



Government of India
National Commission for Scheduled Tribes

S. Balasubramanian

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

No. HCC/Maha/1/2013/RU-IV

Date: 06.11.2015

To,

The Chief Secretary,
Govt. of Maharashtra,
Mantralaya,
Mumbai – 400 032.

Sub: Letter of Shri Harishchandra Chavan, Hon'ble MP (Lok Sabha) dated 18.12.2012 regarding cancellation of DoPT OM No. 36011/2/10-Estt.(Res.) dated 10th August, 2010 about appointment of candidates belonging to Halba Koshti/Halbi Koshti/Koshti caste against vacancies reserved for the STs.

Sir,

I am directed to invite your kind attention on the subject mentioned above and to say that the matter was discussed as Agenda item No. III in the 75th Meeting of the Commission held on 17.08.2015.

The relevant extracts from the Summary Record of the Meeting of the Commission are enclosed for information and necessary action.

Yours faithfully,

N. Balasubramanian
(N. Balasubramanian)
Research Officer

Copy with copies of enclosures is forwarded for information and necessary action to:-

1. The Principal Secretary,
Tribal Welfare Department,
Government of Maharashtra,
Mantralaya,
Mumbai - 400 032.

2. SSA, NIC

3. Assistant Director, C.Cell.

N.O. →
06.11.15

75TH MEETING
OF THE
NATIONAL COMMISSION FOR SCHEDULED TRIBES (NCST)
SUMMARY RECORD OF DISCUSSIONS

Date: 17th August, 2015

Time: 3:00 hours.

Venue: Conference Room, NCST, 6th Floor, Lok Nayak Bhawan, New Delhi.

In the Chair: Dr. Rameshwar Oraon, Hon'ble Chairperson, NCST.

List of Participants: Annexed as Annexure-I.

Agenda Item III	Cancellation of DoPT OM dated 10.8.10 conferring benefits to candidates of Halba Koshti/Halbi Koshti/Koshti community to continue to occupy vacancies reserved for genuine Scheduled Tribes.
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5.1 In pursuance to discussion's held in 48th, 55th and 59th meetings, NCST vide letter No. HCC/Maha /1/2013/RU-IV dated 30.9.14 requested Central Vigilance Commission to investigate matter of issuance of order fraudulently at JS level which was notified by DoPT vide its O.M. No. 36011/1/10-Estt. (Res.) dated 10.8.10 about appointments of candidates belonging to non ST Halba Koshti / Halbi Koshti / Koshti caste against vacancies reserved for STs. Central Vigilance Commission vide its letter No. 014/DPT/008/290640 dated 30.7.15 intimated

“that the matter was got investigated through Secretary, DoPT. The CVO, DoPT in its report did not find any irregularity/lapse on the part of officials of DoPT. The Commission has accepted the report of DoPT and decided not to pursue the matter further”.

5.2 The Commission observed that due to issuance of DoPT O.M. No. 36011/2/2010-Estt.(Res.) dated 10.8.10 posts which were meant and reserved for STs were utilized by non-STs and consequently it has deprived Scheduled tribes of benefits available under Constitutional provisions since Govt. of Maharashtra has stated by virtue of OM of DoPT about 20000 persons were provided employment. The Commission decided that Maharashtra Govt. may be asked to identify such

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number of posts and take immediate remedial action so as to ensure that same number (equivalence of such posts) are carried forward so as to provide benefit to eligible genuine STs, which were filled by ineligible non-STs candidates. If needed so, necessary statutory amendments may be carried out in this respect.

5.3 NCST Secretariat will call for organization-wise details of such posts, which were filled up with non-eligible candidates and put up to NCST for perusal and necessary follow up.