



राष्ट्रीय अनुसूचित जनजाति आयोग  
National Commission for Scheduled Tribes

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

F.No NCST/SER-456/MCOL/5/2022-SSW

Dated: - 22.10.2024

To,

Shri J.P. Dwivedi  
Chairman-cum- Managing Director  
Western Coalfields Ltd,  
Coal Estate, Civil Lines  
Nagpur-440001 (Maharashtra)  
Email:- [cmd.wcl.cil@coalindia.in](mailto:cmd.wcl.cil@coalindia.in) , Phone- 0712-2510440

**Sub: Harassment of ST employee by awarding minor punishment by the Western Coalfields Ltd. Administration - a representation dated 26.05.2022 of Shri Virendra Kumar, Personnel Manager, , EIS No. 90216433, District-Korba, (C.G).**

महोदय,

I am directed to enclose herewith a copy of the minutes of the sitting held under the Chairmanship of Shri Jatothu Hussain, Hon'ble Member, National Commission for Scheduled Tribes (NCST) on 16.10.2024 at 11:00 in NCST, New Delhi on the above mentioned subject.

It is requested that the action taken/ to be taken in the matter may be submit to NCST within stipulated time from receipt of the letter, for taking appropriate action.

Yours faithfully,

(एच.आर. मीना /H.R. Meena)

अनुसंधान अधिकारी / Research Officer

Tel:-011-24641640

Copy to:-

1. Shri Virendra Kumar  
Qtr No B-57, Drilling Camp, Subhash Block, SECL Colony,  
Korba-495677(Chhattisgarh)  
Email- Virendrakumarkrb@Gmail.Com , Mob No- 9131163871
2. PS to Hon'ble Member (Shri J. Hussain), NCST
3. ✓ NIC, NCST for uploading on the website of the commission.



**National Commission for Scheduled Tribes**

Minutes of the Sitting held under the Chairmanship of Shri Jatothu Hussain, Hon'ble Member, National Commission for Scheduled Tribes at Lok Nayak Bhawan, New Delhi, in the case of Shri Virendra Kumar, Manager(Pers), WCL, Korba District (Chhattisgarh) regarding imposition of penalty by Western Coalfields Limited.

**(F. No. NCST/SER-456/MCOL/5/2022-SSW)**

**Date of the sitting: 16.10.2024, 11:00 AM**

**Participants in the Sitting - As per Annexure**

Shri Virendra Kumar, Personnel Manager, SECL, Korba District(Chhattisgarh) vide his representation dated 26.05.2022 stated that Western Coalfields Ltd (WCL) was not done justice with him as he has been punished for the period when he was not posted at that place. He was given minor punishment on 29.11.2017 – reduction to one stage lower in time scale for a period of one year on expiry of which, it will not operate to postpone his future increments. He was not granted promotion and he feels justice was denied as he belongs to ST category.

NCST vide notice dated 10.06.2022 had referred the matter to Chairman-cum-Managing Director, Western Coalfields Ltd., Civil Lines, Nagpur, Maharashtra, New Delhi for furnishing the facts and comments within 30 days from the receipt of this Notice. Western Coalfields Ltd. vide its letter dated 16.07.2022 informed that Shri Virendra Kumar was charged for misconduct in over-writing of Form B of Shri Baleshwar Singh, ex-Haulage Khalasi, Chattarpur Mine, while working as Asstt. Manager from Dec. 2011 to July 2013. It was stated that Shri Virendra Kumar failed to give proper justification and therefore, awarded minor penalty. Shri Virendra Kumar refuted the claim of Western Coalfields stating that the period mentioned by them is not correct.

NCST decided to discuss the issue with the Chairman-cum-Managing Director, Western Coalfields Ltd and the petitioner on 16.10.2024 and Sitting Notice was sent to concerned authority and petitioner on 03.10.2024.

The CMD, WCL vide letter dated 11.10.2024 has sought the exemption and deputed Manager (Per) and SC/ST Liaison Officer. In the sitting, the Manager(Per) and SC/ST Liaison Officer, WCL were present on behalf of Chairman-cum-Managing Director, Western Coalfields Ltd and the petitioner was also present.

In the sitting, the petitioner has stated that he had been made scapegoat by higher officials. He was not responsible for the overwriting in the form of Shri Baleshwar Singh. Only he had been targeted as he belongs to ST community. The officials of WCL has reiterated its earlier comments and unable to explain the questions raised by the Commission.

After discussions with the officer of WCL and petitioner, it was observed that the WCL has not given the proper opportunities to the petitioner to explain the facts. The action taken by WCL against the petitioner is also not justified and it appears to be a clear case of harassment of ST Employee.

After hearing both the sides, the Commission recommends the following and suggested that action taken report may be submitted within 30 days–

- The case may be re examined by constituting a fresh committee. In committee, the ST official may also be nominated as one of the member
- The TA expenses incurred by the petitioner for attending the sitting at NCST may be reimbursed . The special leave may also be granted to the petitioner for attending the sitting

**(Jatothu Hussain)**  
**Member**

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

**New Delhi**

जाटोतु हुसेन / Jatothu Hussain  
सदस्य / Member

भारत सरकार / Government of India


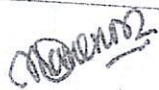
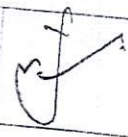
राष्ट्रीय अनुसूचित जनजाति आयोग

National Commission for Scheduled Tribes

नई दिल्ली / New Delhi



List of participants of the sitting held on 16.10.2024 at 11:00 AM under the Chairmanship of Shri Jatothu Hussain, Hon'ble Member, NCST in the case of Shri Virendra Kumar, harassment of ST employee by awarding minor punishment by the Western Coalfields Ltd. Administration.

I			
<u>National Commission for Scheduled Tribes</u>			
1.			
2.	Shri Surat Singh Director		
3.			
4.	Shri Akash Tripathy Sr. Investigator		
5.	Shri Mukesh Investigator		
6.	Shri Neelmani Thakur Consultant - Legal		
7.	Shri Ajay Andley, Consultant		
II			
<u>WCL</u>			
Sr. No.	Name and Designation	Address & Phone No.	Signature
1.	ATUL P. BANSOD	LO (CSC/ST), WCL 9960736128	
2.	Unni Menon	Manager (Per) 8275970201	
3.			
III			
<u>Petitioner</u>			
1.	VIRENDRA KUMAR	9131163871	
2.			
3.			