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भारत सरकार

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राष्ट्रीय अनुसूचित जन जाति आयोग

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

Case File No. GDP/1/2018/STGAP/SEHRMT/RU-IV

Dated: 12.02.2019

To

The Principal Secretary,
Department of Energy,
Andhra Pradesh Secretariat,
Velagapudi, Guntur- District,
Amaravati, Andhra Pradesh.

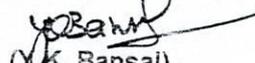
The Chairman & Managing Director,
AP TRANSCO,
Gunadala, Vijayawada,
Krishna District,
Andhra Pradesh.

Sub: Proceedings of the Sitting taken by Smt Maya Chintamn Ivate, Hon'ble Member, National Commission for Scheduled Tribes (NCST) on 07.01.2019 in the case of Shri G. Durga Prasad, Electrical Civil, Transport Contractor, Rajahmundry AP Regarding harassment by APTRANSCO.

Sir,

I am directed to enclose herewith a copy of the Proceedings of the Sitting held on 07.01.2019 under the Chairmanship of Smt Maya Chintamn Ivate, Hon'ble Member, National Commission for Scheduled Tribes on the above mentioned subject for necessary action and submission of compliance report to this Commission within 20 days from the receipt of the letter for placing the same before the Hon'ble Member, NCST.

Yours faithfully,


(Y.K. Bansal)
Research Officer

Copy to:

Shri G. Durga Prasad,
Electrical Civil, Transport Contractor,
D. No. 89-19-3, Sai Chaitanya Nagar,
Rajahmundry-533 103.
(Andhra Pradesh).

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21/2/19

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ISSUED

Copy to:

SCA, NIC, NCST.

NATIONAL COMMISSION FOR SCHEDULED TRIBES

Case File No. GDP/1/2018/STGAP/SEHRMT/RU-IV

PROCEEDINGS OF SITTING HELD ON 07.01.2019 CHAIRED BY SMT. MAYA CHINTAMN IVNATE, HON'BLE MEMBER, NATIONAL COMMISSION FOR SCHEDULED TRIBES (NCST) IN THE CASE OF SHRI G. DURGA PRASAD, ELECTRICAL CIVIL, TRANSPORT CONTRACTOR, RAJAHMUNDRY (AP) REGARDING HARASSMENT BY APTRANSCO.

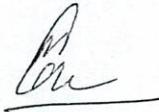
Date of Sitting: 07.01.2019

List of officers present in sitting is Annexed.

Shri G. Durga Prasad, Electrical Civil, Transport Contractor, Rajahmundry (AP) has submitted a representation dated 01.09.2018 regarding harassment by APTRANSCO and non implementation of Commission's recommendations dated 12.10.2018.

2. The Commission earlier heard the case on 12.10.2018 and recommended that the AP TRANSCO Management should extend the contract work for another one year i.e. upto August, 2019, considering the approved list of 8 workers (out of 1 expired worker, resulting one of vacancy). It is also recommended that petitioner will submit an another list of 4 members which includes the name of local workers (including one vacancy against the expired as mentioned) to AP Transco, for fulfilment of total strength of manpower i.e. 11 numbers at Narsingaballi substation and the same will be considered by the AP Transco Management. The Commission further felt that due to the said disturbance caused, the petitioner has met a huge quantum of loss in his turnover during the past 2 years. Hence, the petitioner should be provided an opportunity for award of contract under 6% ST quota. In this regard the petitioner has submitted a representation. The AP Transco Ltd. will examine the petitioner's issues in positive way. The Police protection should also be provided to the Contractor as well as selected workers. At the same time the petitioner will withdraw his Court case from the Hon'ble High Court and in this regard he will submit an undertaking to the Department concerned. It may also be ensured that no injustice/harassment should be meted out against the ST petitioner.

3. Since no action taken report was received from the Department concerned therefore Smt. Maya Chintamn Ivnate, Hon'ble Member NCST fixed a Sitting on 07.01.2019.



Smt. Maya Chintamn Ivnate
Member
National Commission for Scheduled Tribes
Govt. of India, New Delhi

4. For the sitting, the CMD, APTRANCO Ltd. and the Principal Secretary, Energy Department, Government of Andhra Pradesh were called. But both authority did not appear. However, on behalf of CMD, APTRANCO Ltd. the Chief Engineer, Transmission, APTRANCO Ltd. appeared before the Commission. The petitioner was also present.

5. In sitting, the petitioner has submitted that the Commission's recommendations dated 12.10.2018 in respect of extend the contract to carrying out manning work at Narsingabilli Sub-station was not implemented. In addition, 6% reservation for STs in award of other contract work has not been considered.

6. The Chief Engineer, Transmission, APTRANCO Ltd. informed the Commission that in connection with manning contract of 132 KV Narsingabilli, M/s. Sai Mani Kanta Electrical Contractors has filed a Writ Petition No. 28261/2018 and obtained a stay order against APTRANCO. Apart from the petitioner has also filed contempt petition vide CC No. 3121/2018 in the Hon'ble High Court of Andhra Pradesh and both cases are pending in the Court. However, the Department is taking necessary steps to vacate the stay order and comply the Commission's recommendation.

7. The case was discussed in detail. The Commission recommended that:

- The CMD, APTRANCO Ltd. should vacate the Stay order obtained by the other party expeditiously and should comply the Commission's recommendations without any further delay.
- In view of non implementation of 6% quota to ST contractor by AP Transco authorities, as per our directions dated 02.11.2018, Commission now instruct the AP Transco management to immediately stop the process of recruitment of manning at 132KV Peda Waltair, Chodavaram & Narsipatnam substations of the same District Visakhapatnam and new manning if any after the directions of Commission dated 02.11.2018, until further orders from ST Commission. Since the process of tender for 132 KV Saluru substation, Vizianagaram District is going on and G. Durga Prasad is a participant, he shall be considered for awarding the same immediately under ST quota.

8. An action taken report in the matter should be submitted before the Commission within 20 days from the receipt of the proceedings of the Sitting.



Smt. Maya Chintamni Ivate
Member
National Commission for Scheduled Tribes
Govt. of India, New Delhi

NATIONAL COMMISSION FOR SCHEDULED TRIBES

Annexure

File No. GDP/1/2018/STGAP/SEHRMT/RU-IV

List of Participants in the sitting held on 07-01-2019 at 12.30 p.m.

NCST

1. Smt. Maya Chintamn Ivrate, Hon'ble Member (in Chair)
2. Shri P.T. Jameskutty, Deputy Secretary
3. Shri Y.K.Bansal, Research Officer
4. Shri S.K.Atram, PS to Hon'ble Member (MCI)
5. Shri H.R.Meena, Senior Investigator

Officers of Andhra Pradesh TRANSCO

1. Shri G.Rajababu, CE

Petitioner

1. Shri G.Durga Prasad.