

Speed post



भारत सरकार

Government of India

राष्ट्रीय अनुसूचित जन जाति आयोग

National Commission for Scheduled Tribes

(A Constitutional Body set up under Art. 338A of the Constitution of India)

File No. AKS/3/2016/MDEF2/SEPROM/RU-IV

Dated:13.12.2018

To,

The DGOF & Chairman,
Ordnance Factory Board,
10-A.S.K. Bose Road,
Kolkatta – 700 001
(West Bengal)

Sub: Proceedings of the sitting taken by Hon'ble Member, National Commission for Scheduled Tribes (NCST) on 29.10.2018 in the matter of Shri A.K. Shinde, Sr. Hindi Translator, Ordnance Factory Project, Medak regarding promotion.

Sir,

I am directed to enclose herewith a copy of the Proceedings of the Sitting held on 29.10.2018 under the Chairmanship of Smt. Maya Chintamn Ivnate, Hon'ble Member, National Commission for Scheduled Tribes on the above mentioned subject for necessary action and submission of compliance report to this Commission within 30 days from the receipt of the letter for placing the same before the Hon'ble Member, NCST

Yours faithfully,

(Y.K. Bansal)
Research Officer

(Encl/As above)

Copy to:-

Shri A.K. Shinde,
Sr. Hindi Translator,
Rajbhasha Section,
Ordnance Factory,
Medak, Yeddumailaram,
Telangana – 502 205.

10,193-194
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जारी किया
ISSUED

Copy to - N.I.C. NCST

NATIONAL COMMISSION FOR SCHEDULED TRIBES

Case File No. AKS/3/2016/MDEF2/SEPROM/RU-IV

PROCEEDINGS OF SITTING HELD ON 29.10.2018 AT 01.00 P.M. CHAIRED BY SMT. MAYA CHINTAMN IVNATE, HON'BLE MEMBER, NATIONAL COMMISSION FOR SCHEDULED TRIBES (NCST) IN THE CASE OF SHRI A.K. SHINDE, SR. HINDI TRANSLATOR, ORDNANCE FACTORY, MEDAK REGARDING CASTE DISCRIMINATION, HARASSMENT AND DENIAL OF PROMOTION.

Date of Sitting: 29.10.2018

List of officers present in sitting is Annexed.

The petitioner Shri A.K. Shinde, Sr. Hindi Translator, Ordnance Factory Project, Medak has submitted representation regarding caste discrimination, harassment and denial of promotion.

He alleged that he was harassed by way of non sanctioning of leave and transfer. He was awarded a punishment of reduction of pay by one stage from Rs. 6900/- to 6725/- in the pay scale of Rs. 5500-175-9000 for 6 months to deny the promotion vide order dated 12.09.2006. His appeal was also rejected. Later on he was also denied promotion to the post of Assistant Director (OL). At the same time, his juniors were promoted.

2. The NCST vide its notice dated 11.07.2016 sought a report and no report was received. Therefore, a Sitting was fixed on 29.10.2018 under the Chairmanship of Hon'ble Member, Smt. Maya Chintamn Ivnate, NCST.

3. During the Sitting, the Chairman and Director General Ordnance Factory along with Senior Officers from the Ordnance Factory appeared before the Commission. However, the petitioner was not present.

4. In the Sitting, the Director General, Ordnance Factory submitted facts of the case and written report. He was stated that the petitioner Shri A.K. Shinde while working as Senior Hindi Translator at Medak, issued a charge sheet for the charges of insubordination and failure to maintain devotion to duty under Rule 16 of CCS (Conduct) Rules, 1964 vide order dated 24.06.2006. After proving the charge during the proceedings, a penalty of reduction of pay by one stage from Rs. 6900/- to 6725/- in the pay scale of Rs. 5500-175-9000 for 6 months was imposed against him. It was further ordered that on the expiry of the penalty, the reduction will not have the effect of postponing of future increments and promotion. The petitioner's appeal was also rejected by the Appellate Authority vide order dated 13.02.2008. Regarding petitioner's promotion, it is stated that no DPC was held from 2008 onwards. Hence, no promotion of any of the employee in the cadre was considered. In addition, no petitioner's juniors were granted promotion. The effect of the disciplinary action will not have adverse impact on petitioner's promotion. However, action to promote Senior Hindi Translator



Smt. Maya Chintamn Ivnate
Member
National Commission for Scheduled Tribes
Govt. of India
New Delhi

to Assistant Director (OL)/Hindi Adhikari (old designation) is being taken and Shri A.K. Shinde being 2nd in the current seniority list of Senior Translator will be one of the candidates for promotion subject to fulfilment of eligibility criteria required for promotion for the post of Assistant Director (OL) as it is promotion to Gr 'A' post, the DPC will be done by UPSC/MOD. The petitioner's promotion will be effected after recommendation of the UPSC.

5. The case was discussed in detail. The Commission observed that no junior to the petitioner was promoted. The effect of the penalty imposed in 2006 has also been expired and it does not have impact in future promotion. The petitioner is zone of consideration and promotion exercises has been initiated. The Commission however, recommends that the Ordnance Factory Board Management will complete the promotion exercise expeditiously (or by one month period) by forwarding all relevant documents to convey DPC by UPSC, so that the petitioner could not suffer further. A copy of the department's report may be provided to the petitioner for his comments.

9. An action taken report in the matter should be submitted by the Ordnance Factory Board to the Commission within 30 days from the receipt of the proceedings of the Sitting.



Smt. Maya Chintam Ivate
Member
National Commission for Scheduled Tribes
Govt. of India
New Delhi

NATIONAL COMMISSION FOR SCHEDULED TRIBES

Annexure

(File No. AKS/3/2016/MDEF2/SEPPROM/RU-IV)

List of participants

NCST

1. Shri Maya Chintamn Ivnate, Hon'ble Member (In Chair)
2. Shri P.T. Jameskutty, Hon'ble Member
3. Shri Y.K. Bansal, Research Officer
4. Shri S.K. Atram, PS to Hon'ble Member
5. Shri H.R. Meena, Sr. Investigator

Officers of Ordnance Factory Board

1. Shri. P.K. Srivastava, DGOF & Chairman, Kolkata
2. Shri Rajvir Singh, DDG/Coord/OFB, New Delhi
3. Shri Niraj Kela, DDG/IRRA/OFB, Kolkata
4. Shri V.M. Rao, Additional General Manager, Medak, Telangana

Petitioner

NIL