Kumar Sai, Hon'ble Chairman, NCST in the case of Shri Ajit Sebastian Distributor, Jai Hind Bharat Gas Agency, at Oyoor, (Kerala) regarding harassment by Authority of BPCL.

(File No. AS/5/2019/MPNGI/DEOTH/RU-I)

I National Commission for Scheduled Tribes

- 1 Shri. K.Touthang , Joint Secretary
- 2 Dr. Lalit Latta, Director
- 3 Shri R.S. Misra, Senior Investigator



II BPCL

- 1 Shri T. Peethambaram, Executive Director
- 2 Shri S.K. Padhi, DGM (LPG)
- 3 Shri Atul Mehra, GM (Coordination)

III Petitioner

- 1 Shri Suvidutt M.S (Representative of Shri Ajit Sebastian)