



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. NCST/SER-689/MCIT/17/2022-SSW

Dated: - 13.02.2024

To,

Shri P.K Purwar
Chairman and Managing Director
Bharat Sanchar Nigam Limited (BSNL)
Janpath, New Delhi – 110001
Email:- cmdbsnl@bsnl.co.in. Phone:- 011-23372424

Sub: सीएसएस कैडर के उपप्रबंधक पद पर कार्यरत अनुसूचित जनजाति के कर्मचारियों की 2015-16 की एक बैक लॉग सहित दो विभागीय परीक्षा कोटा की रिक्त पदों को भरने के संबंध में - श्री ललन साह (उपप्रबंधक, BSNL) एव अन्य के अभ्यावेदन ।

Ref:- NCST letter of even no. dated 29.01.2024 forwarded therewith the copy of the minutes of the meeting held on 18.1.2024.

महोदय,

I am directed to refer to NCST letter of even no. dated 29.1.2024 forwarded therewith the copy of the minutes of the meeting held on 18.1.2024. Now a copy of the amended minutes of the meeting held under the Chairmanship of Shri Ananta Nayak, Hon'ble Member, NCST on 18.1.2024 at 11:30 AM in the National Commission for Scheduled Tribes, Lok Nayak Bhawan, Khan Market, New Delhi 110003 on the above mentioned subject is enclosed for appropriate action.

It is requested that the action taken/ to be taken in the matter may be intimated to NCST within stipulated time from receipt of the letter for placing it before the Hon'ble Member.

Yours faithfully,

(आर.एस.मिश्र / R.S. Misra)

अनुसंधान अधिकारी / Research Officer

Tel:-011-24641640

Copy to:-

श्री ललन साह, उप प्रबंधक एव अन्य
बीएसएनएल कॉर्पोरेट ऑफिस
नई दिल्ली - 110001
मो0- 9868265599, ई मेन्स - lalansah01@gmail.com

Copy for information

1. PS to Hon'ble Member, NCST.
2. NIC, NCST for uploading on the website of the Commission.

**National Commission for Scheduled Tribes
(F. No. NCST/SER-689/MCIT/17/2022-SSW)**

Amended minutes of the meeting held under the Chairmanship of Shri Ananta Nayak, Hon'ble Member, National Commission for Scheduled Tribes at Lok Nayak Bhawan, New Delhi, in the case of Shri Lalan Sah (Deputy Manager, BSNL) and others, regarding their promotion.


Date of the meeting: 18/01/2024, 11:30 AM
Participants in the meeting - As per Annexure

Shri Lalan Sah (Deputy Manager, BSNL) and others in their representation dated 04.11.2022 have stated that in the CSS cadre 67% of the vacancies are to be filled up through seniority-cum-fitness and 33% through Limited Internal Competitive Examination(LICE). However from 2015-16 to 2021 through the annual DPC, only promotion have been made on the seniority cum fitness quota but the remaining 33% of which are to be filled by LICE has not been done and due to that 2 vacancies including 1 backlog for Scheduled Tribes, have not been filled by BSNL from 2015-16 until now

Thereafter a meeting was held on 06/11/2023 with the officials of BSNL and the Petitioner at NCST Headquarters. In the meeting, the Commission recommended that "a copy of the letter dated 03.02.2023 of BSNL as furnished during the Meeting, noted at para 4 above, may be provided to the Petitioner. The Petitioner may file his Rejoinder on the issue. After receipt of the Rejoinder from the Petitioner, the Commission may decide further course of action in the matter."

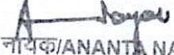
The petitioner *vide* rejoinder dated 9.11.2023 had requested for another meeting to resolve the issues. Accordingly, the Commission had decided to discuss the issue with the CMD, BSNL and the petitioner on 18-01-2024. The CMD, BSNL deputed the officials to appear before the Commission on 18-01-2024. BSNL *vide* letter dated 17-01-2024 has furnished the facts and comments on the issue raised in the rejoinder dated 09-11-2023 of the petitioner. The officials were present before the Commission and the Petitioner was also present.

The Petitioner has reiterated his issues and requested for promotion against the vacancy for the year 2015-16. The officials of BSNL reiterated the facts submitted to the Commission *vide* letter dated 17-01-2024. It was also informed that the post of CSS has been restructured *vide* letter dated 24.11.2021 of BSNL. This restructuring affected all posts of CSS and there is no discrimination with the petitioner. The petitioner alleged that the then Assistant Manager (CSS) (Shri M Udaya Kumar) is regularly discriminating against him since he is performing the same job at the same place while he got promotion to higher posts. Hence the matter needs to be inquired into. However, the authorities of BSNL present had attempted to clarify that whatever decision were taken were done with the approval of the Competent Authority.


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

After hearing both the sides, the Commission recommends the following and suggested that action taken report may be submitted within 30 days from receipt of the minutes:-

- (i) As per detailed discussion with Director (HR) in the sitting the unfilled backlog vacancy of ST category of the vacancy year 2015-16 as mentioned in the previous notification No. 103-1/2018-CSS dated 17.01.2018 be included in the current notification and fill up the same by the eligible ST candidate. A copy of the order issued by the BSNL may be furnished to the national Commission for Scheduled Tribes within 15 days.
- (ii) The case of Shri M. Udaya Kumar (the then Assistant General Manager) may be examined by administration of BSNL. As he is continuously discharging its duties in same division.
- (iii) An Internal Grievance Committee for redressal of grievances of ST Employees of the BSNL may be set up in terms of NCST Advisory issued in August 2021 to all Ministries/Departments of the Government of India (Copy enclosed).


अनंत 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 meeting held on 18.1.2024 at 11:30 AM under the Chairmanship of Shri Ananta Nayank, Hon'ble Member, NCST, New Delhi in the case of Shri Lalan Sah (Dy. Manager, BSNL) and others regarding promotion.

I	<u>BSNL</u>
1.	Shri Kalyan Sagar Nippani, Director (HR)
2.	Shri Adhir Kumar Singhal , Principal General Manager (Pers)
3.	Shri Jagdish Prasad, General Manager & Chief Liaison Officer (SCT)
II	<u>Petitioner</u>
	Shri Lalan Sah

अंलका तिवारी, भा.प्र.से.

सचि भारत सरकार

ALKA TIWARI, I.A.S.
SECRETARY TO GOVT. OF INDIA



सत्यमेव जयते

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 incase an officer is not available within the Ministry/Department)	Member

.....2/-