



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/36/EIL/2023-SSW

Dated: 25/01/2024

To,

Smt. Vartika Shukla
Chairman & Managing Director
Engineers India Ltd. (EIL)
Bhikaiji Cama Place,
New Delhi -110066
Phone- 011-26192509
(Email: cmd@eil.co.in)

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

महोदया,

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 04.01.2024 at EIL, 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 Commission.

Yours faithfully,

(आर.एस.मिश्र/R.S. Misra)

अनुसंधान अधिकारी/Research Officer

Ph No. 011-24641640

Copy for information to:

1. PS to Hon'ble Vice-Chairperson, 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 ENGINEER INDIA LTD. (EIL) 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.

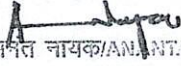
[File No. Review/36/EIL/2023-SSW]
Date of Review: 04.01.2024, New Delhi

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-Cum- Managing Director and other senior officers, EIL (under the Ministry of Petroleum and Natural Gas) on 04.01.2024 to evaluate the working of Constitutional Safeguards available to the Scheduled Tribes in the EIL 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.

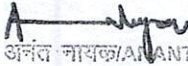
3. The list of Officers of EIL, present in the Review Meeting at 02:30 PM on 04.01.2024 and office bearers of SC/ST Employees Welfare Association, EIL and ST employees of EIL, who attended the meeting at 03:30 PM on 04.01.2024 is Annexed.

4. Before the Review Meeting on 04.01.2024, the Hon'ble Member, NCST, in the presence of Secretary, NCST, Joint Secretary and other officials of the Commission had interaction and discussion with Office bearers of ST Employees Welfare Association, EIL on the problems and difficulties faced by ST employees in the EIL. The officer bearers of ST Employees Welfare Association of EIL and Liaison Officer have drawn the attention of the Commission on the following issues:-


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

- a. There is very less number of ST representation in the higher position.
- b. There is discrimination in the ratings given in Annual Appraisal Report of ST employees.
- c. Rosters for various posts are not disclosed.
- d. The ST employees are not deputed / posted in foreign assignment.
- e. SC/ST Employees are not sent for important trainings (specially paid trainings)
- f. ST employees are rarely given timely promotion especially at higher levels.
- g. The relaxation is not given in qualifying marks for ST candidates for recruitment by the EIL as is done by other PSUs.
- h. The structured meeting of ST Employees Welfare Association with the management is not held on regular basis.
- i. The officer bearers of ST Employees Welfare Association are not consulted / involved in important matters related to ST employees.
- j. The criteria decided for promotion to the post of Non-Executive to Executive is not shared with the association.
- k. The Association office is not provided proper space and basic facilities. The management also do not invite office bearers of welfare association and ST employees to attend important functions / events organized by the EIL.
- l. NOC is not given to ST employees by the management at the time of applying for better jobs/opportunity in other PSUs/PSEs/industrial organizations.

5. After meeting with office bearers of ST Employees Welfare Association, EIL the Hon'ble Member, NCST, in the presence of the Secretary, Joint Secretary and other Sr. Officers of NCST reviewed EIL with the CMD and Sr. Officers of EIL regarding issues affecting the Scheduled Tribes employees in EIL. After a round of introduction and briefing on the functions and duties of the NCST, a short film on the background of EIL was played. Thereafter, CMD, EIL apprised the Commission about the activities being undertaken by the EIL for welfare and protection of Scheduled Tribes Employees followed by a power point presentation on the background of the EIL, regional offices, project offices and area of operation and activities undertaken under CSR. EIL is a Navratna Company established in 1965 in New Delhi, to provide Design, Engineering, Project Management and Technical services in hydrocarbon and other related sectors. EIL is the only Total Solution Engineering Consultancy Company in India providing Design, Engineering, Procurement, Construction and Integrated Project Management services from 'Concept to Commissioning' across the hydrocarbon value chain with highest quality and safety standards. Over the years, the company has augmented its span of services and excelled in various sectors and has emerged as a leading company in the Petroleum Refining, Petrochemicals, Gas processing, Chemicals & Fertilizers, Crude/Petroleum products & Gaspipelines,


 अनन्त नायक/ANANTA NAYAK
 सदस्य/Member
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 NATIONAL COMMISSION FOR SCHEDULED TRIBES
 भारत सरकार/Govt. of India
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offshore/Onshore Oil & Gas Terminals & Storage, Sub Surface Strategic Storage, Mining & Metallurgy and Infrastructure & Urban Development. EIL has earned recognition for jobs executed in India and several countries of South America, West Asia, North Africa, Europe and South East Asia.


6. Observations of the Commission:-

In the reply to NCST Questionnaire, the EIL has informed that the total number of employees in the company were 807 (on 01.01.1973), 4299 (on 02.07.1997), 3276 (on 31.03.2014) and 2639 (as on 31.03.2023). As on 31.03.2023, the total No. of employees were 2369. The Group-A Employees were 2506 out of which 131 belong to ST category constituting 5.20%; Group-B employees were 71 out of which 01 belongs to ST category constituting 1.40% and Group-C employees were 62 out of which 05 belong to ST category constituting 8.20%. The total ST employees are 486 which constitute 5.20%. There is a mismatch in the total number of employees reported in different years.

7. Recommendations of the Commission:-

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

- a. The EIL Management may refer to the issues raised by the ST Employees Welfare Association, EIL, noted at para 4 (a) to (l) above and send their comments/Action Taken Report to the Commission within 30 days.
- b. The category wise sanctioned strength position of the employees of the EIL may be furnished, as the number of employees of the EIL informed by the management on 31.03.2014 and 31.03.2023 are different.
- c. Detail of Special Recruitment Drive for STs launched by EIL may be furnished.
- d. Comparative statement indicating the general and ST employees sent for skill development programmes / training during last three years may be furnished.
- e. Roster for all posts (where reservation is applicable) may be prepared on the basis of sanctioned posts and make it available online for easy reach of ST employees. This may also be shared with ST Employees Welfare Association.
- f. The reservation for STs in outsourced posts may be ensured by making provision(s) in tender(s) for awarding the works.
- g. The ST employees may also be given equal opportunity when nominating employees for foreign assignment/ trainings.
- h. There is a need to ensure adequate ST representation in the higher posts (HoD & Executive Director and other higher posts) of the EIL.


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सदस्य/Member
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NATIONAL COMMISSION FOR SCHEDULED TRIBES
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- i. Structured meetings with ST Employees Welfare Association, EIL may be convened regularly in a periodic manner. The minutes of meeting may also be communicated to ST Employees Welfare Association alongwith the action taken report on the points/recommendation/suggestions made in previous meeting.
- j. The Liaison officers may be sent for training about the roster and reservation policies for STs.
- k. Special training / programmes may be arranged / imparted to ST employees for enhancing their skills for betterment of career and promotion to the higher posts.
- l. Proper office space and other basic facilities may be provided to ST employee welfare association. The office bearers of the association and ST employees may also be invited / informed about the important events to be organized by EIL.
- m. The criteria for selection of the activities under CSR programmes / schemes adopted by EIL may be furnished.
- n. The details of projects / schemes for sustainable development activities and its outcome being implemented under CSR during last three years by the EIL may be furnished.
- o. The Annual Report of the EIL for the years 2021-22 and 2022-23 may be furnished.
- p. Internal Grievance Redressal Committee for STs (as advised by NCST in August, 2021 to All Central Ministries/Departments) may be setup and informed to all ST employees and EIL ST Employees Welfare Association, New Delhi.


अन्ता 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 04.01.2024 at EIL, 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 P.K. Parida, PS to Hon'ble Member
II.	<u>EIL, New Delhi</u>
1.	Ms. Vartika Shukla, CMD
2.	Shri Rajeev Gupta, Director (Projects)
3.	Shri Atul Gupta, Director (Commercial)
4.	Shri Sanjay Jindal, Director (Finance)
5.	Shri Rajeev Agarwal, Director (Technical)
6.	Shri Atanu Bhomick, ED (HR)
7.	Smt. Gopa Swain, GGM (HR)
III.	<u>ST Employees Welfare Association of EIL, New Delhi</u>
1	Shri Ravinder Kumar, Treasurer
2	Shri Ishwar Singh, Member
3	Shri Naresh Kumar Gaur
4	Shri Sunil Kumar, Vice-President
5	Shri Samir Kumar Naskar, Liaison Officer
6	Ms. Vinieta Kashyap
7	Shri Raj Kishan, President

No. AS-13/1/2021-SCT-PNG
भारत सरकार
Government of India
पेट्रोलियम और प्राकृतिक गैस मंत्रालय
Ministry of Petroleum & Natural Gas
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शास्त्री भवन, नई दिल्ली
Shastri Bhawan, New Delhi
दिनांक: 17th August, 2021

To

1. The Chairman & Managing Director
IOCL, HPCL, BPCL, ONGC, GAIL(India) Ltd., EIL, CPCL, OIL, NRL, CPCL, BLL
2. Secretary, OIBD
3. The Registrar
RGPIT, IIPE

Subject: Constitution of "Internal Grievance Committee" in redressal of employment/service related grievances of Scheduled Tribe employees- reg.

Sir,

I am directed to forward herewith a copy of the National Commission for Scheduled Tribes D.O. No. 18/01/NCST(IGR)2021-Coord dated 3rd August, 2021 on the above subject for necessary compliance under intimation to this Ministry. The National Commission for Scheduled Tribes may also be intimated about the action taken.

भवदीय
Yours faithfully,

(मोहम्मद रेयज़ा नज़मी)
(M.R. Nazmi)

अवर सचिव, भारत सरकार
Under Secretary to the Govt. of India

Encl: As above.

अलका तिवारी, भा.प्र.से.
सचिव, भारत सरकार
ALKA TIWARI, I.A.S.
SECRETARY TO GOVT. OF INDIA



भारत सरकार
राष्ट्रीय अनुसूचित जनजाति आयोग
GOVERNMENT OF INDIA
NATIONAL COMMISSION FOR SCHEDULED TRIBES

D.O.No. 18/01/NCST(IGRC)2021-Coord.

3rd August, 2021

Respected Sir,

As you are aware, the National Commission for Scheduled Tribes (the Commission) has been set up under Article 338A of the Constitution of India on 19.02.2004 and vested with the responsibility, inter-alia, to investigate and monitor all matters relating to the safeguards provided to the Scheduled Tribes under the Constitution or under any order of the Government and other laws for the time being in force and to evaluate the working of such safeguards.

2. Every year, the Commission receives a large number of complaints relating to service matters on issues such as (i) Non maintenance of reservation roster and not filling up of reserved vacancies, (ii) Discrimination in promotion/seniority/MACP/ACP, (iii) Non-appointment on compassionate grounds, (iv) Downgrading of APARs, (v) Termination /dismissal from service, (vi) Discrimination in transfer/posting (vii) Denial of pensioner benefits etc.

3. To ensure active participation of various Government Departments in redressal of employment/service related grievances of Scheduled Tribe employees, the Commission recommends that the Departments and the Autonomous Bodies/PSUs/Attached/Subordinate offices, which are controlled by the Department should constitute an "Internal Grievance Committee". The composition of the committee may be as under:

(i)	SAG level officer of the Ministry/Department	Chairperson
(ii)	SAG/Director level officer of external Department (Scheduled Tribe)	Member
(iii)	Chief Liaison Officer/Liaison Officer (not below the rank of Deputy Secretary)	Member
(iv)	Director/Deputy Secretary level Officer (Having good knowledge of rules & procedure of Govt. of India)	Member
(v)	ST Officer of Director/Deputy Secretary/Deputy Director level (preferably lady to be nominated from other Ministry/Department in case an officer is not available within the Ministry/Department)	Member

.....2/-

Set

-2-

(Note: In so far as Internal Grievance Committee to be set up in Autonomous Bodies /PSUs / Attached / Subordinate Offices under the Central Govt. Department is concerned, the Committee may be chaired by an Executive Director level Officer with the Chief Liaison Officer and a senior officer belonging to ST community as members).

4. The Internal Grievance Committee will examine the complaints of the employees belonging to Scheduled Tribes on matters such as (i) Non-maintenance of reservation roster and not filling up of reserved vacancies, (ii) Discrimination in promotion/seniority/MACP/ACP, (iii) Non-appointment on compassionate grounds, (iv) Adverse/downgrading of APARs, (v) Termination/dismissal from services, (vi) Discrimination in transfer/posting (vii) Denial of pensioner benefits etc. and take necessary action for immediate redressal of the grievances. The Committee will prepare monthly report and submit to the Head of Organization who will monitor the action taken on the grievances and submit a quarterly report to the Commission including the reports received from the Autonomous Bodies/PSUs/Attached/Subordinate offices under the administrative control of the Department, in the format given below:

Quarterly Report for the period fromto

Sl.No.	No. of grievances registered	No. of grievances successfully redressed	No. of grievances unresolved	Action taken against wilful defaulting officer(s)	Remarks
1	2	3	4	5	6

With regards,

Yours sincerely,

Arjun
(Alka Tiwari) 8/21

Shri Tarun Kapoor
Secretary
Ministry of Petroleum & Natural Gas
Shastri Bhawan A-Wing,
Dr. Rajendra Prasad Road,
New Delhi-110001