



भारत सरकार

राष्ट्रीय अनुसूचित जनजाति आयोग

GOVERNMENT OF INDIA

NATIONAL COMMISSION FOR SCHEDULED TRIBES

File No. S-06/I&B/3/Service/06/RU-III

छठी मंजिल, 'बी' विंग, लोक नायक भवन

खान मार्केट, नई दिल्ली -110003

6th floor, 'B' Wing Loknayak Bhawan,
Khan Market, New Delhi-110003

दिनांक /Dated: 13.12.2016

To,

1. The Secretary,
Ministry of Information &
Broadcasting,
Shastri Bhawan,
New Delhi

2. The Director General,
All India Radio,
Akashvani Bhavan,
Parliament Street,
New Delhi 110001.

Sub: Representation from Shri S. Bhuta Naik, Technician, TV Relay Centre, Tandur, Ranga, Reddy District, Andhra Pradesh regarding non-permission to appear in the Special Recruitment Drives EA Examination on 18/12/2005.

Sir,

I am directed to enclose a copy of Proceedings of the Sitting taken by Hon'ble Vice-Chairperson, NCST, on 11.11.2016 for necessary action and to send the action taken report to the Commission urgently.

Yours faithfully,


(V.P. Shahi)

Assistant Director

Copy to:

1. Shri S. Bhutan Naik, Technician, TV Relay Centre, Tandur-501141, Ranga Reddy Distt. A.P.
2. Director (RU-III & IV) and Deputy Secretary (RU-I & II).
3. All Units in NCST.
4. SSA, NIC -561

NATIONAL COMMISSION FOR SCHEDULED TRIBES

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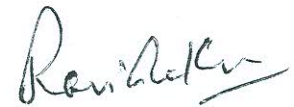
Proceedings of the sitting taken by Hon'ble Vice-Chairperson who was also holding the charge of Hon'ble Chairperson, NCST on 11.11.2016 at 3.30 p.m. in the petition filed by Shri S. Bhuta Naik, Technician, TV Relay Centre, Tandur, Ranga Reddy District, Andhra Pradesh regarding harassment and not allowing to appear for departmental examination.

Date of Sitting: 11.11.2016

List of officers present in the sitting is at Annexure-I.

A representation dated 31-10-2006 was received from Shri S. Bhuta Naik, Technician, TV Relay Centre, Tandur, Ranga Reddy District, Andhra Pradesh stating that as per an advertisement of Prasar Bharati, All India Radio and Doordarshan in the Employment News, he has applied for the post of Engineering Assistants, as a Departmental candidate since he was already working as a Technician in Doordarshan. However, while he was attending the examination on 18-12-2005, Shri Rajalingaih, Superintending Engineer of Doordarshan Kendra came personally in the examination hall and snatched his examination papers stating that he did not satisfy the age limit and was forcefully made to leave the examination hall. Shri Bhuta Naik claimed that he was well within his age limit when he applied for the post and appeared in the examination on 18-12-2005.

2. The matter was taken up with Director General, All India Radio, New Delhi vide this Commissions letter dated 10-11-2006 followed by reminders dated 1-2-2007 and 12-4-2007. Vide letter dated 25-4-2007, Director General, Doordarshan has forwarded a copy of the letter dated 10-1-2007 which states that since Shri Bhuta Naik crossed the age of 35 years on the date of examination i.e. on 18-11-2005, he was not allowed to appear for the examination. A copy of the same was forwarded to Shri Bhuta Naik




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National Commission for Scheduled Tribes
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vide this Commission's letter dated 18-6-2007 for his comments. In response to this, vide his letter dated 12-7-2007 Shri Bhuta Naik has submitted that all the departmental candidates were allowed to appear for the examination upto the age of 45 years. Shri Y. P. Singh, working in Doordarshan Kendra, New Delhi who was born 5 years earlier to Shri Bhuta Naik has been allowed to appear for the departmental examination, where as he was not allowed. The date of birth of Shri Bhuta Naik and Shri Y. P. Singh are stated to be 5-2-1970 and 12-12-1965 respectively. A copy of the advertisement appeared in the Employment News dated 7 – 13 July 2007 states that age relaxation for Departmental SC/ST candidates are for an age up to 45 years.

3. The rejoinder submitted by Shri Bhuta Naik was forwarded to Director General, Doordarshan vide this Commission's letter dated 20-8-2007 for re-examination of the case in detail and furnish certain information followed by a reminder dated 25-10-2007 for which Prasar Bharati has forwarded a copy of the letter dated 16-6-2006 of Director (Engineering) / Chief Engineer (Training) of Staff Training Institute, Kingsway, Delhi which states that no discrimination has been meted out to Shri Bhuta Naik, as relaxation in upper age for Departmental SC/ST candidates were only 5 years for that examination. The matter was again taken up with Director General, Doordarshan vide this Commission's letter dated 21-2-2008 and it was desired to know as to why the RRs for the post of Engineering Assistant was not followed in the case of recruitment of the said post under special recruitment drive for SCs and STs and the petitioner was not allowed to appear in the written examination. It also directed DG to send a copy of the Recruitment Rules and advised him to take corrective steps in the matter.

4. Director General, Doordarshan, New Delhi vide his letter dated 8-4-2008 has forwarded a copy of the Recruitment Rules of the post of Engineering Assistant which is a General Central Service, Group 'C' non-gazetted, non-ministerial post. As may be seen from the RRs the crucial date for determining the age limit shall be the closing date for receipt of applications from candidates in India. In this case the last date was 18-11-2005 as may be seen from the advertisement in the Employment News dated 15 – 21 October 2007. The age relaxation given was up to the age of 35 years


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for Government servants in accordance with the instructions issued by the Central Government from time to time. Whereas it was 45 years in the advertisement appeared in the Employment News dated 7 – 13 July 2007. A copy of the reply received from DG, Doordarshan was forwarded to Shri Bhuta Naik vide this Commission's letter dated 21-5-2008.

5. Shri Bhuta Naik, vide his letter dated 16-3-2009 has submitted that the advertisement given in the year 2005 is to fill up the backlog vacancies of SCs & STs. The age fixed for Departmental candidates for all the previous years and subsequent year was 45 years and not 35 years as fixed for 2005 exam. Except him all other SC & ST candidates who crossed 35 years of age have been permitted to write the exam in the year 2005. Shri Bhuta Naik has also stated that the Recruitment Rule submitted by Prasar Bharati is very old and pertains to 1976 which has already been amended to make it 45 years of age.

6. The matter was further taken up with Director General, Doordarshan vide this Commission's letters dated 4-9-2009, 8-6-2010, 24-11-2010, 8-11-2012, 4-12-2012 and 5-5-2014, but no response has been received from the Doordarshan. Therefore, Hon'ble Vice Chairperson has decided to call the Secretary, Ministry of Information & Broadcasting and Director General, All India Radio in person to the Commission to discuss the case and redress the grievances of Shri Bhuta Naik, a Scheduled Tribe officer and a hearing was fixed on 11-11-2016 at 3.30 pm. In response to this, Shri F. Sheheryar, Director General, All India Radio, New Delhi vide his letter dated 11-11-2016 addressed to the Chair has requested for the exemption of Secretary, Ministry of Information and Broadcasting and Director General, All India Radio as their presence is required on the same day before the Consultative Committee of Members of Parliament attached to the Ministry of Information and Broadcasting and has nominated Group Captain P. A. Naidu (Retired), Additional Director General, the next senior most officer and Head of Administration of All India Radio to represent the case before the Commission, who is attending the Commission in another case of Shri Joseph Tete, NRT, RNU, Chandigarh. This request has been allowed by the Chair.



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7. Group Captain P. A. Naidu [R] Additional Director General, All India Radio, New Delhi has submitted that the case of Shri Bhuta Naik pertains to Doordarshan and has assured that grievances of Shri Bhuta Naik shall be examined by him or the officers of Doordarshan and has requested for grant of 45 days' time to do the exercise. Additional Director General has also promised to do the needful and also action against the concerned officers who did this harassment to a Scheduled Tribe candidate, when all other similarly placed officials were allowed to take part in the examination. He has also promised to examine the case of Shri Y. P. Singh who having a birth date of 12-12-1965 have stated to have attended and completed the Departmental examination.

8. The request has been agreed to and the case will be heard in the Commission sometime in January 2017. It is advised accordingly.



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NATIONAL COMMISSION FOR SCHEDULED TRIBES

Annexure-1

File No. S-06/I&B/SERVICE/06/RU-III

List of participants

NCST

Shri Ravi Thakur, Hon'ble Vice Chairperson - In chair

Smt. K. D. Bhansor, Director

Shri V. P. Shahi, Assistant Director

Shri P. V. Mohandas, PS to VC & CP, NCST

Officers of Ministry of Information & Broadcasting

NIL

Officers of All India Radio

1. Group Captain P. A. Nadiu [R], Additional Director General, All India Radio, New Delhi.
2. Shri D. P. Shukla, Deputy Director (Admn)

Petitioner

Shri S. Bhuta Naik