

COMMITTEE ON THE WELFARE OF
SCHEDULED CASTES AND
SCHEDULED TRIBES

(2005-2006)

(FOURTEENTH LOK SABHA)

EIGHTH REPORT

ON

MINISTRY OF URBAN DEVELOPMENT

Reservation for and Employment of Scheduled Castes and Scheduled
Tribes in Central Public Works Department (C.P.W.D.).

Presented to Lok Sabha on 21 December, 2005

Laid in Rajya Sabha on 21 December, 2005

LOK SABHA SECRETARIAT
NEW DELHI

21 December, 2005/ 30 Agrahayana, 1927(Saka)

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SCHEDULED CASTES AND SCHEDULED TRIBES (2005-2006)**

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| 5. | Ms. J.C. Namchyo | - | Under Secretary |

INTRODUCTION

I, the Chairman, Committee on the Welfare of Scheduled Castes and Scheduled Tribes having been authorised by the Committee to finalise and submit the Report on their behalf, present this Eighth Report (Fourteenth Lok Sabha) on the Ministry of Urban Development – Reservation for and Employment of Scheduled Castes and Scheduled Tribes in Central Public Works Department (CPWD).

2. The Committee took evidence of the representatives of the Ministry of Urban Development and Central Public Works Department (CPWD) on 4th March, 2003. The Committee wish to express their thanks to the officers of the Ministry of Urban Development and CPWD for placing before the Committee the material and information the Committee desired in connection with the examination of the subject.

3. Draft Report was considered and adopted by the Committee on 14th December, 2005.

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

NEW DELHI;
08 December, 2005
17 Agrahayana, 1927(Saka)

DR. SATYANARAYAN JATIYA,
Chairman,
Committee on the Welfare
of Scheduled Caste and
Scheduled Tribes.

CHAPTER I

INTRODUCTORY

A. Genesis and Brief History

1.1 The genesis of the Central Public Works Department (CPWD) can be traced back to the 19th century under the British Rule, when the Public Works Department was created in 1863. The Department acquired size and stature in 1911 when it played a key role in the creation of infrastructure for shifting the National Capital from Calcutta to Delhi. Between 1914 and 1932, the Department constructed monumental buildings like the Rashtrapati Bhawan, North and South Blocks and the Parliament House which formed the nucleus for the subsequent growth of New Delhi.

1.2 The Public Works Department formally started functioning as the Central Public Works Department (CPWD) on 1 April, 1930. The primary objective of the Department is to construct and maintain Central Government buildings and projects except those belonging to the Ministries of Railways and Defence.

B. Organisational Set-up

1.3 The organisational set-up of the CPWD has undergone changes over the years as a result of increase in workload. A number of new circles / divisions were added and post of Chief Engineer was also created to cope up with the increase in construction activities.

1.4 The Department is headed by the Director General (Works) in the scale of Secretary to Government of India. At present 9 Additional Director Generals (ADGs) and 60 Chief Engineers (CEs) assist the Director General (Works) in effective control of works and in administrative matters. The Department has been divided into 7 regions including Delhi PWD.

- (i) ADG (S & P) (Headquarters, Delhi) is in charge of works under New Delhi Region. Chief Engineers and Directors help him in looking after the function of the Headquarters with regard to Vigilance and Personnel matters.
- (ii) ADG (TD) (Headquarters, Delhi) looks after the works under Delhi Region. Three CEs also help him in looking after the functions of the Headquarters with regard to design, contract, standards and specifications, quality control functions and consultancy services.
- (iii) ADG (NR) (Headquarters, Delhi) is responsible for the works under Northern Region comprising the States of UP, Punjab, Haryana, Himachal Pradesh, Rajasthan, Jammu and Kashmir, Union Territory of Chandigarh and National Capital Region excluding NCT of Delhi.
- (iv) ADG (WR) (Headquarters, Mumbai), is responsible for the works under Western Region comprising the States of

Maharashtra, Madhya Pradesh, Goa, Gujarat and Union Territory of Dadra and Nagar Haveli.

- (v) ADG (ER) (Headquarters, Kolkata), is responsible for the works under Eastern Region comprising the States of West Bengal, Bihar, Sikkim, Orissa and North Eastern States.
- (vi) ADG (SR) (Headquarters, Chennai), is in charge of works in Southern region comprising the States of Tamil Nadu, Andhra Pradesh, Karnataka, Kerala and the Union Territories of Pondicherry, Andaman & Nicobar Islands and Lakshadweep Islands.
- (vii) ADG (Border) (Headquarters, Delhi) co-ordinates the activities of various organisations, namely, the CPWD, Assam PWD and West Bengal PWD involved in construction of Border Fencing Roads and Lighting System along Indo-Bangladesh and Indo-Pak Borders.
- (viii) ADG (Arch.) (Headquarters, Delhi) acts as adviser to the Ministry of Urban Affairs and Employment on matters of Architectural Planning within the country and Indian Embassies in other countries.
- (ix) ADG(Training) (Headquarters, Delhi) looks after the training needs of the officers and staff in the Department and Human Resource Development. The Department has a full-fledged Training Institute located at Ghaziabad apart from Regional

Training Institutes at Delhi, Mumbai, Chennai and Kolkata. The Training Institute at Ghaziabad is a National Level Training Institute which also imparts training to other departments like State PWDs apart from officers of the Central PWD.

- (x) Engineer-in-Chief (PWD) (Headquarters, Delhi) looks after the public works of National Capital Territory of Delhi handled by the CPWD.
- (xi) The CPWD also assists the Income Tax Department through two Valuation Units headed by Chief Engineers one each at Delhi and the other at Chennai and seven Chief Engineers (Appropriate Authority) one each at Delhi, Kolkata, Mumbai, Chennai, Bangalore, Lucknow and Ahmedabad along with other officers and staff of the CPWD working in the Income Tax Department.
- (xii) The Ministry of Environment and Forests have also created a Civil Construction Unit headed by a Chief Engineer and have encadred this unit with CPWD. Thus, the CPWD also helps the Ministry of Environment and Forests in their projects.

1.5 To achieve excellence in operations, the CPWD has the under-mentioned specialised units :-

- (i) Central Design Organisation.

- (ii) Training Institute
- (iii) Landscape and Horticulture Unit
- (iv) Standards and Specifications Unit
- (v) Contracts and Manual Unit
- (vi) Technology Application and Development Cell
- (vii) Consultancy Cell
- (viii) Techno-legal Cell
- (ix) Quality Assurance Wing
- (x) Architectural Documentation Centre
- (xi) Central Testing Laboratory
- (xii) Computer Centre
- (xiii) Repair and Rehabilitation Cell.

1.6 Regional offices have been divided into zones headed by Chief Engineers. Each zone comprises of Circles headed by Superintending Engineers. Further each circle comprises of Divisions headed by Executive Engineers. Each division has further been divided into sub-divisions under the charge of an Assistant Engineer. Thus the Department has been divided into 7 regions including Delhi PWD. These regions have further been sub-divided into 26 zones, 81 circles and 305 divisions.

C. Reservation Orders

1.7 The Committee have been informed that Reservation Rules are in force in the CPWD ever since the Ministry of Home Affairs had issued Resolution No. 42/21/49 NGS dated 13 September, 1950, which provided for 12½% reservation for Scheduled Castes and 5% reservation for Scheduled Tribes to posts filled by direct recruitment through open competition. The percentage applicable for recruitments made other than by open competition was 16-2/3% for Scheduled Castes. The subsequent Resolution of the Ministry of Home Affairs vide No. 27/25/68 Estt. (SCT) dated 25.3.1970 increased the percentage to 15% and 7½% for Scheduled Castes and Scheduled Tribes respectively. All the subsequent reservation related instructions issued from time to time were also applicable to the Department. The Committee have also been informed that the above Reservation Rules were also applicable to the regional offices.

1.8 When asked whether any SC/ST officer was ever appointed to the post of DG and ADG, the Committee were informed through written reply that only one officer belonging to the Scheduled Caste community had been appointed to the post of ADG(Arch.) who has since retired from service on 30.4.2002.

1.9 As per the updated information furnished to the Committee by the Ministry on 5.12.2005, the overall category-wise percentage achieved for SCs/STs in CPWD is as under:-

| Category | % age SC | % age ST |
|-----------------|-----------------|-----------------|
| Engineering | 17.45 | 5.49 |
| Architecture | 10.68 | 2.27 |
| Horticulture | 16.76 | 5.30 |
| Ministerial | 18.17 | 3.49 |
| Gr. D Regular | 35.60 | 3.55 |
| Work-charged | 22.25 | 2.97 |
| Over all | 21.61 | 3.57 |

1.10 The Committee have been informed that reservation in promotion is applicable up to the level of Executive Engineers/Architects/Deputy Directors (Horticulture) i.e. the lowest rung posts in Class I Service.

1.11 The Committee have been apprised that the Reservation Rules are in force in the CPWD since the time Resolution No. 42/21/49 NGS of the Ministry of Home Affairs providing for reservation of 12 1/2% and 5% for the Scheduled Castes and the Scheduled Tribes respectively in direct recruitment through open competition was issued on 13 September 1950. In case of recruitment made other than by open competition, there was a provision for 16 2/3% reservation for the Scheduled Castes in the Department but there is no mention of such provision for the Scheduled Tribes. Subsequently, the Resolution of the Ministry of Home Affairs dated 25 March 1970 provided for reservation of 15% and 7 1/2 % for the Scheduled Castes and the Scheduled Tribes respectively. Despite the claim of the Department that they have been enforcing the Reservation Rules since 1950, the Committee note that the required percentage of the Scheduled Tribes has not been achieved in all groups of employees as per the data furnished. Not providing reservation for the Scheduled Tribe community in recruitment made by other than by open competition might perhaps be one of the basic reasons for the shortfall in intake of Scheduled Tribe employees. The Committee, therefore, recommend that the Department should ensure proper implementation of the extant rules in future recruitment so that the requisite percentage of reservation for SCs/STs is achieved/maintained.

1.12 The Committee have been apprised that the Department is presently headed by the Director General (Works) and that he is being assisted by 9 Additional Director Generals (ADGs) and 60 Chief Engineers (CEs) for effective control of works and in administrative matters. The Committee are, however, dismayed by the fact that the CPWD, one of the oldest departments of the Union Government, can boast of having only one Scheduled Caste officer who occupied the post of ADG (Arch). The Committee feel that it is high time that the Union Government should ensure implementation of reservation orders in such a way that more number of SCs/STs are available to occupy higher posts of AD (G) and D.G.

D. Liaison Officer and Cell

1.13 The Committee were apprised through a written reply that the Liaison Officer has been in existence in the CPWD for several years. The Committee were also apprised that the present Liaison Officer is of the rank of Senior Architect, which is equivalent to the grade of Director in the Ministry and that he belonged to ST category. On enquiry, whether any SC/ST Cell exists in the CPWD, the representative of the Ministry stated that there is no Cell but, that two posts have been sanctioned for the Cell. It has also been reported that the present Liaison Officer is discharging his duty with the assistance of a LDC.

1.14 The function of the Liaison Officer in the CPWD is to inspect post based rosters, calculation of SC/ST vacancies as also to ensure that the norms laid down for filling up of the SC/ST quotas are being adhered to. He is also required to inspect field offices in Delhi and outside for this purpose. He also has to examine complaints made by SC/ST employees and to suggest remedial measures.

1.15 The Committee are surprised to note that no SC/ST Cell exists in CPWD although two posts have been sanctioned for the Cell and that the post of Liaison Officer has been in existence for several years. The Committee however, feel that as far as the welfare of the SCs/STs is concerned, it is imperative to have a proper SC/ST Cell manned by competent officials. The Committee note that the designated Liaison Officer is stated to be acting as a liaison between the Department and the SC/ST employees with the help of only one LDC. The Committee feel that with meagre staff and other facilities, it would be difficult for him to do any justice to his work. The Committee, therefore, strongly recommend that the CPWD should create a SC/ST Cell immediately with adequate staff of appropriate level who are well conversant with orders/circulars of the Government regarding reservations of SCs/STs in services.

CHAPTER II

RECRUITMENT AND PROMOTION

A. Recruitment Procedure

(i) Engineering/Architecture/Horticulture/Ministerial

2.1 The procedure followed in regard to recruitment to various categories of posts in the cadres of Engineering / Architecture/ Horticulture/ Ministerial in Central Public Works Department is as under:-

(i) Engineering cadre

| S.No. | Name of Posts | Method of Recruitment | DPC Member |
|-------|---------------|---|--|
| 1. | DG(W) | 100% by promotion from the Gd. Of ADGs. By DPC in UPSC on selection basis. | i) Chairman/Member-UPSC - Chairman ii) Secretary, M/o UD&PA - Member iii) Secy. M/o Surface Transport - Member |
| 2. | ADG(W) | 100% by promotion from CEs by DPC | i) Chairman/Member-UPSC - Chairman ii) Secretary, M/o UD&PA - Member iii) DG(W), CPWD - Member |
| 3. | CEs(C&E) | 100% by promotion from SE(C&E) respectively by DPC in UPSC on selection basis. | i) Chairman/Member-UPSC - Chairman ii) Secretary, M/o UD&PA - Member iii) Spl. Secy/AS(UD), M/o UD&P - Member |
| 4. | SEs(C&E) | 100% by promotion from EE(C&E) from EES respectively by DPC in UPSC on selection basis. | i) Chairman/Member-UPSC - Chairman ii) DG(W)/ADG(W) - Member iii) AS/JS/ M/o UD&PA - Member |
| 5. | EEs(C&E) | a) By promotion 67% from AEs by DPC held in UPSC. b) 33% from AEEs by DPC held in Ministry on seniority-cum-fitness basis. | From AEs to EEs. i) Chairman/Member-UPSC - Chairman ii) JS M/o UD - Member iii) DG(W)/ADG(W) - Member From AEEs to EEs. i) DG(W), CPWD - Chairman ii) JS M/o UD - Member iii) Director/Dy. Secy - Member M/o UD. |
| 6. | AEEs(C&E) | 100% by direct recruitment through exam conducted by UPSC. | - |
| 7. | AEs(C&E) | a) 50% from JE by Limited Departmental Competent Exam. conducted by Department. b) 50% by promotion from JEs by DPC | i) ADG (S&P) - Chairman ii) Chief Engineer - Member iii) Director Admn. - Member |

| | | | |
|--------------------------------|------------------------------|--|--|
| 8. | JEs (C&E) | a) Direct recruitment 97% through All India Competitive Exam. held by CPWD. b) Promotion 3% through Departmental Exam. open to work charged and regular employees. | |
| (ii) Architecture Cadre | | | |
| 9. | ADGs(Arch.) | By promotion or on contract basis from C.A. by DPC held in UPSC on selection basis. | i) Chairman/Member-UPSC - Chairman ii) DG(W) - Member iii) Secy. M/o UD - Member |
| 10. | Chief Arch. | 100% by promotion from SAs by DPC held in UPSC on selection basis. | i) Chairman/Member-UPSC - Chairman ii) DG(W) - Member iii) ADG(Architect) - Member |
| 11. | Sr. Arch. | a) 75% by promotion from Architects by DPC held in UPSC on selection basis. b) 25% direct recruitment by interview conducted by UPSC. One department Member is also associated. | i) Chairman/Member-UPSC - Chairman ii) JS MUD&PA - Member iii) ADG(Arch.)/C.A. - Member |
| 12. | Architects | a) By promotion 50% from Dy. Arch. by DPC held in Ministry on seniority cum fitness basis. b) 50% from Asstt. Arch. by DPC held in UPSC on selection basis. | i) JS MUD&PA - Chairman ii) ADG(Arch.)/C.A. - Member i) Chairman/Member-UPSC - Chairman ii) JS MUD&PA - Member iii) ADG(Arch.)/C.A. - Member |
| 13. | Dy. Architects | 100% direct recruitment by interview held in UPSC. One Departmental Member is associated. | N.A. |
| 14. | Asstt. Arch. | a) 25% by promotion from Arch. Asstt. b) 75% by direct recruitment through UPSC. | a i) ADG(S&P) - Chairman ii) Chief Engineer (P&S) - Member iii) Director Admn. - Member |
| 15. | Chief Estimator | 100% by promotion from Draughtsman Grade-I | i) Director Admn. - Chairman ii) Dy. Secy. MUD - Member iii) SSW, CPWD - Member |
| 16. | T.O. | 100% promotion from Asstt.(AD). | i) DG(W) - Chairman ii) Chief Arch. - Member iii) Dir(W) MUD - Member |
| 17. | Arch. Asstt./ Asstt. A.D. | Direct recruitment through Employment Exchange | |
| 18. | Ferro Printer | a) 75% by direct recruitment failing which by transfer. b) 25% by promotion from Khallasis. | i) SE(Coord) - Chairman ii) SE(Planning) - Member iii) SE - Member |

| | | | |
|---------------------------------|---------------|--|--|
| 19. | D'man Gd. III | a) 95% direct recruitment. b) 5% by promotion from Ferro Printers | i) SE(Coord) - Chairman ii) SE(Planning) - Member iii) SE - Member |
| 20. | D' Man Gd. II | By promotion from D man Gd. III failing which by direct recruitment | i) SE(Coord) - Chairman ii) SE(Planning) - Member iii) SE - Member |
| 21. | D'man Gd. I | By promotion from D'man Gd. II. | i) SE(Coord) - Chairman ii) SE(Planning) - Member iii) SE - Member |
| (iii) Horticulture Cadre | | | |
| 22. | D.O.H. | 100% promotion from DDH by DPC in UPSC. | i) Member-UPSC - Chairman ii) JS MUD&PA - Member iii) DG(W) - Member |
| 23. | D.D.H. | 100% promotion from AD(H) by DPC in UPSC | i) Member-UPSC - Chairman ii) JS MUD&PA - Member iii) DG(W) - Member |
| 24. | AD(Hort.) | a) 90% by promotion from S.O. (Hort.) b) 10% by Direct recruit through UPSC. | i) ADG(S&P) - Chairman ii) Chief Engineer(P&S) - Member iii) Director Admn. - Member |
| 25. | S.O.(Hort.) | 100% direct recruitment. | |
| (iv) Ministerial Cadre | | | |
| 26. | O.S. Gd. I | 100% by promotion from O.S. Gd. II | i) Chief Engineer - Chairman ii) Director Admn. - Member iii) Dy. Secy. - Member |
| 27. | O.S. Gd. II | 100% by promotion from Head Clerk | i) Director Admn. - Chairman ii) Dy. Secy. - Member iii) Dy. Director Admn. - Member |
| 28. | Head Clerk | a) 50% Departmental Exam. b) 50% by promotion from UDC on seniority basis. | i) S.E.(coord) - Chairman ii) SE(Civil) - Member iii) SE(Elect.) - Member |
| 29. | UDC | a) 62/1/2% Departmental Exam. b) 37/1/2% by promotion from LDC on seniority basis. | i) SE(Coord) - Chairman ii) SE(Civil) - Member iii) SE(Elect.) - Member |
| 30. | LDC | a) 70% direct recruitment through Staff Selection Commission. b) 5% by promotion on seniority from Gr. D' c) 5% by promotion through Exam. from Gr. D' d) 20% from Central Govt. offices. | i) SE (Coord) - Chairman ii) SE(Civil) - Member iii) SE(Elect.) - Member |
| 31. | Steno. Gd. I | 100% by promotion from Steno. Gd. II | ADG - Chairman Dy. Secy. - Member Dy. Director Admn. - Member |
| 32. | Steno. Gd. II | 100% promotion from Steno. Gd. III. | i) SE(Coord) - Chairman ii) SE(Civil) - Member iii) SE(Elect.) - Member |

| | | | |
|-----|------------------------------|---|--|
| 33. | Steno. Gd III | Direct recruitment through S.S.C. | |
| 34. | Accountant | 100% Deputation | |
| 35. | Financial Assistant | 100% Deputation | |
| 36. | Financial Officer | Appointed by the Ministry of Finance. | |
| 37. | Staff Car Driver | Appointed by the Ministry of UD&PA | |
| 38. | D.D(OL) | Appointed by the Dept. of O.L. | |
| 39. | A.D(OL) | Appointed by the Dept. of O.L. | |
| 40. | AD(OL) Sub. Cadre Region 'A' | 100% by promotion from Jr. Hindi Translators | i) CE(P&S) - Chairman ii) Dy. Secy.M/o UD&PA - Member iii) Director Admn. - Member |
| 41. | Sr. Hindi Translator | Appointed by the Dept. of O.L. | |
| 42. | J.H.T. | Appointed by the Dept. of O.L. | |
| 43. | Proof Reader (Hindi) | 100% Deputation | |
| 44. | J.H.T.(Sub. Cadre) | By examination from willing LDCs | |
| 45. | Superintendent C.W. Board | 100% Deputation | |
| 46. | Work Asstt. | 25% DR failing which on transfer from other categories. 75% by transfer from other categories fulfilling prescribed conditions. | |
| 47. | Gr. 'D' Staff | From candidates sponsored by Surplus Cell of M/o Labour, Local employment exchanges and by inviting application through open advertisement or by promotion. | Composition of DPC not provided Ref. EC VII Section O.M. No. 27/3/01 dated 12.7.01 |
| 48. | Peon | Direct rectt. | |
| 49. | Daftry | 100% promotion from Peon. | |
| 50. | Barkandaz | 100% promotion from Peon. | |
| 51. | Sweeper | Direct Rectt. through local Employment. | |
| 52. | Sewerman | Direct Rectt. through local Employment. | |

2.2 The Committee note that the CPWD has set procedures for recruitment of officers and workers in Engineering, Architecture, Horticulture and Ministerial cadres. The Committee note that in the cadre of Architecture, 25% of the posts in the grade of Senior Architect are filled up through direct recruitment by interview conducted by UPSC. However, this provision does not exist in the same grade of other cadres. Since the reservation has been provided to the Scheduled Caste and Scheduled Tribe candidates in case of direct recruitment, the Committee conclude that the element of reservation exists while filling up the post of Senior Architect through direct recruitment. The Committee desire that the same kind of arrangement should be made in equivalent grades of other cadres in Engineering, Horticulture etc. so that suitable Scheduled Caste and Scheduled Tribe candidates, who otherwise cannot make it to the top through promotion on the basis of merit-cum-seniority, but can compete, could also get an opportunity to prove their capability and to reach the higher posts of Additional Director General / Director General during their career.

2.3 The Committee would like to stress that while framing the Recruitment Rules as also the procedures for formation of Departmental Promotion Committees for various categories of posts, the interests of SCs/STs should never be compromised but, if required, the extant rules should be amended or modified suitably so

as to augment the intake of SCs/STs in various categories of posts in CPWD to maintain the requisite percentage.

(ii) **Work-charged Establishment**

2.4 The procedure followed for appointment to the posts of work-charged establishments is as under :-

| S.No. | Category of Post | Method of Recruitment | In case of promotion, the name of Feeder category. |
|-------|-------------------|-----------------------|--|
| 1. | Armature Winder | DR – 50% | |
| | | Promotion-50% ** | Assistant Armature Winder |
| 2. | Beldar | DR – 100% | |
| 3. | Bhandani | Promotion – 100% ** | Beldar |
| 4. | Bhishty | DR- 100% | |
| 5. | Boilerman | DR – 50% | |
| | | Promotion – 50% ** | Khallasi |
| 6. | Cable Jointer | DR-100% | |
| 7. | Caneman | DR- 100% | |
| 8. | Chainman | DR- 100% | |
| 9. | Carpenter | DR-25% | |
| | | Promotion- 75% ** | Beldar |
| 10. | Electrician | DR- 25% | |
| | | Promotion – 75% ** | Wireman, Armature, Winder, Lineman and existing Electrical Works Mistries. |
| 11. | Gharami | DR-100% | |
| 12. | Khallasi (Elect.) | DR-100% | |
| 13. | Lift Mechanic | DR-25% | |
| | | Promotion- 75% ** | Khallasi |
| 14. | Mason | DR-25% | |
| | | Promotion – 75% ** | Beldar |

| | | | |
|-----|--------------------|---------------------|--|
| 15. | Mate | Promotion – 100% ** | Beldar, Khallasi, Mate(non-Elect.) and Cleaner |
| 16. | Mechanic(E&M) | DR- 25% | |
| | | Promotion – 75% ** | Khallasi |
| 17. | Mechanic (AC&R) | DR-25% | |
| | | Promotion – 75% ** | Khallasi |
| 18. | MLD | DR-25% | |
| | | Promotion – 75% ** | Khallasi |
| 19. | Moulder | DR-100% | |
| 20. | Operator (E&M) | DR-25% | |
| | | Promotion – 75% ** | Khallasi |
| 21. | Packer | Promotion-100% ** | Beldar |
| 22. | Painter | DR-25% | |
| | | Promotion – 75% ** | Beldar |
| 23. | Pattern Makers | DR-50% | |
| | | Promotion – 50% ** | Carpenter |
| 24. | Plumber | DR-25% | |
| | | Promotion – 75% ** | Beldar |
| 25. | Sr. Mechanic (E&M) | DR-25% | |
| | | Promotion – 75% ** | Mechanic (E&M) |
| 26. | Sr.Mechanic(AC&R) | DR-50% | |
| | | Promotion – 50% ** | Mechanic(AC&R) |
| 27. | Sr. Operator | DR-50% | |
| | | Promotion – 50% ** | Operator(E&M) |
| 28. | Stocker | Promotion – 100% ** | |
| 29. | Stone Cutter | DR – 100% | |
| 30. | Syce | DR-50% | |
| | | Promotion – 50% ** | Beldar |
| 31. | Tailor | DR – 100% | |
| 32. | Tin Smith | DR-50% | |
| | | Promotion – 50% ** | Asstt. Tin Smith |
| 33. | Turner | DR-50% | |
| | | Promotion – 50% ** | Khallasi |
| 34. | Upholsterer | DR-25% | |

| | | | |
|-----|------------------|---------------------------------------|----------------------------|
| | | Promotion – 75% ** | Beldar |
| 35. | Welder | DR-50% | |
| | | Promotion – 50% ** | Asstt. Welder |
| 36. | Wireman | DR-25% | |
| | | Promotion – 75% ** | Khallasi |
| 37. | Bullockman | DR – 100% | |
| 38. | Mali | DR – 100% | |
| 39. | Sr. Mali | Promotion –100%** | Mali and Bullockman |
| 40. | Choudhury | 100 % only from seniority-cum-fitness | Sr. Mali |
| 41. | Floral Decorator | Promotion – 100% failing which DR | Sr. Mali (Dying category) |
| 42. | Head Gardner | Promotion – 100% failing which DR | Choudhary (Dying category) |
| 43. | Boiler Foreman | Promotion – 100%** | Boilerman |
| 44. | Foreman(AC&R) | Promotion – 100%** | Sr. Mech.(AC&R) |
| 45. | Foreman(Elect.) | Promotion – 100%** | Electrician |
| 46. | Foreman(Mech.) | Promotion – 100%** | Sr. Mech. Or Sr. Optr. |

** The constitution of DPC for promotion of Work-charged Establishment is as under: -

| | |
|-------------------|----------|
| Supdt. Engineer | Chairman |
| Sr. most EE at HQ | Member |
| Any other EE | Member |

Where a Division or sub-division has been declared as an exceptional unit, the DPC consists of the following:-

| | |
|--------------------|----------|
| Executive Engineer | Chairman |
| Sr. most AE at HQ | Member |
| Any other AE | Member |

2.5 During the course of evidence, the representative of the CPWD explained that the 'Work-charged employees' are the workers of the Department whose salaries are charged to works. The posts for work charged employees are created depending upon the nature of works and requirement of the Department for the construction of new buildings/projects. The Committee have also been apprised that these

workers are subsequently absorbed as permanent employees since they continue to work in the maintenance of the infrastructure/complex after the construction work has been completed.

2.6 It was further explained that there is no officer amongst the Work-charged employees. Most of these employees belong to Group D category and only a few employees belong to Group C category. The Committee were also apprised that there is a provision for promotion for Work-charged employees. After training, a Beldar can be promoted to the post of a Mason or a Wireman can be promoted to the post of an Electrician.

2.7 The Committee note that the Work-charged employees are the workers recruited on the basis of the various works and that their salaries are charged to those works. The Committee are of the view that recruiting Scheduled Caste and Scheduled Tribe people at least in the Work-charged category should not be that difficult as the work involved does not require people having higher educational qualification or technical skill. The Committee also recommend that CPWD should give maximum employment opportunities to Scheduled Caste and Scheduled Tribe people in those works which are in such regions where they predominantly reside. The benefit of reservation should be given to these people to the maximum extent at the time of recruitment of Work-charged establishment.

B. Promotion

2.8 The detailed procedure as regard promotion to various posts in the CPWD has been given in Para 2.1 of this report.

2.9 The constitution and composition of Departmental Promotion Committee (DPC) is clearly laid down in the Recruitment Rules for each category under para 2.1 of this report. In the case of Group B and C, Non-Gazetted staff, the DPC consists of Superintending Engineer (SE) (Coord.)/Director (Admn.) and two other Superintending Engineers(SEs)/Deputy Secretary(DS). SE is of the grade of the Director in the Ministry, Government of India. In the case of Work-charged Staff, the DPC consists of SE as the Chairman and two Executive Engineers (EEs) as the Members.

2.10 SC/ST member is also co-opted into DPC wherever there is no regular SC/ST member in DPC. According to DOP&T OM No. 39016/9/(S)/89-Estt.(B) dated 16 August, 1990, it is mandatory to have one member belonging to SC/ST wherever selection is made for 10 or more vacancies in Group C and D posts. The Committee were informed that these instructions are being implemented in CPWD.

2.11 A statement showing the number of persons promoted during the years 1996 to 2000 in various categories of posts separately indicating the number of SC/ST amongst them and also showing the number of Backlog vacancies of SCs/STs is at Appendix-I. Information as to promotion

effected in Group 'C' and 'D' posts in 2001, 2002, 2003 and 2004

furnished to the Committee are as under:-

| Year | Category of post | Total No of employees promoted | No. of employees promoted | | Percentage of | | No. of backlog vacancies/ shortfall | | Percentage of backlog vacancies/ shortfall | |
|------|------------------|--------------------------------|---------------------------|----|---------------|------------------|-------------------------------------|----|--|----|
| | | | SC | ST | SC | Sche duled Tribe | SC | ST | SC | ST |
| 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 | 10 | 11 |
| 2001 | Group 'C' | 153 | 49 | 1 | 32 | 1 | 12 | 36 | 8 | 24 |
| | Group 'D' | 93 | 23 | 3 | 25 | 3 | - | 5 | 8 | 5 |
| 2002 | Group 'C' | 101 | 22 | - | 22 | - | 11 | 36 | 11 | 36 |
| | Group 'D' | 17 | 3 | - | 18 | - | - | 6 | - | 35 |
| 2003 | Group 'C' | 139 | 38 | 6 | 27 | 4 | 10 | 36 | 7 | 26 |
| | Group 'D' | 11 | 1 | - | 9 | - | - | 9 | - | 8 |
| 2004 | Group 'C' | 116 | 22 | 3 | 19 | 3 | 10 | 36 | 9 | 31 |
| | Group 'D' | 42 | 12 | 4 | 29 | 10 | - | 6 | - | 14 |

2.12 In a written reply as to whether promotion under seniority-cum-fitness applies to all categories of employees and the specific relaxation given to them on promotion under seniority-cum-fitness basis, the Committee have been informed that seniority-cum-fitness is applicable for promotion from Assistant Executive Engineer to Executive Engineer and Deputy Architect to Architect category. It is also applicable in Work-charged staff for promotion to categories such as – Electrician, Chaudhary, Operator (Elect. & Mech.), Painter, Carpenter, Senior Mechanic, Senior Operator, Wireman, etc. The principle of zone of consideration is not applicable as there is no need for a comparative

evaluation of the individual officers' respective merits. Only a decision has to be taken on the fitness or unfitness of each individual officer for promotion. In the case of Work-charged staff, the fitness will also depend upon passing the Trade Test, wherever prescribed. There is no relaxation for Work-charged staff belonging to SC/ST categories.

2.13 CPWD has not provided information about the promotion given in case of Group A and B categories of posts during the years 2001 to 2004. As a result, the Committee are unable to comment whether the promotion posts reserved for SCs and STs in Group A and B categories have been duly filled up. The Committee desire that the Government should furnish the detailed information as to the promotions effected in each of the categories of Group A and B posts during the years 2001 to 2004, where reservation orders are applicable indicating the shortages as on 31.12.2005.

2.14 According to the information provided in case of promotions effected in Group C and D posts during the years 2001 to 2004, the Committee note that only a few ST employees have been promoted. The low representation of STs in promotions during the last four years is indicative of the fact that CPWD has not done enough and that it is not taking proper interest to promote ST officials. As a result, the backlog vacancies of STs have gone up. Whereas the case is different in case of SC officials. Despite having promoted a number of SC candidates in Group C and D posts during the years 2001 to 2004, even more than the prescribed percentage of 15 percent, the backlog vacancies still remain. The Committee would like to know as to the reasons why the backlog vacancies in Group C posts in regard to SCs still exist?

2.15 The Committee note that the data on promotions effected from 1996 to 2000 gives detailed information on each category of post although it does not mention as to how the posts were filled – by selection, by departmental examination or on seniority-cum-fitness basis. The Committee note that SC/ST employees who are within the zone of consideration are not ignored for promotion even if they have average ACRs. The Committee, therefore, recommend that the existing SC/ST promotional vacancies should be filled up at the earliest. The Committee also recommend that relaxation in promotion should also be provided to SC/ST candidates amongst work charged staff.

2.16 The Committee have also been informed that there are instances of ad-hoc promotions but the Department resorted to and gave ad-hoc promotions to the departmental promotees only when the Scheduled Caste and Scheduled Tribe candidates were not available. During the evidence it was also stated that these ad-hoc promotions are not a regular feature. Reservation rules are also applicable to ad-hoc promotion.

2.17 In 1998 ad-hoc promotions have been given only in the category of EEs. However, all the ad-hoc promotees could not be regularized because of court cases. The details are as under:-

| Category | SC | ST | General | Total |
|------------|----|-----|---------|-------|
| Civil | 33 | 02 | 97 | 132 |
| Electrical | 06 | Nil | 21 | 27 |

2.18 The Committee note that the Department resorted to adhoc promotions only when the Scheduled Caste and Scheduled Tribe candidates are not available. The Committee are of the view that ad-hoc promotion is a manipulative administrative process, which is intended to serve the interest and needs of a few people. In some circumstances in the name of ad hoc promotion, SC/ST employees are often denied promotional opportunities although rules clearly provide for reservation for SCs/STs. The Committee, therefore, recommend that ad hoc promotion should be resorted to only on rare and inevitable circumstances and due representation to SCs/STs should be given in all such cases.

2.19 In the post evidence replies to the Committee, CPWD has stated that the minimum eligibility criteria for promotion from Group B to Group A posts for various cadre of posts in CPWD are as given below:

Engineering Cadre

- (i) AEs(Group-B Gazetted) with 8 years regular service are eligible for promotion to the grade of Executive Engineer (Group-A).
- (ii) AEEs with 4 years regular service are eligible for promotion to the grade of Executive Engineer (Group-A).

Architectural Cadre

- (i) Asstt. Architects (Group-B Gazetted) with 8 years regular service are eligible for promotion to the grade of Architect (Group-A).
- (ii) Dy. Archs. With 4 years regular service are eligible for promotion to the grade of Architect (Group-A).

2.20 Similarly, there were 179 Scheduled Caste and 20 Scheduled Tribe Junior Engineers (Elect.) for promotion to Assistant Engineers (Elect.). The Committee were also informed that the feeder grade for promotion to the grade of Chief Engineer is Superintending Engineer(SE) with 8 years of regular service and that as on 01.03.2003 there were 218 SEs(C&E) out of which 32 belonged to SC and 4 to ST.

2.21 The Committee have been informed that as per the Recruitment Rules, the posts of AEs in the Scale of Rs. 6500-10,500 are to be filled as under:-

- (i) 50% through selection from JEs with 8 years regular service.

- (ii) 50% through Limited Departmental Competitive Examination open to the JEs with 4 years regular service.

2.22 In the post evidence replies submitted to the Committee, it has been stated that Junior Engineer(Civil) is the feeder category for Assistant Engineer(Civil) and that as on 31.12.2002 there were 258 Scheduled Caste and 58 Scheduled Tribe JEs available for promotion to the post of AEs (Civil).

2.23 The numbers of JEs promoted to AEs (including SCs/STs) during 1997-98 to 2001-02 are as given below: -

CIVIL

| Year/Quota | Total no. of vacancies | Vacancies filled | | |
|------------------|------------------------|------------------|----|----|
| | | UR | SC | ST |
| 1997-98 | | | | |
| Seniority Quota | 57 | 29 | 01 | 00 |
| Exam Quota | 61 | 47 | 09 | 05 |
| 1998-99 | | | | |
| Seniority Quota | 00 | 00 | 00 | 00 |
| Exam Quota | 12 | 09 | 02 | 01 |
| 1999-2000 | | | | |
| Seniority Quota | 00 | 00 | 00 | 00 |
| Exam Quota | 00 | 00 | 00 | 00 |
| 2000-01 | | | | |
| Seniority Quota | 58 | 51 | 07 | 00 |
| Exam Quota | 58* | 45 | 09 | 04 |
| 2001-02 | | | | |
| Seniority Quota | 138 | 126 | 00 | 00 |
| Exam Quota | 73* | 57 | 11 | 05 |

ELECTRICAL

| Year/Quota | Total no. of vacancies | Vacancies filled | | |
|------------------|------------------------|------------------|----|----|
| | | UR | SC | ST |
| 1997-98 | | | | |
| Seniority Quota | 15 | 07 | 00 | 00 |
| Exam Quota | 00 | 00 | 00 | 00 |
| 1998-99 | | | | |
| Seniority Quota | 17 | 09 | 00 | 00 |
| Exam Quota | 09 | 08 | 00 | 01 |
| 1999-2000 | | | | |
| Seniority Quota | 00 | 00 | 00 | 00 |
| Exam Quota | 00 | 00 | 00 | 00 |
| 2000-01 | | | | |
| Seniority Quota | 13 | 10 | 00 | 00 |
| Exam Quota | 10* | 09 | 00 | 01 |
| 2001-02 | | | | |
| Seniority Quota | 40 | 34 | 01 | 00 |
| Exam Quota | 24* | 19 | 02 | 03 |

*Yet to be selected

2.24 The percentage of reservation for SCs/STs as achieved in the category of post during the years 2001-02 is as under:-

| Category | Civil | Electrical |
|----------|-------|------------|
| SC | 18% | 15% |
| ST | 03% | 03% |

2.25 As may be seen from the above data, the required percentage of Scheduled Castes has been achieved in both AE(C) and AE(E) categories. However, there is a big shortfall in the ST category in the seniority quota. This is due to non-availability of eligible ST candidates in the feeder category even in the extended zone of consideration.

2.26 The Committee note that the required percentage of SCs/STs has been maintained in promotion of JEs (both Civil and Electrical) to AEs through examination during the five years. However, the Committee are not at all satisfied with the percentage achieved in respect of STs especially in promotion by the seniority quota which the Department had been attributed to the non-availability of eligible ST candidates in the feeder category even in the extended zone of consideration. It is a matter of serious concern that no eligible ST candidates are available in the feeder grade for promotion to the next higher post. The Committee, therefore, recommend that CPWD should take prompt action to fill up the posts reserved for ST candidates through Special Recruitment Drive. The Committee would like the Department to modify and amend suitably the recruitment and promotional policies for promotion to the post of AEs so as to ensure that sufficient SC/ST candidates are available in the feeder grade for promotion.

C. Maintenance of Rosters

2.27 The Committee have been informed that rosters are maintained separately for each category of posts. In cases, where posts are filled up through promotions as well as Direct Recruitment, separate rosters are also being maintained. Cadre controlling authority has the responsibility to ensure the maintenance of rosters and Liaison Officer has been empowered to inspect rosters annually.

2.28 The Committee have also been informed that for all Group A and B posts, rosters are maintained at the level of Central Office. Rosters are maintained at the Regional level for categories for which regional seniority is kept.

2.29 Asked since when the rosters for recruitment and promotion for various categories of posts are maintained, the Committee have been informed through written reply that 200-point post-based roster is being maintained in the CPWD since 1997 on the basis of DOP&T Order No. 36012/2/96-Estt. (Res) dated 2 July 1997.

2.30 During the course of evidence with the representatives of the Ministry of Urban Development and Poverty Alleviation and the CPWD, the Committee examined the post-based roster maintained for the post of Head Clerk. On examination, the Committee observed that the roster appeared to have been maintained since August 1997 on account of conversion from vacancy based roster to post-based roster. The Committee however, noted that the registration certificate appended to the

register maintained for the post of Head Clerk numbering serially from one to hundred was signed on 2 January 2001 and all other pages were signed by the same officer on 20 February which clearly indicated that the register was written on a particular day and that the register was not in existence in August 1997 till the date it was signed.

2.31 The Committee also examined other post-based rosters maintained by the Department. On examination of these rosters, the Committee noted that they had not been maintained in accordance with the instructions issued by the DOP&T. In some rosters, overwriting was detected in every page. Different dates were found to have been recorded for the date of appointment. In some pages, correction fluid had been used and the matter rewritten. On a number of pages, the matter had been found erased even by using blades. In a number of pages pencil had been used even though the use of pencil is not allowed. Corrected matters also did not bear anyone's signature or attestation.

2.32 The Committee note that CPWD were not maintaining the rosters for reservation and promotion for various categories of post as was evident from the physical check carried out by the Committee. The Department had stated that they adopted 200 point post-based rosters as per the instructions issued by the DOP&T vide their OM No. 36012/2/96-Estt.(Res) dated 2 July 1997. Contrary to the claim made by the Department of having maintained the rosters in accordance with the instructions ibid, the Committee detected irregularities in the rosters when checked during the course of an evidence. Those rosters were not only tampered with but were maintained in the most improper manner. The Committee take a serious note of the matter. The Committee need hardly stress that rosters are the only mechanism through which a watch is kept on the proper placement of SC/ST employees in services against the vacancies reserved for them. In fact, the whole system of implementation of reservation orders rests on maintenance of rosters. The proper maintenance of the rosters helps in keeping the authority concerned well-informed about the representation of Scheduled Castes and Scheduled Tribes in all posts as also in detecting shortfall, if any, in their representation in all those posts. The Committee, therefore, are not happy with the manner in which the Department has maintained the rosters. The Committee, therefore, direct that all rosters should be maintained as per rules

issued by DOP&T from time to time and these should be checked periodically to ensure their proper maintenance. The Committee should be apprised about the action taken in the matter.

2.33 The Committee also view the roster as a very important document as far as the welfare and interest of the Scheduled Castes and Scheduled Tribes are concerned. It foretells the time by which the SC/ST employees become eligible for the next promotion by their placement in the roster. The Committee, therefore, urge CPWD not to treat the rosters lightly but to entrust the job of maintaining the rosters to officers who are well versed with Recruitment rules and can maintain them strictly in accordance with the instructions laid down for the purpose. The Committee, therefore, recommend that the rosters should be inspected regularly by the Liaison Officers and after every check he should put his signature with the stamp. The Committee further recommend that the officers concerned for the maintenance of the rosters as well as Liaison Officer should be made accountable for its proper maintenance.

D. Deputation

2.34 The Committee have been informed that employees of the CPWD are sent on deputation to other departments of the Government of India. The Department circulates and invites applications from all eligible officers wherever deputation offers are received from borrowing agencies. The cases of all eligible candidates, who are clear from vigilance cases and fulfil the criteria prescribed by the borrowing department/agencies are forwarded to them. It is the borrowing department that selects the candidates from among those eligible. Thus the CPWD does not have specific powers to depute SC/ST officers on deputation.

2.35 The statement showing the number of SC/ST employees sent on deputation during the years 1998 to 2000 vis-à-vis general candidates are shown at Appendix II. No employee was sent on deputation during the years 2001 to 2004 as per the latest information submitted in March, 2005.

2.36 The following officers had been sent on deputation abroad according to information received:-

1. Shri A.K. Aggarwal, EE (Civil) (DOB-4.7.1966) order issued on 10.7.2002 to Royal Government of Bhutan.
2. Shri A.K. Aggarwal, EE (Civil) (DOB-25.10.1959) to Royal Government of Bhutan (from 6.10.98 to 31.3.2001).
3. Shri B.N. Gupta, SE (Civil) to BPKIHSP, Dharan (Nepal) from 12.2.1999 to 30.6.1999).
4. Shri K.E. Ayyar, CE (Civil) to Republic of Botswana from 31.5.1996.

2.37 The Committee note that during the period 1996 to 2002, four officers had been sent on deputation abroad but no officer belonged to SC/ST communities. The Committee desire that SC/ST officers should also be given fair opportunity while considering candidates to send abroad on deputation. The Committee would, therefore, like the Department to follow the instructions issued in this regard vide MHA OM.No.16/2/67 Est.(C) dated 27.9.67 and DOP&AR OM.No.36021/6/75 Est. (SCT) dated 9.10.75 and OM No.16/32/74-Estt.(SCT) dated 3.4.1976.

E. De-reservation/exchange of vacancies reserved for SCs/STs

2.38 The Committee have been informed that the prescribed instructions of the Department of Personnel and Training on de-reservation and exchange of vacancies between SC and ST are strictly followed in CPWD before going in for any de-reservation and interchange or exchange of vacancies between SCs and STs. Moreover, there has been no instance when reserved quotas for SCs/STs having lapsed and de-reserved during the last 5 years in CPWD.

2.39 The Committee were further informed that exchange of reserved vacancies between SCs and STs from Group-C to Group-B, within Group-B and Group-B to Group-A is permitted, vide DOP&T OM No. 36011/12/81-Estt.(SCT) dated 10.11.1980. This has further been reiterated vide clarification No.9(c) in respect of maintenance of post based roster issued by DOP&T vide OM No.36012/2/96 Estt.(RES) dated 02.07.1997. As per rules, seven vacancies of ST posts were interchanged with posts reserved for SCs in 2000-2001, as eligible ST candidates were not available even in the extended zone of consideration. However, during the last five years (prior to 2000-2001) no other case of interchange of reserved vacancies was reported in the Department.

2.40 The Committee note that as per rules, seven vacancies of ST candidates were interchanged with posts reserved for SCs in 2000-2001, as eligible ST candidates were not available even in the extended zone of consideration. They presume that the Department must have undertaken the above exercise because at that time vacancy based rosters were in vogue and there was no restrictions regarding the interchange of vacancies between SCs and STs. The Committee note that DOP&T have issued an OM No.36012/17/2002-Esstt. (Res.) dated 6.11.2003, regarding non-permissibility of exchange of reservation between SCs and STs. The Committee, therefore, recommend that in future in the event of non-availability of either SCs or STs candidate for recruitment or promotion or in any matter relating to the exchange of vacancies between the SCs and STs in recruitment and promotion, the Department should strictly follow the instructions issued in this regard by the DOP&T

CHAPTER III

STAFF STRENGTH AND SHORTFALL

A. Staff strength and shortfall

3.1 A statement showing the total number of employees and the number of Scheduled Castes and Scheduled Tribes amongst them and also indicating the number of shortfall of SCs/STs in various categories of posts as on 1.1.2001 is at Appendix- III. The latest figure has not been furnished by the CPWD even though it was sought vide this Secretariat OM No.45/1/1/SCTC/2001 dated 28 January, 2005.

3.2 Statements showing the strength of work-charged staff in various categories of posts employed in each region is at Appendix IV A and IV-B.

3.3 Statements showing the total number of posts on the Work-charged establishment in various categories of posts and for various regions and number of SCs/STs amongst them are at Appendix-VA,VB,VC and VD. The latest information in regard to the total number of Work-charged employees (Group C and D) and the total number of SCs/STs amongst them and shortfall thereof as on 1.1.2005 is as under :-

| Category of post | Total No. of employees in position | Total No. of | | Percentage of | | Shortfall | |
|------------------|------------------------------------|--------------|-----|---------------|----|------------------|----|
| | | SC | ST | SC | ST | Schedule d Caste | ST |
| 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 |
| Work-charged | | | | | | | |
| Group "C" | 7817 | 2034 | 225 | 26 | 3 | 3 | 27 |
| Group "D" | 10375 | 3088 | 559 | 30 | 5 | 51 | 82 |

3.4 The Committee observe that a force of 22,023 work charged employees was working in Group `C' and `D' posts in CPWD across the country at the time of submission of the preliminary material to the Committee. As on 1.1.2005, the number of work force has come down to 18,430. The number of ST work force has also gone down from 645 to 559 in Group `D' posts which is far below the prescribed quota of 7½ per cent of the total Work-charged employees working in CPWD. Having noted that the intake of the Scheduled Tribe Work-charged employees is far below the prescribed quota in all the regions of the country, the Committee recommend that CPWD should make every effort to fill up the prescribed quota of Scheduled Tribes in all the Work-charged establishments of the Department by recruiting them on all India basis if they are not available locally. The Committee also desire that the reasons for decrease in the number of work force and employees belonging to SCs/STs categories should be informed to them at the earliest.

3.5 A statement showing the total recruitment made for various categories of posts during the years 1996 to 2000 is at Appendix -VI. According to the latest information received in March, 2005 the CPWD has not made any recruitment except compassionate ground appointments. It was also stated that for such appointments there is no provision of reservation for Scheduled Castes and Scheduled Tribes.

3.6 The Committee have been informed that the reason for the shortfall is mainly due to the ban on direct recruitment. The ban on direct recruitment has been in existence since 1999 and was imposed by the Ministry of Finance, Department of Expenditure, vide OM No.7(3)/E(Coord)/99 dated 5.8.1999 as a part of the austerity measures initiated by the Government of India.

3.7 Further, according to DOP&T's OM dated 16.05.2001, restrictions have been imposed on direct recruitment. It has also been stated that direct recruitment is now restricted to 1% of the total existing staff strength or 1/3rd of the vacancies, whichever is lower, subject to approval of the direct recruitment screening committee comprising the representatives of DOP&T, the Ministry of Finance and the Administrative Ministry.

3.8 Before the imposition of the ban on Direct Recruitment (as on 01.01.1998) the percentage of shortfall of SCs/STs was as under: -

| Group | % age of SCs available | % age of STs available | Shortfall of Scheduled Castes % age | Shortfall of STs % age |
|--------------|-------------------------------|-------------------------------|--|-------------------------------|
| A | 18.00 | 03.83 | Nil | 03.67 |
| B | 17.17 | 00.76 | Nil | 06.74 |
| C | 16.47 | 03.79 | Nil | 03.71 |
| D | 32.24 | 06.68 | Nil | 00.82 |
| Overall | 21.17 | 04.32 | Nil | 03.18 |

3.9 During the course of evidence when the Committee pointed out the existence of major shortfall in various categories of posts, as also the reasons for the huge shortfall and why it was not wiped out even though it has been continuing for a long period of time, the representative of CPWD explained as under:-

“ The shortfall is essentially in the ST category whereas in most of the SC category we are having surplus staff. In all categories of posts below SE, there are roster points and reservation points. For example, for Executive Engineers, we are having a shortfall only in ST category while we have a surplus of nine SCs. In the post of AEE, we have a surplus of two SCs and nil shortfall in ST. When it comes to ST category of Assistant Engineers, we are having two methods of promotion from Junior Engineer to Assistant Engineer – 50 % is promoted on seniority quota basis and 50% from limited departmental competitive examination. As far as the quota pertaining to the examination is concerned, we are able to fulfil the quota but as far as the seniority quota is concerned we are not able to fulfil that because the ST category candidates are not available in the feeder post of Junior Engineers, even within the extended zone of consideration for SCs/STs which is five times the total number of vacancies. This is a basic limitation which we are facing.”

3.10 During the evidence when enquired further about any other relaxation and concessions given to SCs/STs in matter of promotions over and above the zone of consideration, the representative of the Ministry replied:

“The matter had been discussed with the DOP&T. In fact, there is one court case relating to horticulture category in the same class. The court also has referred this case to the DOP&T asking them to look into the matter. So far they have not provided any relaxation for all selection posts. The DOP&T has not provided any relaxation of the zone of consideration. The only relaxation provided to the SC and ST candidates is the extended zone of consideration which is five times of the number of vacancies. I have got with me the Junior Engineers’ seniority list, both in Civil and Electrical, which is the feeder category for Assistant Engineers. Now, in this list, we are having the first SC candidate at S.No. 243 and first ST candidate at S.No. 284. Normally, the vacancies in AE(Electrical) is about 30 to 40 and even at five times the extended zone of consideration, it stops at 200. Now, the ST candidate available is at 284. This is one of the severe limitations we are facing.”

3.11 The representative of the Ministry continued further and informed the Committee that similarly, in the Junior Engineers (Civil) category, they are again having about 70 to 80 vacancies per year in the seniority quota and the extended zone of consideration for SC/ST comes to about 350

whereas SC candidate is available at 854 and ST candidates is available at 1421. This is one of the severe limitations. If there is some guidance from the DOP&T, then may be they will be able to help the situation. In fact, they have been trying very sincerely and honestly to fill up this backlog.

3.12 As far as Limited Departmental Competitive Examination (LDCE) is concerned, they are able to clear the backlog but when it comes to promotion through seniority, they have not been able to fulfil this particular requirement because of this constraint.

3.13 The Committee note that the representation of Scheduled Tribes in almost all categories of posts in CPWD is far below the quota reserved for them. This is all the more distressing as the Scheduled Tribes were under-represented in all categories of posts even before the ban on direct recruitment became effective. As per the Statements furnished to the Committee in March 2005, there is still shortfall of SC/ST candidates in both Group C and D posts of Work- charged employees. Similarly, backlog vacancies of SCs in Group C and STs in both Group C and D have existed continuously. The Department however, have not furnished latest information in regard to Group A and B posts. Backlog vacancies existed for SCs/STs in different posts under Group A and B too vide Appendix III. The reason for not filling up the vacancies reserved for the Scheduled Tribes is reported to be non-availability of Scheduled Tribe candidates in the feeder posts despite the zone of consideration having been extended five times the total number of vacancies. The Committee are of the view that at the time of recruitment the Department has not followed the Reservation Rules and as a result no ST candidates are available in the feeder grades. The Committee, therefore, urge the Government to permit further relaxation in the zone of consideration for the Scheduled Castes and Scheduled Tribes. The Committee also recommend that the posts should be filled by promoting the deserving SC/ST candidates in

feeder grades, who are otherwise fit and fulfil the minimum eligibility conditions for the promotion.

3.14 In regard to non-availability of Scheduled Tribe candidates in the feeder category, the Committee were also informed that the DOP&T had been directed by the Court to look into the matter in a case relating to Horticulture cadre. The Committee feel that the DOP&T would definitely find a tangible solution to the problem faced not only by CPWD but by other Departments under such a situation. The Committee would like to be informed about the decision taken by DOP&T in this regard.

3.15 The Committee note that CPWD has attributed the reason for the present shortfall/backlog mainly to the ban imposed on direct recruitment in 1999 by the Ministry of Finance as a part of austerity measures initiated by the Government. The Committee need not stress that filling up of backlog SC/ST vacancies is a special task and the instructions issued regarding recruitment should not be applied to the vacancies reserved for SCs/STs. In fact, an instruction has already been issued for launching Special Recruitment Drive for filling up backlog vacancies reserved for SC/ST candidates within a specified date vide DOP&T OM No.36038/1/2004-Estt.(Res.) dated 5.8.2004. The Committee, therefore, recommend that all backlog vacancies should be filled up by launching Special Recruitment Drive as per the instructions issued by the DOP&T. The Committee

are of the view that finding suitable candidates for the reserved posts should not be that difficult since there is no dearth of eligible SC/ST candidates especially in States predominantly inhabited by these communities. The Committee recommend that proper and wide publicity should be given to the recruitment process by using all forms of information media. The Committee would like the Department even to contact regional and local employment exchanges so as to attract the maximum candidates for the posts. Copies of the notifications/ advertisements regarding recruitment should also be made available to the Committee on the Welfare of Scheduled Castes and Scheduled Tribes as well as to the SC/ST Members of Parliament so that they could also help in this regard.

3.16 The Committee were also informed during the evidence that the inter-ministerial committee had met in March 2002 when 827 posts were cleared to be filled up in CPWD. These posts included 800 posts for Junior Engineers, 4 posts for S.O. (Horticulture) and the remaining 23 posts were for Stenographers. The inter-ministerial committee advised CPWD to surrender the remaining vacancies numbering 1657.

3.17 Accordingly a Special Recruitment Drive only for SC, ST and OBC was conducted on 27th October 2002 to fill up the shortfall in reserved vacancies of Junior Engineers Cadre. Not a single post of Junior Engineer in unreserved category has been filled up through this drive. The recruitment for Junior Engineer was completed and the entire shortfall of SCs/STs in the post of JEs was wiped out. The following numbers of JEs were recruited: -

| Category | JE (Civil) | JE (Elect.) |
|------------------------|-------------------|--------------------|
| Scheduled Caste | 151 | 15 |
| Scheduled Tribe | 144 | 55 |
| OBC | 107 | 26 |
| Total | 402 | 96 |

3.18 As for other categories of posts, the representative of CPWD has stated that they had waited for the ban on recruitment to be lifted so that they could conduct Special Recruitment Drive to clear the backlog of ST vacancies.

3.19 The Committee appreciate that the Department undertook Special Recruitment Drive to fill up the backlog of vacancies reserved for Scheduled Castes/Scheduled Tribes for the posts of JEs. The Committee, however, are pained to note that the Department has not conducted special drive to clear the backlog of other vacancies due to restriction on direct recruitment. The Committee are of the view that the backlog of vacancies reserved for SCs/STs should not be clubbed with other general vacancies. The Committee, therefore, recommend that the entire backlog of vacancies in other categories of posts may also be wiped out by launching Special Recruitment Drive. The Committee may be apprised of the latest position in this regard. The Committee would also like to be apprised about the action taken on the vacancies numbering 1657 which were to be surrendered.

CHAPTER IV

MISCELLANEOUS

A. Redressal of Grievances and Maintenance of Complaint Register

4.1 When asked as to what is the mechanism available for the redressal of grievances of SC/ST employees in the CPWD, the Committee were informed that the Superintending Engineer (Coord) who is the cadre controlling authority for Group C and D posts within the region sorts out the complaints of SC/ST employees. It was also stated that the employees' recognised unions also take up such matters. If the complaint is against SE(Coord) himself, a report is sent to ADG/CE and further action is taken as per his directions. Individual representations of SC/ST employees are also given due consideration. In respect of category 'A' & 'B' posts, such complaints are handled by Directorate General of Works. Apart from the above arrangements, SC/ST employees can address their grievances to the Liaison Officer.

4.2 It has further been stated that SE(Coord) is the nodal officer for handling grievances relating to pay, transfers, promotion, seniority and recruitment within the region. He handles all the grievances of the staff within the region.

4.3 It has also been informed that complaints/grievance registers for SC/ST employees have been opened w.e.f. 2 August, 2002 in various regions as well as with the Liaison Officer. Prior to this, complaints and

grievances of SC/ST employees were handled in personal files. Instructions have been issued to SEs(Coord) and Liaison Officer of SCs/STs for maintaining a grievance register for SCs/STs in order to monitor the redressal of grievances. Grievance registers are now being maintained by SEs (Coord) as well as the Liaison Officer.

4.4 Asked to comment on the point that dealing with complaints/grievances in personal files of the SC/ST employees means a deliberate attempt to put down their voice against injustice as it will discourage them to put up their grievances, it was stated that there was no attempt by the Department to suppress the grievances of SC/ST employees. The concerned officer for redressal examines the grievances brought to the notice of the Department by the National Commission for SC/ST as well as individual grievances brought to the notice of the Liaison Officer.

4.5 The Committee have also been informed that since 2 August 2002, 13 complaints have been registered in the Grievance Registers opened with Liaison Officer and the SEs (Coord) of various regions. Out of the 13 complaints, 4 pertained to transfer and posting and the remaining 9 pertained to seniority and promotion.

4.6 The Committee are unhappy to note that prior to August, 2002, no register/complaint book was maintained separately by the CPWD for recording grievances/complaints/representations of SCs/STs, which implies that their grievances and complaints were not taken seriously. The Committee have been apprised that the grievance registers have now been opened with Liaison Officer and the SEs (Coord) of various regions. The Committee suggest that these registers should record detailed information as to the nature of grievances/complaints etc. of SC/ST employees and action taken thereon besides recording dates of receipt and disposal of the grievances/complaints etc. The Committee would also like the Department to attend to the grievances/complaints etc. of SC/ST employees expeditiously. The Committee feel that the grievances received at the regional offices should also be shown to the Liaison Officer at the headquarters for his information before disposal so that the SC/ST employees may feel that the Liaison Officer who is usually appointed from amongst their own communities, would be able to judge whether their grievances have properly been addressed to. The Committee also stress that the Liaison Officer should also be shown the grievance registers of all regions regularly.

B. SC/ST Employees' Association

4.7 In a note submitted to the Committee, the CPWD has stated that under the CCS (Recognition of Service Association) Rules, 1993, the Service Association shall not be formed to represent the interests on the basis of any caste, tribe or religious denomination of any group within or section of such caste, tribe or religious denomination (DOP&T Notification No. 2/10/80-JCA (Vol. IV) dated 5.11.1993). There is therefore no recognised SC/ST Employees' Association in CPWD. However, prior to the issue of CCS (Recognition of Service Association) Rules, 1993, All India CPWD SC/ST Association was a recognised staff association of the CPWD. It was also stated that Director (Admn.) and Liaison Officer have held informal meetings with the CPWD SC/ST Employees' Association as and when these are requested for and their grievances are sorted out. The Employees' Recognised Unions also take up the grievances of SC/ST employees.

4.8 During the evidence when the Committee enquired about the last periodic meeting that was held with SC/ST Employees' Welfare Association, the representative of the CPWD replied that a meeting was held with the representatives of the SC/ST Junior Engineers Association on 10 October 2002 when their grievances were noted down.

4.9 The Committee regret to note that meetings with SC/ST Employees' Welfare Associations are held only when a request is made by the Association. The Committee need hardly stress that SC/ST Employees' Association is the mouth piece/forum/platform for many aggrieved SC/ST employees through which they express their grievances and lodge complaints connected with their work and career. The Committee, therefore, recommend that the Department should give due recognition and importance to representations/grievances/complaints of SC/ST Employees' Association and also should hold periodic meetings with the SC/ST Employees' Association regularly to sort out the problems faced by the SC/ST employees.

4.10 In the course of examining many organisations including Government Departments, PSUs and Banks the Committee have come to understand that many a times resolutions and amicable solutions agreed to in the meetings between the Management and the SC/ST Employees' Welfare Associations, are not properly implemented in letter and spirit due to lack of interest and support from the management or the higher authorities. The Committee, therefore, recommend that the Management should honour the decisions whenever taken during the meetings with the SC/ST Employees' Welfare Association and implement them in letter and spirit.

C. Training Facilities for SCs/STs

4.11 The Committee have been informed that in-service training is given to all employees including SCs/STs. However, category-wise details of the number of employees belonging to general category and also SC/ST employees trained during the 1998-99 to 2000-01 have not been maintained by the CPWD Training Institute which impart such trainings.

The details of employees trained during the above years are as under: -

| Name of Course | 1998-99 | 1999-2000 | 2000-2001 |
|-----------------------------------|---------|-----------|-----------|
| Group `A` officers | 1288 | 1099 | 1000 |
| AEEs (C&E)/Dy. Arch. | 17 | 16 | 0 |
| Group `B` & `C` officers | 1134 | 995 | 1015 |
| Group `D` & workers | 425 | 322 | 277 |
| Sponsorship for training in India | 430 | 411 | 374 |
| Sponsorship for training abroad | 13 | 13 | 4 |

4.12 The Committee have been provided with data of the total number of employees including SC/ST employees amongst them sent for foreign training during 1998-99 to 2000-01 as given below :-

| Year | Total Number of trainees | Number of SC/ST employees |
|-----------|--------------------------|---------------------------|
| 1998-1999 | 13 | 01(SC) |
| 1999-2000 | 13 | Nil |
| 2000-2001 | 04 | 01(ST) |

4.13 It was also stated that CPWD does not arrange or provide pre-recruitment and pre-promotional training to employees including SC/ST categories.

4.14 The Committee are surprised to note that CPWD does not have arrangements for providing in-service and pre-recruitment trainings to employees including SCs/STs even though the Department is having huge backlog of vacancies in various categories of posts due to non-availability of candidates during direct recruitment and in the feeder category for promotion. The Committee, therefore, recommend that CPWD should make provision for providing pre-recruitment and pre-promotional training for SCs/STs on regular basis in order to help people belonging to SC/ST communities get their due representation in the CPWD.

4.15 The Committee note that out of 30 persons sent abroad for training during the years 1998 to 2001, only 2 were from the SC/ST communities. The Committee feel that in the CPWD deputation for foreign training is arbitrarily decided by the authority concerned and that the interests of SC/ST in this regard is not considered seriously. The Committee, therefore, recommend that CPWD should evolve certain norms whereby the officers from these communities also get fair opportunities for undergoing training abroad. Representation of SC/ST officers should be in accordance with the instructions issued by DOP&T while deputing officers to attend seminars/conference and also for attending various training programmes in India and abroad. It would enable the SC/ST officers to broaden their outlook and increase their knowledge.

D. Housing Facility

4.16 The Committee have been informed that as a matter of government policy, the Directorate of Estates provides reservation to SC/ST employees in the matter of allotment of government accommodation in the general pool. According to this policy, 10% of vacancies in Type-I and II are reserved for SC/ST employees and 5% of vacancies in Type-III & IV accommodation have been reserved for these categories of employees. The allotment is made to the SC and ST employees in the ratio 2:1. These employees are also eligible for allotment of accommodation from General Pool on maturity of their turn. However, in case they are already in occupation of General Pool accommodation, they will not be eligible for allotment of higher type of accommodation from the quota reserved for SC/ST employees.

4.17 The detailed figures of total accommodation allotted during the last three years and the percentage of allotment of accommodation made in favour of SC/ST employees are as under:-

| Type | Total Allotment | Allotment to SC/ST | % age |
|-------------|------------------------|---------------------------|--------------|
| I | 4215 | 1846 | 44 |
| II | 7481 | 737 | 10 |
| III | 5380 | 259 | 5 |
| IV | 4585 | 229 | 5 |

4.18 The Committee have also been informed that a register for allotment of all clear vacancies has to be maintained in all allotment sections and Regional offices. In respect of categories I & II

accommodation, in the 60 point roster, vacancies at point No. 10, 20, 40, & 50 have to be allotted to SC employees and vacancies at point No. 30 & 60 allotted to ST employees. In respect of Type III & IV accommodation, the vacancies at point No. 20 & 40 are to be allotted to SC employees and vacancy at point No. 60 is to be allotted to ST employees. Allotment sections have been following the above reservation policy.

4.19 The Committee note that the SC/ST employees are eligible for allotment of accommodation from general pool on maturity of their turn but if they are already in occupation of general pool accommodation they will not be eligible for allotment of higher type of accommodation from the quota reserved for SC/ST employees. The Committee desire that SC/ST employees who are already in occupation of lower type accommodation in the General Pool may also be made entitled for allotment of higher type of accommodation when their turn comes for allotment of higher type of accommodation in the reserved pool. The Committee also desire that percentage of allotment of accommodation to SC/ST may be enhanced suitably as many of them especially those working , in metro cities ill afford to pay exorbitant rent for private accommodation.

E. Award of petty contract to SCs/STs

4.20 The Committee have been informed in a note submitted to the Committee that concessions/relaxations given to SC/ST contractors in the award of petty contracts are as under:-

1. Working capital certificate for registration and revalidation:-
 - (i) Class V (B&R) Rs. 15,000/- as against Rs. 50,000/- for general category contractor for at least last six months.
 - (ii) Class IV (Elect.) Rs. 15,000/- as against Rs. 25,000/- for general category contractor for at least last six months.
 - (iii) Class IV (Fur.) Rs. 15,000/- as against Rs. 25,000/- for general category contractor at least last six months.
2. For works up to the estimated cost of Rs. 80,000/- the following concessions are allowed:-
 - (i) Price preference up to 5%.
 - (ii) No earnest money is required to be deposited.
 - (iii) Non registered contractors are allowed to submit their tenders.
3. For works of estimated cost from Rs. 80,000/- to Rs. 2 lakhs.
 - (i) Price preference up to 5%.
 - (ii) Earnest money at 0.5% is to be deposited as against 2.5% to be deposited by general contractors.

Concessions at 2 & 3 above were admissible up to 31.12.2001.

4.21 The Committee desire that the existing concessions /relaxations given to SC/ST contractors may be further improved. The Committee also recommend that at the time of awarding petty contracts and tenders, SCs/STs should be given preference from others and certain percentage/share of the contract works may be reserved for SC/ST contractors as usually they are not in a position to compete with rich contractors.

NEW DELHI
December, 2005
Agrahayana, 1927(Saka)

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