

COMMITTEE ON THE WELFARE OF
SCHEDULED CASTES AND
SCHEDULED TRIBES
(2008-2009)

(FOURTEENTH LOK SABHA)

THIRTY-SEVENTH REPORT
ON

MINISTRY OF COMMUNICATIONS & INFORMATION TECHNOLOGY

Reservation for and Employment of Scheduled Castes
and Scheduled Tribes in Bharat Sanchar Nigam Limited (BSNL)

Presented to Lok Sabha on 26.02.2009

Laid in Rajya Sabha on 26.02.2009

LOK SABHA SECRETARIAT
NEW DELHI

February, 2009/Magha, 1930 (Saka)

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**COMPOSITION OF THE COMMITTEE ON THE WELFARE OF SCHEDULED CASTES
AND SCHEDULED TRIBES (2008-2009)**

Shri Ratilal Kalidas Varma - Chairman

MEMBERS – LOK SABHA

2. Shri Anandrao Vithoba Adsul
3. Smt. Susheela Bangaru Laxman
- * 4. Shri Ajit Jogi
5. Shri S. Ajaya Kumar
6. Sardar Sukhdev Singh Libra
7. Shri Kailash Meghwal
8. Shri Rupchand Murmu
9. Shri A. Venkatesh Naik
10. Shri Jual Oram
11. Shri Virchandra Paswan
12. Shri Kishanbhai V. Patel
13. Shri E. Ponnuswamy
14. Shri Ashok Kumar Pradhan
15. Shri Sugrib Singh
16. Shri Ramjilal Suman
17. Shri Chengara Surendran
18. Shri Narsingrao H. Suryawanshi
19. Smt. Krishna Tirath
20. Shri G. Venkatswamy

MEMBERS – RAJYA SABHA

21. Shri Krishan Lal Balmiki
22. Dr. Radhakant Nayak
23. Shri Ambeth Rajan
24. Shri Mahendra Sahnii
25. Shri Thomas Sangma
26. Shri Jesudas Seelam
27. Shri Tiruchi Siva
28. Shri Brij Bhushan Tiwari
29. Miss Anusuiya Uikey
30. Shri Nandi Yellaiah

* Ceased to be a Member of the Committee w.e.f. 26.12.2008, in terms of provisions of clause (2) of article 101 of the Constitution read with Rule 2 of the Prohibition of Simultaneous Membership Rules, 1950

SECRETARIAT

1. Shri P.K. Misra, Joint Secretary
2. Shri Gopal Singh, Director
3. Ms. J.C. Namchyo, Deputy Secretary
4. Shri L. Singson, Senior 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 Thirty-seventh 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 Bharat Sanchar Nigam Limited (BSNL)”.

2. The Committee took evidence of the representatives of the Ministry of Communications and Information Technology and Bharat Sanchar Nigam Limited (BSNL) on 1st April, 2008. The Committee wish to express their thanks to the officers of the Ministry of Communications and Information Technology and Bharat Sanchar Nigam Limited (BSNL) for placing before the Committee the material and information the Committee required in connection with the examination of the subject.

3. The Report was considered and adopted by the Committee on 24th February, 2009.

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

New Delhi
February, 2009
Magha, 1930(Saka)

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

CHAPTER – I

INTRODUCTORY

A. Background Note

1.1 The Committee have been informed that the Bharat Sanchar Nigam Limited (BSNL) was set up by the Government of India w.e.f. 1st October, 2000. It was set up after segregating it from the parent department i.e. Department of Telecommunications. BSNL was constituted with employees and officers of the parent department itself. At the time of its constitution, option was sought from the employees and on that basis BSNL was set up. There are around 3.10 lakh employees in the BSNL, of which 70,000 employees belong to SC and ST categories. The objectives of BSNL are as under:

- (a) To be a Lead Telecom Services Provider.
- (b) To provide quality and reliable fixed telecom service to its customer and thereby increase customers confidence.
- (c) To provide mobile telephone service of high quality and become no. 1 GSM operator in its area of operation.
- (d) To provide point of interconnection to other service provider as per their requirement promptly.
- (e) To facilitate R & D activity in the country.
- (f) To contribute towards (i) National Plan Target of 500 million subscriber base for the country by December 2010; (ii) Broadband customers base of 20 million in India by 2010 as per Broadband Policy 2004; (iii) Providing telephone connection in villages as per Government policy; and (iv) Implementation of Triple play as a regular commercial proposition.

B. Area of operation

1.2 The Committee have been informed that the area of operation of BSNL is all India except Delhi and Mumbai. BSNL has 26 territorial Circles including Metro districts Kolkata and Chennai. The territorial circles are generally co-terminus with state boundaries except in case of UP(East) and UP(West) Telecom Circles which covers state of UP, NE.I Telecom Circle which covers states of Maghalaya, Tripura & Mizoram and NE.II Telecom Circle which covers states of Arunachal Pradesh, Nagaland and Manipur. Further, there are 22 non-territorial Circles like Project, Maintenance, QA, T&D, NCES, IT, Data Networks, including Administrative units like Training Centres & Telecom Factories.

1.3 There are 322 Secondary Switching Area (SSA) with BSNL under its 26 territorial Circles. The SSA constitutes the basic management and operative unit for the Circle and generally co-terminus with Telecom District. Now in a multi-operator working scenario, SSA & Circle are observed as boundaries from administrative, operational and technical aspects as call routing, numbering plan, service area, charging/tariff plan, STD codes, inter-connect agreements, point of inter-connections with other CMTS and basic service operators etc. all are linked one way or the other with Circle/SSA boundaries.

1.4 Based on workload, SSAs are headed by Telecom District Engineers (TDE)/ Telecom District Manager (TDM)/General Manager Telecom District (GMTD)/Principal General Manager Telecom District (PGMTD). While Territorial Circles are headed by Chief General Managers (CGMs) in BSNL, other Non-territorial Circles/Administrative Units are headed by Chief General Manager (CGM)/General Managers (GM).

C. Board of Directors

1.5 The Committee have been informed that the Corporate structure of BSNL Board consists of Chairman and Managing Director and five full time Directors viz. Director

(Human Resource Development), Director (Planning & New Services), Director (Operations), Director (Finance) and Director (Commercial & Marketing). There are two Government Directors from Department of Telecom, Ministry of Communications and Information Technology, Government of India.

1.6 It has been informed that in terms of Article No. 111 of the Articles of Association of the Company, selection and appointments of CMD, other Functional Directors, Government Nominee Directors and the Non-Official Part-Time Directors are made by the Government of India. It has further been added that selection is made as per guidelines from Government of India through Public Enterprises Selection Board (PESB). When asked whether any member from the SC/ST community has ever been appointed as Chairman/Member of the Board of Directors of BSNL, it has been stated that so far no member from the SC/ST community has ever been appointed as Chairman/Member on the Board of Directors of BSNL.

1.7 During evidence when the Committee enquired whether the guidelines prohibit induction of SC/ST members on the Board, the Secretary, Ministry of Communications and Information Technology (Department of Telecommunications) apprised the Committee that there is no prohibition for consideration of SC/ST candidates for the Board level appointments as per the guidelines. There is no question of such prohibition. Only the point is that when there is a vacancy of Director's post, it is circulated among various Ministries and others and made wide circulation. Depending on the kind of applications received, the same are passed on to the PESB which holds the Selection Committee meeting and only after the PESB makes the recommendations, the case is processed for ACCs' approval.

1.8 He had further admitted that as of now no SC candidate has found favour with the PESB as yet. But it is hoped that in the near future they shall be able to have some

SC/ST candidate as a Board Member as early as possible and the PESB will be able to select such a person.

1.9 When asked to state whether at any point of time BSNL has felt a need that there should be representation of SCs/STs on the Board of Directors, it was replied in negative. It was stated that an officer of JAG level namely CLO(SCT) coordinates implementation of Government's Reservation Policy. As such, the need of representation of SCs/STs on the Board of Directors has not been felt.

1.10 The Committee regret to note that there is no representation of SC/ST members on the Board of Directors of BSNL even though it was admitted that there is no prohibition of their being considered for the Board level appointments as per the guidelines. The Committee was informed that selections and appointments of members in the Board are made by the Government of India through the Public Enterprises Selection Board (PESB). It was also admitted that as of now no SC/ST candidate has found favour with the PESB but it is hoped that in the near future they should be able to have some SC/ST members on the Board. It is surprising to note that the BSNL has not felt the need to have representation of SCs/STs on the Board of Directors because an officer of the rank of Junior Administrative Grade level namely, CLO(SCT) coordinates implementation of Government's Reservation Policy. The Committee feel that these replies reflect lack of understanding on the subject matter being examined because the appointment of SC/ST members on the Board of Directors has no relevance with the appointment of Chief Liaison Officer (SCT) at the Headquarters. An SC/ST member on the Board by virtue of his position can play a crucial role for the greater interest and welfare of SC/ST employees over and above his contribution for the growth of the BSNL. Whereas, the role of a CLO, who is by

far in a relatively lower position working under the direct control of top management is restricted to only implementation of Government reservation policies and other SC/ST related matters. Being not on the Board of Directors, he can not involve himself in the decision making process on various policies including proper implementation of Reservation Policy, which is normally considered at Board level meetings. BSNL, is a very large organisation with a staff strength of around 3.10 lakhs out of which 70,000 employees are reported to be from SC and ST categories. The Committee, therefore, feel that an SC/ST member should have been appointed on the Board. Moreover, there is a Constitutional provision under Article 16(4A) which says that “Nothing in this article shall prevent the State from making any provision for reservation in matters of promotion to any class or classes of posts in the services under the State in favour of the Scheduled Castes and the Scheduled Tribes which in the opinion of the State are not adequately represented in the services under the State”. In view of the above, the BSNL should take a proactive role in the process of appointment of SC/ST members on the Board and not leave the matter to the Government alone. There is no dearth of eligible SC/ST candidates for appointment to the Board, provided they have proper backing and support. The Committee, therefore, urge the BSNL to scout for suitable and eligible SC/ST candidates and sponsor them to the Government for appointment on the Board. The Committee also urge the BSNL to clearly spell out and justify the need for appointments of SC/ST members on the Board. The Committee recommend that, if necessary, the Government should amend the rules/regulations governing appointments to the Board in view of the Constitutional mandate so as to facilitate appointments of SC/ST member on the Board.

CHAPTER – II

RESERVATION IN SERVICES

A. Reservation orders

2.1 The Committee have been informed that BSNL is following the rules prescribed by Government of India in regard to reservations for SCs/STs while filling up the posts either by direct recruitment or by promotion.

2.2 The specific percentage of reservation provided to SCs/STs for various group of posts/pay scale filled by direct recruitment made on All India basis is 15% for SCs and 7.5% for STs. As far as other recruitments are concerned, State-wise representation of SCs/STs are followed.

2.3 For Executive Group 'B' and non-Executive grades, both technical as well as non-technical, reservations as prescribed under Government of India rules are being followed. Since Group 'A' officers are on deemed deputation in BSNL from Department of Telecom (DOT) at present, their promotions and recruitments are still being controlled by DOT.

2.4 In the post evidence replies, the Ministry have stated that the reasons for Group 'A' officers in BSNL being deemed as on deputation from DOT is as under:

- (a) Bharat Sanchar Nigam Limited (BSNL) was formed in pursuance of the policy decision taken by the Government to corporatize the service provision functions of the Department of Telecom (DoT). The Cabinet in its meeting held on 31.8.2000 approved the DoT's proposal for setting up BSNL by incorporating therein the Department of Telecom Services and the Department of Telecom Operations. The new entity came into being w.e.f. 1.10.2000. With the creation of BSNL, the business of providing telecom

services in the country then run and entrusted with the DTO and DTS which was earlier run and entrusted with the Department of Telecommunications was transferred to BSNL w.e.f. 1.10.2000. The officers and staff posted in the DTS and DTO stood transferred to BSNL along with their posts on existing terms and conditions on 'as is where is' basis on deemed deputation without deputation allowance w.e.f. 1.10.2000. As per Cabinet's decision, the period of deemed deputation of Group 'A' officers was to be for a period upto five years, i.e. upto 30.09.2005.

- (b) Simultaneously, the Government also inserted Rule 37 A in the Central Civil Service (Pension) Rules 1972 on 30.9.2005. This Rule consolidated the instructions about conversion of a Department of the Central Government into a Public Sector Undertaking or an autonomous body and treatment of employees on such conversion. The said Rule 37-A and orders issued thereunder provide that on conversion of a Department of the Central Government into a Public Sector Undertaking or an Autonomous body, all Government servants of the Department shall be transferred en masse to that PSU or autonomous body as the case may be, on terms of foreign service without any deputation allowance till such time as they get absorbed in the said undertaking or body, as the case may be, and such transferred Government servants shall be absorbed in the Public Sector Undertaking or Autonomous Body, as the case may be, with effect from such date as may be notified by the Government.
- (c) As the period of deemed deputation of Group A officers as originally sanctioned by the Cabinet was to expire on 30.9.2005, options were invited vide DoT's letter dated 24.03.2005 from approximately 3000 Group A officers

of different services for absorption in BSNL/MTNL or continuation in Government service. Group A officers individually and through their Associations sought clarifications, raised certain demands and also filed a series of court cases.

- (d) The clarifications sought were issued from time to time and finally consolidated general terms and conditions for absorption of Gr. A officers incorporating the clarifications already issued and fresh decisions were issued on 4.10.2005. However, Group A officers were not satisfied and most of them did not exercise their option.
- (e) In the meantime, DoT continued dialogue with the Associations of Group A officers. Some time back, a Committee including the representatives of Indian Telecom Service Association (ITSA) was formed by DoT to identify the bottlenecks and make recommendations to facilitate completion of the ongoing absorption process. The said Committee has since made recommendations involving liberalization of certain terms and conditions already offered to Group 'A' officers. Representatives of ITSA have expressed confidence that if these recommendations are implemented, majority of ITS officers would seek absorption in BSNL/ MTNL. It has been decided that based on the recommendations of the said Committee, the matter may again be placed before the Cabinet seeking approval on the liberalised terms and conditions and extension of the period of deemed deputation. The Cabinet Note in this regard is being finalized and it is expected to be sent to the Cabinet Secretariat shortly for consideration of Cabinet.
- (f) Group A officers individually and through their Associations filed a series of court cases throughout the country challenging the terms of conditions of

absorption. In most of these court cases, Government's stand has been vindicated and these cases have been disposed of in favour of Government. However, some of the court cases including those filed by ITSA, are still under adjudication by the Courts of Law. While no stay has been granted in most of the pending cases, in some of these cases, one of the High Courts has issued interim orders involving stay of the process of absorption. DoT has engaged Additional Solicitors General (ASGs) to defend these cases.

2.5 It has been stated that the number of Group 'A' officers being deemed on deputation from Department of Telecom and the number and percentage of SCs/STs Group 'A' officers amongst them are as under:

Category of post	Number of Employees	Scheduled Caste	% to total Employees	Scheduled Tribe	% to total Employees
Group 'A'	7420	1351	18.21	448	6.04

2.6 When asked about the status of Group 'B' officers in BSNL who are promoted to Group 'A' posts, it was stated that the officers absorbed in BSNL are BSNL employees whereas the Group 'A' officers of DOT, on deemed deputation in BSNL, are Government of India employees. As regard the status of cadre of absorbed Group 'B' employees promoted to Group 'A', it is stated that they are senior executives of BSNL and their cadre structure in terms of Group 'A' equivalent grades will get full shape only on completion of absorption process of Group 'A' employees.

2.7 The Committee note that Group A officers of BSNL have not yet been absorbed and are still deemed as on deputation from DOT. The period of deemed deputation was to last upto 30.9.2005 as per the decision of the Cabinet. Not satisfied with the terms and conditions, the Committee note that Group A officers did not exercise the option for absorption in BSNL/MTNL or continuation with DOT. The

Committee further note that a committee constituted by DOT, which included representatives of Indian Telecom Service Association (ITSA), have recommended for liberalization of certain terms and conditions. Based on these recommendations, a cabinet note was being finalised for consideration of the Cabinet. The Committee hope that the said note would have been finalised by now and sent for consideration of the Cabinet for early absorption of Group A officers in BSNL. The Committee would like to be apprised of the decision of the Cabinet at the earliest.

2.8 The Committee also note that Group A officers individually and through their Associations have filed a series of court cases challenging the terms and conditions of absorption. The Committee strongly recommend that action to vacate stay orders at the earliest should be taken so that absorption process of Group A employees as also cadre of absorbed Group B employees promoted to Group A officers be finalised.

B. Recruitment

2.9 In regard to the procedure for recruitment of staff in various categories of posts in BSNL, the Committee have been informed that Group 'A' officers are still on deemed deputation from Department of Telecom. For JTOs and JAOs who belong to executive category, direct recruitment through All India Competition is being done. In the non-executive category, limited recruitment has been done at SSA (Secondary Switching Area) level.

2.10 It has been stated that the reasons as to why limited recruitment has been done at SSA (Secondary Switching Area) level for non-Executive posts is that the SSA constitutes the basic management and operative unit for the Circle and generally co-terminus with Telecom District. The cadre hierarchy in BSNL is the same as was in DOT, prior to

formation of BSNL. Accordingly, the Executive employees working in BSNL generally belong to All India cadres consisting of Executives of Group B and above level except JTO/JAO who belong to Circle cadre. Among non-executive employees, the majority e.g. TTA, Sr. TOA, TM, Drivers, TOA, Gr. D level etc. belong to SSA cadre and very few like Hindi Translators, Draughtsman belong to Circle cadre. The recruitments/promotions are considered with regard to type of cadre i.e. SSA/Circle/All India. Keeping in view the technological changes and declining trend of fixed lines, only need based recruitment are being generally done in TTA cadre which is SSA cadre.

2.11 The total recruitment made for various groups of posts during the years 2004, 2005, 2006 & 2007 has been stated as under:

Year	Category	Total	Filled	SC C/F	SC Res.	SC Total	SC Appt.	ST C/F	ST Res.	ST Total	ST Appt.	SC C/F	ST C/F
1	2	3	4	5	6	7	8	9	10	11	12	13	14
2004	JTO	No Recruitment											
	JAO	No Recruitment											
	Gr. 'C'	No Recruitment											
	Gr. 'D'	Ban on Recruitment											
2005	JTO	No Recruitment											
	JAO	No Recruitment											
	Gr. 'C'	No Recruitment											
	Gr. 'D'	Ban on Recruitment											
2006	JTO	3000	2652	00	406	406	406	57	199	256	232	00	24*
	JAO	No Recruitment											
	Gr. 'C'	No Recruitment											
	Gr. 'D'	Ban on Recruitment											
2007 (Till date)		Nil											

2.12 When asked why no recruitment was held for the posts of JAO and Group 'C' posts during the years 2004, 2005, 2006 and 2007 and posts of JTO during the years 2004, 2005 and 2007, it was informed that recruitment to any cadre is based on the functional requirement of the Company keeping in view fast changing technological scenario and declining trend in the fixed lines. Presently, direct recruitment of 3591 JTOs in executive category and 5791 TTAs in non-executive category is under progress. The vacant posts in

JAO cadre belonging to Gr. B executive category could not be filled up due to pendency of Court cases and the same will be filled up after finalisation of Court cases.

2.13 The educational qualification for appointment to the post of JTO is reported to be Bachelor of Engineering/Bachelor of Technology or equivalent engineering degree in any of the disciplines viz. Telecommunications/Electronics/Radio/Computer and Electrical Engineering. The educational qualification for JAO is reported to be M.Com/CA/ICWA/CS from a recognized institution/university.

2.14 When asked about the reason for ban on recruitment to Group 'D' posts during the years 2004, 2005 and 2006, it was stated that the ban on recruitment of Group 'D' has been in force since 1989 as per the provisions of "grant of temporary status and regularisation scheme" which was framed under the orders of the Hon'ble Supreme Court. The available Group 'D' posts are to be utilized only for the regularisation of casual labourers. Even this policy now needs revision consequent to new constitution bench judgment of Supreme Court and under which regularisation of Casual labourers has been held as legally untenable. Action is under way in the light of advice (opinion) of Additional Solicitor General of India received recently.

2.15 When asked about the reasons for recruitment of only 406 SC candidates against 450 posts as required to be filled on the basis of 15% for SCs in the year 2006, it was informed that the selection of JTOs is based on the competitive examination conducted on All India basis. The less selection of SC candidates in JTO 2005 examination was due to the fact that the candidates belonging to SC category could not qualify even under the relaxed qualifying standards.

2.16 When asked the year since when 57 ST posts in JTO are being shown as carried forward vacancies which has now shown only in the year 2006, the Committee were informed that those carried forward vacancies belong to the recruitment year of 2002. The

planned JTO recruitment of 2003 could only be held in January, 2006 due to various administrative/exam agencies related reasons.

2.17 Asked about the steps that have been taken to fill up those further 24 ST posts in JTO category that have been shown as carried forward after recruitment in the recruitment year 2006, it was stated that those carried forward vacancies have been incorporated in vacancies for the recruitment year 2007 which have already been notified for filling up. Competitive examination is scheduled for 15.06.2008.

2.18 When asked about the time by which these vacancies are likely to be filled up, it was informed that with the completion of ongoing recruitment process, such vacancies are expected to be filled up by 2008 end, as examination, pre-appointment formalities induction training are also involved.

2.19 The Committee note that JTO and JAO, which are Group B executive posts, belong to circle cadre. Direct recruitment to these posts are done through All India competition. Majority of non-executive posts belong to SSA level and limited recruitment has been done at SSA level. It has been reported that recruitment to any cadre is based on the functional requirement of the company keeping in view the fast changing technological scenario and declining trend in the fixed times. The reasons for not holding recruitment for the vacant posts of JAO during the years 2004, 2005, 2006 and 2007, which is a Group 'B' executive post, is reported to be due to pending court cases. The Committee recommend that earnest efforts should be made for early disposal of court cases so that recruitments to JAO posts are held. The Committee would also like to know the detailed information of the final outcome of direct recruitment exercise which was underway for 3591 JTOs in executive category and 5791 TTAs in non-executive category.

2.20 The Committee note that only 406 SC posts in JTO category have been filled up as against 450 posts, which is 15 percent of 3000 posts for which recruitments were held in the year 2006. Similarly, the required number of ST JTOs to be recruited should have been 225 in addition to the carry forward vacancies of 57. The reason for not recruiting the requisite number of SC candidates was that they could not qualify in the JTO examination, 2005 which was conducted on all India basis even under the relaxed qualifying standards. If given vacancies for a particular recruitment year could not be filled up due to non-availability of candidates, the vacant posts will most probably be carried forward to the next recruitment exercise as in the case of ST posts in JTO category which has been shown as carried forward in the recruitment year 2006. Even, if sufficient number of SC/ST candidates do not qualify in the subsequent recruitment, the trend of carrying forward of vacancies should continue. The Committee recommend that to discontinue these trend of carrying forward of reserved vacancies year after year, the selection should be based on the number of vacancies and merit. The Committee stress that on selection, SC/ST candidates should be given compulsory in-house trainings so as to bring them up to the required standards to meet the job requirements. The Committee, therefore, recommend that the BSNL should amend the recruitment rules and procedures appropriately so that all the reserved vacancies of SCs and STs are completely filled in every recruitment year through selection of the best candidates available in the competitive examinations.

C. Concessions/Relaxations

2.21 The Committee have been informed that the BSNL has provided the following concessions/relaxations to SCs/STs in recruitment:

- (i) Upper age relaxation upto 5 years.
- (ii) Fixing lesser qualifying marks as compared to general candidates.
- (iii) Reviewing the result of the failed SC/ST candidates in case quota remains unfilled.
- (iv) No examination fee is charged from SC/ST candidates.

2.22 It has also been stated that BSNL has no provision for concession/relaxation in work/professional experiences in recruitment because it is not recruiting candidates with work/ professional experience.

2.23 When asked whether TA/DA is paid to SC/ST candidates called for appearing in written test/personal interview, it was informed that in recent advertisement published in Employment News for JTO direct recruitment examination this provision has been made.

D. Recruitment Procedure

2.24 Asked to state whether reserved posts are advertised through newspapers including the language papers of the region and notified to concerned employment exchange, it was stated that the detailed advertisement is published in the Employment News and in leading news papers. The posts reserved for SC/ST candidates are shown separately in the advertisement. However, it was informed that vacancies reserved for SCs/STs are not advertised through All India Radio/Doordarshan.

2.25 When asked if copies of advertisements are being sent to the recognized All India Association of SCs and STs, it was stated that the SC/ST Employees Welfare Association of BSNL has been recognized by BSNL on 16.07.2007 and necessary action will be taken as and when recruitment is made.

2.26 The Committee have been informed that letters of interview/appointment are issued by registered post allowing requisite time to the candidates for appearing in the written test/interview as also for joining after selection.

2.27 In the post evidence replies, it was stated that three to four months period is given to all candidates for appearing in the exam. Date of exam and the last date for receipt of applications, common to all, are indicated in the advertisement published in the Employment News, BSNL' website and pointer advertisements published in the newspapers covering all states.

2.28 The Committee note that the result of failed SC/ST candidates is reviewed in case quota remains unfilled. The Committee would like to be apprised of the number of SC/ST candidates selected in various categories/posts, after such revisions during the last five years. The Committee further note that until now, the BSNL has followed the process of advertising the reserved posts in the Employment News and in the leading national/regional newspapers only. The Committee opine that in order to reach out to a wider section of the SC and ST people, the services of All India Radio and Doordarshan should also be used for dissemination of recruitment related information. Besides, copies of such advertisements may also be forwarded to Members of the Committee and recognised SC/ST Employees Welfare Associations of the BSNL for sponsoring reserved candidates.

E. Staff strength and shortfall

2.29 The Committee have been informed that the total staff strength and number of SCs/STs in Group 'A', 'B', 'C' and 'D' posts in BSNL as on 1st January, 2007 is as under:-

Group of posts	Total No. of employees	No. of		Percentage of		No. of shortfall		Percentage of shortfall	
		SC	ST	SC	ST	SC	ST	SC	ST
1	2	3	4	5	6	7	8	9	10
Gr. A	7323	1290	391	17.62	5.33				
Gr. B	53593	7767	2204	14.49	4.11				
Gr. C	209483	38208	10664	18.23	5.09				
Gr. D (excluding safaiwala)	51066	11495	3116	22.51	6.01				
Gr. D (Safaiwala)	528	497	31	94.13	5.87				
Total	321993	59257	16406	18.4	5.09				

2.30 When asked to state the reason as to why information on the number and percentage of shortfall of SCs and STs have not been furnished, it was stated in the post evidence replies that the majority of Group 'A' (ITS) officers are on deemed deputation to BSNL from DOT. The staff strength shown in the proforma in respect of Gr. 'B', 'C' & 'D' is on basis of option offered by Government of India and exercised by the employees of erstwhile DOT for absorption in BSNL. After completion of absorption of employees in BSNL, keeping in view the technological changes and declined trend of fixed lines, only need based recruitments are being generally done. Hence, direct recruitment has been made in the cadres of JTO and JAO in the Executive category and TTA in the Non-Executive category. Presently, direct recruitment in 3591 JTOs in Executive category and 5791 TTAs in Non-Executive category is under progress. In the case of JAO Executive category recruitment will be made after finalisation of court cases. In this way the required representation of SC/ST/OBC etc. is likely to be covered during above said recruitments.

2.31 In reply to a query on measures taken to maintain the required percentage of SC/ST in the staff strength, it was informed that the required percentage of SC/ST in the staff

strength of BSNL is to be achieved through subsequent recruitments and promotions in various cadres.

2.32 When asked to state the number of employees including SCs and STs for all groups of posts who were on the roll of BSNL when it was carved out on 01.10.2000, the requisite information is furnished as under:-

Group	Number of Employees	Scheduled Caste	% to total Employees	Scheduled Tribe	% to total Employees
A	6816	1171	17.18	402	5.90
B	40976	5326	13.00	1280	3.12
C	245052	42884	17.50	11073	4.52
D	73205	16215	22.15	3852	5.26
Total	366049	65596	17.92	16607	4.54

2.33 The requisite information on the number of employees including SCs and STs in various groups of posts who have since been absorbed in BSNL as on 01.01.2008 is as under:-

Group	Number of Employees	Scheduled Caste	% to total Employees	Scheduled Tribe	% to total Employees
A	7420	1351	18.21	448	6.04
B	51470	7582	14.73	2158	4.19
C	201980	37430	18.53	10449	5.17
D	50063	11299	22.57	2855	5.70
Total	310933	57662	18.54	15910	5.12

2.34 The Committee note that from the time of formation of BSNL on 01.10.2000 there is a continuous shortfall in the staff strength of ST category in various groups of posts. It appears that no initiative was undertaken by the Department of Telecommunications (DOT) and BSNL to make up this shortfall. The Committee feel that to ignore the existence of shortfall for a considerable period is a great loss of employment opportunity to many aspiring ST candidates. It can be construed as sheer negligence on the part of the BSNL and DOT and cannot be overlooked. The Committee desire to know as to why this shortfall of ST category has not been addressed properly during the last 8 years by the BSNL and DOT. The Committee

also urge the BSNL and DOT to chalk out a strategy to fill up these shortfall of ST category in various groups of post at the earliest and apprise the Committee of the action initiated in this regard within three months of the presentation of this report to Parliament.

F. Promotion

2.35 The Committee have been informed that promotion of staff is regulated in accordance with provisions of relevant Recruitment Rules. In the post evidence replies, it has been stated that BSNL has separate provisions of its own for regulating promotions of various posts because subsequent to formation of BSNL w.e.f. 01.10.2000. Recruitment Rules in respect of SO/ Asstt., PS/PA, JTO, JAO, Raj Bhasa Adhikari and SDEs in Telecom, Factory, Civil, Electrical and Architecture in Executive Category, and TTA, Jt. HT/Sr. HT, Sr. TOA, Telecom Mechanic and Driver in non-Executive Category have already been framed.

2.36 In reply to a query on concessions/relaxations given to SC/ST employees while considering them for promotion, it has been stated that since the formation of BSNL on 01.10.2000, the relevant Government orders with reference to reservation/relaxation as applicable to SC/ST are being implemented. In promotion, where departmental examination/test is prescribed in the recruitment rules of the respective cadres, the SCs/STs candidates are granted less percentage of qualifying marks as compared to that of general candidates. There is also a provision of review of results of SC/ST candidates in particular examination if the competent authority decides to do so as per parameters framed in respective cadres in case of quota remains unfilled in a particular examination.

2.37 When asked whether there were instances when review of results of SC/ST candidates in a particular examination was done by the competent authority where quota fixed for SCs/STs remained unfilled, it was replied in affirmative. The details of SC/ST candidates who were selected after revision of results as provided by different circle of BSNL are as under:-

Post	SC	ST
TTA	85	39
JTO	0	18
JAO Part-II & 40% LDCE quota	19	06

2.38 The detailed information relating to promotions made in respect of All India Executive cadres during the years 2004, 2005, 2006 and 2007 in various categories of posts including the number and percentage of SC/ST employees amongst them are as under:-

Year	Category of Posts	Total promotion	SC	ST	SC%	ST%	Shortfall SC	Shortfall ST	Remarks	
2004	SDE(T)	1562	234	117	15	7.5	00	00		
2005	SDE(T)	1320	323	337	24	25	00	00		
2006	SDE(T)	268	70	64	26	24	00	00		
2007 As on 31.03.07	SDE(T)	842	279	145	33	17.2	00	00		
2004	JAO	No Promotion								
2005	JAO	No Promotion								
2006	JAO	215	20	3	9.3	1.3	12	13		
2007	JAO	NIL								
2004	AO	245	127	23	51.83	9.3	00	00		
2005	AO	320	6	3	1.87*	0.93*	42	21		
2006	AO	No Promotion								
2007	AO	NIL								
2004	SDE(C)	77	9	8	11.69	10.39	-	-		
2005	SDE(C)	No Promotion								
2006	SDE(C)	85	13	8	15.3	9.41	00	00		
2007	SDE(C)	NIL								

* **Note:** No candidates belonging to SC/ST are available for promotion.

2.39 When asked about the reasons for furnishing information only for All India Executives cadres and not for other category of posts, it was stated that promotions in other category of posts like JTO/TTA etc. are completely decentralized and made at the Circle/SSA level spread all over India as per Recruitment Rules in respective cadres and Government directions on the subject. Since these cadres promotions are completely decentralized, as per practice no records in this connection are maintained in BSNL(HQ) till date.

2.40 Asked to state the reason as to why the promotion policy of Government is not being followed in respect of Group 'B' post as in the case of Group 'A' and non-executive cadres, it was stated that BSNL have formed their own Promotion Policy in respect of the Group 'B' cadres. As such, Promotion Policy of Government is not required to be followed by BSNL. In respect of non-executive cadres, a separate Promotion policy is in the process of framing, and till the policy is finally framed, GOI Promotion Policy will continue to be followed as per the agreement with Union. As regards Group 'A' cadres, GOI norms will continue to be operated till the absorption process of Group 'A' officers completed and RRs are framed by BSNL. The Committee have also been informed that most of the Group 'B' Executive posts in BSNL are promotional posts, barring the specified percentage of posts of JTO/JAO etc. earmarked for direct recruitment as per their Recruitment Rules.

2.41 When asked as to why no promotion was made in the post of JAO in the years 2004, 2005 and 2007 and AO in the years 2006 and 2007, it was stated that the vacant post in JAO cadre could not be filled up due to pendency of court cases and the same will be filled up after finalisation of court cases. The promotion to the grade of AO has to be made 100% by promotion on the basis of seniority-cum-fitness. Due to non-availability of vacancies in the grade of AO during the year 2006 and 2007 in unreserved category and non-availability of eligible officers belonging to SC/ST categories, DPC could not be

conducted for the promotion to the grade of AO on regular basis during the years 2006 and 2007. However, a DPC is under process to fill up the newly sanctioned post under Man Power Plan 2007 at present.

2.42 Asked to state the reasons for the shortfall of 12 SCs and 13 STs in JAO posts in 2006, it was informed that in order to fill up the vacancies in the cadre of JAO, a departmental internal competitive examination was conducted during the year 2006 on the basis of which 215 employees from Group C cadres were promoted to the cadre of JAO. 20 posts were filled up under SC category against the reserved posts of 32 (15% of 215) and 3 posts were filled up under ST category against the reserved posts of 16 (7.5% of 215), even after relaxing the qualifying standard to the candidates belonging to the reserved categories, resulting in shortfall of 12 and 13 under SC and ST category respectively.

2.43 As regards steps taken to fill the shortfall of 42 SC and 21 ST candidates in AO category, it was stated that there are no eligible officers belonging to SC/ST categories available among JAO cadre and hence, the post of AO could not be filled up. Vacant posts of AO cadre will be filled up as and when the eligible officers belonging to SC/ST categories are available.

2.44 The Committee note that BSNL has separate provisions of its own for regulating promotions to various posts since Recruitment Rules for certain posts have already been framed. The Committee have been provided with information in regard to promotions effected in case of All India Executives cadre during the years 2004 to 2007 (31.3.2007) only, whereas in case of other categories, it has been stated that promotions in case of posts like JTO/TTA, etc. are completely decentralised and made at the Circle/SSA level spread all over India as per Recruitment Rules in respective cadres and as per Government directives. The Committee are, however,

surprised by the irresponsible reply of the Ministry that since these cadre promotions are completely decentralised, as per practice no records' in this connection are maintained in the BSNL (HQ) till date. The Ministry and the BSNL cannot escape from their responsibility and are equally accountable for what is happening in different Circles/SSA to ensure that reservation orders for SCs and STs as prescribed, are being maintained in all the offices under their control. The Committee, therefore, strongly recommend that BSNL should obtain the information for the last 5 years on promotion, recruitment and staff strength, etc. from all the Circles and start maintaining the record of the same at the Headquarters to ensure proper reservation order for SCs and STs and submit the same to the Committee within three months of the presentation of this Report to Parliament.

2.45 The Committee also recommend that promotion policy for non-executive cadres should also be finalised expeditiously and should provide for necessary reservation for SCs and STs.

2.46 The Committee also observe that no promotion was made in the post of JAO in the years 2004, 2005 and 2007 due to pendency of court cases. It has been stated that the same will be filled up after finalisation of court cases. It has further been stated that promotion to the grade of AO could not be held in the years 2006 and 2007 due to non-availability of vacancies and eligible officers belonging to SC/ST categories. However, DPC was under process to fill up the newly sanctioned post under Man Power Plan 2007. The Committee again stress that earnest action should be taken to get the pending court cases finalised expeditiously so that the promotion process could be given a momentum. The Committee should also be apprised of the progress made by the DPC to fill up the newly sanctioned post under Man Power plan 2007.

2.47 The Committee note that the reasons for the shortfall of 12 SCs and 13 STs in JAO posts in 2006 was due to non-availability of eligible SC/ST candidates to fill up the vacancies even after relaxing the qualifying standard for the reserved candidates in the departmental competitive examination conducted in 2006. Likewise, the reasons for the shortfall of 42 SC and 21 ST candidates in AO category is also due to non-availability of eligible candidates in the feeder grade, i.e. JAO cadre. It has further been stated that vacant posts in AO cadre will only be filled when eligible officers belonging to SC/ST categories are available. It is, thus, clear that the main reasons for shortfall in promotion is due to non-availability of eligible SC/ST candidates in the feeder grades. Therefore, as long as the problem of non-availability of reserved candidates in the feeder grades is not solved, the problem of shortfall in promotion will always remain in all groups of posts. The only way to overcome the undesirable problem of shortfall in promotions is to have sufficient numbers of eligible candidates in the feeder grades for appointments/selections. The Committee, therefore, recommend that to ensure sufficient numbers of SC/ST candidates are available in many feeder grades for promotion, the BSNL in consultation with the Department of Telecommunications should take stock of this peculiar situation and accordingly amend the rules and regulations governing recruitments and promotions. The Committee further recommend that the Ministry/BSNL should also see whether the promotional quota can be converted into direct recruitment quota temporarily in view of Department of Personnel and Training O.M. No. AB 14017/30/89-Estt.RR New Delhi the 10 July 1990. The Committee should be apprised of the measures taken to fill up the shortfall in promotions within three months after presentation of this Report.

CHAPTER – III

MEASURES TO IMPROVE REPRESENTATION OF SCs/STs

A. In-service training

3.1 The Committee have been informed that in-service training is given to all categories of staff as per the requirements. The details of personnel given in-service training during the years 2004 to 2007 are as under:-

Year	General	SC	ST	Total
2004	43323	7653	2022	52998
2005	49660	10179	2660	62499
2006	79427	14807	3977	98211
2007 (upto June, 2007)	44551	8168	1926	54645
Total	216961	40807	10585	268353

3.2 The areas of trainings provided to SC/ST officials are on technical awareness, technical skill for on-job performance, soft-skills and need based managerial courses.

3.3 The modes of trainings are through in-service courses, seminars, workshops, field courses and conferences.

3.4 The Committee note that the Ministry have provided consolidated information with regard to in-service training given to SC/ST employees without mentioning the category of posts for which such training was imparted. Nevertheless, the percentage of SC/ST employees who are imparted in-service training is not adequate. The Committee recommend that the BSNL should provide in-service training to SC/ST employees in all categories of posts, at least as per prescribed quota. The Committee should also be provided with the break up of in-service

training provided during the years 2004, 2005, 2006, 2007 and 2008 in all categories of posts.

B. Training abroad

3.5 The detailed information on the number of employees including SCs/STs sent for training abroad during the years 2004, 2005, 2006 and 2007 are as under:-

Year	Total employees sent to foreign training assignments/seminars/symposia/conferences etc. during the following years	SC	ST
2004	138	8	4
2005	66	7	2
2006	117	4	2
2007 till 31.03.07	36	6	-

3.6 When asked to state the procedure adopted for nomination of officers for training abroad, it was stated that the Screening Committee of Directors of BSNL Board after due deliberation nominates BSNL officers for various training abroad. The proposal relating to deputation/tour abroad of the officers of the level of JAG and above is being approved by Hon'ble Minister of Communications and Information Technology and for the officers of the level of STS and below, CMD BSNL approves.

3.7 When asked about the criteria for nomination of officers for various training abroad, it has been stated that the officers for foreign training are selected by a Screening Committee from amongst the candidate nominated by Head of Units.

3.8 The reasons for sending less number of SC/ST employees on foreign training etc. in comparison to employees of general category are stated to be that there is no reservation in quota to any category for foreign training. However, during evidence, the Committee were informed that in future, representation to SCs and STs can also be given while sending people for foreign training in keeping with the suggestion made by the Committee.

3.9 When asked whether any assessment has been made about the performance of those officers who have underwent foreign training, it has been stated that trained officers are required to submit report with regard to foreign training to IR Cell through controlling officers who ensure that the required knowledge and skill of the officers deputed on foreign training for specific jobs should be effectively utilised on their return.

3.10 The Committee note that the number of SC/ST employees sent on foreign training is very less even though the selection/nomination of candidates for such training is done by the Screening Committee. It appears that the BSNL is not keeping abreast with the various guidelines issued by the DOP&T regarding nomination of SC/ST officers for attending seminars, conferences and training programmes abroad. The Committee are of the view that undergoing various training programmes abroad would enable the SC/ST officers to broaden their outlook and also help in capacity building of the individuals officers. It would also boost their moral and motivate them to work harder. The Committee strongly believe that BSNL would keep the assurance given during evidence. The Committee, therefore, recommend that at the time of nominating officers for training abroad, preference should be given to SC/ST officers and their cases should be considered more sympathetically so that they don't feel left out.

C. Pre-recruitment training

3.11 The Committee have been informed that the BSNL has already issued instructions for pre-recruitment training and that action is being taken in this direction. In the post evidence replies, it has been mentioned that instructions were issued on 28.08.2006 to all the Heads of Telecom Circles/Districts for holding pre-recruitment training for SC/ST candidates appearing in various direct recruitments/promotion. It has also been stated that

the pre-recruitment training was proposed for all direct recruitments and promotions irrespective of category of post.

3.12 When asked whether any pre-recruitment training has since been undertaken, it was replied that so far no pre-recruitment training has been implemented in BSNL. However, the need for pre-recruitment training to SC/ST candidates appearing for TTA, JTO, JAO Direct recruitment examination is in concept/view for helping them to raise their level/knowledge to face the examination.

3.13 The Committee note that instructions for conducting pre-recruitment training for SC/ST candidates appearing in various direct recruitment/promotion examinations were issued on 28.08.2006 to all the Heads of Telecom Circles/Districts. The Committee, however, note that so far no pre-recruitment training has been implemented. It has been reported that BSNL are contemplating of helping SC/ST candidates appearing for direct recruitment examination for the posts of TTA, JTO and JAO. The Committee recommend that BSNL should expeditiously implement their instructions issued for imparting pre-recruitment training to SCs and STs appearing for different recruitment examinations.

D. Rosters

3.14 The Committee have been informed that rosters for Technical cadres up to STS level, Finance and Accounts cadres up to STS level and Central Secretariat Services cadres are maintained by the BSNL at Head Office. Further, roster of Executives and non-Executives belonging to erstwhile Group 'B', 'C' and 'D' employees of Government of India are maintained by BSNL at its Regional/Zonal/Circle offices.

3.15 It was also stated that rosters maintained at Head Office and field units are different. 200 points post-based rosters are maintained at BSNL Headquarters whereas 100 points

post based rosters are maintained in different circle offices located in States for direct recruitment. However, in promotion, again, 200 points rosters are being followed in BSNL (HQ) at Delhi and circle offices outside Delhi. These rosters are being maintained since absorption of staff in different cadres in BSNL.

3.16 When asked whether the rosters are inspected by the Liaison Officer periodically, it was stated that the CLO(SCT) has inspected the rosters of CSS cadres of BSNL Headquarters in the month of February, 2008 and June, 2008. CLO (SCT) has also inspected the rosters of Gujarat Circle during the same month. Inspection of rosters is being carried out at regular intervals.

3.17 As regards inspection of rosters by the representatives of the Ministry, it was stated that the rosters of all the PSUs including BSNL were inspected before the conduct of the Special Recruitment Drive during 2005-2006. The representative of Department of Telecom inspects the roster of BSNL either on the request of BSNL or wherever the situation is warranted. During the period from 1.5.2005 to 30.4.2008, the following inspections were carried out by representative of Department of Telecommunications:

Name of the Circle Unit	Date of inspection	Name of the Inspecting Officer
H.P Circle Shimla	4 th & 5 th June, 2005	Liaison Officer, SCT
West Bengal Circle Kolkata	20 th & 21 st July, 2005	S.O (SCT)
Kerala Circle Trivandrum	12 th & 13 th Aug., 2005	Liaison Officer, SCT
NE-I Circle, Shillong	16.2.2006 & 17.2.2006	Liaison Officer, SCT
Orissa Circle	23 & 24 March, 2006	Liaison Officer, SCT
NE-II Circle Dimapur	12 th Sept.,2006	Section Officer, SCT
WB Circle Kolkata	12 th & 13 th Dec.,2006	Section Officer, SCT
Bihar Circle Patna	7 th & 8 th Feb.,2007	S.O (STG II) & SO (Legal)
Gujarat Circle Ahmedabad	7 th , 8 th & 10 th April,2007	S.O (Admn. III) & S.O (Restructuring)
Karnataka Circle Bangalore	3 rd , 5 th & 6 th Sept.,2007	S.O (Admn.I)
Assam Circle Guwahati	9 th & 10 th August 2007	S.O (SCT)
West Bengal Circle Kolkata	21 st & 22 nd Feb., 2008	S.O (SCT)

3.18 It was also informed that minor mistakes were noticed almost in every circle during inspection by the representative of Ministry. When asked about the nature of such findings and steps taken to rectify the discrepancies, it was stated that as per procedure the shortcomings were brought to the notice of the Head of the Circle Units for taking corrective measures.

3.19 The Committee note that CLO(SCT) inspected the rosters of CSS cadres of BSNL Headquarters in February and June, 2008. The Committee however, note that there is no mention of inspection of rosters of Technical and Finance and Accounts cadres up to STS level during the same period. The Committee would, therefore, like to know the reasons as to why the rosters of those two cadres were not inspected. The Committee recommend that the Liaison Officers nominated in the Ministry and BSNL should conduct annual inspection of rosters in the respective offices under their charge vide Department of Personnel & AR No.3611/1/76-Estt.(SCT) dated 06.03.1976. The Committee also recommend that record of the inspections made and of inspection reports should be properly kept since the Committee note that mistakes were noticed in almost every circle. The Committee further note that inspection of rosters has not been conducted by designated Liaison Officer in the Ministry. Instead, it has been carried out by a very junior level officer. The Committee recommend the Ministry and BSNL to follow the Government's directives on the subject in letter and spirit.

E. SC/ST Cell/Liaison Officers

3.20 The Ministry of Communications & Information Technology have informed the Committee that to ensure the reservation orders issued in favour of SCs/STs are actually

and fully implemented by the BSNL, an officer of the rank of Director to Government of India in Department of Telecom (DOT) is functioning as Liaison Officer to monitor the implementation of Reservation Policy and other guidelines issued in respect of SC/ST by the Government of India from time to time, in respect of PSUs under control of DOT including BSNL.

3.21 The Committee have also been informed that SC/ST Cell has been set up at the Head Office of the BSNL and regional/zonal/circle offices to look after the interest of SC/ST employees. During evidence, the Committee were also informed that there is one Chief Liaison Officer in the Corporate Office, 38 Liaison Officers in the Regional Offices and 322 Deputy Liaison Officers at the local level i.e. Secondary Switching Areas (SSAs) for implementation of SC/ST policies. These Liaison Officers regularly conduct inspection for resolving the problems of SC/ST employees.

3.22 The details of duties and responsibilities of SCT Cell are as under:-

- (a) Inspection of reservation rosters maintained by various Telecom Circles and BSNL Corporate Office.
- (b) Examination of grievances received from SC/ST employees.
- (c) Investigation of harassment cases in respect of SC/ST officials.
- (d) Grievances of SC/ST Welfare Association.
- (e) Quarterly Meeting with SC/ST Association.
- (f) Liaison with the National Commission for Scheduled Castes and National Commission for Scheduled Tribes.
- (g) Liaison with the Parliamentary Committee on the welfare of SCs/STs through Lok Sabha Secretariat, SCTC Branch.
- (h) Liaison with DPE in respect of SC/ST Matters.

- (i) Liaison with the BSNL Telecom Circles and monitoring of working of the organization to ensure effective implementation of Service Safeguards for SCs/STs as a watchdog.
- (j) To assist and conduct investigation (quasi-judicial functions) on behalf of NCSC and NCST.
- (k) Socio-economic developmental activities for the welfare of SC/ST population spread all over the country assuming corporate social responsibility by BSNL.
- (l) Training of SC/ST employees of BSNL.
- (m) Implementation of orders for relaxation etc. for SCs/STs issued by Organisation/DOP&T/DPE.
- (n) VIP references.
- (o) Parliament Questions.

3.23 The composition of the SCT Cell in BSNL Corporate office is as under:-

1. Chief Liaison Officer	-	1	SC
2. ADG(US)	-	1	SC
3. SO	-	1	OC
4. AD	-	2	1 OC & 1 ST
5. UDC	-	2	1 OC & 1 SC
6. Sr. TOA	-	1	OC
7. Peon	-	1	SC

3.24 When asked to state whether the staff posted in the SCT Cell at the Corporate Office is adequate enough to cope up with the workload entrusted to them, it was replied that in the present circumstances the workload is manageable with the working staff strength of SCT Cell.

3.25 The Committee have been informed that a Chief Liaison Officer of the level of Deputy Secretary to Government of India has been nominated at the Headquarters of BSNL. Apart from Chief Liaison Officer, an officer of the rank of Under Secretary has been appointed to assist CLO in the Corporate Office. Besides these, similar arrangements also

exist in Circle/SSA Headquarters. The designation of a Liaison Officer at Circle level is Deputy General Manager and at SSA level is Divisional Engineer. Both are assisted by two other officers.

3.26 In reply to a query on the steps taken to ensure that Liaison Officer and supporting staff posted in the SC/ST Cell belongs to SC/ST category, it was stated in the post evidence replies that the CLO (SCT) currently belongs to SC/ST category. Most of the staff in SCT Cell belong to SC/ST category. The staff in SCT Cell is posted on preferential basis from SC/ST category.

3.27 The Chief Liaison Officer has been entrusted to look after SC/ST matters as well as other work. He is well versed with reservation policy for SCs/STs. The CLO(SCT) has started working exclusively for works relating to SCs/STs since 25.05.2008. The Liaison Officers are selected/appointed as per DOP&T guidelines on the subject. From time to time, training/seminars are conducted at various Telecom Training Centres to acquaint them with the reservation policy of the Government. The training is imparted by the experts on the subject.

3.28 Besides adequate powers are available to CLO(SCT) and SCT Cell for discharging their duties concerning SC/ST matters like inspection of rosters, looking in to grievances of SC/ST staff for solving their problems, implementation of reservation policy of Government of India, etc.

3.29 The Committee have also been informed that to co-ordinate the liaison works between the Chief Liaison Officer at Headquarters of the BSNL and the Ministry, the Liaison Officer of Department of Telecommunications works in close collaboration with the Liaison Officers of all the PSUs under the Department in respect of all important matters relating to SCs/STs. Wherever required, meetings are also arranged at Senior Level in

Department of Telecommunications. The SCT Cell in the Department of Telecommunications has been assigned the following functions:

- (a) De-reservation of cases
- (b) Sending of teams to Circle Offices to check the rosters being maintained in respect of SC/ST/OBC.
- (c) Appointment of Liaison Officers in each administrative wing of PSUs and Autonomous Bodies.
- (d) Sending of Annual Statements for SC/ST and OBC to Department of Personnel and Training.
- (e) Maintenance of Register of complaints and grievances of SC/ST Employees and its Welfare Associations.
- (f) Periodical meeting with the Associations to redress grievances of affected SC/ST employees.
- (g) Monitoring of reservation orders received from DoP&T and Public Enterprises from time to time.
- (h) Special Recruitment Drive for SC/ST.
- (i) In addition to SC/ST/OBC the work related to Disabilities and Minority affairs is also undertaken. Complaint cases referred by the National Commission for SC/ST, OBC, Lok Sabha Secretariat and Rajya Sabha Secretariat.

3.30 The Committee note that SCT Cell set up in the headquarters and regional/zonal/circle offices perform many duties to help the Liaison Officer appointed in respective offices. However, no mention has been made about the duty in regard to preparation before DPC. It has been required under Department of Personnel & AR O.M. No. 36011/22/82-Estt(SCT) dated the 18.8.1983 that Liaison Officer has to acquaint himself well in time about the dates of various DPCs which will be held in future, to have a ready list of officers of various levels belonging to SC/ST of a few sister Departments/Ministries. The Liaison Officer is required to prepare a list by informally consulting the administrative wings of other Ministries/Departments to be

associated whenever requirement arises to be associated as a member of DPC. The Committee, therefore, recommend that Liaison Officer should follow this order in letter and spirit. The Committee would also like to stress upon the importance of a Liaison Officer as an institution to watch the interest and welfare of the SCs and STs. Knowing this, the DOP&T has made it mandatory for all Ministries/Departments and establishments/offices under its control to have an officer of the rank of Deputy Secretary to Government of India as Liaison Officer to head the SCT Cells. The Committee are of the view that since the Liaison Officer is appointed to ensure due compliances of orders and instructions pertaining to reservations of vacancies in favour of SCs/STs, he should not be overburdened with other official works.

CHAPTER – IV
MISCELLANEOUS

A. Deputation

4.1 The Committee have been informed that no posts are filled by deputation except the post of Chief Vigilance Officer from other Ministries. The only post of CVO filled by deputation is currently being held by an officer belonging to SC category.

4.2 It was also informed that 9 employees of BSNL were sent on deputation to other Departments/PSUs/State Governments. Out of these 9 employees sent on deputation during the years 2004-2007, one employee belongs to ST category.

4.3 During evidence, the Committee had expressed concern over the issue of non-payment of Productivity Link Incentive to employees who are on deputation in BSNL. In their post evidence reply, to a query as to what is the reason for not giving Productivity Linked Incentive (PLI) to employees/officers on deputation in BSNL, it was stated that the proposal for payment of Productivity Linked Incentive (PLI) for the year 2003-04 and 2004-05 to unabsorbed employees is yet to be decided by BSNL Board as the decision on payment of PLI to unabsorbed employee stands deferred for the time being.

4.4 When specifically asked whether these employees who are on deputation in BSNL are working under different term/conditions and service rules, it was stated in post evidence reply that the unabsorbed employees who are on deemed deputation in BSNL are the employees of the Government and are thus governed by rules framed by Government of India.

4.5 In reply to a specific query as to what action has been taken or proposed to be taken for payment of Productivity Link Incentives for the years 2003-04, 2004-05 and 2006-07, it was stated that proposal for payment of Productivity Linked Incentive (PLI) for the year 2003-04 and 2004-05 to unabsorbed employees is under consideration. However, for the year 2006-07 the payment of PLI was already made to unabsorbed employees.

4.6 The Committee are surprised to note that the reason for not making payment of Productivity Linked Incentives (PLI) for the year 2003-04 and 2004-05 to unabsorbed employees, who are on deemed deputation in BSNL, are not furnished and it has only been stated that the proposal for payment of the same is under consideration. However, it was noted that payment of PLI for the year 2006-07 was already made to unabsorbed employees. The Committee are of the view that if payment of PLI for the year 2006-07 has already been made, payment of the same for the earlier years should not be denied and delayed under any circumstances. Moreover, such payments are based on productivity/performance of the employees. The Committee understand that deputationists comprise of SCs/STs also and therefore, recommend that decision to pay the PLI to all eligible unabsorbed employees for the years 2003-04 and 2004-05 should be expedited without any further delay.

B. Appointments on compassionate grounds

4.7 In the Preliminary Material furnished to the Committee, it has been stated that the number of employees appointed by BSNL on compassionate grounds year-wise are as under:

Period	No. of employees appointed on compassionate ground
01.04.2004 to 31.03.2005	643
01.04.2005 to 31.03.2006	217
01.04.2006 to 31.03.2007	274
01.04.2007 to till date	446
Total	1580

Note: There is no reservation for SC/ST in offering Compassionate appointment. While considering a request for appointment on compassionate grounds, a balanced and objective assessment of financial condition of the family has to be made taking into account its assets and liabilities and all other relevant factors viz. number of dependents including minor, handicapped, unmarried daughters, family pension, left out service by the ex-official, terminal benefits, accommodation, presence of earning member in the family and belated request etc. However, extra weightage is given if widow seeks appointment for herself.

4.8 In the post evidence replies the following information in regard to the specific number of SC and ST beneficiaries appointed on compassionate grounds alongwith the number of cases received from them have been furnished to the Committee:

Period	No. of candidates appointed on compassionate grounds	Number of SC/ST beneficiaries out of Column (2)	Cases for appointment on compassionate grounds received from SCs/STs
01.04.2004 to 31.03.2005	643	218	423
01.04.2005 to 31.03.2006	217	87	479
01.04.2006 to 31.03.2007	274	126	505
01.04.2007 to 31.03.2008	685	262	500

4.9 The Committee have been informed that the number of cases for consideration for appointment on compassionate grounds, as on 31.03.2008 is reported to be 3419 cases pending for consideration in all the field units of BSNL. Out of these cases, the number of pending cases of SCs/STs are 1199.

4.10 The Committee note that BSNL have been receiving large number of applications for appointment on compassionate grounds. The number of cases received from SC/ST families during the years 2004-05, 2005-06, 2006-07 and 2007-08 were 423, 479, 505 and 500, respectively. The number of SCs/STs who were beneficiaries during the same period were 218, 87, 126, and 262, respectively. It is a matter of great concern that as on 31.03.2008, there were 3419 cases still pending for consideration by the BSNL out of which 1199 cases pertained to SCs/STs. The Committee regret to note that a large number of SC/ST applicants are waiting for appointment on compassionate grounds. The Committee desire that the process of appointment on compassionate grounds should be expedited and accorded priority as many of these SC/ST families waiting for compassionate appointments would belong to lower income groups with no other means of livelihood. The Committee, therefore, recommend that the BSNL should explore the feasibility of filling up the shortfall of SCs/STs in its staff strength from eligible SC/ST candidates whose applications are pending for appointment on compassionate grounds.

C. False Caste Certificates

4.11 The Committee have been informed that based on the information received from the BSNL Circles/Units, a total of 62 instances of securing employment on the basis of false caste certificates have been noticed during the years 2004, 2005, 2006 and 2007. The

details of total number of complaints received, cases disposed of, persons found guilty and action taken against them are given at **Appendix - A**.

4.12 In the post evidence replies, it was informed that to expedite finalisation of cases wherein departmental enquiry is under process, the concerned CGMs have been requested to complete enquiry on top priority. To expedite finalisation of cases which are pending in courts, the concerned CGMs have been directed to monitor the cases and make submission to the court through counsels to expedite finalising the cases. As for the steps taken for the expeditious finalisation of cases which are sent to issuing authority for verification, the concerned CGMs have been directed to take up the matter with concerned Chief Secretary of the State where the reply is not forthcoming.

4.13 In reply to a query on time taken to get the reports from the concerned authority after the cases are sent for verification, it was informed that best possible efforts are being made to get the reply from the verifying authorities. Letters have been sent to concerned Chief Secretaries also. Since the information is to be obtained from the authorities who are not under the control of BSNL, it will be our endeavour to complete this task within one year.

4.14 As regards measures taken to check recruitment on the basis of false caste certificate in future, it was informed that the instructions on the subject have already been issued to all recruiting authorities.

4.15 When asked whether any criminal proceedings have been filed against those found guilty of securing employment on the basis of false caste certificate, it was stated that as most of the cases are either sub-judice or departmental action has been initiated/is being initiated, further action as per law and procedure can be taken only after the final outcome of these cases.

4.16 The Committee note that a total of 62 instances of securing employment on the basis of false caste certificates had been detected by BSNL during the years 2004, 2005, 2006 and 2007. The instance of having 62 cases of false caste certificates in an organisation reflects the lapse on the part of the Management to curb these menace at the initial stage of appointment. The Committee are not satisfied with the steps taken by the Management to expedite the finalisation of these cases. As regards filing of criminal proceedings against the culprits, it has been informed that most of the cases are either sub-judice or departmental proceedings have been initiated and that further action can be taken only after final outcome of these cases. BSNL should be aware of the recent judgement given by the Supreme Court regarding dismissal of a bank employee who joined the service in the bank by producing false caste certificate. Recognising the gravity of the issue of getting employment on the basis of false caste certificates, the apex court had stated that such persons do not deserve any sympathy or indulgence of the court because a person, who enters the service by producing a false caste certificate and obtains appointments for the post meant for SCs/STs/OBCs deprives a genuine candidate falling in either of the said categories of appointment to the post. The Apex Court ruling further says that equity, sympathy or generosity have no place where the original appointment rest on a false caste certificate. The Committee are, therefore, of the view that it is very essential for the Management to take more pro-active steps than before. The Committee are also of the view that the menace of false caste certificate could be effectively checked at the time of initial appointment by proper verification of documents by the appointing authority with the help of a Liaison Officer for SC/ST who should be an expert on the subject. The Committee, therefore,

recommend that in cases where the Departmental proceedings are going on, the same must be conducted on day-to-day basis for expeditious finalisation of the cases and in cases which are pending in courts, the Management should implead itself as a party and actively pursue the matter for getting the stay vacated and for early hearing and decision. The Committee also recommend that for cases pending before the District Authorities for verification, the matter should be pursued vigorously by fixing date for early disposal by the District authorities. The Committee also urge the Management to seek quarterly progress report indicating action taken on the basis of the above instructions from the concerned Telecom Circles/Districts Officers and to give necessary advice and guidance, if need be.

D. Housing facilities

4.17 The Committee have been informed that housing facilities are provided by BSNL to its employees according to Directorate of Estates order, as per their entitlement in all Type of quarters. In case quarters are not provided, employees are getting HRA.

4.18 During evidence when it was pointed out that allotments of quarters/accommodation to SCs/STs very low, it was stated in the post evidence replies that the rules and regulations issued by Directorate of Estates are being followed in BSNL and as per these guidelines 10% for type A&B and 5% for type C&D of residential accommodation are reserved for SC/ST employees.

4.19 The Committee were also informed that BSNL has allotted a total of 15532 quarters, out of which 2410 i.e. 15.52% have been allotted to Scheduled Caste and 562 i.e. 3.61% to Scheduled Tribe employees. Break up of 15532 quarters allotted type-wise are as under:-

Type	Total	SC	SC%	ST	ST%
I	2364	640	27.07	73	3.08
II	6670	1073	16.08	255	3.82
III	4715	594	12.59	173	3.66
IV	1303	81	6.21	53	4.06
V	480	22	4.58	8	1.66
Total	15532	2410	15.52	562	3.61

4.20 When further asked whether there is insufficient accommodation available for allotment, it was stated that in BSNL sufficient quarters are available at most of the places/units.

4.21 The Committee appreciate that BSNL has sufficient quarters in most of its units for allotment to its employees. Making available proper and decent accommodation is one area where SC/ST people have faced difficulty in many organisations and departments. The Committee feel that SC/ST employees of BSNL will not have to worry about residence in their places/units of posting. The Committee, therefore, urge the Ministry and the Management of BSNL to vigilantly oversee the various process of allotment of accommodations so that SC/ST applicants do not suffer due to unnecessary delay in allotment.

E. Complaints/Grievances

4.22 In reply to a query on the machinery for redressal of grievances of SC/ST employees, it has been stated that the Chief Liaison Officer is at BSNL Headquarters and Liaison Officers and Deputy Liaison Officers are at Circle and SSA level respectively for looking into the complaints and for redressal of grievances.

4.23 The Committee have also been informed that to ensure expeditious disposal of complaints/ grievances, the CLO remains in close contact with Circles/SSA level SCT Cell and also visits for ensuring smooth working and functioning of SCT Cell as well as implementation of reservation policy. Any complaints/grievances received in the office of Chief Liaison Officer are immediately sent to the concerned authorities for taking necessary action and detailed reports on action taken are called for. SCT Cell is continuously pursuing the cases till the final disposal of the same. Chief Liaison Officer is conducting quarterly Review Meetings with the Officers/staff of SCT Cell to ensure expeditious disposal of complaints/grievances. Similarly, LOs are also advised to redress the grievances of SC/ST employees.

4.24 In reply to a query on time frame to redress the grievances of SCs/STs, it has been stated in the post evidence replies that SCT Cell is forwarding the complaints to the concerned authorities for examination and action taken report called for within 15 days' time limit and actual time taken depends on the nature of cases. Normally, it takes 1 to 3 months to dispose of a case but in some cases, if data and detailed investigation is involved, it takes beyond 6 months depending upon the nature of complaint.

4.25 In the preliminary information furnished to the Committee, the Ministry have stated that generally the complaints received pertain to service matters. 139 complaints had been received from SC/ST employees during the years, 2004, 2005, 2006 and 2007, out of which 112 cases have been disposed of as on date and 12 cases are pending beyond six months and 27 cases are pending.

4.26 However, in post evidence replies, it has been informed that all the pending cases have since been disposed of. Further, continuous Quarterly Periodical Review meetings are being followed to watch the disposal of the pending cases.

4.27 The Committee note that the Chief Liaison Officer at headquarters and Liaison Officers and Deputy Liaison Officers at Circle and SSA level, respectively are looking into the complaints of SCs and STs for redressal of their grievance. The Committee are happy that BSNL has been able to dispose of all the cases of complaints and grievances received during the years 2004, 2005, 2006 and 2007. The Committee should be apprised whether all the complaints/grievances were disposed of to the full satisfaction of the aggrieved SC/ST employees. The Committee should also be apprised of the details of grievances/complaints received and disposed of during the year 2008.

F. Harassment/discrimination cases

4.28 In reply to a query on harassment or discrimination against SC/ST employees on grounds of their social origin, it was stated that seven cases of abusive language have

been received. The details of the cases are given:-

Sl. No.	Representation from	Subject	Action Taken
1	Smt. Nirmal Kumari, Phone Mechanic, Ferozepur, Reference received from NCSC on 13.01.2006.	Smt. Nirmal Kumari alleged that she has been harassed on the basis of her social origin. She also alleged sexual harassment in work place by Shri Bakshi Ram, Sr. TOA.	A committee headed by GM rank officer constituted by CGM, Punjab Circle investigated the case. The case was also investigated by a fact finding team from BSNL(HQ). Besides, a complaint committee on sexual harassment of BSNLCO also cross examined the case at BSNL(HQ). Though the findings did not prove the alleged harassment, action had been taken against the alleged official, Shri Bakshi Ram by imposing a minor penalty as also transferring him to other station. BSNL management also transferred the officers who were incharge of the administration during the period, in the interest of service. All had happened at the instance of National Commission for SCs, New Delhi. Case closed on 24.11.2006.
2	Shri Indra Kumar SDE(Phones), Lucknow	Shri Indra Kumar, SDE(Ph.) alleged that he has been harassed by DE(Phones).	A committee of 3 officers constituted by PGMTD, Lucknow enquired into the matter. It has been found that there was a communication gap and misunderstanding between the two officers. Shri Indra Kumar, SDE has intimated in writing on 25.02.2006 that he has compromised with Shri R.K. Awasthi, DE and that he does not want any action to be taken on his complaint dated 02.12.2005. The Committee has reported that now there is no dispute between Shri R.K. Awasthi, DE(Phones) and Shri Indra Kumar, SDE (Phones) and they are satisfied with the behaviour of each other. The case closed on 04.05.2007.
3	Shri Shravan Kumar, DGM, Ratlam	Shri Shravan Kumar, DGM, Ratlam alleged harassment by Shri Inder Jeet Khanna, GMTD, Ratlam.	CGMT, MP Circle examined the case and invited both the officers in a meeting and advised them to maintain cordial relation in work place in the interest of the organisation. This is a case of sheer communication gap and misunderstanding. Both the officers promised to have good working equation in future. However, both the officers have been transferred to different stations. The case closed on 12.07.2007.
4	Shri Ram Charan, SDE, NOCC, Sikanderabad	Shri Ram Charan, SDE, NOCC, Sikanderabad alleged that he has been harassed by DET, NOCC, Sikanderabad.	Vigilance Cell, Northern Telecom Region (NTR) visited the Earth Station and took witnesses of the staff working in the station and they found that there had been strained relationship between Shri Yadav, DET and Shri Ram Charan, SDE. The differences have been resolved by the intervention of DGM, NOCC. This is also a case due to communication gap and misunderstanding. Shri Ram Charan has been transferred to UP(W) Telecom Circle on his own request and he has given in writing that he will not pursue the matter. Case closed on 05.06.2006.

5	Shri Ram Prasad Gomango, Sr. TOA(G)	Shri R.P. Gomango, Sr. TOA(G) alleged that he has been harassed by Shri K.C. Pattanaik, SDOT, Gunupur.	Report received from Orissa Circle Shri U.N. Senapati, DET, Jeypore has been deputed as a Inquiry Officer to investigate the case. Based on the findings of the Inquiry Officer Shri K.C. Pattanaik, SDOT, Gunupur has been served warning to behave properly with the staff working under him, and at the same time Shri R.P. Gomango, Sr. TOA(G) has also been advised to carry out the orders of superiors. This is also a case of communication gap and misunderstanding between the officer and the subordinate. Nothing adverse reported after that.
6	Shri A.K. Ragase, Sr. TOA, MP Circle.	Shri A.K. Ragase alleged that he has been harassed by Shri Manish Shukla, DGM, MP Circle.	A fact finding team from BSNL(HQ) investigated the matter and it was found that there was a communication gap and misunderstanding between the officer and subordinate. This is due to administrative reasons and not from any personal enmity or caste biasness. Both of them have been cross-examined at Bhopal and they closed the case amicably in front of the fact finding team from BSNL (HQ) after shaking their hands with each other in a congenial atmosphere. Case closed on 17.09.2004.
7	Shri V. Ravi Keerthy, Sr. TOA(G), Chennai	Shri Ravi Keerthy alleged that he has been harassed on the ground of social origin by Shri M.S. Narayan, SSS, a colleague of the complainant.	CGM, T.N. Circle intimated that the case has been investigated by an inquiry officer from the untouchably angle and the same could not be proved. Both of them are colleagues and friends. This is a case of sheer misunderstanding. Case closed on 12.07.2007.

4.29 The Committee are surprised to learn that instances of discrimination and harassment of SC and ST employees on grounds of social origin are still there in BSNL. Such incidents should be condemned and not allowed to thrive. The Committee, therefore, recommend that the Management of BSNL should take strict measures for safeguarding SC/ST employees from discrimination and humiliation for no fault of theirs by the employees of other castes, superiors and colleagues. The Committee also desire that punitive action against perpetrators of harassment/ discrimination on grounds of caste should be taken immediately under Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 on receipt of such report.

G. SC/ST Associations

4.30 The Committee have been informed in a note submitted during evidence that before unifications, there were five groups of SC/ST Employees Welfare Associations out of which only four were found eligible as per BSNL guidelines. As per the direction of the Parliamentary Committee on the Welfare of SCs/STs to bring all the SC/ST associations under one banner and grant recognition to the SC/ST association accordingly, BSNL has granted recognition to SC/ST Employees Welfare Association of BSNL vide letter No. 71-1/2005-SCT dated 16.07.2007. BSNL has also extended certain facilities to the association and formal periodical meetings can be arranged accordingly. Earlier, the Committee have been informed that informal meetings have been held as and when requested by the association.

4.31 It has further been informed in the post evidence replies that the direction and guidance given by the Parliamentary Committee played a major role in bringing the various splinter groups of SC/ST Associations together. Further, the constructive role played by various associations representatives during various unification meetings is also worth mentioning.

4.32 The Management held the first meeting with SC/ST Employees Welfare Association of BSNL on 12.02.2008. The agenda discussed during the meeting were as under:-

- (a) Deduction of subscription from salary
- (b) Restoration of reservation in OTBP BCR and 10% BCR
- (c) Filling up of backlog vacancies
- (d) Relaxation standard and lesser evaluation
- (e) SC/ST compassionate appointments
- (f) Inservice training nomination for foreign seminar/programme
- (g) Reduction of service eligibility for SC/ST SDE to STs promotion

- (h) Nomination of SCs/STs in Committees
- (i) Bogus/False community certificates
- (j) Request for extending facilities
- (k) Request for extension of facilities at SSA level
- (l) Permission for launching website
- (m) Harassment/discrimination against the SC/ST employees
- (n) Reservation in executive time bound upgradation

4.33 When asked about the kind of facilities provided to the SC/ST Association, it was mentioned that the following facilities were granted to the SC/ST Employees Welfare Association of BSNL:

- (a) Examination of grievances of SC/ST employees of BSNL;
- (b) Supply of policy circulars/orders/instructions in respect of Reservation Policy to SC/ST Employees Welfare Association of BSNL;
- (c) Informal meetings and their periodicity;
- (d) Grant of special casual leave;
- (e) Stay facilities to the office bearers of the Association on visit to BSNL (HQ)/Circle Offices for informal meetings;
- (f) Allotment of BSNL accommodation to offices of SC/ST Employees Welfare Association of BSNL at BSNL(HQ)/Circle Offices;
- (g) Telephone facility at the offices of Association at CHQ and Circle Offices;
- (h) Issue of Identity Cards.

4.34 The Committee appreciate the measures taken by the Management of BSNL to unite various groups of SC/ST Employees Associations under one forum. The Committee had always advised that every organisation should have a united SC/ST Employees Association so that the machinery for redressal of grievances/complaints of SC/ST employees are routed and redressed through this system. It is for this reason that in many of the study visits, the Committee always urged leaders of various SC/ST associations to be united so that the Management could address and redress their grievances through this channel. The Committee urge the Management to provide proper office accommodation with essential infrastructures such as furniture, telephones, computers, etc. to recognised SC/ST Employees Association not only at the Headquarters but also at zonal/regional offices. The Committee also stress that periodical meetings should be held with the SC/ST Employees Association and minute of such meetings be circulated to them. If requested, they should also be allowed to examine the rosters of the employees' periodically. The Committee also desire that the office bearers of association should not be subjected to frequent transfer and postings keeping in view their commitment for the welfare of their fellow employees. The Committee also desire that a representative of SC/ST employees association should be invited to attend the meeting called by the Management whenever an important discussion on SC/ST related matter is to take place. In case of conflicting views on any SC/ST related matter, the Management should not adopt a bipartisan attitude. Rather, it should ensure that the matters of consideration/discussion are settled to the satisfaction of the SC/ST employees. The Committee also desire that the management should always guide and assist the SC/ST association as its own protégé for the healthy growth of the Corporation.

H. Workshops on reservation policy

4.35 The Committee have been informed in their post evidence replies that BSNL has organised the workshops at its different training centres situated all over India. The main objective of the workshop is as under:

- (a) To create awareness for following reservation policy.
- (b) Various instructions and guidelines of Government of India to implement the policy for SC/ST/OBC.
- (c) Preparation of Roster for recruitment and promotion.
- (d) Role of Liaison Officer in monitoring the implementation of instruction issued from time to time.

4.36 Break-up for the number of SC/ST candidates trained in the workshops conducted on "Reservation Policy" is as under:

Year	SC	ST	Others	Percentage of SC/ST
2006-07	80	28	202	35%
2007-08	154	39	357	35%

4.37 The Committee note that thirty-five percent of SCs and STs had been trained in the workshops conducted on reservation policy during the years 2006 and 2007. The number of SC/ST candidates nominated for attending workshops on reservation related subjects organised by BSNL should be enhanced by nominating SC/ST candidates drawn from various offices of BSNL, spread across the country. The details of participants of such trainings should be maintained so that they can be picked up for posting in SCT Cells as Liaison Officers and support staff. The Committee, therefore, recommend that a profile of all candidates nominated from

various offices for attending such workshops should be maintained so that they can be easily picked up for posting in SCT Cells in times of need.

I. Contracts

4.38 The Committee have been informed that BSNL hire individual/firms/companies etc. on contract/tender basis for execution of various projects across the country. The nature and category of works executed by contractors are trenching, laying and jointing of cables, installation/erection of towers and equipments, cleaning, maintenance and proper up-keeping of departmental buildings, annual maintenance contracts, security of installation, operations and maintenance of generator set etc.

4.39 During evidence, when asked whether any percentage of reservation has been provided to SC/ST contractors for execution of work and if so, to provide details of SC/ST contractors especially in Gujarat who have been given contractual work, the post evidence reply was in negative. It was also mentioned in the post evidence reply that no ceiling on tenders has been fixed for SC/ST contractors.

4.40 The Committee note that BSNL hire individual/firms/companies, etc. on contract/tender basis for execution of various projects across the country. The Committee note that at present there is no provision for preferential treatment for SCs/STs in the matter of allotment of contract. There might not be reservation and proper guidelines in allotment of contracts/tenders to individuals/firms/companies, but as a matter of social justice and concern for the socio-economic development of SC/ST communities, the Committee feel that a certain share of works/contracts should be allotted to SC/ST contractors/individuals/firms/companies. The Committee, therefore, recommend that the BSNL should take lead and in

consultation with the Ministry, should formulate guidelines in this regard for the welfare of SC/ST communities.

J. Socio-economic development

4.41 The Committee have been informed that for socio-economic upliftment of tribal people, BSNL has a plan namely Tribal Sub-Plan (TSP) for development of telecom network in tribal areas of the country. BSNL has planned WLL network for provision of telephone connection to the people of lower strata of the society including the SC families most of whom live in the scattered far-flung remote rural areas where provision of telephone connection on land line are not feasible due to techno-economic reason. BSNL has planned to cover all the Short Distance Charging Areas (SDCAs) in the country by WLL network. This will help to have access of better telecom connectivity in the remote areas where the underprivileged people including the SC families live and eventually will help their economic upliftment.

4.42 The Committee have also been informed that the details of capital expenditure incurred under Tribal Sub Plan during the financial years 2002-03, 2003-04, 2004-05, 2005-06 and 2006-07 are as under:-

Sl. No.	Year	Allocation made under (TSP (Rs. In crores))	Funds utilized under TSP (Rs. In crores)
1	2002-03	842.81	838.38
2	2003-04	279.70	44.53
3	2004-05	209.83	320.73
4	2005-06	341.10	347.43
5	2006-07	346.00	240.00

4.43 The Committee have also been provided with the telecom development works done by BSNL in Tribal Areas during the years 2003-04 to 2006-07 is as under:-

Sl. No.	Parameter	Year							
		2003-04		2004-05		2005-06		2006-07	
		Target	Achiv.	Target	Achiv.	Target	Achiv.	Target	Achiv.
1.	Telephone Exchange (Nos.)	Nil	66	23	22	20	30	16	3
2.	Switching Capacity (Lines)	3,00,000	2,94,680	2,45,752	2,07,762	13,63,847	8,66,520	18,04,948	10,80,996
3.	DELS (Nos.)	2,70,000	2,34,114	2,82,259	2,97,793	10,08,393	9,81,110	14,48,696	9,32,971
4.	VPT (Nos.)	Nil	3,082	2,920	3,719	10,119	2,605	9,423	18,069
5.	OFC (RKMs)	600	2,210	2,422	1,912	4,134	1,129	3,149	775
6.	Satellite Station (Nos.)			7	6	22	1	44	73

4.44 During evidence, the Committee were also informed that the Company is working out a corporate social responsibility plan in which they would be focusing on such areas which will benefit the tribal areas. It was stated that BSNL has already finalised one scheme for Assam area costing rupees one crore and the action in that direction has already begun. The Committee were further assured that BSNL will be taking it further for general corporate social responsibility action.

4.45 When asked whether BSNL has earmarked specific fund for Scheduled Caste communities as Scheduled Caste Sub-Plan (SCSP) Scheme, it was informed that so far no separate funds have been earmarked for Scheduled Caste communities under SCP.

4.46 In the post evidence replies, it was informed that out of 2642 Short Distance Charging Areas (SDCAs) in the country 2574 SDCAs have been covered by WLL services upto 29.2.2008. Of the remaining 68 SDCAs, Kerala Circle has intimated that 10 SDCAs in Lakshadweep area cannot be covered being financially and technically not viable. The remaining SDCAs in other Circles/areas will be covered by September, 2008 except a very few in NE-I, Orissa and J&K due to difficult/hilly terrain as well as naxalite/insurgency problems.

4.47 The Committee have also been informed that priority is given to SC/ST families on allotment of STD/ISD/ PCOs. When asked to give details of allotment of STD/ISD PCOs made to SCs/STs in different States/UTs during the years 2004, 2005, 2006 and 2007, it was stated in their post evidence replies that PCOs are allotted liberally by BSNL without any restriction to all applicants of 18 years of age or above subject to technical feasibility. However, where there is waiting list, 50% of the STD/ISD PCOs allotment is reserved for war widows/dependants, SC/STs, handicapped persons and ex-servicemen and allotment is made in the following order:

- (a) Defence establishments and other para-military force establishments e.g. BSF, CRPF etc.
- (b) War widows/dependents
- (c) SC/ST
- (d) Handicapped persons
- (e) Ex-serviceman

4.48 It has further been stated that there is no restriction on the percentage of exchange capacity for allotment of PCOs in areas where new telephone connection is available on demand. In areas where there is waiting list for new telephones, 10% of the exchange capacity is utilized for PCOs and if the applicants under reserved category are not covered within this limit, these are cleared by relaxing this condition.

4.49 The Committee were also informed that there is no provision for reservation in allotment of basic telephone connections to SCs/STs. Due to abundant availability of telephone facilities all around in the recent times, at no point of time need for reservation was felt.

4.50 In reply to a query on time taken to provide telephone connection and also allotment of STD/ISD PCOs to SCs/STs, it was stated that as per TRAI regulations a new telephone connection should be provided within 7 days in all feasible cases in exchange areas declared on demand. In non-feasible cases, the connections are provided after the same becomes feasible. Customer Service Centre staff and the Commercial Officers have been fully authorised to allot PCOs immediately on receipt of completed application form with requisite documents. PCOs are allotted to all applicants, including SCs/STs on day to day basis and the connection is provided within few days in feasible cases.

4.51 The Committee note that BSNL has a Tribal Sub-Plan (TSP) for development of telecom network in tribal areas of the country for the socio-economic development of tribal people. On perusal of the details of expenditure incurred under TSP during the financial years 2002-03, 2003-04, 2004-05, 2005-06 and 2006-07, the Committee note that the funds allocated for the schemes had not been completely spent, except during the years 2004-5 and 2005-06. The Committee would like to know the reasons as to why the allocated funds during the years 2003-04 and 2006-07 were not utilised. The Committee recommend that BSNL Management should endeavour to utilise the entire allocated fund during a year to implement schemes/plans for the tribals. Not utilising the allocated fund during the year would imply lack of interest and reflect

inefficiency on the part of the administrative machinery towards implementation of plans for the development of tribals.

4.52 The Committee also note that the BSNL has finalised a scheme under the corporate social responsibility for the State of Assam costing rupees one crore. The Committee recommend that the BSNL should draw out schemes/projects under the TSP for all States/UTs, wherever applicable, so that the fund allocated for the purpose are fully utilised. The Committee should be apprised of the details of the scheme undertaken in Assam under the Corporate Social responsibility of the BSNL.

4.53 The Committee regret to note that no funds have been earmarked for Scheduled Caste communities under the Scheduled Castes Sub-Plan (SCSP). The Committee would like to know as to why no funds have been allocated for the scheduled castes under the SCSP. The Committee recommend that separate funds for development of SCs under the Scheduled Castes Sub-Plan (SCSP) should be earmarked not only in BSNL but also in the Ministry as per the percentage of SC population of the State and as per the guidelines issued by the Planning Commission on the subject.

New Delhi
February, 2009
Magha, 1930(S)

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

**Appendix – A
(Vide Para 4.11)**

Sl. No.	Circle/Unit	Total number of complaints received	Cases disposed of	Persons found guilty	Action taken against them/present status
1.	Andhra Pradesh	SC – 08 ST – 13	SC – Nil ST – Nil	SC – 02 ST – 08	SCs – 2 cases are proved R-14 Depttl. Action initiated and under process. STs – 08 cases are proved. 2 cases – R-14 Depttl. Inquiry is under progress and remaining – 06 cases are under pending in High Court and one case stayed by Social Welfare Ministry, Government of A.P.
2.	Gujarat	4	-	-	Recently complaint received. Now case is under investigation. Letters are written to certificate issuing authority.
3.	Himachal Pradesh	1	1	Yet to be decided.	Major penalty disciplinary proceedings have been initiated and inquiry held, decision awaited.
4.	M.P.	1	Nil	Nil	Official retired on 31.07.06. The case has been referred to & being investigated by Commissioner, ST Development Government of MP and District organiser ST Kalyan Sahayak, Raisen. The reply is still not received.
5.	Orissa	1	Nil	Nil	Case is under investigation.
6.	ETR	1	Nil	Nil	(i) Show cause notice was issued to the official. (ii) Submitted another SC certificate by the official, which is sent to the Magistrate, Barasat for verification.
7.	Rajasthan	6	3	2	In one case penalty was quashed by CAT in 1993. In another case appeal for dismissal penalty was settled by DOT and ordered to reappoint him as JE as a special case in OC category. 2 cases referred to CBI. One case under investigation. In one case, caste certificate found valid and complaint recorded.
8.	Tamil Nadu	27	1		
	Tamil Nadu			1. K.R. Soundararajan (SS)	Pending with Distt. Collector & Chairman of Distt. Vigilance Committee, Chennai
	Tamil Nadu			2. R. Kousalya, TOA	Pending with Distt. Collector & Chairman of Distt. Vigilance Committee, Salem.
	Tamil Nadu			3. N. Shanmugam, TOA	Pending with Distt. Collector & Chairman of Distt. Vigilance Committee, Coimbatore.
	Tamil Nadu			4. J. Bose Kumar, TTA	Distt. Proceedings initiated under Rule-14.
	Tamil Nadu			5. K. Chandramohane, SDE	Case persuade with Government of Pondicherry for causing cancellation of SC certificate earlier issued.
	Tamil Nadu			6. P. Venkatesan, JTO	Pending with Distt. Collector Thiruvallur.
	Tamil Nadu			7. P. Dhanalakshmi, SRTOA-G	Pending with Chairman of Distt. Vigilance Committee, Dharmapuri.
	Tamil Nadu			8. B. Vivekanandan, SS(O)	Terminated on 5/1/2007
	Tamil Nadu			9. T. Thimmareddy, SSS	Final verdict awaited from Hon'ble High Court, MS
	Tamil Nadu			10. G. Appusamy, TOAP	Pending in Collectorate for verification by 3 member Committee.
	Tamil Nadu			11. D. Lalitha, TOAG	Pending in Collectorate for verification by 3 member Committee.

	Tamil Nadu			12. S. Ramanujam, SSO	Official obtained stay order.
	Tamil Nadu			13. M. Ramamoorthy, JTO	Three member Distt. Vigilance Committee to be constituted for further processing.
	Tamil Nadu			14. M. Sundaram, TSO	Case is being persuade with Distt. Collector, Salem.
	Tamil Nadu			15. R.P. Muthukarishnan, SSO	-Do-
	Tamil Nadu			16. G. Jadadeesan, SSO	-Do-
	Tamil Nadu			17. N. Govindaraju, TSO	-Do-
	Tamil Nadu			18. C. Jeyaprakasam, TSO	-Do-
	Tamil Nadu			19. N. Janakarajan, TSO	-Do-
	Tamil Nadu			20. P. Sekar, TM	-Do-
	Tamil Nadu			21. N. Chinnasamy, TTA	-Do-
	Tamil Nadu			22. S. Lakshminarayan, TTA	-Do-
	Tamil Nadu			23. G. Venkataraju, TSO	-Do-
	Tamil Nadu			24. R. Vasanthi, SSO	Case is persuade with Distt. Collector, Vellore.
	Tamil Nadu			25. P. Ramalingarh, TM	Official obtained stay order.
	Tamil Nadu			26. N.S. Valavan, TOAG	Official did not attend enquiry fixed by Distt. Collector, Salem.
	Tamil Nadu			27. L. Ravikumar, TM	Official appealed to State Level Scrutiny Committee to set aside the order of Vigilance Committee.

Appendix – B

MINUTES

**COMMITTEE ON THE WELFARE OF SCHEDULED CASTES
AND SCHEDULED TRIBES
(2008-2009)**

(FOURTEENTH LOK SABHA)

**TWENTIETH SITTING
(01.04.2008)**

The Committee sat from 1500 to 17000 hrs.

PRESENT

Shri Ratilal Kalidas Varma – Chairman

**COMPOSITION OF THE COMMITTEE ON THE WELFARE OF SCHEDULED CASTES
AND SCHEDULED TRIBES (2008-2009)**

Shri Ratilal Kalidas Varma - Chairman

MEMBERS – LOK SABHA

2. Shri S. Ajaya Kumar
3. Shri Kailash Baitha
4. Shri Eknath M. Gaikwad
5. Shri Kailash Meghwal
6. Shri Virchandra Paswan
7. Shri E. Ponnuswamy
8. Shri K. Rani
9. Shri Chengara Surendran
10. Shri Vanlalawma

MEMBERS – RAJYA SABHA

11. Shri Krishan Lal Balmiki
12. Shri Robert Kharshiing
13. Shri Lalhming Liana
14. Dr. Radhakant Nayak
15. Miss Anusuiya Uikey

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

WITNESSES

REPRESENTATIVES OF THE MINISTRY OF COMMUNICATIONS AND INFORMATION TECHNOLOGY (DEPARTMENT OF TELECOMMUNICATIONS)

1. Shri Siddhartha Behura, Secretary
2. Shri G.S. Grover, Member (Services)
3. Shri V.K. Shukla, Advisor (Operations)
4. Shri S.S. Singh, DDG(PG)

BHARAT SANCHAR NIGAM LIMITED (BSNL)

1. Shri Kuldeep Goyal, CMD
2. Shri Gopal Das, Director (HRD)
3. Shri S.C. Mishra, Sr. DDG (Estt.)
4. Shri A.K. Purwar, DDG (Pers.)

At the outset, the Committee welcomed the representatives of the Ministry of Communications and Information Technology (Department of Telecommunications) and Bharat Sanchar Nigam Limited (BSNL).

2. The Committee then took evidence of the representatives of the Ministry of Communications and Information Technology (Department of Telecommunications) and Bharat Sanchar Nigam Limited (BSNL) on the subject "Reservation for and Employment of Scheduled Castes and Scheduled Tribes in Bharat Sanchar Nigam Limited (BSNL)".

Appendix – C

MINUTES

**COMMITTEE ON THE WELFARE OF SCHEDULED CASTES
AND SCHEDULED TRIBES
(2008-2009)**

(FOURTEENTH LOK SABHA)

**FOURTEENTH SITTING
(24.02.2009)**

The Committee sat from 1600 to 1630 hrs. in “Main” Committee Room, Parliament House Annexe, New Delhi

PRESENT

Shri Brij Bhushan Tiwari – (In the Chair)

MEMBERS LOK SABHA

2. Shri Anandrao Vithoba Adsul
3. Shri S. Ajaya Kumar
4. Sardar Sukhdev Singh Libra
5. Shri Virchandra Paswan
6. Shri Narsingrao H. Suryawanshi
7. Smt. Krishna Tirath

MEMBERS RAJYA SABHA

8. Dr. Radhakant Nayak
9. Shri Ambeth Rajan
10. Shri Thomas Sangma
11. Shri Tiruchi Siva

SECRETARIAT

1. Shri P.K. Misra, Joint Secretary
2. Shri Gopal Singh, Director
3. Ms. J.C. Namchy, Deputy Secretary

At the outset, the Committee were informed by the Joint Secretary that due to some urgent work, Shri Ratilal Kalidas Varma, Chairman will not attend the sitting. As provided in

Rule 258(3) of Rules of Procedure and Conduct of Business in Lok Sabha, Shri Brij Bhushan Tiwari, M.P. was chosen by the Committee to act as Chairman for the sitting.

2. The Committee then considered the draft report on “Reservation for and Employment of Scheduled Castes and Scheduled Tribes in Bharat Sanchar Nigam Limited (BSNL)” and adopted the same.

3. The Committee also authorised the Chairman to finalise the report and present the same to both the Houses of Parliament.

The Committee then adjourned.

Appendix – D

(Vide para 4 of Introduction)

Summary of conclusions/recommendations contained in the Report

Sl. No.	Para No.	Conclusions/Recommendations
1.	2.	3.
1.	1.10	<p>The Committee regret to note that there is no representation of SC/ST members on the Board of Directors of BSNL even though it was admitted that there is no prohibition of their being considered for the Board level appointments as per the guidelines. The Committee was informed that selections and appointments of members in the Board are made by the Government of India through the Public Enterprises Selection Board (PESB). It was also admitted that as of now no SC/ST candidate has found favour with the PESB but it is hoped that in the near future they should be able to have some SC/ST members on the Board. It is surprising to note that the BSNL has not felt the need to have representation of SCs/STs on the Board of Directors because an officer of the rank of Junior Administrative Grade level namely, CLO(SCT) coordinates implementation of Government's Reservation Policy. The Committee feel that these replies reflect lack of understanding on the subject matter being examined because the appointment of SC/ST members on the Board of Directors has no relevance with the appointment of Chief Liaison Officer (SCT) at the Headquarters. An SC/ST member on the Board by virtue of his position can play a crucial role for the greater interest and welfare of SC/ST employees over and above his contribution for the growth of the BSNL. Whereas, the role of a CLO, who is by far in a relatively lower position working under the direct control of top management is restricted to only implementation of Government reservation policies and other SC/ST related matters. Being not on the Board of Directors, he can not involve himself in the decision making process on various policies including proper implementation of Reservation Policy, which is normally considered at Board level meetings. BSNL, is a very large organisation with a staff strength of around 3.10 lakhs out of which 70,000 employees are reported to be from SC and ST categories. The Committee, therefore, feel that an SC/ST member should have been appointed on the Board. Moreover, there is a Constitutional provision under Article 16(4A) which</p>

says that "Nothing in this article shall prevent the State from making any provision for reservation in matters of promotion to any class or classes of posts in the services under the State in favour of the Scheduled Castes and the Scheduled Tribes which in the opinion of the State are not adequately represented in the services under the State". In view of the above, the BSNL should take a proactive role in the process of appointment of SC/ST members on the Board and not leave the matter to the Government alone. There is no dearth of eligible SC/ST candidates for appointment to the Board, provided they have proper backing and support. The Committee, therefore, urge the BSNL to scout for suitable and eligible SC/ST candidates and sponsor them to the Government for appointment on the Board. The Committee also urge the BSNL to clearly spell out and justify the need for appointments of SC/ST members on the Board. The Committee recommend that, if necessary, the Government should amend the rules/regulations governing appointments to the Board in view of the Constitutional mandate so as to facilitate appointments of SC/ST member on the Board.

2. 2.7 The Committee note that Group A officers of BSNL have not yet been absorbed and are still deemed as on deputation from DOT. The period of deemed deputation was to last upto 30.9.2005 as per the decision of the Cabinet. Not satisfied with the terms and conditions, the Committee note that Group A officers did not exercise the option for absorption in BSNL/MTNL or continuation with DOT. The Committee further note that a committee constituted by DOT, which included representatives of Indian Telecom Service Association (ITSA), have recommended for liberalization of certain terms and conditions. Based on these recommendations, a cabinet note was being finalised for consideration of the Cabinet. The Committee hope that the said note would have been finalised by now and sent for consideration of the Cabinet for early absorption of Group A officers in BSNL. The Committee would like to be apprised of the decision of the Cabinet at the earliest.

3. 2.8 The Committee also note that Group A officers individually and through their Associations have filed a series of court cases challenging the terms and conditions of absorption. The Committee strongly recommend that action to vacate stay orders at the earliest should be taken so that absorption process of Group A employees as also cadre of absorbed Group B employees promoted to Group A officers be finalised.

4. 2.19 The Committee note that JTO and JAO, which are Group B executive posts, belong to circle cadre. Direct recruitment to these posts are done through All India competition. Majority of non-executive posts belong to SSA level and limited recruitment has been done at SSA level. It has been reported that recruitment to any cadre is based on the functional requirement of the company keeping in view the fast changing technological scenario and declining trend in the fixed times. The reasons for not holding recruitment for the vacant posts of JAO during the years 2004, 2005, 2006 and 2007, which is a Group 'B' executive post, is reported to be due to pending court cases. The Committee recommend that earnest efforts should be made for early disposal of court cases so that recruitments to JAO posts are held. The Committee would also like to know the detailed information of the final outcome of direct recruitment exercise which was underway for 3591 JTOs in executive category and 5791 TTAs in non-executive category.
5. 2.20 The Committee note that only 406 SC posts in JTO category have been filled up as against 450 posts, which is 15 percent of 3000 posts for which recruitments were held in the year 2006. Similarly, the required number of ST JTOs to be recruited should have been 225 in addition to the carry forward vacancies of 57. The reason for not recruiting the requisite number of SC candidates was that they could not qualify in the JTO examination, 2005 which was conducted on all India basis even under the relaxed qualifying standards. If given vacancies for a particular recruitment year could not be filled up due to non-availability of candidates, the vacant posts will most probably be carried forward to the next recruitment exercise as in the case of ST posts in JTO category which has been shown as carried forward in the recruitment year 2006. Even, if sufficient number of SC/ST candidates do not qualify in the subsequent recruitment, the trend of carrying forward of vacancies should continue. The Committee recommend that to discontinue these trend of carrying forward of reserved vacancies year after year, the selection should be based on the number of vacancies and merit. The Committee stress that on selection, SC/ST candidates should be given compulsory in-house trainings so as to bring them up to the required standards to meet the job requirements. The Committee, therefore, recommend that the BSNL should amend the recruitment rules and procedures appropriately so that all the reserved vacancies of SCs and STs are completely filled in every recruitment year through selection of the best candidates available in the competitive examinations.

6. 2.28 The Committee note that the result of failed SC/ST candidates is reviewed in case quota remains unfilled. The Committee would like to be apprised of the number of SC/ST candidates selected in various categories/posts, after such revisions during the last five years. The Committee further note that until now, the BSNL has followed the process of advertising the reserved posts in the Employment News and in the leading national/regional newspapers only. The Committee opine that in order to reach out to a wider section of the SC and ST people, the services of All India Radio and Doordarshan should also be used for dissemination of recruitment related information. Besides, copies of such advertisements may also be forwarded to Members of the Committee and recognised SC/ST Employees Welfare Associations of the BSNL for sponsoring reserved candidates.
7. 2.34 The Committee note that from the time of formation of BSNL on 01.10.2000 there is a continuous shortfall in the staff strength of ST category in various groups of posts. It appears that no initiative was undertaken by the Department of Telecommunications (DOT) and BSNL to make up this shortfall. The Committee feel that to ignore the existence of shortfall for a considerable period is a great loss of employment opportunity to many aspiring ST candidates. It can be construed as sheer negligence on the part of the BSNL and DOT and cannot be overlooked. The Committee desire to know as to why this shortfall of ST category has not been addressed properly during the last 8 years by the BSNL and DOT. The Committee also urge the BSNL and DOT to chalk out a strategy to fill up these shortfall of ST category in various groups of post at the earliest and apprise the Committee of the action initiated in this regard within three months of the presentation of this report to Parliament.
8. 2.44 The Committee note that BSNL has separate provisions of its own for regulating promotions to various posts since Recruitment Rules for certain posts have already been framed. The Committee have been provided with information in regard to promotions effected in case of All India Executives cadre during the years 2004 to 2007 (31.3.2007) only, whereas in case of other categories, it has been stated that promotions in case of posts like JTO/TTA, etc. are completely decentralised and made at the Circle/SSA level spread all over India as per Recruitment Rules in respective cadres and as per Government directives. The Committee are, however, surprised by the irresponsible reply of the Ministry that since these cadre promotions are completely decentralised, as per practice no

records' in this connection are maintained in the BSNL (HQ) till date. The Ministry and the BSNL cannot escape from their responsibility and are equally accountable for what is happening in different Circles/SSA to ensure that reservation orders for SCs and STs as prescribed, are being maintained in all the offices under their control. The Committee, therefore, strongly recommend that BSNL should obtain the information for the last 5 years on promotion, recruitment and staff strength, etc. from all the Circles and start maintaining the record of the same at the Headquarters to ensure proper reservation order for SCs and STs and submit the same to the Committee within three months of the presentation of this Report to Parliament.

9. 2.45 The Committee also recommend that promotion policy for non-executive cadres should also be finalised expeditiously and should provide for necessary reservation for SCs and STs.
10. 2.46 The Committee also observe that no promotion was made in the post of JAO in the years 2004, 2005 and 2007 due to pendency of court cases. It has been stated that the same will be filled up after finalisation of court cases. It has further been stated that promotion to the grade of AO could not be held in the years 2006 and 2007 due to non-availability of vacancies and eligible officers belonging to SC/ST categories. However, DPC was under process to fill up the newly sanctioned post under Man Power Plan 2007. The Committee again stress that earnest action should be taken to get the pending court cases finalised expeditiously so that the promotion process could be given a momentum. The Committee should also be apprised of the progress made by the DPC to fill up the newly sanctioned post under Man Power plan 2007.
11. 2.47 The Committee note that the reasons for the shortfall of 12 SCs and 13 STs in JAO posts in 2006 was due to non-availability of eligible SC/ST candidates to fill up the vacancies even after relaxing the qualifying standard for the reserved candidates in the departmental competitive examination conducted in 2006. Likewise, the reasons for the shortfall of 42 SC and 21 ST candidates in AO category is also due to non-availability of eligible candidates in the feeder grade, i.e. JAO cadre. It has further been stated that vacant posts in AO cadre will only be filled when eligible officers belonging to SC/ST categories are available. It is, thus, clear that the main reasons for shortfall in promotion is due to non-availability of eligible SC/ST candidates in the feeder grades. Therefore, as long as the problem of non-availability of reserved candidates in the feeder grades is not solved, the problem of shortfall in promotion will always remain in all groups of posts. The only way to overcome the

undesirable problem of shortfall in promotions is to have sufficient numbers of eligible candidates in the feeder grades for appointments/selections. The Committee, therefore, recommend that to ensure sufficient numbers of SC/ST candidates are available in many feeder grades for promotion, the BSNL in consultation with the Department of Telecommunications should take stock of this peculiar situation and accordingly amend the rules and regulations governing recruitments and promotions. The Committee further recommend that the Ministry/BSNL should also see whether the promotional quota can be converted into direct recruitment quota temporarily in view of Department of Personnel and Training O.M. No. AB 14017/30/89-Estt.RR New Delhi the 10 July 1990. The Committee should be apprised of the measures taken to fill up the shortfall in promotions within three months after presentation of this Report.

12. 3.4 The Committee note that the Ministry have provided consolidated information with regard to in-service training given to SC/ST employees without mentioning the category of posts for which such training was imparted. Nevertheless, the percentage of SC/ST employees who are imparted in-service training is not adequate. The Committee recommend that the BSNL should provide in-service training to SC/ST employees in all categories of posts, at least as per prescribed quota. The Committee should also be provided with the break up of in-service training provided during the years 2004, 2005, 2006, 2007 and 2008 in all categories of posts.
13. 3.10 The Committee note that the number of SC/ST employees sent on foreign training is very less even though the selection/nomination of candidates for such training is done by the Screening Committee. It appears that the BSNL is not keeping abreast with the various guidelines issued by the DOP&T regarding nomination of SC/ST officers for attending seminars, conferences and training programmes abroad. The Committee are of the view that undergoing various training programmes abroad would enable the SC/ST officers to broaden their outlook and also help in capacity building of the individuals officers. It would also boost their moral and motivate them to work harder. The Committee strongly believe that BSNL would keep the assurance given during evidence. The Committee, therefore, recommend that at the time of nominating officers for training abroad, preference should be given to SC/ST officers and their cases should be considered more sympathetically so that they don't feel left out.

14. 3.13 The Committee note that instructions for conducting pre-recruitment training for SC/ST candidates appearing in various direct recruitment/promotion examinations were issued on 28.08.2006 to all the Heads of Telecom Circles/Districts. The Committee, however, note that so far no pre-recruitment training has been implemented. It has been reported that BSNL are contemplating of helping SC/ST candidates appearing for direct recruitment examination for the posts of TTA, JTO and JAO. The Committee recommend that BSNL should expeditiously implement their instructions issued for imparting pre-recruitment training to SCs and STs appearing for different recruitment examinations.
15. 3.19 The Committee note that CLO(SCT) inspected the rosters of CSS cadres of BSNL Headquarters in February and June, 2008. The Committee however, note that there is no mention of inspection of rosters of Technical and Finance and Accounts cadres up to STS level during the same period. The Committee would, therefore, like to know the reasons as to why the rosters of those two cadres were not inspected. The Committee recommend that the Liaison Officers nominated in the Ministry and BSNL should conduct annual inspection of rosters in the respective offices under their charge vide Department of Personnel & AR No.3611/1/76-Estt.(SCT) dated 06.03.1976. The Committee also recommend that record of the inspections made and of inspection reports should be properly kept since the Committee note that mistakes were noticed in almost every circle. The Committee further note that inspection of rosters has not been conducted by designated Liaison Officer in the Ministry. Instead, it has been carried out by a very junior level officer. The Committee recommend the Ministry and BSNL to follow the Government's directives on the subject in letter and spirit.
16. 3.30 The Committee note that SCT Cell set up in the headquarters and regional/ zonal/circle offices perform many duties to help the Liaison Officer appointed in respective offices. However, no mention has been made about the duty in regard to preparation before DPC. It has been required under Department of Personnel & AR O.M. No. 36011/22/82-Estt(SCT) dated the 18.8.1983 that Liaison Officer has to acquaint himself well in time about the dates of various DPCs which will be held in future, to have a ready list of officers of various levels belonging to SC/ST of a few sister Departments/Ministries. The Liaison Officer is required to prepare a list by informally consulting the administrative wings of other Ministries/Departments to be associated whenever

requirement arises to be associated as a member of DPC. The Committee, therefore, recommend that Liaison Officer should follow this order in letter and spirit. The Committee would also like to stress upon the importance of a Liaison Officer as an institution to watch the interest and welfare of the SCs and STs. Knowing this, the DOP&T has made it mandatory for all Ministries/Departments and establishments/offices under its control to have an officer of the rank of Deputy Secretary to Government of India as Liaison Officer to head the SCT Cells. The Committee are of the view that since the Liaison Officer is appointed to ensure due compliances of orders and instructions pertaining to reservations of vacancies in favour of SCs/STs, he should not be overburdened with other official works.

17. 4.6 The Committee are surprised to note that the reason for not making payment of Productivity Linked Incentives (PLI) for the year 2003-04 and 2004-05 to unabsorbed employees, who are on deemed deputation in BSNL, are not furnished and it has only been stated that the proposal for payment of the same is under consideration. However, it was noted that payment of PLI for the year 2006-07 was already made to unabsorbed employees. The Committee are of the view that if payment of PLI for the year 2006-07 has already been made, payment of the same for the earlier years should not be denied and delayed under any circumstances. Moreover, such payments are based on productivity/performance of the employees. The Committee understand that deputationists comprise of SCs/STs also and therefore, recommend that decision to pay the PLI to all eligible unabsorbed employees for the years 2003-04 and 2004-05 should be expedited without any further delay.
18. 4.10 The Committee note that BSNL have been receiving large number of applications for appointment on compassionate grounds. The number of cases received from SC/ST families during the years 2004-05, 2005-06, 2006-07 and 2007-08 were 423, 479, 505 and 500, respectively. The number of SCs/STs who were beneficiaries during the same period were 218, 87, 126, and 262, respectively. It is a matter of great concern that as on 31.03.2008, there were 3419 cases still pending for consideration by the BSNL out of which 1199 cases pertained to SCs/STs. The Committee regret to note that a large number of SC/ST applicants are waiting for appointment on compassionate grounds. The Committee desire that the process of appointment on compassionate grounds should be expedited and accorded priority as many of these SC/ST families waiting for compassionate appointments would belong to lower income groups with no other means of livelihood. The Committee,

therefore, recommend that the BSNL should explore the feasibility of filling up the shortfall of SCs/STs in its staff strength from eligible SC/ST candidates whose applications are pending for appointment on compassionate grounds.

19. 4.16 The Committee note that a total of 62 instances of securing employment on the basis of false caste certificates had been detected by BSNL during the years 2004, 2005, 2006 and 2007. The instance of having 62 cases of false caste certificates in an organisation reflects the lapse on the part of the Management to curb these menace at the initial stage of appointment. The Committee are not satisfied with the steps taken by the Management to expedite the finalisation of these cases. As regards filing of criminal proceedings against the culprits, it has been informed that most of the cases are either sub-judice or departmental proceedings have been initiated and that further action can be taken only after final outcome of these cases. BSNL should be aware of the recent judgement given by the Supreme Court regarding dismissal of a bank employee who joined the service in the bank by producing false caste certificate. Recognising the gravity of the issue of getting employment on the basis of false caste certificates, the apex court had stated that such persons do not deserve any sympathy or indulgence of the court because a person, who enters the service by producing a false caste certificate and obtains appointments for the post meant for SCs/STs/OBCs deprives a genuine candidate falling in either of the said categories of appointment to the post. The Apex Court ruling further says that equity, sympathy or generosity have no place where the original appointment rest on a false caste certificate. The Committee are, therefore, of the view that it is very essential for the Management to take more pro-active steps than before. The Committee are also of the view that the menace of false caste certificate could be effectively checked at the time of initial appointment by proper verification of documents by the appointing authority with the help of a Liaison Officer for SC/ST who should be an expert on the subject. The Committee, therefore, recommend that in cases where the Departmental proceedings are going on, the same must be conducted on day-to-day basis for expeditious finalisation of the cases and in cases which are pending in courts, the Management should implead itself as a party and actively pursue the matter for getting the stay vacated and for early hearing and decision. The Committee also recommend that for cases pending before the District Authorities for verification, the matter should be pursued vigorously by fixing date for early disposal by the District authorities. The Committee also urge

the Management to seek quarterly progress report indicating action taken on the basis of the above instructions from the concerned Telecom Circles/Districts Officers and to give necessary advice and guidance, if need be.

20. 4.21 The Committee appreciate that BSNL has sufficient quarters in most of its units for allotment to its employees. Making available proper and decent accommodation is one area where SC/ST people have faced difficulty in many organisations and departments. The Committee feel that SC/ST employees of BSNL will not have to worry about residence in their places/units of posting. The Committee, therefore, urge the Ministry and the Management of BSNL to vigilantly oversee the various process of allotment of accommodations so that SC/ST applicants do not suffer due to unnecessary delay in allotment.
21. 4.27 The Committee note that the Chief Liaison Officer at headquarters and Liaison Officers and Deputy Liaison Officers at Circle and SSA level, respectively are looking into the complaints of SCs and STs for redressal of their grievance. The Committee are happy that BSNL has been able to dispose of all the cases of complaints and grievances received during the years 2004, 2005, 2006 and 2007. The Committee should be apprised whether all the complaints/grievances were disposed of to the full satisfaction of the aggrieved SC/ST employees. The Committee should also be apprised of the details of grievances/complaints received and disposed of during the year 2008.
22. 4.29 The Committee are surprised to learn that instances of discrimination and harassment of SC and ST employees on grounds of social origin are still there in BSNL. Such incidents should be condemned and not allowed to thrive. The Committee, therefore, recommend that the Management of BSNL should take strict measures for safeguarding SC/ST employees from discrimination and humiliation for no fault of theirs by the employees of other castes, superiors and colleagues. The Committee also desire that punitive action against perpetrators of harassment/ discrimination on grounds of caste should be taken immediately under Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 on receipt of such report.

23. 4.34 The Committee appreciate the measures taken by the Management of BSNL to unite various groups of SC/ST Employees Associations under one forum. The Committee had always advised that every organisation should have a united SC/ST Employees Association so that the machinery for redressal of grievances/complaints of SC/ST employees are routed and redressed through this system. It is for this reason that in many of the study visits, the Committee always urged leaders of various SC/ST associations to be united so that the Management could address and redress their grievances through this channel. The Committee urge the Management to provide proper office accommodation with essential infrastructures such as furniture, telephones, computers, etc. to recognised SC/ST Employees Association not only at the Headquarters but also at zonal/regional offices. The Committee also stress that periodical meetings should be held with the SC/ST Employees Association and minute of such meetings be circulated to them. If requested, they should also be allowed to examine the rosters of the employees' periodically. The Committee also desire that the office bearers of association should not be subjected to frequent transfer and postings keeping in view their commitment for the welfare of their fellow employees. The Committee also desire that a representative of SC/ST employees association should be invited to attend the meeting called by the Management whenever an important discussion on SC/ST related matter is to take place. In case of conflicting views on any SC/ST related matter, the Management should not adopt a bipartisan attitude. Rather, it should ensure that the matters of consideration/discussion are settled to the satisfaction of the SC/ST employees. The Committee also desire that the management should always guide and assist the SC/ST association as its own protégé for the healthy growth of the Corporation.
24. 4.37 The Committee note that thirty-five percent of SCs and STs had been trained in the workshops conducted on reservation policy during the years 2006 and 2007. The number of SC/ST candidates nominated for attending workshops on reservation related subjects organised by BSNL should be enhanced by nominating SC/ST candidates drawn from various offices of BSNL, spread across the country. The details of participants of such trainings should be maintained so that they can be picked up for posting in SCT Cells as Liaison Officers and support staff. The Committee, therefore, recommend that a profile of all candidates nominated from various offices for attending such workshops should be maintained so that they can be easily picked up for posting in SCT Cells in times of need.

25. 4.40 The Committee note that BSNL hire individual/firms/companies, etc. on contract/tender basis for execution of various projects across the country. The Committee note that at present there is no provision for preferential treatment for SCs/STs in the matter of allotment of contract. There might not be reservation and proper guidelines in allotment of contracts/tenders to individuals/firms/companies, but as a matter of social justice and concern for the socio-economic development of SC/ST communities, the Committee feel that a certain share of works/contracts should be allotted to SC/ST contractors/individuals/firms/companies. The Committee, therefore, recommend that the BSNL should take lead and in consultation with the Ministry, should formulate guidelines in this regard for the welfare of SC/ST communities.
26. 4.51 The Committee note that BSNL has a Tribal Sub-Plan (TSP) for development of telecom network in tribal areas of the country for the socio-economic development of tribal people. On perusal of the details of expenditure incurred under TSP during the financial years 2002-03, 2003-04, 2004-05, 2005-06 and 2006-07, the Committee note that the funds allocated for the schemes had not been completely spent, except during the years 2004-5 and 2005-06. The Committee would like to know the reasons as to why the allocated funds during the years 2003-04 and 2006-07 were not utilised. The Committee recommend that BSNL Management should endeavour to utilise the entire allocated fund during a year to implement schemes/plans for the tribals. Not utilising the allocated fund during the year would imply lack of interest and reflect inefficiency on the part of the administrative machinery towards implementation of plans for the development of tribals.
27. 4.52 The Committee also note that the BSNL has finalised a scheme under the corporate social responsibility for the State of Assam costing rupees one crore. The Committee recommend that the BSNL should draw out schemes/projects under the TSP for all States/UTs, wherever applicable, so that the fund allocated for the purpose are fully utilised. The Committee should be apprised of the details of the scheme undertaken in Assam under the Corporate Social responsibility of the BSNL.

28. 4.53 The Committee regret to note that no funds have been earmarked for Scheduled Caste communities under the Scheduled Castes Sub-Plan (SCSP). The Committee would like to know as to why no funds have been allocated for the scheduled castes under the SCSP. The Committee recommend that separate funds for development of SCs under the Scheduled Castes Sub-Plan (SCSP) should be earmarked not only in BSNL but also in the Ministry as per the percentage of SC population of the State and as per the guidelines issued by the Planning Commission on the subject.