



Government of India
National Commission for Scheduled Tribes
(A Constitutional Commission set up under Art. 338A
of the Constitution of India)

File No. BCN/12/2016/STGAP/SEOTH/RU-IV

Dated: 15.12.2016

To,

The Vice-Chairman & Managing Director,
Andhra Pradesh State Road Transport,
APSRTC Corporate Office, RTC X Road,
Hyderabad - 500 001 (AP).

Sub: Proceedings of the sitting taken by Hon'ble Vice-Chairperson, National Commission for Scheduled Tribes (NCST) on 01.11.2016 at 03.30 A.M in the matter of Shri B. Gopal Naik, Conductor, by way of denying him the post of ADC/BC under ST quota by APSRTC authorities.

Sir,

I am directed to enclose a copy of the Proceedings of the Sitting held in the National Commission for Scheduled Tribes on 01.11.2016 on the above mentioned subject for necessary action. Action taken report in the matter may be intimated to the Commission, at an early date.

Yours faithfully,

SVS2-55 (V.P. Shah)
Assistant Director

Copy to:-

- (1) Shri Gopal Naik,
Conductor, APSRTC,
Kadiri Depot,
Anadnthapuramu District,
Andhra Pradesh.
- (2) Shri B. Chekre Naik,
General Secretary,
All India Central/PSUs and State Government,
ST Employees Welfare Association,
H. No. 1-1-385/12/17/1, Flat No. 302,
Pranav Residency, Gandhi Nagar - 500 080
Hyderabad, (Telanagana).

16/12/16
जारी किया
ISSUED

o/e

NATIONAL COMMISSION FOR SCHEDULED TRIBES

File No. BCN/12/2016/STGAP/SEOTH/RU-IV

Proceedings of the Sitting taken by Shri Ravi Thakur, Hon'ble Vice-Chairperson, NCST on 01.11.2016 at 03.30 P.M. in the matter of Shri B. Gopal Naik, Conductor, by way of denying him the post of ADC/BC under ST quota by APSRTC authorities.

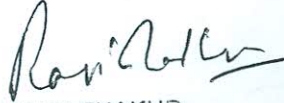
Date of sitting: 01.11.2016

List of the officers present: (Annex I)

The General Secretary, All India Central/PSU and the State Government ST Employees Welfare Association, Gandhi Nagar, Hyderabad (Telangana) vide representation dated 20.10.2016 has alleged harassment of ST employee Shri B. Gopal Naik, Conductor, E.402390 by way of denying him the post of ADC/BC under ST quota by APSRTC authorities and requested for intervention and for natural justice, consequent upon an accident while on duty and subsequent handicap.

2. The Hon'ble Vice-Chairperson, NCST has fixed a Sitting for 01.11.2016 with the Vice-Chairman and Managing Director, Andhra Pradesh State Road Transport Corporation, Hyderabad to discuss the issue raised by the General Secretary, All India Central/PSU and the State Government ST Employees Welfare Association, Gandhi Nagar, Hyderabad (Telangana).

3. The Vice-Chairman and Managing Director, APSRTC, Vijayawada vide letter dated 26.10.2016 had pointed out certain problems regarding non attendance and informed that the Chief Personnel Manager, APSRTC, Vijayawada will attend the Sitting.



रवि ठाकुर/RAVI THAKUR
उपाध्यक्ष/Vice Chairperson
राष्ट्रीय अनुसूचित जनजाति आयोग
National Commission for Scheduled Tribes
भारत सरकार/Govt. of India
नई दिल्ली/New Delhi

4. The Hon'ble Vice-Chairperson, NCST allowed the Chief Personnel Manager, APSRTC to attend the Sitting and asked to explain the action taken by APSRTC on the issues raised by the petitioner. (The General Secretary, All India Central/PSU and the State Government ST Employees Welfare Association, Gandhi Nagar, Hyderabad, Telangana).

5. The representatives of APSTRC has provided a copy of the certificate dated 31.10.2016 issued by the Depot Manager, Kadiri and stated that Shri B. Gopal Naik, E.402390, Conductor of Kadiri Depot, who injured in an accident on 21.05.2008 en-route Bellary to Kadiri and as a result his leg was fractured. As per Hon'ble High Court direction, the competent authority has provided alternative employment as Shramik to Shri Gopal Naik and he is working as Shramik at Kadiri Depot since 04.04.2014. Further, he has stated that his services are being utilized as sedentary works like HSD Oil challan feedings in Computer section and maintaining Oil accounts at Kadiri Depot daily.

6. The representatives of APSRTC stated that the Assistant Depot Clerk (ADC) post is a promotional post from Driver to Conductor. The Rank and Pay cannot be reduced. The physically handicapped people are not eligible, to hold the same.

7. The Hon'ble Vice-Chairperson, NCST directed the petitioner to explain the issue and problems. The petitioner stated that the work assigned to Shri Gopal Naik is a hard job. The post of Record Tracer or Record Clerk could be provided to Shri Gopal Naik by the APSRTC by considering his physical inability which occurred while on duty. The Rules applicable for the physically handicapped would also be kept in view while considering the issue of Shri Gopal Naik.

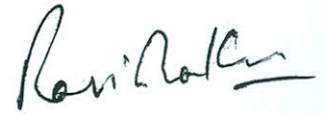

रवि ठाकुर/RAVI THAKUR
उपध्यक्ष/Vice Chairperson
राष्ट्रीय अनुसूचित जनजाति आयोग
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8. The Hon'ble Vice-Chairperson, NCST asked the representative of APSRTC to consider the request of petitioner and provide Shri Gopal Naik, a suitable job. The representatives of APSRTC agreed for re-examining the case of Shri Gopal Naik.

9. The Hon'ble Vice-Chairperson suggested to APSRTC representatives that: -

- (i) the request of Shri Gopal Naik to provide him the employment as ADC, be considered positively.
- (ii) If need arises the staff protection regulations may be relaxed to the extent to create a supernumerary post exclusively for Shri Gopal Naik as ADC.
- (iii) If it is not possible to provide ADC post, he may be provided the job of Record Tracer/Record Clerk.
- (iv) Pay protection should be given to Shri Gopal Naik.
- (v) Conductor Seniority should be maintained for the purpose of promotion to higher posts, for him.
- (vi) Compensation amount which were incurred for medical treatment shall be paid to Shri Gopal Naik in lump sum.

Action Taken Report may be sent to this Commission within 15 days from the receipt of this proceedings.



रवि ठाकुर/RAVI THAKUR
उपाध्यक्ष/Vice Chairperson
राष्ट्रीय अनुसूचित जनजाति आयोग
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NATIONAL COMMISSION FOR SCHEDULED TRIBES

Annexure-1

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List of participants

NCST

1. Shri Ravi Thakur, Hon'ble Vice Chairperson (In chair)
2. Mrs. K.D. Bhansor, Director
3. Shri P.V. Mohandas, PS to VC

Officers of Andhra Pradesh State Road Transport Corporation

1. Dr. S.A. Ansari, Chief Personnel Manager
2. Shri Sridhar, Deputy Chief Personnel Manager

Petitioner

1. Shri B. Chekre Naik
2. Shri Gopal Naik