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भारत सरकार

Government of India

राष्ट्रीय अनुसूचित जनजाति आयोग

National Commission for Scheduled Tribes

6th floor, 'B' Wing, Loknayak Bhawan
Khan Market, New Delhi-110 003

File No. AK/3/2015/STGDH/SEHRMT/RU-I

Date: 25/05/2018

To

1. The Secretary,
Ministry of Labour & Employment,
Shram Shakti Bhawan,
Rafi Marg,
New Delhi-110001.
2. The Commissioner,
Employees Provident Fund Organisation,
Bhavishya Nidhi Bhawan,
14, Bhikaji Cama Place,
New Delhi – 110066.

Sub: Representation dated 05/11/2015 received from Shri Amit Kumar, Social Security Assistant, Employee No. 667, Cashier - 1, A - 1, 171, Employees Provident Fund Organization (EPFO), Sector-23, Bhagwati Garden Extension, Street No. 10, Jain Road, Near Dwarka Mod Metro Station, New Delhi in the context of harassment by the Officers of EPFO.

Sir,

I am directed to refer to the subject cited above and to enclose a copy of the minutes of Sitting held in the National Commission for Scheduled Tribes on 08/05/2018 at 12:00 Noon under the Chairmanship of Shri H. C. Vasava, Hon'ble Member, National Commission for Scheduled Tribes in the matter.

It is, requested that action taken on the suggestions / recommendations of the Commission may please be sent to the NCST at the earliest.

Encl: As above.

Yours faithfully,

(Rajeshwar Kumar)
Assistant Director

Tel: 24641640.

Copy to:

Shri Amit Kumar,
(Social Security Assistant,
Employee
No. 667, Cashier - 1)
A - 1, 171, Bhagwati Garden Extension, Street No. 10,
Jain Road, Near Dwarka Mod Metro Station,
New Delhi – 110059.

Copy for information to:

(HCU)

1. PS to Hon'ble Member, NCST
2. NIC (for hosting on Commission's website)

Govt. of India
National Commission for Scheduled Tribes

(File No. AK/3/2015/STGDH/SEHRMT/RU-I)

Sitting held on 08/05/2018 at 12:00 Noon under the Chairmanship of Shri H. C. Vasava, Hon'ble Member, NCST in the case of Shri Amit Kumar, Social Security Assistant, Employee No. 667, Cashier - 1, A - 1, 171, Employees Provident Fund Organization (EPFO), Sector-23, Bhagwati Garden Extension, Street No. 10, Jain Road, Near Dwarka Mod Metro Station, New Delhi in the context of harassment by the Officers of EPFO.

List of participants is annexed.

The representation dated 05/11/2015 from Shri Amit Kumar was referred to the Commissioner of Police, Delhi and the Commissioner, Regional EPFO, New Delhi for comments and facts vide NCST's notice dated 10/11/2015. These Agencies responded to the NCST and, as per procedure, these were referred to Shri Amit Kumar. Shri Amit Kumar vide representation dated 26/07/2017 has refuted the facts furnished by the agencies and requested for justice.

The NCST vide letter No. AK/3/2015/STGDH/SEHRMT/RU-I dated 28/08/2017 asked Shri Amit Kumar to visit the Commission for explaining his grievance and problems. Shri Amit Kumar vide representation dated 03/04/2018 had alleged regarding physical assault on 27/03/2018 by the employees of EPFO and non-payment of medical bill of his wife.

The Hon'ble Member, Shri H. C. Vasava fixed a sitting on 08/05/2018 at 12:00 Noon to discuss the issue with Secretary, Ministry of Labour and Employment, Commissioner, EPFO, New Delhi and the petitioner. The notice for sitting was issued on 17/04/2018. In the sitting Shri Vinod Kumar, Director, Ministry of Labour and Employment appeared on behalf of Secretary, Ministry of Labour and Employment and the Additional Central Provident Fund Commissioner (HQ) deputed, Shri Sanjay Bisht, RPFC -I (HRM), HQs, Shri N. Thothar, RPFC-I(HRM) HQs and Shri Shashank Dinkar, RPFC-1, RO, Delhi (South) to attend the sitting. Petitioner was also present in the sitting.

Hon'ble Member asked the petitioner to explain the incident and grievance. Shri Amit Kumar pointed out the incident of physical assault by the cashier and the other employees of EPFO on 27/03/2018 and briefed the history of the harassment committed by the Administration of EPFO on him. The medical bill of his wife was not cleared by the cashier whereas other medical bills of others were cleared by them. He requested CCTV footage may be checked for proof of incident of 27/03/2018.

The Hon'ble Member asked the representatives of Ministry of Labour and Employment to apprise the Commission about the action taken by them in the matter. Representative explained that the Ministry is not aware about the above incident. He asked a copy of the petition may be provided for examination. He assured that Ministry of Labour and Employment will constitute a Committee comprising of one Member from ST category to examine the case. After receipt of report, the necessary directions will be issued to EPFO for taking appropriate action against the accused employees.


हर्षदभाई वसावा/Harshadhbhai Vasava
सदस्य/Member
राष्ट्रीय अनुसूचित जनजाति आयोग
National Commission for Scheduled Tribes
भारत सरकार/Govt. of India
नई दिल्ली/New Delhi

The representative of EPFO informed that the representation dated 03/04/2018 of Shri Amit Kumar was not received by them. Hence, at this juncture, it is difficult to comment on the incident occurred on 27/03/2018.

Copy of representation dated 03/04/2018 of Shri Amit Kumar was handed over to the representative of EPFO and Ministry of Labour and Employment. After detailed discussion, Commission suggested / recommended that the Ministry of Labour and Employment and EPFO should take appropriate action on the following points and submit the report to the Commission within a month from the receipt of the minutes of the meeting:

- (i) A Committee should be set up by Ministry of Labour and Employment comprising of one Member from ST category to examine the incident.
- (ii) The CCTV footage may please be restored for record by EPFO.
- (iii) A notice should be issued to the accused person(s) immediately as a warning by EPFO.
- (iv) Issue of non-clearance of medical bill of petitioner's wife to be examined by EPFO.
- (v) Shri Amit Kumar is advised to not visit the South Zone Office of EPFO.


हरपदभाई वसाव/Name
सदस्य/Mem
राष्ट्रीय जनजाति आयोग
National Commission for Scheduled Tribes
भारत सरकार/Govt. of India
नई दिल्ली/New Delhi

Govt. of India
National Commission for Scheduled Tribes

File No. AK/3/2015/STGDH/SEHRMT/RU-I

List of participants of the sitting held on 08/05/2018 at 12:00 Noon under the Chairmanship of Shri H. C. Vasava, Hon'ble Member, NCST in the case of Shri Amit Kumar, Social Security Assistant, Employee No. 667, Cashier - 1, A - 1, 171, Employees Provident Fund Organization (EPFO), Sector-23, Bhagwati Garden Extension, Street No. 10, Jain Road, Near Dwarka Mod Metro Station, New Delhi in the context of harassment by the Officers of EPFO.

Sr. No.	Name and Designation
I	<u>National Commission for Scheduled Tribes</u>
1.	Shri H. C. Vasava, (In chair) Hon'ble Member
2.	Shri P.T. Jameskutty, Deputy Secretary
3.	Shri Rajeshwar Kumar, Assistant Director
4.	Shri R. S. Mishra, Senior Investigator
5.	Shri Manoj Mishra, P.S. to Hon'ble Member
II	<u>Ministry of Labour & Employment,</u>
1.	Shri Vinod Kumar, Director
III	<u>Employees Provident Fund Organisation</u>
1.	Shri Sanjay Bisht, RPFC -I (HRM), HQs,
2.	Shri N. Thothar, RPFC-I(HRM) HQs
3.	Shri Shashank Dinkar, RPFC-I, RO, Delhi (South)
IV	<u>Petitioner</u>
1.	Shri Amit Kumar, EPFO, Delhi-West, Dwarka.