

No. 28/11/2011-HQ/NG  
Government of India  
Ministry of Defence  
Ordnance Factory Board  
10-A, S.K. Bose Road  
Kolkata - 700 001.

Date : 12 July, 2012.

To

Mrs. K.D. Bhansor  
Deputy Director  
National Commission for Scheduled Tribes  
6<sup>th</sup> Floor, "B" Wing  
Lok Nayak Bhawan  
Khan Market  
New Delhi - 110 003.

Sub: De-reservation of 05 vacancies of ST in the grade of Assistant/Group-B  
(Non-Gazetted) in respect of OFB HQrs, Kolkata.

Ref: NCST/New Delhi letter No. SD/2/2012/MDEF2/SEPROM/RU-IV dated  
26<sup>th</sup> June, 2012 and discussion between Member/Personnel, OFB and  
the representatives of NCST/New Delhi held on 03-07-2012 at HVF Avadi,  
Chennai.

\* \* \* \* \*

Madam,

Vide letter referred above, Secretary (Defence Production) and DGOF & Chairman/OFB were asked for their personal appearance at the office of NCST/New Delhi on 18<sup>th</sup> July, 2012 to discuss the subject issue with Chairman, NCST/New Delhi.

02. A detailed brief on the subject case is enclosed herewith.

03. In this context, it is brought out that during the meeting with the Hon'ble Chairperson members of the NCST at HVF Avadi, Addl. DGOF & Member/Personnel, OFB has further clarified the position to the Commission in person bringing out that this was a solitary aberration and corrective action in the matter was taken by the organization during 2007 itself, within a period of six months. Taking note of the clarification, the corrective action taken as above and the sincere regret expressed by the organization in the matter, the Commission, during the aforesaid meeting, graciously agreed to drop the matter with the direction that a circular be

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issued to all the units to ensure in the organization that such lapse does not occur. A copy of the circular on the subject since issued to the all the units in the organization is enclosed herewith.

04. In view of the above, the commission is requested to kindly treat the matter as settled and exempt Secretary (DP) and DGOF & Chairman/OFB from the personal appearance on the issue, scheduled on 18<sup>th</sup> July, 2012.

05. This issues with the approval of DGOF & Chairman/OFB.

Thanking you,

Yours faithfully,



( M.K. Jain )

Dy. Director General/HQrs & NG  
for Director General, Ordnance Factories.

Copy to :-

1. The Joint Secretary  
National Commission for the Scheduled Tribes  
6<sup>th</sup> Floor, "B" Wing  
Lok Nayak Bhawan  
Khan Market  
New Delhi – 110 003.
2. The Under Secretary  
D(Estt/NG)  
Ministry of Defence  
"A" Wing, Sena Bhawan  
New Delhi – 110 011.

FAX/SPEED POST/COMNET

NO. 1-1/IMPLEMENTATION/A/REV(SCT)  
GOVERNMENT OF INDIA  
MINISTRY OF DEFENCE  
ORDNANCE FACTORY BAORD  
10-A, S.K. BOSE ROAD  
KOLKATA - 700 001  
DATED : 12.07.2012.

To  
The Sr. General Manager/General Manager  
All Ordnance & Ordnance Equipment Factories

Sub : De-reservation of SC/ST posts - compliance of instruction  
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De-reservation proposal of reserved vacancies should be dealt with in terms of DOP&T O.M. No. 36020/2/2007-Estt (Res) dt. 07.12.2009 (Copy enclosed). The National Commission for Scheduled Tribes, New Delhi has taken an adverse notice of a case wherein instructions for processing of promotions of unreserved candidates against reserved vacancies were effected without awaiting due approval for de-reservation from the appropriate authority, and action was taken prematurely based on a communication not addressed to OFB.

02. As all the units/factories are aware, instructions for processing of de-reservation proposals are to be strictly followed in letter and spirit, in terms of extant DOP&T instructions.

03. All heads of units are requested to take note that such premature actions are to be scrupulously avoided and ensure strict compliance of the rules and instructions relating to reservation matters.

Encl: As above.

  
( VINEET SHARMA )  
DIRECTO/GRV

For Director General, Ordnance Factories

Copy for information to :-

1. Addl. DG OF AV, AV HQrs., Avadi, Chennai - 600 054
2. Addl. DG OF OEF, OEF HQrs., Kanpur - 208 013
3. The DDG (CO-ord), OFBND Office, G-Block, Min of Def, New Delhi - 110 011
4. Section HQ/NG
5. Section A/NG
6. Section A/A
7. Section A/GB
8. Section A/DPC
9. Section A/G
10. Section A/I
11. Section A/NI

**BRIEF ON CASE ON PROMOTION AGAINST 5 ST POSTS BY  
DE-RESERVATION IN THE GRADE OF ASSISTANT IN 2006**

Reference: NCST/New Delhi letter No. SD/2/2012/MDEF2/SEPROM/RU-IV dated 26<sup>th</sup> June, 2012 requesting Secretary (DP) and Chairman/OFB to visit the Office of NCST/New Delhi in person on 18<sup>th</sup> July, 2012 and discuss the issue.

1. Promotion of 5 UDCs to the grade of Assistant was effected against a proposal of de-reservation in the year 2006, although formal approval from the competent authority in this regard was awaited and hence, **an error had crept in which is sincerely regretted.**
2. **The position was reviewed in the year 2007** while holding Review DPCs for implementation of G.O.I. orders on 85<sup>th</sup> Amendment of the Constitution towards restoration of inter-se-seniority between reserved category employees & un-reserved category employees in promotional grades of ministerial cadre in OFB HQrs.
3. During the review, the **promotions effected earlier by de-reservation were also reviewed and negated** but all the UR category senior employees could be accommodated against regular UR vacancies.
4. In this process, it was ensured that **no adverse effect in respect of any ST category employees** is made in the respective grades.
5. **The position was further reviewed in the year 2011** (by holding Review DPCs) while implementing DOP&T O.M. No. 36012/45/2005-Estt.(Res) dated 10-08-2010 (the concept of "Own Merit" in Non-selection posts like Assistant/UDC etc.).
6. In the above Review DPCs, position in respect of date of promotion of those 5 UR incumbents (who were earlier promoted against de-reservation proposed in 2006) were changed and the comparative position is indicated below :-

Sl. No.	Name of UDC's who get promoted as Assistant earlier in 2006 against de-reservation as proposed.	Date of promotion as per 2005-2006 Regular DPC	Date of promotion as per 2007 Review DPC	Date of promotion as per 2011 Review DPC
1.	RUBI DAS	28-09-2006	25-10-2006	01-04-2007
2.	PRABIR KUMAR DEB BARMAN	28-09-2006	17-12-2006	01-04-2007
3.	PRITI MATHUR	28-09-2006	01-04-2007	01-04-2007
4.	AMIT KANTI MALLICK	28-09-2006	01-04-2007	01-05-2007
5.	NANDITA CHOWDHURY (Now Retired)	28-09-2006	01-04-2007	01-05-2007

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7. Apart from above information, **para-wise reply to the observation made by the NCST/New Delhi** is furnished below :-

Para-2(a)

It is a matter of fact. A mistake was committed which is sincerely regretted.

Para-2(b) & 2(c)

It is stated that no corrective action could be initiated by OFB on receipt of NCST letter dated 12<sup>th</sup> Oct., 2006 due to inadvertence.

Para-2(d)

The FAX was sent by O.F. Cell/New Delhi to OFB IIQrs/Kolkata for purpose of information regarding progress of the case. However, due to overlook, action was taken on that letter.

Para-2(e)

To implement the 85<sup>th</sup> Amendment of the Constitution and to extend consequential seniority benefit to the reserved category employees, Review DPC was held in the year 2007 (for the period from 17-06-95 to 2006-2007). The position of those 5 individuals has been elaborated in para 6 above. It can be seen that those un-reserved category employees were occupied ST posts **not more than 6 months (in one case it was less than 01 month). In the aforesaid Review DPCs all the ST posts remain unfilled due to non-availability of eligible ST candidate(s) in the feeder grade of UDC.**

8. In view of the above indicated position, **action taken by OFB for filling up the posts relying on a copy of communication issued by Min of Def without awaiting for formal approval may be condoned and the issue may be treated as settled.** It is also assured that due care would be exercised in future, so that such lapses don't recur.

9. In fine, it is also indicated that **as on date 12 nos. of ST posts remain unfilled** in the grade of Assistant due to non-availability of eligibles.