

National Commission for Scheduled Tribes

PROCEEDINGS

Subject: PROCEEDINGS of hearing held at 12:00 noon on 10.04.2007 in the Chamber of Shri Gajendra Singh Rajukhedi, Hon'ble Vice-Chairman, National Commission for Scheduled Tribes to discuss the case about transfer of Shri V.R. Malagimani, Area Manager, Food Corporation of India, Warangal (AP).

The hearing to discuss the above pending case of FCI was held at 12:00 noon on 10.04.2007, as scheduled, in the Chamber of Shri Gajendra Singh Rajukhedi, Hon'ble Vice-Chairman, National Commission for Scheduled Tribes. Shri Alok Sinha, CMD, FCI attended the hearing alongwith Smt. Anjani Anand Srivastav, ED(P), FCI, Shri Kunal Singh, GM (PE) and Shri S.C. Sharma, Deputy GM and Chief Liaison Officer (SC/ST), FCI. Shri K.K. Gupta, Secretary, Shri K.N. Singh, Joint Secretary, Shri R.C. Durga, Director, and Shri P.V. Mohandas, APS to Vice-Chairman, NCST assisted the Hon'ble Vice-Chairman, NCST.

2. The discussions started with the observation of Hon'ble Vice-Chairman that the reservation policy and the Government guidelines regarding promotion and transfer were not being followed in letter and spirit by the FCI particularly in the South Zone of FCI. It was stated that the position regarding reservation in South Zone had been reviewed by the Commission and thereafter inspection of various rosters maintained in the South Zone Office was also carried out by an Officer of the Commission. The inspection report, which highlights shortfalls as well as backlog in various categories of posts in the South Zone Office of FCI, was forwarded to Hq. Office as well as South Zone Office of the Commission about two months ago but action taken by the FCI has not been received in the Commission.

3. ED, FCI informed the Commission that the present Management of FCI had reviewed the situation and found that proper attention towards implementation of reservation policy had not been given in the past and, therefore, the present Management had initiated corrective measures about three years ago by launching Special Recruitment Drives to fill the shortfall and backlog vacancies in respect of SCs and STs, but due to certain objections raised by the Unions of FCI, the process of SRD could not be completed as per directions of DoPT. ED, FCI also informed that necessary action on the inspection report received from the Commission was being taken promptly. However, as there were many points needing action and each process takes time, FCI will take some more time to complete the action on each point. CMD, FCI assured that the findings and suggestions made in the inspection report will be implemented as per Government guidelines and Commission will be informed of the action taken in due course. Hon'ble Vice-Chairman, NCST appreciated the measures being taken by the present FCI Management in the matter of implementation of rules of reservation for SCs and STs and advised the CMD, FCI to ensure that the benefits available to the ST employees are neither diverted to any other category nor cornered by non-STs on the basis of false ST certificates.

4. Discussing about the case of transfer of Shri V.R. Malagimani, ED, FCI stated that Shri V.R. Malagimani was not disturbed for 22 years as he had remained in South Zone for 22 years, since joining the FCI in 1972 in the post of AG. It was, however, clarified by the ED that the officials up to Manager level are normally retained within the Zone and that the transfer of Shri V.R. Malagimani was

made as per transfer policy. It was sated that since there was long pending demand of posting of DGM at Kandla, Shri V.R. Malagimani was posted at Kandla to meet the demand, and also having regard to the fact that there was no vacancy of DGM at Hyderabad at the time of issue of promotion order.

5. Secretary, NCST referred to the service record of Shri V.R. Malagimani and stated that Shri V.R. Malagimani remained in South Zone as per transfer policy of FCI and not as per his request. It was also clear from the records that Shri V.R. Malagimani was appointed as Deputy Manager (Gen/ Admn.) as direct recruit in 1994 and he performed his duty at various places of postings as per orders of the FCI, as given below:

01	District Manager, FCI, Midanapur, West Bengal	From 1994 to 1996
02	District Manager, CI Sambalpur, Orissa	From 1996 to 1998
03	Deputy Manager, (Comml), FCI R O Banaglore	From 1998 to 2000
04	Deputy Manager(Per) FCI R O Hyderabad	From 2000 to 2001
05	District Manager, FCI, Kollam/ Allephey	From 2001 to 2003
06	District Manager, FCI, Hubli	From 2003 to 2006
07	Area Manager, FCI DO Warangal	From April 06 to till date

6. The Commission observed that it was clear from the above postings that Shri V.R. Malagimani had worked outside his home town, each time he was directed by the Management. It was pointed out by the Commission that the general guidelines of the Govt. of India provided that an employee should be posted at or near his home town in the last 3 years of his service so that he may not find any difficulty in settling at the time of retirement. It was also pointed out that out of 5 officers promoted to the post of DGM 3 officers were younger than him, yet they were retained at the same station while Shri V.R. Malagimani, who had served at 6 stations in last 12 years of service and had subsequently served for only 7 months at Warangal, had been transferred to a distant station at the fag end of his service career.

7. It was pointed out by the Commission that it would not have taken up this matter if it was evident from the service records that Shri V.R. Malagimani had at any time refused the transfer/ posting order or got his posting manipulated. The Commission observed that as the post of DGM (Region) had fallen vacant in Hyderabad on 31.12.2006 due to retirement of its incumbent and Shri V.R. Malagimani had already submitted on 18.12.2006 a request for his posting at Hyderabad against that vacancy, on the ground of his adverse family circumstances, particularly the chronic health problem of his wife, there was a need to have a sympathetic look into the matter.

8. CMD, FCI agreed to reconsider the request of Shri V.R. Malagimani for posting at Hyderabad in the vacancy caused by the retirement of DGM (Region) and issue necessary instructions for his posting at Hyderabad promptly.

Sd/-
(Gajendra Singh Rajukhedi)
Vice-Chairperson
National Commission for
Scheduled Tribes