



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)

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

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

Dated: 23/05/2019

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.

Ref: Letter No. HPSEBL/234297/2019-915-17 dated 01.05.2019 of Sr. Executive Engineer, Electrical Division, HPSEBL Palampur.

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 03/05/2019 at 12:30 PM 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/ सहायक निदेशक
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 03/05/2019 at 12:30 PM 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.

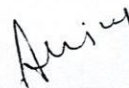
(F. No. MC/2/2018/STGHP/SEOTH/RU-I)

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 Hon'ble Vice- Chairperson, NCST discussed the issue with the representative of HPSEBL, Govt. of Himachal Pradesh, Shimla and the representative of PCI, Ltd in the sitting held on 05.03.2019 at Loknayak Bhawan, New Delhi. The petitioner was not attended the sitting. In the sitting dated 05.03.2019, 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 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.



सुशी अनुसुईया उइके/Miss Anusuiya Uikey
उपाध्यक्ष/Vice Chairperson
राष्ट्रीय अनुसूचित जनजाति आयोग
National Commission for Scheduled Tribes
भारत सरकार/Govt. of India
नई दिल्ली/New Delhi

The minutes of sitting dated 05.03.2019 was sent to Chairman cum Managing Director, PCI Ltd, Gurugram, and the Principal Secretary, Department of Power, Govt. of Himachal Pradesh, Shimla for submitting action taken report on the recommendations of NCST and a copy of the same endorsed to Shri Milap Chand for information vide letter dated 14.03.2019. The action taken report was not received from the PCI Ltd, Gurugram and the Department of Power, Govt. of Himachal Pradesh. Accordingly, Hon'ble Vice- Chairperson fixed the sitting for 03.05.2019 at 12.30 PM to discuss the issue with the Department of Power, Govt. of Himachal Pradesh and PCI Ltd, Gurugram and the petitioner. The notice for sitting was issued on 22.04.2019 to CMD, PCI Ltd, Gurugram, Principal Secretary, Department of Power, Govt. of Himachal Pradesh, Shimla and the petitioner.

The Senior Executive Engineer, HPSEBL, Shimla vide letter No. HPSEBL/234297/2019-915-17 dated 01.05.2019 had deputed SDO (Electrical) Sub-division Maranda, Palampur to attend the sitting. The DGM (Legal) PCI Ltd, Gurugram appeared on behalf of CMD, PCI Ltd without authorization letter to attend the sitting. The petitioner was also appeared in the sitting. The Hon'ble Vice- Chairperson allowed the representative of HPSEBL and DGM (Legal) to appear before him in the sitting.

The Hon'ble Vice- Chairperson asked the petitioner to explain the grievance and action taken by the PCI Ltd and Government of Himachal Pradesh on the recommendation of NCST in the sitting held on 05.03.2019. The petitioner informed that the PCI Ltd, is not hearing/ responding his problems/ communications regarding payment of dues amount near about Rs. 10 lakhs.

The Hon'ble Vice- Chairperson asked the representative of PCI Ltd, to apprise the facts and action taken by the Company for payment of dues amount as recommended by NCST in the sitting held on 05.03.2019. The representative of PCI Ltd, informed that the Company is ready to settle the case. Shri Milap Chand should be asked to reconcile the account with the PCI Ltd, so that case will be settled. The PCI Ltd, prepared a Demand Draft bearing No. 241223 dated 30.04.2019 (Punjab National Bank, Tolstoy Marg, New Delhi) for Rs. 6,72, 953/- in favour of Shri Milap Chand. The Company told that this may be given to Shri Milap Chand in the sitting. The Government of Himachal Pradesh, HPSEBL may also be asked to release this amount i.e. Rs. 7 lakhs at the earliest. The rest of amount will be paid by the Company, after reconciliation of amount (along with related Bills) by Shri Milap Chand with the Company.

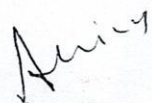

सुश्री अनुसुईया उइके/Miss Anusuiya Uikhey
उपाध्यक्ष/Vice Chairperson
राष्ट्रीय अनुसूचित जनजाति आयोग
National Commission for Scheduled Tribes
भारत सरकार/Govt. of India
नई दिल्ली/New Delhi

The Hon'ble Vice- Chairperson asked the representative of HPSEBL to explain the action taken by HPSEBL in the matter. The representative of HPSEBL informed that the Department is examining the Bills submitted by the PCI Ltd, for payment. A Bill for amount of Rs. 7,88, 917/- has been referred to concerned agencies for disbursement on 01.05.2019 by the HPSEBL.

The representative of PCI Ltd, handed over the DD of PCI Ltd, as mentioned above to Shri Milap Chand in the sitting. The Hon'ble Vice- Chairperson emphasised that the Government of Himachal Pradesh may release the balance amount to PCI Ltd, at the earliest so that PCI Ltd, paid the dues amount to Shri Milap Chand.

After detailed discussions with the representative of HPSEBL and PCI Ltd, and the petitioner, the Hon'ble Vice- Chairperson recommended the following points and asked the HPSEBL and PCI Ltd, to take up the matter at the earliest and report to the Commission within a month from the date of sitting.

1. Shri Milap Chand may visit the PCI Ltd, within 15 days from the sitting along with Bills for the work undertaken by them for reconciliation with the PCI Ltd, Gurugram. The PCI Ltd, should allow Shri Milap Chand and his companion to visit the Company for reconciliation of amount incurred by them.
2. After reconciliation, PCI Ltd, should release the balance amount within 15 days.
3. The HPSEBL, Government of Himachal Pradesh should release Rs 7 lakhs to PCI Ltd, at the earliest. The HPSEBL should take care that the PCI Ltd, first paid the balance amount to Shri Milap Chand, thereafter, the balance amount of PCI Ltd, should be released. Otherwise, behaviour of PCI Ltd, with Shri Milap Chand will be un-cooperative for release of balance amount.


शुश्री अनुसुइया उइके/Miss Anusuiya Uikey
उपाध्यक्ष/Vice Chairperson
राष्ट्रीय अनुसुचित जनजाति आयोग
National Commission for Scheduled Tribes
भारत सरकार/Govt. of India
नई दिल्ली/New Delhi

Government of India
National Commission for Scheduled Tribes

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

List of participants of the sitting held on 03/05/2019 at 12:30 PM 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 Gaurav Kumar,
PS to Hon'ble Vice- Chairperson
3. Shri Rajeshwar Kumar,
Assistant Director
4. Shri R. S. Misra,
Senior Investigator

II **Officers of Govt. of Himachal Pradesh**

Shri Rajiv Sharma,
SDO, (Electrical)
Sub- Division Maranda

III **Officers of PCI Ltd, Gurugram**

Shri Anil Kumar Tyagi,
DGM (Legal & Statutory Compliances)

IV **Petitioner**

Shri Milap Chand