



भारत सरकार

राष्ट्रीय अनुसूचित जनजाति आयोग  
GOVERNMENT OF INDIA  
NATIONAL COMMISSION FOR SCHEDULED TRIBES

File No. DSC/3/2015/MINB1/SEOTH/RU-III

छठी मंजिल, 'बी' विंग, लोक नायक भवन  
खान मार्केट, नई दिल्ली -110003  
6<sup>th</sup> floor, 'B' Wing Loknayak Bhawan,  
Khan Market, New Delhi-110003  
दिनांक /Dated: 31.08.2016

To,  
The Director General,  
All India Radio,  
Aakashwani Bhawan,  
New Delhi-110001

Sub: Representation dated 20.08.2015 of Shri D.S. Chauhan, Kingsway Camp,  
Delhi regarding harassment and discrimination on the ground of caste in AIR.

Sir,

I am directed to enclose a copy of Proceedings of the Sitting held by Hon'ble  
Chairperson, NCST, on 01.07.2016 for necessary action and to send the action  
taken report to the Commission urgently.

Yours faithfully,

*D.S. Kumbhare*  
(D.S. Kumbhare)  
Under Secretary Govt. of India

**Copy to:**

Shri D. S. Chauhan,  
D-II 12/13 Radio Colony,  
Kingsway Camp, Delhi-110009

**NATIONAL COMMISSION FOR SCHEDULED TRIBES**

**(File No. DSC/3/2015/MINB1/SEOTH/RU-III)**

Proceeding of Sitting taken by the Chairperson, National Commission for Scheduled Tribes on 01.07.2016 in the matter of Shri D.S. Chauhan Deputy Director, National Academy of Broadcasting & Multimedia (NABM) regarding harassment and discrimination.

---

Dated: 01/07/2016

List of the officers Present: Annexure-I

Shri D.S. Chauhan, Deputy Director (P) NABM, AIR represented to Commission on 20/08/2015 regarding harassment and discrimination on the caste ground i.e. his frequent transfers and non-grant of regular promotion.

2. A Notice was sent to Director General, All India Radio (AIR) on 15/09/2015. AIR vide letter dated 21/10/2015 replied to the issues raised by the petitioner. A copy of said reply of AIR was sent to petitioner.

3. Shri D.S. Chauhan refuted the reply given by AIR and represented again on 18/02/2016 that he had not been given single regular promotion since the time he joined organization (working for last 27 years) and presently he holds ad-hoc Deputy Director programmer.

4. Taking cognizance in the matter, a Sitting was fixed by the Hon'ble Chairperson on 01/07/2016. Accordingly, Director General AIR was asked to bring the relevant documents i.e. Reservation Policy of AIR, Recruitment Rules for the relevant post, Seniority list, Reservation Roster maintained for the posts and minutes of the DPCs held for examination of the Commission.



डा. रामेश्वर उरांव/Dr. RAMESHWAR ORAON  
अध्यक्ष/Chairperson  
राष्ट्रीय अनुसूचित जनजाति आयोग  
National Commission for Scheduled Tribes  
भारत सरकार/Govt. of India  
नई दिल्ली/New Delhi

5. Director General, AIR vide letter dated 01/07/2016, due to exigencies of work, requested for exemption from being personally present in the Commission and deputed ADG (Admn. & Programme), Director of Administration and Deputy Director of Administration. These officers were asked by the Chairperson to explain the case position and they reiterated the position as was mentioned by AIR in its reply interalia including :

- I) Shri D.S. Chauhan, DD (P) has been transferred from NABM, Delhi to AIR Bhopal as per the administrative exigencies. DG, AIR had considered the request of Shri D.S Chauhan, DD(P) and retained him in Delhi for further six months on his request, vide Directorate order dated 15<sup>th</sup> October, 2015.
- II) Shri D.S Chauhan, DD (P) was transferred twice as per his requests.
- III) Due to continuous stay of Shri Chauhan for more than 15 years in Lucknow and on account of several complaints received against him, he was transferred from RTI (P) Lucknow to CBS Kanpur.
- IV) Cadre is on the brink of extinction and, therefore officers have to stay in the same place for more than prescribed tenure.
- V) Regularization of promotion in the cadre could not be done for long time due to several litigations and policy decisions. Further since limited number of employees are serving in the Programme Cadre of IB (P) in Group 'A'. i.e. Out of 642 sanctioned strength of officers in A group only 140 officers are in position, which is coming in the way of promotions.
- VI) Regular promotions of the officers including Shr. D.S Chauhan are under consideration of Parser Bharti/Ministry of I&B.

*Rameshwar Oraon*

VII) Shri D.S. Chauhan was promoted to the post of Assistant Director (P) in the year 2003 and again he was promoted to the post of Deputy Director (P) in February 2014 on ad- hoc basis.

6. Having heard the AIR officers, Shri D.S. Chauhan was given opportunity to respond and explain his case. Shri D.S. Chauhan submitted that he entered into service on 28.09.1988 and has not been given regular promotions. Petitioner said in other grades/groups promotions are being given and the persons who had joined at the same time are holding much higher positions in other cadres. He also mentioned that rules of reservations are not being followed in the AIR and AIR has not maintained Reservation Rosters. He also submitted that promotions are to be made in accordance with rosters and the points of STs have to be utilized. Thus by not following the roster various reserved category employees, including the petitioner are suffering. In response to reference of complaints received by AIR, Shri Chauhan refuted the said allegations and stated that no communication from AIR was received by him in this regard.

Further Shri Chauhan mentioned that he was recruited through UPSC and joined AIR in the year 1986( Batch) but he did not receive any regular promotion. On the other hand and one lady namely Ms Aprana Vaish belonging to general category was recruited as Science Officer **on contractual basis in the year 1986** and she was given number of promotions and now is holding the post of Additional Director General ,AIR. Thus apparent discrimination has been caused to ST employees.

7. Chairperson enquired from the officers of AIR ,present in the meeting ,about the rules /norms of DoPT maintaining of reservation Roster in AIR. However they could not mention the correct rules position. Commission noted that the officers of AIR handling the matter were not aware of the DoPT instructions on the subject of reservation , which is serious matter and they are required to be trained on Reservation Policy of GOI and its implementation.

*Rameshwar Oraon*

Chairperson took serious note of the situation in AIR about reservation and promotions. Hence, Commission decided to hold another Sitting with Secretary, DoPT and Director General, AIR to discuss the issue of adhoc promotions and non-implementation of reservation policy.

8. Further, Commission advised AIR to re-examine the case of promotion of Shri. D.S. Chauhan and Shri Chauhan was advised to meet the officials of AIR to verify position as was placed by AIR in his case and outcome of meeting be intimated to the Commission in next 15 days.

9. The Commission further directed officials of AIR to file written statement on the following issues, within one month from the date of receipt of copy this proceeding;

- i) The reasons for not promoting granting regular promotions for last 28 years.
- ii) On what grounds AIR is continuing with Ad-hoc promotions for last several years thereby violating the DoPT instructions with regard to ad-hoc promotion's.
- iii) In the grade of Programme Cadre, total number of ST person promoted in the A group during last 10 years.
- iv) Inspection report of Liaison Officer of AIR on 40-point Reservation Roster and 200-point Reservation Roster followed in AIR in each grade/group.
- v) Details of backlog vacancies for STs since 1990.

  
(Dr. Rameshwar Oraon)  
Chairperson.

डा. रामेश्वर उरांव/Dr. RAMESHWAR ORAON  
अध्यक्ष/Chairperson  
राष्ट्रीय अनुसूचित जनजाति आयोग  
National Commission for Scheduled Tribes  
भारत सरकार/Govt. of India  
नई दिल्ली/New Delhi