

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

(FOURTEENTH LOK SABHA)

NINTH REPORT

ON

MINISTRY OF FINANCE  
(DEPARTMENT OF REVENUE)

“Reservation for and Employment of Scheduled Castes and Scheduled Tribes in Central Board of Direct Taxes (CBDT).”

Presented to Lok Sabha on 18<sup>th</sup> August, 2006

Laid in Rajya Sabha on 18<sup>th</sup> August, 2006

LOK SABHA SECRETARIAT  
NEW DELHI

18<sup>th</sup> August, 2006 / Sravana 27, 1928 (Saka)

## CONTENTS

COMPOSITION OF THE COMMITTEE.....

INTRODUCTION.....

## CHAPTER I

- A. Introductory Background .....
- B. Organisational set-up.....

## CHAPTER II – RESERVATION IN SERVICES

- A. Reservation and Recruitment Procedure.....
- B. Recruitment Board and Departmental Promotion Committee.....
- C. Staff strength and shortfall.....
- D. Concessions/Relaxations in Recruitment and Promotion.....
- E. Recruitment and Promotion.....
- F. Backlog.....

## CHAPTER III – MEASURES TO IMPROVE REPRESENTATION

- A. Training.....
- B. Training Abroad.....
- C. De-reservation.....
- D. Deputation.....
- E. Compassionate appointments.....
- F. False Caste Certificate.....

## CHAPTER IV – MISCELLANEOUS

- A. Grievances/Complaint Cell/Liaison Officer
- B. Complaint cases .....
- C. Discrimination/Harassment cases.....
- D. Periodic Meeting.....
- E. Disciplinary proceedings/Inquiry.....

## APPENDICES

- A. Minutes of the sitting of the Committee on the Welfare of Scheduled Castes and Scheduled Tribes held on 02.09.2003.
- B. Minutes of the sitting of the Committee on the Welfare of Scheduled Castes and Scheduled Tribes held on 19.06.2006.
- C. Minutes of the sitting of the Committee on the Welfare of Scheduled Castes and Scheduled Tribes held on 01.08.2006.
- D. Statement showing details of recruitment made for Group 'A', 'B', 'C' and 'D' posts (vide Para 2.21 of Report)
- E. Statement of Conclusions/Recommendations

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

Shri Ratilal Kalidas Varma - Chairman

**MEMBERS – LOK SABHA**

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

**MEMBERS – RAJYA SABHA**

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

**SECRETARIAT**

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

## **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 Ninth Report (Fourteenth Lok Sabha) on the Ministry of Finance (Department of Revenue) - "Reservation for and Employment of Scheduled Castes and Scheduled Tribes in Central Board of Direct Taxes (CBDT)".

2. The Committee took evidence of the representatives of the Ministry of Finance (Department of Revenue) and Central Board of Direct Taxes (CBDT) on 2<sup>nd</sup> September, 2003. The Committee wish to express their thanks to the officers of the Ministry of Finance (Department of Revenue) and CBDT 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 1<sup>st</sup> August, 2006.

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

**New Delhi**  
**August, 2006**  
**Sravana ,1928(S)**

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

## CHAPTER I

### **A. Introductory Background**

1.1 The Central Board of Revenue as an apex body in the Department of Revenue, charged with the administration of taxes came into existence as a result of the Central Board of Revenue Act, 1924. Initially the Central Board of Revenue was in charge of both direct and indirect taxes. However, when the administration of taxes became too unwieldy for one Board to handle, the Central Board of Revenue was split into two, namely Central Board of Direct Taxes and Central Board of Excise and Customs with effect from 01.01.1964. The bifurcation was brought about by constitution of the two Boards u/s 3 of the Central Boards of Revenue Act, 1963.

1.2 The Central Board of Direct Taxes deals with all matters relating to levy and collection of direct taxes. The Board has been working on widening of Tax base to collect more tax revenue.

### **B. Organisational Set-up**

1.3 The Central Board of Direct Taxes (CBDT) has seven Members including one Chairman, who are in the rank of Additional Secretary and Special Secretary to the Government of India, respectively.

1.4 There is no provision under the Act for reservation of Scheduled Castes and Scheduled Tribes in the Board nor any proposal has ever

been made to amend the Act. Chairman and Members of the CBDT are appointed from amongst the senior-most Chief Commissioners of Income Tax with the approval of the Cabinet Committee on Appointments.

1.5 As per available records, no officer belonging to SC/ST category has been appointed as Chairman or Member of CBDT since 1987. Information for the period prior to 1987 is not available.

1.6 During the evidence when asked whether there was any Member from the SC/ST community in the Board, the Secretary (Revenue), Ministry of Finance, stated that the present Board has no Member from SC/ST communities.

1.7 During the evidence when the Committee further asked if it was due to vigilance cases pending against SC/ST officers that hampered their career growth in reaching to level of Chief Commissioner in order to be eligible for selection to the post of Members/Chairman of the Board, the representative of the CBDT replied that there was nothing like that. The Committee note that appointment as a Member of the Board is made from amongst the officers holding the post of Chief Commissioner. And the promotion to the grade of Chief Commissioner is made as per seniority which is done in accordance with the guidelines of the Union Public Service Commission (UPSC) and DOP&T. As per the seniority rules,

double the candidates of the existing vacancies at the Chief Commissioner's level are called for and one more name is added in the list. Then, the promotion is made as per seniority. Now, the position is such that the posts are filled up by officials who are declared fit or unfit.

1.8 The Committee pointed out that the Department was as old as 1920 and desired to know as to why even a Member after independence could not come from the officers belonging to SC and ST categories. In reply, during the evidence, it was stated that it is the Appointments Committee of the Cabinet which goes through the ACRs and the Department per se is not involved in the actual selection. The Committee were assured that this problem would be looked into by the Department and the Department will bring it to the notice of the Cabinet Secretary, who is the Secretary of the Appointments Committee of the Cabinet.

**1.9 The Committee are surprised to note that no officer belonging to SC/ST category has ever been appointed as Chairman or Member of the Board since 1987 and information prior to 1987 is also not available. It is evident that in the last fifty years there was no SC/ST Member in the Board whereas in other Departments there are SC/ST Officers who occupy positions at the highest level. The Committee also note that only officers who are in the rank of Chief Commissioners of Income Tax are eligible for appointment to the post of Member of the Board. There is also no provision under the relevant Act for reservation for SCs/STs in the Board nor any**

proposal has ever been made to amend the Act. The Committee are of the view that CBDT should examine this aspect as to how no officer belonging to SC/ST categories got an opportunity to become a Member of the Board when at the time of recruitment to the Indian Revenue Service due reservation is provided for SCs/STs. The Committee are of the view that it is for the Government to see and give SC/ST persons proper representation in the apex body of the Income Tax Department. The Committee, therefore, recommend that the Government should take all possible steps to ensure that SC/ST officers fulfilling the minimum qualifications may get representation in the Board.



## **CHAPTER II**

### **RESERVATION IN SERVICES**

#### **A. Reservation and Recruitment Procedure**

2.1 The Committee have been informed that the percentage of reservation followed in CBDT in favour of SCs/STs for posts filled by direct recruitment is 15% for Scheduled Castes and 7.5% for Scheduled Tribes for all categories of posts.

2.2 The recruitment procedure for Group 'A' posts under CBDT such as Indian Revenue Service (IRS) is governed by the provisions contained in the IRS Rules, 1988. As per the provisions contained in the said rules, 50% of vacancies in the grade of Assistant Commissioner of Income Tax (ACIT) (Jr. Scale) are filled by direct recruitment on the basis of the results of the Civil Services Examination. Reservation for SCs/STs is given at the time of selection by Union Public Service Commission (UPSC) as per government policy. In pursuance to the above rules, 50% of vacancies arising in a particular year are intimated to the UPSC for recommending names of eligible candidates for appointment as direct recruits. 50% vacancies in the grade of ACIT are filled by promotion from Income Tax Officers (ITOs). Posts higher than ACIT are filled by promotion in accordance with the provisions of Recruitment Rules and reservation is not applicable to these posts as per policy of the Government of India.

2.3 Recruitment for Group 'B' posts is promotion based and done through UPSC as per Recruitment Rules. The various categories of posts categorized as Group B in CBDT are as under: -

Gazetted Posts	Non-gazetted posts
1. Administrative Officer Gr. II	1. Inspector
2. Administrative Officer Gr. III	2. Office Superintendent
3. Senior Private Secretary	3. Stenographer Grade – I
4. Private Secretary	
5. Income Tax Officer	

2.4 All the above posts, except Inspector are filled by promotion. In the case of Inspector, 2/3rd of the vacancies used to be filled up by promotion and 1/3rd of the vacancies used to be filled up by direct recruitment through the Staff Selection Commission. However, new RRs for Inspector are under processing, according to which this ratio will change.

2.5 Whereas, the mode of recruitment for various Group 'C' and 'D' posts in CBDT is as under: -

Sl. No.	Name of the Post	Pay-scale(Rs.)	Source of Recruitment
1.	Office Superintendent	5500-9000	100% by promotion
2.	Income Tax Inspector	-do-	33.33% by promotion & remaining by direct recruitment through S.S.C.
3.	Data Processing Asstt. Gr. 'A'	-do-	50% by deputation & 50% by direct recruitment
4.	Senior Tax Assistant	5000-8000	100% by promotion
5.	Tax Assistant	4000-6000	25% by promotion and 75% by direct recruitment (newly created post-Recruitment Rules are under finalization)
6.	Lower Division Clerk	3050-4590	100% by promotion of Gr. 'D' staff
7.	Hindi Typist	-do-	100% by direct recruitment through SSC
8.	Stenographer Gr-I	5500-9000	100% by promotion
9.	Stenographer Gr-II	5000-8000	100% by promotion

10.	Staff Car Driver (Spl.Gr.)	4500-7000	100% by promotion
11.	Staff Car Driver Gr-I	4500-7000	100% by promotion
12.	Staff Car Driver Gr-II	4000-7000	100% by promotion
13.	Staff Car Driver (OG)	3050-4590	Deputation, reemployment and absorption failing which by direct recruitment
14.	Notice Server	3050-4590	100% by promotion
15.	Sr. Hindi Translator	5000-8000	Promotion/deputation/direct recruitment
16.	Jr. Hindi Translator	4500-7000	Deputation/direct recruitment
17.	Jr. Gestetner Operator	2610-4000	100% by promotion
18.	Daftry	2610-4000	100% by promotion
19.	Sr. Peon/Jamadar	2610-4000	100% by promotion
20.	Peon	2550-3200	100% by direct recruitment through local Employment Exchange.
21.	Chowkidar	-do-	-do-
22.	Farash	-do-	-do-
23.	Sweeper	-do-	-do-
24.	Mali	-do-	-do-

2.6 In reply to a post evidence query, the Committee have been informed that a uniform recruitment policy for group 'C' and 'D' posts is being followed. Recruitment for Group 'D' posts is made through local Employment Exchanges and through Staff Selection Commission for Group 'C' posts. The Income Tax Department is divided into 18 Cadre Controlling Authorities. For smooth conduct of examinations and interviews and implementing the specific policies and procedures laid down in this regard, Staff Selection Commission has set up a network of 6 regional and 2 sub-regional offices at New Delhi, Allahabad, Raipur, Kolkata, Guwahati, Mumbai, Madras and Bangalore. Each regional or sub-regional office of SSC is catering for the recruitment requirements of

Group 'C' posts of the States allocated to them. Cadre Controlling Authorities are requisitioning the staff requirements to the regional/sub-regional offices of the Staff Selection Commission. Regional offices of SSC located at Guwahati is covering all the north-eastern States and Regional Office, Kolkata is covering Andaman & Nicobar Islands, West Bengal, Orissa and Sikkim. Naturally the availability of ST candidates is more in these States as compared to other States in the country where the availability of SC candidates is either more or at par with the percentage prescribed by the Government.

2.7 In promotions, reservation to the extent of 15% for Scheduled Castes and 7.5% for Scheduled Tribes is applicable to all posts in Group 'D', 'C', 'B' and lowest rank of Group 'A' (Assistant Commissioner of Income Tax).

2.8 The Government policy does not provide for reservation in respect of promotions within Group 'A'. However, for making promotions from the grade of ITO (Group 'B') to the grade of ACIT (Group 'A') 15% of posts are reserved for Scheduled Castes and 7.5% for Scheduled Tribes as per policy of the government.

2.9 In so far as Group 'C' and 'D' posts are concerned, the procedure for promotion of the employees in the Income Tax Department to various categories of posts is outlined in the Recruitment Rules and instructions issued by DOP&T in this regard from time to time. The seniority is not the only criteria for promotion, passing of prescribed departmental

examination for certain categories of staff is also one of the eligibility condition prescribed under the respective recruitment rules. The vacancies in promotion quota for general category candidates and reserved category candidates are determined in accordance with the Roster Points. The selection against vacancies reserved for SCs/STs is made only from amongst SC/ST officials who are within the normal zone of consideration and where adequate number of SC/ST candidates are not available within the normal field of choice, the SC/ST candidates coming within the extended field of choice are considered against vacancies for them.

**B. Recruitment Board and Departmental Promotion Committee**

2.10 It has been informed that the recruitment to the lowest grade in Group 'A' (ACIT) where reservation is applicable is done on the basis of Civil Services Examination conducted by UPSC.

2.11 The Committee have also been informed that it is the duty of the UPSC to fix standard in relaxation of benchmarks for determining suitability of candidates for appointment to the grade of ACIT. In promotion to the grade of ACIT, instructions issued by DOP&T are followed for determining suitability of SC/ST candidates and selection are made by the DPC constituted by UPSC.

2.12 The composition of the interview board in respect of Group 'C' posts is decided by Staff Selection Commission. For Group 'D' posts applications are invited from the local employment exchanges and selection process is completed by the duly constituted departmental committee.

2.13 As and when promotion/confirmation in the service is made, it is ensured that at least one officer of appropriate level from SC/ST categories is nominated as a Member of Departmental Promotion Committee/Selection Committee, as per provisions of the Recruitment Rules.

2.14 The Committee have also been informed that Departmental Promotion Committees (DPCs) for promotion to the grade of Chief Commissioners, Commissioners, Joint Commissioners, Assistant Commissioners of Income Tax (50% promotion) are held by UPSC on the basis of seniority list and in accordance with IRS, Recruitment Rules and vacancies in the respective grades in a particular year. The DPCs in respect of Non-Functional Selection Grade (NFSG) and Senior Scale are held departmentally. These DPCs consist of Chairman, CBDT, a Member of the CBDT and Joint Secretary (E), DOP&T in respect of promotions in the NFSG. For promotion in Senior Scale, DPC comprises of Chairman, CBDT and a Member of the CBDT.

### C. Staff Strength and Shortfall

2.15 Regarding staff strength and shortfall, the information showing the total number of employees and number of SC/ST amongst them in Group 'A','B','C' and 'D' posts in CBDT as on 01.07.2002 is as given below :

#### Group `A'

Group of post	Total No. of employees	No of SC ST		Percentage of SC ST		No. of Shortfall SC ST		Percentage shortfall SC ST	
		SC	ST	SC	ST	SC	ST	SC	ST
ACIT/DCIT	1935	344	122	17.8	6.3	--	23	--	1.2
Addl./JCIT	935	As per extant policy of the Government, reservation of SC/ST is done up to the lowest rung of Group `A' i.e. ACIT.							
CIT	698	As per extant policy of the Government, reservation of SC/ST is done up to the lowest rung of Group `A' i.e. ACIT							
CCIT	116	As per extant policy of the Government, reservation of SC/ST is done up to the lowest rung of Group `A' i.e. ACIT.							
Group `B'	4756	860	332	18.08	6.98	8	31	0.93	9.34
Group `C'	35779	6139	1818	17.16	5.08	-	865	-	2.42
Group `D'	8979	2979	499	33.18	5.56	-	174	-	1.94

2.16 It has also been stated that there is no shortfall in the intake of SCs/STs against their reserved quota in Group `A' & `B' posts.

2.17 For Group `C', in the direct recruitment quota, required numbers of candidates are generally not sponsored by SSC. As regards promotion, it has been stated that the shortfall in promotion to all posts in the category of Scheduled Caste employees is almost negligible from the prescribed percentages of 15%. The main reason for the shortfall in ST category is that the ST candidates having completed requisite length of service as per

recruitment rules are not available even in the extended zone of consideration which is five times of number of vacancies to be filled up on a particular occasion in the case of ST employees. Recruitment to Group 'C' and 'D' posts is made on Regional basis. In certain regions, there is either excess or short of either SC or ST population which results in shortfalls.

2.18 As desired by the Committee, the Ministry has furnished updated information regarding the total number of employees and the number of SCs/STs amongst them in Group 'A', 'B', 'C' and 'D' posts as on 31.12.2004 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
Group 'A'	1974	317	133	16.60	6.65	-	-	-	-
	1116*	-	-	-	-	-	-	-	-
	698*	-	-	-	-	-	-	-	-
	116*	-	-	-	-	-	-	-	-
Group 'B'	5222	900	302	17.24	5.80	-	89	-	1.70%
Group 'C'	33364	5793	1845	17.36	5.53	-	657	-	1.97%
Group 'D'	8541	2945	418	34.49	4.90		222		2.60%
	* Reservation is provided at the entry level i.e. ACIT.								

**2.19 The Committee made a comparative study of the total number of employees and the number of SCs/STs amongst them in various categories of posts furnished to the Committee as on 1.7.2002 and as**



on 31.12.2004 and note that there is a continuous shortfall of STs in Group 'B', 'C' and 'D' posts. The Committee do not accept the contention of the Government that in direct recruitment quota for Group 'C', the required number of candidates are not sponsored by the SSC and as for promotion quota, the reason for the shortfall is non-availability of ST candidates having completed requisite length of service as per recruitment rules even in the extended zone of consideration. The Committee are not happy with the continuous shortfall of STs in Group 'B', 'C' and 'D' posts since the year 2002. The Committee, therefore, recommend that if SSC is not in a position to sponsor required number of candidates of these categories, SSC should invite applications from open market and the examinations for such categories should be held on All India basis instead of regional arrangements which is being followed by SSC at present to make up the shortfall of STs in Direct Recruitment. Regarding shortfall in promotion quota, the Committee conclude that there is no proper intake of ST candidates as per prescribed percentage in the feeder cadre which has, perhaps resulted in non-availability of these candidates even in extended zone of consideration. The Committee recommend the Government to look into this aspect seriously and make sincere efforts to make up the shortfall of ST candidates in promotional posts without any further delay.

**D. Concessions/Relaxations in Recruitment and Promotion**

2.20 The Committee have been informed that the following concessions/relaxations are given to Scheduled Castes and Scheduled Tribes in Direct Recruitment and Promotion:-

- (a) In Direct Recruitment, age relaxation by 5 years is allowed in case of candidates belonging to SC/ST where upper age limits have been provided in Recruitment Rules.
- (b) In case of promotion, the following concessions are given to SC/ST employees while considering them for promotion in Group 'C' and 'D' posts.
  - (i) Apart from the general concessions and relaxations in favour of SC/ST granted by the Government of India, the qualifying standards in favour of SC/ST as against normal qualifying standards for general category for various Departmental Examination held in the Income Tax Department are relaxed by 5 marks below the normal qualifying standards.
  - (ii) No fee is charged for appearing in Departmental Examination conducted by Income Tax Department.

- (iii) The SC/ST employees are provided training by the various Chief Commissioners of Income Tax to enable them to qualify the Departmental Examination in Group 'C' & 'D' posts which is one of the conditions for promotion to various posts.

## E. Recruitment and Promotion

2.21 In a written reply, the Ministry have furnished a statement showing the details of recruitment made for various categories of posts by the Department during the years 2002-03, 2003-04 and 2004-05 as given in Annexure 'D'.

2.22 Information regarding the number of persons promoted during the years 1999-2000, 2000-01 and 2001-02 in various categories of Group 'A', 'B', 'C' and 'D' posts furnished to the Committee is as given below: -

### Group 'A'

Year	Category of post	Total No. of employees promoted	No. of posts filled		Percentage of		No. of backlog vacancies/shortfall	
			SC	ST	SC	ST	SC	ST
1999-2000	ACIT *	76	11	11	14.5	14.5	-	5
	JCIT *	15						
	JCIT *	87						
	CIT *	8						
	CCIT *	6						
2000-01	ACIT *	474	97	29	20.7	5.9	-	-
	JCIT *	34						
	JCIT *	562						
	CIT *	372						
	CCIT *	55						
2001-02	ACIT *	569	98	41	17.1	7.4	-	-
	JCIT *	-						
	CIT *	61						
	CCIT *	46						

\* Reservation is not applicable in these grades

**Group 'B', 'C' & 'D'**

Year	Category of post	Total No. of emp. promoted	No. of posts filled		Percentage of Vacancies		No. of Backlog vacancies/ shortfall	
			SC	ST	SC	ST	SC	ST
1999-2000	Group B	58	16	15	27.6	25.86	-	1
	Group C	3584	517	156	14.43	4.35	309	407
	Group D	53	14	02	26.41	3.77	-	5
2000-01	Group B	1369	255	100	18.63	7.32	8	16
	Group C	7646	1125	288	14.71	3.77	307	570
	Group D	1015	264	84	26.00	8.28	-	-
2001-02	Group B	1330	196	72	14.74	5.41	9	19
	Group C	11724	1900	542	16.21	4.62	283	596
	Group D	1512	460	79	30.42	5.22	-	24

2.23 In reply to a post evidence query, the Ministry has furnished updated information regarding the number of persons promoted during the years 2002-03, 2003-04 and 2004-05 in various categories of Group 'A', 'B', 'C' and 'D' post as under: -

Year	Particular of post	Total no. of employees promoted	No. of posts filled		Percentage of vacancies		No. of backlog vacancies	
			SC	ST	SC	ST	SC	ST
2002-03	Group 'A'	126	29	11	23.01	8.73	-	-
	Group 'B'	1082	156	71	14.41	6.56	6	10
	Group 'C'	822	124	86	15.08	10.46	-	-
	Group 'D'	195	20	06	10.25	3.1	9	8
2003-04	Group 'A'	13	28	24	21.04	10.07	-	-
	Group 'B'	1011	153	56	15.13	5.54	-	20
	Group 'C'	1028	199	82	19.35	7.97	-	-
	Group 'D'	215	56	08	2.04	3.72	-	8
2004-05	Group 'A'	DPC yet to be	Held.					
	Group 'B'	1180	160	50	13.55	4.23	17	19
	Group 'C'	1522	216	84	14.19	5.52	12	30
	Group 'D'	317	62	29	19.55	9.14	-	-

**2.24** The Committee are perturbed to note that large number of backlog vacancies in Recruitment as shown in para 2.23 (Annexure-D) which has accumulated over the years. In 2002-03, the position of SC backlog vacancies for recruitment in Group 'B' and Group 'C' were 49 and 290 respectively. In 2004-05, the number of SC backlog vacancies had risen to 124 and 545 respectively. The position in case of ST backlog vacancies is also not better. The position of ST backlog vacancies for Group 'B', 'C' and 'D' posts for the year 2002-03 was 234,180 and 172 which rose to 300, 345 and 240 respectively in the year 2004-05. The Committee, therefore, recommend that all these backlog vacancies in recruitment should be filled up through Special Recruitment Drive and inform the Committee about the progress made in this regard.

**2.25** The Committee note that concessions such as relaxed qualifying marks as against general category candidates and age relaxation are provided to the Scheduled Castes and Scheduled Tribes while considering them for promotion in group 'C' and 'D' posts. In this connection, the Committee expect that whenever departmental examinations for promotion are held and the Scheduled Caste and Scheduled Tribe candidates are appointed on the basis of that examination on their own merit and not owing to reservation or relaxation of qualification, these candidates will be adjusted against unreserved points as per the Government Orders in

this regard. The Committee also note that in the year 2004-05, there were backlog of 17 SC and 19 ST vacancies in Group 'B' and 12 SC and 30 ST vacancies in Group 'C' in promotional posts. The Committee, therefore, recommend that these backlog vacancies should be wiped out at the earliest and the Committee be informed of the progress made in this regard.

#### F. Backlog

2.26 The Committee have been informed that during the years 1997-2003, there has been no backlog in the vacancies reserved for SCs/STs in Group 'A' and Group 'B'. However, there are backlog vacancies of SCs/STs in Group 'C' and 'D' posts during the same period as shown in the statement below: -

YEAR	Group 'C' SC	Group 'C' ST	Group 'D' SC	Group 'D' Scheduled Tribe
1997-1998	89	208	-	03
1998-1999	102	267	-	31
1999-2000	329	466	4	28
2000-2001	355	613	-	31
2001-2002	490	919	-	100
2002-2003	735	1067	-	144

2.27 As for Group 'C' and 'D' posts special drives were launched in 1995 and 1996. No special drive has been carried out after the year 1996.

2.28 However, the Committee have been informed that Special Recruitment Drive for recruiting SC/ST candidates was to be decided for the country as a whole. Besides, the Income Tax Department was

restructured in the year 2000-2001, as a result of which staff strength of various categories of posts have been right sized. However, efforts will be made to clear the backlog vacancies for SC/ST employees.

2.29 During the evidence, when the Committee inquired about the reasons for not conducting Special Recruitment Drive since 1996 to fill the backlog vacancies, the Secretary (Revenue) Ministry of Finance stated that there was no backlog in Group 'A' & 'B' posts but admitted the existence of backlog vacancies in Group 'C' & 'D' posts. The backlog vacancies increased over the years because two years ago the Department had taken a decision that all those who have been already working would be promoted first. Therefore, direct recruitment was not held. The Revenue Secretary, Ministry of Finance was also involved in that Committee. She assured that whatever possible, she would try to clear the backlogs. As far as Group 'D' posts are concerned, she said even if the backlog exists therein, she takes it unsatisfactory and assured that she would try her best to clear the backlog.

2.30 On being asked, how long will it take to fill these backlog vacancies, the Secretary (Revenue), Ministry of Finance stated that it would be cleared in that year because direct recruitment would open in that year again after it was banned for two years following restructuring of the Department. She also added that the entire backlog in Group 'D' would be wiped out and also try to clear the backlog in Group 'C' post because it has been continuing since 1997.

2.31 As desired by the Committee, the Ministry have furnished the detailed information regarding backlog vacancies of SCs/STs in various groups of posts for the years 2002-03, 2003-04 and 2004-05 as under:

Year	Group `A`		Group `B`		Group `C`		Group `D`	
	SC	ST	SC	ST	SC	Scheduled Tribe	SC	ST
2002-03	-	-	49	234	290	180	-	172
2003-04	-	-	86	266	346	227	-	208
2004-05	-	-	124	300	545	345	-	240

2.32 In reply to the Committee's query on whether CBDT has launched any Special Recruitment Drive on the basis of DOP&T Office Memorandum number 36038/1/2004-Estt.(Res.) dated the 5<sup>th</sup> August, 2004, the Committee were informed in a written reply that since there is no backlog in the IRS (Group A), therefore, the need was not there to launch a Special Recruitment Drive. Whereas for Group `B`, `C`, and `D` the CBDT has reported 73 (SC) and 63 (ST) vacancies in Group `B` (Non-Gazetted) and Group `C` and 8 (SC) and 9 (ST) vacancies in Group `D` to Recruiting Agencies – Staff Selection Commission, Employment Exchange etc. for filling up during the Special Recruitment Drive. It was also stated that the Recruiting Agencies take their own time in conducting examination and making nominations.

**2.33 The Committee take serious note of the fact that since 1996 no recruitment drive was launched by the CBDT whereas the backlog of SC/ST vacancies for group `C` and `D` posts has been increasing over the years since 1997. The Committee desire that the**



instructions and guidelines issued by the DOP&T in this regard should be followed strictly and backlog vacancies should be filled up at the earliest. Again from the year 2002-03 onwards, there is a steady increase in the backlog vacancies of SCs/STs in group 'B', 'C' and 'D' posts. The Committee regret to say that it is a lapse on the part of the Department for not making any serious effort to wipe out these backlog in time. The inaction on the part of the Department has a serious repercussion on the backlog vacancies. The Committee also note that in response to DOP&T O.M. No.36038/1/2004-Estt.(Res.) dated the 5<sup>th</sup> August, 2004, the Department has reported 73(SC) and 63(ST) vacancies in Group 'B' and 'C' and 8 (SC) and 9 (ST) vacancies in Group 'D' to the Recruiting Agencies for filling up through Special Recruitment Drive but the Committee are not satisfied with the reply of the Department that Recruiting Agencies take their own time in conducting examination and making nominations. The Committee desire that these agencies should be asked to fill up the reserved posts in a time bound manner. The Committee also desire that the number of vacancies to be filled up in various categories should cover all the vacancies up to the year 2005. The Committee may be apprised of the progress made in this regard.

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

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

**CHAPTER III**  
**MEASURES TO IMPROVE REPRESENTATION**

**A. Training**

3.1 The Committee have been informed that under the scheme of in service training, training is imparted to all Group 'A' officers of IRS including officers from SC/ST categories. For Group 'B', 'C' & 'D', Ministerial staff training centres are located in various places in the country to impart training to all employees including SC/ST employees of the Income Tax Department. Statistics on training of SC/ST employees trained during the last three years is as under:-

Year	Total Number of employees trained	No. of SC employees trained	No. of ST employees trained	No. of General Category employees trained
		RTI Bangalore		
2000-01	3946	551	131	3264
2001-02	1661	182	98	1381
2002-03	3723	692	162	2869
		RTI HAZARIBAGH		
2000-01	348	26	32	290
2001-02	173	21	19	133
2002-03	396	62	39	295
		RTI KOLKATA		
2000-01	3946	551	131	3264
2001-02	1661	182	98	1381
2002-02	3723	692	162	2869

		RTI LUCKNOW		
2000-01	656	98	18	540
2001-02	249	43	5	201
2002-03	1058	199	34	823
		RTI MUMBAI		
2000-01	4269	253	226	3790
2001-02	2217	154	104	1959
2002-03	2530	291	155	2084
		NADT, NAGPUR		
2000-01	357	50	24	311
2001-02	401	61	34	386
2002-03	668	87	52	609
Total	31980	4195	1523	26450

3.2 During the evidence when the Committee asked whether CBDT could provide special training to SCs/STs, especially at the stage of pre-recruitment and post recruitment, the Secretary (Revenue) stated that so far as training is concerned, before recruitment, it might be difficult but after recruitment, it might lead to more of a feeling of isolation, if there is a separate training for them rather than an integrated training. Further, the Secretary (Revenue) added that separate training for SCs/STs after recruitment could be considered.

3.3 As requisitioned by the Committee, the Ministry have furnished fresh details of the total number of employees trained during the years 2002-03, 2003-04 and 2004-05, showing the number of SC/ST employees amongst them as under: -

Year	Category of post	Total no. of employees	No. of employees	
			SC	ST
2002-03 to 2004-05	Group `A`	16	01	-
2002-03	Group `B`	4014	781	257
	Group `C`	6251	790	385
	Group `D`	304	68	13
2003-04	Group `B`	3173	576	184
	Group `C`	6291	828	418
	Group `D`	287	84	16
2004-05	Group `B`	3733	675	308
	Group `C`	5982	664	340
	Group `D`	172	33	09

**3.4 The Committee note that so far as training is concerned, CBDT do not provide training to SCs/STs at the stage of pre-recruitment and post recruitment. However, the Committee desire that if pre-recruitment and post recruitment training is not provided to the Scheduled Castes and Scheduled Tribes, the Department should provide at least promotional training at the time of holding departmental examinations. This will not only enable SC/ST candidates to compete alongwith candidates of general categories but also help the Department to get the backlog/shortfall wiped out in promotional posts.**

**B. Training abroad**

3.5 As per the information provided to the Committee regarding the details of general employees vis-à-vis SC/ST employees sent for foreign training during the years 1999-2001, CBDT have deputed 26 officers for foreign training out of which only one was from SC category.

3.6 In the post evidence reply to the Committee, the CBDT has stated that there is no specific eligibility for deputing officers to foreign training. Different training programmes require different eligibility. The sponsoring authority of training prescribes eligibility criteria for the particular training.

3.7 There is no specific foreign training programmes for IRS Officers only. A few IRS Officers themselves try to get slot for a training programme circulated either by DOP&T and Department of Economic Affairs. Mostly the Board is requested to forward the names of interested officers who apply directly to the concerned departments through proper channel.

3.8 During the evidence when the Committee desired to know the reasons why more SC/ST officers are not being sent for training abroad.

The Secretary (Revenue), Ministry of Finance replied: -

“In fact, when I saw the figures, I myself had a discussion with my colleagues who have been here for a longer period. They say that very often, the nomination comes from the DOP&T. Government is Government. It is a lapse. We have to make more efforts. As has been pointed out, even if there is no reservation, the spirit is that we should

send more people. It is regrettable. I do not think any explanation that we give would actually be satisfactory in this case. To say that the DOP&T forward the name is not a satisfactory answer. We have to make more efforts. We have to send the names.”

3.9 Further when the Committee desired to know as to who selects the officers who are nominated for trainings abroad, the Chairman, CBDT, replied: -

“I would like to tell you that the basic thing about the selection procedure for training abroad is not by way of invitation of application. Even if you ask us, we don't know where to go for such training on such and such date. It is only after we received the list from the Department of Economic Affairs, that we got to know that only one or two officers have to go for such training and even at times some officers used to get their names nominated. In our department there are less opportunities for foreign trips. Now when we will get the list of people nominated for foreign trips, we will include the names of eligible SC/ST officers. It did not come in our mind that we had to consider the quota rule. This matter came to our notice only when you raised the question, and caught us unprepared as to what answer should be given to the Committee. But we have never spoken in such a manner before. Those who are in the Board, they try to nominate their own names. This is a common practice but now we will take note of it.”

3.10 In the post evidence when the Committee asked for updated information regarding details of general employees vis-à-vis SC/ST employees sent on foreign training during the years 2002-03, 2003-04 and 2004-05, it was stated that no Group `B`, `C` and `D` employees during the above period has been sent on foreign training except one person in Group `A` in general category in the year 2002-03.

**3.11 The Committee are unhappy to note that out of 26 officers of various levels sent for training abroad during the period 1999-2001, only one officer belongs to Scheduled Caste category. Notwithstanding the eligibility criteria, the procedure and norms prescribed for nomination for training abroad, the representation of Scheduled Castes and Scheduled Tribes is highly deplorable. Regardless of the sponsoring authority and nominating agency concerned, one thing is clear that no attempt was made to nominate the names of deserving Scheduled Caste and Scheduled Tribe officers. As a proverbial saying that training makes a man perfect, the Committee believe that getting trained abroad will not only enable the Scheduled Caste and Scheduled Tribe officers to acquire skill and aptitude but also broaden their outlook. It will also make them more efficient in the discharge of duties and help them in their career. The Committee, therefore, impress upon the Department to nominate more Scheduled Caste and Scheduled Tribe officers for training abroad. Even if there is no reservation, the Department**



**should show the spirit to represent them proportionately to their numbers keeping in view the O.M. No. 16/32/74-Estt.(SCT) dated 3<sup>rd</sup> April, 1976 issued by the DOP&AR. The Committee, therefore, recommend that the Department should prepare a formal list/panel of eligible Scheduled Caste and Scheduled Tribe officers of various levels for nomination for training abroad.**

### **C. De-reservation**

3.12 In a written reply furnished to the Committee, it has been informed that de-reservation of posts is not applicable to Group 'A' & 'B'. But in so far as Group 'C' and 'D' posts are concerned, before filling up the reserved vacancies by general candidates, the reserved vacancies are got de-reserved by the cadre Controlling Chief Commissioners and vacancies so de-reserved are carried forward to the subsequent three recruitment years. In the third and last carried forward recruitment year vacancies are exchanged between SC and ST candidates and the balance, if any, automatically lapses.

3.13 The Committee wanted to know whether there was any instance of de-reservation of vacancies in CBDT during the last five years. In reply, the Committee were informed that no de-reservation of vacancies reserved for SC/ST employees has been ordered in the field formation of CBDT in respect of Group 'C' and 'D' posts during the period from 1997 to 2003.

3.14 During the evidence the Secretary (Revenue), Ministry of Finance, has also stated that there was not a single such case during the last two years. She said that de-reservation is not centralized in the department but powers have been delegated to Chief Commissioners under the rules and regulations. It was further stated that even though there was backlog vacancies of Scheduled Castes and Scheduled Tribes in Group 'C' and 'D' categories of posts for the last five years but these were being carried forward every year and have been decreasing.

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

should strictly follow the instructions of DOP&T so as to ensure that the interest of Scheduled Castes and Scheduled Tribes are not adversely affected.

#### D. Deputation

3.16 The Committee have been provided with the details of employees including SCs/STs who were on deputation during the years 1997-98 to 2001-2002 as under: -

Category of posts	Total No. of employees	SC	ST
Group 'A'	241	19	06
Group 'B'	52	06	01
Group 'C'	Nil	Nil	Nil
Group 'D'	Nil	Nil	Nil

3.17 It was further stated that no employees in Group 'A', 'B', 'C' and 'D' have been taken on deputation in CBDDT during the last five years.

3.18 As per updated information furnished to the Committee by the Ministry, the total numbers of employees sent on deputation during the years 2002-03, 2003-04 and 2004-05, as also the number of SC/ST employees amongst them are as under: -

Year	Category of Post	Total No. of employees	No. of employees	
			SC	ST
2002-03 to 2004-05	Group 'A'	220	07	04
2002-03	Group 'B', 'C' & 'D'	20	-	-
2003-04	Group 'B', 'C' & 'D'	13	-	01
2004-05	Group 'B', 'C' & 'D'	36	03	03

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

**E. Compassionate appointments**

3.20 The Committee have been informed that the number of employees appointed in Group `C` & `D` posts by CBDT on compassionate grounds and the number of SCs/STs amongst them prior to the year 2002 is as under:-

Category of posts	Number of employees	SC	ST
Group `C`	129	29	7
Group `D`	36	22	1

3.21 During the evidence, the Committee apprised the representatives of the Government of India that the death rate of SCs/STs are higher than others and if they are to be given jobs on the basis of 5 percent as was mentioned by them, it will be injustice to them as their number of death is more as compared to others. Further, on being asked what has been the Department's plan to do in case of increase in demand for appointment on compassionate grounds, the Chairman CBDT replied:

“We have kept 36 percent for these people, no quota is earmarked for it. There is no quota in the Department. The priority is given against the cases of death. If someone dies and his/her kith and kins are still minor, then, in such cases appointment is delayed. Therefore, the reason of delay is that there is no direct recruitment in the department.”

3.22 The Committee were also informed that as on 31.12.2002, 838 compassionate applications were pending in the field formation of CBDT. The details of group-wise pending applications for compassionate appointment belonging to SC/ST applicants are given below:-

<b>Group of Post</b>	<b>SC</b>	<b>ST</b>
'C'	129	31
'D'	116	25
Total	245	56

3.23 Applications for compassionate appointments are being received Group-wise and not cadre-wise.

3.24 Applications for all categories including general candidates for compassionate appointment pending for more than 2 years, 5 years and 10 years as on 31.12.2002 is as under:-

<u>2 years</u>	<u>5 years</u>	<u>10 years</u>
384	37	1

3.25 The reasons for pendency of the application is that as per DOP&T's guidelines, the quota for Compassionate Appointment in the Group 'C' and 'D' posts is 5 % of the total vacancies available for direct recruitment in a

year. The applications for appointment against compassionate quota are in excess of the number of vacancies available for compassionate appointments. As a result, there is waiting list for appointments against the compassionate quota in the field formations under CBDT. However, position is likely to be improved to a great extent after the direct recruitment plan for the year 2001-02 is approved by the Screening Committee.

3.26 As per the latest revised information received from the Ministry the total number of applications pending for compassionate ground appointment as on 31.12.2004 is as under:-

Total No. of applications pending as on 3.12.2004	No. of applications of SC/ST employees pending
1065	321

3.27 As for the reasons for pendency it was stated that the compassionate appointments are made against the Direct Recruitment (DR) vacancies and that the DR vacancies for the Recruitment Year 2002-03, 2003-04 and 2004-05 are still pending for clearance before the Screening Committee.

**3.28 As per guidelines of DOP&T, only 5% of the total vacancies available for direct recruitment in a year are to be filled by compassionate appointments. As a result the number of applications pending for compassionate appointment increases over the time in excess of the number of vacancies available for compassionate appointments. The Committee are of the view that since the appointment is made on compassionate ground, the principle of**

**5% reservation for such appointments should be enhanced by suitably amending the rules governing it. The Committee, further recommend that the process of compassionate appointments should in no way be delayed so that the dependants of the deceased do not suffer from unnecessary hardships.**

**F. False Caste Certificate**

3.29 In a written reply submitted to the Committee, it has been stated that some cases of appointment on the basis of false caste certificates have been detected as detailed below:-

(i) Chief Commissioner of Income Tax, Bangalore

Two cases one in Group 'D' post (peon) and another in Supervisor Grade-II post were detected. In the post evidence reply, the Committee was informed that punishment was awarded to the concerned officials.

(ii) Chief Commissioner of Income Tax, Chennai

A few cases of false caste certificates were detected. The false certificates were cancelled against which stay has been obtained from the court. In two cases, the concerned officials have retired from Government service. Their cases are under process. In the post evidence replies, it was stated that the Chief Commissioner of Chennai supplied defective information and is being re-verified.

(iii) Chief Commissioner of Income Tax, Bhopal

Three cases have been detected. These are under process. In the post evidence replies it was stated that of the three cases, the first was pending since July, 1994; the second since February, 1998 and the third since March, 2000. The cases are in progress.

(iv) Chief Commissioner of Income Tax, Lucknow.

One case has been detected. The matter is under investigation. Nothing has been mentioned in the post evidence replies

(v) Chief Commissioner of Income Tax, Hyderabad.

In the post evidence reply, it was informed that one case has been detected on 13.10.2001. The case was under adjudication of the Andhra Pradesh High Court. Show cause Notice has been issued as per direction of the Andhra Pradesh High Court.

3.30 During the evidence when the Committee inquired about the number of false caste certificates detected and action taken by the Department, the representatives of the Ministry of Finance and CBDT stated that in all 13 cases have been detected so far and in some cases disciplinary proceedings have been initiated against them. Some cases have been stayed by the court. It was also reported that most of the cases are from South.



3.31 As desired by the Committee, the Ministry have furnished detailed information regarding the total number of cases of appointment on the basis of false caste certificates detected as on 31.12.2004 and the details of the action taken thereon. It is reported to be based on the revised data received from the charges.

3.32 It was stated that as on 30.12.2004 no complaints was received in respect of officers in Group `A` posts. As for Group `B`, `C` and `D` posts a total of 7 cases have been detected for producing false caste certificate as on 31.12.2004. The details of these cases are as under :-

- In one case, CBI is probing the case.
- In another case, preliminary investigation is completed and show cause notice has been issued, but the proceeding was stayed by Hon'ble High Court, Bhopal.
- In three cases, preliminary investigation is completed and show cause notice has been issued by CCIT, Bhopal.
- In one case, the employee has been dismissed from service on 23.2.2005.

**3.33 The Committee note that the facts and figures pertaining to false caste certificates furnished in the preliminary material, post evidence replies and replies given during evidence are not same but it is obvious that cases of getting employment on the basis of false caste certificates have been found in the Department. The cases are**

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

## CHAPTER IV

### MISCELLANEOUS

#### **A. Grievances/Complaint Cell/Liaison Officer**

4.1 The Committee have been informed that Liaison Officers are appointed in all the Chief Commissioner of Income Tax (CCIT) charge of CBDT to look after the interest of SC/ST employees working in the charge. There is also an apex SC/ST Cell for Grade 'C' and 'D' posts in CBDT under the Chief Liaison Officer for SC and ST of the Income Tax Department as a whole. The apex SC/ST Cell in the CBDT is headed by the Chief Liaison Officer of the rank of Deputy Secretary and comprises of an Under Secretary, Section Officer and connected staff.

4.2 It has further been stated that the specific duties of the Liaison Officer in CBDT is to ensure due compliance in respect of reservation orders and other benefits admissible to SCs/STs, to look after the benefits of SC/ST employees and to safeguard all the interests of SC/ST employees in regard to recruitment/promotion/placement/training and all areas of career advancement.

4.3 It was also informed that the Liaison Officers in all the Chief Commissioner of Income Tax (CCIT) charge of CBDT and the Chief Liaison Officer at an Apex SC/ST Cell in the CBDT belonged to SC/ST category. It was also informed that there is coordination of liaison works between the various liaison officers set up in all CCITS.

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

**B. Complaint cases**

**4.5 The Committee have been informed that a general register (in some cases a separate register) has been maintained by the Chief**

Commissioner of Income Tax to record complaints/grievances of SC/ST employees.

4.6 In the post evidence replies, it was further informed that even though there exist no specific instructions of the Government to maintain separate registers for recording complaints/grievances of SC/ST employees but some Charges are maintaining such registers. However, the Board does not deem it advisable to open separate registers community-wise for recording their complaints.

4.7 When the Committee wanted to know about the number of complaints that have been received during the last five years, the nature of these complaints and the number of complaints disposed of and time taken for their disposal, it was informed that during the course of last five years, the Chief Commissioner of Income Tax/Director General of Income Tax had received 88 complaints from SC/ST employees. These complaints largely related to service matters such as pay anomalies, fixation of pay, medical claims, pension, promotion etc. Out of the 88 complaints, 71 complaints have been disposed of in the normal course of time. The other 17 complaints are pending disposal. These are less than one year old.

4.8 In the post evidence reply, it was also informed that no time frame has been set for redressal of the grievances/complaints of Scheduled Caste and Scheduled Tribe officers. However, efforts are made for redressal of their grievances on priority basis.

4.9 As desired by the Committee, the Ministry have furnished the details of complaints received from the SC/ST employees during the years 2002-03, 2003-04 and 2004-05 and the number of such complaints pending as under:-

Year	Category of post	No. of complaints received	No. of complaints disposed of	Nature of complaints and time taken for disposal
2002-03 to 2004-05	Group 'A'	As far as complaints received from SC/ST employees are concerned, there are no such complaints during the last three years except some complaints received from Income Tax Associations (SC/ST) in respect of filling up of promotion quota vacancies. The matter is sub-judice in Court of Law. The Department had received three complaints in connection with service matters only. All the matters have been disposed of.		
2002-03	Group 'B', 'C' & 'D'	27	24	Regarding absorption, promotion, seniority fixations of pay, medical bills, harassment etc. Disposed of:-  12 cases within 1 month  10 cases within 4 months  1 case within 8 months.  1 case within 4 months.

2003-04	Group `B', `C' & `D'	15	13	<p>Regarding promotion, fixation of pay, medical bills, T.A., Pension and harassment.</p> <p><u>Disposed of:-</u></p> <p>6 cases within 1 month</p> <p>5 cases with 3 months.</p> <p>1 case within few days.</p> <p>1 case within 17 months.</p>
2004 – 05	Group `B', `C' & `D'	10	07	<p>Denial of promotion, fixation of pay, medical bills, T.A., Pension and Seniority.</p> <p><u>Disposed of:-</u></p> <p>5 cases within 1 month.</p> <p>1 case within 9 months.</p> <p>1 case within 2 months.</p> <p><u>Pending – 3 cases:-</u></p> <p>1 for more than 1 year.</p> <p>1 for 6 months.</p> <p>1 for less than 4 months.</p>

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

**C. Discrimination / Harassment Cases**

4.11 When the Committee wanted to know about instances of harassment and discrimination against Scheduled Caste and Scheduled Tribe employees on the ground of community or social background, it was stated that only one such case has been reported by the Chief Commissioner of Income Tax, Cochin. The matter was got investigated. The officer against whom the complaint was made has been transferred.



**D. Periodic Meetings**

4.12 The Committee have been informed that periodic meetings are being held generally with the Associations of the employees in which the problems/grievances of Scheduled Caste and Scheduled Tribe employees are also discussed and appropriate follow up action is taken to redress their grievances. But when asked to state about the last meeting held with the Association; whether the Association was that of general employees of CBDT or was it exclusively of Scheduled Caste and Scheduled Tribe employees and about the preparation of minutes of such meetings, it was informed that as per the rules, an Association whose membership is restricted to a particular caste, tribe or religious denomination cannot be recognized. Charges are however holding meetings with the staff side (which include general as well as Scheduled Caste and Scheduled Tribe employees) to look into the grievances of employees in general. Some of the main agenda items discussed in the meetings are welfare issues, financial issues, filling up of vacancies, transfer policy and computerisation.

4.13 Minutes of such meetings are prepared by some charges and follow-up action taken on the decisions arrived in such meetings.

4.14 The Committee were also informed that the grievances, if any, brought out by Scheduled Caste or Scheduled Tribe employees are redressed through the institution of the Liaison Officer of the Region concerned. Where there exists such Welfare Associations due

opportunity is afforded by the respective Heads of the Departments and the Liaison Officers to discuss their problems. No minutes of such meetings are prepared. At most of the Headquarters, Offices of the cadre Controlling Authority of the Region, office accommodation has been provided to the Scheduled Caste and Scheduled Tribe Welfare Associations

**4.15 The Committee note that charges under CBDT do not hold separate meeting with the SC/ST Employees' Welfare Association. Even some charges who held meeting with the staff side which included SC/ST Employees do not bother to prepare minutes of such meetings. The Committee also note that at the Regional Office the grievances/problems of the SCs/STs are redressed by the Liaison Officer of the Region concerned but where there exists welfare associations, the problems are discussed with the Liaison Officer and Head of Department. The Committee, therefore, recommend that CBDT should follow well defined procedures/mechanisms for addressing the problems of the SC/ST employees at various levels and these should be well coordinated by the Headquarters. Besides, the Committee would like to recommend that minutes of every meeting should be prepared on the same day of meeting and be made available to the representatives of SC/ST Employees Associations. All decisions taken during such meetings should not be delayed for implementation. The Committee also urge the**

**Department to make available to the SC/ST Employees Associations, copies of circulars/orders issued in their interest by Government of India from time to time so that they are acquainted with of the latest policies of the Government.**

**E. Disciplinary Proceedings / Inquiry**

4.16 The Committee have been informed that those eligible officers who are found fit for promotion by DPC are promoted. The Officers including Scheduled Castes and Scheduled Tribes who are either under suspension or against whom disciplinary proceedings are pending, the DPC recommendations are kept in sealed cover and according to the recommendations, the cases are processed.

4.17 When the Committee wanted to know the number of general category officers vis-a-vis officers belonging to Scheduled Caste and Scheduled Tribe categories who have faced inquiry cases, it was stated that a total 12 Scheduled Caste and Scheduled Tribe officers have faced inquiry cases against 32 officers belonging to the general category.

4.18 The Committee were also informed that 7 Scheduled Caste officers and 2 Scheduled Tribe officers could not get promotion as a result of the inquiry cases pending against them.

4.19 During the evidence, the Committee pointed out that very often SC/ST officers are the target of vigilance inquiry at the time of their promotion but not at the time of the crime which affect their promotion.

Further, the Committee pointed out that this is not the case with the general category officers. In reply, the Secretary(Revenue) submitted that there is every possibility of wrong doing against an officer in such a big department but in most of the inquiries, due process of law has been followed. By and large, if an inquiry is initiated against a Group 'A' or Group 'B' officer it goes in most of the cases up to Central Vigilance Commission (CVC) which is an independent and constitutional body. Also in case of Group 'A' and 'B' officers, sufficient evidence has to be there. When the evidence is not there the cases cannot go through. It is not that an officer is just punished without due process. There may be cases of biased officers having done something but no one can rule this out in any Department including CBDT.

4.20 On being asked, if there can be a time limit within which an inquiry against an officer has to be completed so that the officer concerned does not suffer promotion because of the inquiry, the Secretary (Revenue) stated that there are CVC guidelines about inquiries being completed expeditiously. In some cases the inquiries have gone on for long. She also stated that this was one of the issues for discussion in the Chief Commissioners meeting to be held in the last part of that year. The Committee were also assured that adequate time would be spent on discussion of this issue and that report of discussion will be furnished to the Committee.

4.21 As per revised and updated information submitted to the Committee by the Ministry, as on 13.7.2005, there are 163 cases of disciplinary proceedings pending which includes cases of Group 'A' and retired officers/officials. As for Group 'B', 'C' and 'D' posts the position are as under :-

Group 'B'			Group 'C'			Group 'D'		
Gen.	SC	ST	Gen.	SC	ST'	Gen.	SC	ST
64	17	06	85	20	08	18	11	01

4.22 The Ministry have also submitted that as on 31.12.2004, the details of disciplinary cases were as under :-

Group 'B'			Group 'C'			Group 'D'		
Gen.	SC	ST	Gen.	SC	ST'	Gen.	SC	ST
16	08	02	50	08	-	04	06	01

4.23 As for the length of pendency of disciplinary cases for Group 'B', 'C' and 'D' posts the position are as under :-

Group 'B'			
2 years	5 years	10 years	Total
12	06	01	19

Group 'C' and 'D'			
2 years	5 years	10 years	Total
31	09	08	48

4.24 As for the reasons for pendency, it was stated that there was delay in the inspection of the record by the charged officer and presenting officers. There was also delay in the completion of the inquiry due to the frequent change of the Inquiry Officers and Presenting Officers.

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

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

**New Delhi**  
**2006**  
**,1928(S)**

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





**MINUTES****COMMITTEE ON THE WELFARE OF SCHEDULED CASTES  
AND SCHEDULED TRIBES  
(2003-2004)****(THIRTEENTH LOK SABHA)****SIXTH SITTING****(02.09.2003)****The Committee sat from 1130 hrs. to 1330 hrs. in Committee Room  
No. 'E', Parliament House Annexe, New Delhi****Present****Shri Ratilal Kalidas Varma - Chairman****MEMBERS****LOK SABHA**

2. Shri Daud Ahmad
3. Shri Mahendra Baitha
4. Prof. Dukha Bhagat
5. Shri Shriram Chauhan
6. Shri Shamsheer Singh Dullo
7. Shri Manikrao Hodlya Gavit
8. Shri Thawar Chand Gehlot
9. Shri Pravin Rashtrapal
10. Shri Bajju Ban Riyan
11. Shri Saroj Tufani

**RAJYA SABHA**

12. Shri Anil Kumar
13. Dr. Faguni Ram
14. Shri Robert Kharshiing
15. Shri Sukhdev Singh Libra
16. Shri V.V. Raghavan

17. Shri Birabhadra Singh
18. Prof. R.B.S. Varma

### **SECRETARIAT**

1. Shri Krishan Lal, Director
2. Shri Gopal Singh, Deputy Secretary
3. Shri K. Jena, Assistant Director

### **WITNESSES**

#### **MINISTRY OF FINANCE AND COMPANY AFFAIRS (DEPARTMENT OF REVENUE)**

1. Ms. Vineeta Rai, Secretary
2. Ms. Snehlata Shrivastava, Joint Secretary (A) DT

#### **CENTRAL BOARD OF DIRECT TAXES (CBDT)**

1. Shri P.L. Singh, Chairman, CBDT
2. Shri R.N. Srivastava, Member, CBDT
2. At the outset, the Chairman welcomed the representatives of the Ministry of Finance and Company Affairs (Department of Revenue) and those of Central Board of Direct Taxes (CBDT).
3. The Committee then took oral evidence of the representatives of the Ministry of Finance and Company Affairs (Department of Revenue) and CBDT on the subject "Reservation for and employment of Scheduled Castes and Scheduled Tribes in CBDT".
4. The evidence was completed.  
(The witnesses then withdrew.)
5. A verbatim record of the proceedings was kept.

6. The Committee also decided to undertake study tour in the month of October, 2003 and authorised the Hon'ble Chairman to finalise the Tour Programme.

The Committee then adjourned.

**MINUTES****COMMITTEE ON THE WELFARE OF SCHEDULED CASTES  
AND SCHEDULED TRIBES  
(2006-2007)****(FOURTEENTH LOK SABHA)****SECOND SITTING****(19.06.2006)**

The Committee sat from 1100 to 1200 hrs.

**PRESENT**

Shri Biren Singh Engti - (In Chair)

**MEMBERS****LOK SABHA**

2. Shri S. Ajaya Kumar
3. Shri Eknath M. Gaikwad
4. Dr. P.P. Koya
5. Shri Kailash Meghwal
6. Shri Rupchand Murmu
7. Shri Harikewal Prasad
8. Shri Ashok Kumar Rawat
9. Shri Bajju Ban Riyan
10. Shri Sugrib Singh
11. Shri Vanlalzawma

**RAJYA SABHA**

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

SECRETARIAT

1. Shri Gopal Singh, Director
2. Ms. J.C. Namchyo, Under Secretary

At the outset, the Committee were informed by the Director that due to some urgent work in the constituency, 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 Biren Singh Engti, M.P. was chosen by the Committee to act as Chairman for the sitting.

2. The Chairman informed the Committee that two draft reports on (i) Provision of financial assistance and protection of traditional Scheduled Castes and Scheduled Tribes artisans and (ii) Reservation for and Employment of Scheduled Castes and Scheduled Tribes in Central Board of Direct Taxes (CBDT) are to be considered for adoption and asked the members to give their views/suggestions. During the deliberation some members of the Committee stated that they would like to go through the above mentioned reports again and send their comments to be considered by the Committee for incorporation in the next sitting. The Chairman, therefore, requested the Members to send their suggestions/views in writing if any, to be incorporated in the two draft reports latest by 25<sup>th</sup> June, 2006.

3. The Committee decided to hold further meeting to adopt the above two draft reports at a later date.

The Committee then adjourned.

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**MINUTES****COMMITTEE ON THE WELFARE OF SCHEDULED CASTES  
AND SCHEDULED TRIBES  
(2006-2007)****(FOURTEENTH LOK SABHA)****THIRD SITTING****(01.08.2006)**

The Committee sat from 1500 to 1600 hrs.

**PRESENT**

Shri Ratilal Kalidas Varma - Chairman

**MEMBERS****LOK SABHA**

2. Shri M. Appadurai
3. Shri Biren Singh Engti
4. Dr. P.P. Koya
5. Shri Rajesh Kumar Manjhi
6. Shri Rupchand Murmu
7. Shri Harikewal Prasad
8. Shri Baju Ban Riyan
9. Shri Sugrib Singh
10. Shri Lalit Mohan Suklabaidya

**RAJYA SABHA**

11. Shri Sharad Anantrao Joshi
12. Shri Lalhming Liana
13. Dr. Radhakant Nayak
14. Shri Nabam Rebia

SECRETARIAT

1. Shri Gopal Singh, Director
2. Ms. J.C. Namcho, Under Secretary

At the outset, the Hon'ble Chairman welcomed the Hon'ble Members of the Committee. The Committee then considered the draft reports on (i) Reservation for and Employment of Scheduled Castes and Scheduled Tribes in Central Board of Direct Taxes (CBDT), (ii) Provision of financial assistance and protection of traditional Scheduled Castes and Scheduled Tribes artisans; and (iii) Reservation for and employment of Scheduled Castes and Scheduled Tribes in Syndicate Bank and credit facilities provided by the Bank to them and adopted the same. The Hon'ble Chairman also requested the Members to send their suggestions, if any, to be incorporated in the three draft reports latest by 7<sup>th</sup> August, 2006.

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

The Committee then adjourned.

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## Annexure 'D'

(vide Para 2.21 of Report)

Statement showing details of recruitment made for Group 'A', 'B', 'C' and 'D' posts during the years 2002-03,

2003-04 and 2004-05

Year	Category of posts	Total No. of vacancies actually occurred	Total No. of vacancies actually filled	No. of vacancies reserved for Scheduled Castes			No. of vacancies reserved for STs			No. of candidates appointed
				C/F from previous year	Reserved during the year	Total	C/F from previous year	Reserved during the year	Total	
1	2	3	4	5	6	7	8	9	10	11
2002-03	Group 'A' IRS	34	34	-	5	5	-	3	3	5
	Group 'B'	517	205	42	49	91	113	26	139	42
	Group 'C'	879	184	156	54	210	80	28	108	38
	Group 'D'	714	137	14	15	29	76	26	102	25
2003-04	Group 'A' IRS	119	119	-	10	10	-	310	10	10
	Group 'B'	575	214	49	54	103	130	24	154	33
	Group 'C'	1363	235	172	70	242	104	51	155	34
	Group 'D'	924	134	4	25	29	99	20	119	30
2004-05	Group 'A' IRS	109	109	-	19	19	-	10	10	19
	Group 'B'	626	208	70	40	110	145	28	173	28
	Group 'C'	1702	238	208	189	397	139	77	216	30
	Group 'D'	793	11	-	3	3	114	14	128	6



APPENDIX 'E'SUMMARY OF CONCLUSIONS/RECOMMENDATIONS  
CONTAINED IN THE REPORT

Sl. No.	Para. No.	Conclusions/Recommendations
1	2	3
1.	1.9	<p>The Committee are surprised to note that no officer belonging to SC/ST category has ever been appointed as Chairman or Member of the Board since 1987 and information prior to 1987 is also not available. It is evident that in the last fifty years there was no SC/ST Member in the Board whereas in other Departments there are SC/ST Officers who occupy positions at the highest level. The Committee also note that only officers who are in the rank of Chief Commissioners of Income Tax are eligible for appointment to the post of Member of the Board. There is also no provision under the relevant Act for reservation for SCs/STs in the Board nor any proposal has ever been made to amend the Act. The Committee are of the view that CBDT should examine this aspect as to how no officer belonging to SC/ST categories got an opportunity to become a Member of the Board when at the time of recruitment to the Indian Revenue Service due reservation is provided for SCs/STs. The Committee are of the view that it is for the Government to see and give SC/ST persons proper representation in the apex body of the Income Tax Department. The Committee, therefore, recommend that the Government should take all possible steps to ensure that SC/ST officers fulfilling the minimum qualifications may get representation in the Board. The Committee would also like to know whether the matter relating to non-representation of SC/ST members in the Board was brought to the notice of Cabinet Secretary as assured by the Ministry and if so the response of the Cabinet Secretary in this regard.</p>

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2.	2.19	<p>The Committee made a comparative study of the total number of employees and the number of SCs/STs amongst them in various categories of posts furnished to the Committee as on 1.7.2002 and as on 31.12.2004 and note that there is a continuous shortfall of STs in Group 'B', 'C' and 'D' posts. The Committee do not accept the contention of the Government that in direct recruitment quota for Group 'C', the required number of candidates are not sponsored by the SSC and as for promotion quota, the reason for the shortfall is non-availability of ST candidates having completed requisite length of service as per recruitment rules even in the extended zone of consideration. The Committee are not happy with the continuous shortfall of STs in Group 'B', 'C' and 'D' posts since the year 2002. The Committee, therefore, recommend that if SSC is not in a position to sponsor required number of candidates of these categories, SSC should invite applications from open market and the examinations for such categories should be held on All India basis instead of regional arrangements which is being followed by SSC at present to make up the shortfall of STs in Direct Recruitment. Regarding shortfall in promotion quota, the Committee conclude that there is no proper intake of ST candidates as per prescribed percentage in the feeder cadre which has, perhaps resulted in non-availability of these candidates even in extended zone of consideration. The Committee recommend the Government to look into this aspect seriously and make sincere efforts to make up the shortfall of ST candidates in promotional posts without any further delay.</p>
3.	2.24	<p>The Committee are perturbed to note that large number of backlog vacancies in Recruitment as shown in para 2.21 (Appendix-D) which has accumulated over the years. In 2002-03, the position of SC backlog vacancies for recruitment in Group 'B' and Group 'C' were 49 and 290 respectively. In 2004-05, the number of SC backlog vacancies had risen to 124 and 545 respectively. The position in case of ST backlog vacancies is also not better. The position of ST backlog vacancies for Group 'B', 'C' and 'D' posts</p>

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for the year 2002-03 was 234,180 and 172 which rose to 300, 345 and 240 respectively in the year 2004-05. The Committee, therefore, recommend that all these backlog vacancies in recruitment should be filled up through Special Recruitment Drive and inform the Committee about the progress made in this regard.

4. 2.25

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

5. 2.33

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

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

6. 2.34 The Committee are also perturbed by the fact that only 73 SC and 63 ST vacancies in Group 'B' and 'C' and 8 SC and 9 ST vacancies in Group 'D' have been identified for filling up through Special Recruitment Drive. Whereas the backlog vacancies are of the order of 124 SC and 300 ST in Group 'B', 545 SC and 345 ST in Group 'C' and 240 ST in Group 'D' during 2004-05. The Committee would like to be apprised about the status of remaining vacancies.
7. 2.35 The Committee note that as pointed out by the Secretary (Revenue), the existence of backlog especially for group 'D' is not justifiable on any ground. The Committee feel that at least in the group 'D' posts higher qualifications, as would have been the case for other posts, are not required and it is in this category of posts that the poor Scheduled Caste/Scheduled Tribe people get the opportunity to enter into a government job. The Committee, therefore, recommend that vacant group 'D' posts in direct recruitment should be filled up regularly on time and not a single post be allowed to remain unfilled which later on could accumulate and necessitate holding of special recruitment drive. The Committee also urge the Department not to allow any group 'D'

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posts to remain vacant for more than a year, as sufficient eligible candidates are readily available at least for these posts.

8. 3.4 The Committee note that so far as training is concerned, CBDT do not provide training to SCs/STs at the stage of pre-recruitment and post recruitment. However, the Committee desire that if pre-recruitment and post recruitment training is not provided to the Scheduled Castes and Scheduled Tribes, the Department should provide at least promotional training at the time of holding departmental examinations. This will not only enable SC/ST candidates to compete alongwith candidates of general categories but also help the Department to get the backlog/shortfall wiped out in promotional posts.
9. 3.11 The Committee are unhappy to note that out of 26 officers of various levels sent for training abroad during the period 1999-2001, only one officer belongs to Scheduled Caste category. Notwithstanding the eligibility criteria, the procedure and norms prescribed for nomination for training abroad, the representation of Scheduled Castes and Scheduled Tribes is highly deplorable. Regardless of the sponsoring authority and nominating agency concerned, one thing is clear that no attempt was made to nominate the names of deserving Scheduled Caste and Scheduled Tribe officers. As a proverbial saying that training makes a man perfect, the Committee believe that getting trained abroad will not only enable the Scheduled Caste and Scheduled Tribe officers to acquire skill and aptitude but also broaden their outlook. It will also make them more efficient in the discharge of duties and help them in their career. The Committee, therefore, impress upon the Department to nominate more Scheduled Caste and Scheduled Tribe officers for training abroad. Even if there is no reservation, the Department should show the spirit to represent them proportionately to their numbers keeping in view the O.M. No. 16/32/74-Estt.(SCT) dated 3<sup>rd</sup> April, 1976 issued by the DOP&AR. The Committee, therefore, recommend that the Department should

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prepare a formal list/panel of eligible Scheduled Caste and Scheduled Tribe officers of various levels for nomination for training abroad.

10. 3.15

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

11. 3.19

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

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12. 3.28 As per guidelines of DOP&T, only 5% of the total vacancies available for direct recruitment in a year are to be filled by compassionate appointments. As a result the number of applications pending for compassionate appointment increases over the time in excess of the number of vacancies available for compassionate appointments. The Committee are of the view that since the appointment is made on compassionate ground, the principle of 5% reservation for such appointments should be enhanced by suitably amending the rules governing it. The Committee, further recommend that the process of compassionate appointments should in no way be delayed so that the dependants of the deceased do not suffer from unnecessary hardships.
13. 3.33 The Committee note that the facts and figures pertaining to false caste certificates furnished in the preliminary material, post evidence replies and replies given during evidence are not same but it is obvious that cases of getting employment on the basis of false caste certificates have been found in the Department. The cases are more rampant in the south. The manner these cases are tackled is not satisfactory as the investigation in some cases drags on for a long time and at times the concerned person has retired before the completion of the investigation. The Committee desire that the Department should take stringent steps to investigate and wrap up the cases in minimum possible time. The Committee, therefore, recommend that once such a case is detected and if prima facie there are proof regarding the case, the person concerned should be put under suspension immediately and F.I.R. be lodged against him. The Departmental inquiry should also be initiated in the case immediately and the matter be referred to the concerned District Collector/District Magistrate etc. for verification of the certificate. In order to expeditiously decide such cases it is strongly recommended that special Courts be set up and the existing law should be made more stringent in order to punish the guilty. Those who have joined Government service by furnishing such false caste certificates should be

dismissed forthwith from the Government service. The Committee would also like to be apprised of the exact figure of such people immediately along with the action taken against them.

14. 4.4

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

15. 4.10

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



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16. 4.15 The Committee note that charges under CBDT do not hold separate meeting with the SC/ST Employees' Welfare Association. Even some charges who held meeting with the staff side which included SC/ST Employees do not bother to prepare minutes of such meetings. The Committee also note that at the Regional Office the grievances/problems of the SCs/STs are redressed by the Liaison Officer of the Region concerned but where there exists welfare associations, the problems are discussed with the Liaison Officer and Head of Department. The Committee, therefore, recommend that CBDT should follow well defined procedures/mechanisms for addressing the problems of the SC/ST employees at various levels and these should be well coordinated by the Headquarters. Besides, the Committee would like to recommend that minutes of every meeting should be prepared on the same day of meeting and be made available to the representatives of SC/ST Employees Associations. All decisions taken during such meetings should not be delayed for implementation. The Committee also urge the Department to make available to the SC/ST Employees Associations, copies of circulars/orders issued in their interest by Government of India from time to time so that they are acquainted with of the latest policies of the Government.
17. 4.25 The Committee note that 7 Scheduled Caste and 2 Scheduled Tribe officers could not get promotion due to inquiry cases pending against them. It is also learnt that when an inquiry case is instituted against Group 'A' and 'B' officers, the case often goes up to the Central Vigilance Commission and in the course of investigation certain wrong doing on the part of an officer against another or stray case of a biased officer having done something wrong to another officer cannot be ruled out, as is the case in any department including CBDT. The Committee also note that in the updated information on pendency of SCs/STs disciplinary proceedings in Group 'B', 'C' and 'D' post, 9 cases have been pending since the last 10 years. The reasons cited for the pendency is the delay in the inspection of the record by the Charged Officer and Presenting Officers and due to

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the frequent changes of the Inquiry Officers and Presenting Officers also added to the delay. The Committee are, therefore, of the view that whenever a departmental inquiry is conducted against Scheduled Caste and Scheduled Tribe officers, an officer from these communities should compulsorily be associated with or asked to head the inquiry. Further, a vigilance inquiry against SC/ST officers should be initiated at the time of the crime and the process should be completed within a time period so that he does not suffer promotion due to delay in investigation.

18. 4.26

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