

COMMITTEE ON THE WELFARE OF
SCHEDULED CASTES AND
SCHEDULED TRIBES
(2006-2007)

(FOURTEENTH LOK SABHA)

SEVENTEENTH REPORT

ON

**MINISTRY OF RAILWAYS
(RAILWAY BOARD)**

Reservation for and Employment of Scheduled Castes and
Scheduled Tribes in North Eastern Railway (NER)

Presented to Lok Sabha on 29th November, 2006

Laid in Rajya Sabha on 29th November, 2006

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LOK SABHA SECRETARIAT
NEW DELHI

29th November , 2006 / 8th Agrahayana, 1928(Saka)

CONTENTS

COMPOSITION OF THE COMMITTEE	
INTRODUCTION	
CHAPTER I - INTRODUCTORY	
A. Background Note.....	
B. Organisational set-up.....	
C. Reservation Cell.....	
D. Liaison Officer and Cell.....	
E. Maintenance of Rosters.....	
CHAPTER II – RESERVATION IN SERVICES	
A. Reservation Orders.....	
B. Recruitment Procedure.....	
C. Concessions/Relaxations.....	
D. Recruitment.....	
E. Staff Strength and Shortfall.....	
F. Promotions.....	
CHAPTER III - MEASURES TO IMPROVE REPRESENTATION	
A. Pre-recruitment Training.....	
B. Pre-promotion Training.....	
C. Training Abroad.....	
D. De-reservation and Exchange of vacancies.....	
E. Deputation.....	
F. False Caste Certificate.....	
CHAPTER IV – MISCELLANEOUS	
A. Redressal of complaints/grievances.....	
B. Compassionate Appointments.....	
C. Housing Facilities.....	
D. Petty Contracts.....	
E. Socio-economic Development.....	
APPENDICES	
A. Minutes of the sitting of the Committee held on 13.09.2005.....	
B. Minutes of the sitting of the Committee held on 18.10.2006.....	
C. Summary of Conclusions / Recommendations contained in the Report.....	

**COMPOSITION OF THE COMMITTEE ON THE WELFARE OF
SCHEDULED CASTES AND SCHEDULED TRIBES (2006-2007)**

Shri Ratilal Kalidas Varma - Chairman

MEMBERS – LOK SABHA

2. Shri Anandrao Vithoba Adsul
3. Shri S. Ajaya Kumar
4. Shri M. Appadurai
5. Shri Biren Singh Engti
6. Shri Eknath M. Gaikwad
7. Dr. P.P. Koya
8. Shri G.V. Harsha Kumar
9. Shri Rajesh Kumar Manjhi
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11. Shri Rupchand Murmu
12. Shri Jual Oram
13. Shri Ashok Kumar Pradhan
14. Shri Harikewal Prasad
15. Shri Ashok Kumar Rawat
16. Shri Baju Ban Riyan
17. Dr. (Col.) Dhani Ram Shandil
18. Shri Sugrib Singh
19. Shri Lalit Mohan Suklabaidya
20. Shri Vanlalawma

MEMBERS – RAJYA SABHA

21. Shri Sharad Anantrao Joshi
22. Shri Robert Kharshiing
23. Shri Surendra Lath
24. Shri Lalhming Liana
25. Shri Harendra Singh Malik
26. Dr. Radhakant Nayak
27. Shri Nabam Rebia
28. Smt. Maya Singh
29. Shri Veer Singh
30. Shri Nandi Yellaiah

SECRETARIAT

- | | | | |
|----|---------------------------------|---|----------------------|
| 1. | Dr. (Smt.) Paramjit Kaur Sandhu | - | Additional Secretary |
| 2. | Shri P.K. Bhandari | - | Joint Secretary |
| 3. | Shri Gopal Singh | - | Director |
| 4. | Ms. J.C. Namchyo | - | Under Secretary |

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 Seventeenth Report (Fourteenth Lok Sabha) on the Ministry of Railways (Railway Board) - "Reservation for and Employment of Scheduled Castes and Scheduled Tribes in North Eastern Railway (NER)".

2. The Committee took evidence of the representatives of the Ministry of Railways (Railway Board) and North Eastern Railway on 13th September, 2005. The Committee wish to express their thanks to the officers of the Ministry of Railways (Railway Board) and North Eastern Railway for placing before the Committee the material and information the Committee required in connection with the examination of the subject.

3. The Report was considered and adopted by the Committee on 18th October, 2006.

4. A summary of conclusions/recommendations contained in the Report is appended (Appendix).

New Delhi;
November, 2006
Agrahayana, 1928(Saka)

RATILAL KALIDAS VARMA
Chairman
Committee on the Welfare of
Scheduled Castes and
Scheduled Tribes.

CHAPTER I

INTRODUCTORY

A. Background Note

1.1 Indian Railways (IR) have the distinction of being one of the largest railway systems in the world under a single management. Indian Railways virtually form the life line of the country catering to all its needs for large scale movement of traffic, both passenger and freight, thereby contributing to economic growth, while at the same time promoting national integration. The economic, industrial and agricultural development of the country to a great extent, is inextricably inter-woven with IR's development and fortunes.

1.2 The management and formulation of policy are entrusted with the Railway Board comprising the Chairman, Financial Commissioner and five functional Members. Wide powers are vested in the Board to supervise effectively and control the Zonal Railways, Metro Railway, Kolkata, the Production Units, Construction Organizations and other Railway establishments. The Indian Railway system is managed through 16 Zones and 67 operating Divisions. The Zonal Railways are generally headed by General Managers. The Zones are further divided into 67 operating Divisions under Divisional Railway Managers for better management.

1.3 The North Eastern Railway is one of the 16 Zones of the Indian Railways. The Committee had selected North Eastern Railway as one of the subjects of examination during the year 2003-04 relating to reservation for and employment of Scheduled Castes and Scheduled Tribes.

B. Organisational Set up

1.4 In reply to a query, the Ministry of Railways (Railway Board) have informed the Committee that a General Manager is the Administrative Head of the North Eastern Railway. In his administrative functions, he is assisted by Principal Heads of Department/HOD of various disciplines, which are as under:-

- (1) Civil Engineering
- (2) Commercial
- (3) Electrical Engineering
- (4) Finance & Accounts
- (5) Mechanical Engineering
- (6) Medical
- (7) Operating
- (8) Personnel
- (9) Security
- (10) Signal & Telecommunication
- (11) Stores
- (12) General Administration
- (13) Vigilance
- (14) Audit

1.5 For administrative convenience, North Eastern Railway Zone is divided into three Divisions, which are as under:-

1. Lucknow
2. Varanasi
3. Izatnagar

1.6 Divisional Railway Manager is the head of each Division. He is assisted by Additional Divisional Railway Manager and the Divisional Officers who are incharge of the respective Departments.

1.7 The posting of the above mentioned officers is strictly as per the criteria prescribed for each post. The postings are made irrespective of the caste of the incumbent officers keeping in view the criteria/guidelines in force for these posts. The above posts have also been manned by SC/ST Officers from time to time.

1.8 North Eastern Railway also has four major workshops which are at the following places :-

1. Mechanical Workshop/Gorakhpur
2. Signal Workshop/Gorakhpur Cantonment.
3. Bridge Workshop/Gorakhpur Cantonment.
4. Mechanical Workshop/Izatnagar

1.9 These workshops are headed by Chief Workshop Manager/Works Manager.

1.10 The postings of Chief Workshop Manager/Works Manager are made by the General Manager in consultation with the Chief Mechanical Engineer keeping in view the administrative interest. While the post of Chief Workshop Manager is in Senior Administrative Grade (SAG); the post of Works Manager is in Senior Scale (Grade Rs.10500-15000).

1.11 The Committee have been informed that these posts are also occupied by SC/ST officers. At present also, one officer belonging to SC category has occupied the post of Chief Workshop Manager, Mechanical Workshop at Gorakhpur.

C. Reservation Cell

1.12 The Committee have been informed that the Railway Board under the Ministry of Railways have a separate Reservation Cell which is exclusively looking after the interest of SC/ST employees on the strength of Railways and ensure proper, strict and timely implementation of the instructions issued from time to time in regard to the Reservation Rules and procedures etc.

1.13 The Reservation Cell in Railway Board functions under the control of Member (Staff) who is assisted by an Executive Director, Establishment (Reservation), one Director, two Joint Directors and three

Section Officers. The composition of the Cell and the community to which those officials belong is as under:-

Sl. No.	Designation	No.of staff/officers in position	SC	ST
1.	Executive Director Establishment (Res.)	01	1	-
2.	Director Estt. (Res.)	01	-	1
3.	Joint Director Establishment (R)	02	-	2
4.	Section Officers	03	1	1
5.	Technical Assistant	01	-	-
6.	Assistants	06	1	3
7.	Upper Division Clerks	02	1	-
8.	Stenographer Grade "D"	01	-	1
9.	Lower Division Clerks	01	1	-
	Total	18	5	8

1.14 The Committee have also been informed that the Cell is functioning satisfactorily. Close liaison and co-ordination is maintained between the Ministry of Railways and the North Eastern Railway in regard to the implementation of Reservation Rules and procedures. Instructions/directives out-lining the policy of the Government and Brochures/Booklets containing compendium of Reservation Rules are issued by the Railway Board from time to time for guidance and follow up action by this Railway. Besides, Board's officers/officials carry out inspections on the performance of this Railway in regard to the enforcement of Reservation Rules, ensuring adequate representation of SC/ST communities as per prescribed Roster and for redressal of their grievances, if any. Irregularities or any violation of orders coming to their notice are brought to the knowledge of the competent authority of the North Eastern Railway for rectification. Periodical returns reflecting the state of representation of SC/ST candidates in the Organisational

structures and various other statistics are submitted to the Board for their examination and further directives, if any, for compliance by the North Eastern Railway. Representations from SC/ST staff are also dealt in this Cell. The redressal of grievances of the staff belonging to the SC/ST staff (non gazetted) is done in the Ministry of Railways by this Cell.

1.15 The post of Member (Staff) is a Secretary to the Government of India level appointment. The appointments to the posts of Members of Railway Board, Financial Commissioner, Railways and Chairman (Railway Board) are regulated by norms and guidelines laid down for the purpose and are approved at the highest level in the Government. Caste/creed is not the criteria for such appointments.

1.16 In reply to a query whether any SC/ST officer ever occupied the post of Member staff, the Ministry have stated that no such information is maintained.

1.17 The Committee note that the Ministry of Railways (Railway Board) have a separate reservation cell which exclusively look after the interest of SC/ST employees. However, on analysis of the composition of the Cell and the community to which the officials belong, it appears that the Cell is not provided with adequate staff. The Committee feel that the Reservation Cell being a nodal cell for the whole of Indian Railways has an important role to play for the welfare of SC/ST employees. The Committee, therefore, recommend that to man the Cell properly and to discharge its assigned duties effectively towards a large number of SC/ST employees in all the 67 Divisions of the Railways in the country, the reservation cell should

be provided adequate staff within a period of six months of the presentation of this report.

1.18 The Committee note that caste/creed is not the criteria for appointments to the posts of Members of Railway Board, Financial Commissioner and Chairman (Railway Board) which are regulated by norms and guidelines laid down for the purpose and approved at the highest level in the Government. The Committee also deeply deplore the reply of the Ministry of Railways that no such information is maintained regarding SC/ST officer ever occupying the post of a Member staff in the Railway Board which reflects the attitude of the Government towards the welfare and interests of SC/ST people. The Committee would like to state that the Railway Board is the highest authority in the Ministry of Railways comprising highest number of employees under its control where important policy matters having far reaching consequences are taken. The Committee feel that without proper representation of the Scheduled Castes/Scheduled Tribes in the Board, the interest of these communities may not be watched properly. The Committee, therefore, recommend that with a view to safeguard the interests of the SC/ST employees working in the Indian Railways, the Government should make available provisions for inclusion of SC/ST member in the Board by amending rules/regulations and guidelines governing appointments to the Board.

D. Liaison Officer and Cell

1.19 The Committee have been informed that a Reservation Cell has been set up in the Head Quarters of North Eastern Railway as well as in each Division to look after the interests of Scheduled Caste and Scheduled Tribe employees.

1.20 The reservation cell (Hq.) of North Eastern Railway function under the control of SPO(Res.) which is manned by the following staff/officers to look after the interest of SC/ST employees as under :

S.No.	Category	Scale	Sanctioned	Actual Working
1	SPO/RP	10000-15200	01	01
2	Personnel Inspector-I	6500-10500	01	01
3	Personnel Inspector-II	5500-9000	01	-
4	Personnel Inspector-III	5000-8000	01	-
5	Office Supdt.-I	6500-10500	01	01
6	Office Supdt – II	5500-9000	01	-
7	Head Clerk	5000-8000	01	-
8	Sr. Clerk	4500-7000	02	-
9	Steno Gr.C	5000-8000	01	01
Total			10	04(3 SC)

1.21 It has also been stated that out of the four actual working officers/staff in the Reservation Cell, three employees are belonging to SC/ST community.

1.22 The Chief Personnel Officer is the Chief Liaison Officer for the welfare of SC/ST employees on Zonal Railways. He is assisted in his work by CPO(A) and SPO(RP) at the Headquarters level, by Senior DPO/DPO at divisional level and WPO (Workshop Personnel Officer) at Workshop level. Liaison Officer is also to ensure proper implementation of

various reservation rules/procedures and to issue instructions/directives out-lining the policy of the government.

1.23 The Committee have been informed that each Division/Head Quarter has separate Liaison Officer who belongs to SC/ST Community as mentioned below:

Office	Designation of Liaison Officer	Community
Head Quarter of NER	Senior Personnel Officer (RP)	ST
Varanasi Division	Assistant Personnel Officer-I	ST
Lucknow Division	Assistant Personnel Officer-II	SC

1.24 The main functions of the Liaison Officer is to ensure proper implementation of various Reservation Rules/Procedures and also to issue instructions/directives out-lining the policy of Government from time to time.

1.25 Besides, one of the main duty of the Liaison officer is to see that a separate complaint register for recording and disposal of the complaints received from any source on the matter of caste reservation and concessions is maintained properly in each of the office. The SC/ST employees are allowed to seek the interview in regard to their grievances during the inspections/visits of liaison officer. Concerted efforts are made for disposal of the complaints/grievances within the stipulated period of three months as per the extant instructions.

1.26 During the evidence when asked about his role and function, the Liaison Officer of the Ministry of Railways stated that as a Liaison Officer his basic duty was to ensure implementation of the reservation policy. He has to interface with other Ministries also as far as coordination work is

concerned. He has to assist the National Commission for SCs/STs in its findings.

1.27 Regarding frequency of inspection and expeditious disposal of complaints/grievances, it has been stated that inspection twice a month are required to be carried out by the Liaison Officer. A system has been introduced in Divisions. The visit dates of beat inspector for the entire stations and offices have been earmarked. Grievances received are registered in Divisional/HQ Office and concerned Personnel Officer monitors its disposal from the office.

1.28 The Committee were also informed in a post evidence reply that for coordination of liaison work amongst the Divisional Offices, Headquarters and the Ministry, a Reservation Cell in division as also in headquarters, is functioning under the control of Chief Personnel Officer who is the Chief Liaison Officer in the matter of reservation. He is assisted by Liaison Officer (Sr. Personnel Officer/RP).

1.29 The Committee have also been informed that the views and opinion given by the Liaison Officers are taken note of depending upon the facts of each case. However, it is up to the higher officers to accept or not to accept. In case of difference of opinion, Zonal Railways refer the matter to Railway Board for clarifications/decision. In case of situation affecting large number of persons/policy matters relating to reservation issues, the cases are referred by Board to DOP&T for clarification/advice etc.

1.30 During the evidence, the Liaison Officer of the Ministry of Railways stated that:

“Working as a Liaison Officer, I often have a difference of opinion on the interpretation of the rules and regulations with regard to the reservation policy. I do express myself freely on the issue subject to the same is being accepted by the competent authority. But I do express my views about the interpretation of reservation policy.”

1.31 Regarding the difference of opinion, the Chairman of the Ministry of Railways (Railway Board) also stated that in case of difference of opinion between the Liaison Officer and the Member (staff), he goes through the minutes of the old meetings of the Board. The situation is reviewed and the same is put up to the Board in the presence of all members where a collective decision is taken by the Board. A record of the meeting is kept and a copy of the record regarding the decision taken is sent to the Minister.

1.32 The Committee observe that a Reservation Cell has been set up in the Headquarters of North Eastern Railway under the control of SPO (Res.) to look after the interest of Scheduled Caste and Scheduled Tribe employees, but the number of staff/officials deployed in the Cell is not adequate. The Committee is dismayed to note that sanctioned posts at various levels to man the Cell was 10 but only 4 officials were actually working out of which only 3 officials belong to SC/ST community. The Committee would like to stress that setting up a Reservation Cell without adequate staff to man is meaningless. The Committee further emphasize that the work of the

Reservation Cell should not be allowed to be affected by shortage of staff. The Committee, therefore, recommend that the workload of the Cell should be assessed and adequate staff should be provided and accordingly all sanctioned posts of the Cell should be filled up within three months of the presentation of this report and most preferably from SC/ST community so that their interests are well taken care of.

1.33 The Committee are of the view that the Liaison Officer is an important figure of an organisation and so are his functions as far as the interest of SCs/STs are concerned, because he is responsible for ensuring correct implementation of reservation policies. The Committee, therefore, stress that the person to be appointed as Liaison Officer should possess sufficient experience and should be well conversant with reservation orders/rules and he should be given training on reservation related matters etc. The Committee also desire that the Liaison Officers should be protected from frequent transfers and postings so as to utilize his services for a considerable period of time. Further, the Committee would like to stress that the liaison Officer should be allowed to function independently without any external pressure within the ambit of his jurisdiction. His views/opinions on matters like promotions/selections should not be overruled but should be taken note of and corrective action be taken at the earliest.

E. Maintenance of Rosters

1.34 The Committee have been informed that the newly introduced Post-based Rosters are maintained on North Eastern Railway both for direct recruitment and promotion from 21.8.1997 and 10.2.1995 respectively.

1.35 During the evidence, the Chief Personnel Officer of the North Eastern Railway has also stated that there are three divisions under the North Eastern Railway i.e. Lucknow, Izatnagar and Varanasi. In addition to these, Gorakhpur and Izatnagar Workshps are also under the North Eastern Railway. Post based roster has been implemented completely on all of these five places. This is followed for recruitment as well as promotions. In the meeting of Liaison Officers and Personnel Officers, CPO has taken up the issue of the maintenance of the post based rosters in the Divisions/Extra Divisional Units and issued strict instructions for effective maintenance.

1.36 In reply to a query, the Committee were also informed that the Post-based Rosters maintained in the Divisional Office and Workshops were last inspected by the Chief Liaison Officer in the month of January, 2005.

1.37 In the post evidence replies, the Committee have further been informed that certain inadequacies/shortcomings in the maintenance of rosters pointed out by the Chief Personnel Officer during the inspection of Gorakhpur Division on 4.4.2003 and Varanasi on 4.1.2003 have since been rectified by the concerned establishment of both Divisions.

1.38 As desired by the Committee, the Ministry of Railways (Railway Board) vide their O.M. No.2003-E(SCT)I/80/3 dated 8.12.2005 have

furnished to this Secretariat few sample copies of post based roster registers of various categories being maintained by NE Railway Headquarters Office and its Divisions.

1.39 The Committee had physically checked the photostat copies of rosters maintained by North Eastern Railway which were made available to the Committee and noted that the rosters were not maintained properly. It was observed that necessary informations/personal data of the officials concerned are not filled in the respective columns provided for the purpose in the rosters. The rosters as a whole appeared to be untidy and not properly paginated and bound. It was stated that the rosters were last inspected in the month of January, 2005 which was not evident in the rosters. In fact, the latest date appended in the rosters made by the officer concerned was 16th September, 2005. Further, the rosters have the signatures of various inspections at irregular interval of time with no authentication or official stamp of the inspecting officers. The Committee found that the rosters were shabbily maintained and not in accordance with the prescribed rules issued by DOP&T.

1.40 The Committee view rosters as a very important document as far as the interest and welfare of SCs/STs are concerned. It is in this light that the CPO has taken up in its meeting with the Liaison Officer and Personnel Officers, the issue of the maintenance of the post-based rosters in Divisions/Extra Divisional Units and issued strict instructions for their effective maintenance. In fact the successful implementation of reservation rules wholly depends on proper maintenance of the rosters. Even slight miscalculation of roster

points whether for recruitment or promotion by the official concerned may hamper employment/promotional opportunities for SCs/STs. The Committee, therefore, urge that the maintenance of rosters should be entrusted to an official who is well conversant with the reservation orders/rules and roster points. All necessary information pertaining to the officials concerned should be duly filled in the respective columns provided for the purpose. Every entry made in the rosters should be neat and clean and over writing should not be allowed. The Committee also recommend that the rosters should be inspected at regular interval of time – quarterly, half yearly and annually by the Liaison Officer and any discrepancies noted during inspection should be rectified immediately or brought to the notice of higher officials for corrections/rectifications. Rosters should clearly be signed and authenticated with official stamp of the inspecting officer concerned as a proof of having been inspected the same. The Committee further recommend that rosters should be shown to the SC/ST Employees' Welfare Associations or any SC/ST employee, if they so desire to see. The Committee also recommend that necessary software should be developed for effective maintenance of rosters in the Railways, including North Eastern Railway.

CHAPTER II

RESERVATION IN SERVICES

A. Reservation Orders

2.1 The Committee have been informed that the Ministry of Railways do not issue Presidential Directives to Zonal Railways/Production Units etc. The Presidential Directives were issued by the Bureau of Public Enterprises/Public Sector Undertakings.

2.2 The Ministry of Railways (Railway Board) generally follows the orders on Reservation for SCs/STs issued from time to time by the Ministry of Personnel, Public Grievances and Pension (Department of Personnel and Training) which is the nodal ministry administering the reservation rules for the SCs/STs. On the basis of the order issued by the Department of Personnel and Training, necessary instructions are issued to North Eastern Railway and other Zonal Railways/Production Units etc.

2.3 The Committee were also informed that the first Reservation Order was applied on 18.6.1953.

2.4 The Committee have also been informed that the prescribed percentage of reservation made in the North Eastern Railway in favour of

Scheduled Castes and Scheduled Tribes in respect of posts filled by direct recruitment and posts filled by promotion is as under:-

(a) Reservation in Direct Recruitment	Percentage of reservation	
	SC	ST
(i) Direct Recruitment on All India basis – Group `A`, `B` and `C` posts where the minimum of the scale of the posts is Rs.5000 RS (RP-97) and above by open competition	15	7.5
(ii) Direct Recruitment to Group `C` and `D` posts in grades less than Rs.5000 RS(RP-97) normally attracting candidates from a locality or a region (applicable w.e.f. 31.7.2003)	15	7.5
(b) Reservation in Promotion		
(i) Prescribed percentage of reservation for the posts filled up by promotion (Applicable w.e.f. 10.2.1995)	15	7.5
(ii) Post filled by Deputation	No percentage has been laid down.	

2.5 The Committee have been informed that there are certain categories of posts which have been kept outside the purview of reservation. These categories are as under:-

- i) Vacancies filled by transfer.
- ii) Vacancies filled by promotion in grades or posts in which the element of direct recruitment, if any, exceeds 75%.
- iii) Temporary appointments/promotion of less than 45 days duration.
- iv) Those work charged posts which are required for emergencies like flood relief work, accident restoration and relief etc.

- v) Appointment of Casual Labours/Substitutes. However, recruiting authority is required to ensure intake of SC/ST according to prescribed percentage.
- vi) Posts filled by deputation.
- vii) Promotions against leave vacancies of less than 45 days duration (or) wherein a category permissible reserved quota for SC/ST is already filled up as per prescribed reservation, than no further reservation is to be made for SCs/STs.
- viii) Post filled in Production control organization by drafting staff from shop floor on ex-cadre tenure basis without involving promotion.
- ix) Following posts of Vigilance Inspector, which are filled on ex-cadre basis:
 - (a) Vigilance Inspector : Scale Rs.5000-8000
 - (b) Investigation Inspector : Scale Rs.6500-10500
 - (C) Investigation Inspector : Scale Rs.7450-11500
- x) Post of Instructors in Training Schools filled by drafting employees from other Department on tenure basis.

2.6 It was also clarified that exclusions listed at (vi & ix) is provided on the consideration that these posts are ex-cadre and filled upon deputation basis and does not involve promotion. The exclusion at (viii) above is provided on the consideration that these posts are filled up on tenure basis.

2.7 In the post evidence replies, it was stated that the ex-cadre posts are those that are created to meet the need of special type of work not

connected with work of regular nature, such as Vigilance Inspector, Inquiry Inspector. In other words the posts are required to be created for performance of special task unconnected with the ordinary work.

2.8 The tenure of ex-cadre posts is 4 to 6 years duration. The persons appointed against ex-cadre posts are eligible for promotion in their parent department.

2.9 The functions of the Vigilance Inspectors are mainly to watch over the work done as per rule and prevent corruption.

2.10 The Committee have been informed that the total sanctioned strength of Vigilance Inspectors and Investigation Inspectors and the number of SCs/STs amongst them are as under :-

Category	Sanctioned	Actual working	SC	ST
Vigilance Inspector	18	17 (One under selection)	01	-
Investigation Inspector	02	02	-	-

B. Recruitment Procedure

2.11 The Committee have been informed that consequent upon the review of the working and re-organisation of Railway Recruitment Boards (RRBs) in 1998, RRBs are functioning under the control of Railway Recruitment Control Board in the Ministry of Railways.

2.12 The Committee have been informed that at present there are 19 Railway Recruitment Boards (RRBs) functioning on the Indian Railways. These are Ahmedabad, Ajmer, Allahabad, Bangalore, Bhopal, Bhubaneshwar, Kolkata, Chandigarh, Chennai, Guwahati, Jammu &

Kashmir, Malda, Mumbai, Muzaffarpur, Patna, Ranchi, Secunderabad, Trivandrum and Gorakhpur.

2.13 RRB/Gorakhpur caters to the direct recruitment requirements of Group 'C' Staff of headquarters office of N.E. Railway & Lucknow, Izatnagar, Varanasi Divisions and Research Design & Standards Organisation(RDSO)/Lucknow. Posts reserved for SC/ST candidates are filled up as per the extant provisions. Panels received from RRB is reconciled with the indents placed on RRB for particular categories and for the shortfall, if any, re-placement panel is called from the RRB concerned.

2.14 The Committee have been informed that the following procedure is followed for recruitment of staff in various categories of posts in the North Eastern Railway:-

- (a) Direct recruitment to group 'A' service is done centrally by Railway Board through Union Public Service Commission.
- (b) There is no direct recruitment in Group 'B' services in the Zonal Railways including North Eastern Railway. The posts of Group 'B' are filled by promotion only by the eligible candidates available in the feeder grade i.e. by Group 'C' employees.
- (c) Recruitment to Group 'C' categories is generally done by Railway Recruitment Board (RRB) at Gorakhpur. Normally indents are placed on the Railway Recruitment Board one year in advance in respect of categories where no training is involved; two years in advance for categories involving one

year training and three years in advance for categories involving two years training.

2.15 As for recruitment of Group 'D' posts, the Committee have been informed that in pursuance of MR's Budget announcement made in Railway Budget 2005-2006 the procedure/method of recruitment of Group 'D' staff has since been reviewed and it has been decided that recruitment to all Group 'D' posts will henceforth be done directly by the Zonal Railways as per the instructions/guidelines contained in Board's letter No.E(NG)II/96/RR-I/62 dated 18.7.2005. Earlier the recruitment in Group 'D' posts were being done by respective Railway Recruitment Board. So as to expedite the recruitment process, a recruitment Cell has been/is being created in the Headquarters Office of the Zonal Railways which is headed by the Deputy Chief Personnel Officer (Recruitment).

2.16 Recruitment against Group 'C' and Group 'D' vacancies is also resorted to through compassionate ground appointments and also by the process of screening the ex-casual labourers having names on the live casual labour register.

2.17 The requirements of all the Divisions, Workshops and extra divisional units are obtained and compiled at the Head Quarters level and indents placed duly following the appropriate rosters for reservation for Scheduled Castes and Scheduled Tribes on the Railway Recruitment Board according to the above schedule with the approval of concerned Principal Head of the Department and sanction of GM/AGM. Based on these requirements, the Railway Recruitment Board issue Employment

Notice duly indicating the vacancies reserved for Scheduled Castes and Scheduled Tribes separately. The Railway Administration renders all assistance required by the Railway Recruitment Boards in conducting the written examination as well as in the interviews.

2.18 The Committee have been informed that the advertisement indicating complete details including number of posts reserved for Scheduled Castes and Scheduled Tribes are given in the Employment News published in English/Hindi languages. A short version to this effect is also being published in the Regional Newspapers as well as in the leading National Newspapers. A copy of the advertisement is docketed to the Regional Employment Exchanges.

2.19 As per the extant instructions, a copy of the advertisement is docketed to All India Radio for wide publicity. Railway Recruitment Boards have also been advised to furnish copies of Advertisement Notices to Doordarshan.

2.20 The copies of the advertisement are also sent to All India SC/ST Association.

2.21 As in the present system of recruitment against Group 'C' and 'D' posts, Employment Exchanges do not play any role. They are simply given a copy of the notification of all vacancies against which recruitment is being done.

2.22 It was also stated that the interview letter as well as appointment letter to the candidates are dispatched under registered post.

2.23 The minimum period of notice given to the candidates is 3 weeks for written test and 3 weeks for interview. However, the candidates are

being informed for the written test/interview through call letters one month in advance. The intimation regarding holding of tests/interviews etc. is also being notified through press. The appointment letters are issued to the selected candidates giving one month's period to report.

2.24 The Committee have been informed that the Railway Recruitment Boards (RRBs) conduct written examinations for recruitment to various categories of posts and in most of the selections, interviews have been done away except in four categories of posts viz. Teacher, Law Assistant, Physiotherapist & Telephone Operator, thus eliminating the possibility of subjectivity. Wherever, interviews were/are held, SC/ST candidates were/are interviewed in separate block.

2.25 It has also been stated that for the recruitments made by the Railway Administrations themselves, the Committee for conducting the interview for recruitment to Group 'C' and 'D' posts including screening of casual labour should consist of at least four members, three of whom should be members, one each belonging to SC/ST communities, minority communities and other backward classes.

2.26 It was also stated that as it has not been found practicable to arrange such centres of examinations in places of high tribal density areas, efforts are made to locate centres of examinations as close as possible to such areas keeping various logistics in view the fact that Lucknow and Gorakhpur are places quite central to majority of tribal candidates found in Uttaranchal, Rajasthan, Jharkhand and Bihar; most of examinations for tribal candidates are being conducted in Lucknow and Gorakhpur only. Candidates belonging to SC & ST communities are

however, issued free railway pass for to and fro journey i.e. from the Railway Station nearest to the residence of the candidate to the place of the examination and back and thus the financial discomfiture involved for such candidate is minimized.

2.27 The Committee have been informed that in the light of background position stated above, written examinations are conducted at the following centres by Railway Recruitment Board/Gorakhpur :-

1. Gorakhpur; and
2. Lucknow.

2.28 Out of the above centres no one however, falls in the tribal areas. However, in situations of large backlog vacancies of Scheduled Tribes on North Eastern Railway, Special indents to RRBs like Ranchi, Ajmer where the tribal density is quite high is also considered.

2.29 The Committee have observed that copies of Notifications/advertisement of vacancies are published in Employment News, Regional Newspapers and leading National Newspapers. The copies of the advertisement are also sent to All India SC/ST Employees Welfare Associations and a copy of the same is also docketed to All India Radio for wide publicity. In addition to the above, the Committee recommend that copies of the Notifications/advertisement may be made available to the local MLAs/MPs and also to the Parliamentary Committee on the Welfare of Scheduled Castes and Scheduled Tribes for wider publicity. The Committee also recommend that as advised by the Railway

Recruitment Boards, copies of the advertisement should be made available to Doordarshan for wide publicity.

2.30 The Committee note that candidates are issued call letters for written test/interview one month in advance. They also note that in case of appointments, the letter is issued to selected candidates giving one month's time to report. The Committee are of the view that since most SC/ST candidates hail from backward and remote areas with little means of communication, one month's time to report for duty is slightly insufficient. The Committee, therefore, recommend that at the expiry of one month's time, a reminder should be issued to find out whether the earlier communication had actually been received by the candidate and if need be, efforts should be made to make personal contact with the candidate to confirm his willingness to accept the offer of appointment.

2.31 The Committee do not agree with the contention of the Government that arrangements for conducting examinations in places of high tribal areas are not practicable. As such most examinations for tribal candidates are being conducted in Lucknow and Gorakhpur only because these two places are areas quite central to majority of tribal candidates found in Uttaranchal, Rajasthan, Jharkhand and Bihar. In case of large backlog vacancies for tribal candidates on North Eastern Railway, special indents are made to Railway Recruitment Boards like Ranchi and Ajmer where the tribal density is quite high. The Committee do not agree with this contention of the Ministry of Railways and stress that holding

examinations in tribal areas should not be a problem because the Government has all the requisite logistics and resources to undertake such exercise keeping in view the interest of the poor tribals living in remote areas. The Committee, therefore, recommend that for recruitment of tribal candidates, the NER should as far as possible conduct written examination in other prominent towns/cities of Rajasthan, Uttaranchal, Bihar and Jharkhand where the density of tribal population is high and sufficient ST candidates are available for recruitment. The Committee further recommend that the centre of examination for a particular area should be indicated in the advertisement/Notifications which may be subject to change depending upon the number of SC/ST applicants from that area. The Committee desire that each Railway Division should identify areas of high SCs/STs concentration under them and should additionally advertise reserved vacancies invariably in those areas. Even examination centres should also be arranged there.

C. Concessions/Relaxations

2.32 The Committee have been informed that the following relaxation/concessions are admissible to SC/ST candidates in the case of direct recruitment :-

- (1) No examination fee is collected from the candidates belonging to Scheduled Castes/Scheduled Tribes.

- (2) Maximum age limit is increased by 5 years.
- (3) Free second-class passes are issued during written tests/interviews by Railway Recruitment Board or Railway administration.
- (4) Applications are considered over looking minor omissions or mistakes.
- (5) The cases of SC/ST candidates who do not come out successful on completion of Apprenticeship even after they are given repeat courses, one with stipend and another without stipend, are to be reviewed personally by the Chief Personnel Officer for exploring the possibility of finding alternative Group 'C' employment in categories where there is shortfall in quota reserved for SCs/STs.
- (6) SC/ST candidates for direct recruitments selected for a particular category when declared medically unfit for that category are considered for such other categories to which they are medically fit, where there is shortfall against SCs/STs quota.
- (7) Rakshaks and Sub-Inspectors of Railway Protection Force are allowed relaxation in physical standards.
- (8) Security deposit from Scheduled Caste and Scheduled Tribe candidates is 50% of the normal security deposit specified for others.

- (9) At the time of initial appointment, the SC/ST candidates are, as far as possible, posted near their home town or at places where the administration can provide them with quarters subject to their eligibility.

2.33 Some of the relaxations/concessions viz. fee concession, maximum age relaxation, free second-class pass facility are mentioned in the advertisements made for recruitment.

2.34 The Committee have also been informed that the following concessions/relaxations are given to SC/ST employees while considering them for promotion:-

- (i) Pre-selection Coaching for safety category posts.
- (ii) SC/ST candidates, who get even 20% marks in written test in respect of non-safety post are also called for viva-voce test whereas 60% marks are required for others to qualify for viva-voce test.
- (iii) While preparing the final panel, the SC/ST candidates getting 42.5 out of 85 marks in aggregate for non-safety posts and 51/85 in safety posts are considered for empanelment.
- (iv) There is a provision of “best-amongst-failure” scheme in non-safety posts, which is also called “in-service-training” to SC/ST candidates. In this scheme the best amongst the failed candidates, who gets a minimum 20% marks in a selection is put to work on the post for a period of six months

and after completion of six months, in case, his working is found satisfactory, he is also considered for empanelment.

- (v) Performance Review – In case, the requisite SC/ST candidates though available but failed to qualify the selection inspite of all relaxations, then there is a provision for reviewing the performance of the SC/ST candidates by Head of the Department/General Manager as the case may be, if reserved quota remains unfilled.

D. Recruitment

2.35 The Committee have been informed that during the years 2002-2003, 2003-2004 and 2004-2005 the North Eastern Railway has made the following recruitments:-

Categories of Posts	Total No. of vacancies occurred	No. of vacancies reserved for SCs			No. of vacancies reserved for STs			No. of SCs actually appointed	No. of STs actually appointed	No. of vacancies carried forward	
		Carried forward from previous year	Reserved during the year	Total	Carried forward from previous year	Reserved during the year	Total			SC	ST
1	2	3	4	5	6	7	8	9	10	11	12
Group 'C'											
2002-2003	1122	248	152	400	192	162	354	111	31	289	323
2003-2004	1135	289	123	412	323	66	389	123	66	289	323
2004-2005	900	289	112	401	323	50	373	163	82	238	291
Group 'D'											
2002-2003	958	309	285	594	338	614	952	-	-	594	952
2003-2004	1500	594	70	664	952	3	955	70	3	594	952
2004-2005	848	594	93	687	952	20	972	516	49	171	923

Note:

- (i) Recruitment in Group 'B' is not resorted to in the Zonal Railways including N.E. Railway.
- (ii) Recruitment in Group 'A' (Jr. Scale) is done centrally by Railway Board through Union Public Service Commission (UPSC).

2.36 When asked to state since when 238 SCs and 291 STs vacancies in Group 'C' and 171 SCs and 923 STs vacancies in Group 'D' posts are being shown as carried forward, the Ministry replied that accrual and clearance of vacancies reserved for SCs and STs is a continuous process. The above mentioned carried forward reserved vacancies had accrued over years of time.

2.37 As per extant rule of carry forward in a small cadre consisting of 14 or less than that where vacancies are filled by rotation, reserved vacancies are carried forward for successive three recruitment years. However, in the case of cadres of more than '14' number of posts where vacancies are filled by way of replacement, reserved vacancies can be carried forward indefinitely till such time reserved vacancies are not filled up by the candidates belonging to respective category.

2.38 Regarding recruitment of casual labourer, the Committee have been informed that no casual labourer is on roll as on 30.06.2005 on North Eastern Railway because no recruitment of fresh casual labourers have been done on this Railway in the last three years. In the process of screening, the Screening Committee makes good the shortfall, if any, by resorting to direct recruitment from the open market in each Group 'D' category.

2.39 In a post evidence reply, it has been stated that about 2554 ex-casual labours are available on casual live/supplementary live register in this Railway. As per extant policy of the Board, further recruitment as casual labour should not be done on any Railway. The North Eastern Railway has no more requirements of the services of casual labour.

However, the eligible SC/ST casual labour whose names appears in the casual live/supplementary register can be regularized by way of screening to fill up the shortfall vacancies of SCs/STs as and when vacancies arise and become fill-able based on intake plan.

E. Staff Strength and Shortfall

2.40 The Committee have been informed that the total staff strength of North Eastern Railway as on 1.1.2005 together with the percentage of SCs and STs amongst them are as under:-

Category of post	Total No. of employees in Position	Number of SC/ST		Percentage of total		Shortfall	
		SCs	STs	SCs	STs	SCs	STs
Group-A	380	40	10	10.5	2.6	17	18
Group-B	262	45	08	17.1	3.0	---	12
Group-C	36214	5102	1313	14.08	3.62	330	1403
Group-D	25909	3988	1200	15.39	4.63	---	743

2.41 On being asked about the reasons for shortfall of SCs and STs against their reserved quota, the Ministry have stated that there is generally no difficulty in getting adequate SC & ST candidates for filling of the posts of non-technical popular categories and graduate categories. However, in case of technical, diploma and graduate and Para-medical categories, Scheduled Tribe candidates are not becoming available to the extent of vacancies reserved for them. This is mainly due to inadequate response and failure of reserved candidates in psychological/medical test etc.

2.42 It was stated during the evidence that there are certain categories of posts like Station Master and Diesel Assistant who drive the train in Railway Department where psychological test is a must at the time of recruitment.

2.43 The main reasons for shortfall in promotion are stated as under:-

- i) As per Railway Board's orders of 19.2.1987, two years service in the immediate lower grade both in safety and non-safety categories is essential for promotion to the next higher grade. Available SC/ST employees in lower grade can be promoted to the higher grade only after they have put in two years service in the lower grade. This is applicable to all Group 'C' categories. Sometimes candidates with such length of service are not available.
- ii) In certain categories mentioned under recruitment above, SC/ST employees are not available in the immediate lower grade.
- iii) In Direct recruitment to Group 'C' and 'D' posts in grade less than Rs. 5000 (normally attracting candidates from a region or locality), reservation for STs was limited to 4% only till August 2003, whereas the reservation percentage in promotional quota is higher viz. 7.5%. This has also sometimes resulted in non-availability of ST candidates with the requisite two years experience in the feeder categories. Recently, instructions have been received from Railway Board vide letter dated 31.7.2003 where uniform percentage

of reservation for SC/ST/OBCs in all grades of Group 'C' and Group 'D' are 15%, 7.5% and 27% that is at par with the direct recruitment made on all India basis by open competition. As such, henceforth the problem mentioned above will be minimized.

- iv) Sometimes, the SC/ST candidates waiting for compassionate appointments are considered on out of turn basis so as to make good the backlog/shortfall. And attempt is also made to take the un-utilised panel of other Units to make good the shortfall.

2.44 The Committee were also informed that the North Eastern Railway has taken the following remedial measures to wipe out the shortfall:-

- (i) Panel from another Railway Recruitment Board have also been utilized to fulfil the quota for SC Community candidates.
- (ii) Wide publicity is also given to recruitment notices in other regions of the country with greater population of Scheduled Tribes.
- (iii) Since 1989, time to time Special Recruitment Drives (SRDs) were undertaken to wipe out the backlog vacancies of SCs/STs within a time bound manner. In pursuance of MR's announcement made in Railway Budget 2004-2005 and in pursuance of Govt. Common Minimum Programme, a Special Recruitment Drive has been launched on NE Railway to wipe out the backlog vacancies existing as on

31.3.2004. In the said recruitment drive, as many as 645 backlog vacancies were identified to be cleared through the on going SRD against which 354 SC/ST candidates have already been recruited and the balance 291 vacancies are at various stages of recruitment through RRBs. The drive has been targeted to be completed by the end of September, 2005.

2.45 The Ministry of Railways (Railway Board) have informed the Committee about the group-wise details of recruitment already made as on 1.8.2005 through the Special Recruitment Drive launched in 2004 as given below:-

	Group C		Group D		Total
	SC	ST	SC	ST	
Backlog vacancies identified as on 31.3.2004	151	130	220	144	645
Recruitments made on 1.8.2005	88	37	220	9	354
Balance under the various stages of recruitment through RRBs	63	93	Nil	135	291

Note: No backlog of SCs/STs as on 31.3.2004 for Group 'A' & 'B' posts. Therefore, no SRD was launched in case of Group A & B services.

2.46 The break up of the balance 291 vacancies which is under the various stages of recruitment through RRBs are as under:-

Group C		Group D		Total
SC	ST	SC	ST	
63	93	N I L	135	291

2.47 The Committee have been informed that the reason for the delay in filling up of the balance 291 vacancies which are at various stages of recruitment through Railway Recruitment Boards is that the candidates are not coming in sufficient numbers to fill up the vacancies of Direct Recruitment Quota through Railway Recruitment Boards concerned. As such, necessary action has been taken by the Railway Board to fill up the vacancies taking those candidates who are available with the other Railway Recruitment Boards/adjoining Railways/other Railways by giving options to the candidates.

2.48 During the evidence, it was also stated that during the ongoing Special Recruitment Drive launched in 2004 to fill the backlog vacancies of SCs/STs in North Eastern Railway, some vacancies have already been filled up while some vacancies were yet to be filled up as psychological test, medical examination and police verification reports of a few candidates are still awaited.

2.49 In this connection the Ministry of Railways (Railway Board) were asked to furnish the latest position of the number of cases where appointments have not been finalised due to pending police verification, psychological and medical tests. By way of post evidence replies, the

Committee were informed that appointment against 9 vacant posts were pending due to vigilance clearance.

2.50 When asked whether the recruitment process for SCs/STs could be completed within the date stipulated, it was replied negatively but the Committee was however, informed that the process of recruitment is at advanced stage which is being expedited and the same is expected to be completed by 31.12.2005.

2.51 During the evidence the General Manager of the North Eastern Railway has also said that the remaining vacant posts will be filled by December, 2005.

2.52 The Committee have observed that the recruitment of casual labourers has been stopped because the NER has no more requirements of their services. However, the NER still has 2554 ex-casual labourers on casual live/supplementary live register. It was also stated that as per extant policy of the Board, eligible SC/ST candidates whose names are registered on the casual live/supplementary live register can be regularised by way of screening to fill up the shortfall vacancies of SCs/STs as and when vacancies arise and become fill-able based on intake plan. While on the other hand it has been observed that during the recruitment years 2002-03 to 2004-05, the vacancies reserved for SCs/STs remained unfilled resulting in carrying forward of the same year after year due to non-availability of candidates from these two communities. In this regard, the Committee would like to point out that NER should not have difficulty in getting sufficient SC/ST

candidates to fill up vacancies reserved for SC/ST at least in Group 'D' posts in direct recruitment, when there are 2554 ex-casual labourers on casual live/supplementary live register waiting for regularisation. The Committee, therefore, urge the Ministry of Railways (Railway Board) that if sufficient SC/ST candidates are not available in the open market to fill reserved vacancies in direct recruitment for Group 'C' and 'D' posts, the services of eligible SC/ST candidates whose names have already appeared in the casual live/supplementary live register should be regularised as per requirements.

2.53 The Committee agree that accrual and clearance of vacancies reserved for SCs and STs is a continuous process. But the reserved vacancies of 238 SCs and 291 STs in Group 'C' posts and 171 SCs and 923 STs in Group 'D' posts for the recruitment year 2004-2005 had accrued over years of time. The Committee are not happy with this trend of carrying forward reserved vacancies year after year which is against the interest of the SCs and STs. The Committee desire that this unhealthy trend should be immediately stopped at all costs. The Committee, therefore, recommend that concerted efforts should be made to fill up all vacancies reserved for SCs and STs in every recruitment year.

2.54 The Committee were informed that to wipe out the shortfall of SCs and STs, panel from other Railway Recruitment Boards have been utilized to fulfil the quota for SC community candidates; wide publicity were given to the recruitment process in other regions of

the country with greater population of Scheduled Tribes and since 1989 Special Recruitment Drive were undertaken from time to time to wipe out the backlog vacancies of SCs/STs within a time bound manner. Further, in pursuance of MR's announcement made in Railway Budget 2004-2005 and in pursuance of Government Common Minimum Programme, a Special Recruitment Drive has been launched on North Eastern Railway to wipe out the backlog vacancies existing as on 31.3.2004. In the said Special Recruitment Drive, 645 backlog vacancies were identified for clearance against which 354 SC/ST vacancies have already been filled and the balance 291 vacancies were at various stages of recruitment. The Special Recruitment Drive was to be completed by the end of September, 2005. However, the Committee were surprised to note that as on 1.1.2005 there is a huge shortfall of SC/ST employees in North Eastern Railway. In Group 'A' there is a shortfall of 17 SCs and 18 STs, in Group 'B' there is a shortfall of 12 STs, in Group 'C' there is a shortfall of 330 SCs and 1403 STs and in Group 'D' there is a shortfall of 743 STs. The Committee therefore, recommend that the NER should utilize all of its resources and undertake another round of Special Recruitment Drive on a much wider scale than previously held so as to completely wipe out the huge shortfall of SCs and STs as existing as on 1.1.2005. This should be done within one year of the presentation of this report and the Committee should be kept informed of the action taken in the matter.

2.55 The Committee note that Special Recruitment Drive has been launched in 2004, to fill 645 identified backlog vacancies of SCs/STs in North Eastern Railway. Out of these 645 vacancies, a total of 354 vacancies have already been filled as on 1.8.2005. Whereas, the remaining 291 vacancies are yet to be filled which were at various stages of recruitment. The drive was targeted to be completed by the end of September, 2005. During the evidence, the General Manager, North Eastern Railway stated that the remaining vacant posts should be filled by December, 2005. The Committee should, therefore, be apprised of the latest position of these posts yet to be filled as well as status of 9 appointment cases pending due to lack of vigilance clearance.

F. Promotions

2.56 The Committee have been informed that promotion to various categories of posts on North Eastern Railway is made in the following manners:-

- (i) By positive act of selection:
Where posts are filled by positive act of selection, candidates who are within the field of eligibility are subjected to a written test, where such a test is prescribed. Those who qualify in the written test have to appear for a viva-voce test before a Selection Board consisting of three officers including one from SC/ST community.

	Group-B	75	13	05	17.33	6.66	-	-	-	-
	Group-C	5367	597	215	11.12	4.00	208	187	3.9	3.5
	Group-D	1214	345	48	28.41	3.96	-	43	-	3.54
1.1.2005	Group-A	-	-	-	-	-	-	-	-	-
	Group-B	15	03	01	20.00	6.66	-	-	-	-
	Group-C	4290	593	261	13.82	6.08	50	60	1.16	1.40
	Group-D	2175	316	99	14.52	4.55	10	64	0.45	2.94

2.59 With reference to the huge shortfall in the promotions of SC as well as ST candidates as shown in the above statement the Committee have been informed that the reason for the shortfall is due to non-availability of the SC/ST community candidates in the feeder grade.

2.60 In order to make good the shortfall of SC/ST candidates for further promotion, indents have been placed on Railway Recruitment Board to recruit persons in the recruitment grade of that cadre.

2.61 Similarly, in pursuance of Government Common Minimum Programme, a Special Promotion drive has also been launched to clear the backlog vacancies of SCs/STs existing as on 1.7.2004. In the said drive as many as 3135 backlog vacancies were identified against which 1006 SC/ST candidates have already been promoted. The balance 2129 are at various stages of selection/promotion which has also been targeted to be completed by the end of September, 2005.

2.62 In the updated information submitted in the Committee, the position of candidates who have since been promoted as on 1.11. 2005 is as under:-

Group C		Group D		Total
SC	ST	SC	ST	
772	341	430	302	1845

2.63 The Committee have been informed that the reason for delay in filling up of the updated balance of 1290 identified backlog vacancies of SCs/STs in promotion categories as on 1.11. 2005, is due to non-availability of eligible SC/ST candidates in the feeder grades.

2.64 On being asked as to how these posts are proposed to be filled up, it was stated that due to non-availability of candidates in promotional categories, vacancies are being diverted to recruitment categories, where it is permissible and there is an element of direct recruitment, so as to fill up these vacancies through open market as per extant rules.

2.65 The Committee note that in pursuance of Government Common Minimum Programme, a Special Promotion Drive was launched to clear the backlog vacancies of SCs/STs existing as on 1.7.2004. In the said drive as many as 3135 backlog vacancies were identified against which a total of 1845 vacancies have been filled and a balance of 1290 vacancies are yet to be filled as on 1.11.2005. It was also stated that due to non-availability of candidates in promotional categories, vacancies are being diverted to recruitment categories, where it is permissible and there is an element of direct recruitment, so as to fill up these vacancies through open market as per extant rules. As per the directions of the DOP&T, the drive was to be completed by 30.6.2005 which is to be complied by all Ministries and organisations concerned. The Committee, therefore, desire to know the latest status of these pending vacancies which are purportedly to be filled by direct recruitment through open market as per extant rules. The Committee feel that in such cases

departmental candidates may be put to disadvantage due to direct recruitment. The Committee, therefore, desire that departmental candidates may also be allowed to take these direct recruitment examination where they fulfil the prescribed eligibility conditions.

CHAPTER III**MEASURES TO IMPROVE REPRESENTATION****A. Pre-recruitment Training**

3.1 The Committee have been informed that at present there is no any such scheme for giving pre-recruitment training to SC/ST candidates by the North Eastern Railway.

3.2 When asked about the constraints which do not allow North Eastern Railway to provide pre-recruitment training to Scheduled Castes and Scheduled Tribes, the Ministry have replied that on Indian Railways including NE Railway, there is no provision of imparting pre-recruitment training. Indian Railways being a vast organisation with huge manpower on roll, the scheme had never been experimented. It is the assigned responsibility of the Ministry of Social Justice and Empowerment only. No direction in the matter has since been received from the Nodal Ministry i.e. Ministry of Personnel, Public Grievances and Pensions (DOP&T).

B. Pre-promotion training

3.3 The Committee have been informed that the scheme of “in-service-training” has been provided to SC/ST employees for their promotion to higher grade non safety categories when they are found below the required standard. As per this scheme, the best amongst failed SC/ST candidates, who could not get the required marks in the written test but has secured a minimum of 20% marks is put to officiate in that post for a specific period of six months during which all kinds of help is provided and after completion of the six months period, if the official’s working is found

satisfactory, he continues to work on that post on promotion and his name is interpolated in the original panel with the approval of competent authority.

3.4 The number of SC/ST candidates who had been promoted on the basis of best amongst the failure scheme during the period 2002 to 2005 is as under:-

SC	ST
06	03

3.5 It was further informed that in order to enable the SC/ST employees to qualify for promotion to posts in Safety Categories, arrangements are made to give them suitable pre-selection coaching without fail.

3.6 Information regarding the number of SC/ST candidates who are selected/promoted after availing in-service training during the years 2002-03, 2003-04 and 2004-05 are as under :-

Year	SC	ST
2002-03	02	-
2003-04	03	02
2004-05	01	01

3.7 The number of SC/ST candidates who are given pre-selection coaching for safety category posts and the number of qualified SC/ST

candidates out of them during the years 2003, 2004 and 2005 is as under:-

Year	SC/ST candidates given pre-selection coaching		SC/ST candidates who had availed pre-selection coaching and qualified	
	SC	ST	SC	ST
2003	158	51	23	12
2004	153	49	22	11
2005	149	63	22	10
Total	460	163	67	33

C. Training abroad

3.8 The number of staff/officers of North Eastern Railway sent abroad for training in the last three years i.e. 2002-2003 to 2004-2005 is as under:-

Year	Total employees sent for training abroad	No. of SCs/STs amongst them	
		SC	ST
2002-03	-	-	-
2003-04	4	-	-
2004-05	6	-	-
TOTAL	10	-	-

3.9 It was further stated that incidentally, out of the above employees sent on training abroad none belonged to SC/ST category.

3.10 The Committee note that there is no scheme for giving pre-recruitment training to SC/ST candidates for appearing in the recruitment examination conducted by the North Eastern Railway

because the Indian Railways have no provision for such training. It was stated that even though the Indian Railways is a vast organisation with huge manpower, the scheme had never been experimented. The Committee do not agree with the contention of the Ministry of Railways (Railway Board) that it is the assigned responsibility of the Ministry of Social Justice and Empowerment to provide pre-recruitment training to SC/ST candidates. The Committee would like to make the Ministry of Railways aware of the fact that many public sector undertakings such as banks are providing pre-recruitment training as a part of recruitment process. Railways is the largest employer of manpower but Railway zone like North Eastern Railway could not still fill up the reserved posts due to non-availability of SC/ST candidates. The Committee are of the view that to attract more candidates and to enable them to qualify in the selection process, SC/ST candidates should be provided pre-recruitment training and stipend. The scheme should at least be started from such Railway zones which have difficulty in getting the sufficient number of SC/ST candidates. The Committee, therefore, recommend that the Ministry of Railways (Railway Board) should take the initiative and provide pre-recruitment training to SC/ST candidates. The Committee should be kept apprised of the achievements made in this regard.

3.11 The Committee have observed that during the period 2002-03 to 2004-05, North Eastern Railway has sent 10 staff/officers on training abroad but none of them belonged to SC/ST community.

The Committee, therefore, urge the North Eastern Railway to keep in mind the interest and welfare of SC/ST employees while nominating officers for training abroad. The Committee would also like to impress upon the North Eastern Railway that the names of eligible SC/ST officers should be drawn up for recommending them for training abroad in accordance with the instructions issued by DOP&T in this regard.

D. De-reservation and Exchange of vacancies.

3.12 The Committee have been informed that at present there is a ban on de-reservation. As such, no de-reservation proposal has been initiated and processed on this Railway.

3.13 The Committee have also been informed that earlier Scheduled Tribe candidates were also to be considered for appointment against vacancy reserved for SCs even in the third year to which the vacancy was carried forward and vice-versa. However, since 6-1-2004 the practice of exchange of reserved vacancy among SCs and STs etc. is not permissible.

E. Deputation

3.14 The Committee have been informed that the North Eastern Railway has taken no persons on deputation from other Government departments.

3.15 However, the North Eastern Railway has sent its employees on deputation to other Departments. The number of employees sent on

deputation to other Departments during the last three years i.e. 2003, 2004 and 2005 is as under:-

Year	Total employees sent on deputation to other Department	SC	ST
2003	03	01	-
2004	07	01	01
2005	06	-	-
Total	16	02	01

F. False Caste certificate

3.16 The Committee have been informed that there were instances where persons have obtained employment in the North Eastern Railway on the basis of false caste certificates.

3.17 On being enquired about the number of cases detected and action taken in each case, it was informed that 5 such cases have since been reported. Out of 5, only one case has been finalised and the remaining 4 cases are still under investigation.

3.18 It was also stated that no criminal proceedings/FIR is lodged against any person found guilty of getting employment on the basis of false caste certificates.

3.19 However, if any case of submission of false caste certificate so as to obtain employment/promotion is proved after following the DAR proceeding, the concerned employee is not only removed from service but action is taken under IPC (Indian Penal Code) by referring the case to local police station as per the extant instructions.

3.20 The Committee have also been informed that in order to check recruitment on the basis of false caste certificate in appointment against direct recruitment posts, certificates of educational qualification, date of

birth including other ones are verified by Railway Recruitment Board and verified by Personnel Office before medical test after receiving of panel from RRB. In compassionate appointment, certificates of educational qualifications, date of birth including other documents are verified by the Personnel Inspectors before appointment is offered, which leads to check of fraud appointment on false certificates under this head.

3.21 During the evidence, when the Committee wanted to know the procedure to verify the caste certificate of a candidate, the representative of the Ministry of Railways stated that as far as verification of caste certificates is concerned, Welfare Inspector personally contacts the State authority concerned. As per the records of State authorities, the issuing authority of caste certificates whether he is Tehsildar or SDM or DM is also contacted with and his whole record is checked which is a time taking process.

3.22 The Committee note that the North Eastern Railway has taken certain measures to check recruitment/appointments on the basis of false caste certificates. However, 5 cases of appointments on false caste certificates have been detected out of which only one case has been finalised and the remaining 4 cases are still under investigation. The Committee desire that if a person of dubious integrity has secured employment on the basis of false caste certificate and prima facie is proved to be a false case, he should be removed from service immediately and necessary criminal proceedings should be initiated against him. The Committee also urge upon the North Eastern Railway to finalise the pending 4 cases

on priority basis and inform the Committee of the progress made therein.

CHAPTER IV**MISCELLANEOUS****A. Redressal of complaints/grievances**

4.1 The Committee have been informed that the SC/ST employees can represent their grievances orally or in writing. They are allowed to seek the interview in regard to their grievances during the inspections/visits of Railway officers to Railway Station their places of working. The grievances of SC/ST Railway employees are received from various Agencies like M.R. Cell/Railway Board/Commission for Scheduled Castes and Scheduled Tribes, All India SC/ST Railway Employees' Association and the person concerned. These complaints are registered in a separate register maintained for the purpose. The application of SC/ST is forwarded to the concerned officer/division for furnishing para-wise comments and factual position for further action at Headquarters level. After receiving required information from the respective officers, the cases of SCs/STs are finalised on merits. Every effort is made to dispose/finalise the grievances within 3 months as per the extant instructions.

4.2 The complaint register is being maintained in every office in order to register the grievances of SC/ST Railway employees. These registers are checked during the visit of the officers of the Division and Headquarters office as well.

4.3 The Committee have been informed that the number of complaints received during the years 2002-03, 2003-04 and 2004-05 is as under:-

Year	Received	Final	Percentage
2002-03	149	149	100%
2003-04	140	136	97.85%
2004-05	109	105	96.32%

4.4 It was also stated that generally the grievances of Scheduled Caste and Scheduled Tribe Railway Employees are concerning their promotions or seniority etc. A complaint is generally disposed of within a period of 1-3 months depending upon the nature of complaints.

4.5 The Committee were also informed that some of the complaints are pending either on account of full details not being available to decide matter or on account of information not received in references to various agencies for clarifications.

4.6 As regards the role of Liaison Officer in the disposal of complaints/grievances, it was stated that the liaison officer carries out inspections in the Divisions/Extra Divisional Units to see the pending complaints/grievances and brings it to the notice of the Chief Liaison Officer in the Headquarters i.e. Chief Personnel Officer / North Eastern Railway. He also ensures expeditious disposal of complaints/grievances.

4.7 The Committee appreciate that the North Eastern Railway has a systematic procedure prescribed for the redressal of complaints/grievances of SC/ST employees. Separate register is maintained to register the grievances of SC/ST employees and every effort is made to dispose/finalise the case within 3 months. However, the Committee note that during the period 2004-05, the

North Eastern Railway had received 109 complaints, out of which 4 cases are still pending due to non-availability of full details to decide the matters or due to non-receipt of information under reference from various agencies. The Committee would like to opine that basically the nature of complaints of SC/ST employees are relating to service matters such as promotion, seniority etc. which may have a repercussion on their career if the complaints are not addressed in time. The Committee, therefore, urge that special attention should be paid to redress the complaints/grievances of SC/ST employees within 3 months and dispose of the remaining 4 cases without any further delay.

B. Compassionate appointments

4.8 Information regarding the details of the number of persons who have got appointment in the North Eastern Railway on compassionate grounds during the last 5 years and the number of SCs/STs among them are as under:-

Year	Total apptt.made	Out of them		Total cases pending	Pending cases	
		SC	ST		SC	ST
2000	508	99	08	-	-	-
2001	316	60	03	-	-	-
2002	452	84	15	-	-	-
2003	792	89	18	-	-	-
2004	1266	84	17	-	-	-
2005(Upto August 2005)	555	86	14	170	-	-
Total	3889	502	75	170	00	00

4.9 During the evidence, Chairman Ministry of Railways (Railway Board) had also stated that during the last five years (2000-2005), 3889 appointments on compassionate grounds were given out of which 502 were SC and 75 were ST candidates. He further, stated that so far as the question of North Eastern Railway is concerned, no SC/ST applicant is in waiting list for appointment on compassionate grounds.

4.10 The Committee have been informed that normally 90 days time is taken for disposal of cases of appointment on compassionate grounds.

4.11 It was also stated that the reasons for pendency of appointments on compassionate grounds are that candidates are either being minor or having not acquired prescribed educational qualification and also due to fake certificates, no heir, being not eligible etc.

4.12 The Committee were also informed that it is possible to empanel the SCs/STs pending cases on compassionate appointments to fill up the backlog of vacancies in other posts.

4.13 When asked about the present position of pending cases of appointment on compassionate grounds, it was stated that only 88 cases are pending because of being minor, not having required educational qualification/ fake certificates, no heir, non-eligibility etc.

4.14 The Committee note that during the years 2000 to 2005, the Ministry of Railways (Railway Board) have appointed 3889 persons on compassionate grounds out of which 502 were SC and 75 were ST candidates. So far as the North Eastern Railway is concerned, no applications from SC/ST community is in waiting list for appointment on compassionate grounds. The Committee appreciate these

achievements of the North Eastern Railway in particular and the Ministry of Railways (Railway Board) as a whole. The Committee hope to see that the good work is continued in years to come especially for pending cases of compassionate grounds appointment where the candidates are still a minor. The Committee also appeal to the Board to be a little more considerate to SC/ST candidates who could not be appointed on compassionate grounds due to not possessing requisite qualifications etc. and to give them alternative placements in the Railways where they could well fit into on humanitarian ground.

C. Housing facilities

4.15 The Committee have been informed that in order to give relief to Scheduled Caste and Scheduled Tribe employees, specific percentages for allotment of quarters to SC/ST has been fixed. A separate waiting list for SC/ST employees is maintained.

4.16 The SC/ST employees who are senior enough and are covered in general waiting list in their turn are given allotment from general pool. A representative of SC/ST employees is included in the Housing Allotment Committee in all cases where it exists.

4.17 The Committee were further informed that in order to give relief to Scheduled Castes and Scheduled Tribes in non-essential categories, the extant instructions provide for reservation of 10% of Type I & II and 5% in Type III & IV Railway Quarters in favour of SC/ST employees in all areas where the number of quarters is 50 or more.

4.18 The details of the quarters allotted in 2005 in North Eastern Railway is as under:-

Types of Quarters	Total No. of quarters	Total allotted quarter		Percentage	
		SC	ST	SC	ST
Type – I	6766	651	166	9.62	2.45
Type – II	5397	376	164	6.96	3.03
Type – III	526	39	10	7.41	1.90
Type – IV	251	10	06	3.98	2.39

D. Petty contracts

4.19 The Committee have been informed that there are no petty contracts as described in Catering Policy. However, the Catering contracts are divided into two categories i.e. Small units and Major units.

4.20 Restaurants/Refreshment rooms at all 'B' & 'C' category stations and Trolleys and Stalls at all 'A', 'B' and 'C' category and all catering units at 'D', 'E' and 'F' category stations fall under the category of Small units.

4.21 It has also been stated that stations are classified on the basis of annual passenger earnings. Therefore, each category of stations are different according to their annual passenger earnings. Stations have been classified into 6 categories i.e. 'A', 'B', 'C', 'D', 'E' and 'F' category stations as per Railway Board's letter No. 94/LMB/2/175 dated 24.6. 2003.

4.22 The Committee have been informed that there are no directives of the Government about reservation in commercial contracts. Licences are awarded and governed by Contract Act and Companies Act. However, the Indian Railways have taken pro-active steps, keeping in view the

social obligation of the Government towards weaker sections of the society and as a goodwill gesture provided reservation upto 49.5% at 'D', 'E' and 'F' categories stations and 25% in award of small catering units at 'A', 'B' and 'C' categories stations with a view to fulfill the social justice where huge capital and technical skill are not required. Therefore, percentage decided by the Railways has been kept in view of the needs of these categories.

4.23 As a consequence of Hon'ble Minister for Railways announcement in the Parliament during the discussion on Railway Budget (1999-2000) all catering/vending licences of major units like Refreshment Room/Restaurant, pantry car etc. will be awarded under two packet tender system with a view to bringing about tangible improvement in catering policy which has been drafted and issued.

4.24 During the period 2001-02 to 2003-04 catering & vending contracts could not be allotted as process of transfer of units to IRCTC was under consideration and also due to ban of allotment by Railway Board. However, special permission was obtained from General Manager for allotment of catering units at 'D', 'E' and 'F' categories stations. During the year 2004-05 & 2005-06, 57 contracts have been awarded to reserved categories including 06 to SCs/STs i.e. 11% as per Catering Policy –2000 where there was provision of 10% reservations for SCs/STs.

4.25 The catering Policy – 2005 provides reservation of 49.5% for various categories which includes 12% for SCs and 8% for STs for small catering units at 'D' 'E' & 'F' category stations. 10% reservation is for freedom fighter and women including war widows and widows of railway

employees and 2% reservation for physically and mentally challenged persons.

4.26 Further, a reservation of 10% (6% of SCs and 4% for STs) out of 25% in award of small catering units at 'A' 'B' & 'C' category stations has been provided in the new catering policy.

4.27 As per Catering Policy-2005 applications have been invited for 148 'D', 'E', and 'F' categories stations, out of which 80 contracts are earmarked for reserved categories, for which 143 applications have been received. These are in the process of allotment.

4.28 In the Book Stall Policy dated 12.10.2004, a reservation of 10% (6% for SCs and 4% for STs) out of 25% has been provided in the allotment of new bookstalls at 'B', 'C', 'D', 'E' and 'F' category of stations.

4.29 When asked why no reservation is provided to SCs/STs in allotment of new bookstalls at 'A' category station as per the Bookstall Policy, dated 12th October, 2004, the Committee have been informed that since the bookstalls licence of major stations are to be awarded on competitive bidding through open tender on two packet bidding system, the main criteria being professional competence, financial soundness and past experience in bookstall business. The Bookstall Policy – 2004 is aiming at professionalisation of the bookstall services as well as bringing in adequate transparency and objectivity in the award of licence.

4.30 Asked to explain why reservations for SCs/STs has been provided for awarding of licences only in cases of minor contracts of small units and not for major units, it has been stated that management of major units requires large capital investments, technical skills and expertise to cater to

large scale operation in order to meet the aspiration and requirements of the travelling public. Major units require the best available professionals in the trade. Reservation in these categories will not meet the above requirements. Moreover, major catering units are only 360 out of 9177 catering units in the country, which is 4% of total number of units on Indian Railways.

4.31 The Committee were also informed that SCs and STs are not debarred for award of catering contracts for major units.

4.32 It was also stated that no major contract was awarded to any category during 2001-02 to 2004-2005 by North Eastern Railway as these contracts are to be awarded by IRCTC.

4.33 The award of license for Small units at all 'A', 'B' and 'C' category stations will be done by IRCTC by calling applications through press notification. IRCTC will maintain the record of applications received through press Notification for various categories separately and credentials are assessed by the concerned authorities. The award of license for Small units for Catering Units at all 'D', 'E' and 'F' category stations will be done by Zonal Railways by calling application through press notification.

4.34 The Committee were also informed that instructions to Zonal Railways exist that copy of each of such notice/advertisement is to be sent to the local MPs/MLAs for information. The extant instruction is being followed by North Eastern Railway.

4.35 The eligibility criteria for award of licence for restaurants/refreshment rooms at all 'B' & 'C' category stations, trolleys

and stalls at all 'A', 'B' and 'C' category stations and all Catering Units at 'D', 'E' and 'F' category stations are the following:

- (a) Reputation / business standing of the applicant
- (b) Turnover of applicant business in catering
- (c) Financial standing of the applicant.
- (d) Previous track record of the applicant.
- (e) Size of the establishment and staff required for running the unit.
- (f) Location of the unit.
- (g) Proximity of the caterers to the location of the proposed unit, and
- (h) Any other factor considered relevant by IRCTC or suggested by railways.

4.36 The Committee have been informed that the credentials of SCs/STs are assessed by concerned DRMs with regard to the eligibility criteria mentioned above.

4.37 However, it was clarified that for the purpose of allotment of catering units under the reserved categories mentioned above, the eligibility criteria as laid down shall be deemed to be the desirable criteria and not an essential qualification. There is also no minimum annual turnover prescribed for awarding catering and vending licenses at 'D', 'E' and 'F' categories station.

4.38 The Committee note that Indian Railways have taken a proactive steps, keeping in view the social obligations of the Government towards weaker sections of the society and provided reservation up to 49.5% at 'D', 'E' and 'F' categories stations and 25% in award of licence for small catering units at 'A', 'B' and 'C'

categories stations. However, the same has not been provided in case of award of licences of major units because management of major units require large capital investments, technical skills and expertise to cater to large scale operations and best available professionals in the trade. Of course, SCs/STs are not debarred for award of catering contracts for major units. But the Committee feel that if reservation is provided in award of major catering contracts, many SC/ST entrepreneurs would be readily available to make investments. The Committee, therefore, recommend that reservation should be made in award of licences for major catering contracts in the Indian Railways. Otherwise certain quota of the contracts should be earmarked exclusively for SCs/STs.

4.39 The Committee note that as per Catering Policy – 2005, applications have been invited for 148 contracts for 'D', 'E' and 'F' categories stations out of which 80 contracts are earmarked for reserved categories for which 143 applications have been received. The Committee desire to know the status of these contracts reserved for SCs/STs which were in the process of allotment.

4.40 The Committee note that as per Bookstall Policy – 2004, a reservation of 10% (6% for SCs and 4% of STs) out of 25% has been provided in the allotment of new bookstalls at 'B', 'C', 'D' 'E' and 'F' category stations. Whereas, reservation is not provided in allotment of new bookstalls at 'A' category stations because the bookstalls licence of major stations are to be awarded on competitive bidding through open tender on two packet bidding system and the criteria

prescribed being professional competence, financial soundness and past experience in bookstall business. It was also stated that the aim of the Bookstall Policy – 2004 is professionalisation of the bookstall sources as well as bringing in adequate transparency and objectivity in the award of license. The Committee observe that the Bookstall Policy – 2004 is not in the best interest of SCs/STs because reservation is not provided for them in allotment of licences for bookstalls at major stations as a part of the policy of the Indian Railways. The Committee would further like to stress that there is no dearth of SC/ST businessmen to invest in bookstalls business, but unless protection is given to them in the form of reservation, they will not be able to compete against rich and influential businessmen in the fray. The Committee, therefore, recommend that the Bookstall Policy – 2004 should be amended and reservation should be provided to SCs/STs in allotment of bookstalls licences at major stations.

E. Socio-economic development

4.41 When asked to furnish detailed information on the role of Ministry of Railways in formulating and implementation of Backward / Tribal Development Programmes and to monitor progress of various programmes/schemes undertaken, it has been stated that identification of backward regions and a comprehensive plan for their development is under the purview of Planning Commission, National Development Council, etc. Railways are, however, actively participating in the

development of backward areas and are engaged in building a Rail Transport Infrastructure by construction of new lines and conversion of meter Gauge/Narrow Gauge lines to Broad Gauge selectively to have industrial and economic development of those areas, which though have potential for growth, have not been able to develop for want of rail infrastructures.

4.42 A large number of new lines and gauge conversion projects have been taken up for the development of backward, tribal, remote, hilly and other under developed areas. These projects have not been considered justifiable on the basis of financial rate of return but have been taken up purely on socio-economic consideration. At present, a total of 92 projects under plan head new lines and Gauge Conversion are in progress which have been taken up for the development of backward, tribal, remote, hilly and other under developed areas.

4.43 The Committee note that the Indian Railways have actively participated in the socio-economic development of backward areas. The Indian Railways have also undertaken new projects in the form of construction of new lines, conversion of meter and narrow gauge to broad gauge, passenger improvement services, setting up of more computerized reservation system in backward, tribal, remote, hilly, and under-developed areas in the country even though they are not economically viable from the view point of financial rates of return. It was stated that these projects are taken up purely with an aim for socio-economic development of these areas. The Committee, therefore, urge that a total of 92 projects undertaken by the Indian

Railways for the socio-economic development of backward, tribal, remote and hilly areas should be accorded priority and expedite their completion in a time bound manner. The Committee may be apprised of the latest progress made in these projects.

**NEW DELHI;
November, 2006
Agrahayana 1928 (Saka)**

**(RATILAL KALIDAS VARMA)
CHAIRMAN
COMMITTEE ON THE WELFARE
OF SCHEDULED CASTES AND
SCHEDULED TRIBES**

APPENDIX 'A'
MINUTES

**COMMITTEE ON THE WELFARE OF SCHEDULED CASTES
AND SCHEDULED TRIBES
(2005-2006)**

(FOURTEENTH LOK SABHA)

**(FIFTH S SITTING)
(13.09.2005)**

The Committee sat from 1130 hrs. to 1400 hrs.

PRESENT

Dr. Satyanarayan Jatiya - Chairman

MEMBERS

LOK SABHA

2. Shri M. Appadurai
3. Dr. P.P. Koya
4. Shri G.V. Harsha Kumar
5. Shri Rajesh Kumar Manjhi
6. Shri Rupchand Murmu
7. Shri Jual Oram
8. Shri Ashok Kumar Rawat
9. Shri Bajju Ban Riyan
10. Dr. (Col.) Dhani Ram Shandil
11. Shri Sugrib Singh
12. Shri Lalit Mohan Suklabaidya
13. Shri Ramjilal Suman
14. Shri Ratilal Kalidas Varma

RAJYA SABHA

15. Dr. Faguni Ram
16. Shri Sharad Anantrao Joshi
17. Shri Narayan Singh Kesari
18. Robert Kharshiing
19. Shri Ram Nath Kovind
20. Shri Moolchand Meena

SECRETARIAT

1. Shri Gopal Singh, Deputy Secretary
3. Ms. J.C. Namcho, Under Secretary

WITNESSESMINISTRY OF RAILWAYS (RAILWAY BOARD)

1. Shri J.P. Batra, Chairman
2. Shri R.S. Varshneya, Member Staff
3. Dr. S.C. Manchanda, Advisor (Staff)
4. Dr. P.K. Goel, Executive Director (T&C)
5. Shri H.C. Gupta, Executive Director Estt. (RRB)

NORTH EASTERN RAILWAY

1. Shri R. Mohan Das, General Manager
2. Shri A.K. Tiwari, Chief Personnel Officer
3. Dr. P.L. Bankar, Chief Personnel Officer (A)

2. At the outset, the Hon'ble Chairman welcomed the representatives of the Ministry of Railways (Railway Board) and North Eastern Railway.

3. The Committee then took evidence of the representatives of the Ministry of Railways (Railway Board) and North Eastern Railway on the subject "Reservation for and employment of Scheduled Castes and Scheduled Tribes in North Eastern Railway". The evidence was concluded.

4. The witnesses then withdrew.

5. A verbatim record of the proceedings was kept

6. The Committee also decided to undertake study tour during November, 2005.

The Committee then adjourned.

APPENDIX 'B'
MINUTES

**COMMITTEE ON THE WELFARE OF SCHEDULED CASTES
AND SCHEDULED TRIBES
(2006-2007)**

(FOURTEENTH LOK SABHA)

SEVENTH SITTING

(18.10.2006)

The Committee sat from 1200 to 1330 hrs.

PRESENT

Shri Ratilal Kalidas Varma - Chairman

MEMBERS

LOK SABHA

2. Shri Anandrao Vithoba Adsul
3. Shri M. Appadurai
4. Shri Biren Singh Engti
9. Shri Eknath M. Gaikwad
10. Shri G.V. Harsha Kumar
7. Shri Rupchand Murmu
8. Shri Harikewal Prasad
9. Shri Shri Bajju Ban Riyan
10. Dr. (Col.) Dhani Ram Shandil
11. Shri Vanlalzawma

RAJYA SABHA

12. Shri Sharad Anantrao Joshi
13. Shri Robert Kharshiing
14. Shri Lalhming Liana
15. Shri Harendra Singh Malik
16. Dr. Radhakant Nayak
17. Shri Nabam Rebia
18. Smt. Maya Singh

SECRETARIAT

1. Shri P.K. Bhandari, Joint Secretary
2. Shri Gopal Singh, Director
6. Ms. J.C. Namchy, Under Secretary

At the outset, the Hon'ble Chairman welcomed the Members of the Committee. The Committee then considered the draft report on "Reservation for and Employment of Scheduled Castes and Scheduled Tribes in North Eastern Railway (NER)" and adopted the same with some modifications.

2. The Committee also authorised the Hon'ble Chairman to finalise the report in the light of consequential changes and present the same to both the Houses of Parliament.

The Committee then adjourned.

APPENDIX 'C'

(Vide para 4 of Introduction)

**SUMMARY OF CONCLUSIONS/RECOMMENDATIONS
CONTAINED IN THE REPORT**

Sl. No.	Para No. Report	Conclusions/Recommendations
1	2	3
1.	1.17	<p>The Committee note that the Ministry of Railways (Railway Board) have a separate reservation cell which exclusively look after the interest of SC/ST employees. However, on analysis of the composition of the Cell and the community to which the officials belong, it appears that the Cell is not provided with adequate staff. The Committee feel that the Reservation Cell being a nodal cell for the whole of Indian Railways has an important role to play for the welfare of SC/ST employees. The Committee, therefore, recommend that to man the Cell properly and to discharge its assigned duties effectively towards a large number of SC/ST employees in all the 67 Divisions of the Railways in the country, the reservation cell should be provided adequate staff within a period of six months of the presentation of this report.</p>
2.	1.18	<p>The Committee note that caste/creed is not the criteria for appointments to the posts of Members of Railway Board, Financial Commissioner and Chairman (Railway Board) which are regulated by norms and guidelines laid down for the purpose and approved at the highest level in the Government. The Committee also deeply deplore the reply of the Ministry of Railways that no such information is maintained regarding SC/ST officer ever occupying the post of a Member staff in the Railway Board which reflects the attitude of the Government towards the welfare and interests of SC/ST people. The Committee would like to state that the Railway Board is the highest authority in the Ministry of Railways comprising highest number of employees under its control where important policy matters having far reaching consequences are taken. The Committee feel that without proper representation of the Scheduled Castes/Scheduled Tribes in the Board, the interest of these communities may not be watched</p>

properly. The Committee, therefore, recommend that with a view to safeguard the interests of the SC/ST employees working in the Indian Railways, the Government should make available provisions for inclusion of SC/ST member in the Board by amending rules/regulations and guidelines governing appointments to the Board.

3. 1.32

The Committee observe that a Reservation Cell has been set up in the Head Quarters of North Eastern Railway under the control of SPO (Res.) to look after the interest of Scheduled Caste and Scheduled Tribe employees, but the number of staff/officials deployed in the Cell is not adequate. The Committee is dismayed to note that sanctioned posts at various levels to man the Cell was 10 but only 4 officials were actually working out of which only 3 officials belong to SC/ST community. The Committee would like to stress that setting up a Reservation Cell without adequate staff to man is meaningless. The Committee further emphasize that the work of the Reservation Cell should not be allowed to be affected by shortage of staff. The Committee, therefore, recommend that the workload of the Cell should be assessed and adequate staff should be provided and accordingly all sanctioned posts of the Cell should be filled up within three months of the presentation of this report and most preferably from SC/ST community so that their interests are well taken care of.

4. 1.33

The Committee are of the view that the Liaison Officer is an important figure of an organisation and so are his functions as far as the interest of SCs/STs are concerned, because he is responsible for ensuring correct implementation of reservation policies. The Committee, therefore, stress that the person to be appointed as Liaison Officer should possess sufficient experience and should be well conversant with reservation orders/rules and he should be given training on reservation related matters etc. The Committee also desire that the Liaison Officers should be protected from frequent transfers and postings so as to utilize his services for a considerable period of time. Further, the Committee would like to stress that the liaison Officer should be allowed to function independently without any external pressure within the ambit of his jurisdiction. His views/opinions on matters like promotions/selections should not be overruled but should be taken note of and corrective action be taken at the earliest.

5. 1.40 The Committee view rosters as a very important document as far as the interest and welfare of SCs/STs are concerned. It is in this light that the CPO has taken up in its meeting with the Liaison Officer and Personnel Officers, the issue of the maintenance of the post-based rosters in Divisions/Extra Divisional Units and issued strict instructions for their effective maintenance. In fact the successful implementation of reservation rules wholly depends on proper maintenance of the rosters. Even slight miscalculation of roster points whether for recruitment or promotion by the official concerned may hamper employment/promotional opportunities for SCs/STs. The Committee, therefore, urge that the maintenance of rosters should be entrusted to an official who is well conversant with the reservation orders/rules and roster points. All necessary information pertaining to the officials concerned should be duly filled in the respective columns provided for the purpose. Every entry made in the rosters should be neat and clean and over writing should not be allowed. The Committee also recommend that the rosters should be inspected at regular interval of time – quarterly, half yearly and annually by the Liaison Officer and any discrepancies noted during inspection should be rectified immediately or brought to the notice of higher officials for corrections/rectifications. Rosters should clearly be signed and authenticated with official stamp of the inspecting officer concerned as a proof of having been inspected the same. The Committee further recommend that rosters should be shown to the SC/ST Employees' Welfare Associations or any SC/ST employee, if they so desire to see. The Committee also recommend that necessary software should be developed for effective maintenance of rosters in the Railways, including North Eastern Railway.
6. 2.29 The Committee have observed that copies of Notifications/advertisement of vacancies are published in Employment News, Regional Newspapers and leading National Newspapers. The copies of the advertisement are also sent to All India SC/ST Employees Welfare Associations and a copy of the same is also docketed to All India Radio for wide publicity. In addition to the above, the Committee recommend that copies of the Notifications/advertisement may be made available to

the local MLAs/MPs and also to the Parliamentary Committee on the Welfare of Scheduled Castes and Scheduled Tribes for wider publicity. The Committee also recommend that as advised by the Railway Recruitment Boards, copies of the advertisement should be made available to Doordarshan for wide publicity.

7. 2.30 The Committee note that candidates are issued call letters for written test/interview one month in advance. They also note that in case of appointments, the letter is issued to selected candidates giving one month's time to report. The Committee are of the view that since most SC/ST candidates hail from backward and remote areas with little means of communication, one month's time to report for duty is slightly insufficient. The Committee, therefore, recommend that at the expiry of one month's time, a reminder should be issued to find out whether the earlier communication had actually been received by the candidate and if need be, efforts should be made to make personal contact with the candidate to confirm his willingness to accept the offer of appointment.
8. 2.31 The Committee do not agree with the contention of the Government that arrangements for conducting examinations in places of high tribal areas are not practicable. As such most examinations for tribal candidates are being conducted in Lucknow and Gorakhpur only because these two places are areas quite central to majority of tribal candidates found in Uttaranchal, Rajasthan, Jharkhand and Bihar. In case of large backlog vacancies for tribal candidates on North Eastern Railway, special indents are made to Railway Recruitment Boards like Ranchi and Ajmer where the tribal density is quite high. The Committee do not agree with this contention of the Ministry of Railways and stress that holding examinations in tribal areas should not be a problem because the Government has all the requisite logistics and resources to undertake such exercise keeping in view the interest of the poor tribals living in remote areas. The Committee, therefore, recommend that for recruitment of tribal candidates, the NER should as far as possible conduct written examination in other prominent towns/cities of Rajasthan, Uttaranchal, Bihar and Jharkhand where the density of tribal population is high and sufficient ST candidates are available for recruitment. The Committee further

recommend that the centre of examination for a particular area should be indicated in the advertisement/Notifications which may be subject to change depending upon the number of SC/ST applicants from that area. The Committee desire that each Railway Division should identify areas of high SCs/STs concentration under them and should additionally advertise reserved vacancies invariably in those areas. Even examination centres should also be arranged there.

9. 2.52 The Committee have observed that the recruitment of casual labourers has been stopped because the NER has no more requirements of their services. However, the NER still has 2554 ex-casual labourers on casual live/supplementary live register. It was also stated that as per extant policy of the Board, eligible SC/ST candidates whose names are registered on the casual live/supplementary live register can be regularised by way of screening to fill up the shortfall vacancies of SCs/STs as and when vacancies arise and become fill-able based on intake plan. While on the other hand it has been observed that during the recruitment years 2002-03 to 2004-05, the vacancies reserved for SCs/STs remained unfilled resulting in carrying forward of the same year after year due to non-availability of candidates from these two communities. In this regard, the Committee would like to point out that NER should not have difficulty in getting sufficient SC/ST candidates to fill up vacancies reserved for SC/ST at least in Group 'D' posts in direct recruitment, when there are 2554 ex-casual labourers on casual live/supplementary live register waiting for regularisation. The Committee, therefore, urge the Ministry of Railways (Railway Board) that if sufficient SC/ST candidates are not available in the open market to fill reserved vacancies in direct recruitment for Group 'C' and 'D' posts, the services of eligible SC/ST candidates whose names have already appeared in the casual live/supplementary live register should be regularised as per requirements.
10. 2.53 The Committee agree that accrual and clearance of vacancies reserved for SCs and STs is a continuous process. But the reserved vacancies of 238 SCs and 291 STs in Group 'C' posts and 171 SCs and 923 STs in Group 'D' posts for the recruitment year 2004-2005 had accrued over years of time. The Committee are not happy with this trend of carrying forward

reserved vacancies year after year which is against the interest of the SCs and STs. The Committee desire that this unhealthy trend should be immediately stopped at all costs. The Committee, therefore, recommend that concerted efforts should be made to fill up all vacancies reserved for SCs and STs in every recruitment year.

11. 2.54

The Committee were informed that to wipe out the shortfall of SCs and STs, panel from other Railway Recruitment Boards have been utilized to fulfil the quota for SC community candidates; wide publicity were given to the recruitment process in other regions of the country with greater population of Scheduled Tribes and since 1989 Special Recruitment Drive were undertaken from time to time to wipe out the backlog vacancies of SCs/STs within a time bound manner. Further, in pursuance of MR's announcement made in Railway Budget 2004-2005 and in pursuance of Government Common Minimum Programme, a Special Recruitment Drive has been launched on North Eastern Railway to wipe out the backlog vacancies existing as on 31.3.2004. In the said Special Recruitment Drive, 645 backlog vacancies were identified for clearance against which 354 SC/ST vacancies have already been filled and the balance 291 vacancies were at various stages of recruitment. The Special Recruitment Drive was to be completed by the end of September, 2005. However, the Committee were surprised to note that as on 1.1.2005 there is a huge shortfall of SC/ST employees in North Eastern Railway. In Group 'A' there is a shortfall of 17 SCs and 18 STs, in Group 'B' there is a shortfall of 12 STs, in Group 'C' there is a shortfall of 330 SCs and 1403 STs and in Group 'D' there is a shortfall of 743 STs. The Committee therefore, recommend that the NER should utilize all of its resources and undertake another round of Special Recruitment Drive on a much wider scale than previously held so as to completely wipe out the huge shortfall of SCs and STs as existing as on 1.1.2005. This should be done within one year of the presentation of this report and the Committee should be kept informed of the action taken in the matter.

12. 2.55

The Committee note that Special Recruitment Drive has been launched in 2004, to fill 645 identified backlog vacancies of SCs/STs in North Eastern Railway. Out of these 645 vacancies, a total of 354

vacancies have already been filled as on 1.8.2005. Whereas, the remaining 291 vacancies are yet to be filled which were at various stages of recruitment. The drive was targeted to be completed by the end of September, 2005. During the evidence, the General Manager, North Eastern Railway stated that the remaining vacant posts should be filled by December, 2005. The Committee should, therefore, be apprised of the latest position of these posts yet to be filled as well as status of 9 appointment cases pending due to lack of vigilance clearance.

13. 2.65

The Committee note that in pursuance of Government Common Minimum Programme, a Special Promotion Drive was launched to clear the backlog vacancies of SCs/STs existing as on 1.7.2004. In the said drive as many as 3135 backlog vacancies were identified against which a total of 1845 vacancies have been filled and a balance of 1290 vacancies are yet to be filled as on 1.11.2005. It was also stated that due to non-availability of candidates in promotional categories, vacancies are being diverted to recruitment categories, where it is permissible and there is an element of direct recruitment, so as to fill up these vacancies through open market as per extant rules. As per the directions of the DOP&T, the drive was to be completed by 30.6.2005 which is to be complied by all Ministries and organisations concerned. The Committee, therefore, desire to know the latest status of these pending vacancies which are purportedly to be filled by direct recruitment through open market as per extant rules. The Committee feel that in such cases departmental candidates may be put to disadvantage due to direct recruitment. The Committee, therefore, desire that departmental candidates may also be allowed to take these direct recruitment examination where they fulfil the prescribed eligibility conditions.

14. 3.10

The Committee note that there is no scheme for giving pre-recruitment training to SC/ST candidates for appearing in the recruitment examination conducted by the North Eastern Railway because the Indian Railways have no provision for such training. It was stated that even though the Indian Railways is a vast organisation with huge manpower, the scheme had never been experimented. The Committee do not agree with the contention of the Ministry of Railways (Railway Board) that it is the assigned responsibility of the Ministry of Social Justice and

Empowerment to provide pre-recruitment training to SC/ST candidates. The Committee would like to make the Ministry of Railways aware of the fact that many public sector undertakings such as banks are providing pre-recruitment training as a part of recruitment process. Railways is the largest employer of manpower but Railway zone like North Eastern Railway could not still fill up the reserved posts due to non-availability of SC/ST candidates. The Committee are of the view that to attract more candidates and to enable them to qualify in the selection process, SC/ST candidates should be provided pre-recruitment training and stipend. The scheme should atleast be started from such Railway zones which have difficulty in getting the sufficient number of SC/ST candidates. The Committee, therefore, recommend that the Ministry of Railways (Railway Board) should take the initiative and provide pre-recruitment training to SC/ST candidates. The Committee should be kept apprised of the achievements made in this regard.

15. 3.11 The Committee have observed that during the period 2002-03 to 2004-05, North Eastern Railway has sent 10 staff/officers on training abroad but none of them belonged to SC/ST community. The Committee, therefore, urge the North Eastern Railway to keep in mind the interest and welfare of SC/ST employees while nominating officers for training abroad. The Committee would also like to impress upon the North Eastern Railway that the names of eligible SC/ST officers should be drawn up for recommending them for training abroad in accordance with the instructions issued by DOP&T in this regard.
16. 3.22 The Committee note that the North Eastern Railway has taken certain measures to check recruitment/appointments on the basis of false caste certificates. However, 5 cases of appointments on false caste certificates have been detected out of which only one case has been finalised and the remaining 4 cases are still under investigation. The Committee desire that if a person of dubious integrity has secured employment on the basis of false caste certificate and prima facie is proved to be a false case, he should be removed from service immediately and necessary criminal proceedings should be initiated against him. The Committee also urge upon the North Eastern Railway to finalise the pending 4 cases on priority

basis and inform the Committee of the progress made therein.

17. 4.7 The Committee appreciate that the North Eastern Railway has a systematic procedure prescribed for the redressal of complaints/grievances of SC/ST employees. Separate register is maintained to register the grievances of SC/ST employees and every effort is made to dispose/finalise the case within 3 months. However, the Committee note that during the period 2004-05, the North Eastern Railway had received 109 complaints, out of which 4 cases are still pending due to non-availability of full details to decide the matters or due to non-receipt of information under reference from various agencies. The Committee would like to opine that basically the nature of complaints of SC/ST employees are relating to service matters such as promotion, seniority etc. which may have a repercussion on their career if the complaints are not addressed in time. The Committee, therefore, urge that special attention should be paid to redress the complaints/grievances of SC/ST employees within 3 months and dispose of the remaining 4 cases without any further delay.
18. 4.14 The Committee note that during the years 2000 to 2005, the Ministry of Railways (Railway Board) have appointed 3889 persons on compassionate grounds out of which 502 were SC and 75 were ST candidates. So far as the North Eastern Railway is concerned, no applications from SC/ST community is in waiting list for appointment on compassionate grounds. The Committee appreciate these achievements of the North Eastern Railway in particular and the Ministry of Railways (Railway Board) as a whole. The Committee hope to see that the good work is continued in years to come especially for pending cases of compassionate grounds appointment where the candidates are still a minor. The Committee also appeal to the Board to be a little more considerate to SC/ST candidates who could not be appointed on compassionate grounds due to not possessing requisite qualifications etc. and to give them alternative placements in the Railways where they could well fit into on humanitarian ground.
19. 4.38 The Committee note that Indian Railways have taken a pro-active steps, keeping in view the social obligations of the Government towards weaker sections of the society and provided reservation up to 49.5% at 'D', 'E' and 'F' categories stations and 25%

in award of licence for small catering units at 'A', 'B' and 'C' categories stations. However, the same has not been provided in case of award of licences of major units because management of major units require large capital investments, technical skills and expertise to cater to large scale operations and best available professionals in the trade. Of course, SCs/STs are not debarred for award of catering contracts for major units. But the Committee feel that if reservation is provided in award of major catering contracts, many SC/ST entrepreneurs would be readily available to make investments. The Committee, therefore, recommend that reservation should be made in award of licences for major catering contracts in the Indian Railways. Otherwise certain quota of the contracts should be earmarked exclusively for SCs/STs.

20. 4.39 The Committee note that as per Catering Policy – 2005, applications have been invited for 148 contracts for 'D', 'E' and 'F' categories stations out of which 80 contracts are earmarked for reserved categories for which 143 applications have been received. The Committee desire to know the status of these contracts reserved for SCs/STs which were in the process of allotment.
21. 4.40 The Committee note that as per Bookstall Policy – 2004, a reservation of 10% (6% for SCs and 4% of STs) out of 25% has been provided in the allotment of new bookstalls at 'B', 'C', 'D' 'E' and 'F' category stations. Whereas, reservation is not provided in allotment of new bookstalls at 'A' category stations because the bookstalls licence of major stations are to be awarded on competitive bidding through open tender on two packet bidding system and the criteria prescribed being professional competence, financial soundness and past experience in bookstall business. It was also stated that the aim of the Bookstall Policy – 2004 is professionalisation of the bookstall sources as well as bringing in adequate transparency and objectivity in the award of license. The Committee observe that the Bookstall Policy – 2004 is not in the best interest of SCs/STs because reservation is not provided for them in allotment of licences for bookstalls at major stations as a part of the policy of the Indian Railways. The Committee would further like to stress that there is no dearth of SC/ST businessmen to invest in bookstalls business, but

unless protection is given to them in the form of reservation, they will not be able to compete against rich and influential businessmen in the fray. The Committee, therefore, recommend that the Bookstall Policy – 2004 should be amended and reservation should be provided to SCs/STs in allotment of bookstalls licences at major stations.

22. 4.43

The Committee note that the Indian Railways have actively participated in the socio-economic development of backward areas. The Indian Railways have also undertaken new projects in the form of construction of new lines, conversion of meter and narrow gauge to broad gauge, passenger improvement services, setting up of more computerized reservation system in backward, tribal, remote, hilly, and under-developed areas in the country even though they are not economically viable from the view point of financial rates of return. It was stated that these projects are taken up purely with an aim for socio-economic development of these areas. The Committee, therefore, urge that a total of 92 projects undertaken by the Indian Railways for the socio-economic development of backward, tribal, remote and hilly areas should be accorded priority and expedite their completion in a time bound manner. The Committee may be apprised of the latest progress made in these projects.