



राष्ट्रीय अनुसूचित जनजाति आयोग
National Commission for Scheduled Tribes
(भारत के संविधान के अनुच्छेद 338क के अंतर्गत एक संवैधानिक निकाय)
(A Constitutional body under Article 338A of the Constitution of India)

File No. Review/24/NBCC/2023-SSW

Dated: 03/11/2023

To,

Shri P. K. Gupta,
Chairman-Cum-Managing Director,
NBCC (India) Ltd.,
NBCC Bhawan, Lodhi Road,
New Delhi-110003
(Ph No. 011-24367314) (Email: cmdsectt@nbccindia.com)

Sub: Review of Constitutional Safeguards for Scheduled Tribes of NBCC.

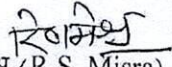
महोदय,

I am directed to refer to the subject cited above and to enclose copy of minutes of Review Meeting held under the Chairmanship of Shri Ananta Nayak, Hon'ble Member, National Commission for Scheduled Tribes (NCST) on 10.10.2023 at NBCC, New Delhi.

It is requested that the report on action taken/ to be taken on the recommendations may be sent within 30 days from receipt of the letter, for placing it before the Hon'ble Member.

Encl: As above.

Yours faithfully,


आर.एस.मिश्र/R.S. Misra)
अनुसंधानअधिकारी/Research Officer
Ph No. 011-24641640

Copy for information to:

1. PS to Hon'ble Member, NCST
2. PS to Secretary, NCST
3. O/o JS, NCST
4. ✓ NIC, NCST for uploading on the website of the Commission

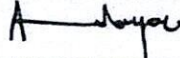
राष्ट्रीय अनुसूचित जनजाति आयोग
National Commission for Scheduled Tribes

REPORT AND RECOMMENDATIONS UNDER ARTICLE 338A(5)(e) OF THE CONSTITUTION OF INDIA ON THE MEASURES TO BE TAKEN BY NBCC, NEW DELHI FOR EFFECTIVE IMPLEMENTATION OF CONSTITUTIONAL SAFEGUARDS AND REVIEW AND MONITORING OF SCHEMES FOR THE PROTECTION, WELFARE AND SOCIAL ECONOMIC DEVELOPMENT OF THE SCHEDULED TRIBES BY THE NATIONAL COMMISSION FOR SCHEDULED TRIBES.

[File No. Review/24/NBCC/2023-SSW]
Date of Review: 10.10.2023 at NBCC, New Delhi

The National Commission for Scheduled Tribes (NCST) is a Constitutional body set up under Article 338A of the Constitution of India to investigate and monitor all matters relating to protection, welfare and socio-economic development of Scheduled Tribes in the Country. As per the constitutional provisions, the Union and every State Govt. shall consult the Commission on all major policy decisions affecting Scheduled Tribes. The Commission presents its Reports to the Hon'ble President of India and all such Reports of the Commission upon the working/implementation of the Constitutional safeguards provided for Scheduled Tribes are to be laid before each House of Parliament along with Memorandum explaining the Action Taken or proposed to be taken on the recommendations relating to the Union and the reasons for non- acceptance, if any, of any of such recommendations by the Ministry of Tribal Affairs, Government of India.

2. In pursuance of the above Constitutional mandate, Shri Ananta Nayak, Hon'ble Member, National Commission for Scheduled Tribes, in the presence of Smt. Alka Tiwari, Secretary, NCST and other Senior Officials of the Commission took review meeting with the Chairman & Managing Director (CMD) and other senior officers, NBCC (under the Ministry of Housing & Urban Affairs) on 10.10.2023 to evaluate the working of Constitutional safeguards available to the Scheduled Tribes in the NBCC and to review implementation of various service safeguards and other developmental schemes/programmes for the welfare and development of Scheduled Tribes employees and Scheduled Tribes of the country.
3. The list of Officers of NBCC, present in the Review Meeting at 12:00 Noon on 10.10.2023 and office bearers of SC/ST Employees Welfare Association, NBCC and ST employees of NBCC, who attended the meeting at 11:00 AM on 10.10.2023 is Annexed.
4. Before the Review Meeting on 10.10.2023, the Hon'ble Member, NCST, in the presence of Secretary, NCST and other officials of the Commission had interaction and discussion with Office bearers of SC/ST Employees Welfare Association of NBCC, ST employees of NBCC and



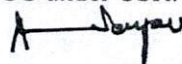
अनंत नायक/ANANTA NAYAK
सदस्य/Member
राष्ट्रीय अनुसूचित जनजाति आयोग
NATIONAL COMMISSION FOR SCHEDULED TRIBES
भारत सरकार/Govt. of India
नई दिल्ली/New Delhi

Liaison Officer, NBCC on the problems and difficulties faced by ST employees in the organization. The SC/ST Employees Welfare Association, NBCC and Liaison Officer has drawn the attention of the Commission on the following issues:-

- a. There is shortfall in the vacancies reserved for STs.
 - b. There are only 65 ST employees against 1362 total employees of the NBCC.
 - c. There is no relaxation for STs in qualifying marks in Recruitment Exams conducted by NBCC for various posts.
 - d. ST employees are not nominated for training/skill development abroad by the management.
 - e. At Project Head level in the NBCC, there is none belonging to Scheduled Tribe community.
 - f. Vigilance Department do not clear ST cases in time bound manner. This has resulted in many ST candidates missing the opportunity for consideration.
 - g. The Management has still not responded to the agenda items submitted by the Association in June, 2023 despite a lapse of more than four months.
 - h. The ST employees are not aware about any Internal Grievance Committee setup in the NBCC.
5. After meeting with SC/ST Employees Welfare Associations, NBCC, the Hon'ble Member, NCST, in the presence of the Secretary, NCST and Sr. Officers of NCST reviewed NBCC with the the CMD and Sr. Officers of NBCC regarding issues affecting the Scheduled Tribes employees in NBCC. After a round of introduction and briefing from Secretary, NCST regarding the functions and duties of the NCST, the CMD, NBCC then apprised the Commission about the activities being undertaken by the NBCC for welfare and protection of Scheduled Tribes Employees followed by a power point presentation on the Background; Objectives; Ongoing Projects and Activities of the NBCC; Human Capital; ST Manpower; Reservation; Roster, Recruitment; SC/ST Grievance Cell and CSR Activities.

6. Observations of the Commission:

In the reply to NCST Questionnaire cites that one of the Independent Director, Board Management of NBCC belongs to ST category. The NCST had earlier reviewed the NBCC on 10.04.2018 and Action Taken Report thereon was submitted by NBCC *vide* its letter dated 10.10.2018. The Commission was informed that out of the total 1362 employees of, NBCC, 65 were ST Employees constituting 4.77 %. There were 834 Group A Employees out of which 55 belongs to ST category constituting 6.59%, 67 total employees of Group – B out of which 02 belongs to ST category constituting 2.99% and 461 employees belonging to Group – C category out of which 08 belongs to ST category constituting 1.74%. The Commission is also happy to note the activities under taken by NBCC under CSR.

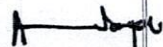


अनंत नायक/ANANTA NAYAK
सदस्य/Member
राष्ट्रीय अनुसूचित जनजाति आयोग
NATIONAL COMMISSION FOR SCHEDULED TRIBES
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नई दिल्ली/New Delhi

7. Recommendations of the Commission:-

After detailed discussion the CMD & other Sr. Officers of NBCC on various issues affecting the Scheduled Tribe employees in NBCC, the Commission makes the following recommendations:-

- a. The issues raised by the Office bearers of SC/ST Employees Welfare Association of NBCC noted at para 4(a) to (h) above may be examined by the Management, NBCC and take necessary action and send the report/comments to the Commission.
 - b. Data on Project-wise Contractual Employees with ST percentage thereon may be furnished;
 - c. Bifurcated Data on Promotions given to Employees Group-wise (C to B and B to A) during 2019-20, 2020-21 and 2021-22 may be furnished;
 - d. Information on the Internal Grievance Redressal Committee for STs may be given/dissiminated to Office Bearers of SC/ST Employees Welfare Association, NBCC;
 - e. Efforts may be made to put in an online Internal Grievance Redressal mechanism for STs within a stipulated timeframe;
 - f. The present Composition of SC/ST Cell of NBCC may be furnished;
 - g. Rosters for ST Employees for both direct recruitment and promotion maintained for various posts may be made available online within a stipulated timeframe;
 - h. Feasibility may be explored for consideration of relaxation to ST candidates in the qualifying marks percentage in the exams for various recruitment exams conducted by NBCC to ensure their adequate representation at different levels;
 - i. Details of posting of employees including STs during last five years may be furnished;
 - j. Details of Project Head(s) indicating his/her category may be furnished;
 - k. Details of ST employees who attended training programmes on reservation policy during the last three years (2019-2020, 2020-21 and 2021-22) may be furnished;
 - l. Feasibility of organising training/coaching programmes for ST employees to enable them to prepare for Departmental Exams for various posts within NBCC may be considered;
 - m. Cases of ST employees may be disposed off by the Vigilance Department in a time bound manner;
 - n. Structural meetings with SC/ST Employees Welfare Association, NBCC may be convened regularly in a periodic manner.
8. The management, NBCC may taken necessary action to the recommendations at para 7 above and send the action taken report to the Commission within one month from receipt of the Minutes.



(Ananta Nayak)

Member, National Commission for Scheduled Tribes,
New Delhi

अनंत नायक/ANANTA NAYAK

सदस्य/Member

राष्ट्रीय अनुसूचित जनजाति आयोग

NATIONAL COMMISSION FOR SCHEDULED TRIBES

भारत सरकार/Govt. of India

नई दिल्ली/New Delhi

Annexure

List of participants of the Review Meeting held on 10.10.2023 at NBCC, New Delhi under the Chairmanship of Shri Ananta Nayak, Hon'ble Member, NCST, New Delhi.

I	<u>National Commission for Scheduled Tribes</u>
1.	Smt. Alka Tiwari, Secretary
2.	Shri K. Touthang, Joint Secretary
3.	Smt. Miranda Ingudam, Director
4.	Shri R.K. Dubey, Dy. Director
5.	Shri R. S Misra, Research Officer
6.	Shri R.K Tripathy, Spl. Rapporteur
II.	<u>NBCC, Management</u>
1.	Shri K.P. Mahadeva Swami, CMD
2.	Shri Saleem Ahmad, Director (Projects)
3.	Shri Rajendra Chaudhry
4.	Shri Pawan Kumar, ED (PMG) & LO for SC/ST
5.	Shri Manas Kaviraj, Sr. Executive Director (HRM)
6.	Shri K. Ganeshiya, CGM (HRM)
7.	Shri Devasis Satopathy, CGM (HR)
8.	Shri Sanjeev Kumar, GM
9.	Smt. Savita Rani, Dy. GM
III.	<u>SC/ST Employees Welfare Association of NBCC</u>
1	Shri Rahul Meena, DPM (Civil)
2	Shri Manoj Kumar, AGM (Civil)
3	Shri Bhagwan Das
4	Shri Kapil Meena
5	Shri Sukhlal
6	Shri S.K. Soni
7	Shri R.N. Meena
8	Shri M.L. Kanojia
9	Ms. Suresh Kumari, Dy. GM (HRM)