

**COMMITTEE ON THE WELFARE OF  
SCHEDULED CASTES AND  
SCHEDULED TRIBES  
(2020-2021)**

**(SEVENTEENTH LOK SABHA)**

**FOURTH REPORT**

**ON**

**MINISTRY OF INFORMATION AND BROADCASTING**

**"Ways and means to ensure reservation for SCs and STs in the light of Privatisation, outsourcing of work and contractual employment in Government Services, PSUs and Autonomous Bodies – in special reference to Prasar Bharati"**

**Presented to Lok Sabha on 16.09.2020**

**Laid in Rajya Sabha on 16.09.2020**



**LOK SABHA SECRETARIAT**

**NEW DELHI**

**September, 2020/Bhadra, 1942 (Saka)**

## CONTENTS

	Page
COMPOSITION OF THE COMMITTEE.....	(iii)
INTRODUCTION .....	(iv)
<b>REPORT - CHAPTER – I</b>	
Genesis.....	
Background .....	
Prasar Bharati Board .....	
Organisational set-up.....	
All India Radio.....	
Doordarshan .....	
Civil Construction Wing .....	
Reservation to Scheduled Castes and Scheduled Tribes.....	
Implementation of Reservation Policy for SCs/STs in promotion.....	
Reservation in contractual/temporary appointments.....	
Promotion from JE to AE in AIR.....	
Position of SCs/STs in promotion in Prasar Bharati.....	
Benchmark for promotion.....	
Backlog/Shortfall.....	
Special Recruitment Drive.....	
<b>CHAPTER –II</b>	
Observations/recommendations.....	
<b>ANNEXURE</b>	
I. Minutes of the sitting of the Committee on the Welfare of Scheduled Castes and Scheduled Tribes held on 23.10.2019.	
II. Minutes of the sitting of the Committee on the Welfare of Scheduled Castes and Scheduled Tribes held on 02.12.2019.	
III. Minutes of the sitting of the Committee on the Welfare of Scheduled Castes and Scheduled Tribes held on 18.08.2020.	

**COMPOSITION OF THE COMMITTEE ON THE WELFARE OF SCHEDULED CASTES  
AND SCHEDULED TRIBES (2020-21)**

**Dr.(Prof.) Kirit Premjibhai Solanki - Chairperson**

**MEMBERS - LOK SABHA**

2. Shri Narayana Swamy Abbaiah
3. Shri Girish Chandra
4. Shri Santokh Singh Chaudhary
5. Shri Tapir Gao
6. Shri Saumitra Khan
7. Ms. Goddeti Madhavi
8. Smt. Pratima Mondal
9. Shri Ashok Mahadeorao Nete
10. Shri Vincent H. Pala
11. Shri Chhedi Paswan
12. Shri Prince Raj
13. Shri Andimuthu Raja
14. Shri Upendra Singh Rawat
15. Smt. Sandhya Ray
16. Shri Ajay Tamta
17. Shri Rebati Tripura
18. Shri Bishweswar Tudu
19. Shri Krupal Balaji Tumane
20. Shri Bhanu Pratap Singh Verma

**MEMBERS - RAJYA SABHA**

21. Shri Abir Ranjan Biswas
22. Shri N. Chandrasegharan
23. Smt. Kanta Kardam
24. Shri Ram Shakal
25. Shri K. Somaprasad
26. Shri Kamakhya Prasad Tasa
27. Shri Ramkumar Verma
28. Vacant
29. Vacant
30. Vacant

**SECRETARIAT**

1. Shri D.R. Shekhar – Joint Secretary
2. Shri A.K. Srivastava – Director
3. Shri V.K. Shailon - Deputy Secretary
4. Shri Mukesh Kumar – Deputy Secretary
5. Shri Virender Singh - Assistant Committee Officer

## INTRODUCTION

I, the Chairman, Committee on the Welfare of Scheduled Castes and Scheduled Tribes having been authorised by the Committee to finalise and submit the Report on their behalf, present this Fourth Report (Seventeenth Lok Sabha) on the Ministry of Information and Broadcasting on the subject "Ways and means to ensure reservation for SCs and STs in the light of Privatisation, outsourcing of work and contractual employment in Government Services, PSUs and Autonomous Bodies – in special reference to Prasar Bharati".

2. The Committee took evidence of the representatives of the Ministry of Information and Broadcasting on 23.10.2019 & 02.12.2019.

3. The Report was considered and adopted by the Committee on 18.08.2020.

4. The Committee wish to express their thanks to the officers of the Ministry of Information and Broadcasting for placing before the Committee, the material and information the Committee required in connection with the examination of the subject.

New Delhi;  
September, 2020  
Bhadra, 1942 (Saka)

(DR. KIRIT PREMJBHAI SOLANKI)  
Chairperson  
Committee on the Welfare of  
Scheduled Castes and Scheduled  
Tribes

## **Report**

### **Part –I**

#### **Genesis**

The Committee on the Welfare of Scheduled Castes and Scheduled Tribes selected various subjects including the subject "Ways and means to ensure reservation for SCs and STs in the light of Privatisation, outsourcing of work and contractual employment in Government Services, PSUs and Autonomous Bodies – in special reference to Prasar Bharati" for detailed examination and report during the year 2019-2020. A representation, dated 19.08.2019 had also been submitted to the Committee on the Welfare of Scheduled Castes and Scheduled Tribes by the Secretary, All India Akashwani and Doordarshan Scheduled Castes and Scheduled Tribes Employees Welfare Association (CCW Unit), New Delhi regarding violation of DoPT order No. 36012/11/2016-Estt.(Res-1) [Pt-II] dated 15.06.2018 to provide reservation in promotion to SC/ST employees in Civil Construction Wing (CCW), of All India Radio (AIR). In the representation, it was stated that Civil Construction Wing (CCW) Directorate had moved a proposal for promotion from AE(C) - P to AE(C) cadre in which SC/ST employees were also considered as per the roster position. The DPC was convened on 19.06.2019 and the proposal was sent to Directorate General (DG), All India Radio (AIR) for approval. As per representation, DG, AIR refused the DPC proposal and instructed CE(C), CCW to revise the DPC proposal without considering the reservation in promotion to SC/ST employees & resubmit the same. It was also stated in the representation that DoPT vide above-mentioned order had directed the cadre controlling authorities of the Central Government Ministries, Departments to carry out promotion in accordance with the directions of Hon'ble Supreme Court and every promotion order must clearly mention the stipulation that the promotion shall be subject to further orders which may be passed by the Hon'ble Supreme Court. It was further mentioned in

the representation that inspite of all these Government directions & guidelines, DG, AIR is not providing reservation in promotion to SC/ST employees and DPC already held by considering reservation in promotion, now further has been reviewed on 14.08.2019 without reservation and promotion order likely to be issued shortly removing the name of SCs/STs. It was requested to the Committee to intervene in the matter to desist the officials from misuse of power to safeguard the interest of SC/ST employees and direct concerned official not to issue promotion order till finanlization of this issue.

2. Committee undertook the detailed examination of the issue under the subject “Ways and means to ensure reservation for SCs and STs in the light of Privatisation, outsourcing of work and contractual employment in Government Services, PSUs and Autonomous Bodies”. The Committee discussed the matter with the representatives of the Ministry of Personnel, Public Grievances and Pensions (Deptt. of Personnel & Training), Ministry of Information & Broadcasting, Prasar Bharati, AIR and Doordarshan in the sittings held on 23.10.2019 & 02.12.2019.

### **Background**

3. Prasar Bharati is the only public service broadcaster in the country, with Akashvani (All India Radio) and Doordarshan as its two constituents. It came into existence on 23<sup>rd</sup> November 1997 with the mandate to organize and conduct public broadcasting services to inform, educate and entertain the public and to ensure a balanced development of broadcasting on radio and television. Prasar Bharati, through All India Radio (AIR) and Doordarshan, provides maximum coverage of the population and is one of the largest terrestrial networks in the world. The immense social responsibility of the Prasar Bharati – AIR and Doordarshan is in consonance with the potential of the network as it reaches vast masses of the people throughout the country. Over the years, Prasar Bharati true to its role as India’s Public Service Broadcaster has been successful to a great extent in fulfilling its

statutory mandate as enshrined in Section 12 of the Prasar Bharati Act. Doordarshan and All India Radio are, perhaps, the only media that are safeguarding the citizen's rights to be informed freely, truthfully and objectively on all matters of Public interest, national or international, and presenting a fair and balanced flow of information including the contrasting views without advocating any opinion or ideology of its own. Through its various programmes, the organization has always strived to uphold the unity and integrity of the country and the values enshrined in our Constitution. The Organization has been paying special attention to the fields of education and spread of literacy, agriculture, rural development, environment, health and family welfare and the science and technology. It has been providing adequate coverage to the diverse cultures and languages of the various regions of the country by broadcasting appropriate programmes. It has been broadcasting appropriate programmes keeping in view the special needs of youth, the status and problems of women, social justice, welfare of working classes, special needs of the minorities and tribal communities, protecting the interest of children and vulnerable sections of society, etc. Prasar Bharati has also made its presence felt in the digital platform as well. Live streaming of content, informative new websites, availability of programmes on YouTube, mobile apps and Alexa have ensured a vibrant appearance of Prasar Bharati on these platforms. Active presence in social media is being made through Twitter and Facebook. The need for a public service broadcaster like Prasar Bharati is even more important in view of more than 800 channels that are mainly focussing on commercial programmes. Prasar Bharati is the only counterbalancing force in a highly commercialized electronic media environment. In fact, the ethical norms and guidelines developed by Prasar Bharati over a period of time are serving as bench-marks for the industry.



### **Prasar Bharati Board**

4. Prasar Bharati is governed by the Prasar Bharati Board, which comprises a Chairperson, an Executive Member (Chief Executive Officer), a Member (Finance), a Member (Personnel), six part-time Members, a representative of the Ministry of Information & Broadcasting and the Director Generals of All India Radio and Doordarshan as its ex-officio Members. The tenure of Chairman is three years subject to the maximum age limit of 70 years, whichever is earlier. The Executive Member has tenure of five years, subject to an age-limit of sixty-five years, whichever is earlier. The Member (Finance) and the Member (Personnel) are whole-time members with six-year tenure, subject to the age-limit of 62 years, whichever is earlier. The Prasar Bharati Board normally meets at least six times in a year.

### **Organisational set-up**

5. The Prasar Bharati Board functions at the apex level ensuring the formulation and implementation of the policies of the organization and fulfilment of the mandate in terms of the Prasar Bharati Act, 1990. The Executive Member functions as the Chief Executive Officer (CEO) of Prasar Bharati. Officers from different streams working in the Prasar Bharati Secretariat assist the CEO, Member (Finance) and Member (Personnel) in integration of the actions, operations, plans and policy implementation as well as in looking after the budget, accounts and general financial matters of the organisation. The Board is assisted by a Secretariat consisting of officers from Programme, Technical, Finance and Administration Wings. The Marketing and Revenue activities of both All India Radio and Doordarshan are handled by the Prasar Bharati Commercial Revenue Divisions (CRD) located at Mumbai, New Delhi, Kolkata and Bengaluru. An independent Central Sales Unit along with 15 main Commercial Broadcasting Service (CBS) Centres looks after the

marketing of broadcast time in AIR. Prasar Bharati also has a unified Vigilance set-up at the headquarters, headed by a Chief Vigilance Officer. The All India Radio Directorate and the Doordarshan Directorate are headed by their respective Director Generals.

### **All India Radio (AIR)**

6. All India Radio (AIR) aims to provide information, education and entertainment, for promoting the welfare and happiness of the masses (Bahujana Hitaya Bahujana Sukhaya). The phenomenal growth achieved by All India Radio over the past eight decades has made it one of the largest media organisations in the world. Now, it has 469 stations and 662 transmitters. To meet the communication needs of the plural society that India is, the network expanded gradually imbibing new technologies and programme production techniques. Continuing with the adoption of newer technology, All India Radio's services are being digitalized.

7. Director General is the Head of the Department and is responsible for the overall administration and supervision of the entire AIR network. In performance of duties and functions, the Director General, AIR is assisted by officers of the following wings:

- (i) Programme Wing: Additional Director Generals (ADG) at the Headquarters and in the Regions assists the Director General in proper supervision of the stations. The Headquarters of the Regional ADGs are situated at Kolkata (Eastern Region), Mumbai (Western Region-I), Lucknow (Central Region-I), Bhopal (Central Region-II) and Guwahati (North Eastern Region), Chennai (South Region-I), Bangalore (South Region-II), Delhi (North Region-I) and Jalandhar (North Region-II).
- (ii) Engineering Wing in respect of the technical matters: Director General is assisted by an Engineer-in-Chief and ADG (Engineering) at the Headquarters and by the Zonal Chief Engineers in Zones. In addition, there is a Planning and Development Unit at the Headquarters in respect of the Development Plan Schemes of All India Radio. For the civil construction activities, the Director General is assisted by the Civil Construction Wing (CCW) of AIR, which is headed by a Chief Engineer. The CCW caters to the requirements of both All India Radio and Doordarshan.
- (iii) Administrative and Finance Wing: Additional Director General (Administration) and Additional Director General (Finance) assist the Director General on all matters of the administration and finance, while the Deputy Director General (A) and Deputy

Director General (F) assists them in respective fields. One Director each looks after the Engineering Administration, Programme Administration and financial matters.

- (iv) Security Wing: The Director General is assisted by a Deputy Director General (Security), an Assistant Director General (Security)/ Deputy Director (Security) on the matters relating to the security and safety of AIR installations viz., transmitters, studios, offices, etc.
- (v) Audience Research Wing: There is a Director (Audience Research) to assist the Director General in carrying out feedback studies on the programmes broadcast by the stations of All India Radio. Director (Audience Research) is assisted by a Joint Director (Audience Research).

### **Doordarshan**

8. Doordarshan has come a long way since its initial days as an experimental service.

Today, the national broadcaster is one of the leading TV organizations in the world. In the course of its journey, Doordarshan has both, expanded its network across the country as well as kept pace with state-of-the-art technological developments in television broadcasting. The premier public service broadcaster has a role in keeping over 1.3 billion Indians updated on the working of their government. For instance, in the year gone by, Doordarshan covered about 266 important events live. Besides, Doordarshan has been the preferred channel of communication of the government as well. Doordarshan is a significant participant in the public broadcasting scenario catering to the linguistic and cultural diversity of over 1.3 billion people. In such a vast country, mass communication itself is a challenge even with technological breakthroughs coming from satellite and internet and communication technologies, especially to reach people in remote corners of the country and in rural areas. Doordarshan plays a vital role in bridging this communication divide.

9. Director General is the head of Doordarshan who is assisted by Additional Directors General in the Programme Wing, Administration and Finance Wing, Engineer-in-Chief in Engineering Wing, and News Wing headed by Director General (News).

### **Civil Construction Wing (CCW)**

10. The Civil Construction Wing (CCW) was established on 26<sup>th</sup> January, 1971. Prior to this, CPWD was handling all the Civil Works pertaining to various units of Ministry of Information & Broadcasting. The construction of buildings for new projects and maintenance of existing buildings of All India Radio and Doordarshan and other media units under the Ministry of Information & Broadcasting, are carried out by Civil Construction Wing, All India Radio. The CCW was declared central public works organization by MIB on 31<sup>st</sup> January, 2008. The Rule, 133(2) of GFR 2017 recognizes Civil Wing (CCW) of the Ministry of Information & Broadcasting as Public Works Organization. The CCW as public works organization also executes works for other Ministries, Departments, Autonomous Bodies and PSEs. Administratively, CCW is a part of the Directorate General, All India Radio and is headed by the Chief Engineer (Civil). CCW reports to Director General, All India Radio through Engineer-in-Chief, AIR. At the Headquarters of Civil Construction Wing, Chief Engineer (Civil) is assisted by Superintending Surveyor of Works, Senior Architects, Engineering Officers, Financial Advisor and other complementary staff working with these officers. The CCW has its presence throughout the country and has 7 Civil Circles, 3 Electrical Circles, 24 Civil Divisions, 11 Electrical divisions and one Architectural Unit. CCW has Technical Staff Strength of 575 employees (as on July, 2020) for construction and maintenance of AIR & Doordarshan buildings from Kargil to Kanyakumari and Ziro (Arunachal Pradesh) to Bhuj (Gujrat). The Civil Construction Wing has the credit of construction of tallest RCC TV Towers across the country.

### **Reservation to Scheduled Castes and Scheduled Tribes**

11. The Committee have been informed through a representation from All India Akashwani and Doordarshan SC/ST Employees Welfare Association (CCW Unit) that Civil Construction Wing (CCW) Directorate moved a proposal for promotion from AE(C) - P to

AE(C) cadre in which SC/ST employees were also considered owing to the roster position. The DPC was convened on 19.06.2019 and the proposal was sent to Directorate General (DG), All India Radio (AIR) for approval. It has been submitted that the proposal was refused and revised proposal was made without considering the reservation in promotion to SC/ST employees. On being asked by the Committee regarding this, the Secretary, Ministry of Information and Broadcasting during evidence stated as under :-

“You would kindly recall that during the meeting held on 23<sup>rd</sup> October, 2019, one major issue was the promotion from JE(Civil) to AE(Civil) in AIR, DPC held on 19.06.2019. Against that, a representation was received in the month of August from Shri Prakash Singh, Secretary, All India Akashvani and Doordarshan Scheduled Castes and Scheduled Tribes Welfare Association, which was also received through the Lok Sabha Committee Secretariat. The same was sent by the Lok Sabha Secretariat vide letter dated 14.11.2019. On page 2 of our reply, we have mentioned that Prasar Bharati, the CEO of which is here with me, have ordered a complete review of the DPC which was done. In fact, they have clearly ordered that in light of the DoPT O.M. dated 15.6.2018. That is general to general and reserved to reserved. On that line, the entire thing should be reviewed.

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DPC is to be chaired by the Member, Personnel of the Prasar Bharati, which at present is vacant. So, with the approval of the Minister, we have authorized the CEO to hold the DPC under his Chairmanship and further the Minister has also directed that at least one ADG level officer belonging the SC/ST community should also be there in the Committee. All I wish to submit at this stage is that we have taken with utmost sincerity and seriousness the discussion and directions, which were given last

time. The DPC is being reviewed. The review will be completed within one month and for fresh DPC, the CEO has been authorized.”

### **Implementation of Reservation Policy for SCs/STs in promotion**

12. The Ministry of Information and Broadcasting in its brief note on Ways and means to ensure reservation for SCs and STs and implementation of reservation policy for SCs/STs in Akashvani & Doordarshan informed that Prasar Bharati is following Department of Personnel & Training (DoPT) instructions on reservation issued from time to time and will comply with any instructions issued by the Government regarding reservation for SCs/STs in outsourcing of work and contractual employment.

13. The Ministry of Information and Broadcasting also furnished the brief background of judgments/observations of Hon’ble Courts in various cases as under:

(i) Constitutional Bench of Supreme Court in M. Nagaraj & Others vs. UOI & Others JT 2006(9) SC 191, 2006(8) SCC 2112 vide its judgement dated 19th October, 2006 held that:-  
“The State is not bound to make reservation for SC/ST in matter of promotions. However if they wish to exercise their discretion and make such provision, the State has to collect quantifiable data showing backwardness of the class and inadequacy of representation of that class in public employment in addition to compliance of Article 335.”

(ii) Certain Indian Broadcasting (E) officers approached Hon’ble Tribunal to quash the seniority list of Senior Time Scale (STS) grade and reservation rosters as they were not in consonance with M. Nagaraj case. Hon’ble CAT, PB, New Delhi issued a common Order dated 22.04.2014 in two OAs i.e. OA No.588/2011 filed by Shri Surender Singh and OA No.1958/2011 filed by Shri Rajiv Sinha directing as under:-

*“We allow both these OAs. Consequently, (i) the impugned Annexure A-1 Roster Register of STS in OA No.588/2011 is quashed and set aside. We further direct the Respondents that till the conditions prescribed in M. Nagaraj’s case (supra) are fulfilled, they shall grant promotion without following reservation for SC/ST candidates; and (ii) in OA No.1958/2011, we declare that the Applicant is senior to Respondent No.4 in the seniority list of STS Officers corrected up to 10.06.2010 and the said seniority list shall be revised accordingly.”*

(iii) However, Shri Ram Bhog Singh, an affected IB(E)S officer due to the above CAT order dated 22-04-2014, in OA No.1958/2011, filed WP (C) No.4062/2014 in High Court of Delhi against the above direction of the CAT PB in OA No.1958/2011. The Hon'ble High Court dismissed the WP (C) on 8.12.2014 on merit taking reliance from M. Nagaraja case. Shri Ram Bhog Singh filed SLP No.11255/2015 in the Apex Court against the direction of CAT, PB in OA No.1958/2011 which was, however, dismissed by Apex Court vide its order dated 03.04.2017.

(iv) In an another case, Shri R.K. Verma, an IB(E)S officer filed OA No.3943/2012 in CAT, PB seeking the direction to hold the DPC for promotion from STS to JAG (Junior Administrative Grade). CAT vide its order dated 10.12.2013 directed the respondents to convene the meeting of DPC of JAG of IB (E) S within a period of 2 months.

(v) Therefore, Director General, All India Radio (AIR) had referred the case to its Legal Expert, who opined that as there is no stay/Interim order in SLP No.11255/2015 filed by Sh. Ram Bhog Singh in the Apex Court, the department should proceed further for revising the seniority list as per CAT, PB order upheld by Hon'ble High Court of Delhi in its order in WP (C) No.4062/2014 filed by Shri Ram Bhog Singh. DG, AIR also informed that the conditions prescribed in M. Nagaraja's case to acquire quantifiable data regarding inadequacy of representations of SC/ST communities has not been fulfilled and it has become mandatory for DG, AIR to revise the seniority list of STS grade of IB(E)S circulated on 01.01.2010, which contains 344 incumbents pertaining to different recruitment years following the reservation policy.

(vi) Accordingly, the Ministry acceded to the course of action proposed by Director General, All India Radio (AIR) to revise the seniority list dated 01.01.2010 of STS grade of IB(E)S without following reservation as per Hon'ble CAT's decision in OA No.1958/2011 and OA No. 588/2011 filed by Shri Rajiv Sinha & Shri Surender Singh respectively upheld by Hon'ble High Court, Delhi and the Apex Court.

(vii) While processing another case of promotion of Assistant Engineer to Executive Engineer in Civil Construction Wing (CCW), DG, AIR was advised by the Ministry on 29.6.2016 that reservations in promotion is to be governed in the light of judgment of Hon'ble Supreme Court in the Case of M. Nagaraj Vs UOI, SSC (2006).

14. Meanwhile, Hon'ble Supreme Court in SLP (C) 30621/2011 titled Jarnail Singh Vs. Lachhmi Narain Gupta vide its order dated 17-05-2018 observed that the pendency of this Special Leave Petition shall not stand in the way of Union of India taking steps for the purpose of promotion from '**reserved to reserved**' and '**unreserved to unreserved**' and also in the matter of promotion on merits.

15. Subsequently, Hon'ble Supreme Court in **SLP (C) No. 28306/2017 titled The State of Maharashtra & Anr. Vs. Vijay Ghogre & Ors.** vide its order observed that it is made clear that the **Union of India is not debarred from making promotions in accordance with law**, subject to further orders, pending further consideration of the matter. Tag to SLP (C) No. 30621 of 2011 (Jarnail Singh Vs. Lachhmi Narain Gupta).

16. Accordingly, DOP&T vide its OM dated 15-06-2018 directed all Ministries/ Departments to bring this to the notice of all concerned for information/ compliance of Supreme Court's orders and the same was conveyed to Prasar Bharati , DG, DD & DG, AIR to follow in letter and spirit.

17. Subsequently, the Hon'ble Supreme Court in the above SLP (C) 30621/2011 titled Jarnail Singh Vs. Lachhmi Narain Gupta vide its judgment dated 26-09-2018 observed that, *we conclude that the judgment in Nagaraj (supra) does not need to be referred to a seven-Judge Bench. However, the conclusion in Nagaraj (supra) that the State has to collect quantifiable data showing backwardness of the Scheduled Castes and the Scheduled Tribes, being contrary to the nine-Judge Bench in Indra Sawhney (1) (supra) is held to be invalid to this extent.*

18. Following the Supreme Court judgement delivered in SLP(C) above on 26.09.2018, Ministry referred the matter to DoPT on the issue of reservation in promotion. DoPT vide their Diary No.1360872/19/CR dated 13.03.2019 observed as under:

*"The matter has been examined. The individual cases relating to "reservation in promotion for SCs/STs", "reservation in promotion on own merit", including cases filed by*



*different State Governments/individuals parties are yet to be decided by the Hon'ble Supreme Court.*

*Since the issues relating to reservation in promotion are pending in Hon'ble Supreme Court, it is not feasible to give any clarification at the stage. However, in cases involving reservation in promotion, the guidelines in the said DoPT OM dated 15.06.2018 (para 5 refers) may be followed."*

The above advice of DoPT was communicated to DG, AIR/DG, DD/PB vide Ministry's ID dated 18.03.2019 and subsequent reminder dated 28.3.2019.

19. Hon'ble Supreme Court in the above SLP (C) 30621/2011 titled Jarnail Singh Vs. LachhmiNarain Gupta in its order dated 15-04-2019 has observed that:

**"Until further orders, status quo, as it exists today, shall be maintained.** List all the matters on 15-10-2019."

20. Therefore the matter of reservation in Promotion had again been referred to DoPT on 01.10.2019 for their advice/clarification in view of Supreme court order dated 15.04.2019.

21. Regarding policy and conditions in terms of judging the efficiency of administration, the Prasar Bharati has informed that the criteria of judging efficiency of administration comprises of the following stages:-

- (i) At the time of promotion for selection posts, it is ensured that DoPT Guidelines of prescribed benchmark are followed, subject to concessions available to SC/ST officers.
- (ii) Wherever, there is a change in the Group on promotion, an officer is placed on probation for a period of one to two years as prescribed in the relevant Recruitment Rules. In case an officer's performance is not up to the mark, his/her probation can be extended further by the Appointing Authority. Still, if improvement is not up to the mark, the services of the officer can be terminated as per the prescribed procedure.

The performance of an officer is also evaluated under FR 56(j) and Rule 48 of CCS Pension Rule 1972, as amended subject to the conditions prescribed therein.

22. When asked whether the Supreme Court has given any stay order in promoting SC/ST candidates in AIR/Doordarshan. Also whether any effort has been made by the Managements to get the stay order vacated, it has been submitted that Hon'ble Supreme Court in SLP (C) 30621/2011 titled Jarnail Singh Vs. LachhmiNarain Gupta vide its order dated 17-05-2018 observed that the pendency of this Special Leave Petition shall not stand in the way of Union of India taking steps for the purpose of promotion from '**reserved to reserved**' and '**unreserved to unreserved**' and also in the matter of promotion on merits.

23. Subsequently, Hon'ble Supreme Court in **SLP (C) No. 28306/2017 titled The State of Maharashtra & Anr. Vs. Vijay Ghogre & Ors.** vide its order observed that it is made clear that the **Union of India is not debarred from making promotions in accordance with law**, subject to further orders, pending further consideration of the matter. Tag to SLP (C) No. 30621 of 2011 (Jarnail Singh Vs. Lachhmi Narain Gupta).

24. Accordingly, DOP&T vide its OM dated 15-06-2018 directed all Ministries/ Departments to bring this to the notice of all concerned for information/compliance of above Supreme Court orders and the same was conveyed by the Ministry to Prasar Bharati, DG, Doordarshan & DG, All India Radio to follow in letter and spirit. Now, Hon'ble Supreme Court in the above SLP (C) 30621/2011 titled Jarnail Singh Vs. LachhmiNarain Gupta in its judgment dated 15-04-2019 has observed that:

***Until further orders, status quo, as it exists today, shall be maintained. Likely to be listed on 02-12-2019.***

25. As per the extant guidelines, issued vide this Department's Office Memorandum No. 36011/33/1981-Estt.(SCT), dated 05.10.1981, there shall be reservation of 15% for the members of the Scheduled Castes, 7.5 % for the members of the Scheduled Tribes and 27% for the members of the Other Backward Classes [O.M.No.36012/22/93-Estt.(SCT)

dated 08.09.1993] in the matter of appointment by direct recruitment to civil posts and civil services on all India basis by open competition.

26. However, in the matter of appointment by direct recruitment to civil posts and civil services on all India basis otherwise than by open competition, there shall be a reservation of 16.66 per cent for the members of the Scheduled Castes, 7.5 per cent for the members of the Scheduled Tribes and 25.84 per cent for the members of the Other Backward Classes.

On being asked about the representation of SC/ST employees in Prasar Bharati, AIR and Doordarshan, the Ministry of Information & Broadcasting has furnished the following information:-

**Over all representation of SCs/STs in Prasar Bharati, AIR & Doordarshan**

Total no. of employees	Total no. of SCs	Representation in %	Total no. of STs	Representation in %
24951	4730	18.95	2847	11.4

**Representation of SCs&STs in Prasar Bharati, AIR & Doordarshan in different groups of services**

Sl. No.	Group of Empl.	Total no. of employees	Total no. of SCs	Representation in %	Total no. of STs	Representation in %
1.	A	1318	193	14.64	79	6
2.	B	11989	1872	15.6	1116	9.3
3.	C	11644	2665	22.88	1662	14.27
	<b>Total</b>	<b>24951</b>	<b>4730</b>		<b>2847</b>	

**Reservation in contractual/temporary appointments**

27. The Committee desired to know from the Department of Personnel & Training (DoPT) about the ways and means to ensure reservation for SCs and STs in the light of privatization, outsourcing of work and contractual employment in the Government services, PSUs and autonomous bodies. The DoPT, in its written reply, stated that as per

Allocation of Business Rules, 1961, Department of Personnel & Training has, inter-alia, been allocated the work of reservation of posts in services for certain classes of citizens in Central Government. Article 309 of the Constitution empowers the Parliament or State Legislature to make laws to regulate the recruitment and conditions of service of persons appointed to public services and posts in connection with the affairs of the Union or the State, as the case may be. However, the subject of reservation in private sector is under the purview of Department of Industrial Policy and Promotion (DIPP).

28. As per the extant guidelines, issued vide Office Memorandum No. 27/4/67(II)-Estt.(SCT), dated 24.09.1968 and DoPT O.M., dated 15.05.2018, reservations are to be made for Scheduled castes and Scheduled Tribes in all temporary appointments which are to last for 45 days or more.

29. Vide Ministry of Home Affairs, Office Memorandum No. 27/4/67(II)-Estt.(SCT), dated 24.09.1968, a Working Group under the Chairmanship of Shri M.R. Yardi, Additional Secretary, Ministry of Home Affairs to study the progress of measures for land allotment to Scheduled Castes and their representation in services has inter-alia made the following recommendation:-

“Rules of reservations should also be extended to purely temporary posts. This would give an opportunity to Scheduled Cases applicants appointed against short term vacancies to gain experience which will facilitate their absorption later in regular vacancies”.

30. According to the existing orders, reservations are made for Scheduled Castes and Scheduled Tribes in all temporary appointments except those which are to last for less than 3 months. The recommendation of the Working Group has been considered and it has been decided that the aforesaid reservation orders should in future apply to all temporary appointments which are to last for 45 days or more. Accordingly, with effect from the date of

issue of this O.M., reservation for Scheduled Castes and Scheduled Tribes should be made in all temporary appointments except appointments which are to last for less than 45 days.

31. Vide Ministry of Personnel, Public Grievances and Pensions (Department of Personnel & Training) O.M.No. 36036/3/2018-Estt.(Res.), dated 15 May, 2018 regarding reiteration of instructions relating to reservation in temporary appointments. DoPT stated that as per the extant guidelines issued vide O.M. No.27/4/67(II)-Estt.(SCT), dated 24.09.1968, it has been brought to the notice of this Department by the National Commission for Scheduled Tribes that the Office Memorandum dated 24.09.1968 is old and the instructions laid down in the O.M. must be reiterated. It is, therefore, reiterated that, in respect of appointments to Central Government posts and services there shall be reservation for Scheduled Caste/Scheduled Tribe/Other Backward Class candidates in temporary appointments which are to last for 45 days or more.

32. The Committee were informed by the Department of Personnel & Training in their written reply that reservation is also applicable in recruitment in Public Sector Undertakings, Statutory and Semi-Government Bodies, Autonomous Bodies/Institutions including Municipal Corporations, Cooperative Institutions, Universities etc. under the control of the Central Government [O.M.No.39/40/74(SCT) (I) dated 30.09.1974]. Further, reservation for Scheduled Castes/Scheduled Tribes/Other Backward Classes also applies to recruitment in the services under:-

- (i) The voluntary agencies where recipient body employees more than 20 persons on a regular basis and at least 50 percent of its recurring expenditure is met from grants-in-aid from Central Government; and
- (ii) The body is a registered society or a cooperative Institution and is in receipt of a general purpose annual grant-in-aid of Rs.2/- lakh and above from the Consolidated Fund of India [O.M.No.27/12/73-Estt.(SCT) dated 07.10.1974].

33. Appointment on contract is not a specified method of recruitment. However, in exceptional circumstances, with a view to secure the services of a person having special qualifications, contract is resorted to as a mode of appointment. As already mentioned above, reservations are to be made for Scheduled Castes and Scheduled Tribes in all temporary appointments which are to last for 45 days or more.

34. DoPT also stated in his written reply, as per the provisions contained in Rule 177 to Rule 196 of the General Financial Rules (GFR), 2017, the Ministries/Departments may hire external professionals, consultancy firms or consultants for a specific job, which is well defined in terms of content with a time frame for its completion. Rule 197 to Rule 206 of the GFR, 2017, also provide that the Ministry or Department may procure certain non-consulting services in the interest of economy and efficiency and it may prescribe detailed instructions and procedures for this purpose without, however, contravening the basic guidelines contained in these Rules. These non-consulting services may include maintenance, hiring of vehicle, outsourcing of building facilities management, security, photocopier service, janitor, office errand services, drilling, aerial photography, satellite imagery, mapping etc.

### **Promotion from JE to AE in AIR**

35. When asked about the promotion of the eligible candidates to AE(C) cadre, the Prasar Bharati has informed that all the eligible officers have been considered and promoted to the grade of Assistant Engineer (Civil) during the year 2019. DPC meeting for promotion from Junior Engineer (Civil) to Assistant Engineer (Civil) against the vacancies of the year 2018 (05 vacancies) & 2019 (21 vacancies) was convened on 19.06.2019. In this DPC, 27 Unreserved Category officers, 04 SC Category Officers and 1 ST category officer were recommended for promotion. The number of recommended candidates for promotion is higher than the number of vacancies as 6 number of recommended candidates for

promotion were also to retire during the year 2018 and 2019 and the resultant vacancies were to be filled from the available panel of recommended candidates.

36. It was further submitted that SC&ST category candidates were not available in the order of seniority and accordingly the candidates belonging to SC & ST category were picked up from extended zone following the DoPT Guidelines. The recommendations of the DPC were approved by the Director General, AIR, being the appointing authority. However, promotion order could not be issued as according to DG, AIR, the recommendations of the DPC were not in conformity with the circular dated 28.12.2017 issued by DG, AIR. A revised DPC was convened by the DG, AIR on 14.08.2019 wherein 34 officers of General Category were promoted subject to further orders which may be passed by the Hon'ble Supreme Court in SLPs mentioned in its order dated 17.05.2018. The recommendations of the revised DPC were approved by the Director General, AIR and accordingly, the promotion order was issued on 30.09.2019 (for vacancies up to 01.10.2019) and on 21.11.2019 (for vacancies up to 01.12.2019).

37. It has also been submitted that Director General, AIR were directed vide Prasar Bharati Secretariat, Letter dated 22.11.2019 to review all the DPCs conducted post issue of DoPT O.M. dated 15.06.2018 providing for reservation in promotion from 'reserved to reserved' and 'unreserved to unreserved' as per Hon'ble Supreme Court Order dated 17.05.2018 in SLP(C) No 30621 of 2011 and the communication of M/o I&B dated 18.03.2019. The Ministry has taken cognizance of the aforementioned letter of Prasar Bharati and requested Prasar Bharati to direct Director General, AIR to review all DPCs within one month.

38. The Committee asked about the details of DPC constituted for promotion from Assistant Engineer (Electrical) to Executive Engineer (Electrical) promoted since 2012 till

date. The Prasar Bharati has informed that DPC composition for promotion of Assistant Engineer(E) to Executive Engineer(E) in Civil Construction Wing (CCW) of Prasar Bharati provides for Member(Personnel), Prasar Bharati (PB) as Chairman of DPC. As the post of Member (Personnel), PB is presently vacant, Prasar Bharati has requested the Ministry to relax the composition of DPC in the grade of Executive Engineer (Electrical) so as to provide for Chief Executive Officer (CEO), Prasar Bharati to preside over the DPC for promotion from Asstt. Engineer (Electrical) to Executive Engineer (Electrical).The Ministry, while giving the relaxation, as requested for, has also directed Prasar Bharati to ensure the representation of senior officer of SC/ST in DPC.

39. The Ministry have also stated that the promotion from AE to EE (Electrical) from Group 'B' to Group 'A', the benchmark for promotion as per DoPT instructions is 'Good'. All eligible candidates fulfilling the eligibility criteria, as above, falling within the zone/extended zone of consideration, keeping in view the no. of vacancies have to be considered subject to assessment for fitness by the DPC as per the instructions issued by DoPT from time to time.

40. The Cadre Control of CCW cadres is with Directorate General of All India Radio (AIR). Accordingly, the proposal for conducting DPC for AE to EE(Electrical) was prepared by DG, AIR and sent to Prasar Bharati Secretariat as the DPC was to be headed by Member(Personnel)/Chief Executive Officer, Prasar Bharati. On the proposal submitted by DG, AIR, has been requested vide a letter dated 14.10.2019 to send the revised proposal in accordance with the existing DoPT instructions dated 15.06.2018 on reservation for SC/ST along with a certificate from the Liaison Officer for SC/ST certifying the reservation position. This proposal involves filling up of 9 vacancies for the year 2019 and 04 vacancies for the year 2020.

41. The proposal for Executive Engineer (Civil) involves filling up of 46 vacancies from vacancy year 2008-09 to 2020. The DPC could not be held due to litigation in respect of



seniority list in feeder cadre of Assistant Engineer in the Hon'ble Supreme Court of India. Hon'ble Supreme Court settled the issue on 24.09.2018 and clarified that experience of diploma holder Assistant Engineers who acquired degree during the service will be counted after obtaining degree for promotion in the channel of degree holder Assistant Engineers. Thereafter time was required for finalising the seniority list. Final seniority list has been issued on 26.02.2019 based on Hon'ble Supreme Court judgement dated 18.01.2017 and 24.09.2018 in the matter of Harmohinder Pal Singh and Others. Based on this seniority list, proposal submitted by DG, AIR was returned (on 15.11.2019) to them for modifying the same in accordance with the existing DoPT instructions dated 15.06.2018 on reservation for SC/ST.

**Position of SCs/STs in promotion in Prasar Bharati**

42. When asked about the number of employees promoted in Group "A", "B" and "C" after the recent judgement of Supreme Court of India in the year 2018 and the number of persons belonging to SC/ST categories, the Prasar Bharati has informed that the following promotions in Group "A" & "B" have been done after issue of DoPT instructions on reservation on 15.06.2018:-

Group A					
Date of DPC held	Post	Number of Officers recommended for Promotion			
		Total	Unreserved	SC	ST
04.07.2018	STS to JAG of IB(E)S	24	6	18	0
16.08.2018	Hindi Translator to Assistant Director (OL)	3	2	1	0
26.08.2019	STS to JAG of IB(E)S	16	11	5	0
28.08.2018	PEX to Assistant Director (P)	131	114	15	2
12.12.2018	PEX to Assistant Director (P)	488	401	55	32

07.01.2019	EE (Civil) to SE (Civil), CCW	1	1	0	0
25.02.2019	Sr. AO/ IO to Dy. Director Admin (Subordinate)	6	4	2	0
22.04.2019	EE(Civil) to SE (Civil), CCW	6	5	0	1
22.04.2019	AE (Electrical) to EE (Electrical), CCW	1	1	0	0
24.07.2019	STS to STS (NFSG) of IB(E)S	219	162	39	18
<b>Total</b>		<b>895</b>	<b>707</b>	<b>135</b>	<b>53</b>
<b>Group B</b>					
28.03.2018 29.03.2018	Engineering Assistant (EA) to Senior EA	295	222	73	0
03.09.2019	Floor Assistant to Floor Manager	46	37	5	4
20.09.2018 28.09.2018 30.10.2018	Senior EA to Assistant Engineer	451	410	35	6
12.09.2018	Cameraman Grade-III	4	4	0	0
03.09.2019	Edit Supervisor	2	2	0	0
<b>Total</b>		<b>798</b>	<b>675</b>	<b>113</b>	<b>10</b>

The details regarding representation of SCs/STs in promotion in Prasar Bharati, All India Radio and Doordarshan from the year 2012 to 2019 as submitted before the Committee is as under:-

Year of DPC	Representation of SCs & STs											
	Group A				Group B				Group C			
	UR	SC	ST	Total	UR	SC	ST	Total	UR	SC	ST	Total
2012	44	03	02	49	65	7	2	74	31	13	6	50
2013	92	26	05	123	425	86	38	549	54	22	7	83
2014	80	19	2	101	27	9	4	40	20	1	2	23
2015	08	03	2	13	124	14	23	161	32	7	2	41
2016	354	67	26	447	100	23	11	134	25	12	4	41
2017	286	42	5	333	448	46	10	504	11	1	3	15
2018	813	112	44	969	504	38	14	556	33	4	1	38
2019	182	42	19	243	135	16	22	173	13	3	3	19
<b>Total</b>	<b>1859</b>	<b>314</b>	<b>105</b>	<b>2278</b>	<b>1828</b>	<b>239</b>	<b>124</b>	<b>2191</b>	<b>219</b>	<b>63</b>	<b>28</b>	<b>310</b>

**Benchmark for promotion**

43. When asked whether SC/ST official who have been graded “Good” ACR will be eligible for promotion from Group ‘B’ to Group ‘A’ and above. In this regard, the reply of the Prasar Bharati is reproduced below:-

- (i) For promotion of officers for selection post from Group ‘B’ to Group ‘A’ is ‘Good’ and
- (ii) For promotion of officers for selection post of the level of 12 and above and up to Level 13 is ‘Very Good’.

The Guidelines of DoPT in this regard are as under:

**(a) For Promotion from Group ‘B’ to Group ‘A’:**

44. Selection against vacancies reserved for Scheduled Castes and Scheduled Tribes should be made only from among those SC /ST officers who are within the normal zone of consideration. Where adequate number of SC/ST candidates are not available within the normal field of choice, it may be extended to 5 times the number of vacancies and the SC/ST candidates (and not any other candidate) coming within the extended field of choice should also be considered against the vacancies reserved for them. If number of candidates from SC/ST obtain on the basis of merit with due regard to seniority on the same basis as others, lesser number of vacancies reserved for them, the difference should be made up by selecting candidates of these communities who are in the zone of consideration irrespective of merit and benchmark provided they are otherwise not unfit for promotion. If the number of SC/ST candidates found fit for promotion against reserved vacancies is still less than the number of vacancies reserved for them, the difference should be made up by selecting candidates of these communities who are in the extended zone of consideration irrespective of merit and bench mark provided they are otherwise not unfit for promotion.

**(b) For promotion in Group 'A' up to Level 13 of the 7<sup>th</sup> CPC Pay matrix:**

45. There is no reservation in case of promotion by 'selection' from a Group 'A' post to another Group 'A' post. But when promotion by 'selection' is made from a Group 'A' post to a Group 'A' post carrying a scale of pay level 13 of Pay matrix of the 7<sup>th</sup> CPC or less, the SC and ST Officers, who are senior enough in the zone of consideration for promotion so as to be within the number of vacancies for which the select list has to be drawn up, would be included in that list provided they are otherwise not unfit for promotion.

**Backlog/Shortfall**

46. Regarding filling up of backlog and shortfall of SC and ST in the posts of Technical, Non-Technical and Executive Posts. The Prasar Bharati in their written replies has informed that AIR and Doordarshan have no such proposal at present for such recruitment. It is further informed that Manpower Audit is under progress in Prasar Bharati through a reputed consultant. The manpower audit is being carried out as per the report submitted by Sam Pitroda Committee in 2014. There is likelihood of substantial restructuring in the organisation post Manpower Audit. Accordingly no major direct recruitment can be undertaken pending the exercise of Manpower Audit.

**Special Recruitment Drive**

47. When asked about any special recruitment drive been made exclusively for SCs/STs by the AIR/Doordarshan, the Prasar Bharati in their written replies has informed that the last special recruitment drive for SCs/STs by direct recruitment was undertaken in 2010 for 74 posts of Engineering Assistant (48 SCs and 26 STs).

**Part-II****Observations/recommendations**

**2.1 The Committee have been apprised that Civil Construction Wing (CCW) Directorate moved a proposal for promotion from AE(C)-P to AE(C) cadre in which SC/ST employees were also considered owing to the roster position. The DPC was convened on 19.06.2019 and the proposal was sent to Directorate General(DG), All India Radio(AIR) for approval. However, the proposal was refused and revised proposal was made without considering the reservation in promotion to SC/ST employees. The Committee are of the view that DoPT is the nodal agency deciding the policy matter of the Government of India in service matters as per the decision of Hon'ble Supreme Court, DG, AIR/Other Departments/Ministry can not implement any interim order of Hon'ble Supreme Court or in any other state without the specific order of DoPT. The Committee therefore would like to know the reasons to revise the DPC proposal without considering the reservation in promotion to SC/ST employees. The Secretary, Ministry of Information & Broadcasting during the evidence before Committee deposed that a complete review of DPC has been ordered by CEO, Prasar Bharati. Accordingly, the Committee hope that review would encompass the reservation of SC/ST candidates as per DOPT guidelines.**

**2.2 The Committee note that Director General, AIR has been directed vide Prasar Bharati Secretariat Letter dated 22.11.2019 to review all the DPCs conducted post issue of DoPT O.M. dated 15.06.2018 providing for reservation in promotion from 'reserved to reserved' and 'unreserved to unreserved' as per Hon'ble Supreme Court Order dated 17.05.2018 in SLP(C) No. 30621 of 2011 and the communication of M/o I&B dated 18.03.2019. The Committee have been apprised that the DPC is to be Chaired by the Member, Personnel of the Prasar Bharati, which is vacant at present.**

So, with the approval of the Minister, they have authorized the CEO to hold the DPC under his Chairmanship and further the Minister has also directed that at least one ADG level officer belonging to SC/ST community should be there in the DPC. The Committee have been assured that review of DPC will be completed within one month and for fresh DPC, the CEO has been authorized. The Committee are of the view that review of DPC for promotions from JE (Civil) to AE(Civil) should be completed within stipulated time so that SC/ST employees are not deprived of their genuine claim. The Committee would also like to be apprised of outcome of the review of DPC at the earliest.

2.3 The Committee also note that all the eligible officers have been considered and promoted to the grade of Assistant Engineer (Civil) during the year 2019. DPC meeting for promotion from Junior Engineer (Civil) to Assistant Engineer(Civil) against the vacancies of the year 2018 (05 vacancies) & 2019 (21 vacancies) was convened on 19.06.2019. According to information provided by the Ministry in that DPC, 27 Unreserved Category officers, 04 SC Category Officers and 1 ST category officer were recommended for promotion. The Committee observe that the number of recommended candidates for promotion is higher than the number of vacancies and out of which 6 were also retired during the year 2018 and 2019 and the resultant vacancies were to be filled from the available panel of recommended candidates. As the CEO Prasar Bharati, has ordered a complete review of the DPC which was done on 19.06.2019, the Committee hope that the promotion process in Prasar Bharati and AIR shall be expedited by pragmatically by protecting interest of SCs and STs employees working in Prasar Bharati.

2.4 The Committee are of the view that roster system is the only mechanism to watch the proper implementation of reservation policy for Scheduled Castes and

Scheduled Tribes in services as per the points reserved for them in the rosters and these would cease to have any significance if these are not maintained properly. The Committee would like to emphasize that the rosters should be maintained by authorities concerned in accordance with the existing orders on the subject and checked regularly by competent authorities. Discrepancies noticed during inspection of rosters should be rectified immediately and also brought to the notice of the Head of the Department. The Committee also desire that Reservation Rosters of All India Radio and Doordarshan alongwith the outcome of yearly inspection undertaken by the Ministry must be uploaded online within a period of three months to maintain transparency in the system.

2.5 The Committee note that the reservation rosters of All India Radio/ Doordarshan for SC/ST are inspected by the Liaison Officer for SCs/STs before convening every DPC or undertaking direct recruitment where reservation is applicable. The Committee have been given to understand that DPC for promotion to the grade of Junior Time Scale (JTS) of Indian Broadcasting (Programme) Service held on 19.08.2018 in UPSC and on 12.12.2018 in Prasar Bharati Secretariat, the roster was duly inspected by the Liaison Officer and a certificate to the effect that proper reservation to SCs/STs is endorsed. Surprisingly, after intervention by the Parliamentary Committee, a SC/ST officer was also nominated as a member of the DPC to protect the interest of SC/ST, which should have been done automatically as per norms fixed by DoPT in this regard.

2.6 The Committee however express their happiness over the fact that all DPC held for various posts including promotions in Group "A" & "B" posts would be reviewed since 2012 with due representation of SCs and STs to implement the judgement of Supreme Court of India and DoPT instructions on reservation. The

Committee legitimately expect from the Ministry that they would ensure adequate representation of Scheduled Castes and Scheduled Tribes in Group “A” & “B” posts and below by following reservation in promotion on seniority and on merit basis. The Committee would also like to be apprised about the promotion given in case of Group A and B categories of posts during the years 2014 to 2019 to ensure that promotion posts reserved for SCs and STs in Group A and B categories have been duly filled up properly. The Committee also desire that the Government should furnish the detailed information as to the promotions effected in each of the categories of Group A and B posts during the years 2014 to 2019, where reservation orders are applicable. The Committee also observe that low representation of STs in promotions in different posts, indicative of the fact that Prasar Bharati has not done enough. The Committee would also like to know the reasons of low representation of ST categories in Group “A” & “B” posts and efforts made to fill up all these vacancies.

2.7 The Committee note that no reservation policy exists while engaging persons on contract. The Committee would like to have details of contractual employees being engaged and as to whether these employees are being paid adequate minimum wages, medical facilities, EPF and PPF facilities, etc. The Committee legitimately expect from the Ministry that as per DoPT order contractual labours who have worked more than 45 days are eligible for reservation in service. There shall be reservation for SC/ST candidates in all temporary appointments, which are to last for 45 days or more. The Committee may be apprised of the compliance of DoPT order in this regard. The Committee also desire that accountability be fixed, if DoPT order for reservation of SCs and STs are not implemented by the principal employer where they enter into contract with the contractor. The Committee expect that Prasar Bharati including Akashvani & Doordarshan to follow Department of Personnel &



Training (DoPT) instructions on reservation policy issued from time to time and will strictly comply with any instructions issued by the Government regarding reservation for SCs/STs in outsourcing of works and contractual employment. The Committee are of the firm view that in outsourced works where reservation is not applicable, the Government being a principal employer enter into contract with the agency to insert a Clause of reservation of SCs and STs to ensure social justice as enshrined in our constitution.

2.8 The Committee find that last special recruitment drive for SCs/STs by direct recruitment was undertaken in the year 2010 for 74 posts of Engineering Assistant (48 SCs and 26 STs) and subsequently not any special recruitment drive was conducted to fill-up vacancies of shortfall/backlog in all category of posts. The Committee note that Manpower Audit is under progress in Prasar Bharati through a reputed consultant. The manpower audit is being carried out as per the report submitted by Sam Pitroda Committee in 2014. There is likelihood of substantial restructuring in the organisation post Manpower Audit. The Committee may be apprised the manpower audit report and action taken thereon. The Committee desire, the details of number of backlog/shortfall vacancies of SCs/STs in each category of posts and also the number of vacancies filled-up during the last five years through Special Recruitment Drives should be furnished to the Committee.

2.9 The Committee note that the grievances and complaints on service matters such as discrimination in promotion or non-consideration for promotion, non-inclusion of name in ACP Scheme, financial upgradation, violation of reservation policies etc., have far reaching consequences and may have an adverse effect on the career growth of SC/ST employees. The Committee, therefore, recommend the Prasar Bharati, All India Radio and Doordarshan to prepare a schedule to dispose of all the

**grievances and complaints of SC/ST employees pertaining to service matters within a stipulated time frame. The Committee recommend that Prasar Bharati, All India Radio and Doordarshan should also hold separate periodic meetings with the representatives of the SC/ST Welfare Associations to sort out various problems/grievances relating to reservation policies. The Committee also recommend that the proceedings of the meetings should be recorded for follow up action and a copy of the minutes of the meetings should be circulated to the representatives of the SC/ST Welfare Associations and to the concerned Ministry of Information and Broadcasting for information and necessary action so that purpose of such meetings may not be defeated.**

**New Delhi;  
September, 2020  
Bhadra, 1942 (Saka)**

**(DR. KIRIT PREMJBHAI SOLANKI)  
Chairperson  
Committee on the Welfare of  
Scheduled Castes and Scheduled  
Tribes**