



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

Dated: 14/09/2021

File No. RB/3/2019/MPNG1/SEOTH/RU-I

To,

Chairman-Cum-Managing Director,
Bharat Petroleum Corporation Ltd.,
Bharat Bhawan, 4 & 6 Currimbhoy Road, Ballard
Estate,
PB No. 688, Mumbai-400001
(Ph. No. 022-22713000/4000)
(E-mail: cmd@bharatpetroleum.in)

Sub: Regularization of ID: 1595, (Shri R. Bheemla), Temporary transfer to Mumbai Refinery, BPCL in process Department for 2 years and 6 months for training purpose as well as end social discrimination by Bharat Oman Refineries Ltd. (BORL)- a representation dated 02.12.2020 Shri R. Bheemla, Poshammagadda Thanda, Chedurupali (Post), Veldanda (Mandal), Nagarkarnool (District) (Telangana)

Sir,

I am directed to refer to the subject cited above and to enclose copy of minutes of Sitting held on 02.09.2021 at 11:30 P.M. under the Chairmanship of Shri Anant Nayak, Hon'ble Member, National Commission for Scheduled Tribes, Lok Nayak Bhawan, New Delhi-110003 in the matter.

It is, requested that action taken on the suggestions / recommendations of the Commission may please be sent to the NCSST within 30 days from receipt of the letter.

Encl: As above.

Yours faithfully,

(Dr. Lalit Latta) ललित लट्टा

Director/निदेशक

Tel: 011-24615012.

(Email: director@ncst.nic.in)

Copy to:

Shri R. Bheemla,
Poshammagadda Thanda,
Chedurupalli (Post), Veldanda (Mandal),
District-Nagarkarnool-509360
(Telangana)
(Mob No. 7984566498, 9390407719)
(Email: bheemla@gmail.com)

File No. RB/3/2019/MPNG1/SEOTH/RU-I
Government of India
National Commission for Scheduled Tribes

Minutes of sitting held in the NCST's Headquarters on 02/09/2021 at 11:30 AM under the Chairmanship of Shri Ananta Nayak, Hon'ble Member, National Commission for Scheduled Tribes in the case of Shri R. Bheemla, Poshammagadda Thanda, Chedurupali (Post), Veldanda (Mandal), Nagarkarnool (District) (Telangana) regarding regularization of ID: 1595 (Shri R. Bheemla), Temporary transfer to Mumbai Refinery, BPCL in process Department for 2 years and 6 months for training purpose as well as end social discrimination by Bharat Oman Refineries Ltd. (BORL).

List of participants is annexed.

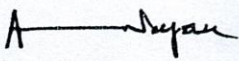
Shri R. Bheemla, (Assistant Manager, (Dismissed), Bharat Oman Refineries Ltd.) vide representation dated 02.12.2020 has requested for regularization of ID: 1595 (Shri R. Bheemla) temporary transfer to Mumbai Refineries, Bharat Petroleum Corporation Ltd. (BPCL) in process Department for 2 years and 6 months for training purpose as well as end social discrimination by Bharat Oman Refineries Ltd. (BORL).

The NCST took up the matter with the Chairman-Cum-Managing Director, BPCL, Mumbai for facts and comments. The BPCL had furnished the facts and comments which were sent to Shri R. Bheemla for information. Shri R. Bheemla has refuted the facts submitted by BPCL.

Accordingly, NCST convened a sitting with the officers of BPCL and petitioner on 02.09.2021 to discuss the issue. Shri R. Bheemla stated that the BORL Management had not provided the training and other works, as per job assigned to him. Therefore, performances were not good. The charges leveled by the Management are not true, hence, the action taken by BORL Management for dismissal from the service is arbitrary.

The Chief Executive Officer and other officers of BORL and representative of BPCL denied the allegations of the petitioner and stated that the Management given proper opportunities to petitioner. After due consideration, the Management dismissed the services of Shri R. Bheemla from the BORL.

After hearing both the parties, it was observed that the grievance of the petitioner (after his first joining with BORL on 27.04.2013 and then after his second joining January, 2015) is twofold – First, he didn't receive adequate training & mentoring,



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

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

second, the work which was assigned to him, was not at par with his qualifications, but of a very sub-standard as compared to other co-employees. That situation continued for years, which resulted in constant mental agony, harassment and led to psychiatric problems to the petitioner.

The CEO and other officials of BORL denied allegations of the petitioner and submitted that trainings, mentoring and other facilities have been duly provided to the petitioner. The behavior of the petitioner towards the officers and other employees of the BORL were extremely adverse.

The Commission is of the view that the charges leveled against petitioner related to – behavioral issues, absent on work and breaking of official protocols, which resulted dismissal from the service from 30.03. 2020. These charges against petitioner are not grave in nature, as happens in case of financial irregularity or damage to the organization/company. Therefore, the punishment given to the petitioner is very harsh in nature. The Commission recommends that “the BPCL should advised BORL to re-consider the dismissal of the petitioner on humanitarian grounds. The action taken/to be taken in the matter may be sent to the Commission within 30 days from the receipt of the minutes.



(Ananta Nayak)
Member

National Commission for Scheduled Tribes

अन्ता नायक
सदस्य/Member
राष्ट्रीय अनुसूचित जनजाति आयोग
NATIONAL COMMISSION FOR SCHEDULED TRIBES
New Delhi

List of participants of the sitting held on 02.09.2021 at 11:30 A.M under the chairmanship of Shri Ananta Nayak , Hon'ble Member, NCST in the case of Shri R. Bheemla, Poshammagadda Thanda, Chedurupali (Post), Veldanda (Mandal), Nagarkarnool (District) (Telangana) regarding regularization of ID: 1595, (Shri R. Bheemla), Temporary transfer to Mumbai Refinery, BPCL in process Department for 2 years and 6 months for training purpose as well as end social discrimination by Bharat Oman Refineries Ltd. (BORL).

Sr.	Name and Designation	Address & Ph. No.	Signature
I. <u>National Commission for Scheduled Tribes</u>			
1	Dr. Lalit Latta, Director		
2	Shri R.S. Misra, Senior Investigator		
3	Shri H. R. Meena, Senior Investigator		
4	Shri Hrishikesh Jha, Advisor (Legal)		
II. <u>BPCL, Mumbai</u>			
1	Shri A.R. S. Bhandari, CEO, BORL		
2	Shri Vishvas Saxena, VP, HR, BORL		
3	Shri Rajneesh Verma, GM, HRS, BPCL		
4	Shri Suraj Chaudhary, AVP, HR, BORL		
5	Shri Atul Mehra, GM, Coord, BPCL		
III. <u>Petitioner</u>			
	Shri R. Bheemla		