



राष्ट्रीय अनुसूचित जनजाति आयोग  
**National Commission for Scheduled Tribes**  
भारत सरकार  
**Government of India**

(भारत के संविधान के अनुच्छेद 338क के अंतर्गत एक संवैधानिक निकाय)  
(A Constitutional body under Article 338A of the Constitution of India)

F.No PM/1/2019/MSTR3/SEOTH/RU-IV- SSW

Dated: - 18.05.2022

To,

The Chairman,  
Visakhapatnam Port Trust,  
Visakhapatnam-530035  
(Email: [chairman.vpt@gov.in](mailto:chairman.vpt@gov.in), Phone No. 0891-2562758)

**Sub:- Representation of Smt. P. Mothi W/o Late Shri Linganna, (Ex Sr. Inspector, Emp No. 606741 CHD) for denial of compassionate appointment in leave of her deceased husband, in VPT.**

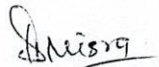
Sir,

I am directed to enclose herewith a copy of the minutes of Sitting held under the Chairmanship of Shri Ananta Nayak, Hon'ble Member, NCST on 09.05.2022 at 04:30 P.M. in the National Commission for Scheduled Tribes, Lok Nayak Bhawan, Khan Market, New Delhi 110003 on the above mentioned subject.

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

Yours faithfully,

Encl:- as above

  
(R.S.Misra)  
Research Officer

Copy to :-

Smt. P. Mothi,  
C/o SBK Murthy,  
Flat No. 201, Dr. No. 39-7-31/1,  
Hill View Mansion, Murali Nagar,  
Visakhapatnam-530007 (Andhra Pradesh)  
(Email : [murthysbk@gmail.com](mailto:murthysbk@gmail.com) , Mob No. 9290993076)

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

\*\*\*\*\*

(File No. PM/1/2019/MSTR3/SEOTH/RU-IV)

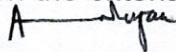
**Minutes of sitting held in the NCST's Headquarters on 09.05.2022 at 04:30 PM (06:00 PM) under the Chairmanship of Shri Ananta Nayak, Hon'ble Member, National Commission for Scheduled Tribes case of Smt. P. Mothi W/o Late Shri P. Linganna regarding denial of compassionate appointment to her son in lieu her deceased husband by Visakhapatnam Port Trust.**

List of participants is annexed.

Smt. P. Mothi W/o Late Shri P. Linganna (working as Sr. Inspector Cargo Handling Division, Visakhapatnam Port Trust) vide representation dated 08.04.2019 has submitted her grievances of denial of compassionate appointment in Visakhapatnam Port Trust in lieu of her deceased husband, who died in road accident while returning home from duty. On 11.06.2014, Shri P. Linganna completed his 3rd shift duty and in the early morning of 12.06.20214, while returning home, he met with a road accident nearby the Visakhapatnam Port Trust (VPT) premises and died on the spot on 12.06.2014.

The NCST discussed the issue with the officers of Visakhapatnam Port Trust and petitioner in the sittings held on 14.11.2019 and 15.07.2021 at NCST, New Delhi. In the sitting held on 15.07.2021, the NCST recommended that the Chairman, Visakhapatnam Port Trust will review the case as per Notional Theory of Extension and also re-consider the petitioner's case of employment on compassionate grounds. The VPT management should also prepare a list of cases of the employees who died in road accident, in particular, those cases of ST and such cases should be given on priority and his name may be No. 1 position. An action taken report may be submitted to the Commission within one 15 days period.

The Visakhapatnam Port Trust vide letter No. VPT/CHD/P. Mothi/Com.Appt/NCST/2021/326 dated 26.08.2021 has furnished the action taken report and its concluding para stated that "if the serial order of the Master List as suggested by Hon'ble NCST is re-arranged giving priority for accident cases, then all other similar cases need to be re-examined and the Master List both in VPT and CHD needs to be re-arranged, which may lead to commotion and litigation among the Master List candidates, as shuffling of seniority in the Master List effects their job opportunities, if any. Further, no rules or guidelines exist to shuffle the Master List, which is being prepared as per the procedure being followed for decades on the criteria of whether the death of the employee



अनंत नायक/ANANTA NAYAK

सदस्य/Member

राष्ट्रीय अनुसूचित जनजाति आयोग

NATIONAL COMMISSION FOR SCHEDULED TRIBES

भारत सरकार/Govt. of India

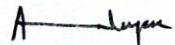
नई दिल्ली/New Delhi

is "while in service" or retirement of the employee on the grounds of "medical invalidation" but not on the cause of death i.e., whether accident, death due to ill health etc. In view of the above, it is not possible to place the name of Smt. P. Mothi at Sr. No. 1 among Scheduled Tribes in the Master List of CHD.

Meanwhile, petitioner vide reminder dated 12.01.2022 has stated that VPT has taken the opinion of Standing Counsel for providing the employment to Smt. P. Mothi. The Advocate has supported the case but the VPT management is not giving employment. Accordingly, NCST has decided to discuss the matter with the Chairman, VPT and petitioner on 09.05.2022 at 04:30 PM. In the sitting Dy. Chairman, Visakhapatnam Port Trust and other officers and representative of petitioner were present.

In the sitting, the officers of VPT reiterated the facts and comments submitted by VPT vide the letter dated 26.08.2021. They were unable to explain the queries asked by the Hon'ble Member, NCST

After detailed discussions with the Officers of the VPT and representative of the petitioner, it was recommended that a detailed and point-wise reply to the suggestions/recommendations made by the NCST in the sitting held on 15.07.2021 may be submitted to the NCST within 15 days from the date of sitting and copy to petitioner for information. The next sitting in the matter proposed to be convened on 13.06.2022.

  
(Ananta Nayak)  
Member

National Commission for Scheduled Tribes

New Delhi  
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 sitting held on 09.05.2022 at 04:30 PM (06:00 PM) under the Chairmanship of Shri Ananta Nayak, Hon'ble Member, National Commission for Scheduled Tribes case of Smt. P. Mothi W/o Late Shri P. Linganna regarding denial of compassionate appointment to her son in lieu her deceased husband by Visakhapatnam Port Trust.

<b>I.</b>	<b><u>Visakhapatnam Port Trust</u></b>
1	Shri Durgesh Dubey, Dy. Chairman
2	Shri Samba Murty, Sr. PO
3	Shri G.Bhanu Chander,
<b>II.</b>	<b><u>Petitioner</u></b>
	Representative of petitioner