

By Speed Post



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: 23/07/2019

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 09/07/2019 at 01:30 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 09/07/2019 at 01:30 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.

This issue was discussed in the sitting(s) held on 05.03.2019 and 03.05.2019 in the NCST at New Delhi. Minutes of sitting dated 3.5.2019 was sent by the NCST on 23.05.2019 to all concerned authority for necessary action. The petitioner again stated that the PCI Ltd not cooperating with them and not released balance amount. Hon'ble Vice- Chairperson fixed the sitting on 09.07.2019 at 01.30 PM to discuss the issue.

In the sitting, on behalf of PCI Ltd, Shri Anil Kumar Tyagi, DGM (Legal & Statutory Compliances) and on behalf of Department of Power, Govt. of Himachal Pradesh (HPSEBL), Shri Rajiv Sharma, SDO, (Electrical) Sub- Division, Maranda was appeared. The petitioner was also present in the sitting.

The petitioner informed that the PCI Ltd, not cooperating with him and stated that one employee of PCI Ltd, Mr. Bhutani had taken Rs. 7 lakhs in cash from him from time to time for the completion of the work of the project. Therefore, that amount Rupees seven lakh may also be added in the balance amount to be reimbursed by PCI Ltd. The representative of PCI informed

Anusuiya
सुश्री 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

that the said person has already left the company. Therefore, the allegation for Rupees Seven lakh taken in cash by him from Shri Milap Chand could not be ascertained by the company in a few days, since there is no such record with the company.

After detailed discussions with the representative of HPSEBL, PCI Ltd and the petitioner, the Hon'ble Vice- Chairperson recommended the following points and asked the HPSEBL, PCI Ltd and petitioner to resolve the issue.

1. Shri Milap Chand is advised to submit the statement indicating the total amount incurred by him on the project, amount received from PCI Ltd and balance amount to be released by PCI Ltd, with supporting documents within Fifteen days. So that PCI Ltd, examine and reconcile the dues for the payment of balance amount.
2. The PCI Ltd should find out the address of ex- employee of Shri Bhutani and ascertained from him regarding taking an amount of Rs. Seven lakhs in cash from Shri Milap Chand.
3. The Government of Himachal Pradesh should assess the works undertaken by the PCI Ltd and also assess the additional work completed by Shri Milap Chand on behalf of PCI Ltd on the said site. The action taken report may be sent to the Commission within a month.
4. The Government of Himachal Pradesh is advised that the balance amount of PCI Ltd may not be released until the PCI Ltd not released the balance amount to Shri Milap Chand.

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

Government of India
National Commission for Scheduled Tribes

(File No. NC/2018/STGHP/SEOTI/URU-1)

List of participants of the sitting held on 09/07/2019 at 01:30 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