

BY SPEED POST



**Government of India
National Commission for Scheduled Tribes**

**6th floor, 'B' Wing, Loknaya Bhawan
Khan Market, New Delhi-110 003.**

File No. RLM/1/2017/MPNG1/SEHRMT/RU-I

Date: 20/07/2017

To

The Chairman- & Managing Director,
Oil & Natural Gas Corporation Ltd.,
Pandit Deendayal Upadhyaya Urja Bhawan,
5A, Nelson Mandela Marg,
Vasant Kunj,
New Delhi – 110070.

Sub: Representation dated 22.12.2016 received from Shri R. L. Meena, Chief Manager (Finance), R/o B-50, ONGC Colony (North) Badarghat Complex, Agartala (Tripura)-799014, regarding Harassment and injustice by ONGC Management.

Sir,

I am directed to enclose a copy of the minutes of Sitting held in the National Commission for Scheduled Tribes on 30/06/2017 on the above mentioned subject for immediate necessary action. Action Taken Report in this regard may be submitted to the Commission within 30 days positively.

Encl: As above..

Yours faithfully,

(Rajeshwar Kumar)
Assistant Director

Copy to:

Shri R.L. Meena,
Chief Manager (Finance),
R/o B-50,
ONGC Colony (North) Badarghat Complex,
Agartala (Tripura)-799014.

Copy for information to:

1. PS to Hon'ble Member (HCV), NCST
2. SSA NIC (for hosting on Commission's website)

National Commission for Scheduled Tribes
Govt. of India

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Minutes of sitting held in the Commission on 30/06/2017 at 12:00 Noon under the Chairmanship of Shri H. C. Vasava, Hon'ble Member, NCST in the case of Shri R. L. Meena, Chief Manager (Finance), R/o B-50, ONGC Colony (North) Badarghat Complex, Agartala (Tripura)-799014, regarding harassment and injustice by ONGC Management.

List of participants placed at annexure A.

A representation dated 22/12/2016 was received from Shri R. L. Meena, Chief Manager (Finance), ONGC regarding Harassment and injustice by ONGC Management. It was alleged that on baseless complaint of a bidder, the ONGC management started to harass him and after completion of enquiry he has been penalised and deprived of the next promotion.

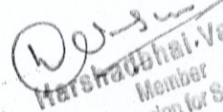
The matter was taken up with the CMD, ONGC vide this Commission's letter dated 01/03/2017. In response to above letter of the Commission, ONGC furnished the reply vide their letter dated 25/04/2017. A copy of above reply was sent to the petitioner for information. Subsequently the petitioner (Shri R. L. Meena) has submitted a rejoinder dated 15/05/2017 to this Commission.

Shri H. C. Vasava, Hon'ble Member, NCST has fixed a sitting for discussion in the matter with the CMD, ONGC on 08/06/2017 at 11:30 P.M. Accordingly, a sitting notice was issued.

Shri Dinesh K Sarraf, CMD, ONGC has furnished a letter dated 07/06/2017 wherein he intimated that due to pre-scheduled official engagement, he may be granted leave of absence from the said meeting. He has deputed Shri D. D. Misra, Director (HR), ONGC to attend the scheduled meeting.

Shri D. D. Misra, Director (HR), ONGC along with Shri K Ambedkar, GM (HR) and CLO and Dr. U.K. Pandey, DGM (HR) appeared before the Commission on 08/06/2017. Shri R. L. Meena, petitioner also attended the sitting. The matter was discussed in the sitting in details.

During the hearing it was felt by the Commission that unless the Commission hear personally from the CVO and vigilance officer and also director (Offshore) who directly dealt with the case, the Commission is not in a position to draw any conclusion. Hence, it was decided by the Commission to hold another sitting on 30/06/2017 at 12.00 Noon where Shri A. K. Ambasht, CVO with Shri Subodh



Harshadhai Vasava
Member
National Commission for Scheduled Tribes
Govt. of India
New Delhi

Kumar & Pankaj Sethi (DGM, Vigilance) and Director (Offshore), ONGC will be present. The applicant (Shri R. L. Meena) who attended the sitting on 08/06/2017 was also requested to attend the sitting on **30/06/2017 at 1200 Noon**. Shri R. L. Meena requested to the Commission that his transfer from Agartala to Ahmedabad may be deferred for one year. The Commission advised to Director (HR), ONGC for consideration of transfer of Shri R. L. Meena.

Discussion on 30/06/2017

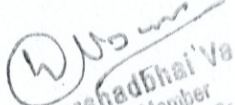
Shri T. K. Sengupta, Director (Offshore), Shri D. D. Mishra, Director (HR), Dr. A. K. Ambasht, CVO, Shri K. Ambedkar, GM (HR), CLO and Dr. U. K. Pandey appeared before the Commission on 30/06/2017. The petitioner was also present in the sitting. The Commission asked the petitioner to explain his case. The petitioner Shri R. L. Meena submitted to the Commission about the four charges that were framed against him by the ONGC based on which he was punished. After hearing Shri R.L. Meena, all his grievances, the Commission requested the CVO, ONGC to explain their stand in the case. The CVO explained that the process followed by ONGC for imposing major penalty was as per laid down rules and regulations in the ONGC. He has also confirmed that Shri R.L. Meena, by cancellation of tender, did not cause any financial loss to ONGC.

The four charges framed against Shri R.L. Meena in the case and the reply given by Shri Meena have been examined by the Commission. From the records and also from the discussion, the Commission observed that M/s Mayur Wires Pvt. Ltd. the bidder was supplying wire rope slings to ONGC for a long time and when the Technical Evaluation Committee found that the sole and alone bidder i.e. M/s Mayur Wire Ltd. was quoting very high rate, that company was not considered and the TC recommended for retendering of the contract. It was felt that M/s Mayur Wire was upset with this decision as he was supplying wire rope slings for a long time. It was also observed that the bidder made a complaint to CMD, ONGC who got the matter enquired through Director (Offshore) and others. An internal investigation was made and it was concluded that the allegations were baseless and Director (Offshore) agreed

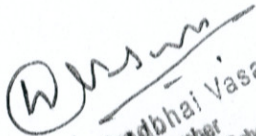

Member
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with the investigation report. It was also initially recommended to ban any future business by ONGC with the bidder but latter on, the mind of the ONGC management changed and the matter was referred to Vigilance Department. During the discussion with both the parties, the Commission felt that the matter was referred to the vigilance department on the insistence of the bidder. The Commission also felt that some officials appeared in the Sitting have soft corner for the bidder as one of the official of Vigilance Division of ONGC while explaining the matter, referred to the bidder as "Bechara". The Commission took a serious note of this fact and felt that the entire vigilance enquiry was done at the behest of the bidder who had been the supplier to the ONGC for a long time and Vigilance Division has soft-corner for the company and with this incident the Company was being banned for future supply.

The Commission also examined the allegation that while the Tender Committee recommended purchase of 5 per cent of the tender quantity through local purchase, the L1 bidder i.e. Ms. Mayur Wires Ltd. was not invited. The Commission observed that the L1 bidder was also informed about the requirement of urgent supply of 5 per cent of the tender quantity. However, the L1 bidder was not interested in supplying 5 per cent but his interest was to supply the entire quantity. It has also been observed that Mr. M.L. Meena , Member of the Tender Committee also with other Members did not accept the single bidder and decided for re-tendering and as a result the TC was instrumental in preventing huge loss to ONGC as the single bidder quoted very high rate for supply of wire rope slings. In the Sitting it was informed that the wire rope slings supplied by the supplier as selected by the Board is being used and no complaint has been received so far and hence the quality is not compromised. It was also observed that the charges framed were not very substantial in nature and it took almost 4 years to complete the disciplinary proceeding and imposition of the penalty came just in time when Shri Meena was to be promoted to the next level. Shri Meena also informed that in his long period of service no complaint has been filed against him and his performance had been very


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satisfactory to the seniors. There is no record in his service period that he was reprimanded or warned and, therefore, it is seen that Shri Meena is not a habitual offender. In spite of the fact that he had been in service for so many years without any serious complaint against him he had been penalised with a major penalty in time of his promotion which the Commission felt to be grievous injustice to him. The Commission feels that ONGC did not hear Shri Meena, who is a Scheduled Tribe person, fairly as a result he had to undergo mental torture for quite a long period. In the circumstances the Commission desires that the CMD, ONGC should hear Shri Meena personally and peruse his reply to the charges made in writing. Thereafter the CMD, ONGC is requested to reconsider the penalty imposed on Shri Meena and also consider revoking the major penalty on him and also to pay all the financial losses caused to him on account of his late payment of Performance Related Pay. CMD, ONGC is also requested to file an Action Taken Report on this advice of the Commission within 30 days of receipt of the proceedings of the Sitting of the Commission.


Vashabhai Vasava
Member
Commission for Scheduled Tribes
of India
Delhi

ANNEXURE-AList of Participants

Sr. No.	Name and Designation
I	<u>National Commission for Scheduled Tribes</u>
1.	Shri H. C. Vasava, Hon'ble Member
2.	Smt. K. D. Bhansor, Director
3.	Shri P.T. Jameskutty, Deputy Secretary
4.	Shri Rajeshwar Kumar, Assistant Director
5.	Shri H. R. Meena Senior Investigator
6.	Shri Manoj Mishra, P. S. to Hon'ble Member
II	<u>Oil & Natural Gas Corporation Ltd.</u>
1.	Shri T. R. Sengupta, Dir. (Offshore)
2.	Shri D. D. Mishra, Dir. (HR)
3.	Dr. A. K. Ambasht, CVO
4.	Shri K. Ambedkar, CLO
5.	Dr. U. K. Pandey, DGM (HR), ONGC
6.	Shri Subodh Kumar, DGM (Vigilance), ONGC
7.	Shri Pankaj Sethi, DGM (Vigilance), ONGC
III	<u>Petitioner</u>
1.	Shri R. L. Meena, Chief Manager (Finance), ONGC