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सत्यमेव जयते

भारत सरकार

Government of India

राष्ट्रीय अनुसूचित जनजाति आयोग

National Commission for Scheduled Tribes

(A Constitutional body set up under Article 338A of the Constitution of India)

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

File No. MC/2/2018/STGHP/SEOTH/RU-I

Dated: 14/03/2019

To,

1. The Chairman-cum Managing Director,  
PCI Limited,  
Prime Tower, 287-288,  
Udyog Vihar Phase-II,  
Gurgaon (Haryana)- 122015
2. The Principal Secretary,  
Department of Power,  
Govt. of Himachal Pradesh,  
Shimla, (Himachal Pradesh)  
(Tel: 0177-2624538)

**Sub:** Representation dated 06.10.2018 of Shri Milap Chand, S/o Shri Prithvi Chand, Village- Badsar, Post- Jiya, Tehsil- Palampur, District- Kangra (Himachal Pradesh) regarding harassment by the PCI Ltd Company New Delhi.

Sir,

I am directed to refer to the subject cited above and to enclose a copy of the minutes of Sitting held in the Headquarters of National Commission for Scheduled Tribes on 05/03/2019 at 12:00 Noon under the Chairmanship of Miss Anusuiya Uikey, Hon'ble Vice- Chairperson, 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/ राजेश्वर कुमार)

Assistant Director

Ph: 24641640

Copy to:

Shri Milap Chand,  
S/o Shri Prithvi Chand,  
Village-Badsar, Post- Jiya,  
Tehsil- Palampur, District- Kangra  
(Himachal Pradesh)  
(Mob: 9816469918)

Copy for information to:

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

**Government of India**  
**National Commission for Scheduled Tribes**

Minutes of sitting held in the NCST's Headquarters on 05/03/2019 at 12:00 Noon under the Chairmanship of Miss Anusuiya Uikey, Hon'ble Vice- Chairperson, NCST in the case of Shri Milap Chand, (S/o Shri Prithvi Chand, Village- Badsar, Post- Jiya, Tehsil- Palampur, District- Kangra (Himachal Pradesh) regarding harassment by the PCI Ltd Company New Delhi.

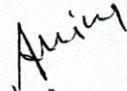
(F. No. MC/2/2018/STGHP/SEOTH/RU-I)

List of participants is annexed.

Shri Milap Chand, (Village- Badsar, Post- Jiya, Tehsil- Palampur, District- Kangra (Himachal Pradesh) vide representation dated 06.10.2018 has stated there was an agreement between him and PCI Ltd, Gurugram for construction of 33/11 KV, 2×1.6 MVA Sub-station at Darang near Palampur (Himachal Pradesh) in December, 2012. This contract was awarded to PCI Ltd by the Himachal Pradesh State Electricity Board Limited (HPSEBL). This work was sub-let to him by the PCI Ltd. The PCI Ltd harassing him from time to time and near about an amount Rs. 10 lakhs not released. Being Scheduled Tribe he requested the Commission for justice.

The NCST took up the matter with the Chairman, PCI Ltd, Gurugram and Govt. of Himachal Pradesh (Department of Energy) on 27.11.2018. The information was not received from the concerned Department. Hence, Hon'ble Vice-Chairperson fixed the sitting for 11.01.2019 to discuss the matter with the officers of Govt. of Himachal Pradesh and PCI Ltd and petitioner to resolve the issue. In response to NCST's letter dated 27.11.2018, the Chief Engineer, (P & M) HPSEBL vide letter No. HPSEBL (Sectt.)-407-01 (CM)/2018-19 : 80141-43 dated 09.01.2019 has informed the facts and stated that " This issue has not come to the notice of HPSEBL as such, the Chief Engineer (OP), North HPSEBL Dharamshala has been advised to make detailed investigation and get the matter settle and report thereof shall be submitted to all concerned thereafter". The sitting dated 11.01.2019 was postponed and re- fixed for 01.03.2019, which was also postponed for 05.03.2019 at 12.00 Noon.

In the sitting held on 05.03.2019, the Sr. Executive Engineer, Electrical Division, HPSEBL had deputed AE Electrical, Sub- Division, Maranda, Palampur to attend the sitting on behalf of HPSEBL, the DGM (Legal & Statutory Compliances) was deputed by the Executive Director,

  
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उपाध्यक्ष/Vice Chairperson  
राष्ट्रीय अनुसूचित जनजाति आयोग  
National Commission for Scheduled Tribes  
भारत सरकार/Govt. of India  
नई दिल्ली/New Delhi

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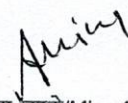
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उपाध्यक्ष/Vice Chairperson  
राष्ट्रीय अनुसूचित जनजाति आयोग  
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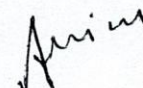
PCI Ltd to attend the sitting on behalf of the Company. The petitioner was not appeared before the Commission since, weather of his area was disturbed.

The Hon'ble VC asked the representative of PCI Ltd to explain the facts and action taken/ to be taken by them on the allegations stated by Shri Milap Chand. The representative of PCI Ltd informed that Shri Milap Chand had not completed the work as per agreement. A copy of the letter No. PCI/NCST/HPSEBL/2018/DARANG/006 dated 18.12.2018 addressed to NCST in the matter, copy of the agreement signed between PCI and Shri Milap Chand, copy of final rates after negotiations with the work (Rs. 53 lakhs) copy of ledger account of PCI for the project 2012-13 in favour of Shri Milap Chand, statement of Bill paid to Shri Milap Chand and letter dated 12.10.2018 of PCI Ltd addressed to Sr. Executive Engineer, Electrical Division Palampur for re-submission of running Bill of civil work of augmentation of 33/11 KV Sub-station, Darang for payment of Rs. 10.71 lakhs were provided by the representative of PCI in the sitting.

The Assistant Engineer, HPSEBL has provided a copy of the letter No. HPSEBL/234297/2019: 12369-71 dated 02.03.2019 of Sr. Executive Engineer, HPSEBL Palampur along with statement of Bill wise details in respect of work allotted to PCI Ltd, Gurugram. In addition to this, the AE was unable to explain the facts.

After detailed discussions with the representative of PCI (on the basis of documents submitted by him before the Commission in the sitting) and the AE, Electrical Sub- Division Maranda, the Hon'ble VC ~~suggested/~~ recommended that the PCI Ltd should take up the issue with the HPSEBL or Department of Power (who is the Nodal Agency for awarding of the work) Govt. of Himachal Pradesh, since the projects was awarded to PCI Ltd by the HPSEBL. The action taken/ to be taken on the following points may be intimated to the Commission within one month from receipt of the proceedings of the sitting by the PCI Ltd, Gurugram and the HPSEBL.

1. As per agreement between PCI and Shri Milap Chand, the PCI Ltd should pay the due amount to Shri Milap Chand.
2. As per PCI Ltd letter No. PCI/HPSEBL/RA/020/A dated 12.10.2018 addressed to Sr. Executive Engineer, Electrical Division, HPSEBL Palampur, the HPSEBL should assess the status of the project as per terms and conditions of the award of the work and release the balance amount to PCI Ltd.

  
सुश्री अनुसुईया उइके/Miss Anusuiya Uikhey  
उपाध्यक्ष/Vice Chairperson  
राष्ट्रीय अनुसूचित जनजाति आयोग  
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File No. MC/2/2018/STGHP/SEOTH/RU-I

List of participants of the sitting held on 05/03/2019 at 12:00 Noon under the Chairmanship of Miss Anusuiya Uikey, Hon'ble Vice- Chairperson, NCST in the case of Shri Milap Chand, (S/o Shri Prithvi Chand, Village- Badsar, Post- Jiya, Tehsil- Palampur, District- Kangra (Himachal Pradesh) regarding harassment by the PCI Ltd Company New Delhi.

- I**                    **National Commission for Scheduled Tribes**
1. Miss Anusuiya Uikey,                    In Chair  
Hon'ble Vice- Chairperson
  2. Shri P.T. Jameskutty,  
Deputy Secretary
  3. Shri Gaurav Kumar,  
PS to Hon'ble Vice- Chairperson
  4. Shri Rajeshwar Kumar,  
Assistant Director
  5. Shri R. S. Misra,  
Senior Investigator
- II**                    **Officers of Govt. of Himachal Pradesh**
- Shri Rajiv Sharma,  
Assistant Engineer, Electrical  
Sub- Division Maranda
- III**                    **Officers of PCI Ltd, Gurugram**
- Shri Anil Kumar Tyagi,  
DGM (Legal & Statutory Compliances)
- IV**                    **Petitioner**
- Nil