



भारत सरकार

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

File No. RK/4/2016/MCVL1/SEOTH/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: 24.08.2016

To,

The Secretary,
Ministry of Civil Aviation,
"B" Block, Rajiv Gandhi Bhawan,
Safdarjung Airport, Aurbindo Marg,
New Delhi-110003

Sub: Representation dated 28.04.2016 of Shri Ram Krishan, Noida, UP regarding unfair treatment by PHL Management against ST candidate.

Sir,

I am directed to enclose a copy of Proceedings of the Sitting held by Hon'ble Vice-Chairperson, NCST, on 27.07.2016 for necessary action and to send the action taken report to the Commission urgently.

Yours faithfully,

(S.P. Meena)
Assistant Director(Admn.)

Copy to:

Shri Ram Krishan,
Emp. No. 0131, Pawan Hans Limited,
Corporate Headquarter,
C-14, Sec-1, Noida,
UP-201301

PROCEEDINGS OF THE HEARING HELD ON 27-07-2016
UNDER THE CHAIRMANSHIP OF SHRI RAVI THAKUR,
HON'BLE VICE CHAIRPERSON, NATIONAL COMMISSION
FOR SCHEDULED TRIBES ON THE APPLICATION FILED BY
SHRI RAM KRISHAN, AN OFFICER OF PAWAN HANS LIMITED
AGAINST DOWNGRADING OF PAY SCALES AFTER APPOINTMENT

Details of Participants are as at Annexure-1.

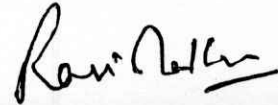
Shri Ram Krishan, Employee No. 0131, Pawan Hans Limited Corporate Head Quarter, Noida, Uttar Pradesh vide his application dated 28-4-2016 has submitted that while he was working as Manager (IT) in the Middle Management Grade Scale-II of the Oriental Bank of Commerce, he applied for the post of Manager (Infocom Services) in the Pawan Hans Limited as per their advertisement appeared in the Employment News dated 12 – 18 September 2009. It was mentioned in the advertisement that the post carried a scale of pay of Rs. 32900 – 58000 which was adhoc on the date of publication of the advertisement. Shri Ram Krishna has stated that after he was selected for the post in Pawan Hans Limited he got himself relieved from the Oriental Bank of Commerce on 14-1-2010 AN and he joined the Pawan Hans Limited on 15-1-2010.

2. The grievance of the applicant is that the pay scale of the post of Manager (Infocom Services) has been downgraded from Rs. 32900 – 58000 to Rs. 29100 – 54500 in the month of January 2014. Though he has made representations to every authority in Pawan Hans Limited and in the Ministry of Civil Aviation to restore the pay scale, no reply was received by him from any one. Hence he approached the National Commission for Scheduled Tribes.

3. Accordingly a hearing in this case was convened. Secretary, Ministry of Civil Aviation, Government of India, New Delhi vide his letter dated 25-7-2016 requested the Hon'ble Vice Chairperson of the Commission to exempt him from personal hearing as he has a prior engagement with the Hon'ble Minister of Civil Aviation, which has been agreed to by the Commission. Secretary Civil Aviation therefore nominated Smt. Gargi Kaul, Joint Secretary & Financial Adviser of the Ministry of Civil Aviation and requested to allow her to attend the sitting which has been allowed by the Commission.

4. Shri Ram Krishna, Petitioner has explained that he joined the post of Manager in Pawan Hans Limited only because he was offered a scale of pay higher than the one which he was getting while working in his previous assignment in the Oriental Bank of Commerce and was also planning so many things for the future. Downgrading the pay scale has destroyed all his ambitions and the Company has thus victimised him by downgrading the pay scale all of a sudden without any prior notice.

5. Officers attended from the Ministry of Civil Aviation and Pawan Hans Limited have submitted that when the post was advertised for filling it up, it was mentioned in the advertisement that the scale of pay was adhoc. However it was not clearly mentioned in the advertisement that why it was adhoc and what will be the



रवि ठाकुर/RAVI THAKUR
उपाध्यक्ष/Vice Chairperson
राष्ट्रीय अनुसूचित जनजाति आयोग
National Commission for Scheduled Tribes
भारत सरकार/Govt. of India
New Delhi

consequences of this adhoc pay scale. Whether it will go down or go up when it was finally decided were not mentioned in the advertisement. They have submitted that it was adhoc because the question of fixing the scale were finally approved by the Department of Public Enterprises and they have decided this way. The Ministry of Civil Aviation or the Pawan Hans Limited Management had no role to play in this downgrading of scales. They have further stated that the decision of Department of Public Enterprises have affected the pay of 180 officers – 40 executives, 52 pilots, 86 AMEs and 2 Flight Engineers. Aggrieved with this downgrading the applicant along with some other executives have approached the Hon'ble High Court of Delhi for redressal and the same is presently subjudice.

6. After hearing both the parties the Commission has decided that since the matter is in the Hon'ble High Court of Delhi no advice can be passed at this stage and shall wait for the direction of the Hon'ble High Court of Delhi in this regard. However it was advised that Ministry of Civil Aviation and Pawan Hans Limited shall submit copies of all available documents connected with the case to the Commission for record.

Ravi Thakur

रवि ठाकुर/RAVI THAKUR
उपाध्यक्ष/Vice Chairperson
राष्ट्रीय अनुसूचित जनजाति आयोग
National Commission for Scheduled Tribes
भारत सरकार/Govt. of India
नई दिल्ली/New Delhi

Annexure-1

**LIST OF PARTICIPANTS WHO ATTENDED THE HEARING
IN RESPECT OF THE APPLICATION FILED BY
SHRI RAM KRISHAN, AN EMPLOYEE OF PAWAN HANS LIMITED.**

1. Shri Ravi Thakur, - In the Chair
Hon'ble Vice Chairperson
National Commission for Scheduled Tribes
Government of India
New Delhi.
2. Smt. K. D. Bhansor,
Director, NCST
New Delhi
3. Shri P. V. Mohandas
PS to Hon'ble Vice Chairperson,
NCST
New Delhi.
4. Smt. Gargi Kaul
Joint Secretary & Financial Adviser,
Ministry of Civil Aviation,
Government of India
New Delhi.
5. Dr. B. P. Sharma,
Chairman & Managing Director,
Pawan Hans Limited
Noida.
6. Shri Ram Krishna - Applicant