

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

(FOURTEENTH LOK SABHA)
EIGHTEENTH REPORT

Monitoring and implementation of recommendations of the
Committee on the Welfare of Scheduled Castes and Scheduled
Tribes during the years 1994-95 to 1998-99.

Presented to Lok Sabha on 6th December, 2006

Laid in Rajya Sabha on 6th December, 2006

LOK SABHA SECRETARIAT
NEW DELHI

December, 2006 /Agrahayana, 1928(Saka)

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

Shri Ratilal Kalidas Varma - Chairman

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| 5. | Shri Joginder Singh | - | Committee Officer |

INTRODUCTION

I, the Chairman, Committee on the Welfare of Scheduled Castes and Scheduled Tribes having been authorised by the Committee to finalise and submit the report on their behalf, present this Eighteenth Report (Fourteenth Lok Sabha) on “Monitoring and implementation of recommendations of the Committee on the Welfare of Scheduled Castes and Scheduled Tribes during the years 1994-95 to 1998-99”.

2. The Committee over the years took up various subjects pertaining to welfare of Scheduled Castes and Scheduled Tribes for detailed examination and presented several reports to the Parliament thereon. The Committee made several recommendations therein and the Ministries/Departments accepted some of the recommendations contained in these Reports. However, it was not known whether the suggestions made in these recommendations accepted by the Government had actually been implemented or not. The Committee had not commented on these recommendations in their action taken reports. Hence no final action taken replies were received in this regard. The Committee had, therefore, during the year 2001 decided to review such recommendations made by the Committee to see that these have actually been implemented. The Committee requested the Ministries/Departments concerned to furnish status report on the implementation of various recommendations made by the Committee during the years 1994-95 to 1998-99 in their reports. The Committee received status reports in respect of 9 Reports pertaining to Tenth Lok Sabha, 5 Reports pertaining to Eleventh Lok Sabha and 2 Reports pertaining to Twelfth Lok Sabha. The Committee did not receive any status reports in respect of 1 report of Tenth Lok Sabha from the Ministry of Railways and 2 reports pertaining to Twelfth Lok Sabha from Ministry of Finance (Department of Economic Affairs – Banking Division) and the Ministry of Human Resource Development (Department of Secondary Education and Higher Education) respectively. Based on the status reports furnished by the Ministries/Departments, this report has been prepared.

3. The Report was considered and adopted by the Committee on the 13th November, 2006 (Appendix-I).

New Delhi:
5th December, 2006
14, Agrahayana, 1928 (Saka)

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

CHAPTER I

INTRODUCTORY BACKGROUND

1.1. Over the years the Committee on the Welfare of Scheduled Castes and Scheduled Tribes took up various subjects pertaining to welfare of Scheduled Castes and Scheduled Tribes for detailed examination and presented several reports to the Parliament thereon. The Committee made several recommendations therein and the Ministries/Departments have accepted some of the recommendations contained in these Reports. However, it was not known whether the suggestions made in these recommendations accepted by the Government have actually been implemented or not. The Committee did not comment on these recommendations in their action taken reports, hence no final action taken replies were received in this regard. Therefore, the Committee during the year 2001 decided to review whether the recommendations made by the Committee have actually been implemented. Accordingly, the Committee selected the subject "Monitoring and implementation of recommendations made by the Committee on the Welfare of Scheduled Castes and Scheduled Tribes during the last five years." The Committee had requested the Ministries/Departments to furnish status report on the implementation of various recommendations made by the Committee during the years 1994-95 to 1998-99 in their reports as per details given below:-

Sl. No.	Ministry/ Department	Sl. No. of Report and No. of Lok Sabha	Subject (Date of presentation)	Recommendations (S.No.) which have been accepted
1	2	3	4	5
1.	Ministry of Railways (Railway Board)	<u>39th Report</u> 10 th Lok Sabha	Reservation for and employment of Scheduled Castes	3,5,6,7,8,9, 13,15,16,17, 18,19,20,23,

			and Scheduled Tribes in Northern Railway including Reservation for SCs and STs in award of petty contracts (22.12.1994).	25
2.	Ministry of Petroleum and Natural Gas	<u>42nd Report</u> 10 th Lok Sabha	Reservation for and employment of Scheduled Castes and Scheduled Tribes in Oil and Natural Gas Corporation Limited (24.03.1995)	2,3,5,6,7
3.	Ministry of Environment and Forest	<u>44th Report</u> 10 th Lok Sabha	Forest Policy in relation to command over and access of tribal people to forest resources (25.4.1995)	1,5,7,8,11,15, 16,21,22,23, 27,28,29, 30,32,33,34, 36,37.
4.	Ministry of Rural Development (Department of Rural Development)	<u>45th Report</u> 10 th Lok Sabha	Working of Integrated Rural Development Programme (Assistance provided to SCs and STs) (25.4.1995)	7,8,9,11,12, 13,15,16,17, 19,21,22,23, 24,26
5.	Ministry of Industry (Now Ministry of Heavy Industries and Public Enterprises)	<u>48th Report</u> 10 th Lok Sabha	Reservation for and employment of Scheduled Castes and Scheduled Tribes in Bharat Heavy Electricals Limited (28.4.1995)	10,11,13,14,15
6.	Ministry of Petroleum and Natural Gas	<u>49th Report</u> 10 th Lok Sabha	Reservation for and employment of Scheduled Castes and Scheduled Tribes in Indian Oil Corporation Limited including reservation for SCs/STs in grant of Gas/Petrol Agencies (28.4.1995).	1,2,3,4,6,9, 10,11,12,13, 14,15
7.	Ministry of Finance (Department of Revenue)	<u>50th Report</u> 10 th Lok Sabha	Reservation for and employment of Scheduled Castes and Scheduled Tribes in Central Board of Direct Taxes and Central Board of Excise and Customs (28.4.1995)	3,4,6,8,9,10, 11,12,13,14, 15

8.	Ministry of Tribal Affairs	<u>51st Report</u> 10 th Lok Sabha	Working of Integrated Tribal Development Projects in Maharashtra (28.4.1995)	1,2,3,6,7,8,9, 12,13,14,15, 16,17,18,23, 26,28,29,30, 31,33,34,35, 37,38,40
9.	Ministry of Finance (Department of Economic Affairs – Banking Division)	<u>58th Report</u> 10 th Lok Sabha	Reservation for and employment of SCs and STs in the National Bank for Agriculture & Rural Development (NABARD) (29.2.1996)	1,3,4,7,8,9,14, 15
10.	Ministry of Tribal Affairs	<u>59th Report</u> 10 th Lok Sabha	Rehabilitation of displaced tribals by major projects in Madhya Pradesh (7.3.1996)	3,4,6,7,8,10, 11,14,16,19
11.	Ministry of Railways (Railway Board)	<u>1st Report</u> 11 th Lok Sabha	Reservation for and employment of Scheduled Castes and Scheduled Tribes in South Eastern Railway (28.11.1996)	4,10,13,14,15
12.	Ministry of Rural Area and Employment (Department of Rural Employment and Poverty Alleviation)	<u>2nd Report</u> 11 th Lok Sabha	Employment and Financial Assistance provided to Scheduled Castes and Scheduled Tribes under Jawahar Rojgar Yojana (28.11.1996)	2,3,4,5,7,10, 12,14,16,18, 20
13.	Ministry of Finance (Department of Economic Affairs – Banking Division)	<u>3rd Report</u> 11 th Lok Sabha	Reservation for and employment of SCs and STs in Allahabad Bank and credit facilities provided by the Bank to them (17.12.1996)	4,5,8,10,12, 13,17,18,19, 20
14.	Ministry of Railways (Railway Board)	<u>8th Report</u> 11 th Lok Sabha	Reservation for and employment of Scheduled Castes and Scheduled Tribes in South Central Railway (30.04.1997)	7,11,14,15,19, 20,21,22,25, 26,27,28,29, 30,31
15.	Ministry of Petroleum and Natural Gas	<u>9th Report</u> 11 th Lok Sabha	Reservation for and employment of Scheduled Castes and Scheduled Tribes in Engineers India Limited (5.8.1997)	1,3,5,6,7,8

16.	Ministry of Tourism & Culture (Deptt. of Tourism)	<u>3rd Report</u> 12 th Lok Sabha	Reservation for and Employment of SCs and STs in India Tourism Development Corporation (4.12.1998).	1,2,3,4,5,6,7, 13,16.
17.	Ministry of Finance (Department of Economic Affairs – Banking Division)	<u>4th Report</u> 12 th Lok Sabha	Reservation for and employment of SCs and STs in Canara Bank and credit facilities provided by the Bank to them (4.12.1998).	3,7,9,11,14, 17,19,20,21, 22,24,25,26, 28,29,30,31, 33,34,36,39, 40,41, 42,44,
18.	Ministry of Human Resource Development (Deptt. of Education)	<u>5th Report</u> 12 th Lok Sabha	Reservation for and Employment of SCs and STs in Indian Institute of Technology including reservation for SCs and STs in admission therein. (4.12.1998)	1,6,8,14,16, 17
19.	Ministry of Information and Broadcasting	<u>8th Report</u> 12 th Lok Sabha	Reservation for and Employment of SCs and STs in All India Radio and Doordarshan (21.12.1998)	1,3,4,5,8,9, 10,11,12,13, 14,15,19

Comments of the Committee

1.2 The Committee note that the status report in respect of 39th Report (10th Lok Sabha); 4th Report (12th Lok Sabha); and 5th Report (12th Lok Sabha); and as mentioned at serial Nos. 1,17 and 18 respectively have not been furnished by the concerned Ministries which has resulted in delay in finalisation of this report by the Committee. The Committee are deeply pained by the indifferent attitude shown by the Ministries concerned in this regard. It is strange that the Ministries concerned are finding it difficult to furnish the status report on the recommendations which they had agreed to implement. The Committee desire that the Ministries concerned should furnish the status report thereon immediately.

1.3 The Committee will now deal with the status reports furnished by the various Ministries in the succeeding chapters and offer their comments.

CHAPTER II

TENTH LOK SABHA

MINISTRY OF PETROLEUM AND NATURAL GAS

A. Forty-second Report (10th Lok Sabha) on Reservation for and Employment of SCs and STs in Oil and Natural Gas Corporation Limited (ONGC)

2.1 The above mentioned report was presented to the Parliament on 24th March, 1995. It contained 8 recommendations. The Action Taken Report was presented on 8th December, 1995. Out of which 5 recommendations were accepted by the Ministry of Petroleum and Natural Gas. The actual implementation of these recommendations is being dealt with in this Chapter.

Recommendation (Sl.No. 2, Para No.2.7)

“Shortfall”

2.2 The Committee were unhappy to note that as on 1.1.1993, the percentage of shortfall in Group 'A' for SC and ST was 1.8% and 3.2% respectively and in Group 'B' posts the corresponding percentage of shortfall was 5.4% and 4.8% respectively. Instead of clearing earlier backlog, ONGC had failed to fill up even vacancies existed in that year. The Committee had, therefore, urged that vigorous efforts should be made by the Corporation to find suitable SC/ST candidates to fill up the shortfall.

2.3 In their action taken reply, the Ministry had stated that due to efforts made by ONGC since 1973, the shortfall had been reduced from 6.5% and 7.5% for SC/ST respectively to 2.43% and 2.46% for the appointment to grade 'A' posts. They also stated that vigorous efforts were made to reduce

this shortfall by appointing suitable SC/ST candidates. The following actions were being undertaken to attract the candidates particularly belonging to SCs/STs :-

- (i) Special recruitment drive which was to be completed by 30th November, 1995 had been launched;
- (ii) Publicity through advertisements in the Newspapers for reaching SC/ST areas;
- (iii) Holding recruitment tests in SC/ST concentration areas; and
- (iv) Holding campus recruitment preferably in SC/ST areas.

2.4 In their status report, the Ministry have stated that in compliance to the observations of the Committee made in 1995, ONGC made all out efforts to fill up backlog vacancies. Thereafter two special recruitment drives for recruitment of SC and ST candidates were conducted. The details of the efforts made to wipe out backlog are given below :-

- (a) Under the special recruitment drive, 128 posts in Group 'A' belonging to SC/ST category were filled in during 1996;
- (b) Under the special recruitment drive during 1997 to fill up the backlog, 150 posts were advertised for candidates belonging to SC and ST and 150 candidates were recruited.
- (c) Details of recruitment made in Group 'A' as a result of observations made by the Committee are as under :-

Year	Total	SC	ST	SC%	ST%
1996	303	125	50	41.2	16.5
1997	128*	95	33	74.21	25.78
1998	150**	106	44	70.66	29.33
1999	232	35	20	15.0	8.6
2000	72	12	3	16.6	4.1
2001(till date)	215	32	19	14.8	8.83

* The special recruitment drive initiated during the year 1996 and completed during 1997.

** The special recruitment drive initiated during the year 1997 and completed during 1998.

Since 1996 in Group 'A' 1100 Executives have been recruited out of which 405 belong to SC and 169 belong to ST i.e. 36.8% SC and 15.3% ST were recruited in Group 'A'.

(d) The details of position of Executives in Group 'A' and percentage of SC/ST category from 1.4.1995 to 1.4.2001 are stated hereunder: -

Year	Total Emp. Class I	Number of			Percentage		
		SC	ST	Total	SC	ST	Total
1.4.1995	17957	1715	518	2233	9.6%	2.9%	12.4%
1.4.1996	17851	1794	488	2282	10.0%	2.7%	12.8%
1.4.1997	17457	1965	563	2528	11.3%	3.2%	14.5%
1.4.1998	17525	1960	540	2500	11.2%	3.1%	14.3%
1.4.1999	17808	2068	588	2656	11.6%	3.3%	14.9%
1.4.2000	17813	2276	679	2955	12.8%	3.8%	16.6%
1.4.2001	18672	2327	723	3050	12.47%	3.87%	16.34%

It may be seen from the above statement that during 1995, the percentage of SC in Group 'A' was 9.6% and in ST category 2.9%. The overall representation of SC and ST in Group 'A' was 12.4% during 1995. Because of efforts made by ONGC in recruitment of Group 'A', the percentage of SC and ST as on 1.4.2001 has gone to 12.4% and 3.8% respectively. The overall percentage has also gone up from 12.4% during 1995 to 16.3% as on 1.4.2001.

- (e) The overall position of SC/ST vis-a-vis total manpower strength from the year 1995 to 2001 has a steady increase as indicated below: -

Year	1.4.95	1.4.96	1.4.97	1.4.98	1.4.99	1.4.2000	1.4.2001
Total Emp.	45736	44538	43267	42158	41040	40021	40226
SC/ST	8131	8020	8197	7999	7819	8163	8331
% age of SC/ST	17.8	18.0	18.9	19.0	19.1	20.4	20.71

The percentage of SC/ST in ONGC as on 1.4.1995 which was 17.8% has gone to 20.71% as on 1.4.2001.

- (f) Group 'B' in ONGC is not an induction level and hence no recruitment was made in this level. All posts in Group 'B' are filled in through departmental promotions.

Comments of the Committee

2.5 The Committee appreciate the efforts made by ONGC to wipe out the shortfall by launching special recruitment drive in 1996 and 1997. However, a bird's eye view of the statement shows that overall position of executives as on 1.4.2001 in group 'A' for SC is still 12.47% and for ST which was 3.87% is far below the prescribed percentage. The Committee are of the view that statement shows that there is still scope for improvement in this direction. The Committee, therefore, urge upon the ONGC to make concerted and vigorous efforts and , if need be, to conduct fresh recruitment drive to achieve prescribed percentage of reservation i.e. 15% for SC and 7.5% for ST.

Recommendation (Sl.No. 3, Para No.2.8)

“Concessions/Relaxations”

2.6 The Committee had drawn the attention of ONGC regarding instructions issued by the Government of India that if the requisite number of SC/ST candidates fulfilling even the relaxed standard are not available to fill up the vacancies reserved for them, the authorities should select for appointment the best among the SCs and STs fulfilling the minimum educational qualification prescribed for the post and give them in-service training within their own office so that backlog is wiped out.

2.7 In their action taken reply, the Ministry had stated that the Government instructions on the subject highlighted by the Committee were already being complied within ONGC. They ensured that they would comply with these instructions in future too.

2.8 In their status report, the ONGC have stated that Government of India instructions relating to concessions for recruitment of candidates belonging to SC and ST category are complied with and all the posts reserved for SCs/STs were filled up for Group ‘A’ posts by applying the guidelines on reservation as per statement furnished below :-

Year	Post Reserved		Filled in		Total SC/ST
	SC	ST	SC	ST	
1995	03	0	03	0	03
1996	125	50	125	50	175
1997	95	36	95	33	128
1998	106	41	106	44	150
1999	35	20	35	20	55
2000	12	03	12	03	15
2001(till date)	30	18	32	19	51

2.9 They further added that even in the last Graduate Trainee Examination held in 2000, ONGC was able to meet the required quota of reservation for SC/ST posts, except 1 post in ST category in Geophysics discipline since none of the ST candidates qualified in the written examination. This post is being filled in the next recruitment of Graduate Trainees. However, in totality, 19 ST executives were recruited against 18 vacancies.

Comments of the Committee

2.10 The Committee appreciate the efforts made by ONGC to fill up posts reserved for SC/ST candidates. They hope that ONGC would continue its efforts for filling up reserved posts of SC/ST employees in future too.

Recommendation (Sl.No. 5, Para No.3.12)

“Promotion”

2.11 The Committee had observed that the management of ONGC had received complaints from the SC/ST Employees' Association about discrimination in promotion on merit criteria. They also noted that adverse remarks in Annual Confidential Reports (ACRs) were not being communicated to SC/ST employees of Class III and IV posts unless approved by the Regional Directors and in case of executive posts, by the concerned executives. The Committee had, therefore, recommended that keeping in view the fact that ACRs are taken into account for promotion, the adverse remarks should invariably be communicated to the SC/ST employees in ONGC, even without approval by the Regional Directors/concerned executives.

2.12 In their action taken reply, the Ministry had stated that recommendation was accepted and necessary orders were issued to concerned authorities in ONGC.

2.13 In their status report, the Ministry have stated that there has been no discrimination with regard to promotion on merit criteria with SCs/STs. ONGC is one organisation where a large number of officers belonging to SC/ST categories occupy the senior managerial positions which include two members on the Board of Company and three Executive Director. Prior to 1995, the instructions for communication of adverse remarks in the case of SC/ST employees provided that such remarks should be communicated to them only after specific approval of Chairman for executives and for Class III

& Class IV employees with approval of Regional Director. This was with a view that no injustice or discrimination is done at the junior levels. However, in view of the above recommendations of the Committee, these instructions were reviewed and modified, instructions on the line of recommendations were issued in December, 1995.

Comments of the Committee

2.14 The Committee are satisfied that in pursuance of their recommendation, the ONGC had reviewed and modified instructions on communicating adverse remarks in ACRs to SC/ST employees. The Committee would like to have a copy of the modified instructions issued by ONGC in this regard.

Recommendation (Sl.No. 6, Para No.4.8)

“Rosters”

2.15 The Committee had been informed that rosters for direct recruitment were being maintained in ONGC since 1973 but for promotion rosters were not being maintained as no reservation is provided in promotions in ONGC. The Committee had noted that Liaison Officer of the Ministry had not inspected the reservation rosters of ONGC. However, in a post-evidence information, the Committee had been informed that the Liaison Officer of the Ministry had inspected the rosters during 1994 in two regions. The Committee had, therefore, recommended that rosters should be properly maintained in ONGC both for recruitment and promotion and the same should be periodically inspected by the Liaison Officer of the Ministry.

2.16 In their action taken reply, the Ministry had submitted that for the cadres belonging to group ‘B’ and below, the rapid promotions under the seniority-cum-fitness scheme had led to a situation in which promotions through selection-cum-merit mode was not brought into use. Also, within group ‘A’ no reservation was provided in appointment made through promotion. They further added that the recommendation of the Committee with reference to the periodic inspection of the reservation rosters, had been noted and will be strictly complied with.

2.17 In their status report, the Ministry have stated that ONGC has been maintaining recruitment rosters as per the instructions issued by Government of India from time to time. The direct recruitment rosters had been recast as per post-based roster system with effect from 2.7.1997 on the basis of the

guidelines issued by Department of Personnel and Training (DOP&T) on post-based roster system vide their O.M. No. 36012/2/96-Estt.(Res), dated 2.7.1997 and these rosters have been inspected by the Chief Liaison Officer for SCs/STs, ONGC. Promotion rosters are also being prepared besides direct recruitment rosters in accordance with the guidelines on post-based rosters. It has also been added that promotions in ONGC in Class IV, Class III, Class II and Class I upto junior managerial levels are akin to time bound promotions and all eligible employees who have put in the specified years of service are considered for promotion to next higher grade. However, they maintain rosters for promotions also. ONGC offices at various places, alongwith other Public Sector Undertakings (PSUs) had been included in the inspection of Rosters programme prepared by the Ministry during the period 2001-2002.

Comments of the Committee

2.18 Having noted that the rosters were not being inspected regularly by the Liaison Officer of the Ministry, the Committee had recommended that he should inspect the rosters maintained in ONGC periodically in future. In their action taken reply, the Ministry had agreed to strictly comply with the recommendation. The Committee, however, note that the Ministry took six years to decide on drawing up programme for inspection i.e. in 2001-2002. They wonder as to whether the Ministry have actually inspected the rosters. The Committee would, therefore, urge the Ministry not only to draw up the annual roster inspection programme but the liaison officer should inspect the rosters periodically and discrepancy found may be brought to the notice of the organisation so that recurrence of such discrepancies should be avoided. The Committee would also like to know the details of rosters of promotions maintained by ONGC as earlier, the Committee were informed that ONGC had time bound promotions and all eligible employees who had put in specified years of service were considered for promotion to next higher grade.

Recommendation (Sl.No. 7, Para No.4.9)

“Training Abroad”

2.19 The Committee had observed that adequate representation was not being given to SC/ST employees while sending employees abroad for specialised training. They had, therefore, recommended that adequate numbers of SC/ST persons should be sent abroad for specialized training in future.

2.20 In their action taken reply, the Ministry had stated that recommendation of the Committee was accepted for implementation. ONGC had issued instructions from time to time to Head of Projects and Regions to give sufficient representation to the SC/ST employees while nominating for training.

2.21 In their status report, the Ministry have stated that special care is being taken for training and development of SC/ST employees. Instructions were issued from time to time to Head of Regions and Projects to give sufficient representation to SC/ST employees while nominating for trainings abroad. With these efforts definite improvement has been observed. The position for 1999 and 2000 was as follows:

YEAR	TOTAL NO. OF EMPLOYEES SENT ABROAD	GENERAL	SC/ST	% OF SC/ST
1999	349	277	72	20.60%
2000	158	124	34	21.50%

Comments of the Committee

2.22 The Committee appreciate the efforts made by ONGC in giving adequate representation to SC/ST employees for training abroad. They would like to have the similar details for the years 2001 to 2004 too. The Committee expect that ONGC would maintain the same spirit in future.

MINISTRY OF ENVIRONMENT AND FOREST

B. Forty – fourth Report (10th Lok Sabha) on Forest policy in relation to command over and access of tribal people to forest resources

2.23 The above mentioned report was presented to the Parliament on 25th April, 1995. It contained 37 recommendations. The Action Taken Report was presented on 6th March, 1996. Out of which 19 recommendations were accepted by the Ministry of Environment and Forest. The actual implementation of these recommendations is being dealt with in this Chapter.

Recommendation (Sl.No. 1, Para No.1.9)

“Monitoring of Implementation of Forest Policy Measures”

2.24 The Committee had noted that different programmes on Tribals are implemented/monitored by 23 different divisions under the Forest Policy Division in the Ministry of Environment and Forests. They had desired that an exclusive Cell consisting of adequate staff and headed by an officer not below the rank of Deputy Secretary be constituted in the Forest Policy Division of the Ministry to oversee the various programmes aimed at tribal welfare undertaken by various divisions of the Ministry.

2.25 In their action taken reply, the Ministry had stated that at that time Forest Policy Division was headed by a Deputy Inspector General of Forests at the level of Director. It was stated that the Division was being strengthened suitably as per recommendation of the Committee by appointing an Assistant Inspector General (Tribal Welfare) and other supporting staff.

2.26 In their status report, the Ministry have stated that as per recommendation of the Committee, they have created a Cell for tribal welfare under the charge of AIG, an officer equivalent to Deputy Secretary. AIG (Tribal Affairs) monitors various programmes aimed at tribal welfare in association with AIG(Forest Policy) under overall supervision of Deputy Inspector General (Forest Policy).

Comments of the Committee

2.27 The Committee note that the Ministry have implemented the recommendation but have not mentioned about the strength of supporting staff working in the Cell. They would like to know the details of staff working in the Cell together with the details of the achievements of the Cell indicating whether the Cell has been able to achieve the purpose for which it was created.

Recommendation (Sl.No. 5, Para No.2.8)

“Symbiotic relationship between the tribals and the Forest”

2.28 The Committee had recommended that whenever the Government contemplate formulation of new policies, the need, interest and rights of tribal people over forest should be considered minutely. They had also desired that with the formulation of new policies there should be a corresponding change in the laws in order to protect the right to life and right to resources of tribal people over forest.

2.29 In their action taken reply, the Ministry had stated that National Forest Policy, 1988 was in operation. In case a new policy was formulated or that policy is revised, interest and rights of tribals would be protected in true letter and spirit.

2.30 In their status report, the Ministry have stated that the National Forest Policy, 1952 which was revised in 1988 is in operation now. The right to resources of tribal people over forest will be given due consideration whenever Government formulates new policies and laws.

Comments of the Committee

2.31 The Committee would like to know as to how far rights of tribals are being protected under National Forest Policy, 1988. The guidelines made under the policy should be reviewed to see that welfare of the Tribals in regard to their benefits from the Forests are taken care of. The Committee may be informed of the action taken in the matter.

Recommendation (Sl.No. 7, Para No.2.10)

“Symbiotic relationship between the tribals and the Forest”

2.32 The Committee were unhappy to note that there were still primitive Tribes whose existence in the deep forests has not been taken into account by the States while reserving the forest. As a result they have been termed as encroachers and intruders. The Committee had, therefore, recommended that complete data about these primitive tribals/forest dwellers may be prepared in right earnest and their rights over the forest resources be restored.

2.33 In their action taken reply, the Ministry had stated that in the process of reserving the forest, the Settlement Officer gives opportunities to all the local people and hears their claim of rights. Without hearing the local people, the process of securing the forest cannot be completed. The rights of primitive tribes had never been disturbed. The rights over the forest resources to all the legitimate tribals and forest dwellers were determined before constituting reserved forests. The data regarding the number of tribal families and forest dwellers in reserved forest were being collected from the State Governments.

2.34 In their status report, the Ministry have repeated that in the process of reserving the forest, the settlement officer gives opportunities to all the local people and hears their claim of right. The rights of primitive tribes have never been disturbed. The rights over the forest resources to all the legitimate tribals and forest dwellers are determined before constituting reserve forests. They have also added that the details of primitive tribes

have been obtained from the Ministry of Tribals affairs. Recently, the Ministry of Tribal Affairs have constituted a group to examine the services to be provided by Central Ministries, State Governments and voluntary organisations for the benefit of primitive tribal groups.

Comments of the Committee

2.35 The Committee would like to be supplied with the complete data in regard to number of tribal families and forest dwellers in reserved forests vis-à-vis date before constituting reserved forests as collected from the State Governments. They would also like to know whether the group constituted by the Ministry of Tribal Affairs has examined the services to be provided to the primitive tribes and the action taken thereon.

Recommendation (Sl.No. 8, Para No.2.11)

“Symbiotic relationship between the tribals and the Forest”

2.36 In order to give participatory involvement to the Tribal communities in the management of forests, the Committee had recommended that steps should be taken to educate the Tribals living in the forests about their intricate relationship with forests and protection of these forests in their own interest. They had also desired that the tribals should be associated in the planning and administration of forest areas.

2.37 In their action taken reply, the Ministry had stated that they issued guidelines on 1st June, 1990 to all the States/UTs regarding participatory involvement of village communities and voluntary agencies for re-generation of degraded forest lands. Under the programme of Joint Forest Management, village forest committees are formed in which tribals and other rural people are educated regarding the regeneration, management and protection of forests. The tribals and rural people depending upon the forests are associated in the planning and management of forests. These beneficiaries are given usufructs like grasses, lops and tops of branches and minor forests produce.

2.38 In their status report, the Ministry have stated that they are promoting Participatory Forest Management and encouraging benefit sharing of usufructs in lieu of protecting the forests. The Ministry had earlier issued guidelines on 1-6-1990 to all the States/UTs regarding participatory involvement of village communities and voluntary agencies for regeneration of degraded forest. They have recently issued revised guidelines for

implementation of Joint Forest Management (JFM) programme. Under the programme of JFM, village forest committees are formed in which tribals and other rural people are educated about their intricate relationship with forests and the need to protect forests in their own interest. Presently, the number of SC and ST families involved in JFM are 7,13,817 and 13,75,019 respectively out of 29,45,773 families. Microplans are being prepared by JFM Committees through participatory methods and the local communities are being involved in planning and management of forest areas. The beneficiaries are given usufructs like grasses, lops and tops of branches and minor forest produce.

2.39 It has further been added that the Ministry of Environment and Forests are implementing the Centrally Sponsored Scheme (CSS) "Association of Scheduled Tribes and Rural Poor in Regeneration of Degraded Forests on Usufruct Sharing Basis" in which local tribal people are actively associated in protection and rehabilitation of degraded forests and allowed to share the usufructs.

Comments of the Committee

2.40 The Committee are happy to note that SC and ST families are associated in the Joint Forest Management (JFM) Programme. They hope that encouraging results might have been achieved by this time. The Committee would like to have a note on the working of JFM Committees State-wise as well as progress made in the upliftment of the SC/ST people residing in the forest areas.

Recommendation (Sl.No. 11, Para No.2.20)

“Right of Tribal people to forest resources”

2.41 The Committee had desired that the Government should take suitable steps to start fresh plantation of trees where those had been destroyed enmass with a view to compensating the past loss. They had also recommended that tribals should be conferred with the right of upkeeping and protecting the plantation so as to prevent future destruction.

2.42 In their action taken reply, the Ministry had stated that they had already launched a Centrally Sponsored Scheme ‘Raising of Minor Forest Produce including Medicinal Plants’ through National Afforestation and Eco-development Board. The objective of the scheme was to survey, conserve as well as increase production on non-timber forest produce including medicinal plants which are fast depleting due to over exploitation. Species like Tendu and Aonla are covered in this scheme. It also aimed at providing income to the tribals and rural poor living in and around forest areas by involving them in management and protection of plantation areas.

2.43 In their status report, the Ministry have stated that species useful/vital to tribals such as Tendu, Aonla etc. are planted under Centrally Sponsored Schemes “Non-Timber Forest Produce Including Medicinal Plants” and “Association of STs and Rural Poor in Regeneration of Degraded Forests.” These schemes are implemented mainly in degraded forests and provide 100% financial assistance to the State Governments for conservation and development of Non-Timber Forest Produce including medicinal plants which are getting depleted due to over exploitation. Through social forestry

programmes, people including tribals are explained about the importance of conservation of forests to ensure sustained availability of forest products. Choice of species in various plantation programmes is decided in consultation with the local people including tribals. People are involved in upkeep and protection of plantations through JFM.

Comments of the Committee

2.44 The Committee would like to know the monitoring system as devised by the Government to see that 100% financial assistance provided to the State Governments for conservation and development of non-timber forest produce are utilised in a proper manner and fully for the purpose and the benefits are reaching to the needy one. They should also be furnished with the details of financial assistance provided and area covered in each State where these schemes are being implemented during each of the last three years. The Committee would also like to know the usefulness of the Scheme.

Recommendation (Sl.No. 15, Para No.2.36)

“Rights and concessions in regard to grazing”

2.45 The Committee had recommended that with a view to checking fraudulent extraction of money from innocent tribals, the Central Government should persuade the States to abolish the grazing fee or license fee for a fixed number of cattle in the forest areas other than the regeneration or plantation areas. In the opinion of the Committee, most of the tribal people in and around the forest area can neither afford to keep cattle in large number nor are they in a position to pay such fee.

2.46 In their action taken reply, the Ministry had stated that there is no fee on grazing of animals for bonafide use. Only a nominal amount as grazing fee is charged to limit the number of cattle in the forests which would otherwise adversely affect the regeneration and other ground flora which may also be of considerable significance to the tribal population. Instructions have already been issued to the State Governments that procedure for charging grazing fees may be simplified to avoid any harassment to the public and more particularly the tribals.

2.47 In their status report, the Ministry have furnished the same reply as given by them in their action taken reply.

Comments of the Committee

2.48 The Committee are happy that instructions had been issued to the State Governments regarding simplification of procedure for charging grazing fee. They would like to know whether any review of the changed procedure has been made by the Government to find out its impact on the tribal people. The Committee would also like to know whether any procedure has been laid down to deal with the complaints in this regard and the number of complaints attended to during the last three years, State-wise.

Recommendation (Sl.No. 16, Para No.2.37)

“Rights and concessions in National Park and Sanctuaries”

2.49 The Committee were distressed to note that although section 20 of the Indian Forest Act provides that all the tribal issues should be analysed before issuing any notification to declare an area as a National Park or Sanctuary, in actual practice these aspects were not being taken into consideration. The Committee had, therefore, urged the Union Government to see that a team of senior officials of the Ministry should visit the areas to be declared as Sanctuary or National Park from time to time with a view to ensuring that all the tribal interests are fully taken care of.

2.50 In their action taken reply, the Ministry had stated that the procedure for enquiring into and settling of claims is prescribed under the Wildlife (Protection) Act, 1972 and this procedure as contained in sections 19 to 26 has to be completed before an area is finally declared as a Sanctuary or a National Park. The Regional Deputy Directors of Wildlife Preservation of the Ministry located at Delhi, Mumbai, Madras and Kolkata visit the areas to be declared as a Sanctuary or a National Park when informed by the State Government concerned, with a view to ensure that tribal interests are taken care of.

2.51 In their status report, the Ministry have stated that on the recommendation of a Group of Ministers for addressing the hardships of tribals, the Wildlife (Protection) Act was amended in 1991 to provide two stage procedure for declaration of any area as Sanctuary. Similar procedure is in place for National Parks. Since the rights are settled by the Collectors

following the quasi-judicial process, it is expected that they would ensure every person, having right over the land to be constituted as a National Park or Sanctuary, is heard and his claims duly settled. However, an effort is made to pursue the State Governments to settle the rights expeditiously. Hon'ble Supreme Court has also issued directions for completion of determination of rights within a fixed time-frame. Central Government is providing financial assistance to State Governments in meeting the costs of settlement of rights of the local people. The process is being monitored on a continued basis by Hon'ble Supreme Court.

Comments of the Committee

2.52 The Committee would like to know the number of areas declared as National Park and Sanctuaries during each of the last five years and the number of cases which are pending settlement so far, year-wise and State-wise.

Recommendation (Sl.Nos. 21 and 22, Para Nos.3.19 and 3.20)

“Involvement of Tribal people in afforestation and Protection Programme on usufruct sharing basis”

2.53 The Committee had appreciated that a 100% centrally sponsored scheme entitled “Association of Scheduled Tribes and Rural Poor in Regeneration of degraded forest on usufruct sharing basis” to improve the living standards of the tribal people was being implemented since 1992-93. They noted that although originally Rs.320 crores covering 4 lakh hectares of area and benefiting 2 lakh tribal families had been envisaged for the aforesaid scheme during the 8 years from 1992-93 to 1999-2000, only Rs.8.60 crores for regeneration of 12,000 hectares of area benefiting 5,000 families only was proposed for the same period due to non-availability of sufficient financial resources. Taking into consideration the popularity of the scheme, the Committee had desired that the Central Government should enhance the funds during the Eighth Plan period so that the aforesaid scheme could be implemented for the economic betterment of more tribal people.

2.54 The Committee had also noted that 14 States had issued orders in pursuance of the circular of June, 1990 for peoples participation in regeneration of degraded forest land and that 8 States had already implemented the scheme. They had desired that the Union Government should encourage other States to send proposals and implement the scheme as early as possible for the benefit of tribal people. The Committee had also desired that the States should educate the tribals, by organizing camps etc.,

regarding the importance of regeneration and protection of forest for their own good.

2.55 In their action taken reply the Ministry had stated that hundred per cent centrally sponsored scheme “Association of ST and Rural Poor in regeneration of Degraded Forests on Usufruct Sharing Basis” was being implemented in Eighth Plan as a pilot scheme and that Planning Commission had approved Rs. 745.5 lakh for the Plan. Eight States were implementing the scheme but some of the States were finding it difficult to implement the scheme as amount fixed for the scheme (Rs. 8,000 per hectare in four years) was rather inadequate on account of their high wage rate (upto Rs. 40 or even more). This was the main reason for slow progress and lack of wider acceptance of the scheme. Enhanced budget provision would be proposed in Ninth Plan as per observation of the Committee. Moreover, the proposals of the scheme would also be suitably modified to make it more acceptable to State Governments in the Ninth Plan period.

2.56 In their status report, the Ministry have stated that the Centrally Sponsored Scheme “Association of Scheduled Tribes and Rural Poor in Regeneration of Degraded Forests on Usufruct Sharing Basis” was implemented in nine States during Eighth Plan with an outlay of Rs. 735 lakhs. During the Plan period, 8330 hectare of degraded forests were rehabilitated and another 2240 hectare area was covered during 1997-98 as spill over works. The physical target during Ninth Plan has been enhanced to 15,677 hectare against 10,550 hectare during Eighth Plan. Correspondingly, the financial allocation has also been enhanced to Rs. 15 crores during Ninth Plan. The guidelines of the CSS “Association of

Scheduled Tribes and Rural Poor in Regeneration of Degraded Forests on Usufruct Sharing Basis” were revised in 1998 to incorporate new components of soil and moisture conservation, training of tribals, entry point activities and new cost norms. The scheme is now being implemented in 17 States. In pursuance of the circular of June, 1990, 27 States had issued orders for implementing JFM and 62800 committees had been constituted, 14.24 million hectare have been brought under JFM so far.

Comments of the Committee

2.57 The Committee note that the Ministry had enhanced the fund for Centrally Sponsored Scheme “Association of Scheduled Tribes and Rural Poor in Regeneration of Degraded Forests on Usufruct Sharing Basis” during Ninth Plan period. They would like to know the amount allocated during the Tenth Plan period. The Committee desire that a detailed note should be furnished to the Committee stating the plan wise amount spent by each of the States, areas covered and the number of people covered so far. It may also be indicated as to how far the scheme has been able to achieve its objectives since inception.

Recommendation (Sl.No. 23, Para No.3.21)

“Involvement of Tribal people in afforestation and Protection Programme on usufruct sharing basis”

2.58 Having noted that the guidelines issued are not followed by some States, the Committee had recommended that the Ministry of Environment and Forests in consultation with the Ministry of Welfare, should make uniform guidelines regarding induction of tribals in the forestry services so that the States/UTs recruit tribals as forest guards to take advantage of their knowledge about the intricacies of forests and also to improve their general standard of living.

2.59 In their action taken reply, the Ministry had stated that recruitment of Forest Guards is solely the function of the State Governments and their selection is strictly made in accordance with the roster laid down as per the State policy. However, the Ministry had drawn the attention of the State Governments to the strong recommendation of the Committee in exercising the positive discrimination in favour of tribal candidates from the forests bearing tracts.

2.60 In their status report, the Ministry have stated that the recruitment at the level of the Forest Guards is solely the function of the State Governments and their selection is made in accordance with rules and regulations in the matter. However, the Ministry has requested the State Governments to exercise positive discrimination in favour of tribal candidates in recruitment as forest guards. The States have been further advised to even lower the educational qualifications and physical standards, if required, to provide the tribals an advantage over other candidates.

Comments of the Committee

2.61 The Committee desire that the Government should take up the matter with those State Governments which are yet to amend their recruitment rules. The Committee should also be informed of the number of tribals appointed to the Forests Services, State-wise and how far this has benefitted the cause of forests.

Recommendation (Sl.No. 27, Para No. 3.41)

“Integrated Area Development Programme”

2.62 The Committee had noted that the Ministry were encouraging new types of stoves by which 35 per cent fuelwood could be saved while cooking. They had also noted that the Ministry were providing assistance to the Gobar Gas Plants. The Committee felt that it was a step in right direction and would like the Ministry to continue these measures in future also with a view to reducing the pressure on the existing forest areas.

2.63 In their action taken reply, the Ministry had stated that there was a provision for distribution of fuelwood saving devices under Centrally Sponsored Scheme “Integrated Afforestation and Eco-development Projects” with a view to reducing the pressure on the existing forest areas.

2.64 In their status report, the Ministry had stated that under the Centrally Sponsored Schemes of “Integrated Afforestation & Eco-Development Project Scheme (IAEPS)”, CSS “Association of STs and Rural Poor in Regeneration of Degraded Forests” and CSS “Eco-development Around National Parks and Sanctuaries”, funds are earmarked for entry point activities. Upto 15 per cent of allocations are earmarked in each project for extension/awareness/training and also to undertake activities which benefit local communities including tribals. Under entry point activities, distribution of fuel saving devices namely smokeless chullahs and solar cookers are also provided to the families residing in the vicinity of the forest areas. These measures are aimed at reduction of pressure on the existing forests.

Comments of the Committee

2.65 The Committee are happy to note that adequate measures are being taken by the Government to reduce the pressure on the existing forests. They would like to know the number of tribal families living in forest areas who have been provided with 'smokeless chullahas' and 'solar cookers' together with the fund earmarked and spent by each State/UT during the Ninth Plan and Tenth Plan so far. The Committee would also like to know the details of the work done under awareness and training programmes during Ninth and Tenth Plans by each of the State implementing this programme.

Recommendation (Sl.No. 28, Para No.3.42)

“Integrated Area Development Programme”

2.66 The Committee had noted that the Policy Advisory Group constituted by the Ministry had given some good recommendations for conserving fuelwood in the country and that some States / UTs were taking necessary follow-up action for implementation of those recommendations. They had, therefore, recommended that besides encouraging other States to follow suit, the Ministry should also periodically monitor the implementation of the recommendations of the Policy Advisory Group in the States/UTs.

2.67 In their action taken reply, the Ministry had stated that the Secretary, Environment and Forest had already written a D.O. letter to all the States conveying the recommendations of Policy Advisory Group regarding wood substitution for conserving the fuelwood and that regular mechanism had been established to monitor progress in this regard.

2.68 In their status report, the Ministry have stated that they are monitoring the implementation of the recommendations of the Policy Advisory Group. So far, Punjab, Andhra Pradesh, Himachal Pradesh, Mizoram, Goa, Tamil Nadu, Chandigarh, Andaman & Nicobar Islands, Daman & Diu, Dadra & Nagar Haveli and Pondicherry are implementing the recommendations of the said Committee. In addition, all the Central Ministries / Departments have been requested for use of wood substitutes to conserve wood.

Comments of the Committee

2.69 The Committee are distressed to note that recommendation of the Policy Advisory Group regarding conserving fuelwood have not been implemented by all the States/UTs. They would like to know the reasons as to why the other States/UTs are not implementing the recommendations. The Committee would like the Union Government to impress upon remaining States/UTs again to implement these recommendations at the earliest and report received in this regard may be furnished to the Committee.

Recommendation (Sl.No. 29, Para No. 3.51)

“Shifting cultivation ”

2.70 Having noted that the practice of shifting cultivation is a part of the ethos of tribal community, the Committee had appreciated the efforts made by several States in devising alternative avenues of income to discourage shifting cultivation among the tribals. They had desired that the Ministry should encourage the State Governments for devising more and more alternative income generating avenues to curtail the rate of shifting cultivation amongst the tribals.

2.71 In their action taken reply, the Ministry had stated that many States had devised programmes for alternate employment for tribals which is stated to have reduced this practice considerably. Efforts were being made to contain such cultivation with the area already affected. The Central Government was also encouraging States by giving 100% Centrally Sponsored Scheme ‘Association of ST and Rural Poor in the regeneration of Degraded Forests on Usufruct Sharing Basis’. In Eighth Plan, the scheme was on pilot basis and eight States were implementing this scheme in tribal areas. This scheme was not only providing the opportunity of employment to the tribals but also providing them sharing of usufructs from plantation areas. It was proposed to take this scheme on a bigger scale in Ninth Plan in all the States with significant tribal population. In addition, Central Government was also implementing a Centrally Sponsored Scheme for raising Minor Forest Produce including Medicinal Plants mostly in tribal States.

2.72 In their status report, the Ministry have stated that many States have devised programmes for alternate employment for tribals to reduce their dependence on shifting cultivation. The Ministry of Environment and Forests is also encouraging States to implement 100% Centrally Sponsored Scheme, “Association of Scheduled Tribe and Rural Poor in Regeneration of Degraded Forests on Usufruct Sharing basis” and “Non-Timber Forest Produce including Medicinal Plants” which are being implemented in the States with significant tribal population. The issue of shifting cultivation has also been considered by the Working Group constituted by the Steering Committee on Environment, Forests and Wildlife Tenth Five Year Plan? to examine various programmes implemented by different Ministries for development of tribals and to suggest measures to achieve synergy.

Comments of the Committee

2.73 The Committee would like to know the present position as to whether the Centrally Sponsored Schemes have been able to wean away the tribal people completely from shifting cultivation. The Committee should be provided with the details of States where the shifting cultivation has been stopped completely due to the Centrally Sponsored Schemes. They would also be apprised of the suggestion made by Working Group constituted by the Steering Committee on Environment Forests and Wildlife Tenth Five Year Plan and the action taken by the Government in this regard.

Recommendation (Sl.No. 30, Para No. 3.52)

“Shifting cultivation ”

2.74 The Committee noted that land allotted to tribals was not suitable as it did not yield much and because of which the tribals prefer to go back to shifting cultivation. They had, therefore, recommended that utmost care should be taken to ensure that the land allotted to tribals, for discouraging them from shifting cultivation, is fertile.

2.75 In their action taken reply, the Ministry had submitted that the States were requested referring to the recommendation of the Committee that land allotted to tribals should be fertile so that they get sufficient agricultural produce and do not revert to shifting cultivation.

2.76 In their status report, the Ministry have furnished the same reply as given by them in their action taken reply.

Comments of the Committee

2.77 The Committee desire that the Ministry should carry out an analysis of the land allotted to the tribals during the last 10 years and check the cases where they have been given fertile lands and how far this has been able to check the shifting cultivation. The details should be furnished to the Committee within a period of six months of the presentation of this report.

Recommendation (Sl.No. 32, Para No. 3.54)

“Shifting cultivation ”

2.78 The Committee had noted that jhoom cultivation is injurious to environment but harmonious to tribal livelihood. They had, therefore, desired that the Ministry of Environment and Forests should study carefully the pros and cons of jhoom cultivation before deciding to do away with the same completely.

2.79 In their action taken reply, the Ministry had stated that the shifting cultivation is an essential part of the socio-economic ethos of the tribal community particularly in the North Eastern States. The proposed Centrally Sponsored Scheme and introduction of “tree” culture would attempt to gradually wean away tribals from the practice of shifting cultivation slowly by improving their access to other resources to maintain their economy. Ministry of Agriculture has also a scheme called “Watershed Development Projects for Rehabilitation of Shifting Cultivation areas of North Eastern India”.

2.80 In their status report, the Ministry have stated that taking cognizance of the aggravation caused in term of soil erosion and depletion of natural resources due to jhoom cultivation in the North Eastern Region of the country, the Ministry has constituted a Task Force in June, 2001 to examine the whole gamut of jhoom practices and suggest a suitable strategy for sustainable management of the affected areas. Besides evolving a sustainable model and integrated approach for management of jhoom cultivation, the Task Force is also to prepare a suitable scheme with financial provision for implementation during the Tenth Five Year Plan.

Comments of the Committee

2.81 The Committee would like to know as to what progress had been made to wean away the tribals from the practice of Jhoom Cultivation during the last 5 years. The Committee would also like to know the recommendations made by the Task Force constituted in June, 2001 and action taken by the Government on those recommendations so far.

Recommendation (Sl.No. 33, Para No. 3.59)

“Beneficiaries Oriented Schemes for Tribal Development”

2.82 The Committee had noted that the approved permissible expenditure per family under the ‘Beneficiary Oriented Schemes for Tribal Development(BOTDS)’ was inadequate. They had also noted that the recommendation of the Task Force that approximately Rs. 1.00 lakh per family instead of the existing Rs. 45,000/- to Rs. 50,000/- per family for the scheme was under consideration. The Committee had desired to know the position with regard to the recommendation of the Task Force.

2.83 In their action taken reply, the Ministry had stated that the per family expenditure under the Beneficiary Oriented Scheme for Tribal Development had already been enhanced to Rs.1 lakh.

2.84 In their status report it has been submitted that financial assistance is provided to the tribal families living in National Parks and Sanctuaries for their relocation outside under the CSS “Beneficiary Oriented Scheme for Tribal Development”. The expenditure under the BOTDS has already been enhanced to Rs. 1 lakh per family.

Comments of the Committee

2.85 The Committee would like to know the number of families which have been given assistance under the “Beneficiary Oriented Scheme for Tribal Development” and shifted from the National Parks and sanctuaries during the last 10 years, State-wise.

Recommendation (Sl.No. 34, Para No. 3.60)

“Monitoring of Beneficiary Oriented Tribal Development Schemes ”

2.86 The Committee had recommended that the Union Government should monitor “Beneficiary Oriented Scheme for Tribal Development” (BOTDS) by conducting regular and periodic field visits to each of the sites.

2.87 In their action taken reply, the Ministry had stated that the monitoring of the Beneficiary Oriented Tribal Development Scheme would be undertaken by conducting regular field visits to each of the sites through Regional Deputy Directors of Wildlife Preservation of the Ministry.

2.88 In their status report, the Ministry have stated that the “Beneficiary Oriented Tribal Development Scheme” is being monitored by Director (Project Tiger) and Addl. Director General of Forests (Wildlife) from time to time. Regular field visits are undertaken by Regional Deputy Directors of Wildlife Preservation of the Ministry of Environment and Forests.

Comments of the Committee

2.89 The Committee would like to know whether any shortcomings/lapses were noticed in implementation of any Central Schemes during field visits undertaken during the last five years State-wise and what corrective/remedial measures have been taken to prevent recurrence of such shortcomings.

Recommendation (Sl.No. 36, Para No. 3.69)

“Compensation to Tribals for Loss of Life and Property”

2.90 The Committee had desired that the amount of compensation be reviewed by the Central Government at least once in five years commensurating with the cost of living.

2.91 In their action taken reply, the Ministry had stated that the recommendation of the Committee had been noted for compliance.

2.92 In their status report, the Ministry have stated that the amount of ex-gratia payment for the loss of life and property due to depredation by wild animals was reviewed by the Ministry during December, 1999. The amount of ex-gratia payment has been increased from Rs. 20,000/- to Rs. 1,00,000/- in case of death and permanent incapacitation of any person by wild animals. The compensation for grievous injury has been fixed as one third of the above amount.

Comments of the Committee

2.93 The Committee are happy to note that amount of ex-gratia payment for the loss of life and property due to depredation by wild animals was increased in December, 1999 from Rs. 20,000/- to Rs. 1,00,000/-. The Committee, however, reiterate that this amount should be reviewed after every 5 years commensurating with the cost of living.

Recommendation (Sl.No. 37, Para No. 3.70)

“Compensation to Tribals for Loss of Life and Property”

2.94 The Committee had also recommended that adequate provisions be made in the Budget grants of the Union as well as the State Governments to meet emergency payment of compensation for loss of life and property.

2.95 In their action taken reply, the Ministry had stated that the payment of compensation for loss of life and property due to wild animals was being done under two centrally sponsored schemes namely ‘Project Tiger’ and ‘Project Elephant’ and adequate budgetary provision was being made for the purpose under this scheme.

2.96 In their status report, the Ministry have stated that adequate provisions for ex-gratia payment for loss of life and property caused by wild animals have been kept under the schemes ‘Project Tiger’ ‘Project Elephant’ and ‘Development of National Parks and Sanctuaries’. The amounts are released on the basis of requests received from the State Governments.

Comments of the Committee

2.97 The Committee are happy to note that adequate provisions for ex-gratia payment for loss of life and property caused by wild animals have been made. The Committee, however, desire that the amount of compensation may be revised from time to time considering high cost of living. The Committee would like to know the amount released to various States during each of the last three years and the number of cases covered thereunder.

MINISTRY OF RURAL DEVELOPMENT

C. Forty-fifth Report (10th Lok Sabha) on Working of Integrated Rural Development Programme

2.98 The above mentioned report was presented to the Parliament on 25th April, 1995. It contained 26 recommendations. The Action Taken Report was presented on 6th March, 1996. Out of which 15 recommendations were accepted by the Ministry of Rural Development. The actual implementation of these recommendations is being dealt with in this Chapter.

Recommendation (Sl.Nos. 7 and 8, Para Nos.1.31 and 1.32)

“Organisational set-up at District level”

2.99 The Committee had noted that the District Rural Development Agencies (DRDAs) are the overall incharge of planning, implementation, monitoring and evaluation of the Integrated Rural Development Programme(IRDP) in the District. They had also noted that the DRDAs had been provided with a basic staffing pattern to discharge their day-to-day work. The Committee had desired that a SC/ST Cell with adequate staff should be set-up and attached to each DRDA to deal with matters pertaining to SC/ST beneficiaries exclusively for providing guidance to SC/ST in this area.

2.100 The Committee had also noted that the Governing Body of the DRDA included members of the weaker sections to assist the DRDA in discharging its duties. The Committee had, therefore, recommended that the Executive Committee whenever constituted should include members belonging to

weaker sections so that they could participate in the planning and implementation of the programme at grass-root level.

2.101 In their action taken reply, the Ministry had stated that in the framework of composition of DRDAs, the governing bodies had been constituted drawing members also from the bodies specially meant for upliftment of SCs/STs as Project Officer, ITDP, Regional/District Officers, Scheduled Castes Finance Corporation and a representative from SC/ST community. The Governing Body in this manner is capable of preventing such exploitation. Apart from this, the Ministry were of the view that a proper awareness generation was essential for which awareness generation and publicity mechanism had been strengthened. The State Governments had been advised to give greater importance to generate awareness and wider publicity to the programme and its provisions.

2.102 In their status report, the Ministry have stated that from 1st April, 1999, an Integrated Self Employment Programme namely the Swarnajayanti Gram Swarozgar Yojana (SGSY), following the merger of the erstwhile IRDP and its allied schemes, is being implemented for BPL families in the rural areas. In the Governing body of the DRDA besides the District Officer Incharge of SC/ST welfare, a representative from SC/ST community has also been included. In the Executive Committee of DRDA, District Officer Incharge of SC/ST welfare is a member. Further, a representative each from SC and ST is a Member of the District Level Vigilance and Monitoring Committee of DRDA. Apart from this, the Ministry is of the view that a proper awareness generation is essential and, keeping this in view, awareness generation and publicity mechanism has been strengthened. The State

Governments had been advised to give greater importance to create awareness and for wider publicity to the programme and its provisions. Under the Scheme, a minimum of 50% of the Swarozgaris assisted should be from the category of SCs/STs. Panchayati Raj Institutions are involved in selection of Swarozgaris and implementation of the programme.

Comments of the Committee

2.103 The Committee note that representatives of SCs/STs have been included in the governing bodies of DRDA. The Committee appreciate to note that awareness generation and publicity mechanism has been strengthened and that the State Governments have been advised to create awareness and wider publicity of the programme and its provisions. They would like to be apprised of the selection procedure of Swarozgaris and the details of SC/ST people who have been benefitted by implementation of various programmes under Panchayati Raj Institutions during the last three years.

Recommendation (Sl.No.9, Para No.1.33)

“Organisational set-up at District level”

2.104 The Committee were dissatisfied to note that the Project Officer/Director of the DRDA had no disciplinary authority over the Block staff. Having noted that the District Collector had many pre-occupation and that the PO/PD having been drawn on deputation they had desired that the Ministry should instruct the State Governments to empower PO/PD of DRDA with adequate disciplinary authority over the Block staff.

2.105 In their action taken reply, the Ministry had stated that with the provisions and implementation of Seventy-third Constitution Amendment, the rural development activities would come under direct control of the strong elected body of Panchayati Raj Institutions and it is expected that the State Governments while implementing the Panchayat Raj would frame provisions so that all rural development functionaries of the grass-root level would be answerable to that body. It had also been stated that the Ministry was vigorously ensuring the election and constitution of these bodies. The State Governments had been directed on these lines. Further, State Government had been advised to consider vesting Project Directors of DRDAs with adequate control and disciplinary powers over the block staff.

2.106 In their status report, the Ministry have stated that after Seventy-third Constitution Amendment, the Ministry is stressing for elected and empowered Panchayats. With empowered Panchayats in place, the Rural Development functionaries will directly come under their control.

Comments of the Committee

2.107 The Committee note that after Seventy-third Constitution Amendment, the Ministry have been stressing for elected and empowered panchayats. They would like to know whether the panchayat elections have been held in all States and Union Territories after Seventy-third Constitution Amendment. The Committee would also like to be apprised whether all the State/UT Governments have taken into consideration the direction given by the Government while framing rules. The Committee firmly believe that Panchayats should be empowered with adequate disciplinary powers to monitor activities of the rural development functionaries. They also opine that the Union Government should prepare and circulate a model comprehensive monitoring mechanism to all States/Union Territories in this regard for their consideration.

Recommendation (Sl.No.11, Para No.2.11)

“Monitoring of Working of IRDP”

2.108 The Committee had desired that the Ministry should ensure that all the States/Union Territories send performance report of the District Rural Development Agencies (DRDAs) in the Monthly, Quarterly and Yearly proformas to the Central Government and any deviation made by them in this regard should be set right.

2.109 In their action taken reply, the Ministry had stated that performance reports are regularly received from all States/Union Territories. In case of delayed dispatch of these reports from any State/UTs, there was prompt follow up action from the Ministry to ensure timely receipt of these performance reports.

2.110 In their status report, the Government have stated that performance reports (Monthly, Quarterly and Yearly) in prescribed proforma had been received from all the States/UTs under the erstwhile IRDP. They have further added that so far as the Swarnjayanti Gram Swarajgar Yojana (SGSY) is concerned, these reports are being received from all the States/UTs regularly and in case of delay in dispatch of the Reports from the States/UTs, there is follow up action from the Ministry to ensure timely receipt of the same.

Comments of the Committee

2.111 The Committee note that reports on Swarnjayanti Gram Swarojgar Yojana(SGSY) are being received from all States/UTs regularly. They would like the Ministry to ensure that 50% of the Swarojgaris assisted under the scheme should be from SC/ST categories. They also desire that for proper implementation of the scheme physical verification should be carried out from time to time.

Recommendation (Sl.No.12, Para No.2.12)

“Monitoring of working of IRDP”

2.112 The Committee had noted that a definite number of inspections to be carried out at different levels by State officials had been prescribed by the introduction of a qualitative monitoring system since March, 1998. They had, therefore, desired that the Ministry should motivate the State Governments for carrying out inspections meticulously in commensurate with the prescribed norms. The Committee had also recommended that the State Governments be persuaded to take action against the officials who fail to comply with the orders/guidelines in this regard.

2.113 In their action taken reply, the Ministry had stated that the States/UTs had been advised to issue instructions to their officials to undertake the required number of inspection as per IRDA guidelines and action against the erring officer should be taken.

2.114 In their status report, the Ministry have stated that the State/UT Governments were asked to issue instructions to their officials to undertake the required number of inspections and to take action against erring officials. They have also stated that at the central level the Ministry of Rural Development reinforces monitoring of various rural development programmes including the SGSY through the Area Officers Scheme according to which the officers of the Ministry conduct spot inspection of the programmes and report instances of leakages and malpractices, if any, at the grass-root level and State Governments are informed, accordingly, for taking corrective measures.

Comments of the Committee

2.115 The Committee note that the Ministry reinforces monitoring of various rural development programmes including SGSY through Area Officer Scheme according to which the officers of the Ministry conduct spot inspection of the programmes and report instances of leakages and malpractices. The Committee would like to know how often these inspections are undertaken and whether the targets fixed for SC/ST in various rural development programmes including SGSY for which 50% of Swarojgaris should be from SC/ST categories have been achieved, if not, reasons thereof and steps taken to achieve the same.

Recommendation (Sl.No.13, Para No.2.13)

“Monitoring of working of IRDP”

2.116 The Committee had recommended that the State officials who conduct monthly inspections of the working of IRDP at the grossroot level should be given independent power and authority to carry out such inspections and to arrest any incidence of non-implementation of the programme, misappropriation of fund etc.

2.117 In their action taken reply, the Ministry had stated that the inspecting official had been given authority to inspect the programme implementation from all angles and submit a detailed report. Based on his findings, prompt action is ensured by the concerned authorities. Though, there is a clear cut instructions in this regard and the same was also ensured by the Area Officers of the Ministry under the Area Officer's Scheme, the State/UT Governments had again been reminded accordingly.

2.118 In their status report, the Ministry have stated that the inspecting officials have been given authority to inspect the programme implementation from all angles and submit a detailed report. Based on the findings prompt action is to be ensured by the concerned authorities.

Comments of the Committee

2.119 The Committee would like to know whether it is obligatory for State Governments to furnish such detailed reports to the Ministry. They would like to suggest that if it is not obligatory, the Ministry should call for such reports randomly to verify the facts in a bid to monitor the impact of inspection at grass-root level.

Recommendation (Sl.No.15, Para No.2.24)

“Evaluation of working of IRDP”

2.120 The Committee had noted that the evaluation study of IRDP conducted by the Reserve Bank of India, National Bank for Agriculture and Rural Development, Institute for Financial Management and Research, World Bank etc. had hailed the programme as a sound and ambitious efforts towards poverty alleviation of the rural poor. They had desired that the Ministry should encourage more such evaluation studies in future for the economic betterment of the rural poor including SCs & STs.

2.121 In their action taken reply, the Ministry had stated that apart from concurrent evaluation studies and the studies mentioned in the recommendations, the Ministry had entrusted two evaluatory studies on IRDP to independent research institute/NGO i.e. study of “Impact of IRDP on SCs/STs in Rajasthan” had been entrusted to IIRM, Jaipur and another study had been entrusted to IMM, Mumbai on “Total Development Impact of Rural Development Progarmme”.

2.122 In their status report, the Ministry have stated that to find out the effectiveness and impact of the IRDP, evaluation studies on regular intervals are sponsored by the Ministry. Apart from Concurrent Evaluation studies and the studies mentioned in the recommendations, the Ministry had entrusted to two evaluation studies on the IRDP to independent Research Institute/N.G.O. viz study of “Impact of IRDP on SCs/STs in Rajasthan” was entrusted to IIRM, Jaipur and a Study to IMM, Bombay on “Total Development impact of Rural Development Programme”. The Ministry could sponsor more studies to obtain feedback for effective monitoring.

Comments of the Committee

2.123 The Committee would like to know the details of any other evaluation studies that have been got sponsored by the Ministry for implementing development programme for weaker sections during recent years. They may be provided with copy each of such studies including the study undertaken by IIRM, Jaipur on “Impact of IRDP on SCs/STs in Rajasthan.”

Recommendation (Sl.No.16, Para No.2.25)

“Evaluation of working of IRDP”

2.124 The Committee had noted that the Ministry had taken several steps to do away with shortcoming pointed out by the aforesaid evaluation studies. They, however, noted that the number and percentage of SC/ST families given supplementary assistance was not available with the Ministry. The Committee had, therefore, recommended that whenever supplementary assistance is given to the beneficiaries, a detailed record of such assistance should be maintained.

2.125 In their action taken reply, the Ministry had stated that the proforma in which the performance report is received from States/UTs containing families assisted with the break up of old and new families, the total families had further been bifurcated in further disadvantage groups like SC/ST families, women and handicapped beneficiaries. However, the States/UTs had been requested to send monthly report on supplementary assistance provided to SC/ST families.

2.126 In their status report, the Ministry have furnished the same reply as given by them in their action taken reply.

Comments of the Committee

2.127 The Committee would like to know whether the State/UT Governments are sending reports as per the direction of the Ministry. Details of supplementary assistance, if any, given to SC/ST people under the integrated self-employment programme during the last three years may also be furnished.

Recommendation (Sl.No.17, Para No.2.26)

“Evaluation of working of IRDP”

2.128 The Committee had noted that the Ministry do not encourage the practice of giving supplementary assistance on a continuous basis and the same is extended only after a case by case scrutiny of the borrowers performance. They had, however, suggested that while scrutinizing the performance of the borrowers, special attention be paid towards the SC/ST beneficiaries as they are unable to cross the poverty line due to prevailing social stigma and other vulnerable factors.

2.129 In their action taken reply, the Ministry had stated that the factors mentioned above are taken care of while identifying the beneficiaries eligible for supplementary dose. The basic principle which was kept in mind was that the beneficiary who could not cross the poverty line for no fault of their own are considered for supplementary assistance under IRDP.

2.130 In their status report, the Ministry have stated that the factors mentioned above are addressed while identifying the beneficiaries eligible for supplementary dose. The basic principle which is kept in mind is that the beneficiary, who could not cross the poverty line for no fault of his/her, should be considered for supplementary assistance under the Self-employment Programme.

Comments of the Committee

2.131 The Committee would like to have details of the supplementary assistance granted to various beneficiaries State-wise during the last three years. The Committee would also like to know how far the supplementary assistance has enable those families to cross the poverty-line.

Recommendation (Sl.No.19, Para No.2.33)

“Concurrent evaluation studies”

2.132 The Committee had noted that evaluation studies had been carried out by several institutions at the behest of the Ministry to streamline and improve the pace of implementation of the programme. One of the negative points mentioned in one of the evaluation studies was that the assistance of ineligible families was up to the tune of 16%. The Committee also noted that the Ministry had formulated detailed guidelines on the basis of recommendations of the Expert Committee of the Reserve Bank of India to see that no ineligible family is assisted under the programme and these guidelines had been communicated to the States from time to time as a result thereof the percentage of ineligible families had come down. The Committee had, therefore, recommended that Union Government should relentlessly persuade the State Governments to take necessary steps viz. selection of beneficiaries by Gram Panchayats, public display of the list of beneficiaries etc. so that the remaining ineligible families are completely debarred from being assisted under the programme.

2.133 In their action taken reply, the Ministry had stated that they are of the firm belief that the selection of beneficiaries should be done very carefully by following meticulously the guidelines laid down. The guidelines specifically provide for placing the list in the meeting of village assembly (Gram Sabha). The list of selected beneficiaries is displayed on the notice board of Village Panchayat and the Block Office. Sufficient time is given for filing objections. The State Governments have been advised to follow the guidelines strictly.

2.134 In their status report, the Ministry have furnished the same reply as given by them in their action taken reply.

Comments of the Committee

2.135 The Committee desire that a regular report should be sought from the State Governments in this regard and strict monitoring be done by the Government at central level. The Committee would like to know the number of ineligible persons who had been given assistance during the last three years and action taken against such persons.

Recommendation (Sl.No.21, Para No.2.39)

“Recommendation of working group on development of Scheduled Tribes”

2.136 The Committee had noted that the Working Group on the Development of Scheduled Tribes had made several recommendations during the Seventh and Eighth plans for the economic upliftment of Tribal people under IRDP. They, however, had noted that although the Ministry had taken steps to comply with the recommendations made by the working group, they still had not fully implemented the same. As per the recommendations of the working group Rs.8,000/- was to be fixed at 1988-89 prices whereas the per capita investment for ST family was only Rs.6551/- during 1993-95. They had, therefore, recommended that the Ministry should make vigorous efforts to meet the desirable per capita investment as recommended by the Working Group at the earliest.

2.137 In their action taken reply, the Ministry had stated that to improve the level of per family investment under the IRDP, a number of steps had been taken. The then prevalent system of evaluating the programme on the basis of physical performance had been changed and the performance of the States/UTs is reviewed on the basis of credit disbursement. To achieve this goal, credit targets are fixed for each of the States/UTs, keeping in view the optimum subsidy credit ratio of 1:2 which would ensure financing of full unit cost of economic activities; which would also ensure utilisation of permitted subsidy to the fullest extent for each of the groups. This system of evaluating the programme on the basis of credit disbursement came into effect from 1995-96.

2.138 In their status report, the Ministry have furnished the same reply as given by them in their action taken reply.

Comments of the Committee

2.139 The Committee note that to improve the level of per family investment, the Ministry have now started evaluating the programme by reviewing the performance of States/UTs on the basis of their credit disbursement. For this purpose they have fixed credit targets for each of the States/UTs ensuring thereby utilisation of permitting subsidy to the fullest extent for each of the group. The Committee would like to know whether the change in evaluation system has made any difference in the economic standard of the Scheduled Tribe people. They desire that a note detailing therein the credit target fixed for each State/UT and achievement made by State/UT since the evaluating system came into effect in 1995-96 together with the monitoring system for the programme be made available to them.

Recommendation (Sl.No.22, Para No.2.40)

“Recommendation of working group on development of Scheduled Tribes”

2.140 The Committee had also recommended that the Government should take immediate steps to implement the other recommendations of the Working Group for the economic betterment of Scheduled Tribes like separate monitoring of the programme for ST beneficiaries, compulsory issuance and maintenance of ‘Vikas Patrika’ in respect of ST families, establishment and involvement of the organizations of the ST beneficiaries, assistance to primitive tribal groups and coverage of ST women in much larger number under the programme.

2.141 In their action taken reply, the Ministry had stated that the monitoring of ST beneficiary families was done separately since the coverage, flow of funds and the per family investment for this category formed an integral part of the IRDP monitoring. The ‘Vikas Patrika’ was issued to all the beneficiary families of the IRDP including the ST families. A study was entrusted to IIRM, Jaipur to assess the “Impact of IRDP on SCs/STs in Rajasthan” to enable the Ministry to take suitable policy decision in this regard. This Ministry had clear-cut guidelines with regard to formation of Organisation of beneficiaries of the programme including the SC/ST beneficiary families. The Chapter 9.3 of the Manual of the erstwhile IRDP and the allied programmes of the TRYSEM and the DWCRA clearly spelt out this provision. This was also reviewed by the officers of this Ministry during their inspection visit under the Area Officers Scheme.

2.142 In their status report, the Ministry have furnished the same reply as given by them in their action taken reply.

Comments of the Committee

2.143 The Committee firmly believe that the Swaranjayanti Gram Swarozgar Yojana (SGSY) is taking care of all that has been stated in the reply of the Ministry. They would also like to know whether the Ministry have formulated any policy on the basis of study made by IIRM, Jaipur on “impact of IRDP on SCs/STs in Rajasthan’. The Committee would like to know the details of organisations of beneficiaries of the programme which are in existence at present and the details of the work undertaken by these organisations.

Recommendation (Sl.No.23, Para No.3.12)

“Financial Performance”

2.144 The Committee were unhappy to note that some of the States viz. Assam, Goa, Sikkim, Karnataka, Maharashtra and West Bengal had shown inadequate achievement of physical targets for SCs and STs during 1993-94 and had desired that the Ministry should constantly persuade these States to improve their performance in future.

2.145 In their action taken reply, the Ministry had stated that due to lower population of SC/ST in these States, the coverage of this class of beneficiaries under the erstwhile IRDP was less than the target of 50%. However, these States had been advised to step up the percentage of coverage of SC/ST families.

2.146 In their status report, the Ministry have furnished the same reply as given by them in their action taken reply.

Comments of the Committee

2.147 The Committee would like to know the progress made by the States mentioned in para 2.144 during the last 5 years under Swarnjayanti Gram Swarojgar Yojana (SGSY) in which IRDP has been merged.

Recommendation (Sl.No.24, Para No.3.13)

“Financial Performance”

2.148 The Committee had noted that the North Eastern States had not been able to utilize fully the funds allocated to them during 1993-94 due to poor infrastructural facilities. Similarly, due to short release of funds by some other State Governments like Bihar, West Bengal etc. these States had also not been able to fully utilize the funds. The Committee had, therefore, urged upon the Ministry to coordinate with all concerned Central Ministries as well as with the North Eastern State Governments for providing adequate infrastructural facilities to these States so that funds provided under the programme are properly utilized for the economic betterment of STs. They had also desired that the Ministry should refrain the State Governments of Bihar and West Bengal from resorting to practice of short release of funds.

2.149 In their action taken reply, the Ministry had stated that a high level committee under the Chairmanship of Additional Secretary of the Ministry had been constituted to review the performance of rural development programmes and the infrastructural development activities on quarterly basis. Other representatives were drawn from the Ministry of Health, the Ministry of Civil Aviation, the Ministry of Petroleum, the Ministry of Home Affairs etc. It was also stated that the Committee would review the status of rural development programmes and infrastructural development activities on quarterly basis and ensure rapid infrastructure development in the North East. As regards West Bengal, it was not the case of State short release during 1994-95. The State could not claim the entire Central allocation during 1994-95 due to slow progress. The State had released Rs. 4504.11 lakh as against the Central Release of Rs. 3295.74 lakh

during 1994-95. The Central allocation was Rs.3739.00 lakh. The State did not release the matching share during 1993-94 but has exceeded the Central Release during 1994-95. Apart from the letters written by Joint Secretary of the Ministry to the State Governments of Bihar and West Bengal, letters were written to the Chief Minister of Bihar by Minister of State (RD) and to the Chief Secretary, West Bengal by Secretary (RD) to take personal interest to do away with such shortcomings.

2.150 In their status report, the Ministry have furnished the same reply as given by them in their action taken reply.

Comments of the Committee

2.151 The Committee would like to know the present overview in regard to rural development programme and infrastructural development activities. The Committee are of the view that there is a great need to make monitoring and implementation machinery more result oriented. These monitoring and implementation machineries should not work as mere spectator to the schemes but be given some punitive powers to impose penalty on the States who fails to achieve their targets.

Recommendation (Sl.No.26, Para No.3.15)

“Financial Performance”

2.152 The Committee were of the view that any assistance to SCs and STs and other rural poor is meaningless without proper follow up action. They had, therefore, recommended that the persons especially SCs and STs assisted under IRDP should be continuously/periodically attended to ensure that they are at least doing well with the funds provided to them.

2.153 In their action taken reply, the Ministry had stated that the basic purpose of monitoring and evaluation is to identify the weaknesses of programme implementation, locate thrust areas and then to take corrective measures. The Vikas Patrika had been provided to each beneficiary with a view that each visiting official from blocks and banks would make entries regarding the health of the project. Based on this all efforts were being done to do away the difficulty being faced by the beneficiaries. It had further been stated that this had clearly been laid down in the IRDP Guidelines. District and Block Officials monitor the status of the beneficiaries during their periodic visits and inspections.

2.154 In their status report, the Ministry have furnished the same reply as given by them in their action taken reply.

Comments of the Committee

2.155 The Committee would like to know whether Union Government also have some independent system to gauge the performance of the rural development programmes. They would also like to know whether they suggested any corrective/remedial actions taken in this regard.

**MINISTRY OF HEAVY INDUSTRIES AND PUBLIC ENTERPRISES
(DEPARTMENT OF HEAVY INDUSTRY)**

D. Forty-eighth Report (10th Lok Sabha) on Reservation for and Employment of SCs and STs in Bharat Heavy Electricals Limited (BHEL).

2.156 The above mentioned report was presented to the Parliament on 28th April, 1995. It contained 15 recommendations. The Action Taken Report was presented on 8th December, 1995. Out of which 5 recommendations were accepted by the Ministry of Heavy Industries and Public Enterprises (Department of Heavy Industry). The actual implementation of these recommendations is being dealt with in this Chapter.

Recommendation (Sl.No. 10, Para No.2.29)

“Training Aboard”

2.157 The Committee had noted that the number of SC/ST employees sent for training to foreign countries was not satisfactory. They had, therefore, recommended that an adequate number of eligible SC and ST employees should be sent for training abroad. The Committee had also recommended that the Ministry should issue necessary instructions to the authority responsible for recommending the names of officers for training abroad and to specify the reasons for not sending SC/ST employees for training abroad.

2.158 In their action taken reply, the Ministry had stated that instructions had been issued on 20th May, 1995 to all units to send/recommend maximum number of eligible SC/ST employees for training abroad. It was also stated that the Board of Directors would also review the progress six monthly.

2.159 In their status report, the Ministry have furnished the number of employees sent abroad for training during the 1996 to 2000 as under :-

Year	Total	SC	ST
1996	68	8	0
1997	89	4	0
1998	82	13	7
1999	94	5	5
2000	83	13	1

It has also been stated that the status of SC/ST employees sent for training including training abroad is reviewed every six months and the Board of Directors are apprised about the same.

Comments of the Committee

2.160 The Committee note that even after issue of instructions to BHEL, in pursuant to their recommendation, the representation of SC and ST officers / employees sent abroad for training is not satisfactory. They find the representation of STs all the more wanting. They should be provided with information on representation of SC and ST officers / employees in training / conference / symposia abroad for the years 2001 to 2005.

Recommendation (Sl.No. 11, Para No.3.6)

“False Caste Certificates”

2.161 The Committee had noted that there were 82 cases of false caste certificate in BHEL. They had also noted that there was inordinate delay in verification of these certificates, as a result, 82 cases were still pending with District Authorities for verification and 59 cases were pending in the courts. The Committee had desired that they should be pursued vigorously for early verification of all the caste certificates. While showing concern over the delay in taking action against the guilty persons because of the delay in settlement of the cases in the courts, the Committee urged that SC/ST candidates should be confirmed if their caste certificates are found to be true.

2.162 In their action taken reply, the Ministry had stated that units had been advised to get the verification of social status certificates expeditiously in order to ensure that reserved posts are filled up by genuine SC/ST candidates and follow it up constantly with the concerned authorities. Units had also been advised to get the social status certificates verified alongwith the verification of character and antecedents at the time of initial joining itself and to include a clause in the offer of appointment of the SC/ST candidates regarding offer being provisional and is subject to caste/tribe certificate being verified through proper channel. They had also stated that 82 social status cases were pending with District Authorities for verification/cancellation/de-novo enquiry for which the matter had been taken up with the Chief Secretaries of all the concerned States by the Ministry.

2.163 In regard to 59 court cases relating to false community certificates, it has been stated that writ petition in 31 cases for stay of domestic enquiry had been dismissed on 18th April, 1995 and the domestic enquiry was in progress. Eight Cases were still pending in the High Court. 2 cases had been declared genuine by the Court and the Collector directed to issue necessary community certificates. Remaining 18 cases which are against the Government and not against BHEL are pending in the Court. The Board of Directors would review the status six monthly.

2.164 In their status report, the Ministry have forwarded details of false community certificate cases in BHEL at the end of following years as under:-

False Caste Certificate cases lying pending at various stages				
As on 31 st December of every year	Pending with the local / High Court	Pending with District Authorities	Disciplinary Action in progress	Total
1996	26	98	14	138
1997	23	88	16	127
1998	29	83	3	115
1999	29	79	2	110
2000	31	70	1	102

It has also been mentioned that 12 persons were terminated during the year 1998 on account of producing false caste certificate.

2.165 They have further stated that following efforts were put in by BHEL for speedy disposal of false caste certificates cases;

- (i) Personnel Executives from the Units having false caste certificate cases had personally met the concerned District Authorities periodically for expediting the verification of false caste certificate cases;
- (ii) BHEL Units had also approached the respective State Governments for directing the concerned District Authorities for speedy disposal of false caste certificate cases;
- (iii) BHEL has also sought help from National Commission for SCs and STs to take up the issue of verification of false caste certificate cases with the concerned District Authorities; and
- (iv) As a preventive measure, BHEL has also incorporated a clause in the offer of appointment of the candidates, claiming to be belonging to SC/ST, regarding the offer being provisional and subject to caste/tribe certificates being verified through proper channel.

2.166 The status of False Community Certificate cases is reviewed every six months and the Board of Directors is apprised about the same.

Comments of the Committee

2.167 The Committee are surprised to note that the number of cases of securing employment on the basis of false caste certificates pending at the end of 2000 had reached to 102. They would like to know the latest position in this respect. The Committee feel that efforts made by the BHEL are still not effective in preventing ineligible persons in securing employment on the basis of false caste certificate. They feel that there is still some lacuna in the recruitment procedure of the BHEL which needs to be rectified at the recruitment stage itself. By making recruitment procedure more stringent, if need be, Personnel Executives could be given special training in the matter of scrutinizing original certificates. The Committee also strongly recommend that BHEL should make time bound programme to expedite disposal of all the pending cases immediately.

Recommendation (Sl.No. 13, Para No.3.11)

“Redressal of Complaints/Grievances”

2.168 The Committee had noted that time taken for the disposal of grievances was 6 months to one year. They had, therefore, recommended to strengthen and quicken the procedure regarding disposal of grievances in order to ensure fair and expeditious disposal of complaints/grievances of SC/ST employees.

2.169 In their action taken reply, the Ministry had stated that units had been advised to strengthen the procedure to deal with the grievances of SC/ST employees in order to ensure fair and expeditious disposal of their grievances. It was also stated that Board of Directors would review the status every six months.

2.170 In their status report, the Ministry have stated that in BHEL, the SC/ST employees are free to approach the controlling officer and the Personnel Head/Unit Head directly for resolving their grievances. In addition, the SC/ST employees can also approach the Liaison Officer of their Unit who examines their grievances and puts up the same to the Management. Besides, there is a well established grievance redressal machinery available in all BHEL Units which tries to settle the grievances of the employees at the earliest. The status of grievances of SC/ST employees is reviewed every six months and the Board of Directors is apprised about the same.

Comments of the Committee

2.171 The Committee desire that all out efforts should be made to ensure that complaints/grievances received by BHEL from its employees should be properly recorded and disposed off within a month. The Committee should also be informed of the number of representations received during each of the last two years and the time taken in disposal of these representations. The Committee desire that SC/ST employees should be duly informed of the options available to them to get their grievances redressed. The Committee should be informed of the action taken in the matter.

Recommendation (Sl.Nos. 14 and 15, Para Nos.4.5 and 4.6)

“Socio-economic development”

2.172 The Committee had noted that 56 villages were adopted by BHEL for socio-economic development. In these villages, 6755 SC/ST people had been assisted for their socio-economic development. They had felt that the budgetary contribution of Rs. 7.85 lakh was very little amount for assisting 56 villages.

2.173 The Committee had recommended that BHEL should undertake special schemes exclusively for socio-economic development of Scheduled Castes/Scheduled Tribes. The Committee had also recommended that the BHEL should increase its budget for the welfare of most vulnerable section of the society particularly those living below poverty line.

2.174 In their action taken reply, the Ministry had stated that units had been advised that adequate budgetary provision for socio economic development of SCs/STs may be made to undertake special schemes in the areas of education, employment, medical facilities, shelter etc.

2.175 In their status report, the Ministry have stated that 56 villages surrounding BHEL units have been adopted by BHEL where the majority of the population belongs to SC/ST communities. The following developmental activities have been undertaken for the welfare of people belonging to SC/ST communities:-

(a) Education

BHEL Bhopal, Haridwar, Jagdishpur and Goindwal Units provide educational aids like books and stationery items from time to time to the school going children. BHEL, R.C. Puram, Hyderabad presents cash awards to the students who have secured highest marks amongst

SC/ST students in 7th , 10th and 12th class public examinations in campus schools. Our Ranipet Unit has constituted Baba Sahib BHEL Endowment with a deposit of Rs. 10,000/- and awarding the interest amount (Rs. 1300/- approx.) every year to the top scorer from SC/ST communities in class 12th examination for pursuing higher studies. BHEL Education Management Board at Haridwar Unit provides scholarships to SC/ST students with the help of Social Welfare Department of U.P. Government every year.

(b) Other Developmental Activities

- Construction and maintenance of school buildings
- Providing adult/primary education
- Construction of community halls
- Providing medical aids
- Providing water distribution lines
- Construction of approach roads
- Construction of low cost houses
- Non-conventional energy programmes (Solar lights for streets and houses)
- Providing wind mills for pumping water from the existing wells

2.176 The Government in their status report have also stated that budgetary provision for socio-economic development of Scheduled Castes and Scheduled Tribes for the last five years were as under :-

Year	Amount (fig. Rs. in Lakhs)
1996-97	13.15
1997-98	13.80
1998-99	37.50
1999-2000	68.00
2000-2001	54.61

Comments of the Committee

2.177 The Committee are happy to note that budgetary provision for socio-economic development of Scheduled Castes and Scheduled Tribes for the years from 1996-97 to 1999-2000 have been increased. However, there was a decline in the year 2000-2001. They would like to know the reasons for such a decline in that particular year. The Committee hope that in succeeding years, the socio-economic development of SC/ST people would not be affected due to decline in budgetary provision. They would like to know the budgetary provision earmarked for the purpose for the years 2001-2002 till 2005-2006.

MINISTRY OF PETROLEUM AND NATURAL GAS

E. Forty-ninth Report (10th Lok Sabha) on Reservation for and Employment of Scheduled Castes and Scheduled Tribes in Indian Oil Corporation Limited including reservation for Scheduled Castes and Scheduled Tribes in grant of Gas/Petrol Agencies.

2.178 The above mentioned report was presented to the Parliament on 28th April, 1995. It contained 15 recommendations. The Action Taken Report was presented on 6th March, 1996. Out of which 12 recommendations were accepted by the Ministry of Petroleum and Natural Gas. The actual implementation of these recommendations is being dealt with in this Chapter.

Recommendation (Sl.Nos. 1, 2, 3 and 4, Para Nos.1.12, 1.13, 1.14 and 1.15)

“Board of Directors”

2.179 The Committee had observed that the posts of Functional Directors on the Board of Indian Oil Corporation (IOC) were filled on the recommendations of the Public Enterprises Selection Board (PESB). The recommendation of the PESB is considered in the Ministry and after obtaining the approval of the Appointment Committee of the Cabinet, the candidate is appointed. The Committee further noted that the part-time Directors were appointed on the Board of IOC by the Ministry of Petroleum and Natural Gas, as per the provision of the Articles of Association of the Company. The Committee also noted that one of the part-time Directors belonged to Scheduled Caste but there was no provision of appointing any Director belonging to SC/ST on the Board of Directors. The Committee regretted to note that at that point of time there were 8 functional Directors but none of them was from SC/ST category.

2.180 The Committee had also observed that as per para 2.1 of the Brochure on reservation for Scheduled Castes and Scheduled Tribes (Eighth Edition) brought out by the Ministry of Personnel, Public Grievances and Pensions, there is reservation of 15% and 7.5% for SCs and STs in all appointments to Group 'A' posts filled by direct recruitment through nomination/advertisement.

2.181 The Committee had also noted that the post of Functional Directors on the Board of Indian Oil Corporation Limited (IOC) had not been exempted from the purview of reservation orders (Para 3.2 of the Brochure). Therefore, the reply of the Ministry that there is no reservation for appointment to the post of Functional Directors is not in accordance with the provision of reservation policy of the Government of India.

2.182 In their action taken reply, the Ministry had stated that the policy of the Government was to select directors from amongst the persons with proven ability and good record in the fields of industry, commerce, administration, finance etc. At the same time, the claims of suitable SC/ST candidates who are otherwise competent and have the necessary background in the above fields for board level appointments in the Central Public Sector Enterprises were always being considered. It would be the Ministry's endeavour to appoint at least one person belonging to SC/ST as whole-time or part-time directors on the board of IOC. As for adoption of a policy for enforcement of the reservation roster to board level appointments, this would come within the purview of the Department of Personnel and Training and Department of Public Enterprises.

2.183 In their status report, the Ministry have stated that as for the adoption of the policy for enforcement of the reservation roster to board

level appointments, this comes within the purview of the Department of Personnel & Training(DOP&T) and Department of Public Enterprises.

2.184 They have also added that as directed by the Committee, the matter was taken up with the Department of Public Enterprises (DPE) as well as with the DOP&T. The DPE sent a reply direct to the DOP&T under intimation to Ministry of Petroleum & Natural Gas. The reply of the DPE to DOP&T in this regard is reproduced below for perusal of the Hon'ble Committee:-

“It is a fact that there is reservation of 15% and 7.5% for SC/ST respectively in all appointments but the policy of the Government has been to select Directors from amongst persons with proven ability and good record in the fields of Industry, Commerce, Administration, Finance, etc.. At the same time, claims of suitable SC/ST candidates who are otherwise competent and have the necessary background in Industry, Commerce, Administration, Finance, etc. for Board level appointments in the Central PSEs are always being considered. These are tenure appointments for a specific period which may be terminated even during that period by either side on three months' notice or on payment of three months' salary in lieu thereof. There is no reservation for SCs

and STs in Board level appointments. Appointment to Board level posts are made on the basis of suitability of individual candidates to the specific posts.”

2.185 In addition to above, they have also stated that since DOP&T was concerned with the laying down of policy of reservation in services under the Allocation of Business Rules, it would be appropriate if the DOP&T examine the point raised by the Committee on the Welfare of SCs and STs in this regard.

2.186 The Ministry have further clarified that since it is a policy matter needing examination by the DOP&T, the Ministry of Petroleum & Natural Gas is not in a position to do anything in this regard unless clear cut guidelines are issued by the DOP&T.

2.187 The Ministry further added that the issue of appointment of SC/ST members on the Board of Directors of PSUs was taken up by them with DPE. According to the DPE, following the recommendations of the Parliamentary Committee on the Welfare of SCs and STs, this issue was discussed and it was decided with the approval of the then Finance Minister not to accept the recommendation on the ground that the policy of the Government was to select Directors, from amongst persons with proven ability and good record in the fields of Industry, Commerce, Administration, Finance etc.

Comments of the Committee

2.188 The Committee are unhappy to note that instead of drawing clear cut guidelines regarding appointment of part-time/functional Directors on the Board of Public Sector Undertakings, the Department of Public Enterprises have shifted its responsibility on the shoulders of Department of Personnel and Training. The Committee are deeply concerned to see that no such guidelines have been issued so far by any of the Departments of the Government of India in this regard. The Committee, therefore, recommend that the Government should re-examine the issue so that SC/ST people can get due representation on the Board of Directors in the Public Sector Undertakings and if need be, by giving them relaxation in the eligibility criteria.

Recommendation (Sl.No. 6, Para No.2.19)

“Staff strength and shortfall”

2.189 The Committee had noted that despite massive recruitment exercise including special recruitment drive the backlog figures for SCs and STs in all the categories still existed. The backlog figure for SCs and STs were 50 and 104 respectively in 1992 which had reduced to 9 and 25 respectively in 1994. The backlog position in respect of ST candidates particularly had been found worse especially in Grade ‘A’ services. On being assured during the evidence that efforts were being made to clear the backlog by 30th September, 1995, the Committee had recommended that sincere efforts should be made by IOC to wipe out the backlog.

2.190 In their action taken reply, the Ministry had stated that the corporation had already initiated recruitment action by undertaking special recruitment drive for expeditious clearance of the backlog. The backlog position had been reduced from 9 SC and 25 ST to 6 SC and 11 ST till 30th June, 1995.

2.191 In their status report, the Ministry have stated that the backlog figures for SCs and STs in all groups were 9 and 25 respectively in 1994. The backlog of SCs and STs in different groups taken together got reduced to 7 and 11 respectively in the year 1995.

Comments of the Committee

2.192 The Committee appreciate that IOC made efforts to clear backlog vacancies of SCs and STs in 1995. According to action taken reply the backlog position in case of SC and ST was 6 SC and 11 ST till 30th June, 1995 whereas the status report mentions 7 SC and 11 ST. The Committee would like to know why the position had changed in case of SCs. They would also like to know why further efforts were not made to clear the backlog position. The Committee may be apprised of the position whether there is still any backlog or the backlog has been wiped out by now.

Recommendation (Sl.No.9, Para No.4.3)

“False caste certificates”

2.193 The Committee had noted that there were 8 instances of false caste certificates in IOC out of which 3 cases were pending before the High Court of Madras and one case was under investigation by the District Authority. The Committee had desired that the matter should be pursued vigorously by the IOC for early verification of the certificates and early disposal of pending court cases so that genuine SCs and STs are not deprived of their Constitutional rights. They had also desired that immediate action may be taken to have the pending cases disposed of at the earliest and they may be apprised of the latest position.

2.194 In their action taken reply, the Ministry had stated that IOC would make all efforts to get pending cases expedited in courts.

2.195 In their status report, the Ministry have furnished the following position in regard to 3 cases which were pending before the High Court of Madras as under: -

“In one case, the services of the employee were terminated w.e.f. 15.3.2001 consequent upon cancellation of the caste certificate by concerned authorities to whom the employee was allowed to prefer appeal by Court within the stipulated time. In the second case, the employee retired from the services of the Corporation on 28.2.1998, while the stay order of the High Court was still operative without prejudice to IOC's right to take appropriate action as deemed fit. In the third case, the action for vacation of the stay order was being taken by the Collector, Chennai who was the respondent in the case and the case would be coming for further hearing shortly”.

2.196 As regards the case which was under investigation by District Authority, it was stated that in pursuance of having taken up the matter with District Magistrate, Ahmedabad, Director, Social Welfare was advised by him to cancel the subject certificate of the candidate.

Thereafter, the matter was constantly followed up with Director (Social Welfare), Gujarat, District Magistrate, Ahmedabad and Director, National Commission for SCs/STs, Ahmedabad Chapter. Ultimately, in November 1997, a report regarding validity of the caste of the candidate was sent by District Magistrate, Ahmedabad to Chairman, National Commission for SCs/STs, New Delhi. Since then, the matter is being followed up by IOC vigorously with National Commission for SCs/STs, New Delhi. However, the final decision in the matter is still awaited. As such, out of the 4 cases pending in 1995, there are 2 cases which are still alive as brought out above.

2.197 The Ministry have further stated that since 1995, 11 more cases of submission of alleged false caste certificates have been reported, out of which, in 2 cases the services of concerned employees were terminated as it was established that caste certificates in support of their belonging to reserved category were false. In one case, the caste certificate was proved to be genuine. Out of the remaining 8 cases, 6 cases are pending in different High Courts; 1 case is pending in District Court, Begusarai, while in 1 case, domestic inquiry is in progress. The above cases are being pursued.

Comments of the Committee

2.198 The Committee are surprised to note that out of 4 cases securing employment on the basis of false caste certificate pending in 1995, 2 cases are still alive. They are compelled to comment that neither criminal proceedings were initiated against the guilty persons nor concrete steps seem to have been taken to stop recurrence of such cases. The Committee are deeply pained to note that after 1995, 11 more such cases have been reported which shows that there was laxity in scrutiny of certificates at the time of recruiting these persons. The Committee, therefore, recommend that stringent checks should be devised to detect genuineness of the caste certificates at the time of recruitment/appointment itself and persons responsible in scrutinizing the certificates should be instructed to be vigilant or else they would be made accountable for the lapse. The Committee also recommend that necessary adequate steps should be taken immediately to dispose of all cases pending either before Courts or State authorities. They would also like to emphasize that dismissing from service is not enough punishment. Criminal proceedings against the persons found guilty of furnishing false caste certificate need also to be initiated.

Recommendation (Sl.No. 10, Para No.4.7)

“Complaints/Grievances”

2.199 The Committee had noted that the total complaints received from SCs/STs were 31 in 1991, 10 in 1992 and 13 in 1993. They had further noted that the grievances / complaints mainly pertained to transfer and promotion. The Committee had, therefore, recommended that the complaints of SC/ST employees relating to promotion and transfer should be considered sympathetically by the authorities concerned.

2.200 In their action taken reply, the Ministry had stated that all grievances received during the years 1991 to 1993 had since been disposed of. They also added that promotions are effected in accordance with the recruitment rules taking into account the performance and ability of the employees. Transfers are carried out taking into account the individual's need for growth and the organization's requirement for skills. IOC has always adopted an even – handed policy to ensure that there is no discrimination or injustice in the decision relating to employees belonging to the SC and ST categories.

2.201 In their status report, the Ministry have informed that the complaints of SC/ST employees are considered by the Management sympathetically and the same are settled at the earliest. As on date, no complaint is pending for disposal.

Comments of the Committee

2.202 The Committee are happy to know that IOC was prompt to dispose of complaints / grievances of SC/ST employees. They hope that they would continue to work on the same principle in future too.

Recommendation (Sl.Nos. 11 and 12, Para Nos.4.14 and 4.15)

“Training Aboard”

2.203 The Committee were unhappy to note that out of 105 employees who were deputed abroad for training or who attended seminars/symposia/conferences during 1991 to 1993, the representation of SCs and STs was 4 and ‘nil’ respectively. They felt that sincere efforts were not made by IOC in making SC/ST personnel available for training abroad. The Committee had, therefore, recommended that the criteria for nomination of executives for training abroad should be suitably relaxed to make SC/ST officers available for training abroad. The Committee had further recommended that the IOC should ensure that an adequate number of SC/ST employees are deputed for training abroad or for attending seminars/symposia/conferences.

2.204 In their action taken reply, the Ministry had stated that IOC had assured to increase the nomination of executives belonging to the SC/ST categories for deputation on training abroad. A close scrutiny would be maintained to ensure that candidates of this category who are otherwise meeting the minimum prescribed requirements, find a greater representation in the selection.

2.205 In their status report, the Ministry have stated that officers at the level of Managers in Grade ‘D’ and above are generally considered for specific role related inputs in their field of work keeping in view the jobs being handled, technical developments in the fields made in foreign countries and capabilities of the officers to grasp and absorb the information and make use in their present assignments. Further, while making nominations of officers for above programmes, performance as well as training courses attended during the

last three years are kept in view. However, considering the availability of SC/ST officers and to ensure their better representation in various training programmes abroad, relaxation in the above criteria is made in favour of SC/ST officers.

2.206 They have also furnished the information regarding number of officers sent abroad for training/seminars/symposia/conferences and number of SCs/STs out of them from 1994 to 2001 (upto August) as per statement below:-

Number of officers sent abroad for training etc. and number of SCs and STs out of them			
Year	Training abroad including Seminars/ Symposia/Conference		
	<u>Total</u>	SC	ST
1994	88	6	1
1995	71	2	1
1996	123	8	4
1997	120	7	1
1998	165	10	1
1999	219	17	1
2000	147	7	2
2001 (upto Aug.)	74	10	3
Total	1007	67	14

As indicated in the report, out of 105 employees who were deputed abroad for training or who attended seminars/symposia/conferences during 1991 to 1993, the representation of SCs and STs was 4 and NIL respectively. Against these nominations, during the period 1994 to 2001 (upto August) out of total 1007 officers who had been nominated for training abroad including seminars/conferences, 67 officers belonged to SC category and 14 to ST category.

Comments of the Committee

2.207 The Committee note that there is an improvement in the representation of SC and ST officers who attended training / seminar etc. abroad but there is still room for improvement as the number of SC and ST nominees is still below the required percentage. If total percentage is taken together it is 6.7% for SC and 1.4% for ST category as against the total of 1007 officers nominated for such training / seminar etc. The Committee, therefore, urge IOC to continue to include adequate number of SC and ST officers for attending training / seminar etc. in other countries so that they may learn from the exposure to new technical developments.

Recommendation (Sl.No. 13, Para No.4.19)

“Deputation”

2.208 The Committee had noted that out of 121 employees of IOC who were on deputation to other departments during 1992 to 1994, 13 belonged to SCs and only 2 to STs. The reasons for this poor representation of SCs and STs were stated to be that the selection for deputation is made by borrowing organisation and that IOC does not have any decision making role except sponsoring the names of such candidates. The Committee had, therefore, recommended that IOC should consider favourably the cases of SC/ST candidates for sponsoring them for deputation to other departments so that their representation is improved.

2.209 In their action taken reply, the Ministry had stated that IOC had initiated action to sponsor large number of SC/ST candidates for placement on deputation to other organizations. Also, IOC would endeavour to ensure that SC/ST representation is adequate in the matter of taking candidates on deputation from other organization into IOC.

2.210 In their status report, the Ministry have stated that the recommendations of the Committee are noted and IOC would be directed to look into the matter.

Comments of the Committee

2.211 The Committee are unhappy to note that inspite of having accepted the recommendation in the Action Taken Report, no follow up action seems to has been taken to implement the same in letter and spirit. The Committee, therefore, desire that the Ministry should examine the matter as to why no follow up action was taken after presentation of Action Taken Report. The Committee may be informed of the action taken within three months of presentation of this report.

Recommendation (Sl.No. 14, Para No.4.23)

“Secondment to Foreign Companies ”

2.212 The Committee had noted that out of 74 employees selected by other institutions for secondment to foreign companies, there were 6 from SC category and none from ST category. The reason given by IOC that they did have any say in final selection of its employees, was not acceptable. The Committee had, therefore, recommended that henceforth the IOC should consider the cases of eligible SC/ST employees favourably for secondment abroad.

2.213 In their action taken reply, the Ministry had stated that IOC had noted the recommendation of the Committee for implementation.

2.214 In their status report, the Ministry have stated that IOC is favourably considering the cases of SC/ST candidates for secondment abroad. This has improved the representation of SC/ST employees. During the period from 1995 to 2001 (upto August), out of total 86 employees seconded abroad 13 are SCs and 1 ST.

Comments of the Committee

2.215 The Committee are happy to note that the representation of SCs for secondment to foreign companies has shown an upward trend. However, in case of ST category the position is very grim and needs improvement. The Committee, therefore, recommend that IOC should make earnest efforts to ensure the adequate representation of SCs and STs.

Recommendation (Sl.No. 15, Para No.4.26)

“Pre-recruitment Training”

2.216 The Committee had noted that 47 SC/ST candidates were provided pre-recruitment training during 1991 to 1994. Out of 47 SC/ST candidates enrolled for pre-recruitment training, 40 SC/ST candidates who completed their training successfully were absorbed in the regular scale. The remaining two candidates who deserted the training were not absorbed. It had been further added that 5 trainees (1 SC & 4 ST) were engaged during 1995, and that they would be absorbed during the same year itself subject to their completing the training. The Committee had appreciated the efforts on the part of IOC in absorbing 40 SC/ST candidates who completed their training successfully during the years 1991 to 1994 and had hoped that they would maintain that spirit in future too.

2.217 In their action taken reply, the Ministry had stated that the observation of the Committee has been noted by IOC for implementation.

2.218 In their status report, the Ministry have stated that the 5 SC/ST trainees referred above were absorbed in 1995 after their successful completion of training. Further, due to restructuring exercise like redeployment, delaying etc., less number of recruitments were made during the period from 1995 to 2000. Thirty two SC/ST candidates were imparted training from 1995 to 2000 and all the trainees inducted in different years have been absorbed in regular grade, except 4 trainees of the year 2000 in respect of whom written test/interview for absorption in regular grade is in progress.

Comments of the Committee

2.219 The Committee are happy to note that IOC had been imparting pre-recruitment training to SC/ST candidates and have been absorbing them after their successful completion of training in the company. They hope that the IOC would continue to impart pre-recruitment training to SC and ST candidates and make it a regular feature. The Committee appreciate the endeavour made by IOC in this regard.

MINISTRY OF FINANCE (DEPARTMENT OF REVENUE)

F. Fiftieth Report (10th Lok Sabha) on Reservation for and Employment of Scheduled Castes and Scheduled Tribes in Central Board of Direct Taxes (CBDT) and Central Board of Excise and Customs (CBEC).

2.220 The above mentioned report was presented to the Parliament on 28th April, 1995. It contained 15 recommendations. The Action Taken Report was presented on 22nd December, 1995. Out of which 11 recommendations were accepted by the Ministry of Finance (Department of Revenue). The actual implementation of these recommendations is being dealt with in this Chapter.

Recommendation (Sl.No. 3, Para No. 2.4)

“Recruitment in CBDT”

2.221 Having noted that a large number of carry forward vacancies of SCs and STs in Group ‘C’ and ‘D’ existed during the years 1992 to 1994, the Committee had recommended that the Ministry of Finance should fill up all vacancies reserved for SCs and STs. They had also recommended that Ministry of Finance, CBDT should assess the requirement of SC/ST manpower for the next five years category-wise and take measures for their timely selection and recruitment.

2.222 In their action taken reply, the Ministry had stated that there was no shortfall, on over all basis in the employment of SC/ST personnel as against reserved vacancies for direct recruitment in so far the Income Tax Department was concerned. The normal vacancies for SC/ST arising in the direct recruitment quota in various grades in Group ‘C’ grades were notified to the Staff Selection Commission (SSC). The reserved vacancies for which nominations were not received from the Staff Selection

Commission in any particular recruitment year were treated as backlog vacancies which were filled through the special recruitment drive from time to time. CBDT had succeeded in obtaining special permission from the SSC for filling ST vacancies in the Stenographer grade through direct recruitment by the various Chief Commissioners of Income Tax as a result of which various charges had been able to fill ST vacancies in this grade. They further stated that all the charges in the Income Tax Department had been directed to make intensive efforts to fill up the vacancies reserved for SCs and STs. As recommended by the Committee, all the charges had assessed the requirement of SC/ST manpower for the five years category-wise and suitable measures would be taken for the timely selection/recruitment against reserved vacancies. Under the Special Recruitment Drive 1995, the Government had identified 188 Scheduled Caste and 250 Scheduled Tribe vacancies in Group 'C' posts for filling and had requested the SSC for taking special measures to fill these backlog vacancies.

2.223 In their status report, the Ministry have stated that the CBDT ensures through periodical reports and returns that the reservation in favour of SC/ST are faithfully implemented by the various field offices in the Income Tax Department. Further the proposal for de-reservation of posts in the promotion quota sent by the field officers are examined in detail by the Chief Liaison Officer for SC/ST in the Board. Only where eligible reserved category candidates are not available, the Board agree to de-reservation of reserved vacancies subject to carry forward of reserved vacancies for the subsequent 3 recruitment years in accordance with the general guidelines issued by the Department of Personnel & Training (DOP&T).

2.224 They have further added that a special recruitment drive was carried in the interest of SC/ST employees to fill up the backlog vacancies of SCs/STs for the period from 1995-1997. All efforts were made to fill up the backlog vacancies of SCs/STs. Apart from the general concessions and relaxations in favour of SCs/STs granted by the Government of India, the qualifying standards in favour of SCs/STs as against normal qualifying standards for general category candidates for various departmental examination held in the Income Tax department are relaxed by 5 marks below the normal qualifying standards.

2.225 The Ministry have also stated that written test/interviews for direct recruitment to Group 'C' posts are held by the Staff Selection Commission. For recruitment to certain categories of posts like Staff Car Drivers and for recruitment to Group 'D' posts, which is done by the field offices in the Income Tax Department, the local Employment Exchanges are requested to nominate suitable candidates and a minimum notice of 3-4 weeks is given to all the candidates including SCs/STs. After selection a minimum period of 3-4 weeks is allowed for joining the assignment. In case where extension is required, the same is also granted.

Comments of the Committee

2.226 The Committee are happy to note that a special recruitment drive was conducted to fill up backlog vacancies from 1995 to 1997. The Committee, however, have not been informed as to whether all the backlog vacancies had been identified. The Committee would like to be informed about the details of backlog vacancies that had actually been filled up by conducting Special Recruitment Drives from 1995-1997. If not, further action that was taken in this regard may also be intimated to the Committee.

Recommendation (Sl.No. 9, Para No. 5.5)

“SC/ST Cell and Liaison Officer in CBDT”

2.227 Having noted that no regular meeting of Liaison Officers having been held despite the fact that SC/ST Cells had been set up in all offices of Chief Commissioners of Income Tax, the Committee had recommended that besides having meetings with the representatives of the SC/ST Employees Welfare Association, the Liaison Officers of the Chief Commissioner of Income Tax as well as the Chief Liaison Officer of Income Tax Department should hold meeting at regular intervals. The Committee, had also recommended that in order to understand the interest of SC/ST employees better, the Liaison Officers as well as Chief Liaison Officer should be appointed from SC/ST categories.

2.228 In their action taken reply, the Ministry had stated that many Liaison Officers for SC/ST in the Income Tax Department belong to reserved category. In some cases, all the officials working in SC/ST Cell belong to reserved category. They also added that the Chief Liaison officer of the Income Tax Departments had been asked to hold meetings to sort out problems of common interest at regular intervals on zonal basis. As regard to appointment of Liaison Officer and Chief Liaison officer from SC/ST category, the same had been brought to the notice of all concerned.

2.229 In their status report, the Ministry have stated that Liaison Officers have been appointed in all Chief Commissioner of Income Tax (CCIT) charges of CBDT to look after the interests of SC/ST employees working

in the charge. There is also an apex SC/ST Cell for Group 'C' and 'D' posts in the CBDT under the Chief Liaison Officer for SC/ST of the Income Tax Department as a whole. The apex SC/ST Cell in the CBDT is headed by the Chief Liaison Officer of the rank of Deputy Secretary and comprises an Under Secretary, Section Officer and connected staff. Periodic meetings are being held generally in the field level with the Association of the employees in which the problems/grievances of SC/ST employees are also discussed and appropriate follow up action taken to redress their grievances. Instructions have been issued to all field formations under CBDT that, as far as possible, the Liaison Officer should be appointed from SC/ST category.

Comments of the Committee

2.230 The Committee are surprised to note that periodic meetings are held at field levels only whereas the Committee had earlier recommended that besides holding regular meetings with SC/ST Employees' Welfare Association, the Liaison Officers of the Commissioner of Income Tax as well as the Chief Liaison Officer of the Income Tax Department should hold meetings at regular intervals in order to sort out the problems of common interest. The Committee would like the department to implement the recommendation, given earlier, in letter and spirit. As regard appointment of SC/ST Officer as Liaison Officer, the Committee desire to have the copy of instructions issued by the Ministry as stated by them in their status report.

Recommendation (Sl.No. 11, Para No. 6.5)

“Training abroad in CBDT”

2.231 The Committee had noted that very few number of SC/ST employees were being sent abroad for training by CBDT during the years from 1991 to 1994. The Committee had, therefore, recommended that while sending the employees of the department abroad for specialised training in future, adequate representation should be given to SC/ST employees.

2.232 In their action taken reply, the Ministry had stated that the recommendation of the Committee had been noted and would be kept in view while nominating officers for training abroad in future.

2.233 In their status report, the Ministry have stated that the recommendation will be kept in view while considering employees for sending abroad for specialised training.

Comments of the Committee

2.234 The Committee take a serious note of the fact that inspite of having accepted the recommendation of the Committee, the Ministry have failed to implement the same. The Committee desire that the Ministry should furnish the detailed reasons due to which this recommendation had not been implemented.

Recommendation (Sl.No. 13, Para No. 7.3)

“False Caste Certificate cases in CBDT”

2.235 The Committee had noted 40 false caste certificate cases in CBDT, out of which 5 cases had been closed after extensive inquiries as no prima-facie case of submission of false certificate was established and that in two cases, after completion of disciplinary proceedings the officials concerned had been removed from service. Out of the remaining 33 cases, 9 were under investigation in consultation with the District Authorities concerned, 19 were sub-judice, pending in High Courts/Administrative Tribunal and in 5 cases disciplinary proceedings were pending. The Committee also noted that no criminal case had been lodged against any person found guilty of producing false caste certificate. The Committee had desired that CBDT should complete the investigation against those nine cases and apprise the Committee of the final outcome within six months.

2.236 In their action taken reply, the Ministry had stated that all the charges in the Income Tax Department were asked to follow the judgment of the Supreme Court in the case of false caste certificates. A progress report in regard to the 9 cases would be sent separately.

2.237 In their status report, the Ministry have stated that out of 40 cases contained in the recommendation of the Committee only 9 are now pending in CBDT. Out of these, 6 cases are pending with District Authorities and that reminders have been issued by the field formation to expedite early decision in the matter. One case is reported to be sub-judice as the matter is pending in the High Court of Andhra Pradesh and in case of other two cases disciplinary proceedings are proposed to be initiated in one case by the Income Tax Department and another case is

pending investigation in the Collectorate concerned but that the Social Welfare Department of the Government of Andhra Pradesh had stayed the proceedings.

Comments of the Committee

2.238 The Committee note with dismay that even after more than 8 years have passed since 50th Report (10th Lok Sabha) was presented to Lok Sabha on 28.4.1995, there are still 9 cases of false caste certificates pending before one or other authorities. The Committee are of the view that serious efforts have not been made by the Government to dispose off these cases which has resulted in deprivation of the constitutional right of genuine SC/ST people. The Committee now recommend that concerted efforts should be made by the Government to settle these cases at the earliest. The Committee also desire that corrective/remedial steps such as filing of F.I.R. under criminal laws in such cases should be taken to stop recurrence of such cases and detailed scrutiny of caste certificate at recruitment stage be carried out so that this social evil could be rooted out completely.

Recommendation (Sl.No. 14, Para No. 7.4)

“False Caste Certificate cases in CBDT”

2.239 Regarding securing employment on production of false caste certificate, the Committee had referred the judgment of Supreme Court on the procedure for issuance of social status certificates, their scrutiny and their approval. In the judgment it had been stated that in case the certificate obtained or social status claimed found to be false, the parent / guardian / candidate should be prosecuted for making false claim. If the prosecution ends in a conviction and sentence of the accused, it could be regarded as an offence involving moral turpitude, disqualification for elective posts or offices under the Union or State or Local Body. It was also covered under the judgment that as soon as the finding is recorded by the Scrutiny Committee holding that the certificate obtained was false, on its cancellation and confiscation simultaneously it should be communicated to the institution concerned or the appointing authority to cancel the appointment without any further notice to the candidate. The Committee had, therefore, recommended that CBDT should carry out the judgment of the Supreme Court in such cases.

2.240 In their action taken reply, the Ministry had stated that all the charges in the Income Tax Department were asked to follow the judgment of the Supreme Court in the case of false caste certificates. A progress report in regard to the 9 cases would be sent separately.

2.241 In their status report, the Ministry have stated that the service matters are being governed by the relevant rules and instructions issued by DOP&T in the matter. The DOP&T's instruction dated 19.5.1993, inter alia, provides that in the case of production of a false certificate in order to secure appointment he should not be retained in service. If he is a

probationer or a temporary Government servant, he should be discharged or his services should be terminated. If he has become a permanent Government servant, an inquiry as prescribed in Rule 14 of CCS (CCA) Rules, 1965 may be held and if the charges are proved, the Government servant should be removed or dismissed from service. In no circumstances should any other penalty be imposed. Such discharge, termination, removal or dismissal from service would, however, be without prejudice to the right of the Government to prosecute such Government servants. Criminal proceedings can also be initiated.

Comments of the Committee

2.242 The Committee hope that the Government would strictly follow all instructions, in vogue, and would take all necessary action to punish guilty so that genuine candidates are not deprived of their right enshrined in the Constitution. The Committee are concerned that despite the clear cut instructions issued in regard to false caste certificates, many people are still obtaining employment in Government service and public sector undertakings/banks/statutory bodies etc. It is a serious offence which is affecting employment opportunity of genuine SC/ST candidates.

2.243 The Committee are unhappy to note that out of 11 Recommendations (Nos. 3,4,6,8,9,10,11,12,13,14 and 15) on which status report was sought by the Committee, the Government have furnished the said information only in respect of 5 Recommendations (Nos. 3,9,11,13,14). The Committee take a very serious view of the matter and strongly recommend that status report regarding remaining recommendations must be furnished for information of the Committee.

MINISTRY OF FINANCE (BANKING DIVISION)

G. Fifty-eighth Report (10th Lok Sabha) on Reservation for and Employment of Scheduled Castes and Scheduled Tribes in the National Bank for Agriculture and Rural Development (NABARD)

2.244 The above mentioned report was presented to the Parliament on 29th February, 1996. It contained 15 recommendations. The Action Taken Report was presented on 20th December, 1996. Out of which 8 recommendations were accepted by the Ministry of Finance (Banking Division). The actual implementation of these recommendations is being dealt with in this Chapter.

Recommendation (Sl.No. 1, Para No.1.6)

“Board of Directors”

2.245 The Committee had found that besides the Chairman, there were fourteen Directors in the Board of NABARD and that one of the fourteen Directors was from the Scheduled Tribe Community at that point of time. The Committee were assured that the NABARD would maintain that spirit in future also.

2.246 In their action taken reply, the Ministry had stated that the policy of the Government was to constantly endeavour to give due representation to SCs/STs in the Board of Directors of all Nationalized Banks and Financial Institutions including NABARD. They noted the observation of the Committee.

2.247 In their status report, the Ministry have reiterated what they had stated in the action taken reply that the policy of the Government is to constantly endeavour to give due representation to SC/ST on the Board of Directors of all Nationalised Banks and Financial Institutions, including NABARD and that the observation of the Committee was noted by them.

Comments of the Committee

2.248 The Committee would like to know the present representation of SCs and STs on the Board of Directors of NABARD. The Committee would also like to have the details of SC/ST Directors appointed since 1996 to date. The Committee would impress upon the Government to make mandatory provision for appointment of at least one SC or ST Director on the Board of Directors of all Nationalized Banks and Financial Institutions.

Recommendation (Sl.No. 3, Para No.2.8)

“Liaison Officer”

2.249 The Committee had noted that there were three SC/ST Liaison Officers in three Regional offices of NABARD. The Committee had desired that SC/ST Liaison Officers should also be appointed in other Regional Offices.

2.250 In their action taken reply, the Ministry had stated that as reported by NABARD normally an officer in the grade of AGM or above is designated as Liaison Officer for SCs/STs. They had further stated that it is their endeavour to identify SC/ST officers as Liaison Officers in other Regional Offices(ROs) also if officers in the above seniority are available in the ROs. The number of Liaison Officers at RO belong to SC/ST had since been increased to eight.

2.251 In their status report, the Ministry have stated that three SC/ST officers had been acting as Liaison Officers in three Regional Offices of NABARD. They have also added that normally, NABARD appoints officers in Grade 'D' as Liaison Officers in its Regional Offices. However, at some Regional Offices, SC/ST officers in Grade 'D' are not available. Consequently, officers belonging to General Category have been appointed to act as Liaison Officers. They have further stated that efforts are being made by NABARD to appoint more and more SC/ST officers to act as Liaison Officers in other Regional Offices also.

Comments of the Committee

2.252 The Committee are happy to note that efforts are being made by the NABARD to appoint more and more SC/ST officers as Liaison Officers. The Committee would like to know the total number of Regional Offices of NABARD and number of SC/ST Liaison Officers appointed thereat.

Recommendation (Sl.No. 4, Para No.2.9)

“Liaison Officer”

2.253 The Committee had recommended that records of the discussions held by the Liaison Officers pertaining to matters of common interest should be kept so that any aberration in reservation policy, if made, can be rectified for the benefit of SC and ST employees.

2.254 In their action taken reply, the Ministry had stated that the recommendation of the Committee had been noted and in future, records of discussion held by the Liaison Officers during the annual meet would be maintained by NABARD.

2.255 In their status report, the Ministry have stated that the recommendations of the Committee had already been accepted and implemented by NABARD. They further added that a Liaison Officers' meet was conducted on 9 October, 1996 and record of the discussions was prepared and maintained in NABARD. They also proposed to hold the next meet of the Liaison Officers' shortly.

Comments of the Committee

2.256 The Committee are of the view that these discussions should be held every year. Proper record of minutes of the proceedings should be maintained so that it could be made result oriented.

Recommendation (Sl.No. 7, Para No.4.9)

“Pre-recruitment Training”

2.257 The Committee had regretted that NABARD had been imparting pre-recruitment training to only candidates applying for the post of Officers in Grade `A'. They had, therefore, recommended that training should be imparted to SC/ST candidates for Clerical recruitment also.

2.258 In their action taken reply, the Ministry had stated that the arrangements would be made by NABARD to impart pre-recruitment training to SC/ST candidates for clerical recruitment also as per the recommendation of the Committee.

2.259 In their status report, the Ministry have stated that the pre-recruitment training programme for the benefit of SC/ST candidates for recruitment to clerical cadre has already been introduced in NABARD. During the recruitment process for Clerical Cadre undertaken by the Bank in April, 1999, the pre-recruitment training of one week was imparted to SC/ST candidates at its various centres in which 570 candidates participated.

Comments of the Committee

2.260 The Committee are happy to note that NABARD has introduced pre-recruitment training to SC/ST candidates for clerical cadre. The Committee would like NABARD to maintain this spirit in all its future recruitments.

Recommendation (Sl.No. 8, Para No.4.10)

“Pre-recruitment Training”

2.261 The Committee had appreciated the decision of NABARD to extend the duration of pre-recruitment training from 6 days to 10 days. They had hoped that NABARD would implement the same without delay.

2.262 In their action taken reply, the Ministry reported that the NABARD had already taken a decision to ensure that from the next recruitment process for officers, arrangements would be made to impart training for 10 days to SC/ST applicants.

2.263 In their status report, the Ministry have stated that the recommendation of the Committee had already been implemented by the NABARD.

Comments of the Committee

2.264 Keeping in view the need and nature of the posts for which recruitment is made, the Committee desire that regular review of the duration of training may be done and if need be, it should be revised accordingly so that pace with changing time could be maintained.

Recommendation (Sl.No. 9, Para No.4.11)

“Pre-promotion Training”

2.265 The Committee had welcomed the decision taken by the NABARD to increase duration of pre-promotion training in case of promotion from Clerical to Officers Cadre from 12 days to 18 days. The Committee felt it was necessary to wipe out huge shortfall of SCs and STs in promotion and especially to bring ST employees at par with other candidates. They expected that the decision should be implemented without further delay.

2.266 In their action taken reply, the Ministry had stated that the decision to impart training for 18 working days instead of earlier 12 days by NABARD implemented and one such training programme was arranged in the month of October/November, 1995.

2.267 In their status report, the Ministry have stated that the decision to impart training for 18 days instead of 12 days had already been implemented since October, 1995 for promotions from Clerical to Officers cadre.

Comments of the Committee

2.268 The Committee are happy to note that NABARD has not only accepted the recommendation of the Committee but has also implemented it without delay. The Committee would also like to know the impact of the training on wiping out of shortfall. The details of the shortfalls since 1995 to 2005 may also be furnished.

Recommendation (Sl.No. 14, Para No.5.10)

“Housing Facilities”

2.269 The Committee had appreciated that more than 10% of the staff quarters meant for Clerical and Subordinate staff as well as Officers were allotted to SC/ST employees. They had hoped that the bank would maintain the spirit in future too.

2.270 In their action taken reply, the NABARD assured to make efforts to maintain that percentage in future too.

2.271 In their status report, the Ministry have stated that efforts were being made by NABARD to maintain the representation of SC/ST in allotment of staff quarters at a higher level. They further added that as on 1.2.2002 more than 20% of staff quarters had been allotted to employees belonging to SC/ST categories.

Comments of the Committee

2.272 The Committee appreciate the endeavour of the NABARD in maintaining higher percentage in allotment of staff quarters to SC/ST employees. They hope that NABARD would always strive to keep this spirit.

Recommendation (Sl.No. 15, Para No.5.11)

“Housing Facilities”

2.273 The Committee had observed that NABARD had not been maintaining rosters for reservation of SCs/STs in staff quarters. They had hoped that the bank would maintain the same and monitor the reservation for SCs/STs in the staff quarters.

2.274 In their action taken reply, the Ministry had stated that in NABARD the staff quarters to Group ‘B’ and ‘C’ staff (clerical and subordinate staff) were allotted in the blocks of 10 and if an SC or ST employees does not secure quarters by virtue of his seniority in the first 9 allotments, the 10th allotment was made to the senior most SC/ST employee, irrespective of his seniority position vis-à-vis the general employees. However, as desired by the Committee, instructions had been issued by NABARD to its offices to maintain proper rosters.

2.275 In their status report, the Ministry have informed that the recommendation of the Committee has already been implemented by NABARD and 60 point rosters in accordance with Government of India instructions have been introduced in allotment of staff quarters with effect from 10th April, 1996.

Comments of the Committee

2.276 The Committee are happy to know that the recommendation of the Committee was being implemented by the NABARD. The Committee also hope that the same status would be maintained by them in future too.

Ministry of Tribal Affairs

H. Fifty-ninth Report (10th Lok Sabha) on Rehabilitation of displaced tribals by major projects in Madhya Pradesh.

2.277 The above mentioned report was presented to the Parliament on 7th March, 1996. It contained 20 recommendations. The Action Taken Report was presented on 30th April, 1997. Out of which 10 recommendations were accepted by the Ministry of Tribal Affairs. The actual implementation of these recommendations is being dealt with in this Chapter.

Recommendation (SI.No.3, Para No.1.14)

“Tribals displaced by projects undertaken by the Government of Madhya Pradesh”

2.278 The Committee had observed that information with regard to the number of tribals displaced and rehabilitated under the Dudhawa and Sindhi Phase I irrigation projects was still being collected. They had expressed their shock that the information was still being collected whereas those two projects had been completed a long time back. They had desired that erring officials should be punished. The Committee had urged upon the State Government of Madhya Pradesh to collect the detailed information within six months regarding the number of tribals displaced and rehabilitated in the above mentioned projects so that the

rehabilitation process of the displaced tribals was not delayed inordinately. The Committee also recommended that the State should maintain detailed information meticulously.

2.279 In their action taken reply, the Ministry had stated that the Government of Madhya Pradesh had ascertained that no tribal family was affected by construction of Sindhi Phase I Project. Dudhawa Project was constructed in the year 1963 and rehabilitation work was completed prior to the year 1963. From the available information it had been found that 584 families of tribal community were displaced due to construction of dam out of a total of 1409 families. The ousted families were paid land compensation as per prevailing rules in the period prior to 1963. The oustees were required to rehabilitate themselves according to their own will after the receipt of land compensation.

2.280 In their status report, the Ministry have stated that Madhya Pradesh Government have informed that there was no project by the name of Sindhi Phase I under the Irrigation Department. However, the construction of Sindhi Phase –I was completed in 1978 and the rehabilitation of the displaced persons had done at that time only. Information regarding the displaced persons under the Sindhi Phase I has been given as under:-

Name of Village	Details of displaced families	Category			
		SC	ST	General	Total
Nanakpur	Family	33	26	188	247
	Number of family members	231	193	1126	1550
Secunderpur	Family	21	0	105	126
	Number of family members	148	0	596	744
	Total families affected from	54	26	293	373

	project				
	Number of family members	379	193	1722	2294

2.281 It has also been stated that Chhattisgarh Government have reported that Dudhawa Dam was constructed in the year 1963. Total 1409 families were affected due to submergence under the project. Out of these 584 families were from ST community. At that time, State Government had no Rehabilitation and Resettlement Policy (R&R Policy), therefore, no programme was launched for affected families. Only compensation for their land and property was granted to all the oustees as per prevailing act as per detail given as under:-

Annexure-II

Village wise list of affected Scheduled Castes, Scheduled Tribes and other farmers at Ivaan region of Dudhava reservoir:

Sl. No.	Name of Village	Rakba (in Acres) of the fresh land of farmers acquired against submerged land	(in Acres) of the acquired government land in Acres	by Total fresh land acquired in Acres against submerged land	Number of account holder		
						S.C.	S.T. Others
1.	2.	3.	4.	5.	6.	7.	8.
1.			5.47	5.47	-	-	-
2.	Banora Saatkari	360.41	27.98	388.39	3	38	9
3.	Dheklavan	650.01	142.98	792.99	20	41	15
4.	Sehnikhar	13.53	19.85	33.38	-	3	5
5.	Latiyaara	18.660	17.98	36.64	-	3	2

6.	Amavi	102.86	5.77	108.63	-	14	2
7.	Dompadar	2.79	4.92	6.91	-	1	1
8.	Aamgaon	67.53	12.82	80.35	-	16	-
9.	Musurputta	195.00	31.85	227.93	1	17	6
10.	Mahirinbandha	170.69	18.06	188.75	5	8	3
11.	Kekra Kongra	400.32	58.31	458.63	17	35	18
12.	Ghotiavahi	157.68	19.70	177.38	4	25	5
13.	Themlipara	311.29	65.42	376.63	8	19	1
14.	Devdonger	147.42	12.87	160.29	-	13	10
15.	Khajravan	367.77	-	367.77	-	27	9
16.	Dudhava	184.55	-	184.55	2	11	16
17.	Khameer Malgujari	375.68	119.85	495.53	8	18	30
18.Margujari	488.56	114.00	602.56	21	17	38
19.	Koarnud	971.23	389.32	160.62	20	45	68
20.	Bihava	517.91	305.22	823.13	4	26	13
21.	Bhumka Raiyatwari	61.71	8.52	70.23	2	-	3
22.	Bhumka Malgujari	440.21	63.29	503.50	5	23	25
23.	Soanpur	346.06	105.20	451.26	6	22	39
24.	Soanpur Bharri	241.16	3.30	244.46	2	24	24
25.	Bhursi Dongari	397.38	28.81	426.19	3	36	19
26.	Belgaon	199.98	16.47	216.45	3	11	52
27.	Birgudi	967.64	70.56	1038.20	84	18	72
28.	Bem Rayatwari	129.66	26.06	155.72	2	5	-
29.	Semra	148.36	-	148.36	7	22	28
30.	Devkhunt	1157.88	308.28	1466.16	13	44	72

Total	3750.33	2025.94	11776.27	240	584	585
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Comments of the Committee

2.282 The Committee are pleased to note that the details of tribals displaced and rehabilitated due to Sindh Phase I Irrigation Project and Dudhawa Project have been obtained from the State Governments of Madhya Pradesh and Chhattisgarh. They stress that such data should be kept meticulously so that in future when the information is sought these are available readily for better examination of the subject.

Recommendation (Sl.No.4, Para No.1.15)

“Role of Voluntary Organisation”

2.283 The Committee had noted that there was hardly any voluntary organisation in the State of Madhya Pradesh to convince the tribals to surrender their land for construction of major projects by explaining them the importance of the construction of the projects to the developmental needs and also the benefits that accrue to the tribals themselves. The Committee were of the view that the services of voluntary organisations/Non-Governmental Organisations with high credibility among the tribals be encouraged to take up the task in the project sites of Madhya Pradesh so that they could equally motivate the tribals as well as the Governments to surrender land for the developmental needs of the country as also to provide and ensure a better life-style to the land oustees through benevolent compensation package.

2.284 In their action taken reply, the Ministry have stated that to encourage participation of NGOs, a scheme had been formulated and rules framed by the Government of Madhya Pradesh to provide them financial assistance. These rules are known as ‘Punarwas Ke Kshetra Me Bhagidhari Aur Is Pariyojana Se Asaskiya Sewa Sansthan Ko Vittiya Sahayata Nigam’. Eight NGOs had submitted their proposals for participation in the R&R which were being examined by the State Government.

2.285 In their status report, the Ministry have stated that no major project was underway in the tribal areas by the Irrigation Department as reported by Madhya Pradesh Government. The projects that were underway in

the tribal area were Indira Sagar, Omkareshwar, Maheshwar and other projects being run by the Narmada valley project. It is a fact that there was hardly any NGO in Madhya Pradesh, who had experience of undertaking specialized activities relating to resettlement and rehabilitation of the project affected families of various projects including the projects under the aegis of Narmada Valley Development Project Complex. Various Ministries like, Ministry of Social Justice & Empowerment, Ministry of Health & Family Planning and Ministry of Rural Development and its wing, Council for Advancement of Peoples Action & Rural Technology (Capart) have identified Statewise NGOs available in each State and also the type of projects being undertaken by them. The list so prepared by the above Ministries of Government of India reflects only the following 4 Mother NGOs:

S. No.	Name of the organization	Type of Project	Address
1.	Digdarshika Institute of Rehabilitation Research	Special School for mentally retarded	Redcross Bhawan Campus, Shivaji Nagar, Bhopal
2.	M.P. Drishtiheen Kalyan Sangh	Low Vision Centre	33/B/D Indore
3.	M.P. Drishtiheen Kalyan Sangh	Placement Service	33/B/D Indore
4.	Welfare Association for the Disabled	Computer Training Centre office management, placement and employment services rehabilitation centre	8 – Rambagh, Indore

Out of the above NGOs only, one 'Welfare Association for the Disabled', Indore appears to be having some specialization in this

particular aspect, of rehabilitation. The State of Madhya Pradesh has already formulated a regulation in April 1995 to seek involvement and coordination of the NGOs in the R&R of the Projects Affected Families (PAFs). However, NGOs do not seem to be interested in these projects.

Comments of the Committee

2.286 The Committee are distressed to note that voluntary organisations do not seem to be interested in the rehabilitation and resettlement of the tribal people ousted by the Projects. They would like to know whether the Government has made any study to find out why these NGOs are not inclined to work for such a noble cause. The Government should not hesitate to encourage these NGOs by offering them some attractive incentives such as land, finance etc. so that they could get themselves interested in these projects. The Committee also desire that a comprehensive plan should be devised exclusively for voluntary organisations defining their role, duties and benefits so that their participation in the rehabilitation and resettlement could be made result oriented.

Recommendation (Sl.No.6, Para No.2.34)

“National Policy on Rehabilitation of displaced Tribals”

2.287 The Committee had noted that a National Policy on Rehabilitation of tribals displaced by major projects had been under consideration since 1987 as a result of which the Resettlement and Rehabilitation programmes differ from State to State and even from project to project in a State. Keeping in view the importance of resettling the displaced tribals through uniform policy, the Committee had impressed upon the Ministry of Rural Development to finalise and formulate the National Policy on Rehabilitation of Tribals without further loss of time. They had also desired that the Committee of Secretaries to refer the draft policy on rehabilitation of tribals to the State Governments as soon as possible so that the suggestions of the different State Governments can be incorporated in the salient features of the policy thereby making it more beneficial.

2.288 In their action taken reply, the Ministry had stated that the matter was taken up with Ministry of Rural Development and that the proposed National Policy on Rehabilitation and Resettlement was sent to the State Governments on 13.9.1995. After receiving comments from them, the note had been sent to the Cabinet Secretariat and that the Committee of Secretaries was likely to discuss the matter shortly.

2.289 In their status report, the Ministry have stated that according to Ministry of Rural Development the National Policy on the Resettlement and Rehabilitation of Project Affected Persons/Families for large Projects Displacing 1000 Families or more was under consideration of the

Government of India and that the protection of the interests of tribals would also be addressed in the proposed policy.

Comments of the Committee

2.290 The Committee are constrained to note that the National Policy on the Resettlement and Rehabilitation of Tribals has been under consideration of the Government since 1987. They are at a loss to understand the in-ordinate delay caused in framing this policy. It is proverbial fact that numerous projects are being undertaken in different parts of the country where either tribal land has already been acquired or being acquired for this purpose. The delay and disparity in Resettlement & Rehabilitation policy of different States have caused a great loss to the tribal people. The Committee, therefore, again strongly recommend that the Government must formulate and finalise a uniform National Policy on Resettlement and Rehabilitation of Tribals immediately.

Recommendation (Sl.No.7, Para No.2.35)

“National Policy on Rehabilitation of displaced Tribals”

2.291 The Committee had also recommended that the Ministry should impress upon the Government the need to formulate a separate policy for tribals exclusively keeping in mind the number of tribals *vis-à-vis* other displaced due to execution of major projects apart from the economic backwardness and unique culture of the tribals. They had also recommended the Ministry to apprise the Committee of the progress made in this regard periodically.

2.292 In their action taken reply, the Ministry had stated that the Ministry of Welfare was continuing its efforts to have a separate rehabilitation policy for tribals by explaining to appropriate levels of the Government the special conditions and circumstances of tribal life which necessitate such a separate policy.

2.293 In their status report, the Ministry have stated that the Government of India has taken a decision to prepare a comprehensive National Policy on the Resettlement and Rehabilitation of Project Affected Persons/Families for large Projects – Displacing 1000 families or more, which includes the Resettlement and Rehabilitation of Tribals also.

Comments of the Committee

2.294 The Committee are pained to note that the National Policy on Resettlement and Rehabilitation of Tribals was under consideration since 1987 but during the course of time a decision to prepare a comprehensive National Policy on the Resettlement and Rehabilitation of Projects Affected Persons/Families for large Projects – Displacing 1000 families or more, which includes the Resettlement and Rehabilitation of Tribals also, has been taken. The reason why the earlier policy which was specifically meant for resettlement and rehabilitation of tribals was not pursued, but made to fit in the larger canvass is definitely a ploy to delay justice to the affected tribal people. The Committee is in quandary as to the delay in formulation of the said policy. They desire that clarification may be furnished in this regard and the policy be finalised at the earliest.

Recommendation (Sl.No.8, Para No.2.36)

“Representation of displaced Tribals in Projects Rehabilitation Committee”

2.295 The Committee had recommended that in order to ensure the involvement of displaced tribals in the process of rehabilitation the Government immediately implement its proposed scheme whereby the representatives of the displaced tribals including women are included in the Project Rehabilitation Committee at the project level.

2.296 In their action taken reply, the Ministry had stated that they had already made suitable provisions to include displaced tribals including women in the project rehabilitation committee, in the draft policy on rehabilitation under preparation by them.

2.297 In their status report, the Ministry have stated that the recommendation for inclusion of representatives of displaced tribals including women have already been taken into consideration while framing the National Policy on Resettlement and Rehabilitation.

Comments of the Committee

2.298 The Committee urge the Government to take necessary positive steps to bring out their proposed policy at the earliest.

Recommendation (Sl.No.10, Para No.2.38)

“Acquisition of excess land from Projects”

2.299 The Committee had noted that sometimes land acquired from the tribals for execution of projects are found to be more than the requirement and no decision had been taken to return the surplus land to the tribals. They had, therefore, recommended that land acquired in excess of the requirement should immediately be given back to the tribal land-holders.

2.300 In their action taken reply, the Ministry had stated that the recommendation of the Committee had been intimated to all the Central Ministries and State Governments for their information and suitable action.

2.301 In their status report, the Ministry have stated that the Ministry of Rural Development have intimated that the information on the extent of the area which is more than what is required by the Project Authorities is not available. However, the State Governments have been instructed to comply with the directions of the Committee.

Comments of the Committee

2.302 The Committee are of the strong opinion that only by issuing instructions to the State Governments, the Government cannot absolve themselves from the responsibility of implementation of the recommendation. Instead of simply circulating instructions, the Government should have also asked the State Governments to give information regarding excess land acquired by them and return of any such land to the tribals. The Committee, therefore, recommend that the Government should monitor the implementation of the recommendation by obtaining information regarding excess land requisitioned from the tribal land holders for specific projects to ensure that the State Government have given back the excess land to the original tribal land holders.

Recommendation (Sl.No.11, Para No.2.39)

“Compensation”

2.303 The Committee had noted that in the execution of new projects, provisions had been made for landless oustees in order to enable them to get compensation and resettlement of families although no such provision had been in existence in the Land Acquisition Act. The Committee had, therefore, recommended that the State Government of Madhya Pradesh along with National Valley Development Authority (NVDA) should always keep in mind the plight of landless oustees while finalising the compensation packages.

2.304 In their action taken reply, the Ministry had stated that the Government of Madhya Pradesh replied that in the R&R Policy for the projects of NVDA, provisions had been made for special financial assistance of Rs.40,000 and Rs.25,000 for landless agricultural labours/all SC/ST landless labourers and other landless labourers respectively for purchase of productive assets including the cultivable land and thereby establish themselves in self-employment programme/non-agricultural pursuits.

2.305 In their status report, the Ministry have stated that with a gap of time, the packages as prescribed, as a Rehabilitation grant and Financial Assistance for purchase of productive assets including land for the landless agricultural labourers become inadequate in comparison to the compensation being paid to the landed oustees and therefore these packages as stipulated in the R&R Policy are linked with the poverty line of Government of India and Price Index and thus whenever a change

occurs in these criteria both the packages are correspondingly increased. Accordingly, increase in rehabilitation grant from Rs. 11,000 to 18,700 and the financial assistance of Rs. 29,000 for the landless agricultural labourers and Scheduled Caste and Scheduled Tribe landless labourers and Rs. 19,500 for the other landless labourers to 49,300 and 33,150 respectively is under active consideration of the State Government. Thus, the landless labourers who were to receive Rs. 40,000 and Rs. 25,000 respectively including the Rehabilitation Grant of Rs. 11,000 and Rs. 5,500 respectively would be receiving Rs. 68,000 and Rs. 51,580 respectively.

2.306 It has further been added that as per the provision in the R&R Policy of Government of Gujarat, the landless agricultural labourers and their major sons are to be provided maximum 2 hectare of land each. Accordingly, most of the oustees belonging to landless agricultural categories have opted for resettlement in Gujarat, a meagre number of 37 project affected families have opted for resettlement in Madhya Pradesh and they have been extended with the above package. Similarly landless agricultural labourers and other landless labourers of the ISP have been extended with the package. There is no provision like this in the rules made for rehabilitation of displaced by the Irrigation Department. There is a separate rehabilitation policy under the Narmada Valley Project.

Comments of the Committee

2.307 The Committee are happy to note that the compensation packages stipulated in the Resettlement and Rehabilitation policy are linked with the definition of poverty line of Government of India and Price Index and change in these criteria are, correspondingly reflected in compensation packages. The Committee are, however, surprised to note that no such provisions have been made for rehabilitation of displaced by the Irrigation Department. The Committee, therefore, desire that a uniform policy should be adopted by all the State Governments in this regard for which the Government should finalise the proposed policy at the earliest.

Recommendation (Sl.No.14, Para No.2.42)

“Tribal Advisory Committee”

2.308 The Committee had noted that a Committee had been constituted to examine a time limit within which the rehabilitation process of the displaced tribals could be finalized. They had desired to know the steps taken by the Madhya Pradesh Government in this regard as soon as the report of the Committee constituted for this purpose was received.

2.309 In their action taken reply, the Ministry had stated that the Committee had since submitted its report as stated by the Government of Madhya Pradesh and its recommendations were under consideration of the State Government. Some of its major recommendations were as follows:-

- (i) the setting up of State and District Level Commission to which aggrieved parties can prefer appeals against the proposed requisition of their land;
- (ii) provision to be made for land oustees in all new economic opportunities created by land acquisition including provision of employment;
- (iii) the concept of potential price rather than prevailing price for determining compensation; and
- (iv) displacement not to be carried out without consent.

2.310 In their status report, the Ministry have stated that as reported by Madhya Pradesh Government, the Resettlement and Rehabilitation of the oustees are to be carried *pari-passu* with the construction of the dam. The Committee constituted is reviewing regularly the resettlement of the

oustees based on this principle. It is a concurrent exercise and not a one time effort and as such no reports are being submitted by the Committee. Instead minutes of the Committee are circulated and compliance of the decisions taken in each meeting is reviewed in the next meeting.

Comments of the Committee

2.311 The Committee had been apprised through action taken reply that the recommendations of the Committee which was constituted on 19.8.1994 for examining the time limit for the resettlement and rehabilitation policy of Madhya Pradesh were being considered by the State Government. Whereas now the status report mentions about a Committee which is reported to have been constituted to review the rehabilitation of the oustees on some principles and it being a concurrent exercise no reports are being submitted by it. The Committee, therefore, desire the Ministry to obtain the information as to whether the recommendation given by the Committee constituted in 1994 have been fully accepted and implemented by the State Government of Madhya Pradesh.

Recommendation (Sl.No.16, Para No.3.17)

“Monitoring and Evaluation of Rehabilitation Programmes”

2.312 The Committee had noted that the Ministry of Welfare (now the Ministry of Social Justice and Empowerment) had not taken any responsibility in monitoring the progress of the R&R programmes of the displaced tribals in Madhya Pradesh. The Committee had expressed their anguish that when the Tribal Department of the Ministry had been entrusted with the responsibility to look after the rehabilitation and resettlement progress of the displaced tribals throughout the country what would have prevented them in playing a responsible role towards the displaced tribals of Madhya Pradesh. The Committee had, therefore, desired that the Ministry of Welfare in general and the Tribal Division in particular to act more responsibly towards the rehabilitation and resettlement of the displaced tribals of Madhya Pradesh. The Committee had, therefore, expected that the Tribal Division of the Ministry would henceforth keep an account of overall performance of different State Governments including that of Madhya Pradesh towards the rehabilitation programmes of displaced tribals and advise them accordingly whenever they fall short of the target.

2.313 In their action taken reply, the Ministry had stated that recognizing the problems of the tribals who were displaced without proper rehabilitation and resettlement facilities, the Ministry took the initiative for preparing a separate National Policy for Rehabilitation of tribals displaced by development projects. A draft policy was also prepared and submitted

to the Committee of Secretaries for their consideration. However, the Committee decided to have a common national policy on rehabilitation and entrusted the responsibility of drafting such a policy to the Ministry of Rural Development. The Ministry of Welfare (now the Ministry of Social Justice and Empowerment) was continuing its efforts to have a separate policy for displaced tribals. The Ministry as a member of Technical Advisory Committee for clearance of irrigation projects scrutinizes the R&R action plans for the displaced tribals of irrigation projects under consideration for approval. While scrutinizing these rehabilitation and resettlement action plans, the Ministry ensures the proper package of rehabilitation is provided to the tribals affected by projects. The responsibility of proper rehabilitation and resettlement of people including tribals displaced on account of development projects was that of the project authorities and the State Government concerned.

2.314 In their status report, the Ministry have stated that the National Policy on R&R is being prepared by the Ministry of Rural Development. The policy, *inter alia*, takes care of the plight of the tribals also as reported by that Ministry. Besides, Ministry of Tribal Affairs scrutinizes the R&R Plans of the irrigation, hydro, mega projects wherever tribals are affected. The R&R Plans are formulated by the concerned project authorities based on the laws prepared by the concerned States. The Ministry provides no objection to any such project only when the State Government (SC/ST Deptt.) clears the proposal. However, the responsibility of proper rehabilitation of tribals rests with the project authorities and the concerned States.

Comments of the Committee

2.315 The Committee are of the opinion that the Government by preparing Resettlement & Rehabilitation Plans can not keep itself aside from the overall responsibility. The Committee, therefore, desire that Ministry of Tribal Affairs should take responsibility for the monitoring of the progress of the Resettlement & Rehabilitation schemes of the projects.

Recommendation (Sl.No.19, Para No.3.20)

“Employment of displaced Tribals”

2.316 The Committee had recommended that so far as complaints pertaining to non-employment of displaced tribals of Korba Project are concerned, National Thermal Power Corporation (NTPC) should go deep into the matter sympathetically to see the feasibility of appointment of suitable displaced tribals in the Corporation.

2.317 In their action taken reply, the Ministry had stated that out of 318 Project Affected Persons (PAP) employed in the Korba Project, 229 belonged to SC/ST categories. They had further stated that NTPC encouraged land outsees to form cooperatives/partnership firms which were awarded contracts on single tender basis. Around 180 PAPs were reported to be employed in this manner. In addition, 11 shops were reported to had been allotted to the PAPs and financial assistance provided for purchasing jeeps to two PAPs.

2.318 In their status report, the Ministry have stated that NTPC projects deploy state-of-the-art technology with limited employment opportunities, particularly in the unskilled category. The Korba project is an old project where no vacancies are existing at present. Therefore, it would not be possible for NTPC to consider the appointment of suitable displaced tribals.

Comments of the Committee

2.319 The Committee desire that as far as possible, if new vacancies occur in suitable categories, preference should be given to displaced tribals at the time of future recruitment being made by NTPC for their projects.

CHAPTER III

MINISTRY OF RAILWAYS (RAILWAY BOARD)

ELEVENTH LOK SABHA

A. First Report (11th Lok Sabha) on Reservation for and Employment of Scheduled Castes and Scheduled Tribes in South Eastern Railway.

3.1 The above mentioned report was presented to the Parliament on 28th November, 1996. It contained 16 recommendations. The Action Taken Report was presented on 18th April, 2001. Out of which 5 recommendations were accepted by the Ministry of Railways (Railway Board). The actual implementation of these recommendations is being dealt with in this Chapter.

Recommendation (Sl.No. 4, Para No.2.18)

“In-service training”

3.2 The Committee had appreciated that the South Eastern Railway was imparting pre-promotional training to the SC/ST employees in non-safety categories and had made arrangements to give pre-selection coaching in safety category so that they could qualify for promotion. The Committee had hoped that the scheme would continue in future.

3.3 In their action taken reply, the Ministry had stated that the scheme was continuing on South Eastern Railway.

3.4 In their status report, the Ministry have stated that the scheme of pre-promotional training to SC/ST employees both in safety and non-safety categories is continuing on South Eastern Railway. The details of pre-selection coaching in safety and non-safety categories given

to SC/ST employees during the years 1998, 1999 and 2000 are stated to be as under:-

	Total no. of SC/ST trained under non- safety category	Total no. of SC/ST trained under safety category
1998	19	2312
1999	113	1009
2000	41	3042

Comments of the Committee

3.5 The Committee are satisfied to know that the South Eastern Railway has been conducting pre-selection coaching for SCs and STs both in safety and non-safety categories. They would like to know the number of SC/ST persons who had been promoted after undergoing such training courses during the same period as also trained during the years from 2000 to 2005 together the number of persons who got promoted in the South Eastern Railway. The Committee desire that similar type of training should be provided in other zones also to SCs/STs.

Recommendation (Sl.No. 10, Para No.4.11)

“False Caste Certificate”

3.6 The Committee had noted that 4 cases of appointment on the basis of false caste certificate were detected and the services of these employees had been terminated. The Committee had desired that criminal proceedings should be initiated against the guilty who had secured appointment on the false caste certificate. It was also desired that concrete corrective steps should be taken so as to check the recurrence of such cases in future.

3.7 In their action taken reply, the Ministry had stated that in pursuance of the recommendation of the Committee, instructions had been issued to the Zonal Railways/Production Units by the Railway Board for referring the cases to the local police station for initiating action under Indian Penal Code against those who had secured employment in Railways on the basis of bogus caste certificate. It was also stated that further instructions for initiating criminal proceedings immediately against those persons (even if the persons involved are retired one) had been issued.

3.8 In their status report, the Ministry have stated that instructions issued earlier remain the same. They have also stated that no further case of securing employment on South Eastern Railway on the basis of false caste certificate has been detected.

Comments of the Committee

3.9 The Committee observe that the Railway Board had issued necessary instructions in 1996 for referring the cases to local police station and in 1998 for initiating criminal cases against those persons who secured employment on the basis of false caste certificate. They, however, note that the Ministry of Railways have not mentioned whether they initiated any criminal proceedings against those four persons whose services had been terminated. The Committee would like to be apprised of the action taken in these cases.

Recommendation (Sl.No. 13, Para No.4.19)

“Defence of reservation policies in Courts”

3.10 The Committee had felt a need to have adequate manpower trained enough in legal matters to present Government's view point in most effective way before CAT/Court. The Committee had recommended that at each Zonal Railway /Production Units as well as at Ministry of Railways level, there should be adequate number of Chief Law Assistant / Law Assistants in the Reservation Cell, who are to ensure that departmental replies are prepared in such a manner that they are in conformity with the Government policies and which are duly supported by the precedents and decided cases of the Apex Court.

3.11 In their action taken reply, the Ministry had stated that they had accepted the recommendation with a view to improving the efficiency in preparing draft counter replies. Instructions had been issued for creation of post of Chief Law Assistant/Law Assistant exclusively for dealing with reservation matters in Reservation Cell either by adjustment or by additional creation with matching surrender depending on the position of workload obtaining on the Railway/Unit.

3.12 In their status report, the Ministry have stated that keeping in view the increased workload of the reservation matters, the post of Law Assistant / Chief Law Assistant has been created on a few Zonal Railways so as to deal with court cases more effectively / efficiently. However, on most of the Zonal Railways, all the court cases including cases on reservation matters, are being managed centrally by a Legal Cell. The existing system in this regard is considered satisfactory and well

managed. As such, need is not felt to provide additional post of Law, Assistant / Chief Law Assistant for this purpose. Similarly, on the Production Units, such post could not be created keeping in view the few/negligible number of court cases on reservation matters. However, necessary work, if any, in this regard is done by the Personnel Branch satisfactorily.

Comments of the Committee

3.13 The Committee are not fully satisfied with the status report of the Ministry as the posts of Law Assistant / Chief Law Assistant have not been created in all Zonal Railways. The Committee would like to know the zones where the posts of Law Assistant / Chief Law Assistant have been created and the zones where these posts have not been created. The Committee are not averse to the management of court cases including cases on reservation matter centrally by a Legal Cell on most of Zonal Railways. The Committee, however, aver to the need to strengthen the system by creating the posts of Law Assistant for effective dealing of court cases especially relating to SC/ST cases. The Committee, therefore, again urge upon the Government to create posts of Law Assistant / Chief Law Assistant in all Zonal Railways.

Recommendation (Sl.Nos. 14 and 15, Para Nos.4.20 and 4.21)

“Defence of reservation policies in Courts”

3.14 Having noted that the reservation matters that go to Court/CAT are of special nature, the Committee had recommended that a panel of advocates of higher professional reputation, integrity and competence may be drawn in consultation with the Executive Director Establishment (Reservation) so that the reservation policy at Apex level is defended in more effective manner and some senior officer should be made responsible to monitor such cases at least twice a year.

3.15 In their action taken reply, the Ministry had stated that instructions had been issued to all Zonal Railways and Production Units for keeping a special panel of advocates of professional reputation, integrity and competence to defend the policies of the Government of India regarding reservation matters. Those panels would be finalized in consultation with the Chief Personnel Officer of Zonal Railway/Production Units and Executive Director Estt. (Reservation) of Railway Board. It had been provided that in important centres of litigation like Delhi, Mumbai, Chennai and Kolkata a panel of special counsels of higher professional reputations, integrity and competence had to be constituted in consultation with the EDE (Reservation) by Legal Adviser with the approval of Ministry of Railways.

3.16 In their status report, the Ministry have stated that there was no change in the position.

Comments of the Committee

3.17 The Committee appreciate the efforts made by the Ministry of Railways in implementation of the recommendation. They should be provided with the details of such panel. They also urge the Ministry to comment on the monitoring of court cases by a senior officer as recommended.

MINISTRY OF RURAL DEVELOPMENT

B. Second Report (11th Lok Sabha) on Employment and Financial Assistance Provided to Scheduled Castes and Scheduled Tribes under Jawahar Rojgar Yojana (JRY).

3.18 The above mentioned report was presented to the Parliament on 28th November, 1996. It contained 21 recommendations. The Action Taken Report was presented on 20th April, 2000. Out of which 11 recommendations were accepted by the Ministry of Rural Development. The actual implementation of these recommendations is being dealt with in this Chapter.

Recommendation (Sl.No.2, Para No.2.16)

“Identification of Beneficiaries”

3.19 Having observed that people below poverty line form the target beneficiaries under the scheme with major thrust being laid on SCs/STs, freed bonded labour and women, the Committee had hoped that intended benefits of JRY scheme really percolate to the identified groups of the poorest of the poor. They had, therefore, urged the Ministry to undertake centrally overviewed project for identification of beneficiaries. They further desired that a permanent record of identified beneficiaries under JRY be created at District/Block level and be updated on annual basis.

3.20 In their action taken reply, the Ministry had stated that the people below the poverty line, particularly SCs/STs are the target groups under the individual beneficiary scheme of JRY. JRY provide that 22.5% funds are earmarked for individual beneficiary scheme for SCs/STs and for the works which directly benefit the SCs/STs. In the beginning of every Five Year Plan, the Ministry of Rural Areas & Employment with the assistance of Planning Commission conduct a census of all poor families in the rural areas who are below poverty line (BPL) as defined by the Planning Commission. The master list of such identified BPL families of the villages is kept at the district/block level. The individual beneficiaries for the various rural development programmes are selected from this master list of already identified target group by the Panchayats through the Gram Sabhas.

3.21 In their status report, the Ministry have stated that the quinquennial Below Poverty Line survey for the Ninth Five Year Plan was conducted in almost all the States and the survey for the Tenth Plan is due in the year 2002. The beneficiaries of JRY (now Jawahar Gram Samridhi Yojana (JGSY)) are selected by the Gram Sabhas from out of the list of BPL families prepared on the basis of the BPL survey.

Comments of the Committee

3.22 The Committee may be apprised about the result of the BPL survey for the Tenth Five Year Plan. The Committee would also like to know whether any improvement has been seen in the socio-economic conditions of the SC/ST people and whether the present procedure is adequate for their benefits.

Recommendation (Sl.No.3, Para No.2.17)

“Objectives and strategies of JRY”

3.23 The Committee had noted that Jawahar Rojgar Yojana was instrumental in raising employment opportunities and creating durable productive assets. However, they were unhappy that two pronged approach of the first stream of JRY with two sub schemes namely Indira Awas Yojana and Million Wells Scheme making it mandatory for the State to implement both the schemes. The Committee had recommended that the first stream of JRY, should be modified by converting it into a single component stream with freedom for implementing agencies to select items of works in accordance with the needs of the local population of the State and the feasibility of the scheme which differs from place to place.

3.24 In their action taken reply, the Ministry had stated that Jawahar Rojgar Yojana had since been restructured twice. It was first restructured on 1.1.1996 when the second stream of JRY was discontinued and merged with the Employment Assurance Scheme (EAS) and Indira Awas Yojana and Million Wells Scheme (earlier sub schemes of JRY) became independent programmes. From 1.4.1999, Jawahar Rozgar Yojana had again been restructured and streamlined. It has now being implemented at village level only through the Village Panchayats. The emphasis would be in creation of durable assets at the village level. As it would be a village oriented programme, it has been renamed as “Jawahar Gram Samridhi Yojana”(JGSY).

3.25 In their status report, the Ministry have stated that the restructured JRY which has been named as JGSY is being implemented all over the country except in Delhi and Chandigarh through the Village Panchayats. The entire funds including both Central and State share go to the Village Panchayats through the Zila Parishads/District Rural Development Agencies in two instalments every year. The Village Panchayats are empowered to plan and execute, with the approval of the Gram Sabhas, works costing upto Rs. 50,000/-. For works costing above Rs. 50,000/- they are required to take the approval of the competent authorities besides the approval of the Gram Sabha.

Comments of the Committee

3.26 The Committee are not inclined to offer any comments in this regard.

Recommendation (Sl.Nos.4 and 5, Para Nos.3.8 and 3.9)

“Implementing Structure”

3.27 The Committee had noted that service training were provided to personnel responsible for the implementation of the programmes of JRY. They desired that the training should also be imparted to members of Village Panchayats and Gram Sabhas in order to help them carry out the effective monitoring of the implementation of the programmes. The Committee had also noted that training to personnel at various levels, selected to undertake work under JRY in States, was imparted both by the Centre as well as the States but the non-officials, who are the real organs of implementation of the Scheme, had been neglected in this regard. The Committee had, therefore, recommended that the training for implementation of the JRY programmes should also be imparted to non-official participants (i.e. Mukhias, Sarpanches and Panchayat members etc.).

3.28 In their action taken reply, the Ministry had stated that JRY guidelines provided that DRDAs/Zila Parishads could spend maximum of Rs.50,000 to meet training expenses of the officials/non-officials involved in the implementation of JRY at district/block/village panchayat levels. Fifty per cent of these funds were spent on the training of non-officials. After the Seventy-third Amendment of the Constitution, the Panchayati Raj Institutions have been entrusted with specific responsibility for preparing plans and implementing various schemes for economic development and social justice. Elected representatives were playing a major role in development administration. Moreover, officials dealing with programmes

and subjects contemplated to be entrusted with the Panchayati Raj Institutions also require re-orientation. Thus, training and dissemination of information were high priority items for the Ministry. It has also been stated that as a part of the endeavour, the Ministry had identified 3 National Institutions of eminence namely National Institute of Rural Development, Hyderabad, Lal Bahadur Shastri National Academy of Administration, Mussoorie and Indian Institute of Public Administration, New Delhi which were drafted into comprehensive training of trainers programmes.

3.29 In their status report, the Ministry have stated that JRY has been restructured and renamed as Jawahar Gram Samridhi Yojana (JGSY) w.e.f. 1.4.1999. The main objective of JGSY is development of infrastructural facilities in the villages. The programme is implemented entirely through the Village Panchayats. Financial assistance of Rs. 10.00 lakh or 1% of the annual allocation, whichever is less, is provided by the Central Government to the States/UTs for meeting training expenses of officials/non-officials involved in the implementation of JGSY. At least 75% of the trainees are required to be non-officials, i.e., elected Panchayat representatives. During the year 2000-2001, Rs. 1.78 crore was released to 21 States/UTs for this purpose.

Comments of the Committee

3.30 The Committee appreciate the efforts made by the Government in this direction and hope that the same spirit would be maintained by them in future also.

Recommendation (Sl.No.7, Para No.4.32)

“Maintenance of Assets”

3.31 The Committee had found the Special Beneficiary Oriented Individual Programme as very constructive. However, they were uncertain about the proper identification of the individuals below the line of poverty. The Committee had strongly recommended that the Centre must involve the Planning Commission alongwith other Government Bodies/Organisations to help the State Governments to prepare a genuine list of identified individuals for the programme.

3.32 In their action taken reply, the Ministry had stated that in the beginning of every Five Year Plan, a census is carried out by the Ministry in order to identify the families who are Below Poverty Line (BPL). This exercise was carried out by the State Governments. For the Ninth Plan, the Ministry had worked out a scientific format with the help of a Committee of Experts including the Planning Commission. The census had been completed in a number of States and that instructions have also been sent that with effect from 1.4.1999 only the new list of BPL families should be operated upon. As far as JRY was concerned, the individual beneficiaries for benefits under the 22.5 % segment were taken from the list of BPL families approved by the Gram Sabhas.

3.33 In their status report, the Ministry have stated that JRY has been restructured and renamed as JGSY w.e.f. 1.4.1999. The provisions regarding selection of beneficiaries by the Gram Sabhas from out of the list of BPL families prepared on the basis of the BPL Survey have been retained under JGSY.

Comments of the Committee

3.34 The Committee had been apprised that for the Ninth Plan, the Ministry had worked out a scientific format with the help of a Committee of Experts including Planning Commission for identifying people below BPL and that instructions had also been given that with effect from 1.4.1999 only the new list of BPL families should be operated upon. The Committee, however, note that Gram Sabhas have been given the privilege to select beneficiaries out of that list. They are a bit apprehensive that the Gram Sabhas have the final say in selecting the individual beneficiaries. The Committee would, therefore, like the Government to insist on the State Governments to follow the BPL list prepared according to scientific format.

Recommendation (Sl.No.10, Para No.4.35)

“Maintenance of Assets”

3.35 The Committee were not happy about the dovetailing of funds of Million Wells Scheme (MWS) with other schemes like the development of irrigation tanks and water harvesting structures etc. as these become a community holding. The Committee had, therefore, strongly recommended that the Centre must prepare village-wise/panchayat-wise/district-wise and State-wise lists of intended target groups, the majority of which are SCs/STs and later help the beneficiaries to execute the work of digging/construction of wells with adequate skilled/technical support so that the benefits must reach the SC/ST beneficiaries directly.

3.36 In their action taken reply, the Ministry had stated that they were aware of the deficiency in the scheme that in many cases the beneficiaries are not able to make optimum utilization of the wells because of lack of facilities like lifting devices (pump sets and power to energise etc.) and therefore they are considering restructuring of MWS. As regards list of beneficiaries/target groups, the same was prepared through the village wise BPL survey. Regarding technical support for construction of wells it was stated that the same was provided by the technical staff at the block level. In order to ensure that the construction of wells do not suffer due to non-availability of technical staff, the guidelines provided that the DRDAs/ ZPs should prepare with the approval of the State Governments estimates of standard work with technical specifications and cost norms.

3.37 In their status report, the Government have stated that MWS as a separate scheme has been discontinued w.e.f. 1.4.1999. However under the Swaran Jayanti Swarozgar Yojana (SJSY), launched w.e.f. 1.4.1999 (after restructuring the erstwhile IRDP and its allied programmes) on-farm activities like construction of open or bore/tube wells for increasing the irrigation potential is a permissible activity. Financial assistance in the form of loan-cum-subsidy is provided for cost of the well, lifting device and land development. Such projects may be group oriented or individual oriented.

Comments of the Committee

3.38 The Committee would like to know the details of construction of open or tube-wells for increasing the irrigation potential undertaken under Swarnjayanti Swarojgar Yojana (SJSY) during the last three years and that how much it has been beneficial to SCs/STs.

Recommendation (Sl.No.12, Para No.5.10)

“Wage Payment”

3.39 The Committee were distressed to note that there was a wide gap in the wage of male and female workers (unskilled) in some of the States e.g. Assam, Bihar, Punjab, U.P., Kerala, Andhra Pradesh etc., which is a clear violation of the provisions of Equal Remuneration Act. The Committee had strongly recommended that Centre should issue strict instructions to these as well as other States for implementation of the “Equal Remuneration Act” in its true spirit to ensure equal treatment to women at the time of providing employment under JRY as well as payment of wages for the same nature of work.

3.40 In their action taken reply, the Ministry had stated that as per guidelines, under JRY equal wages are to be paid to both men and women as per the Minimum Wages Acts of the concerned State Governments. Strict instructions had again been issued to all the State Governments to implement Equal Remuneration Act in its true spirit to ensure equal treatment to female workers at the time of providing works under JRY as well as wages under the programmes.

3.41 In their status report, the Ministry have stated that instructions have been issued to the State/UT Governments for strict adherence of the provisions of the Equal Remuneration Act. They have further stated that the two audit reports received by them on JRY did not mention any case of non-payment of equal wages to male and female workers. As such, they presume that both male and female workers under JRY now JGSY are paid equal wages.

Comments of the Committee

3.42 The Committee are surprised to note that after receipt of two audit reports by the Government, it has been presumed by them that both male and female workers are paid equal wages. They are of the view that the Government should always seek detailed report in which all facts including amount of payment etc. to both male and female workers should be mentioned so that no scope is left for presumption and concrete facts are known on this matter.

Recommendation (Sl.No.14, Para No.5.12)

“Wage Payment”

3.43 The Committee were not satisfied with the state of affairs pertaining to periodic meetings of the Secretaries-in-charge of implementation of JRY as no irregularity concerning the wage payment or execution of action plan directly or indirectly relating to SCs/STs had been reported and acted upon. They had strongly felt that Centre must invigorate its periodic meetings and pick up issues to be resolved, instead of simply being satisfied with the statistical evidence by the States, and action need be initiated against the defaulting officers.

3.44 In their action taken reply, the Ministry had stated that in addition to the periodic meetings with the Secretary-in-charge of the implementation of Rural Development Programmes, instructions had been issued to all the State Governments to constitute Vigilance and Monitoring Committees at the State, District and Block levels for supervising and monitoring the implementation of all the programmes being implemented by the Ministry. These Committees can also look into the complaints about the irregularities concerning the wage payment and execution of action plan relating to SCs/STs. At the time of release of funds, the expenditure on SCs/STs is strictly monitored and in case of shortfall in expenditure, deductions are made on the second installment. The coverage of SCs/STs in employment is also monitored by the Ministry.

3.45 In their status report, the Ministry have stated that they have nothing to add as no further action is called for.

Comments of the Committee

3.46 The Committee are happy to note that steps taken by the Government are adequate for the implementation of Jawahar Gram Samridhi Yojana(JGSY). They hope that the Government would maintain same spirit in future also.

Recommendation (Sl.No.16, Para No.6.17)

“Monitoring and evaluation”

3.47 The Committee were not convinced with the system of checks and balances infused within the schemes of JRY in order to leave no place for misappropriation/misuse of funds while implementing the schemes. However, they were not sure about the practicability of these instruments of checks and balances. They had strictly insisted on the physical monitoring of the books and reports submitted by the States. The Centre should also encourage on the spot checks/inspections by regular field visits by special bodies like Area Officer, State Level Coordination Committee, Central Government Officers etc.

3.48 In their action taken reply, the Ministry had stated that the performance of JRY was monitored regularly by the Centre and the State Governments. To facilitate proper monitoring, emphasis was laid on building a strong data base and periodic feedback through monthly and annual progress reports. The physical and financial achievement under the programme is monitored at the Centre through monthly, quarterly and annual progress reports received from the States. The Department of Rural Employment and Poverty Alleviation had evolved a system to ensure that the guidelines are followed strictly. The utilization certificates, Audit Reports and other parameters such as matching grants from the States, utilization of funds earmarked for SCs/STs, minimum expenditure etc. are examined before the release of second instalment. Periodical reviews are carried out by the Central Government in the meeting of Secretaries of the State Governments. Senior officials of the Ministry also

see operation of various Rural Development Programmes during their visit to the States under the Area Officers Scheme. The scheme is supervised by officials of the District Rural Development Agencies/Zila Parishad at the district level.

3.49 They have further added that the State Level Coordination Committee for the Rural Development Programmes monitor the programmes at the State level. The State Government officials also inspect the programmes. In addition, the sub-committee of the Parliamentary Standing Committee also visit the selected States/Districts to review the programmes at the field level. The Monitoring and Vigilance Committees at the State, District and Block levels includes the public representatives and also the representatives from the SCs/STs and other beneficiaries of the rural development programmes. The C&AG also audit the accounts of many DRDAs.

3.50 In their status report, the Ministry have stated that the mechanism for on the spot inspection of works under JRY (now JGSY) has been explained and they have nothing to add as no further action is called for.

Comments of the Committee

3.51 The Committee are satisfied with the measures taken to check the implementation of the JGSY. The Committee, however, desire that the Government should review all the reports and returns for further improvements.

Recommendation (Sl.No.18, Para No.6.19)

“Monitoring and evaluation”

3.52 The Committee were happy with the findings of the “Quick Study” and “Concurrent Evaluation” of the report and had recommended that these findings must be taken up seriously for inculcating mid-course correction/amendments and also to rectify pin-pointed shortcomings of JRY. They were also of the opinion that the Central Government should not sit satisfied with the action taken comments of the State Governments/UTs and it must take up fact finding missions/visits in audit to set right the drawbacks and to do complete justice to the beneficiaries.

3.53 In their action taken reply, the Ministry had stated that on the basis of the “Concurrent Evaluation”, the “Quick Study” and other feed backs from the fields, the Government of India had restructured the programme during 1993-94 and subsequently taken a number of steps to improve the implementation of JRY: -

- (i) JRY has been streamlined and restructured w.e.f. 1.1.1996. The two sub-schemes viz. IAY and MWS, which were earlier sub-schemes of JRY, have been separated and made independent schemes by themselves. The intensified JRY (IJRY) has been merged with Employment Assurance Scheme (EAS) and all the non-EAS blocks in IJRY districts have been made EAS blocks;
- (ii) From 1996-97, 15% of the funds have been earmarked for intermediate level Panchayats to empower all the three tiers of the Panchayati Raj Institutions;

- (iii) Instructions have been issued to constitute Monitoring and Vigilance Committee at State, District and Block levels for effective implementation of the programme;
- (iv) Three per cent of the funds have been earmarked for the physically handicapped persons to provide barrier free infrastructure;
- (v) Instructions have also been issued for preference of employment to parents of child labour withdrawn from hazardous/non-hazardous occupation who are below the poverty line for employment under the Yojana;
- (vi) Instructions have been issued to all the State Governments that food-grains would be given as part of wages under JRY at the rate of 1 kg per person/day at the same price fixed for the people below the poverty line under targeted PDS system. Distribution of food-grains has been made optional from 1997-98;
- (vii) C&AG also conducts audit of the funds spent under JRY in addition to the audit done by Chartered Accountants. The findings of the C&AG are taken up with State Governments and corrective actions are taken accordingly; and
- (viii) Ministry also has an Area Officer Scheme where an officer of the level of Deputy Secretary and above, visits the State assigned to him to review and monitor the implementation of the rural development schemes at the field and gives his feed-back.

3.54 In their status report, the Ministry have stated that they have nothing to add as no further action is called for.

Comments of the Committee

3.55 The Committee are happy that adequate steps have been taken by the Government for the implementation of the Jawahar Gram Samridhi Yojana(JGSY). They would like the Government to achieve optimum success in the scheme.

Recommendation (Sl.No.20, Para No.7.9)

“Intensified JRY – second stream”

3.56 The Committee had recommended that a list of identified special beneficiaries i.e. SC/ST beneficiaries should be prepared and separate allocation of resources be done for these target groups. They had also desired that the Centre should direct the States/UTs to release its share of funds immediately alongwith Centre's share. The Committee also recommended that the Centre must also work out a mechanism to see whether the States release their share of 20% of the fund. They must also ask for utilization certificate of the total fund of 100% from the State thereby doubly ensuring the release of the State share as well. The Committee had, therefore, further recommended that a special cell should be created in the Ministry of Rural Area & Employment (Department of Rural Employment & Poverty Alleviation) at the Centre to monitor the utilization of funds.

3.57 In their action taken reply, the Ministry had stated that the people below poverty line, particularly SCs/STs, are the target group under the individual beneficiary scheme for JRY. 22.5% funds are earmarked for individual beneficiary scheme for SCs/STs and for the works which directly benefit to the SCs/STs. The individual beneficiaries are taken from the already identified target group by the Gram Panchayats through Gram Sabhas. The State Governments and DRDAs are advised to select the beneficiaries from the list prepared by the Gram Panchyats. The Department of Rural Employment & Poverty Alleviation have evolved

a system to ensure that the guidelines are followed strictly. The first instalment of funds is released to the State Governments on ad-hoc basis without any pre-conditions. The Utilization Certificates, Audit Reports and other parameters such as matching grants from the States, utilization of funds earmarked for SCs/STs, minimum expenditure etc. are examined before the release of second instalment. The funds are deducted proportionately, if the State Government do not release its matching share and expenditure is less on SC/ST earmarked sectors.

3.58 In their status report, the Ministry have stated that the arrangements put in place at the Central level for monitoring the utilization of funds have been explained and that Ministry have nothing to add as no further action is called for.

Comments of the Committee

3.59 The Committee note that the Ministry are satisfied with the system outlined by them in monitoring the utilization of funds and hence it is presumed that they did not create a special cell as recommended by the Committee. They would, however, like the Ministry to re-examine the issue and a Cell may be created in the Ministry to monitor the utilisation of the funds.

MINISTRY OF FINANCE (BANKING DIVISION)

C. Third Report (11th Lok Sabha) on Reservation for and employment of SCs and STs in Allahabad Bank and credit facilities provided by the Bank to them.

3.60 The above mentioned report was presented to the Parliament on 17th December, 1996. It contained 21 recommendations. The Action Taken Report was presented on 4th December, 1998. Out of which 10 recommendations were accepted by the Ministry of Finance (Banking Division). The actual implementation of these recommendations is being dealt with in this Chapter.

Recommendation (Sl.No. 4, Para No.2.15)

“Pre-promotional Training”

3.61 The Committee had noted that SC/ST candidates were being imparted necessary pre-promotional training and relaxation was provided to them in the eligibility criteria. They appreciated the efforts made by the Allahabad Bank for reducing the shortfall in the promotional posts. They hoped that the bank would continue their sincere efforts to wipe out the shortfall of SCs and STs.

3.62 In their action taken reply, the Ministry had stated that the Bank had noted the observation of the Committee and it was continuing its efforts to clear the shortfall of SCs/STs arising from time to time.

3.63 In their status report, the Ministry have stated that necessary pre-promotional training is imparted to the SC/ST candidates so as to equip them adequately to compete in different promotion processes. Necessary relaxation is also extended to them as per Government guidelines so as to have adequate representation of the SCs/STs in promotional vacancies. The position of pre-promotional training vis-à-vis the number of promotions given to SC/ST candidates during the years from 1998 to 2000 are depicted below: -

Year	Cadre	Number of candidates trained			Number promoted	
		SC	ST	Total	SC	ST
1998	Officers Scale-I to II	470	178	648	71	18
1999	Sub-Staff to Clerk	365	107	472	44	14
2000	Officers Scale-I to II	427	203	630	174	46

Comments of the Committee

3.64 The Committee are happy that several SC/ST candidates were imparted pre-promotional training by Allahabad Bank and that a large number of them got promoted during the years 1998-2000. The Committee would like the Bank to review the effectiveness of the training course as to how much it has helped the candidates to compete in the examination. The details of the outcome may be intimated to the Committee.

Recommendation (Sl.No. 5, Para No.3.11)

“Holding of periodic meetings of Liaison Officers”

3.65 The Committee had noted that the Bank had nominated Chief Liaison Officer for SCs/STs at Head office and also Liaison Officers in its Zonal and Regional offices to ensure due compliance of the orders and instructions pertaining to reservation in favour of SCs/STs. The Committee had opined that the Chief Liaison Officer should conduct periodic meetings with the Liaison Officers of the Regions/Zones to exchange views about their common problems.

3.66 In their action taken reply, the Ministry had stated that the bank had been holding periodic meetings with the representatives of the SC/ST Welfare Council of the bank in quarterly frequencies at Head Office and half-yearly frequencies at the Zonal Office/Regional Office tiers respectively. In 1995-1996 they held 3,10 and 34 meetings at Head Office, Zonal Offices and Regional Offices respectively. It was also stated that Chief Liaison Officer at Head Office and the Liaison Officers at Zonal Offices/Regional Offices always attend such meetings which enable them to have discussions and keep abreast of the problem pertaining to reservation in favour of the SC/ST employees. In case any clarification is needed, the Zonal/Regional Liaison Officer communicate with the Chief Liaison Officer at the Head Office for guidance.

3.67 In their status report, the Ministry have stated that the Bank would comply with the recommendations of the Committee in respect of periodic meeting by the Chief Liaison Officer for SCs/STs with the Liaison Officers

of the Regional offices for effective implementation of the reservation orders.

Comments of the Committee

3.68 The Committee are unhappy by the status report of the Ministry. In their action taken report the bank had reported that they held a number of meetings with the representatives of SC/ST Welfare Council at Head Office, Zonal Office and Regional Office levels in 1996. The Committee hope that these meetings are still continuing. The Committee, however, strongly impress that the Chief Liaison Officer should hold periodic meetings with the Liaison Officers of the Regional Offices for effective implementation and monitoring of the reservation orders.

Recommendation (Sl.No. 8, Para No.4.8)

“Pre-recruitment Training”

3.69 The Committee had noted that the pre-recruitment training was being imparted to SC/ST candidates to enhance their ability to face the interview board. The Committee felt that duration of six days for pre-recruitment training as well as for interviews was insufficient. The Committee, had, therefore, recommended that the duration of pre-recruitment training should be suitably increased to make it more rewarding.

3.70 In their action taken reply, the Ministry had stated that the package of training arranged by the Bank is elaborate and adequate both in terms of quality and coverage and the total training hours per day is widely spread to cover the relative courses. However, the recommendation of the Committee would be kept in view by the bank for future guidance.

3.71 In their status report, the Ministry have stated that based on the recommendation of the Committee the bank will consider to increase the duration of pre-recruitment training for SC/ST candidates from 6 days to 9 days.

Comments of the Committee

3.72 The Committee are surprised to note that the Bank had not yet felt the need despite lapse of several years of recommendation to consider for increasing the duration of pre-recruitment training for SC/ST candidates. They are unhappy by the fact that the bank has taken very lightly the concern shown by the Committee and has taken several years for decision in the matter. The Committee, therefore, direct the Bank to implement the recommendation of the Committee at the earliest. The Committee may be informed of the action taken in the matter within a period of three months.

Recommendation (Sl.No. 10, Para No.5.6)

“Monitoring of flow of credit to SCs and STs”

3.73 The Committee had noted that as a result of Reserve Bank of India(RBI) inspection a number of shortcomings/irregularities had been found. They had, therefore, recommended that necessary corrective measures should be taken by the Allahabad Bank to remove these shortcomings/irregularities and also ensure that no such shortcoming/irregularities recur in future.

3.74 In their action taken reply, the Ministry had stated that the various shortcomings/irregularities pointed out in the RBI inspection report was brought to the notice of al the Branches/Offices advising them for meticulous compliance of all the norms/guidelines so that such shortcomings/irregularities do not recur in future.

3.75 In their status report, the Ministry have stated that Branches/Offices of Allahabad Bank have been made aware of the shortcomings/irregularities pointed out in RBI inspection report regarding lending to SC/ST beneficiaries in particular and agriculture/priority sector credit in general. It has further been stated that necessary measures are taken at regular intervals to avoid recurrence of such irregularities. The Regional Managers, at the time of their branch visits, verify the records of financing SC/ST beneficiaries and priority sector credit and point out the irregularities, if any, in the branch visit register for rectification of such irregularities.

Comments of the Committee

3.76 The Committee are happy to note that corrective steps have been taken by the Allahabad Bank to avoid recurrence of irregularities pointed out by RBI. The Committee would like to know the details of agricultural finance and priority credit given to SCs/STs by the Bank during the last 5 years and the percentage thereof in the total disbursements made during that period, number-wise and amount-wise.

Recommendation (Sl.No. 12, Para No.5.14)

“Credit Policy”

3.77 The Committee had desired that adequate steps should be taken to give more publicity at the grass root level by the Bank/Government to improve its performance in lending to SCs and STs under these schemes.

3.78 In their action taken reply, the Ministry had stated that to improve the performance in lending to SCs and STs, various instructions were issued to Branches/Offices from time to time and that bank had also brought out leaflets on various lending schemes meant for SCs/STs which were also displayed at prominent places for their information.

3.79 In their status report, the Ministry have stated that pamphlets on various lending schemes for SC/ST beneficiaries have been prepared and distributed in the villages through their rural/semi-urban branches. Wide publicity is being given in the villages adopted under 'Model Village Development Programme' since 15th August, 1999 to increase credit flow through various schemes of the Bank particularly to the SC/ST and other weaker sections of the society. In the first year of implementation of the programme, loans to the extent of Rs. 23.64 crore were disbursed of which 26% was disbursed to the beneficiaries belonging to SC/ST category. They have further stated that under Kisan Credit Card scheme massive campaigning is being done at the grass root level to increase credit flow. Functions/camps are organised at their rural/semi-urban branches to create awareness as to the scheme among the villagers

including SC/ST beneficiaries. MLAs, MPs and other public representatives are invited to attend such functions/camps.

Comments of the Committee

3.80 The Committee appreciate the efforts made by Allahabad Bank in publicising the various lending schemes for the benefit of weaker sections including SC/ST beneficiaries. They would like the Bank to maintain the same spirit in future too.

Recommendation (Sl.No. 13, Para No.5.18)

“Lending under DRI Scheme”

3.81 The Committee had noted that there was a substantial decline of amount disbursed under the Differential Rate of Interest(DRI) scheme and the percentage of share of SC/ST beneficiaries had also declined from December, 1993 to December, 1994. They also noted the reasons for the decline of amount disbursed as that the DRI Scheme which was formulated by the Government of India in 1972 with a view to offering credit at liberalised terms to the weaker sections of the society had lost its importance to some extent with the launching of other poverty alleviation programmes like Integrated Rural Development Programme(IRDP), SUME, Prime Minister Rojgar Yojana(PMRY) etc. The beneficiaries of these schemes had also become ineligible to be covered under DRI and that the borrowers were mainly interested for the subsidy oriented schemes such as IRDP, SUME, PMRY etc. The Committee, therefore, desired that the bank should make concerted efforts to reach the prescribed targets under DRI. They also recommended that DRI advances should be routed through Cooperative Societies/Large Area Multipurpose Cooperative Societies(LAMPS) etc.

3.82 In their action taken reply, the Ministry had stated that to improve the performance of the bank under DRI lending, specific targets had been given to the various Zones/Regions/Branches. Constant monitoring is being done by the controlling offices besides review of the performance in the Branch Managers/Regional Heads/Zonal Heads review meetings. As

on March, 1997, the coverage of SCs/STs under DRI was 62.34% against norm of 40%. They further added that with a view to increasing DRI lending the bank was financing State Government Housing Corporations for on lending to economically weaker sections of the society for construction of houses.

3.83 In their status report, the Ministry have admitted that the stipulated target of DRI advances (i.e. 1%) could not be achieved. But the percentage lending under DRI scheme to SC/ST category was 79% of total DRI advances as on 31.3.2001 as against government stipulations of 40%. Advances under DRI scheme sanctioned/disbursed by the public sector banks as a percentage to their total advances declined from 0.40% in 1996 to 0.18% in 2000 as reported by the Reserve Bank of India. The position of Allahabad Bank was 0.45% as on 31.3.2000 against 0.18% of all other public sector banks.

3.84 It has also been stated that all out efforts are being made on an ongoing basis to reach the prescribed targets under DRI scheme and some of such efforts/steps are mentioned hereunder:-

- i) Annual targets have been fixed for each Regional Office for close monitoring to ensure achievement of their targets. Performance of the Banks on quarterly basis is reviewed by the Bank's Board.
- ii) Various Institutions engaged for the welfare of the weaker sections are being contacted to mobilize high value proposals for sanctions under DRI scheme.

- iii) It is also being planned to formulate exclusive schemes for financing women beneficiaries under DRI scheme.
- iv) The Committee's recommendation that DRI advances should be routed through co-operative societies/LAMP's etc. has been noted and it is already in vogue/practice and being pursued.

It is expected that the percentage of DRI advance to total advances will be improved to a desired level during the current financial year 2001-2002.

Comments of the Committee

3.85 The Committee would like to know the targets achieved in pursuance of above efforts of the Allahabad Bank. Details of targets achieved during the last three years may be furnished. They also hope that dedicated efforts would continually be made by the Bank to uplift the socio-economic condition of SC/ST people.

Recommendation (Sl.No. 17, Para No.6.4)

“Loan Applications”

3.86 The Committee had noted that no study had been undertaken to find out the main reasons for rejection of loan applications. They had, therefore, recommended that the bank should conduct in- depth study to encourage SC/ST people to increase the flow of credit to them which would definitely have impact on the socio-economic development of the poor masses. The Committee had also recommended that the loan applications should be considered on relaxed conditions so as to accommodate maximum number of SC/ST beneficiaries.

3.87 In their action taken reply, the Ministry had stated that during current financial year the bank would undertake a study of rejection of loan applications from SC/ST people and also explore the various possibilities for increased flow of credit under priority sector for the benefit of SCs/STs. To increase the flow of credit the following action points were being implemented:-

- (i) The Regional Managers had been advised to raise the issue in DCC meeting for sponsoring of more number of applications of SC/ST beneficiaries to the bank branches under different Government schemes;

- (ii) The Branch Managers were to take up with the sponsoring agencies at Block Level Bankers Committee meetings to ensure sponsoring of maximum of applications of SC/ST proponents;
- (iii) Arrangements were to be made for proper publicity in association with the Panchayats/Government Authorities for creating awareness among people belonging to SC/ST communities.

- (iv) No loan applications of SC/ST beneficiaries were to be rejected at Branch level; and
- (v) The assistance of voluntary organizations/State SC/ST corporations were to be taken for promotion of economic development programme for people belonging to SC/ST communities.

It has further been stated that according to terms of the guidelines on advances to priority sector issued by RBI, no margin money or security or third party guarantee for loan up to and inclusive of Rs.25,000/- are to be insisted upon by the lending Bank. Further, under PMRY scheme, where projects involving cost upto Rs.1 lakh are financed, no security, collaterals, third party guarantee etc. is to be taken by the bank. These norms are applicable to all categories of borrowers including SCs/STs. They further added that in regard to SC/ST borrowers besides the above norms, bank had been advised that the loan application received from these categories should be considered sympathetically. Further, in order to ensure that applications received from SCs/STs are not rejected on flimsy grounds, powers to reject such applications are to be exercised by the next higher authority.

3.88 In their status report, the Ministry have stated that they have planned to make an in-depth study to identify the factors coming on the way of

smooth credit flow to SC/ST beneficiaries with special reference to reasons for rejection of loan applications. However, to ensure that no loan application of any SC/ST beneficiary is declined on flimsy grounds, branches are not permitted to decline the loan proposals of SC/ST beneficiaries. Proposals of SC/ST beneficiaries are declined at higher level after thorough scrutiny of the reasons of rejection. Regarding consideration of loan applications on relaxed conditions it may be stated that bank is allowing loans on the terms and conditions approved / fixed by the RBI. RBI may consider relaxation of any terms and conditions for SC/ST beneficiaries.

Comments of the Committee

3.89 The Committee are deeply pained to see the status report of the Bank that they have now planned to make in-depth study to identify the factors coming on the way of smooth credit flow to SC/ST beneficiaries. The Committee are surprised that the Bank has not yet fulfilled the commitment made by them that “during the current financial year, the Bank will undertake a study of rejection of loan applications from SC/ST people and also explore the various possibilities for increase of flow of credit under priority sector for the benefit of SCs/STs”. The Committee desire to know as to what were the hurdles which prevented the bank to fulfil the commitment. The Committee strongly recommend that the Bank should undertake the in-depth study at the earliest so that the mistakes could be rectified in giving maximum benefits to SC/ST people. The Committee should be informed of the action taken in the matter within 6 months of presentation of this report.

Recommendation (Sl.No. 18, Para No.6.10)

“Recovery position of loans under DRI Scheme”

3.90 The Committee had observed that there was no system of maintaining category-wise data regarding percentage of non-recovery of loans from SC/ST borrowers and from others under all the schemes except under DRI Scheme. The Committee felt that with the technology available at the disposal of the bank there should not be any difficulty in maintaining such information. The Committee had desired that information regarding the recovery position both in the case of general as well as SC/ST borrowers should be maintained so as to bring out a clear picture of recovery position under different Schemes.

3.91 In their action taken reply, the Ministry had stated that as per directives of NABARD/RBI, the Bank has to prepare demand collection and balance register for Priority Sector Advances in June each year to record the recovery performance activity-wise as well as scheme-wise. Besides, half-yearly recovery position in case of Government sponsored schemes like IRDP, PMRY etc. and DRI is also computed. Necessary instructions had been issued by the bank to the Branches/Offices to collect the recovery data in respect of SCs/STs beneficiaries to assess their recovery performance.

3.92 In their status report, the Ministry have stated that the bank is maintaining scheme-wise recovery data separately for SC/ST borrowers besides under DRI scheme.

Comments of the Committee

3.93 The Committee are happy to note that the bank has been maintaining scheme-wise recovery data separately for SC/ST borrowers. The Committee hope that the Bank will maintain the same spirit in future and evolve new methods so that SC/ST people get optimum benefits of all the schemes without being defaulted for re-payment.

Recommendation (Sl.No.19, Para No.6.11)

“Recovery position under DRI Scheme”

3.94 The Committee had noted that the recovery position from SC and ST borrowers was better than the borrowers from the general category under DRI. The Committee had suggested that in the Annual Reports of the banks the recovery position from SC and ST borrowers should be highlighted so that these schemes would gain more support from these communities.

3.95 In their action taken reply, the Ministry had stated that in the Annual Report of the bank for 1995-96, the outstanding credit to SC/ST out of total priority sector credit had already been incorporated, the recovery position of the SC/ST borrowers would also be highlighted in the Annual Report as suggested by the Committee.

3.96 In their status report, the Ministry have stated that the recommendation has been noted for compliance and that recovery position from SC/ST borrowers would be highlighted in the Annual Report of the Bank.

Comments of the Committee

3.97 The Committee are surprised that the Bank has not yet started highlighting the recovery position from SC/ST borrowers in their Annual Report. They would like to know the reasons why these data have not been included. The Committee strongly deplore the willful and casual attitude of the Bank. They would recommend that these data should be included from the next edition of their Annual Report. A copy of the Annual Report of the Bank highlighting the above information may also be furnished to the Committee for their perusal.

Recommendation (Sl.No.20, Para No.6.15)

“Advances to Small Scale Industries”

3.98 The Committee had noted that out of the total amount given to Small Scale Industries (SSI) and Rural Artisans only 3.93% had been given to SCs and STs and the reasons for the same were stated to be non-receipt of sufficient proposals from the SSI/Rural Artisan Sector. The Committee were unhappy about the poor representation of SCs/STs under the loan scheme to Rural Artisans and SSI. The Committee had desired that the bank should make concerted efforts to popularize these credit schemes among people belonging to SCs and STs. The Committee had also suggested that before disbursing loans to Rural Artisans and SSIs, some sort of training for the prospective borrowers should be given so as to make them proficient in handling the job.

3.99 In their action take reply, the Ministry had *inter-alia* stated that to popularize the SSI/Rural Artisans Schemes for various activities, the Branches/offices had been suitably advised to canvass the scheme in their respective service area villages and mobilize proposals with adequate share for SCs/STs. They further added that Lead District Managers had been advised to give wide publicity to the schemes for SCs/STs and to organize entrepreneur development programme exclusively for SCs/STs whose cases were sanctioned in co-ordination with NABARD/DIC in the respective lead District. It had also been stated that non-receipt of SSI proposals from

SC/ST beneficiaries from DIC/sponsoring agencies is one of the reasons for their poor coverage under banks' credit. Due to availability of higher proportion of subsidy/margin money in the project cost, the quantum of bank loan (25% of project cost) is substantially less leading to comparatively less off take of credit by SC/ST beneficiaries.

3.100 In their status report, the Ministry have furnished the position of loan outstanding under SSI and Rural Artisans as under:-

(A/c in lac) (Rs. in crore)

Year	Total loan outstanding		Of which share of SC/ST		
	A/C	Amt.	A/C	Amt.	% of total amount
31.3.2000	1.18	890.99	0.33	42.49	4.76
31.3.2001	1.15	901.80	0.34	42.23	4.68
30.9.2001	1.16	905.30	0.38	43.39	4.79

It has been stated that the share of credit under SSI and Rural Artisans to SC/ST borrowers has improved from the level of 3.93% as mentioned in the report. The bank is reported to be making all out efforts to increase credit flow to SC/ST beneficiaries and other weaker sections of the society.

3.101 They have also stated that regarding training to prospective borrowers under PMRY the beneficiaries are given training at the District Industries Centres of respective Districts. The Bank has opened an institute named as 'Birsa Munda Institute for Entrepreneurs Development' at Hazaribagh in the State of Jharkhand with an aim to impart training to prospective rural youths

for establishment of business/industrial units etc. for economic development of their own as well as of the society.

Comments of the Committee

3.102 The Committee appreciate the achievement of the Allahabad Bank in increasing the share of credit under SSI and Rural Artisans to SC/ST borrowers. They also laud the efforts made by the Bank in opening the institute named as Birsa Munda Institute for Entrepreneurs Development at Hazaribagh to impart training to prospective rural youths for establishment of business/industrial units. The Committee desire that the Bank should maintain this spirit and make efforts to achieve full target for the welfare of SC/ST people. The Committee desire that annual targets should be fixed for disbursement of loans scheme-wise and also for training of people. The Committee should be kept informed of the targets fixed.

MINISTRY OF RAILWAYS (RAILWAY BOARD)

D. Eighth Report (11th Lok Sabha) on Reservation for and Employment of Schedule Castes and Scheduled Tribes in South Central Railway.

3.103 The above mentioned report was presented to the Parliament on 30th April, 1997. It contained 32 recommendations. The Action Taken Report was presented on 27th July, 2001. Out of which 15 recommendations were accepted by the Ministry of Railways (Railway Board). The actual implementation of these recommendations is being dealt with in this Chapter.

Recommendation (Sl.Nos. 6 and 7, Para Nos.1.26 and 1.27)

“Maintenance of Roster”

3.104 The Committee had emphasized that the roster is the mechanism to watch adequate intake of the Scheduled Castes and Scheduled Tribes in services. They had, therefore, desired that rosters should be properly maintained and that the job of maintenance of rosters should be entrusted to capable and experienced staff and also advised to take strict action against the officers concerned if any irregularity was found in the maintenance of rosters.

3.105 In their action taken reply, the Ministry had stated that as per Supreme Court's judgement in the matter of R.K. Sabharwal V/s State of Punjab, Union of India V/s Veer Pal Singh Chauhan and Union of India V/s J.C. Mallick, instructions had been issued vide Railway Board's letter No. 95-E(SCT)/I/49/5(1) and 95-E(SCT)/I/49/5(2) dated 21.8.1997 to all the Zonal Railways including South Central Railway for preparing post based rosters in Group 'C' and Group 'D' categories both for recruitment and promotions. The principles for proper/efficient construction and operation of post based roster have also been detailed in the above instructions. They have also stated that the extant instructions on the inspection of roster registers by the Liaison Officers/Officials and its proper maintenance have been reiterated and vigorous efforts are put in to ensure that roster registers are maintained/inspected in appropriate manner. The existing staff maintaining rosters on South Central Railway are capable and experienced.

3.106 In their status report, the Ministry have furnished the same reply as given by them in their action taken reply.

Comments of the Committee

3.107 The Committee are happy that the Railways are following various instructions concerning SC/ST employees. The Committee hope that the South Central Railway are following the instructions regarding maintenance of rosters meticulously.

Recommendation (Sl.No.11, Para No.2.18)

“Reservation in services”

3.108 The Committee had recommended that in case of non-availability of adequate number of SC/ST candidates in any particular area, copies of recruitment advertisement/notices should also be sent to the Employment Exchange (s) in the adjoining areas in order to attract maximum number of SC/ST candidates to fill up all the reserved posts for them.

3.109 In their action taken reply, the Ministry had stated that as per the extant instructions contained in the Railway Board's letter No. E(NG)II/96/RR-I/62 dated 17.9.1998, the Employment Notices for posts in Group 'C' to which recruitment are undertaken by the Administration themselves, are notified in the "Employment News". In addition to this, Employment Notices are supplied to the nearby Employment Exchanges, Resettlement Directorate of Ministry of Defence, Rajya & Zila Sainik Boards etc. Such notices are also displayed on notice boards of the offices under the control of the recruitment authority/establishment. For recruitment to Group 'D' posts too, in addition to Employment Notices issued to the Employment Exchanges within the recruitment unit and to the recognised associations of Scheduled Castes and Scheduled Tribes etc. the same are also to be notified in the Employment News. All those (including SCs/STs) who apply directly in response to the "Employment Notices" are considered on equal footing alongwith the candidates sponsored by the Employment Exchanges.

Therefore, recruitment is no longer restricted to the names of the candidates forwarded by the nearby Employment Exchanges. Thus, any candidates including a candidate belonging to SC/ST may apply in response to open notification published in the "Employment News." The ultimate objective to have maximum response to the notification from the candidate gets fulfilled through the aforesaid procedure.

3.110 In their status report, the Ministry have stated that there is no change in the policy instructions.

Comments of the Committee

3.111 The Committee are satisfied with the action taken by the Railway in the matter of notifying posts through different modes. They would like the Railway Board to review their instructions from time to time.

Recommendation (Sl.No.14, Para No.2.25)

“Promotion”

3.112 The Committee had noted that there was huge shortfall in the promotion of ST candidates in Group ‘B’, ‘C’ and ‘D’ categories of posts. The Committee had, therefore, recommended that if requisite number of ST candidates are not available for promotional vacancies, the Railway authorities should increase the zone of consideration in promotion suitably so that shortfall in promotions could be wiped out.

3.113 In their action taken reply, the Ministry had stated that in all selection for promotion to Group ‘B’ and from Group ‘B’ to Group ‘A’ Junior/Senior Scale in various departments, the zone of consideration is determined as under:-

No. of vacancies	No. of employees to be considered
1	5
2	8
3	10
4 or more	Three times of number of vacancies

3.114 If in the field determined by the above sliding scale, the number of Scheduled Castes or Scheduled Tribes or both SCs/STs do not correspond to the number indicated above, the field is extended to five times the number of total vacancies. The SCs/STs getting empanelled from the extended

zone are placed in the panel in accordance with their gradation and seniority. In case of promotions within Group 'C' in non-safety categories, the number of reserved community candidates to be called (zone of consideration) are three times the number of vacancies reserved for the Scheduled Castes and Scheduled Tribes upto one grade below the grade of selection. However, in safety categories posts of Group 'C' employees will be required to put in a minimum of 2 years of service in the relevant grade before being considered for promotion to higher grade and zone of consideration is confined only to one grade below the grade of selection.

3.115 They have also stated that in the case of promotions made on the basis of seniority-cum-suitability (non-selection) or through Trade Test the zone of consideration in respect of SCs and STs will be next lower category with a minimum of 2 years of service at the time of promotion as in the case of "others". The number of candidates to be called from the reserved communities would be equal to the number of vacancies reserved for each community separately. If any of the candidates so called for suitability/trade test is declared unsuitable for promotion, further candidates to meet the shortfall are called up in continuation and so on, subject to the condition that the original test and the continuation test(s) should all be completed within a period of 6 months. If the period is exceeded, any further test assume the character of fresh suitability test/trade test for which those who had failed in the original test are also called. The actual promotions in Group 'C' and 'D' in the case of posts filled on the basis of seniority-cum-suitability are made in accordance with the roster point. Reserved candidates of the same select

list of non-selection posts can be adjusted against the reserved point occurring or filled up at subsequent dates.

3.116 Replying further they added that what had been recommended by the Committee is already in practice on the part of Railway Administration. Moreover, to ensure that reserved quota is filled up by the earmarked community candidates only, the following safeguards are also existing :-

- (a) Relaxing the minimum qualifying period of service for non-safety posts;
- (b) Pre-selection coaching for safety and non-selection posts to enhance the chances of SCs/STs to get selected against the reserved posts;
- (c) Diverting the promotional categories posts to direct recruitment, if such direct recruitments are permissible; and
- (d) If adequate number of SC/ST candidates against the non-safety category posts are not found in the selection/seniority-cum-suitability test, the best among the failed candidates are given ad-hoc promotion for six months for in-service training to bring them up to the requisite standard. After six months if they are found suitable, they are empanelled and promoted.

3.117 In their status report, the Ministry have stated that keeping in view the factual position earlier apprised to the Committee as stated above, they have nothing to add further.

Comments of the Committee

3.118 The Committee are of the view that the method adopted by the Ministry of Railways seems to be satisfactory. They firmly believe that by this time shortfall in promotions of SCs and STs must have been wiped out. The Committee would like to know the details of promotions made in all categories of posts during the last 3 years along with the number of SC and ST promoted among them.

Recommendation (Sl.No.15, Para No.3.4)

“Pre-selection Training”

3.119 The Committee had noted that only 28 and 32 officers in Commercial Department, 46 and 23 officers in Operating Department and 46 and 32 officers in Mechanical Department belonging to SC and ST communities respectively had been given free selection coaching during the last three years. They had also noted that no pre-selection coaching had been given during the years 1994 and 1995 in any Department. The Committee felt it necessary to have an intensive pre-selection training for SCs and STs. They also felt that to make them more suitable for higher posts and to expose them to modern methods of technology, a larger number of SC/ST candidates should be selected to provide them pre-selection training. They also recommended to do it expeditiously.

3.120 In their action taken reply, the Ministry had stated that what had been recommended by the Committee were already in the practice on the Railways.

3.121 In their status report, the Ministry have stated that the following persons had been imparted training under pre-selection/promotion training scheme:-

Year	No. of SC/ST candidates imparted pre-selection promotion coaching	
	Gazetted Cadre	Non-Gazetted cadre

	SC	ST	SC	ST
1998	30	12	329	157
1999	222	273	408	175
2000	181	120	639	236

Comments of the Committee

3.122 The Committee are happy to note that a substantial number of employees had been given pre-selection/promotion training during the years 1998, 1999 and 2000. They would like to know whether all those SC/ST officers have been promoted after their pre-selection promotion coaching. They appreciate the efforts made by the South Central Railway and feel it is a right step in uplifting the status of SC/ST employees. The Committee hope that the Ministry will continue this efforts in future also.

Recommendation (Sl.Nos.19 and 20, Para Nos.3.14 and 3.15)

“De-reservation”

3.123 The Committee were unhappy to note that in South Central Railway a large number of promotional vacancies of ST candidates in Group ‘C’ and ‘D’ had been allowed to lapse. The Committee were also surprised that even in Group ‘D’ which is the lowest cadre, suitable ST candidates were not available for promotion.

3.124 The Committee had desired that if ST candidates are not available in the feeder cadre, SC candidates should be given promotion and whenever ST candidates are available, they may be adjusted against SC posts. In case, no suitable SCs and STs are available they should be given intensive in-service training to bring their efficiency upto the level of the job requirements. Keeping all these factors in view, the Committee had recommended that the South Central Railway authorities should make concerted efforts to fill these reserved vacancies. The Committee were opposed to de-reservation of vacancies reserved for SCs and STs. The Committee expected the Ministry of Railways and General Manager, South Central Railway to ensure that in case de-reservation becomes inevitable the procedure laid down by the Ministry of Personnel, Public Grievances and Pensions is strictly followed.

3.125 In their action taken reply, the Ministry had stated that the reserved posts in promotion category are filled up by the SCs/STs and in case of their

non-availability, the reserved posts continue to be exchanged between SCs and STs in the 3rd year of carry forward as per extant orders. Thus, there might be a situation where a SC may be occupying a post earmarked for STs and vice-versa. In such a situation the combined reservation shall not exceed 22.5%. In gazetted posts except those which are filled up by the Limited Departmental Competitive Examination posts are exchanged between SCs and STs in case of non-availability of earmarked community candidates in the same year. It had further been stated that to ensure that in promotional categories SC/ST candidates are available for safety category posts, pre-selection coaching are given to them. It had also been stated that the Ministry of Railways had laid down procedure for de-reservation generally in line with the DOP&T's procedure.

3.126 In their status report, the Ministry have stated that as per the commitment given by the Minister of Railways on the floor of the House of Parliament, presently there is a ban on de-reservation of posts reserved for SCs and STs both in recruitment and promotion of all categories.

Comments of the Committee

3.127 The Committee do not have any comments to offer in this regard.

Recommendation (Sl.Nos.21 and 22, Para Nos.3.20 and 3.21)

“False Caste Certificate”

3.128 The Committee had noted with concern that there were 4 instances of false caste certificates in South Central Railway out of which 3 cases were still pending. The Committee had desired that the matter should be pursued vigorously by the South Central Railway with the concerned authorities for their early disposal of pending cases. The Committee were also of the view that removal/dismissal in cases of securing employment on the basis of false caste certificate might not meet ends of justice. In the opinion of the Committee, criminal proceedings should also be initiated against the guilty which would act as a deterrent for others to commit such offences. They had also recommended that the cases of such nature should be tried by the special court meant for atrocity cases.

3.129 In their action taken reply, the Ministry stated that instructions contained in letter No. 78/E(SCT)15/29, dated 28.6.1996 lay down specifically that a person who secured employment on the basis of bogus caste certificate, should not only be dismissed from the service but action should also be initiated by referring the case to local Police Station under relevant provision of the Indian Penal Code as well as advising the District Magistrate of the concerned district from whom false certificate was got issued for initiating penal action against the concerned person as well as others who were involved in the issue of bogus certificate so that such

people are discouraged once and for all to take employment in other organisations with the help of false caste certificate.

3.130 It was further added that the Ministry of Law and Justice, Department of Legal Affairs had opined that by submitting a forged certificate, there is no injury or atrocity caused to a member/members of the SC/ST and as such case is not covered under Scheduled Castes/Scheduled Tribes (Prevention of Atrocity) Act, 1989, therefore, it is not possible to have a trial in the special court meant for atrocity cases.

3.131 In their status report, the Ministry have reported detection of five more cases of false caste certificate further on South Central Railway as detailed below :-

(i) Case of M. Rama Devi, Sr. Steno (ST) : Concerned civil authorities have cancelled the caste certificate. Accordingly, necessary action has been taken under Discipline and Appeal Rules. Meanwhile, the employee has obtained stay order from Hon'ble High Court, Andhra Pradesh. As such, the case is sub-judice.

(ii& iii) Cases of T. Sai Gopal(ST), CPSR/Eluru, Vijayawada and T. Sai Ram(ST), CGSR/Gudivada, Vijayawada : Based on the finding of Tribal Welfare Officer, the matters have been referred to District Collector, Krishna District for cancellation of the caste certificates issued in favour of them. The cases are pending with the concerned District Collector.

- (iv) Case of L. Usha Rani (ST), OS-II, Sr. DCM, Vijayawada : The District Collector has cancelled the caste certificate issued in favour of Usha Rani. However, the employee has preferred an appeal to the civil authority. As such, the case is pending with the concerned State Government.
- (v) Case of D. Ganga Raju (ST), DSK/RYPs : Necessary action under Discipline and Appeal Rules has been initiated against the employee.

It had also been added in the status report that the ultimate punishment to be awarded to the above mentioned employees after Discipline and Appeal Rules findings, could be removal from service alongwith penal action under Indian Penal Code.

Comments of the Committee

3.132 The Committee had noted that 3 cases of false caste certificates were still pending and had desired to dispose off these cases at the earliest. The Committee are distressed to note that despite the action which is purported to have been taken by the South Central Railway, five more cases of obtaining employment on the basis of false caste certificates have been detected. It is really a sad state of affairs that how easily the unscrupulous elements hoodwink the Government authority in obtaining the employment on the basis of false caste certificate. The Committee had recommended that the cases of such nature should be tried by the special court meant for atrocity cases. The Committee do not agree fully that by submitting a forged certificate, no injury or atrocity is caused to a member(s) of the SC/ST. The Committee would like the South Central Railway to take expeditious action to decide the cases which are pending before the State/District Authorities and to vacate stay order in this regard. They urge the South Central Railway to be very vigilant while examining the caste certificate before they offer appointments. The Committee would like to know the present status of these 8 cases including the authority before whom they are pending and since when pending as well as action taken by the Government/Ministry to dispose them of at the earliest possible.

Recommendation (Sl.Nos.25, 26 and 27, Para Nos.4.13, 4.14 and 4.15)

“Award of Petty Contracts”

3.133 The Committee had noted that preference was given to SC/ST persons for allotment of tea stalls/kiosks etc. at small and road side stations on the South Central Railway. In respect of special allotments to be made from the Ministry of Railways, reservation to the extent of 20% for Scheduled Castes and 10% for Scheduled Tribes had been provided in allotment of catering/vending contracts. They had also noted that as against prescribed 20% and 10%, only 13% and 6% contracts could be awarded to SCs and STs by the South Central Railway. The Committee had, therefore, desired that the South Central Railway should give wide publicity for awarding petty contracts. They had also opined that in case of poor response from SC/ST persons to the first advertisement a second advertisement should also be given.

3.134 The Committee had also recommended that copies of advertisement inviting applications for awarding petty contracts should be sent to local MPs/MLAs besides being notified to the Employment Exchanges and SC/ST Associations so that the problem of not getting applications from SC/ST persons can be solved and shortfall in allotment of petty contracts could be liquidated.

3.135 In their action taken reply, the Ministry had stated that their recommendation had been accepted by the Ministry of Railways (Railway

Board). Accordingly, the Zonal Railways and Production Units had been advised to give wide publicity to the advertisement in case of awarding of petty catering/vending contracts(stalls and trolleys) reserved for SCs/STs and to send copy of such notifications to the local MPs/MLAs for their information.

3.136 In their status report, the Ministry have stated that with a view to bringing about tangible improvement in catering services, new catering policy-2000 (issued vide Railway Board's letter No. 97/TG.III/600/12 dated 20.10.2000) has been framed where licences of major catering units are awarded through open tender under a two – packet system by giving suitable notification in national and local newspapers. The award of licence in case of all major catering/vending units will be made only on the basis of professional criteria through open competitive bidding as laid down for this purpose and there will be no reservation for any category, as per the new catering policy.

3.137 They have further stated that award of licence in case of catering units other than major units (i.e., in case of small units) as mentioned above, are made by calling applications through press notifications from reputed parties. Out of the total requirement assessed for the Divisions, licences for 75% of the assessed requirement of small units are awarded in general category by Divisional Railway Manager. And the remaining 25% licences of small units are awarded to candidates from various reserved categories (including SCs/STs) by the General Manager with his discretionary power, subject to the condition that the applicant fulfils the basic eligibility criteria and his/her

credentials are checked before any allotment is made. Out of the 25% reservation of total licences, 6% has been provided for SCs and 4% for STs.

Comments of the Committee

3.138 The Committee are unhappy to note that as per catering policy-2000, no provision has been made for reservation in award of licences for opening of major catering/vending units. In so far as awarding of small catering licence is concerned, the Committee are surprised to note that reservation of only 6% for SC and 4% for ST, out of total of 25% of all reserved categories has been provided. The Committee feel that every opportunity should be given to SC/ST people in every sphere of life to prove their mettle. They, therefore, impress upon the Government to provide 15% reservation to SC and 7.5% to ST while awarding licences for opening of major and minor catering units and issue revised instructions in this regard immediately.

Recommendation (Sl.Nos.28 and 29, Para Nos.4.21 and 4.22)

“Housing Facilities”

3.139 Having noted that a limit of 50 or more quarters on a station for providing reservation for the SC/ST employees, the Committee had desired both the South Central Railway and the Ministry of Railways (Railway Board) to review their policy regarding the norm of 50 quarters so that in future low percentage/shortfall of allotment of quarters to SC/ST employees are eliminated.

3.140 The Committee had also noted that no reservation had been provided for SC/ST employees in allotment of quarters in “essential categories”. They had, therefore, desired that adequate percentage of reservation in allotment of quarters in these categories be made for SC/ST employees.

3.141 In their action taken reply, the Ministry had stated that extant instructions on the Railways provide for reservation in allotment of Railway quarters to SC/ST employees to the extent of 10% in Type I & II quarters and 5% in regard to Type III & IV quarters for non-essential categories of staff. These instructions are based on the instructions issued by the nodal Ministry, namely, the Ministry of Works, Housing and Urban Development. Further, on the Railways, instructions have been issued that the reservation in allotment of quarters as indicated above will apply in all places where the total number of quarters of Type I & II is 50 and above and SC/ST employees allotted Railway quarters on their own seniority/service length in

the general list are not adjusted against the reserved quota. It may thus be seen that instructions regarding reservation in allotment of quarters on the Railways are already more liberal than the instructions issued by the nodal Ministry and therefore, it is not considered necessary to further relax the provisions in this regard.

3.142 It has further been added that as regards the recommendation for application of reservation in allotment of Railway quarters to essential categories of staff, it is submitted that the overall satisfaction level on the Indian Railways in regard to allotment of quarters is only 40%. Staff are categorised as essential based on operational requirements. Under these circumstances, it is not considered desirable to apply the policy of reservation in allotment of Railway quarters for SC/ST in the case of essential categories of staff.

3.143 In their status report, the Ministry have stated that the position has remained the same.

Comments of the Committee

3.144 The Committee are unhappy to note that no serious consideration has been given to the instructions pertaining to allotment of quarters. They, however, would like to know the number of SC/ST employees who are wait-listed for allotment in different types of quarter in South Central Railway.

Recommendation (Sl.Nos.30 and 31, Para Nos.4.25 and 4.26)

“Socio-economic development”

3.145 Having noted that in South Central Railway the percentage of ST students in the Railway Educational Institutions was 5% in English, 5.4% in Telugu, 8.4% in Marathi and 1.7% in Kannada, the Committee had desired that the Railway Board should adopt suitable measures to further augment the intake of ST students and teachers in these schools. They had also desired the Railway Board to consider the feasibility of giving special stipends/scholarships to the SC/ST students.

3.146 In their action taken reply, the Ministry had stated that the prescribed percentage of reservation for SCs and STs in South Central Railway is 15% and 5% respectively and in case of non-availability of students of either of the two communities, the seats are interchanged between SCs and STs. The overall representation of SCs and STs comes to 36.10%. Following is the statement of medium-wise representation of the SC/ST students in Railway:

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Medium	Total strength of students	Scheduled Castes	Scheduled Tribes	Percentage of SC	Percentage of ST	Total percentage (SC&ST)
English	15263	3772	772	24.8%	5%	29.8%
Telugu	9961	3500	537	35%	5.4%	40.40%
Marathi	9961	1181	190	52%	8.4%	60.40%

Kannada	718	192	12	26.7%	1.7%	28.40%
Total	28204	8645	1511	30.7%	5.4%	36.10%

3.147 They also added that the above representation was very favourable to the SCs and STs as their number was more than the laid down percentage of 15% and 5% for SCs and STs respectively. The instructions existed in this regard were considered sufficient and the overall percentage of SC and ST students in South Central Railway was satisfactory. It had also been stated that the Railway schools on various zonal railways are affiliated to the State Education Boards/CBSE etc. All the rules and regulations of the affiliated boards in the academic matters also apply to Railway Schools. Instructions have been issued to all the zonal railways/production units and others to ensure that the fee concessions and stipend/scholarship as admissible to SC/ST students of non-railway schools are secured from the respective State Government for eligible SC/ST students in Railway Schools. Scholarships under Staff Benefit Fund for pursuing technical education are provided for children of SC/ST employees to the extent of 15% for SCs and 7.5% for STs.

3.148 In their status report, the Ministry have stated that apart from the total amount released from Staff Benefit Fund (SBF) as stipend/scholarships to the students belonging to SCs/STs for pursuing technical education alongwith the total amount received from the respective State Government as stipend/scholarships by them during the years viz, 1998, 1999 and 2000 (given below), the South Central Railway is doing their best for the

social/financial/educational upliftment of the wards of Railway employees
belonging to SCs/STs: -

Year	No. of SC/ST students who availed the benefit		Total amount released from SBF
	Scheduled Castes	STs	(Rs.)
1998	10	5	16400/-
1999	20	3	26000/-
2000	19	5	24400/-
Total	49	13	66800/-

Comments of the Committee

3.149 The Committee appreciate the efforts made by the Ministry of Railways (Railway Board) and the South Central Railway in particular for the educational development of SC/ST students through the Railway Educational Institutions. The Committee hope that the Ministry will continue in its endeavour to encourage SC/ST students aspire for progress in their life.

MINISTRY OF PETROLEUM AND NATURAL GAS

E. Ninth Report (11th Lok Sabha) on Reservation for and Employment of Scheduled Castes and Scheduled Tribes in Engineers India Ltd.(EIL)

3.150 The above mentioned report was presented to the Parliament on 5th August, 1997. It contained 8 recommendations. The Action Taken Report was presented on 9th December, 1998. Out of which 6 recommendations were accepted by the Ministry of Petroleum and Natural Gas. The actual implementation of these recommendations is being dealt with in this Chapter.

Recommendation (Sl.No. 1, Para No.1.7)

“Board of Directors”

3.151 The Committee had noted that there were 6 functional Directors including Chairman and Managing Director and one part-time Director in EIL but none of them belonged to SC/ST categories. They were of the view that with concerted efforts, it should not be difficult for the Ministry to find out a meritorious and competent officer belonging to SC/ST categories for inclusion in the Board of Directors. The Committee had, therefore, recommended that serious and vigorous efforts should be made by the Government to find out a SC/ST person for appointment in the Board of Directors.

3.152 In their action taken reply, the Ministry had stated that the policy of the Government was to select directors from amongst the person with proven ability and good record in the fields of industry, commerce, administration, finance etc. The claim of suitable SC/ST candidates who are otherwise competent and have the necessary above background and ability were always being considered for board level appointments. They also added that in keeping with this policy and having regard to the recommendation of the Committee it would be their endeavour in future to appoint at least one person belonging to SC/ST as director on the board of Engineers India Limited. As regard to adoption of a policy for enforcement of the reservation roster to board level appointments, this would come within the purview of Department of Personnel and Training and Department of Public Enterprises.

3.153 In their status report, the Ministry have stated that as for the adoption of the policy for enforcement of the reservation roster to board level appointments is concerned, this comes within the purview of the DOP&T and Department of Public Enterprises(DPE).

3.154 As directed by the Committee, the matter was taken up with the DPE as well as with the DOP&T under intimation to the Ministry of Petroleum & Natural Gas. The reply of the DPE to DOP&T in this regard is reproduced below for perusal of the Hon'ble Committee.

"The policy of the Government has been to select Directors from amongst persons with proven ability and good record in the fields of Industry, Commerce, Administration, Finance, etc. At the same time,

claims of suitable SC/ST candidates who are otherwise, competent and have the necessary background in Industry, Commerce, Administration, Finance, etc. for Board level appointments in the Central PSEs are always being considered. These are tenure appointments for a specific period which may be terminated even during that period by either side on three months notice or on payment of 3 months' salary in lieu thereof. There is no reservation for SCs and STs in Board Level appointments. Appointment to Board level posts are made on the basis of suitability of individual candidates to the specific posts".

3.155 It has been added that since DOP&T is concerned with the laying down of policy of reservation in services under the Allocation of Business Rules, it would be appropriate if the DOP&T examine the point raised by the Committee on the Welfare of SC & STs in this regard.

Since it is a policy matter needing examination by the DOP&T, the Ministry of Petroleum & Natural Gas is not in a position to do anything in this regard unless clear cut guidelines are issued by the DOP&T.

Comments of the Committee

3.156 The Committee are deeply concerned that the Department of Personnel and Training have not addressed this issue seriously and as such no guidelines for making a provision for representation of SCs/STs on the Board of Directors of the Public Sector Undertakings/Banks have ever been issued. The Committee, therefore, impress upon the Government to issue guidelines making it mandatory to provide reservation for SC/ST on the Board of Directors of Public Sector Undertakings/Banks as there is no dearth of SC/ST candidates who possess the necessary background in Industry, Commerce, Administration and Finance etc. and are competent to become the member of the board.

Recommendation (Sl.No. 3, Para No.2.18)

“Pre-recruitment Training”

3.157 The Committee had noted that EIL was imparting pre-recruitment training to Engineers (on contract) and Draftsmen. On completion of such training, Engineers were given 3 years employment and some of the trained Draftsmen were absorbed in the Company on regular basis. The Committee had also noted that meritorious SC/ST students studying in 2nd year of Engineering colleges and ITIs Draftsmen students were awarded scholarships and given preference against posts advertised by EIL. The Committee had desired that Engineers (on contract) and Draftsmen trained by EIL and SC/ST students of Engineering colleges and ITIs to whom scholarships had been provided by EIL should invariably be absorbed/appointed in the Company on regular basis.

3.158 In their action taken reply, the Ministry had stated that in EIL, Engineer Trainees on contract are given training for one year. After completion of their training and satisfactory performance, they might be engaged as engineers-on-contract for further three years period and that engineers-on-contract are mainly engaged for construction division for which due to the functioning work need regular employment is not preferred. However, as and when regular vacancies arise, all out endeavour shall be made for their regularization after following the requisite procedure. They further added that as for EIL, SC/ST scholarship holders in engineering and

draftsmanship courses, the company provides them opportunities for skill test/interview as well as subsequent absorption of suitable candidates as and when vacancies arise which match their background from time to time. As recommended by the Committee, the company proposes to adopt a more liberal policy for their recruitment in future also against the company's job requirement.

3.159 In their status report, the Ministry have stated that in EIL, after 1998, no engineer trainee on contract was engaged and after 1999 no draftsman trainee was engaged. As for EIL, SC/ST scholarship holders in Engineering and Draftsmanship courses, the Company provides them opportunities for skill test/interview for absorption of suitable candidates as and when vacancies arise.

Comments of the Committee

3.160 The Committee note that EIL has not engaged engineer trainee on contract after 1998 and draftsman trainee after 1999. They hope that in future, whenever engineer trainee on contract or draftsman trainee are required to be engaged, the preference would be given to SC/ST trainees. They urge EIL to continue to give opportunities to SC/ST Scholarship holders in Engineering and draftsmanship course for skill test/interview so that they can enhance their skills for absorption in EIL.

Recommendation (Sl.No. 5, Para No.4.5)

“Liaison Officer and SC/ST Cell”

3.161 The Committee had noted that a Deputy General Manager (DGM) had been appointed as Chief Liaison Officer (CLO) who had also been entrusted with other liabilities relating to his post, besides looking after the affairs of SC/ST employees. The Committee had further noted that a SC/ST cell had also been set up at the Headquarters of EIL in New Delhi under the Control of Chief Liaison Officer assisted by a Manager (HRD) and a Senior Assistant. The Committee were of the opinion that it would not be possible for the Chief Liaison Officer to do justice to SC/ST Cell while discharging the duties of DGM as well as CLO simultaneously and had, therefore, recommended that a full-time Liaison Officer should be appointed to ensure proper implementation of reservation orders for SC/ST employees in EIL. They had also desired that necessary steps should be taken to strengthen the Cell by inducting sufficient staff so that the welfare of SC/ST employees could be properly looked after.

3.162 In their action taken reply, the Ministry had stated that the SC/ST Cell all along was headed by DGM (HRD) who was also liaison officer. It was also stated that he was assisted by Manager (HRD) and a Senior Assistant. As advised, SC/ST Cell was now exclusively headed by a Senior Manager(HRD) under the overall supervision of DGM (HRD) with the objective of strengthening the SC/ST Cell.

3.163 In their status report, the Ministry have stated that the SC/ST Cell is now headed by an officer of the level of Deputy General Manager who is assisted by Assistant General Manager (HR), Human Resource Officer and an Assistant to look after the affairs of SC/ST employees. Besides, a Liaison Officer of the rank of Deputy General Manager ensures due compliance with the orders and instructions pertaining to reservation and welfare of SC/ST employees.

Comments of the Committee

3.164 The Committee note that the SC/ST Cell in EIL is now headed by an officer of the level of Deputy General Manager assisted by Assistant General Manager (HR), Human Resource Officer and an Assistant to look after the affairs of SC/ST employees. They would like to know whether CLO has been acting as full time Liaison Officer as recommended by the Committee.

Recommendation (Sl.No. 6, Para No.4.8)

“Rosters”

3.165 Having noted with concern that the rosters were not inspected by the representative of the Ministry on regular basis, the Committee had recommended that the rosters should be properly maintained and checked by the representative of the Ministry of Petroleum & Natural Gas at regular intervals. It was suggested that a certificate in token of having checked the rosters should also be recorded in the register. They had also desired that if any irregularity is found in the maintenance of the rosters, strict action should be taken against the concerned officers responsible for such lapses.

3.166 In their action taken reply, the Ministry had stated that the recommendation of the Committee with reference to the inspection of the reservation roster register by the representative of the Ministry at regular intervals had been noted and a specific programme to conduct annual inspection of rosters maintained by PSUs would be prepared by the Liaison Officer of the Ministry.

3.167 In their status report, the Ministry have stated that as regards the recommendation of the Committee with reference to the inspection of the reservation roster/register at regular intervals, Under Secretary, Ministry of Petroleum and Natural Gas on behalf of Liaison Officer of the Ministry inspected rosters on 21.9.2001. No shortcomings/defects in maintenance of roster was found and was as per guidelines and presidential directions. A

programme has also been worked out to carry out such inspections regularly.

Comments of the Committee

3.168 The Committee would like the Ministry to carry out inspection of reservation rosters/registers regularly and to have a copy of the programme worked out to carry out such inspections.

Recommendation (Sl.No. 7, Para No.4.11)

“Training Abroad”

3.169 The Committee were unhappy that out of 54 employees sent abroad during the years 1994, 1995 and 1996 to participate in training/seminars/symposia etc., only two employees belonging to Scheduled Castes were sent abroad in the year 1994. The Committee had, therefore, strongly recommended that EIL should ensure that an adequate number of Scheduled Caste and Scheduled Tribe personnel are groomed in such a manner that a large number of these employees could be deputed for training/seminars/symposia/ conferences or for other assignments outside the country. The Committee had further recommended that the criteria for nominations of executives for training seminars, etc. abroad should suitably be relaxed to make SC/ST officers available in large number for such training/seminars/ symposia etc.

3.170 In their action taken reply, the Ministry had stated that the management of EIL had taken note of the Committee's concern in this regard. The number of officers being sent on training/conference were very limited and that most of these were generally for presentation of technical papers authored by them. However, as recommended by the Committee, endeavour would be made to send more SC/ST employees for attending seminars and conference in future.

3.171 In their status report, the Ministry have reiterated that the number of officers being sent on training/conferences/seminars are very limited and that most of these are generally for presentation of technical papers authored by them. It has further been stated that because of high costs involved, only limited number of employees who are required to undertake specialised training are nominated to attend training programmes/seminars abroad. Nevertheless, EIL have continued to encourage SC/ST employees for nominations in training programmes abroad.

3.172 They have further stated that during the period 1.1.1997 to 31.12.1999, 2 SC/ST employees were sent abroad for various need based training programmes/seminars. In addition, 2 more SC/ST employees were nominated for foreign training. However, their nominations were either not finally approved by the Department of Public Enterprise(DPE) or the programme could not be materialise. In the subsequent period during the calendar year 2000, 2 SC/ST employees were nominated for need based training abroad. These 2 SC/ST employees could not proceed abroad since the proposals were finally not accepted by the sponsoring agencies. More and more SC/ST employees continue to be nominated even during 2001, one ST employee has been nominated for a programme on “Safety and Environment Management” being held in Japan, through Ministry of Petroleum and Natural Gas.

Comments of the Committee

3.173 The Committee note that albeit EIL has been nominating SC/ST employees for foreign training programme/seminars etc. yet in the status report, the total number of other employees who were nominated alongwith SC/ST employees has not been mentioned. In the absence of total number of employees sponsored / sent for training abroad it would not be possible to work out the percentage of SC/ST employees. The Committee, therefore, would like to have the information in regard to total number of the employees nominated and sent for foreign training / symposia etc. and also the number of SC/ST amongst them during the year 1998 onwards. The Committee would also like to impress upon the Government to give adequate representation to SC/ST employees for such trainings/seminars etc. and if need be, while considering their candidature, criteria for such selection may also be relaxed.

Recommendation (Sl.No. 8, Para No.4.15)

“Grievances/Complaints”

3.174 The Committee had noted that for redressal of grievances / complaints relating to non-promotion, a Representation Review Committee (RRC) had been set-up consisting of Chairman and Managing Director and Head of Divisions. The Committee had also noted that it only examines the representation relating to promotional affairs and the recommendations of RRC are submitted to the Management for consideration and replied accordingly. The Committee had further noted that records of complaints/grievances against non-promotion is maintained for all employees including SC/ST along with status of their disposal. The Committee were of the view that in case no senior SC/ST officer was available for inclusion in the RRC, a junior officer may be included as a co-opted member. The Committee had also desired that a separate register should be maintained exclusively for the complaints/grievances of SC/ST employees irrespective of the nature of the complaint.

3.175 In their action taken reply, the Ministry had stated that recommendation of the Committee regarding nomination of SC/ST officer on RCC would be implemented in future. It had also been stated that a separate register for complaints/grievances regarding promotion, posting etc. received from SC/ST employees would be maintained separately so as to pay undivided attention to their grievances.

3.176 In their status report, the Ministry have stated that the recommendation of the Committee regarding nomination of SC/ST officer on RRC has been implemented. A separate register for complaints / grievances received from SC/ST employees regarding promotions, postings, transfers and pay etc., is now being maintained.

Comments of the Committee

3.177 The Committee are happy that the Ministry have implemented the recommendation made by the Committee. They desire that the EIL would deal with complaints / grievances received from the SC/ST officers / employees expeditiously and without prejudice.

CHAPTER IV
TWELFTH LOK SABHA

MINISTRY OF TOURISM AND CULTURE (DEPARTMENT OF TOURISM)

**A. Third Report (12th Lok Sabha) on Reservation for and
Employment of Scheduled Castes and Scheduled Tribes in
Indian Tourism Development Corporation (ITDC)."**

4.1 The above mentioned report was presented to the Parliament on 4th December, 1998. It contained 19 recommendations. The Action Taken Report was presented on 23rd November, 2000. Out of which 9 recommendations were accepted by the Ministry of Tourism and Culture. The actual implementation of these recommendations is being dealt with in this Chapter.

Recommendation (Sl.Nos. 1 to 5, Para Nos.1.8 to 1.12)

"Board of Directors"

4.2 Having noted that the Board of Directors of ITDC consisting of three full time functional Directors including the Chairman and Managing Director, two official Directors and four non-official Directors but none of them from

SC/ST categories, the Committee had recommended that serious efforts should be made by the Government to find a suitable SC/ST person, official or non-official for appointment as Director on the Board of Directors of ITDC.

4.3 In their action taken reply, the Ministry had stated that a ST candidate had been appointed on 22nd December, 1998 as a non-official part time Director on the board of ITDC for a period of two years.

4.4 In their status report, the Ministry have stated that the tenure of Sh. W. Namgyal, who was appointed on 22.12.1998 as a non-official part-time Director on the Board of ITDC, ended in December 2000 alongwith other non-official Director and the effort is being made to fill up the aforesaid posts.

Comments of the Committee

4.5 The Committee would like to know the action taken by the Government to give continuous representation to SC/ST on the Board of Directors of ITDC. They should also be apprised of the present position in regard to their representation on the Board of the ITDC.

Recommendation (Sl.No.6, Para No.2.8)

“Reservation in services”

4.6 The Committee had noted that there was huge backlog of reserved posts in almost all categories of posts except in category 'B'. They were distressed by the fact that the advertisements for vacancies were not been advertised in All India Radio and Doordarshan and copies thereof were not even sent to recognized SC/ST Welfare Association. The Committee had, therefore, recommended that serious efforts should be made by ITDC to clear the backlog of SCs/STs as early as possible.

4.7 In their action taken reply, the Ministry had stated that the backlog of reserve vacancies for the year 1994, 1995 and 1996 was as per the vacancies based rosters whereas the backlog position as on 31st March, 1998 is on post based rosters. The backlog positions for SC and ST in Group A,B,C and D was shown as under:-

Category of Post	Backlog Position		
	SC	ST	OBC
Group A	02	10	35
Group B	-	-	01
Group C	41	24	73
Group D	17	27	93

It was reported that action had already been initiated to fill up the following posts:-

Category of Post	Backlog Position		
	SC	ST	OBC

Group A	03	06	12
Group B	-	-	01
Group C	07	03	12
Group D	06	09	18

4.8 Apart from notifying the non-executive vacancies to local Employment Exchange, SC/ST Associations have also been sent a copy of the notification.

4.9 In their status report, the Ministry have stated that vigorous efforts were made, as follows, to fill up the identified backlog vacancies: -

- (i) ITDC units where vacancies existed, were instructed to launch special recruitment drive for SC/ST;
- (ii) Simultaneously notifications were issued to employment exchanges/SC-ST agencies to sponsor SC/ST candidates;
- (iii) Relaxation in age and qualification for SC/ST candidates was given in accordance with Government guidelines; and
- (iv) Comprehensive instructions were issued to recruitment centres on 5.2.99 wherein they were also advised to consider pre-recruitment training to SC/ST candidates, interviews of SC/ST candidates to be held separately and to maintain records of grievances of SC/ST employees.

4.10 It has also been stated that while the recruitment process was on and applications had been received in response to the advertisement/ notification and the ITDC were able to fill up 2 SC posts, a memorandum of understanding(MOU) was signed by ITDC with the Government not to increase the existing manpower under any circumstances. Accordingly,

recruitment centres were advised on 2.6.1999 not to make any recruitment. Only 2 posts of SC which were notified by the Corporate office were filled up. The other recruitment centre could not fill up rest of the posts due to reasons given above.

4.11 It has also been added by the Ministry that subsequently due to critical financial position of ITDC and ensuing disinvestments, it has not been possible to fill-up backlog of SC/ST vacancies and also the same is not possible in the near future. However, efforts would be made to fill-up backlog of SC/ST vacancies immediately after the financial position of ITDC improves. The financial position of ITDC (Hotels) during the years from 1998-99 to 2000-2001 was as under: -

<u>YEAR</u>	<u>Rs. in CRORE</u>
1998-99	(-) 13.09
1999-2000	(-) 45.36
2000-01	(-) 43.73
(estimated)	

It may be pointed out that after signing of MOU with the Government not to increase the manpower, ITDC has not made any direct recruitment in any category other than stray cases of compassionate employment and court orders.

Comments of the Committee

4.12 The Committee are unhappy that adequate steps had not been taken in time because of which backlog of SC/ST vacancies remained for years. The Committee are all the more distressed that backlog vacancies/posts would not be filled up as the financial position of the ITDC worsened and they entered into MOU with the Government that they would not increase the existing manpower under any circumstances even otherwise appointments in case of compassionate employment and court cases are being carried out by them. The Committee would like to know the present backlog in all the categories of posts and how do they propose to clear the same. The Committee may also be apprised of total appointments made on compassionate grounds and court orders during the last 5 years and whether these included any SC/ST candidate.

Recommendation (Sl.No.7, Para No.2.9)

“Reservation in services”

4.13 The Committee had recommended that in order to clear the backlog, reserved vacancies should be advertised through All India Radio and Doordarshan besides sending the copies of the same to the recognised All India SC/ST Associations. The Committee had also recommended that in order to give justice to the SC/ST candidates they should be interviewed on a day other than the days when general candidates are interviewed.

4.14 In their action taken reply, the Ministry had stated that the recruitment action had already been initiated apart from notifying the non-executive vacancies to the local Employment Exchange. It was also stated that SC/ST Associations had been sent a copy of the notification. The suitability of the candidates belonging to reserve category was assessed by the Selection Committee first followed by the candidates of the general category. This practice was being followed as number of candidates belonging to reserve category is not enough so as to fix interviews on the different dates. As recommended the copies of advertisement would be sent to All India Radio and Doordarshan in future.

4.15 In their status report, the Ministry have stated that due to impending disinvestment, critical financial position of the Corporation, the vacant posts in ITDC are not being filled up through direct recruitment. However, efforts shall be made to notify the vacancies to the All India Radio and Doordarshan as and when the Direct Recruitment resumes and financial position of ITDC improves.

Comments of the Committee

4.16 The Committee would like to know the present position in regard to disinvestment in ITDC. They would also like to know the details of posts which are lying vacant and how these are being filled up.

Recommendation (Sl.No.13, Para No.3.4)

“Complaint/Grievances”

4.17 Having noted that there was no grievance redressal procedure in ITDC for its SC/ST employees and no separate complaint register being maintained for them, the Committee had recommended that separate grievances/ complaints register should be maintained at all the units as well as Head Office of ITDC for the SC/ST employees and that it should be ensured that prompt disposal of complaints/grievances are made which are received from SC/ST employees.

4.18 In their action taken reply, the Ministry had stated that an Office Order had been issued 5th February, 1999 advising various units to maintain separate register in all recruitment centres for maintaining record of grievances of SC/ST employees which should be promptly look into and resolved.

4.19 In their status report, the Ministry have stated that in compliance with the instructions issued, various ITDC Recruitment Centres have maintained separate register for grievances of SC/ST employees.

Comments of the Committee

4.20 The Committee appreciate that various ITDC Recruitment Centres have started maintaining separate grievances register for SC/ST employees. They would also like to know whether similar action has been taken by remaining Centres and in the Head Office of ITDC. The Committee would also like to know the details of complaints/grievances received by ITDC during the last two years as also the nature of complaints together with the time taken for their disposal.

Recommendation (Sl.No.16, Para No.4.3)

“Posting/Training Abroad”

4.21 Having noted that not a single SC/ST officer had been given foreign posting or sent for training abroad during the years 1994 and 1995. The Committee had recommended that ITDC should make sincere efforts to send SC/ST persons for posting abroad and also adequate number of SC/ST employees should be sent abroad for training, seminars, symposia, conference etc.

4.22 In their action taken reply, the Ministry had stated that as recommended, Director (C&M) had been advised that sincere efforts should be made to send SC/ST persons abroad for training/seminar/symposia etc. Vice President (Hotels) had also been advised to make sincere efforts in future to send SC/ST persons for posting abroad.

4.23 In their status report, the Ministry have stated that one SC Executive had been recommended for scholarship of Austrian Government in Tourism and Hotel Management Course 2001-2002.

Comments of the Committee

4.24 The Committee would like to know the number of officers / employees sent abroad for training / seminars / course etc. and also posted abroad during the years 2001 to 2005 and the details of SC/ST among them. The Committee would also like to know whether SC Executive who was recommended for scholarship of Austrian Government in Tourism and Hotel Management Course 2001-2002 had completed the scholarship.

MINISTRY OF INFORMATION AND BROADCASTING

B. Eighth Report(12th Lok Sabha) on Reservation for and Employment of SCs and STs in All India Radio and Doordarshan.

4.25 The above mentioned report was presented to the Parliament on 21st December, 1998. It contained 21 recommendations. The Action Taken Report was presented on 18th April, 2001. Out of which 13 recommendations were accepted by the Ministry of Information and Broadcasting. The actual implementation of these recommendations is being dealt with in this Chapter.

Recommendation (Sl.No. 1, Para No.1.6)

“Directorate of All India Radio”

4.26 The Committee had noted that in All India Radio amongst the senior officers who were assisting Director General, two officers belong to SC category and three belong to ST category. They had also noted that one SC officer in the feeder cadre of Senior Administrative Grade was eligible for consideration for promotion to the post of Director General. The Committee

had hoped that the Ministry would maintain the adequate representation of SCs/STs in the senior level in the Directorate of AIR.

4.27 In their action taken reply, the Ministry had stated that the policy of the Government relating to reservation for SCs/STs/OBCs etc. from time to time would continue to be scrupulously followed.

4.28 In their status report, the Ministry have stated that the policy of the Government relating to reservation for SCs/STs/OBCs etc. from time to time is being scrupulously followed as informed by Prasar Bharati.

Comments of the Committee

4.29 The Committee may be apprised about the representation of SCs and STs at the higher level of AIR and what steps have been taken by the Government to give adequate as well as continuous representation to SCs/STs in future also.

Recommendation (Sl.No. 3, Para No.2.7)

“Interview”

4.30 Having noted that the All India Radio was not interviewing the SC/ST candidates on separate dates and separate blocks despite clear instructions, the Committee had desired that in future recruitments, SC/ST candidates even though their number is very few, be interviewed on separate dates and in separate blocks so that the candidates belonging to these communities are adjudged in proper perspective.

4.31 In their action taken reply, the Ministry had stated that most of the All India Radio Stations / Offices are following the instructions issued on 8.8.1997 by Director General, AIR regarding interviewing of SC/ST candidates on separate dates and separate blocks, while others have noted this for strict compliance as and when recruitment is made in future.

4.32 In their status report, the Ministry have furnished the same reply as given by them in action taken reply.

Comments of the Committee

4.33 The Committee would like to know whether any recruitment has taken place after the issue of instructions. They would like to know the steps taken by the Ministry to ensure that the instructions are actually being followed.

Recommendation (Sl.No. 4, Para No.2.9)

“Casual Employment”

4.34 The Committee had noted that out of 40 persons employed on casual basis 10 belonged to SC category but none had been taken from ST category. Drawing the attention to the specific orders on the subject that reservations are applicable in case of casual vacancies also the Committee had desired that All India Radio should strictly implement the directives of the Government and make efforts to employ ST candidates also on casual basis when the duration of employment is more than 45 days.

4.35 In their action taken reply, the Ministry had stated that there was a ban on engagement of casual employees and accordingly casual employments were not encouraged and are kept to the barest minimum in AIR. But whenever this ban is lifted and casuals are recruited for more than 45 days in AIR, Government orders regarding reservation of SCs/STs would be scrupulously followed.

4.36 In their status report, the Ministry have stated that there is a ban on engagement of persons on casual basis as informed by Prasar Bharati. However, they have noted the recommendation of the Committee for compliance in future.

Comments of the Committee

4.37 The Committee would like to know the present position in regard to ban on engagement of persons on casual basis. They would also like to know the number of persons engaged on causal basis during the years 2002, 2003, 2004 and 2005 and the number of SCs/STs among them.

Recommendation (Sl.No. 5, Para No.3.5)

“Staff Strength”

4.38 The Committee had noted that the representation of SCs and STs in Group A and B posts (also discipline wise) in AIR was much below the prescribed quota. The Committee had, therefore, recommended that shortfall in all the categories of posts should be wiped out by resorting to special recruitment drives as assured by representatives of the Ministry.

4.39 In their action taken reply, the Ministry had stated that vacancies relating to SC/ST categories in AIR would be filled in accordance with extant orders of the Government issued by DOP&T from time to time.

4.40 In their status report, the Ministry have stated that recruitment / posting in All India Radio is being made in accordance with the instructions contained in DOP&T's O.M. No. 36012/2/96-Estt. dated 2/7/1997 as informed by Prasar Bharati. In most of the categories, there is no backlog of vacancies reserved for SCs and STs. However, in some categories, it is not possible to fill up the backlog vacancies under direct recruitment quota since at present there is a ban on filling up of vacancies under direct recruitment quota imposed by Ministry of Finance. Backlog vacancies under Direct Recruitment quota can, therefore, be filled up only after lifting of ban. Secondly, UPSC and SSC are also not entertaining any requisitions for direct recruitment to posts in AIR after the Prasar Bharati Act, 1990 came into effect from 23.11.1997.

4.41 As regards backlog of vacancies reserved for SCs/STs to be filled up by promotion, it has been stated that in certain categories, due to non-availability of eligible officers in the feeder cadres even after extending the zone of consideration it has not been possible to fill up the backlog completely. In some categories, the UPSC had suggested to amend the Recruitment Rules, which is being done. The backlog, if any, in these categories will be filled up after the amendment in the Recruitment Rules. In respect of recruitment made by Zonal Heads/AIR Stations, Prasar Bharati have advised them to carry out a review for early assessment of the backlog vacancies in respect of SCs/STs both by way of Direct Recruitment and under promotion quota and to make concerted efforts to fill up backlog vacancies at the earliest possible.

Comments of the Committee

4.42 The Committee are surprised that the AIR have not filled up the backlog vacancies of SCs/STs on the plea that there is a ban on filling up of vacancies under direct recruitment quota. The Committee would like to know how the recruitment is being made now by the All India Radio after Prasar Bharati Act, 1990 which came into effect on 23.11.1997 since Union Public Service Commission and Staff Selection Commission are not entertaining their requisition for the same. The Committee may also be apprised about the action taken by the AIR to wipe out backlog of reserved vacancies in the direct recruitment as well as in promotion.

Recommendation (Sl.No. 8, Para No.4.7)

“Supersession”

4.43 The Committee had noted that during the years 1992, 1993 and 1996-97 in the Administrative Officers cadre, 3 SCs/STs candidates had been superseded in promotion by general candidates. They had, therefore, desired rectification of these cases at the earliest. The Committee had also recommended that necessary preventive/corrective measures should be taken to prevent such cases in future.

4.44 In their action taken reply, the Ministry had stated that there was no cases of supersession as such. But they were declared ‘unfit’ by the duly constituted DPC. The mention of supersession in the earlier reply was of general usage and therefore no corrective measure for review of DPC etc. was needed because the affected candidates were adjudged ‘unfit’.

4.45 In their status report, the Ministry have stated that there were no case of supersession according to Prasar Bharati. But in the above 3 cases, these officials were not included in the panel for promotion since they were declared “unfit” by DPC. Out of these three, two have since been promoted as Administrative Officer and one has since retired.

Comments of the Committee

4.46 The Committee would like to know whether any member of DPC belonged to SC/ST category to watch the interest of SCs/STs which declared the three SC/ST officers 'unfit' for promotion and if not, the Committee would like to be apprised of the reasons therefor.

Recommendation (Sl.No. 9, Para No.4.9)

“Extension in service”

4.47 The Committee had noted that during the years 1993, 1994 and 1995 the number of officers belonging to SCs/STs who were given extension in service was negligible as compared to others. As a result, some of the SC/ST officers retired from service without any promotion. They had desired that the practice of giving extension in service beyond the age of superannuation should be discontinued so that the promotional chances of eligible Scheduled Castes/Scheduled Tribes employees are protected.

4.48 In their action taken reply, the Ministry had stated that the suggestion of the Committee regarding discontinuation of extension in service had been noted for future guidance.

4.49 In their status report, the Ministry have furnished the same reply as given by them in their action taken reply.

Comments of the Committee

4.50 The Committee hope that Prasar Bharati would not only note the suggestion given by them but would continue to maintain the same spirit in future too. The Committee should be informed of the number of cases of extension of service during the last three years.

Recommendation (Sl.No. 10, Para No.5.3)

“Rosters”

4.51 The Committee had noted some discrepancies in the maintenance of rosters as the same were found to be prepared hurriedly. They had recommended that the roster should be maintained properly and the same should also be inspected by the Ministry periodically/regularly.

4.52 In their action taken reply, the Ministry have stated that the reservation rosters are maintained properly according to the instructions issued by the Government from time to time. At present, post based reservation rosters are being maintained according to DOP&T's O.M.No.36012/ 2/96-Estt.(Res.) dated 2.7.1997. In Directorate General, All India Radio and the Ministry, the reservation rosters are scrutinized by the Liaison Officers for SC/ST matters regularly.

4.53 In their status report, the Ministry have furnished the same reply as given by them in their action taken reply.

Comments of the Committee

4.54 The Committee desire that the rosters at all levels and at all stations of AIR should be inspected periodically by the Liaison Officer of the Ministry and discrepancies, if found, in those inspections should be rectified. The Committee would like to know the number of details of inspections carried out by the Liaison Officer during the last three years.

Recommendation (Sl.No. 11, Para No.5.6)

“Training Aboard”

4.55 The Committee had noted that the number of SC/ST persons sent abroad for attending seminars/training was very low. They had, therefore, desired that due opportunity should be given to the Scheduled Caste/Scheduled Tribe candidates while sending officers/employees abroad for training/seminar or on deputation.

4.56 In their action taken reply, the Ministry had stated that suggestion of the Committee would be kept in the view while sending officers abroad.

4.57 In their status report, the Ministry have stated that Prasar Bharati have informed that the above suggestion of the Committee is being duly kept in view while sending officers abroad for training/conferences/seminars.

Comments of the Committee

4.58 The Committee would like to be apprised of the total number of employees sent abroad for training/seminars or on deputation during the last three years and the number of Scheduled Castes and Scheduled Tribes among them.

Recommendation (Sl.No. 12, Para No.5.9)

“False Caste Certificates”

4.59 The Committee had noted that in All India Radio, 6 cases of securing employment on the basis of false caste certificate were detected, out of which 2 cases were sub-judice and in another two cases proceedings against the concerned officials had been initiated. They had, therefore, urged the AIR to make an earnest efforts to complete and finalise these cases at the earliest, as also to apprise the Committee of the final action taken in each of these cases. Having noted that there is no specific provision under the existing instructions to get caste certificate verified from the issuing authorities before actual appointment, the Committee had also recommended that the Government should make a provision in the rules for verification of caste certificate alongwith the verification of character and antecedents at the time of entry in Government service.

4.60 In their action taken reply, the Ministry had furnished the position of six cases as under:-

- (i) AIR, Jalandhar – The case of false SC certificate was still under investigation;
- (ii) AIR, Rajkot – One case of Engineering Assistant was with Industrial Tribunal, Rajkot. Earnest efforts to finalise this case were being made;

(iii) AIR, Baroda – Defaulter was dismissed from the service of AIR.

No information about initiation of criminal proceedings against the erring employee had been received; and

(iv) AIR, Tirunelveli - Smt. K. Suganthi was appointed as TRES in ST quota as per direction of High Court, Chennai. Efforts were being made to vacate the stay order.

As regards, two cases relating to AIR, Ahmedabad and AIR, Chennai information was being collected. It had further been stated that while giving approval of DG, AIR to selection proceedings, AIR stations were always advised to verify the original caste certificate before offering appointment.

4.61 In their status report, the Ministry have furnished the present position of the above mentioned six cases as under:-

(i) AIR, Jalandhar: The primary objection in the original letter written by this office to AIR, Amritsar was about the use of word Raiz and Masih in the name of Shri Riaz Masih Gill. The second point referred to was in relation to his addresses of different places. From the records and the service book of Shri R.M. Gill, it has been found that the information forwarded to AIR, Jalandhar by the character verification authorities speaks of the answers to the queries raised. The police verification based on the certificate of the Sarpanch duly authenticated by

Inspector of Police indicate that in addition to antecedents verification, the caste factor has also been verified. Again the documents forwarded to this office by District Magistrate, Gurdaspur also state, "His antecedents have been found to be correct. The identity of the candidate has also been established." The statement by Police Station, Fateh Garh Churian (under which his native village falls) also verifies the name, address, nationality, parent-hood etc. and establishes the identity of the person. Keeping in view of the above facts, it can be inferred beyond doubt that the certificate issued in favour of Shri R.M. Gill and submitted by him to this office is a bonafide document and according to these documents, Shri R.M. Gill belongs to Balmiki community which is recognised as Scheduled Caste by the Punjab Government. Prasar Bharati have, therefore, treated this issue as settled on the basis of these records.

- (ii) AIR, Rajkot:- Shri N.R. Bagatharia was appointed as Engineering Assistant on receipt of nomination from recruiting authority i.e. (CE(WZ)), Mumbai. He joined on 23.3.1990 at this station. While scrutinizing his service documents, he was asked to submit caste certificate in support of his claim for Scheduled Tribe category but he failed. Therefore, this office has approached CE(WZ), Mumbai for verification of his status

with application and with relevant documents but no proof was found for his Scheduled Tribe status. Therefore, his services were terminated w.e.f. 28.11.1991. Shri Bagatharia has filed a case in Industrial Tribunal at Rajkot. The case is sub-judice at present.

- (iii) AIR, Baroda:- The case regarding Kum. D.C. Kataria, Ex-Transmission Executive is sub-judice in CAT, Ahmedabad Bench.
- (iv) AIR, Tirunelveli:- This case is still pending before the High Court, Chennai.
- (v) AIR, Chennai:- Hearing of the case was completed on 12.10.2001 and the Hon'ble Court has reserved its order.
- (vi) AIR, Ahmedabad:- The case is still pending for final hearing.

Comments of the Committee

4.62 The Committee are perturbed to note that there are still 5 pending cases which have not been decided as yet. They feel that there is lack of seriousness on the part of AIR and as a result the cases are still pending either before the tribunal or High Courts. No efforts seems to have been made to expedite these cases. The Committee, therefore, desire that concrete and effective steps should be taken by the Government to settle these cases at the earliest. They also desire that the persons getting employment on false caste certificates should not only be dismissed on conviction but criminal cases should also be filed against such persons.

Recommendation (Sl.No. 13, Para No.5.12)

“Housing Facilities”

4.63 The Committee had noted that there was no provision in the rules for reservation of residential quarters for allotment to Scheduled Caste/Scheduled Tribe employees and that a proposal to provide reservation for Scheduled Caste/Scheduled Tribe in allotment of residential quarters was under consideration. They had, therefore, recommended that the Ministry of Information and Broadcasting/AIR should finalise the proposal expeditiously and necessary provision for reservation of residential quarters be incorporated in their allotment rules.

4.64 In their action taken reply, the Ministry had stated that consequent on formation of Prasar Bharati, it had been decided to frame fresh rules for allotment of AIR Staff Quarters. In the draft of fresh Allotment Rules, necessary clause for providing for reservation to SC and ST employees in AIR staff quarters has been proposed. The draft allotment rules are in the process of finalisation by AIR and likely to be placed before the fully constituted Prasar Bharati Board for its consideration and approval shortly.

4.65 In their status report, the Ministry have furnished the same reply as given by them in their action taken reply.

Comments of the Committee

4.66 The Committee would like to know whether the fresh rules for allotment of AIR staff quarters have been framed by Prasar Bharati and whether proposal regarding reservation to SC/ST employees in the allotment of staff quarters has been included on the lines of provision made by the Directorate of Estates. They may be apprised of the present position immediately.

Recommendation (Sl.No. 14, Para No.5.15)

“Complaints/Grievances”

4.67 The Committee had desired that complaints/grievances of SC/ST employees should be considered on top priority and disposed of at the earliest. The Committee had also desired that Director General should also meet the representatives of SC/ST employees once or twice a year to sort out their complaints / grievances.

4.68 In their action taken reply, the Ministry had stated that complaints / grievances of SC/ST employees are being looked into on top priority in all AIR Stations/offices and also in AIR Directorate. Head of AIR Stations/offices generally meets representatives of SC/ST employees to sort out their complaints/grievances. In most of the AIR Stations / Offices, a Liaison Officer has been nominated to look into the grievances of SC/ST employees. A separate cell has also been established in AIR Directorate to look into the grievances of SC/ST employees.

4.69 In their status report, the Ministry have furnished the same reply as given by them in their action taken reply.

Comments of the Committee

4.70 The Committee are happy to note that in all AIR Stations, action is being taken on top priority to look into the complaints and grievances of the SC/ST employees. The Committee also desire that the Head of AIR Stations / Offices should meet representatives of SC/ST employees periodically preferably twice a year to sort out their complaints. The Committee would also like to know the details of complaints/ grievances received from SC/ST employees during the last three years and how these were disposed of.

Recommendation (Sl.No. 15, Para No.1.4)

“Directorate of Doordarshan”

4.71 The Committee had noted that the Directorate of Doordarshan is headed by a Director General who is assisted by senior officers in the field of Programme, Engineering, News and Administration. The Committee had noted that one of these senior officers belongs to SC and two were from ST communities. The Committee had hoped that the Ministry would give due representation to SCs/STs by taking adequate number of persons belonging to these categories.

4.72 In their action taken reply, the Ministry had stated that the observation of the Committee had been noted.

4.73 In their status report, the Ministry have stated that the above recommendation of the Committee has been noted by Prasar Bharati and is being scrupulously followed.

Comments of the Committee

4.74 The Committee may be apprised of the number of SC and ST officers at the levels of Deputy Director General and Director General etc. at present.

Recommendation (Sl.No. 19, Para No.3.10)

“Training Abroad”

4.75 The Committee had noted that in five years only 29 SC/ST, out of 284 persons, had been sent abroad for training/to attend seminar by Doordarshan. They had also noted that during the years 1994, 1995 and 1996 only 9 SC officers and none from ST category had been sent for training abroad. They had, therefore, recommended that while sending persons for training, seminars and conferences abroad, preference should be given to SC/ST officers so that they could enhance their personal skills.

4.76 In their action taken reply, the Ministry had stated that the recommendation of the Committee had been noted.

4.77 In their status report, the Ministry have stated that Prasar Bharati have informed that the above suggestion of the Committee is being duly kept in view while sending officers abroad for training / conferences/ seminars.

Comments of the Committee

4.78 The Committee would like to know whether any guidelines have been prepared by Prasar Bharati on sponsoring SC/ST officers / employees for training, seminar and conferences abroad. They would like to be apprised of the number of officers / employees sent abroad for training, seminar and conferences during the years 2000 to 2005 and the number of SCs/STs among them.

**New Delhi
5th December, 2006
14, Agrahayana, 1928(S)**

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

APPENDIX – I
(Vide para 3 of Introduction)

MINUTES

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

(FOURTEENTH LOK SABHA)

EIGHTH SITTING

(13.11.2006)

The Committee sat from 1200 to 1300 hrs.

PRESENT

Shri Ratilal Kalidas Varma - Chairman

MEMBERS

LOK SABHA

2. Shri Anandrao Vithoba Adsul
3. Shri S. Ajaya Kumar
4. Shri M. Appadurai
5. Shri Eknath M. Gaikwad
6. Shri G.V. Harsha Kumar
7. Shri Kailash Meghwal
8. Shri Rupchand Murmu
9. Shri Harikewal Prasad
10. Shri Ashok Kumar Rawat
11. Shri Bajju Ban Riyan
12. Dr. (Col.) Dhani Ram Shandil
13. Shri Lalit Mohan Suklabaidya

RAJYA SABHA

14. Shri Robert Kharshiing
15. Shri Surendra Lath
16. Shri Lalhming Liana
17. Shri Harendra Singh Malik
18. Smt. Maya Singh
19. Shri Nandi Yellaiah

SECRETARIAT

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

At the outset, the Hon'ble Chairman welcomed the Members of the Committee. The Committee then considered the draft report on "Monitoring and implementation of recommendations of the Committee on the Welfare of Scheduled Castes and Scheduled Tribes during the years 1994-95 to 1998-99" and adopted the same.

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

The Committee then adjourned.
