



सत्यमेव जयते

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)

F.No NCST/SER-1120/MPNG/5/2023-SSW (RU-III)

Dated: - 7.4.2025

To,

The Chairman and Managing Director,
Bharat Petroleum Corporation Limited,
Bharat Bhavan,
4&6, Currimbhoy Road, Ballard Estate,
Mumbai, Maharashtra 400001
(Email: cmd@bharatpetroleum.in)
(Tel. No: 022-22713000)

Sub: Harassment with ST employee by the management of BPCL - A representation dated 21.04.2023 of Shri M. Vijay (Staff No. 8208) Sr. Manager LPG Operations, BPCL, Chennai .

महोदय/महोदया,

I am directed to enclose herewith a copy of the revised minutes of the sitting held on 27.1.2025 under the Chairmanship of Shri Jatothu Hussain, Hon'ble Member, National Commission for Scheduled Tribes (NCST) in NCST, New Delhi on the above mentioned subject.

It is requested that the action taken/ to be taken in the matter may be submitted to NCST within stipulated time from receipt of the letter, for taking appropriate action.

Yours faithfully,


(P. Kalyan Reddy)
Director

Telephone – 20819841

Copy for information:-

1. Shri M Vijay,
Flat 2D, Sakthi Towers,
32,100 Feet Bye Pass Road, Velachery,
Chennai- 600042
Mobile No:8897443560
2. PS to Hon'ble Member (Shri Jatothu Hussain), NCST
3. NIC, NCST for uploading on the website of the Commission.



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राष्ट्रीय अनुसूचित जनजाति आयोग

NATIONAL COMMISSION FOR SCHEDULED TRIBES

(भारत के संविधान के अनुच्छेद 338क के अंतर्गत दीवानी न्यायालय की शक्तियों का प्रयोग करने वाला एक संवैधानिक निकाय)

(A Constitutional body exercising powers of Civil Courts under Article 338A of the Constitution of India)

Minutes of the Sitting held under the Chairmanship of Shri Jatothu Hussain, Hon'ble Member, National Commission for Scheduled Tribes at Lok Nayak Bhawan, New Delhi in the case of M. Vijay, Senior Manager (LPG Operations), Bharat Petroleum Corporation Ltd. (BPCL) regarding transfer to Jhansi and reporting to junior officer.

(F. No. NCST/SER-1120/MPNG/5/2023-SSW)

Date of the Sitting: 27/01/2025, 06:20 PM

Participants in the Sitting: As per Annexure

M. Vijay, Senior Manager (LPG Operations) at Bharat Petroleum Corporation Ltd. (BPCL), Chennai vide representation dated 21.04.2023 alleged that he had joined BPCL in 2000 as a Computer Science Engineer (CSE) recruited specifically for the Information Systems (IS) Department. Despite his expertise, he was transferred out of IS in 2004, first to non-IT roles in Uttar Pradesh and later to LPG Operations in Tamil Nadu in 2007, against his preference. Since then, his performance marks (PMS) have consistently been downgraded to 80 (Fair rating), the minimum for any officer in LPG, despite his sincere efforts. This downgrade has hindered his career progression and limited his performance-linked pay. While other officers with higher PMS marks are retained in favorable locations, Vijay has been transferred every three years, often to remote areas. In April 2023, he was again transferred to Jhansi (Uttar Pradesh) to report to a junior officer who joined 10 years later than him. BPCL management has ignored his repeated requests to be reinstated in the IS department, particularly IS South, where a non-IT engineer has been retained for 20 years. He seeks intervention from the National Commission for Scheduled Tribes (NCST) to address his grievances, investigate his downgraded PMS marks, and ensure his posting aligns with his qualifications and expertise in the IS department.

2. NCST Notice vide dated 17.11.2023 had referred the matter to Chairman and MD, Bharat Petroleum Corporation Ltd, Mumbai for furnishing the facts and comments within 30 days. BPCL's vide letter no. HRD.16.CON.NCST dated 15.01.2024 has furnished the facts and comments. BPCL states that Mr. Vijay has been accommodated at his preferred locations, including Chennai and the Southern Region for 15 out of his 23 years of service. Despite this, the company highlights repeated instances of negligence, procedural violations, sleeping on duty, casual behaviour, safety violations and poor performance. These issues have led to his consistent low performance marks, which BPCL asserts are based on merit and relative assessments. BPCL also informed that Mr. Vijay has not worked in the Information Systems (IS) department for years, making him unsuitable for a current IS role due to a lack of updated skills. His transfer to Jhansi as per the 2023 transfer list aligns with the company's policy. His reporting to a younger officer is explained as standard based on leadership

जाटोलु हुसेन / Jatothu Hussain

सदस्य / Member

भारत सरकार / Government of India

राष्ट्रीय अनुसूचित जनजाति आयोग

National Commission for Scheduled Tribes

नई दिल्ली / New Delhi

and role requirements rather than seniority. BPCL denies allegations of discrimination, emphasizing that Mr. Vijay has been given multiple opportunities and promotions despite his performance issues. The company concludes by stating it cannot accede to his request to transfer back to IS in Chennai and urges the NCST to close the matter. This letter of BPCL was sent to the petitioner vide NCST letter dated 18.01.2024 for information.

3. The petitioner vide rejoinder dated 07.02.2024 refuted the facts and comments and requested for justice. NCST has decided to discuss the issue with the authority and the petitioner on 27.01.2025. Accordingly, a Sitting Notice was sent on 14.01.2025.

4. The ED (HRD), CGM (HRD) and Head LPG North were present on behalf of Chairman, BPCL and petitioner was present in the sitting.

5. The officials of BPCL reiterated its earlier comments submitted to NCST vide letter dated 15.1.2024 and stated that Shri Vijay had been working at Chennai in 15 out of 23 years of service. He had been transferred to Jhansi and his next transfer request can be considered after completion of 3 years at the current place of posting. He was not made Plant in- charge because he had not performed well.

6. The petitioner contended that the Information System recruits were not being given promotion on time and were being assigned to other areas not suitable for them. The Commission inquired as to what remedy he sought at present. The petitioner stated that he wants to be transferred in IS role at Mumbai. The Officers of BPCL informed that it will not be appropriate to post the petitioner at Mumbai right now, however the management will consider his request to post him to other places.

7. After hearing both the sides, the following recommendations were made and action taken report thereon may be submitted to NCST within 30 days from receipt of the minutes

- The policy of promotion of Information system /Computer science candidates may be submitted to NCST.
- The management of BPCL may discuss with the petitioner and consider his request of transfer to any of the desired place subject to the availability of vacancy in accordance with the rules during Annual transfer list in April 2025.
- Travel Allowance and Special leave may be reimbursed / given to the petitioner, as per rules of company.

(Jatothu Hussain)

जाटोतु हुसैन / Jatothu Hussain
सदस्य / Member
भारत सरकार / Government of India
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