

COMMITTEE ON THE WELFARE OF
SCHEDULED CASTES AND
SCHEDULED TRIBES
(2007-2008)

(FOURTEENTH LOK SABHA)
TWENTY-THIRD REPORT
ON

MINISTRY OF FINANCE
(DEPARTMENT OF REVENUE)

Action taken by the Government on the recommendations contained in the Ninth Report (Fourteenth Lok Sabha) of the Committee on the Welfare of Scheduled Castes and Scheduled Tribes on the subject – “Reservation for and Employment of Scheduled Castes and Scheduled Tribes in Central Board of Direct Taxes (CBDT)”.

Presented to Lok Sabha on 23.08.2007

Laid in Rajya Sabha on 23.08.2007

LOK SABHA SECRETARIAT
NEW DELHI

23 August, 2007/1Bhadrapada,1929 (Saka)

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**COMPOSITION OF THE COMMITTEE ON THE WELFARE OF SCHEDULED
CASTES AND SCHEDULED TRIBES (2007-2008)**

Shri Ratilal Kalidas Varma - Chairman

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4. Shri Kailash Baitha
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25. Dr. Radhakant Nayak
26. Shri Mahendra Sahni
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- | | | | |
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| 3. | Shri Gopal Singh | - | Director |
| 4. | Ms. J.C. Namchyo | - | Deputy Secretary |
| 5. | Smt. Maya Lingi | - | Under Secretary |
| 6. | Shri L. Singson | - | Sr. Committee Assistant |

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 Twenty-third Report (Fourteenth Lok Sabha) on action taken by the Government on the recommendations contained in their Ninth Report (Fourteenth Lok Sabha) on the Ministry of Finance (Department of Revenue) regarding – Reservation for and Employment of Scheduled Castes and Scheduled Tribes in Central Board of Direct Taxes (CBDT).

2. The draft Report was considered and adopted by the Committee on 20th July, 2007 (Appendix-I).

3. The Report has been divided into the following chapters:-

- I. Report
- II. Recommendations/observations, which have been accepted by the Government.
- III. Recommendations/observations which the Committee do not desire to pursue in view of replies of the Government.
- IV. Recommendations/observations in respect of which replies of the Government have not been accepted by the Committee and which require reiteration.
- V. Recommendations/observations in respect of which final replies of the Government have not been received.

4. An analysis of the Action Taken by the Government on the recommendations contained in the Ninth Report (Fourteenth Lok Sabha) of the Committee is given in Appendix-II. It would be observed therefrom that out of 18 recommendations made in the report, 10 recommendations i.e. 56 per cent have been accepted by the Government. The Committee do not desire to pursue 2 recommendations i.e. 11 per cent of the total recommendations in view of the replies of the Government. There are 4 recommendations i.e. 22 per cent in respect of which replies of the Government have not been accepted by the Committee and require further reiteration and in respect of 2 i.e. 11 per cent of total recommendations, final replies of the Government have not been received.

NEW DELHI
23 August, 2007
 1 Bhadrapada, 1929 (Saka)

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

CHAPTER I

REPORT

This Report of the Committee on the Welfare of Scheduled Castes and Scheduled Tribes deals with the action taken by the Government on the recommendations contained in their Ninth Report (Fourteenth Lok Sabha) on the Ministry of Finance (Department of Revenue) regarding “Reservation for and Employment of Scheduled Castes and Scheduled Tribes in Central Board of Direct Taxes (CBDT)”.

1.2 The Ninth Report was presented to Lok Sabha on 18th August, 2006. It contained 18 recommendations/observations. Replies of the Government in respect of all these recommendations/observations have been examined and may be categorised as under:-

- (i) Recommendations/Observations which have been accepted by the Government (Sl. Nos. 4, 7, 8, 10, 11, 12, 14, 15, 16 and 17).
- (ii) Recommendations/Observations which the Committee do not desire to pursue in the light of the replies received from the Government (Sl. Nos. 2, and 9).
- (iii) Recommendations/Observations in respect of which replies of the Government have not been accepted by the Committee and which require reiteration (Sl. No.1,3,5 and 6).
- (iv) Recommendations/Observations in respect of which final replies of the Government have not been received (Sl. Nos. 13 and 18).

1.3 The Committee desire that final replies in respect of the recommendations for which only interim replies have been given ought to be furnished within three months of the presentation of the Report.

1.4 The Committee will now deal with the Action Taken by the Government on some of the recommendations which need reiteration or comments.

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

1.5 The Committee are surprised to note that no officer belonging to SC/ST category has ever been appointed as Chairman or Member of the Board since 1987 and information prior to 1987 is also not available. It is evident that in the last fifty years there was no SC/ST Member in the Board whereas in other Departments there are SC/ST Officers who occupy positions at the highest level. The Committee also note that only officers who are in the rank of Chief Commissioners of Income Tax are eligible for appointment to the post of Member of the Board. There is also no provision under the relevant Act for reservation for SCs/STs in the Board nor any proposal has ever been made to amend the Act. The Committee are of the view that CBDT should examine this aspect as to how no officer belonging to SC/ST categories got an opportunity to become a Member of the Board when at the time of recruitment to the Indian Revenue Service, due reservation is provided for SCs/STs. The Committee are of the view that it is for the Government to see and give SC/ST persons proper representation in the apex body of the Income Tax Department. The Committee, therefore, recommend that the Government should take all possible steps to ensure that SC/ST officers fulfilling the minimum qualifications may get representation in the Board. The Committee would also like to know whether the matter relating to

non-representation of SC/ST members in the Board was brought to the notice of Cabinet Secretary as assured by the Ministry and if so the response of the Cabinet Secretary in this regard.

Reply of Government

1.6 The posts of Chairman/Member in CBDT are filled up by selection process in accordance with the Recruitment Rules notified for these posts. Applications are invited from all eligible and willing Chief Commissioner level officers of Indian Revenue Services (Income Tax) for the posts of Members in CBDT and from Members for the post of Chairman in CBDT. All officers, including those from SC/ST community who fulfill the eligibility criteria prescribed in recruitment rules are considered for selection to the posts of Chairman/Members in CBDT, respectively. These posts are filled by “selection” method and not by “promotion”.

1.7 As assured by the Ministry to the Committee, a reference has been made to the Cabinet Secretariat on the issue regarding non-representation of SC/ST Members in CBDT.

Comments of the Committee

1.8 The Committee are constrained to note that the Government have blatantly failed to act on its recommendation as far as the appointment of SC/ST representatives in the Board is concerned. The Committee would like to re-iterate once again the fact that no officer belonging to SC/ST category had ever been appointed as Chairman / Member of the Board since 1987 and information prior to this period was also not maintained which implies the lackadaisical attitude of the Government towards the interest of SC/ST communities. The Committee are also fully aware of the

Recruitment Rules and procedures concerning appointments to the post of Chairman and Members of the Board. However, the Committee are of the view that CBDT being the apex body of the entire income tax organisations, inclusion of SC/ST representatives in the Board will not only fulfil the constitutional provisions of social justice and equality, but would also help in keeping a watch on the interest of SC/ST communities. Though a reference has been made by the Ministry to the Cabinet Secretariat on this issue, the Committee have been informed that the Cabinet Secretariat is yet to respond even after a lapse of long time. Therefore, the Committee strongly recommend the Ministry of Finance to take all possible steps to ensure that SC/ST officers fulfilling the minimum qualifications get representation in the Board.

Recommendation (Sl. No. 3, Para No. 2.24)

1.9 The Committee are perturbed to note large number of backlog vacancies in Recruitment as shown in para 2.21 (Appendix-D) which has accumulated over the years. In 2002-03, the position of SC backlog vacancies for recruitment in Group 'B' and Group 'C' were 49 and 290, respectively. In 2004-05, the number of SC backlog vacancies in Group B and Group C had risen to 124 and 545, respectively. The position in case of ST backlog vacancies is also not better. The position of ST backlog vacancies for Group 'B', 'C' and 'D' posts for the year 2002-03 was 234, 180 and 172 which rose to 300, 345 and 240, respectively in the year 2004-05. The Committee, therefore, recommend that all these backlog vacancies in recruitment should be filled up through Special Recruitment Drive and inform the Committee about the progress made in this regard.

Reply of Government

1.10 Department of Personnel & Training vide OM No. 36038/1/2004-Estt (Res) dated 5th August 2004 launched Special Drive for filling up of backlog reserved vacancies for SCs/STs up to 01/7/2004. Accordingly, the following vacancies were identified as backlog reserved of SCs/STs in direct recruitment quota for filling up in the Special Recruitment Drive 2004: -

Group	Name of Post	SC	ST	Total
Group-C	Income Tax Inspector	05	03	08
	Stenographer Gr.III	47	37	84
	Tax Assistant	02	02	04
	LDC	--	01	01
Total		54	43	97
Group-D	Peon	02	37	39
	Watchman	05	18	23
	Sweeper/Farash	--	07	07
Total		07	62	69

1.11 Vacancies identified in Group 'C' were reported to the Staff Selection Commission. Result for the examination to the post of 'Steno Gr. III' has been declared and allocation of nominees to the Cadres/Charges has directly been made by the SSC. Result for examination to the post of 'Tax Assistant' has also been declared on 03/11/2006 and nominations are expected shortly. Preliminary as well as Main written examinations for the post of 'Income Tax Inspector' have been conducted by the SSC and the result of the Main exam is expected shortly. Thereafter, the successful candidates of the Main exam would be interviewed by the SSC before declaring final result and making nominations of the selected candidates to the Department. The SSC has been requested to expedite the selection process.

1.12 Out of 69 backlog vacancies in Group-'D', 67 numbers have already been filled up. The recruitment process for filling up remaining 02 numbers is in the final stage.

Comments of the Committee

1.13 The Committee are not satisfied with the reply of the Government because the number of reserved vacancies identified as backlog in direct recruitment for filling up through the Special Recruitment Drive 2004, has been much less than what was previously furnished to the Committee by the Ministry. The Committee are surprised that only 97 vacancies in Group 'C' and 69 vacancies in Group 'D' have been identified as backlog vacancies whereas the number of backlog SC and ST vacancies are more than these figures. The Committee, therefore, desire to know how the rest of the backlog reserved vacancies, previously furnished to the Committee, have been filled up and steps taken to fill up the vacancies should also be reported to the Committee within three months of the presentation of the report.

Recommendation (Sl. No. 5, Para No. 2.33)

1.14 The Committee take serious note of the fact that since 1996 no recruitment drive was launched by the CBDT whereas the backlog of SC/ST vacancies for group 'C' and 'D' posts has been increasing over the years since 1997. The Committee desire that the instructions and guidelines issued by the DOP&T in this regard should be followed strictly and backlog vacancies should be filled up at the earliest. Again from the year 2002-03 onwards, there is a steady increase in the backlog vacancies of SCs/STs in group 'B', 'C' and 'D' posts. The Committee regret to say that it is a lapse on the part of the Department for not making any serious effort to wipe out these backlog in time. The inaction on the part of the Department has a serious repercussion on the

backlog vacancies. The Committee also note that in response to DOP&T O.M. No.36038/1/2004-Estt(Res.) dated the 5th August,2004, the Department has reported 73(SC) and 63(ST) vacancies in Group 'B' and 'C' and 8 (SC) and 9 (ST) vacancies in group 'D' to the Recruiting Agencies for filling up through Special Recruitment Drive but the Committee are not satisfied with the reply of the Department that Recruiting Agencies take their own time in conducting examination and making nominations. The Committee desire that the number of vacancies to be filled up in various categories should cover all the vacancies up to the year 2005. The Committee may be apprised of the progress made in this regard.

Reply of the Government

1.15 Department of Personnel & Training vide OM No. 36038/1/2004-Estt (Res) dated 5th August 2004 launched the Special Drive for filling up of backlog reserved vacancies for SCs/STs up to 01/7/2004. Accordingly, the following vacancies were identified as backlog reserved of SCs/STs in direct recruitment quota for filling up in the Special Recruitment Drive 2004: -

Group	Name of Post	SC	ST	Total
Group-C	Income Tax Inspector	05	03	08
	Stenographer Gr.III	47	37	84
	Tax Assistant	02	02	04
	LDC	--	01	01
Total		54	43	97
Group-D	Peon	02	37	39
	Watchman	05	18	23
	Sweeper/Farash	--	07	07
Total		07	62	69

1.16 Vacancies identified in Group 'C' were reported to the Staff Selection Commission. Result for the examination to the post of 'Steno Gr. III' has been

declared and allocation of nominees to the Cadres/Charges has directly been made by the SSC. Result for examination to the post of 'Tax Assistant' has also been declared on 03/11/2006 and nominations are expected shortly. Preliminary as well as Main written examinations for the post of 'Income Tax Inspector' have been conducted by the SSC and the result of the Main exam is expected shortly. Thereafter, the successful candidates of the Main exam would be interviewed by the SSC before declaring final result and making nominations of the selected candidates to the Department. The SSC has been requested to expedite the selection process.

1.17 Out of 69 backlog vacancies in Group-'D', 67 numbers have already been filled up. The recruitment process for filling up remaining 02 numbers is in the final stage.

Comments of the Committee

1.18 The Committee had specifically recommended that the number of vacancies to be filled up in various categories should cover all the vacancies up to the year 2005. While the Committee appreciate that the Government have carried out Special Recruitment Drive in 2004, to fill the backlog vacancies reserved for SCs and STs in direct recruitment up to July, 2004, yet the reply of the Government does not mention about the vacancies which occurred in the year 2005. The Committee regret to note that the exercise of filling up backlog vacancies reserved for SCs/STs have not yet been completed because they are still pending at various stages of the selection process. Even in Group 'D' posts, out of 69 backlog vacancies, 2 vacancies are yet to be filled up. The Committee, therefore, desire that the selection process should be expedited in a time bound

manner. The Committee also reiterate that re-exercise to fill up vacancies occurred up to the year 2005 should also be completed and the outcome of the same should be apprised to the Committee within three months of the presentation of the report.

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

1.19 The Committee are also perturbed by the fact that only 73 SC and 63 ST vacancies in Group 'B' and 'C' and 8 SC and 9 ST vacancies in Group 'D' have been identified for filling up through Special Recruitment Drive. Whereas the backlog vacancies are of the order of 124 SC and 300 ST in Group 'B', 545 SC and 345 ST in Group 'C' and 240 ST in Group 'D' during 2004-05. The Committee would like to be apprised about the status of remaining vacancies.

Reply of Government

1.20 There is no direct recruitment to Group 'B'. It is only by 100% promotion. Department of Personnel & Training vide OM No. 36038/1/2004-Estt (Res) dated 5th August 2004 launched the Special Drive for filling up of backlog reserved vacancies for SCs/STs up to 01/7/2004. Accordingly, the following vacancies were identified as backlog reserved of SCs/STs in direct recruitment quota for filling up in the Special Recruitment Drive 2004: -

Group	Name of Post	SC	ST	Total
Group-C	Income Tax Inspector	05	03	08
	Stenographer Gr.III	47	37	84
	Tax Assistant	02	02	04
	LDC	--	01	01
Total		54	43	97
Group-D	Peon	02	37	39
	Watchman	05	18	23
	Sweeper/Farash	--	07	07
Total		07	62	69

1.21 Vacancies identified in Group 'C' were reported to the Staff Selection Commission. Result for the examination to the post of 'Steno Gr. III' has been declared and allocation of nominees to the Cadres/Charges has directly been made by the SSC. Result for examination to the post of 'Tax Assistant' has also been declared on 03/11/2006 and nominations are expected shortly. Preliminary as well as Main written examinations for the post of 'Income Tax Inspector' have been conducted by the SSC and the result of the Main exam is expected shortly. Thereafter, the successful candidates of the Main exam would be interviewed by the SSC before declaring final result and making nominations of the selected candidates to the Department. The SSC has been requested to expedite the selection process.

1.22 Out of 69 backlog vacancies in Group-'D', 67 numbers have already been filled up. The recruitment process for filling up remaining 02 numbers is in the final stage.

Comments of the Committee

1.23 The Committee are not satisfied with the reply. They are at a loss to understand why the Government are not able to give a clear cut reply as to the status of those vacancies which have not been identified for special recruitment drive as yet inspite of the fact that they existed as per the information submitted to the Committee earlier. Only 97 vacancies in various Group 'C' posts and 69 vacancies in Group 'D' posts for SCs and STs were identified for filling up in the Special Recruitment Drive 2004, whereas backlog vacancies were of the order of 545 SCs and 345 STs in Group 'C' posts and 240 STs in Group 'D' posts, as identified during the

period 2004-05. The Committee, therefore, reiterate that the Government should furnish the status of remaining backlog vacancies as existed in 2004-05 within three months of the presentation of the report.

Recommendation (Sl. No. 11, Para No. 3.19)

1.24 The Committee note that the overall position regarding deputation of SC/ST officials during the last three years is not satisfactory. The Committee, therefore recommend that sufficient number of SC/ST officials should be sent on deputation because it will not only create avenues for their promotion but also SC/ST employees will get exposure to the working and functioning of other departments/organisations.

Reply of Government

1.25 All the Cadre Controlling Authorities in the Income Tax Department have been instructed to follow the Government's instructions issued on the subject and applications of Government servant belonging to SCs/STs should be readily forwarded.

Comments of the Committee

1.26 The Committee appreciate that the Income Tax Department have been instructed to follow the Government's instructions regarding deputation of SC/ST officials to other departments/organisations. However, the Committee desire that to ensure accountability, the Government should ask for compliance certificates from the various units of the Income Tax Commissionerates on quarterly basis.

Recommendation (Sl. No. 13, Para No. 3.33)

1.27 The Committee note that the facts and figures pertaining to false caste certificates furnished in the preliminary material, post evidence replies and replies given during evidence are not same but it is obvious that cases of getting employment on the basis of false caste certificates have been found in the Department. The cases are more rampant in the south. The manner in which these cases are tackled is not satisfactory as the investigation in some cases drags on for a long time and at times the concerned persons have retired before the completion of the investigation. The Committee desire that the Department should take stringent steps to investigate and wrap up the cases in minimum possible time. The Committee, therefore, recommend that once such a case is detected and if prima facie there are proof regarding the case, the person concerned should be put under suspension immediately and F.I.R. be lodged against him. The Departmental inquiry should also be initiated in the case immediately and the matter be referred to the concerned District Collector/District Magistrate etc. for verification of the certificate. In order to expeditiously decide such cases, it is strongly recommended that special Courts be set up and the existing law should be made more stringent in order to punish the guilty. Those who have joined Government service by furnishing such false certificates should be dismissed forthwith from the Government service. The Committee would also like to be apprised of the exact figure of such people immediately alongwith action taken against them.

Reply of Government

1.28 All the Cadre Controlling Authorities in the Income Tax Department have been instructed to follow the DOP&T's instructions as well as the Parliamentary Committee's recommendations scrupulously.

1.29 The exact figures of such erring officials is not available and is being collected from the cadre controlling authorities.

Comments of the Committee

1.30. The Committee appreciate that instructions have been issued to all the cadre controlling authorities in the Income Tax Department to scrupulously follow the DOP&T's instructions as well as the Parliamentary Committee's recommendations. The Committee also desire that the details of all officials implicated in the cases of false caste certificates and the action taken against them be made available to the Committee within three months of the presentation of this report.

Recommendation (Sl. No.14, Para No. 4.4)

1.31 The office of a Liaison Officer is a very important institution as far as the interest of the Scheduled Caste and Scheduled Tribe employees are concerned. As such, a man of integrity, prudence and vigilance and who has sound knowledge of reservation policies/rules should be appointed as Liaison Officer. If any act of negligence/lapses regarding implementation of reservation policies is detected during the inspections or otherwise, the matter should be brought to the notice of appropriate authorities and action should be taken against the erring officers. The Committee are of the view that the Liaison Officer is like a watch dog who is in charge of the overall work relating to special representation of the

Scheduled Castes and Scheduled Tribes and is responsible for ensuring that the instructions/orders safeguarding the interest of SCs/STs are strictly complied with. The Committee, therefore, urge that for any lapse, negligence, dereliction of duty, prompt and appropriate action should be taken against the Liaison Officer. The Committee desire that the Chief Liaison Officer should conduct periodic inspection of the work of Liaison Officers and bring the discrepancies to the notice of Chief Commissioners for corrective action.

Reply of Government

1.32 The recommendations have been noted. All the Cadre Controlling Authorities/ Liaison Officers in the Income Tax Department have been instructed to follow the DOP&T's instructions as well as the Parliamentary Committee's recommendations scrupulously.

Comments of the Committee

1.33 The Committee appreciate that the Government have noted its recommendations and consequently issued instructions to all the cadre controlling authorities/liaison officers of the Income Tax Department to follow the DOP&T's instructions as well as the Parliamentary Committee's recommendations scrupulously. The Committee feel that apart from issuing instructions, the Government should also ensure that the implementing authorities do not fail to comply with the instructions.

Recommendation (Sl. No. 15, Para No.4.10)

1.34 The Committee note that separate complaint registers are maintained only in some charges of the Chief Commissioner of Income Tax. It was also stated that no time frame is given for redressal of the grievances/complaints of

Scheduled Castes and Scheduled Tribes. The Committee, therefore, recommend that in all charges, separate complaint register should be maintained for Scheduled Castes and Scheduled Tribes wherein, detailed information viz. date of receipt, nature of complaints and date of disposal etc. should be recorded. The Committee desire that complaint cases of Scheduled Caste and Scheduled Tribe employees should be accorded priority and disposed of on time. The Committee further recommend that all pending complaint cases of SCs/STs may be disposed of without any further delay.

Reply of Government

1.35 The recommendations have been noted. All the Cadre Controlling Authorities/ Liaison Officers in the Income Tax Department have been instructed to follow the DOP&T's instructions as well as the Parliamentary Committee's recommendations scrupulously.

Comments of the Committee

1.36 The Committee would like to comment that apart from instructing the cadre controlling authorities/liaison officers to scrupulously follow the DOP&T's instructions as well as the Parliamentary Committee's recommendations, the Government should also ask for compliance report from the cadre controlling authorities regarding the disposal of pending complaint cases of SCs/STs regularly.

Recommendation (Sl. No. 16, Para No.4.15)

1.37 The Committee note that charges under CBDT do not hold separate meeting with the SC/ST Employees' Welfare Association. Even some charges who held meeting with the staff side which included SC/ST Employees do not

bother to prepare minutes of such meetings. The Committee also note that at the Regional Office the grievances/problems of SCs/STs are redressed by the Liaison Officer of the Region concerned but where there exists welfare association, the problems are discussed with the Liaison officer and Head of the Department. The Committee, therefore, recommend that CBDT should follow well defined procedures/mechanisms for addressing the problems of the SC/ST employees at various levels and these should be well coordinated by the Headquarters. Besides, the Committee would like to recommend that minutes of every meeting should be prepared on the same day of meeting and be made available to the representatives of SC/ST Employees Associations. All decisions taken during such meetings should not be delayed for implementation. The Committee also urge the Department to make available to the SC/ST Employees Associations, copies of circulars/orders issued in their interest by Government of India from time to time so that they are acquainted with the latest policies of the Government.

Reply of Government

1.38 The recommendations have been noted. All the Cadre Controlling Authorities/ Liaison Officers in the Income Tax Department have been instructed to follow the DOP&T's instructions as well as the Parliamentary Committee's recommendations scrupulously.

Comments of the Committee

1.39 The Committee desire that in order to ascertain whether the recommendations of the Committee are scrupulously followed, the Government should ask the cadre controlling authorities to furnish compliance reports on the matter on quarterly basis.

Recommendation (Sl. No. 18, Para No.4.26)

1.40 The Committee are of the view that in Government Departments, caste prejudice, discrimination, hatred and biased attitude towards SC/ST employees should not be allowed to thrive. The Committee, therefore, recommend that the CBDT should see and check that inquiry cases against SC/ST employees are not initiated on the basis of caste prejudices or biased attitude but only on the basis of the merit of the case. The Committee also desire to know the total number of cases pending and the latest position of all pending inquiry cases against SC/ST officers.

Reply of the Government

1.41 All the Cadre Controlling Authorities/ Liaison Officer in the Income Tax Department have been instructed to follow the instructions of the DOP&T as well as the recommendation of the Committee scrupulously.

1.42 Information with regard to total number of cases pending and their status are being ascertained from Cadre Controlling Officers.

Comments of the Committee

1.43 The Committee urge the Government to furnish the information on the number of cases pending and the latest position of all pending inquiry cases against SC/ST officers, and the results thereof within three months from the date of presentation of this report.

CHAPTER II**RECOMMENDATIONS/OBSERVATIONS WHICH HAVE BEEN ACCEPTED BY
THE GOVERNMENT****Recommendation (Sl. No. 4, Para No. 2.25)**

2.1 The Committee note that concessions such as relaxed qualifying marks as against general category candidates and age relaxation are provided to the Scheduled Castes and Scheduled Tribes while considering them for promotion in group 'C' and 'D' posts. In this connection, the Committee expect that whenever departmental examinations for promotion are held and the Scheduled Caste and Scheduled Tribe candidates are appointed on the basis of that examination on their own merit and not owing to reservation or relaxation of qualification, these candidates will be adjusted against unreserved points as per the Government Orders in this regard. The Committee also note that in the year 2004-05, there were backlog of 17 SC and 19 ST vacancies in Group 'B' and 12 SC and 30 ST vacancies in Group 'C' in promotional posts. The Committee therefore, recommend that these backlog vacancies should be wiped out at the earliest and the Committee be informed of the progress made in this regard.

Reply of the Government

2.2 Efforts have been made to wipe out the backlog of vacancies for the Scheduled Castes and Scheduled Tribes in promotion quota through a special drive conducted as per the direction of the DOP&T. All backlog vacancies have been filled up from the SC/ST candidates who were eligible for promotion in terms of the recruitment rules and found in the extended zone of consideration.

(Vide Ministry of Finance (Department of Revenue), O.M. No. A-14019/02/2006-Ad-VII dated the 14th February, 2007)

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

2.3 The Committee note that as pointed out by the Secretary (Revenue), the existence of backlog especially for group 'D' is not justifiable on any ground. The Committee feel that at least in the group 'D' posts higher qualifications, as would have been the case for other posts, are not required and it is in this category of posts that the poor Scheduled Caste/Scheduled Tribe people get the opportunity to enter into a government job. The Committee, therefore, recommend that vacant group 'D' posts in direct recruitment should be filled up regularly on time and not a single post be allowed to remain unfilled which later on could accumulate and necessitate holding of special recruitment drive. The Committee also urge the Department not to allow any group 'D' posts to remain vacant for more than a year, as sufficient eligible candidates are readily available at least for these posts.

Reply of the Government

2.4 The backlog-reserved vacancies in Group 'D' have already been filled up except two numbers, which will also be filled up very soon. Further, all Cadre Controlling Authorities have been directed to follow the Parliamentary Committee's instructions/recommendations strictly.

(Vide Ministry of Finance (Department of Revenue), O.M. No. A-14019/02/2006-Ad-VII dated the 14th February, 2007)

Recommendation (Sl. No. 8, Para No. 3.4)

2.5 The Committee note that so far as training is concerned, CBDT do not provide training to SCs/STs at the stage of pre-recruitment and post recruitment. However, the Committee desire that if pre-recruitment and post recruitment training is not provided to the Scheduled Castes and Scheduled Tribes, the Department should provide at least promotional training at the time of holding

departmental examinations. This will not only enable SC/ST candidates to compete alongwith candidates of general categories but also help the Department to get the backlog/shortfall wiped out in promotional posts.

Reply of the Government

2.6 Training is imparted to all newly recruited officials including SC/ST officials at National Academy of Direct Taxes at Nagpur and at the regional training Institutes at Mumbai, Kolkata, Chennai, Bangalore, Lucknow, Ahmedabad and Chandigarh. However, the regional training Institutes have been advised to call the SC/ST candidates a week in advance as compared to the general category candidates for the induction training for the new recruits. The Institutes have also been directed to impart promotional training at the time of holding departmental examination, for SC/ST officials at all levels.

(Vide Ministry of Finance (Department of Revenue), O.M. No. A-14019/02/2006-Ad-VII dated the 14th February, 2007)

Recommendation (Sl. No. 10 , Para No.3.15)

2.7 The Committee note that regarding de-reservation in the third and last carried forward recruitment year, vacancies are exchanged between Scheduled Caste and Scheduled Tribe candidates and the balance, if any, automatically lapses. In this regard, the Committee would like to clarify that no reserved vacancies can lapse automatically without going through the procedure prescribed by the DOP&T. In fact, there is a ban on dereservation of vacancies reserved for Scheduled Castes and Scheduled Tribes in direct recruitment. Even, in case of promotion, if sufficient number of Scheduled Caste and Scheduled Tribe candidates fit for promotion against reserved vacancies are not available, such vacancies have to be de-reserved as per prescribed procedures

and guidelines issued by DOP&T. The Committee, therefore, recommend that for de-reservation of reserved vacancies when eligible Scheduled Caste and Scheduled Tribe candidates are not available, the Department should strictly follow the instructions of DOP&T so as to ensure that the interest of Scheduled Castes and Scheduled Tribes are not adversely affected.

Reply of the Government

2.8 All the Cadre Controlling Authorities in the Income Tax Department have been instructed to follow the Government's instructions on the subject strictly.

(Vide Ministry of Finance (Department of Revenue), O.M. No. A-14019/02/2006-Ad-VII dated the 14th February, 2007)

Recommendation (Sl. No. 11, Para No. 3.19)

2.9 The Committee note that the overall position regarding deputation of SC/ST officials during the last three years is not satisfactory. The Committee, therefore recommend that sufficient number of SC/ST officials should be sent on deputation because it will not only create avenues for their promotion but also SC/ST employees will get exposure to the working and functioning of other departments/organisations.

Reply of the Government

2.10 All the Cadre Controlling Authorities in the Income Tax Department have been instructed to follow the Government's instructions issued on the subject and applications of Government servant belonging to SCs/STs should be readily forwarded.

(Vide Ministry of Finance (Department of Revenue), O.M. No. A-14019/02/2006-Ad-VII dated the 14th February, 2007)

Comments of the Committee

2.11 Please see Para No. 1.26 of Chapter I.

Recommendation (Sl. No. 12, Para No.3.28)

2.12 As per guidelines of DOP&T, only 5% of the total vacancies available for direct recruitment in a year are to be filled by compassionate appointments. As a result the number of applications pending for compassionate appointment increases over the time in excess of the number of vacancies available for compassionate appointments. The Committee are of the view that since the appointment is made on compassionate ground, the principle of 5% reservation for such appointments should be enhanced by suitably amending the rules governing it. The Committee, further recommend that the process of compassionate appointments should in no way be delayed so that the dependants of the deceased do not suffer from unnecessary hardships.

Reply of the Government

2.13 Department of Personnel & Training vide O.M. No. 14014/3/2005-Estt(D), dated 14.6.2006 has revised the instruction by allowing filling up vacancies on compassionate grounds to the extent of 5% on total direct recruitment vacancies for Group `C` and `D` posts (excluding Technical posts) that have been arisen in the year in place of 5% vacancies available for filling up.

2.14 Further, the Annual Direct Recruitment Plans for the last four years w.e.f. Recruitment year 2001-02 to 2005-06 have been approved and the Cadre Controlling Authorities are now making recruitments.

(Vide Ministry of Finance (Department of Revenue), O.M. No. A-14019/02/2006-Ad-VII dated the 14th February, 2007)

Recommendation (Sl. No.14, Para No. 4.4)

2.15 The office of a Liaison Officer is a very important institution as far as the interest of the Scheduled Caste and Scheduled Tribe employees are concerned.

As such, a man of integrity, prudence and vigilance and who has sound knowledge of reservation policies/rules should be appointed as Liaison Officer. If any act of negligence/lapses regarding implementation of reservation policies is detected during the inspections or otherwise, the matter should be brought to the notice of appropriate authorities and action should be taken against the erring officers. The Committee are of the view that the Liaison Officer is like a watch dog who is in charge of the overall work relating to special representation of the Scheduled Castes and Scheduled Tribes and is responsible for ensuring that the instructions/orders safeguarding the interest of SCs/STs are strictly complied with. The Committee, therefore, urge that for any lapse, negligence, dereliction of duty, prompt and appropriate action should be taken against the Liaison Officer. The Committee desire that the Chief Liaison Officer should conduct periodic inspection of the work of Liaison Officers and bring the discrepancies to the notice of Chief Commissioners for corrective action.

Reply of the Government

2.16 The recommendations have been noted. All the Cadre Controlling Authorities/ Liaison Officers in the Income Tax Department have been instructed to follow the DOP&T's instructions as well as the Parliamentary Committee's recommendations scrupulously.

(Vide Ministry of Finance (Department of Revenue), O.M. No. A-14019/02/2006-Ad-VII dated the 14th February, 2007)

Comments of the Committee

2.17 Please see Para No. 1.33 of Chapter I.

Recommendation (Sl. No. 15, Para No.4.10)

2.18 The Committee note that separate complaint registers are maintained only in some charges of the Chief Commissioner of Income Tax. It was also stated that no time frame is given for redressal of the grievances/complaints of Scheduled Castes and Scheduled Tribes. The Committee, therefore, recommend that in all charges, separate complaint register should be maintained for Scheduled Castes and Scheduled Tribes wherein, detailed information viz. date of receipt, nature of complaints and date of disposal etc. should be recorded. The Committee desire that complaint cases of Scheduled Caste and Scheduled Tribe employees should be accorded priority and disposal of on time. The Committee further recommend that all pending complaint cases of SCs/STs may be disposed of without any further delay.

Reply of the Government

2.19 The recommendations have been noted. All the Cadre Controlling Authorities/ Liaison Officers in the Income Tax Department have been instructed to follow the DOP&T's instructions as well as the Parliamentary Committee's recommendations scrupulously.

(Vide Ministry of Finance (Department of Revenue), O.M. No. A-14019/02/2006-Ad-VII dated the 14th February, 2007)

Comments of the Committee

2.20 Please see Para No. 1.36 of Chapter I.

Recommendation (Sl. No. 16, Para No.4.15)

2.21 The Committee note that charges under CBDT do not hold separate meeting with the SC/ST Employees' Welfare Association. Even some charges

who held meeting with the staff side which included SC/ST Employees do not bother to prepare minutes of such meetings. The Committee also note that at the Regional Office the grievances/problems of SCs/STs are redressed by the Liaison Officer of the Region concerned but where there exists welfare associations, the problems are discussed with the Liaison officer and Head of the Department. The Committee, therefore, recommend that CBDT should follow well defined procedures/mechanisms for addressing the problems of the SC/ST employees at various levels and these should be well coordinated by the Headquarters. Besides, the Committee would like to recommend that minutes of every meeting should be prepared on the same day of meeting and be made available to the representatives of SC/ST Employees Associations. All decisions taken during such meetings should not be delayed for implementation. The Committee also urge the Department to make available to the SC/ST Employees Associations, copies of circulars/orders issued in their interest by Government of India from time to time so that they are acquainted with the latest policies of the Government.

Reply of the Government

2.22 The recommendations have been noted. All the Cadre Controlling Authorities/ Liaison Officers in the Income Tax Department have been instructed to follow the DOP&T's instructions as well as the Parliamentary Committee's recommendations scrupulously.

(Vide Ministry of Finance (Department of Revenue), O.M. No. A-14019/02/2006-Ad-VII dated the 14th February, 2007)

Comments of the Committee

2.23 Please see Para No. 1.39 of Chapter I.

Recommendation (Sl. No. 17, Para No.4.25)

2.24 The Committee note that 7 Scheduled Caste and 2 Scheduled Tribe officers could not get promotion due to inquiry cases pending against them. It is also learnt that when an inquiry case is instituted against Group 'A' and 'B' officers, the case often goes up to the Central Vigilance Commission and in the course of investigation certain wrong doing on the part of an officer against another or stray case of a biased officer having done something wrong to another officer cannot be ruled out, as is the case in any department including CBDT. The Committee also note that in the updated information on pendency of SCs /STs disciplinary proceedings in Group 'B', 'C' and 'D' post, 9 cases have been pending since the last 10 years. The reasons cited for the pendency is the delay in the inspection of the record by the Charged Officer and Presenting Officers and due to the frequent changes of the Inquiry Officers and Presenting Officers also added to the delay. The Committee are, therefore, of the view that whenever a departmental inquiry is conducted against Scheduled Caste and Scheduled Tribe officers, an officer from these communities should compulsorily be associated with or asked to head the inquiry. Further, a vigilance inquiry against SC/ST officers should be initiated at the time of the crime and the process should be completed within a time period so that he does not suffer promotion due to delay in investigation.

Reply of the Government

2.25 The recommendations have been noted.

(Vide Ministry of Finance (Department of Revenue), O.M. No. A-14019/02/2006-Ad-VII dated the 14th February, 2007)

CHAPTER III**RECOMMENDATIONS/OBSERVATIONS WHICH THE COMMITTEE DO NOT DESIRE TO PURSUE IN VIEW OF THE REPLIES OF THE GOVERNMENT****Recommendation (Sl. No. 2, Para No. 2.19)**

3.1 The Committee made a comparative study of the total number of employees and the number of SCs/STs amongst them in various categories of posts furnished to the Committee as on 1.7.2002 and as on 31.12.2004 and note that there is a continuous shortfall of STs in Group 'B', 'C' and 'D' posts. The Committee do not accept the contention of the Government that in direct recruitment quota for Group 'C' the required number of candidates are not sponsored by the SSC and as for promotion quota, the reason for the shortfall is non-availability of ST candidates having completed requisite length of service as per recruitment rules even in the extended zone of consideration. The Committee are not happy with the continuous shortfall of STs in Group 'B', 'C' and 'D' posts since the year 2002. The Committee, therefore recommend that if SSC is not in a position to sponsor required number of candidates of these categories, SSC should invite applications from open market and the examinations for such categories should be held on All India basis instead of regional arrangements which is being followed by SSC at present to make up the shortfall of STs in Direct Recruitment. Regarding shortfall in promotion quota, the Committee conclude that there is no proper intake of ST candidates as per prescribed percentage in the feeder cadre which has, perhaps resulted in non-availability of these candidates even in extended zone of consideration. The Committee recommend the Government to look into this aspect seriously and

make sincere efforts to make up the shortfall of ST candidates in promotional posts without any further delay.

Reply of the Government

3.2 The matter was taken up with the Staff Selection Commission and they informed that the select list for the candidates who qualify the written examination and the Interview/Personality test as per the parameters fixed by the Commission are prepared on All-India basis in order of merit and in that order so many candidates as are found by the Commission to be qualified at the Examination are recommended for final appointment up to the number of vacancies. Thus, there is no regional arrangement made by the Commission from examinations conducted on all India basis.

3.3 The recruitment through the SSC is basically in the three grades viz., the Income Tax Inspector, Tax Assistant and Stenographer Gr. III. The selection against all these grades are made on All- India basis.

3.4 Efforts have been made to wipe out the backlog of vacancies for the Scheduled Castes and Scheduled Tribes in promotion quota through a special drive conducted as per the direction of the DOP&T. All backlog vacancies have been filled up from the SC/ST candidates who were eligible for promotion in terms of the recruitment rules and found in the extended zone of consideration.

(Vide Ministry of Finance (Department of Revenue), O.M. No. A-14019/02/2006-Ad-VII dated the 14th February, 2007)

Recommendation (Sl. No.9, Para No. 3.11)

3.5 The Committee are unhappy to note that out of 26 officers of various levels sent for training abroad during the period 1999-2001, only one officer belongs to Scheduled Caste category. Notwithstanding the eligibility criteria, the

procedure and norms prescribed for nomination for training abroad, the representation of Scheduled Castes and Scheduled Tribes is highly deplorable. Regardless of the sponsoring authority and nominating agency concerned, one thing is clear that no attempt was made to nominate the names of deserving Scheduled Caste and Scheduled Tribe officers. As a proverbial saying that training makes a man perfect, the Committee believe that getting trained abroad will not only enable the Scheduled Caste and Scheduled Tribe officers to acquire skill and aptitude but also broaden their outlook. It will also make them more efficient in the discharge of duties and help them in their career. The Committee, therefore, impress upon the Department to nominate more Scheduled Caste and Scheduled Tribe officers for training abroad. Even if there is no reservation, the Department should show the spirit to represent them proportionately to their numbers keeping in view the O.M. No. 16/32/74-Estt.(SCT) dated the 3rd April, 1976 issued by the DOP&AR. The Committee, therefore, recommend that the Department should prepare a formal list/panel of eligible Scheduled Caste and Scheduled Tribe officers of various levels for nomination for training abroad.

Reply of the Government

3.6 Whenever the board received/receives any foreign training circular from DOP&T and Department of Economic Affairs, the same is circulated to all the Chief Commissioners of Income Tax (Cadre Controlling Authority) for inviting applications from amongst the eligible officers and send the eligible officers names alongwith the proforma to the Board. Thus SC/ST officials also get an opportunity to apply for foreign training. The application of eligible officers is forwarded to the Department of Economic Affairs/DOP&T/Ministries etc. with the approval of the Competent Authority, for consideration. The final selection is

made by the respective Ministries/Departments and not by the Board. The Board has not discriminated any officers on the ground of SC/ST in respect of nomination to foreign training. Due care is being taken for considering the SC/ST candidates subject to their qualification and eligibility criteria for the specific training.

(Vide Ministry of Finance (Department of Revenue), O.M. No. A-14019/02/2006-Ad-VII dated the 14th February, 2007)

CHAPTER IV**RECOMMENDATIONS/OBSERVATIONS IN RESPECT OF WHICH REPLIES
OF GOVERNMENT HAVE NOT BEEN ACCEPTED BY THE COMMITTEE
AND WHICH REQUIRE REITERATION****Recommendation (Sl. No. 1, Para No. 1.9)**

4.1 The Committee are surprised to note that no officer belonging to SC/ST category has ever been appointed as Chairman or Member of the Board since 1987 and information prior to 1987 is also not available. It is evident that in the last fifty years there was no SC/ST Member in the Board whereas in other Departments there are SC/ST Officers who occupy positions at the highest level. The Committee also note that only officers who are in the rank of Chief Commissioners of Income Tax are eligible for appointment to the post of Member of the Board. There is also no provision under the relevant Act for reservation for SCs/STs in the Board nor any proposal has ever been made to amend the Act. The Committee are of the view that CBDT should examine this aspect as to how no officer belonging to SC/ST categories got an opportunity to become a Member of the Board when at the time of recruitment to the Indian Revenue Service, due reservation is provided for SCs/STs. The Committee are of the view that it is for the Government to see and give SC/ST persons proper representation in the apex body of the Income Tax Department. The Committee, therefore, recommend that the Government should take all possible steps to ensure that SC/ST officers fulfilling the minimum qualifications may get representation in the Board. The Committee would also like to know whether the matter relating to non-representation of SC/ST members in the Board was brought to the notice of Cabinet Secretary as assured by the Ministry and if so, the response of the Cabinet Secretary in this regard.

Reply of the Government

4.2 The posts of Chairman/Member in CBDT are filled up by selection process in accordance with the Recruitment Rules notified for these posts. Applications are invited from all eligible and willing Chief Commissioner level officers of Indian Revenue Services (income Tax) for the posts of Members in CBDT and from Members for the post of Chairman in CBDT. All officers, including those from SC/ST community who fulfill the eligibility criteria prescribed in recruitment rules are considered for selection to the posts of Chairman/Members in CBDT, respectively. These posts are filled by “selection” method and not by “promotion”

4.3 As assured by the Ministry to the Committee, a reference has been made to the Cabinet Secretariat on the issue regarding non-representation of SC/ST Members in CBDT.

(Vide Ministry of Finance (Department of Revenue), O.M. No. A-14019/02/2006-Ad-VII dated the 14th February, 2007)

Comments of the Committee

4.4 Please see Para No. 1.8 of Chapter I.

Recommendation (Sl. No. 3, Para No. 2.24)

4.5 The Committee are perturbed to note that large number of backlog vacancies in Recruitment as shown in para 2.21 (Appendix-D) which has accumulated over the years. In 2002-03, the position of SC backlog vacancies for recruitment in Group ‘B’ and Group ‘C’ were 49 and 290 respectively. In 2004-05, the number of SC backlog vacancies in Group ‘B’ and Group ‘C’ had risen to 124 and 545, respectively. The position in case of ST backlog vacancies is also not better. The position of ST backlog vacancies for Group ‘B’, ‘C’ and ‘D’ posts for the year 2002-03 was 234, 180 and 172 which rose to 300, 345 and

240, respectively in the year 2004-05. The Committee, therefore, recommend that all these backlog vacancies in recruitment should be filled up through Special Recruitment Drive and inform the Committee about the progress made in this regard.

Reply of the Government

4.6 Department of Personnel & Training vide OM No. 36038/1/2004-Estt (Res) dated 5th August 2004 launched Special Drive for filling up of backlog reserved vacancies for SCs/STs up to 01/7/2004. Accordingly, the following vacancies were identified as backlog reserved of SCs/STs in direct recruitment quota for filling up in the Special Recruitment Drive 2004: -

Group	Name of Post	SC	ST	Total
Group-C	Income Tax Inspector	05	03	08
	Stenographer Gr.III	47	37	84
	Tax Assistant	02	02	04
	LDC	--	01	01
Total		54	43	97
Group-D	Peon	02	37	39
	Watchman	05	18	23
	Sweeper/Farash	--	07	07
Total		07	62	69

Vacancies identified in Group 'C' were reported to the Staff Selection Commission. Result for the examination to the post of 'Steno Gr. III' has been declared and allocation of nominees to the Cadres/Charges has directly been made by the SSC. Result for examination to the post of 'Tax Assistant' has also been declared on 03/11/2006 and nominations are expected shortly. Preliminary as well as Main written examinations for the post of 'Income Tax Inspector' have been conducted by the SSC and the result of the Main exam is expected shortly. Thereafter, the successful candidates of the Main exam would be interviewed by the SSC before declaring final result and making nominations of the selected

candidates to the Department. The SSC has been requested to expedite the selection process.

4.7 Out of 69 backlog vacancies in Group-'D', 67 numbers have already been filled up. The recruitment process for filling up remaining 02 numbers is in the final stage.

(Vide Ministry of Finance (Department of Revenue), O.M. No. A-14019/02/2006-Ad-VII dated the 14th February, 2007)

Comments of the Committee

4.8 Please see Para No. 1.13 of Chapter I.

Recommendation (Sl. No. 5, Para No. 2.33)

4.9 The Committee take serious note of the fact that since 1996 no recruitment drive was launched by the CBDT whereas the backlog of SC/ST vacancies for group 'C' and 'D' posts has been increasing over the years since 1997. The Committee desire that the instructions and guidelines issued by the DOP&T in this regard should be followed strictly and backlog vacancies should be filled up at the earliest. Again from the year 2002-03 onwards, there is a steady increase in the backlog vacancies of SCs/STs in group 'B', 'C' and 'D' posts. The Committee regret to say that it is a lapse on the part of the Department for not making any serious effort to wipe out these backlog in time. The inaction on the part of the Department has a serious repercussion on the backlog vacancies. The Committee also note that in response to DOP&T O.M. No.36038/1/2004-Estt.(Res.) dated the 5th August, 2004, the Department has reported 73(SC) and 63(ST) vacancies in Group 'B' and 'C' and 8 (SC) and 9 (ST) vacancies in group 'D' to the Recruiting Agencies for filling up through

Special Recruitment Drive but the Committee are not satisfied with the reply of the Department that Recruiting Agencies take their own time in conducting examination and making nominations. The Committee desire that the number of vacancies to be filled up in various categories should cover all the vacancies up to the year 2005. The Committee may be apprised of the progress made in this regard.

Reply of the Government

4.10 Department of Personnel & Training vide OM No. 36038/1/2004-Estt (Res) dated 5th August 2004 launched the Special Drive for filling up of backlog reserved vacancies for SCs/STs up to 01/7/2004. Accordingly, the following vacancies were identified as backlog reserved of SCs/STs in direct recruitment quota for filling up in the Special Recruitment Drive 2004: -

Group	Name of Post	SC	ST	Total
Group-C	Income Tax Inspector	05	03	08
	Stenographer Gr.III	47	37	84
	Tax Assistant	02	02	04
	LDC	--	01	01
Total		54	43	97
Group-D	Peon	02	37	39
	Watchman	05	18	23
	Sweeper/Farash	--	07	07
Total		07	62	69

Vacancies identified in Group 'C' were reported to the Staff Selection Commission. Result for the examination to the post of 'Steno Gr. III' has been declared and allocation of nominees to the Cadres/Charges has directly been made by the SSC. Result for examination to the post of 'Tax Assistant' has also been declared on 03/11/2006 and nominations are expected shortly. Preliminary as well as Main written examinations for the post of 'Income Tax Inspector' have

been conducted by the SSC and the result of the Main exam is expected shortly. Thereafter, the successful candidates of the Main exam would be interviewed by the SSC before declaring final result and making nominations of the selected candidates to the Department. The SSC has been requested to expedite the selection process.

4.11 Out of 69 backlog vacancies in Group-'D', 67 numbers have already been filled up. The recruitment process for filling up remaining 02 numbers is in the final stage.

(Vide Ministry of Finance (Department of Revenue), O.M. No. A-14019/02/2006-Ad-VII dated the 14th February, 2007)

Comments of the Committee

4.12 Please see Para No. 1.18 of Chapter I.

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

4.13 The Committee are also perturbed by the fact that only 73 SC and 63 ST vacancies in Group 'B' and 'C' and 8 SC and 9 ST vacancies in Group 'D' have been identified for filling up through Special Recruitment Drive. Whereas the backlog vacancies are of the order of 124 SC and 300 ST in Group 'B', 545 SC and 345 ST in Group 'C' and 240 ST in Group 'D' during 2004-05. The Committee would like to be apprised about the status of remaining vacancies.

Reply of the Government

4.14 There is no direct recruitment to Group 'B'. It is only by 100% promotion. Department of Personnel & Training vide OM No. 36038/1/2004-Estt (Res) dated 5th August 2004 launched the Special Drive for filling up of backlog reserved vacancies for SCs/STs up to 01/7/2004. Accordingly, the following vacancies

were identified as backlog reserved of SCs/STs in direct recruitment quota for filling up in the Special Recruitment Drive 2004: -

Group	Name of Post	SC	ST	Total
Group-C	Income Tax Inspector	05	03	08
	Stenographer Gr.III	47	37	84
	Tax Assistant	02	02	04
	LDC	--	01	01
Total		54	43	97
Group-D	Peon	02	37	39
	Watchman	05	18	23
	Sweeper/Farash	--	07	07
Total		07	62	69

4.15 Vacancies identified in Group 'C' were reported to the Staff Selection Commission. Result for the examination to the post of 'Steno Gr. III' has been declared and allocation of nominees to the Cadres/Charges has directly been made by the SSC. Result for examination to the post of 'Tax Assistant' has also been declared on 03/11/2006 and nominations are expected shortly. Preliminary as well as Main written examinations for the post of 'Income Tax Inspector' have been conducted by the SSC and the result of the Main exam is expected shortly. Thereafter, the successful candidates of the Main exam would be interviewed by the SSC before declaring final result and making nominations of the selected candidates to the Department. The SSC has been requested to expedite the selection process.

4.16 Out of 69 backlog vacancies in Group-'D', 67 numbers have already been filled up. The recruitment process for filling up remaining 02 numbers is in the final stage.

(Vide Ministry of Finance (Department of Revenue), O.M. No. A-14019/02/2006-Ad-VII dated the 14th February, 2007)

Comments of the Committee

4.17 Please see Para No. 1.23 of Chapter I.

CHAPTER V**RECOMMENDATIONS/OBSERVATIONS IN RESPECT OF WHICH FINAL REPLIES OF THE GOVERNMENT HAVE NOT BEEN RECEIVED.****Recommendation (Sl. No. 13, Para No. 3.33)**

5.1 The Committee note that the facts and figures pertaining to false caste certificates furnished in the preliminary material, post evidence replies and replies given during evidence are not same but it is obvious that cases of getting employment on the basis of false caste certificates have been found in the Department. The cases are more rampant in the south. The manner in which these cases are tackled is not satisfactory as the investigation in some cases drags on for a long time and at times the concerned persons have retired before the completion of the investigation. The Committee desire that the Department should take stringent steps to investigate and wrap up the cases in minimum possible time. The Committee, therefore, recommend that once such a case is detected and if *prima facie* there are proof regarding the case, the person concerned should be put under suspension immediately and F.I.R. be lodged against him. The Departmental inquiry should also be initiated in the case immediately and the matter be referred to the concerned District Collector/District Magistrate etc. for verification of the certificate. In order to expeditiously decide such cases, it is strongly recommended that special courts be set up and the existing law should be made more stringent in order to punish the guilty. Those who have joined Government service by furnishing such false certificates should be dismissed forthwith from the Government service. The Committee would also like to be apprised of the exact figure of such people immediately alongwith action taken against them.

Reply of the Government

5.2 All the Cadre Controlling Authorities in the Income Tax Department have been instructed to follow the DOP&T's instructions as well as the Parliamentary Committee's recommendations scrupulously.

5.3 The exact figures of such erring officials is not available and is being collected from the cadre controlling authorities.

(Vide Ministry of Finance (Department of Revenue), O.M. No. A-14019/02/2006-Ad-VII dated the 14th February, 2007)

Comments of the Committee

5.4 Please see Para No. 1.30 of Chapter I.

Recommendation (Sl. No. 18, Para No. 4.26)

5.5 The Committee are of the view that in Government Departments, caste prejudice, discrimination, hatred and biased attitude towards SC/ST employees should not be allowed to thrive. The Committee, therefore, recommend that the CBDT should see and check that inquiry cases against SC/ST employees are not initiated on the basis of caste prejudices or biased attitude but only on the basis of the merit of the case. The Committee also desire to know the total number of cases pending and the latest position of all pending inquiry cases against SC/ST officers.

Reply of the Government

5.6 All the Cadre Controlling Authorities/ Liaison Officer in the Income Tax Department have been instructed to follow the instructions of the DOP&T as well as the recommendation of the Committee scrupulously.

5.7 Information with regard to total number of cases pending and their status are being ascertained from Cadre Controlling Officers.

(Vide Ministry of Finance (Department of Revenue), O.M. No. A-14019/02/2006-Ad-VII dated the 14th February, 2007)

Comments of the Committee

5.8 Please see Para No. 1.43 of Chapter I.

NEW DELHI ;

23 August, 2007
1 Bhadrapada, 1929 (Saka)

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

APPENDIX – I

MINUTES

**COMMITTEE ON THE WELFARE OF SCHEDULED CASTES
AND SCHEDULED TRIBES
(2007-2008)**

(FOURTEENTH LOK SABHA)

FOURTH SITTING

(20.07.2007)

The Committee sat from 1500 to 1545 hrs.

PRESENT

Shri Ratilal Kalidas Varma - Chairman

MEMBERS

LOK SABHA

2. Shri Anandrao Vithoba Adsul
3. Shri S. Ajaya Kumar
4. Shri Kailash Baitha
5. Shri Eknath M. Gaikwad
6. Shri Kailash Meghwal
7. Shri Rupchand Murmu
8. Shri Jual Oram
9. Shri Virchandra Paswan
10. Shri E. Ponnuswamy
11. Shri Bajju Ban Riyani
12. Shri Chengara Surendran
13. Shri Vanlalawma

RAJYA SABHA

14. Shri Sharad Anantrao Joshi
15. Shri Lalhming Liana
16. Dr. Radhakant Nayak
17. Shri Mahendra Sahnii
18. Shri Jesudas Seelam
19. Miss Anusuiya Uikey
20. Shri Veer Singh

SECRETARIAT

1. Shri P.K. Misra, Joint Secretary
2. Shri Gopal Singh, Director
3. Ms. J.C. Namchyo, Deputy Secretary
4. Smt. Maya Lingi, Under Secretary

At the outset, the Hon'ble Chairman welcomed the Hon'ble Members of the Committee. The Committee then considered the draft report on Action taken by the Government on the recommendations contained in the Ninth Report (14th Lok Sabha) of the Committee on the subject "Reservation for and Employment of Scheduled Castes and Scheduled Tribes in Central Board of Direct Taxes (CBDT)" and adopted the same with some modifications.

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

The Committee then adjourned.

APPENDIX – II

(Vide Para 4 of Introduction)

Analysis of action taken by the Government on the recommendations contained in the Ninth Report (14th Lok Sabha) of the Committee on the Welfare of Scheduled Castes and Scheduled Tribes.

1.	Total number of recommendations.....	18
2.	Recommendations/observations which have been accepted by the Government (<u>vide</u> recommendations at Sl. Nos. 4,7,8,10,11,12,14,15,16, and 17)	
	Number.....	10
	Percentage to the total.....	56%
3.	Recommendations/observation which the Committee do not desire to pursue in view of the Government replies (<u>vide</u> recommendations at Sl. Nos. 2 and 9)	
	Number.....	2
	Percentage to the total.....	11%
4.	Recommendations/observations in respect of which replies of the Government have not been accepted by the Committee and which require reiteration (<u>vide</u> recommendations at Sl. Nos.1,3,5, and 6)	
	Number.....	4
	Percentage to the total.....	22%
5.	Recommendations/observations in respect of which final replies of the Government have not been received (<u>vide</u> recommendations at Sl. Nos.13 and 18)	
	Number.....	2
	Percentage to the total.....	11%

