



**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)

File No. NCST/SER-1642/MDEF/3/2024-SSW -(RU-III)

Dated: 31.07.2025

To

The Chairman-Cum-Managing Director,  
Mazagon Dock Shipbuilders Ltd,  
Dockyard Road, Mazagon,  
Mumbai, Maharashtra 400010  
Email Id: chmd@mazdock.com  
Tel. No: 02223738327

Sub: Violation of direct recruitment and promotion process for Scheduled Tribes - representation dated 11.10.2024 by Shri Shivarajappa Kamthankar, Chief Manager, Mazagon Dock Shipbuilders, Mumbai

महोदय/महोदया,

I am directed to enclose herewith a copy of the minutes of the sittings held on 18.07.2025 at 03:20 PM under the Chairmanship of Shri Jatothu Hussain, Hon'ble Member, National Commission for Scheduled Tribes at New Delhi on the above mentioned subject.

It is requested that the action taken/to be taken in the matter may be intimated to NCST within stipulated time from receipt of the letter for placing it before the Commission.

Yours faithfully,

(डॉ. पी. कल्याण रेड्डी/Dr. P. Kalyan Reddy)  
निदेशक/Director  
Telephone No. : 011-20819841

Copy for information:-

1. Shri Shivarajappa Kamthankar,  
Sb-Module Shop, Mazagon Dock Shipbuilders,  
Dock Yard Road, Mumbai,  
Maharashtra - 400010  
shivarajkamthankar@gmail.com Mobile No:8108008210
2. PS to Hon'ble Member (JH), 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 Dilkusha Guest House, Hyderabad in the case of Shri Shivarajappa Kamthankar, Chief Manager, Mazagon Dock Shipbuilders, Mumbai regarding denial of direct recruitment and departmental promotion to the post of Chief Manager (E5) Technical since 2017.

**Date of the Sitting: 18/07/2025, 03:20 PM**  
**Participants in the Sitting: As per Annexure**  
**NCST/SER-1642/MDEF/3/2024-SSW**

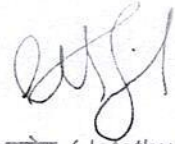
Shri Shivarajappa Kamthankar, Chief Manager, Mazagon Dock Shipbuilders, Mumbai vide his representation dated 11.10.2024 has informed the Commission that despite being an eligible Scheduled Tribe candidate with over 15 years of dedicated service and excellent performance records, he was denied both direct recruitment and departmental promotion to the post of Chief Manager (E5) Technical since 2017. He alleges that the management violated DPE/DoPT guidelines by not applying mandated relaxations in qualifying marks for ST candidates, leaving reserved vacancies unfilled. His repeated grievances were ignored until unsatisfactory rejections were issued in March and April 2024. He has now been promoted w.e.f. July 2024, but seeks retrospective promotion from 2017 with all consequential benefits.

2. The Commission issued notice to the Chairman-Cum-Managing Director, Mazagon Dock Shipbuilders Ltd seeking facts and comments within 30 days.

3. Executive Director (HR), Mazagon Dock Shipbuilders Limited, vide his letter dated 06.01.2025 has informed the Commission that Shri Shivarajappa Kamthankar had applied for the post of Chief Manager (Technical) under ST category in 2017 but was not selected as he secured 55 marks in the interview against the qualifying mark of 60. It was clarified that although age relaxation is provided, minimum qualifying marks are mandatory even under relaxed standards. The selection was conducted as per DPE/DoPT guidelines and included SC/ST representatives in the interview panel. Regarding promotion, Shri Kamthankar was assessed by DPCs in 2019-2023 but was found unfit each time as he did not secure the threshold 80 marks required for promotion. The reply also states that concessions in promotion to SC/ST executives are limited up to E-5 grade and are applicable only if the executive is found fit. Hence, no violation of reservation norms or DoPT instructions has occurred. Copies of relevant replies and committee findings were also enclosed.

4. The Commission decided to discuss the issue with the authority and the petitioner on 18.07.2025. Accordingly, a Sitting Notice was issued on 14.07.2025. On behalf of the authority, ED (HR) and DGM (HR), Mazagon Dock Shipbuilders Limited attended the hearing. The petitioner was also present.

5. The petitioner informed that in 2017, Mazagon Dock Shipbuilders Limited, Mumbai advertised two backlog vacancies reserved for ST candidates for the post of Chief Manager. Only two ST candidates, including himself, appeared for the personal interview, and he secured 55 out of 100 marks. Despite the availability of eligible ST candidates, both reserved backlog vacancies were left unfilled and arbitrarily kept vacant. The petitioner further stated that he had submitted several representations to MDL since 2017, but no response was received for nearly seven years, and on 12th March 2024, MDL issued a vague and arbitrary rejection.



जाटोतु हुसेन / Jatothu Hussain  
सदस्य / Member  
भारत सरकार / Government of India  
राष्ट्रीय अनुसूचित जनजाति आयोग  
National Commission for Scheduled Tribes  
नई दिल्ली / New Delhi



6. The authorities from Mazagon Dock Shipbuilders Limited, Mumbai stated that the petitioner was not selected for the post as he had secured 55 out of 100 marks, which was less than the 60 marks required as the qualifying cut-off. They clarified that while relaxation in age and merit was provided as per DoPT/DPE guidelines, the minimum passing marks in interviews remained mandatory. Regarding promotion, Shri Kamthankar appeared before the DPC five times between 2019 and 2023, but was assessed 'unfit' each time as he failed to secure the required 80 marks out of 100. He was finally promoted by the DPC in 2024, with effect from 01.07.2024. MDL emphasized that all procedures adhered to DoPT and DPE guidelines, with no instance of victimization or violation of Presidential Directives.

7. After hearing both the authority and the petitioner, the following recommendations are made. An Action Taken Report may be submitted within 30 days:

- a. The benchmark of threshold marks adopted by other PSUs under the Ministry of Defence, such as HAL and BDL Hyderabad, may be examined and a similar method may be considered.
- b. The applicability of Clause 28.1 of DoPT O.M. No. 36011/6/2010-Estt(Res) dated 25.06.2010 may be examined.
- c. As per Article 335 of Constitution of India, the interests of Scheduled Castes and Scheduled Tribes are taken into account when appointing individuals to government jobs subject to the condition that the efficiency of administration is not compromised.
- d. The 82nd Amendment of the Indian Constitution allows the government to provide relaxations in qualifying marks or lower the standards of evaluation in matters of reservation in promotion for SCs and STs.
- e. The claim for the petitioner's selection as Chief Manager (ST) w.e.f. 28.09.2017, and for promotion to Deputy General Manager (ST) w.e.f. 01.07.2022, with full consequential benefits, may be examined as per the provisions of MDL's promotion policy.
- f. The petitioner may be provided TA & DA as per his entitlement for attending the hearing.



(Jatohu Hussain)  
जाटोतु हुसैन / Jatohu 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 18.07.2025 at ..... under the chairmanship of Shri Jatothu Hussain, Hon'ble Member, NCST

| Sr. No. | Name and Designation                            | Address & Phone No.   | Signature               |
|---------|---|---|-------------------------|
| I       | <u>National Commission for Scheduled Tribes</u> |   |                         |
| 1.      | Dr. P.K Reddy<br>Director                       |   |                         |
| 2.      | NCST Officials                                  |   |                         |
| II      | <u>Mazagon Dock Shipbuilders Ltd</u>            |   |                         |
| Sr. No. | Name and Designation                            | Address & Phone No.   | Signature               |
| 01      | ARUN KUMAR<br>CHAND                             | ED CHD, MAZAGON<br>DOCK SHIPBUILDERS<br>LTD, DOCKYARD ROAD<br>MUMBAI-16<br>9833110400 | P. K. Reddy<br>18/7/25  |
| 02      | SAIJAN NISHAA                                   | EDM CHD-E<br>MAZAGON DOCK SHIPBUILDERS<br>LTD, DOCKYARD ROAD<br>MUMBAI<br>9820058274  | Saijan<br>18/7/25       |
| III     | <u>Petitioner</u>                               |   |                         |
| 03      | Shivarajappa<br>Kamthekar                       | CM (Chief Manager)<br>Mazagon Dock Shipbuilders Ltd<br>Mumbai 40008210                | Kamthekar<br>18/07/2025 |