

**COMMITTEE ON THE WELFARE OF
SCHEDULED CASTES AND
SCHEDULED TRIBES
(2010-2011)**

(FIFTEENTH LOK SABHA)

TENTH REPORT

ON

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

**Reservation for and Employment of Scheduled Castes and Scheduled Tribes in Bharat
Heavy Electricals Limited (BHEL)**

Presented to Lok Sabha on 23.11.2010

Laid in Rajya Sabha on 23.11.2010



**LOK SABHA SECRETARIAT
NEW DELHI**

November, 2010/Kartika 1932 (Saka)

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COMPOSITION OF THE COMMITTEE ON THE WELFARE OF SCHEDULED CASTES AND SCHEDULED TRIBES (2010-2011)

Shri Gobinda Chandra Naskar - Chairman

Members

Lok Sabha

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3. Shri Tara Chand Bhagora
4. Shri S.K. Bwiswmuthiary
5. Shri Harishchandra Chavan
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3. Shri Hoti Lal – Addl. Director
4. Shri L. Singson – Sr. Committee Assistant

INTRODUCTION

I, the Chairman, Committee on the Welfare of Scheduled Castes and Scheduled Tribes having been authorised by the Committee to finalise and submit the Report on their behalf, present this Tenth Report (Fifteenth Lok Sabha) on the Ministry of Heavy Industries and Public Enterprises (Department of Heavy Industry) on the subject “Reservation for Scheduled Castes and Scheduled Tribes in Bharat Heavy Electricals Limited”.

2. The Committee took evidence of the representatives of the Ministry of Heavy Industries and Public Enterprises (Department of Heavy Industry) on 28.11.2008. The Committee wish to express their thanks to the officers of the Ministry of Heavy Industries and Public Enterprises (Department of Heavy Industry) and Bharat Heavy Electricals Limited (BHEL) 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 12th October, 2010.
4. A summary of conclusions/recommendations contained in the Report is appended (Appendix).

New Delhi;
November, 2010
Kartika, 1932 (Saka)

(GOBINDA CHANDRA NASKAR)
Chairman
Committee on the Welfare of
Scheduled Castes and
Scheduled Tribes

CHAPTER – I

INTRODUCTORY

A. Background note

1.1 Bharat Heavy Electricals Limited (BHEL) was incorporated on 13th November 1964, under the Companies Act 1956, with the objective of the country to have its own Heavy Electrical Equipment manufacturer, to ensure self-reliance. The company was established to carry on business, for specifically catering to the power generation, transmission and distribution equipments in India and abroad.

1.2 Over the years, BHEL has diversified into manufacturing and supplying major capital equipment and systems to a number of industries, other than power utilities, like metallurgical, mining, cement, paper, fertilizers, refineries and petro-chemicals, etc., as well as equipment and systems for use in transportation, renewable energy, oil and gas, defence, etc.

B. Organisational set-up

1.3 The Committee have been informed that the Ministry of Heavy Industries and Public Enterprises has two Departments namely, Department of Public Enterprises (DPE) and Department of Heavy Industry (DHI). DPE has SC/ST Guidelines Cell which consolidates the instructions and guidelines issued by the DoPT and also make relevant comprehensive Presidential Directives circulated to all administrative Ministries/Departments for formal issuance to Public Sector Enterprises under their control. The Department of Heavy Industry is also having an exclusive SC/ST Cell which has been functioning under the supervision of Officers of the rank of Deputy Secretary/Director for proper monitoring of the implementation of the reservation policy of the Government of India. The Cell is also responsible for conducting annual inspection of reservation roster of the PSEs.

1.4 For implementation of Reservation Policy for SCs/STs in BHEL, there is a Chief Liaison Officer and a Liaison Group at Corporate Office under Human Resource Function as well as a Liaison Officer in each of the BHEL units

C. Board of Directors

1.5 The composition of the Board of Directors is as follows:

Chairman & Managing Director (CMD)	1
Whole time Executive (Functional) Directors	5
Part time Official Directors	2
(Government nominees) representing the Ministry of Heavy Industries & Public Enterprises	
Part time Non-Official (Independent) Directors	8

As on 12th October, 2009, the position of the Board of Directors was as follows:

Chairman & Managing Director (CMD)	1
Whole time Executive (Functional) Directors	3
Part time Official Directors	2
Part time Non-Official (Independent) Directors	4

It has been stated that the matter of filling up vacancies is under process of Department of Heavy Industry, Ministry of Heavy Industries & Public Enterprises, Government of India.

1.6 As regards the procedure for selection and appointment of functional and part-time Director in BHEL, it has been informed that the selection for the post of Chairman-cum-Managing Director/Full Time Directors for all Public Sector Enterprises is made through the Public Enterprises Selection Board (PESB). The recommendations of the PESB are processed in the Administrative Ministry in-charge of the concerned Public Sector Enterprise and final appointments of CMD/Full Time Directors are made with the approval of the Appointments Committee of the Cabinet (ACC). Other Part-time Directors are also appointed with the prior approval of ACC.

1.7 The criteria and qualifications required for appointment to the posts of Chairman and Functional Directors, prescribed by PESB are as under:

i) **Chairman & Managing Director:**

Age: On the date of occurrence of the vacancy – minimum 45 years and not more than 58 years for internal candidates and not more than 57 years for others.

Qualification: Graduate with good academic record from a recognized university/institution.

Experience: Executives holding posts in the pay scale of Rs.23750-28550 (1.1.1997 scale) with industrial DA. One year in the grade of internal candidates and two years for others on the date of vacancy.

ii) **Functional Directors:**

Age, for all Functional Directors: Same as for Chairman

Experience, for all Functional Directors : Executives holding posts in the pay scale of Rs.20500-26500 (1.1.1997 scale) with industrial DA. One year in the grade for internal candidates and two years for others.

Specific Qualifications

Director (Finance):

Qualification: Cost Accountant/Chartered Accountant/MBA with Specialization in Finance from a recognized University/Institution.

Director (E, R&D) & Director (Power):

Qualification: Degree in engineering from a reputed University/Institution.

Director (HR):

Qualification: Graduate with good academic record from a recognized university.

Director (IS&P):

Qualification: Engineering graduate or equivalent with good academic record from a recognized university/institution.

iii) **Criteria laid down by the Government for consideration as Government Directors:**

The number of the Government Directors on the Board of Directors of an enterprise should not exceed one-sixth of the actual strength of the Board.

1. It will be preferable to have only one Government Director from the concerned Administrative Ministry on each Board and are generally the officers dealing

with the concerned enterprise. The choice of the nominee Director would vest with the Secretary of the concerned Department.

2. In case of PSEs where it is considered essential to give representation on the Boards to other concerned Government agencies/Ministries/State Governments, only one representation from the Group could also be appointed on the Board as part-time Government Director.
3. The number of Government Directors on a Board should in no case exceed two.

iv) **Criteria laid down by the Government for consideration as non-official Director**

1. Age: Age band should be between 45-65 years (minimum/maximum limit). This could however be relaxed for eminent professionals for reasons to be recorded, being limited to 70 years.
2. Qualification: Minimum qualification for part time non official Directors would be graduate degree from a recognized university.
3. Experience: Persons of eminence with proven track record from industry, business or agriculture. CMD/MD in corporate sector/PSE; Professor level in an academic institution or professionals of repute like eminent Chartered Accountants/Cost Accountants at the level of Directors of Institutes/Heads of Department; persons having experience of not less than 10 years at the level of Joint Secretary and above in the Government.

1.8 Asked about the policy of the Government regarding appointment of SC/ST persons on the Board of Directors of the Public Undertakings under the administrative control of the Ministry of Heavy Industries and Public Enterprises, it was stated that since appointments of Directors in PSEs are considered to be on contract, DPE has not prescribed any reservation in these posts.

1.9 When asked to elaborate the term, 'considered on contract' for appointment of Directors in PSEs, it was stated in post-evidence reply that the period of contractual appointment to the post of functional Directors and CMD is for a specific period of 5 years or up to the date of superannuation, whichever is earlier, and the appointment is by President of India. Even lien to his previous post/grade in the company is also only for a maximum period of 5 years even if he has not reached the age of superannuation. After 5 years as

Director/CMD, he has to be freshly selected for the post failing which his services with the company will come to an end, unlike other employees, who can serve up to 60 years.

1.10 When asked, if any member from the SC/ST community has ever been appointed as Chairman/Member of the Board of Directors of BHEL, it was stated that no reservation for SC/ST has been prescribed. When further asked about the steps taken by the Management to include SC/ST member on the Board of Directors, it was stated that it was not applicable since no reservation for SC/ST has been prescribed.

1.11 During evidence of the representatives of the Ministry of Heavy Industries & Public Enterprises, Department of Heavy Industry and BHEL on 20 November 2008, while responding to a query regarding nomination of SC/ST members for appointment on the Board, the representative of BHEL *inter-alia* stated:

“...On the first point on Public Enterprises Selection Board I would like to say that this is a contract appointment. No directive as such is available today for appointment in the Board. It is PESB who makes the selection and the company is not involved in this.”

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“.....the Panel consists of the Members who are eligible as per the PESB recommendations and the company does not suggest any panel. It is an open advertisement which is given, and on that people apply and all the applications are forwarded to Public Enterprises Selection Board.”

Another representative further elaborated:

“...I just want to clarify because there is a misunderstanding. At the level of the Chairman and Director, there is no empanelment. The advertisement is done by Public Enterprises Selection Board (PESB). Those who are eligible can apply. The company merely forwards all the names of those who are eligible as per the criteria prescribed by PESB. All the applications go to PESB. PESB is an expert body. They hold an interview and they recommend the CMD and the respective Directors. In this we do not have any empanelment process.”

1.12 In reply to a query whether at any point of time, eligible SC/ST candidates had been nominated for inclusion on the Board of Directors, it was stated in post-evidence reply that the applications received from all eligible SC/ST candidates have always been forwarded to

the PESB. The following SC/ST candidates had attended the Selection Meetings/Interviews during the last two years:

- (i) For the post of Director (ER&D) - Meeting held on 22-23 March 2006 –
 - (a) Shri K. Mariarajanand, G.M.,
 - (b) Shri D. Ashok, G.M.
 - (c) Shri U.K. Das, G.M.
- (ii) For the post of Director (HR) - Meeting held on 8-9 February 2007 -
 - (a) Shri K. Mariarajanand, G.M.
 - (b) Shri D. Ashok, G.M.
- (iii) For the post of Director (IS&P) - Meeting held on 19-20 February 2007
 - (a) Shri K. Mariarajanand, G.M.
 - (b) Shri D. Ashok, G.M.

However, they were not selected by PESB.

1.13 When asked the reasons as to why they could not be nominated, it was replied that all the eligible applications are forwarded but final selection is done by PESB/Government.

1.14 The Committee regret to note that Bharat Heavy Electricals Limited (BHEL) a leading public sector undertaking in the country enjoying a Navaratna status does not have representation of SC/ST members on its Board of Directors. BHEL also does not have provision for appointment of SCs/STs on its Board because Department of Public Enterprises (DPE) has not prescribed any reservation for appointment to these posts, as it is considered to be a contractual appointment. The Committee also note that selection to the post of Chairman/Directors (full time/part-time) for all Public Sector Enterprises in the country is made through the Public Enterprises Selection Board (PESB) with the approval of the Appointments Committee of the Cabinet (ACC). The Committee are distraught to learn that no action was taken by the Management for inclusion of SC/ST member on the Board of Directors just because no reservation has been prescribed for appointment to these posts. The Committee are very much

distressed by the fact that there is hardly any SC/ST member on the board of directors of the public sector undertakings/enterprises in the country and that the Government are not concerned of the issue of non-representation of SCs/STs in the management of the public sector undertakings/enterprises even after six decades of country's independence. The Committee have been consistently and continuously pressing the Government and management of all PSUs/Banks under examination to take appropriate action so as to include SC/ST members on the Board. Incidentally, the Banks have made provision for inclusion of non-official SC/ST member on their board. The Committee, therefore, feel that it is high time for the Government of India to take affirmative action to accommodate representative from SC/ST community on the Board/Management of PSUs in the country. The Committee feel that for affirmative action no rules are required but only the will to do it. The Committee opine that the rules and regulations and criteria governing appointments to the Board/Management are framed by the Government from time to time and even PESB is also created by the Government. The Committee, are therefore, of the view that the issue of non-representation of the SC/ST people on the Board/Management level of the PSUs needs to be reviewed and rules and regulations, criteria etc. which govern appointments of directors on the board should be amended. The Committee are fully aware that there is no dearth of eligible SC/ST officers/candidates to occupy these positions, provided they are given proper support in the form of reservation/concession. In the years 2006 and 2007, 3 SC/ST candidates had attended the Selection Meetings/Interviews for appointment to the post of Director (ER&D), Director (HR) and Director (IS&P) in BHEL. The Committee however, are surprised to note that none of these candidates was selected by the PESB. The Committee, therefore, desire to know the reasons for non selection of SC/ST candidates even though two of them appeared three times in

the Selection Interview for the post of Director during the years 2006 and 2007. The Committee also recommend that with the objective of securing social justice and equal opportunities to all, the Government should review its policy on appointments to the Board/Management level posts of all PSUs in the country including BHEL and appropriately amend the rules and regulations governing appointment to these posts so that the SC/ST people are given an opportunity to rise to these positions.

CHAPTER – II

RESERVATION IN SERVICES

A. Presidential Directives

2.1 The Committee have been informed that Presidential Directives are issued to Central Public Sector Undertakings from time to time on the policies and procedures of the Government in regard to reservation, relaxations, concessions etc., for Scheduled Castes and Scheduled Tribes. A comprehensive revised Presidential Directives was issued to the PSUs under Department of Heavy Industry in the year 1991 and Department of Personnel & Training's O.M No. 36012/2/96-Estt.(Res) dated 2nd July, 1997, incorporating all instructions issued on the subject so far.

2.2 The Presidential Directives and guidelines in respect of reservation policy for SCs/STs are being implemented in BHEL since 28/07/1970, when Presidential Directives were received by BHEL.

B. Reservations in Direct Recruitment

2.3 The percentage of reservation made for SCs/STs is 15% and 7.5% respectively for Group 'A' and 'B' posts filled by direct recruitment on all India basis by means of open competitive test and 16.66% and 7.5% respectively for recruitment made on all India basis other than open competition. The date of effect of reservation is 28.7.1970 or date of inception whichever is later.

2.4 In the post evidence replies, the Ministry of Heavy Industries and Public Enterprises, Department of Heavy Industry have stated that reservation in direct recruitment is applicable in all executive grades from EI (Executive Trainee) to E9 (Executive Director), both technical and non-technical (except Board level appointees). Normally, direct recruitment in BHEL is only at the induction grade i.e. ET (E1) grade and very rarely in scales from E1A to E3 or E4, except for certain functions like medical, finance and legal.

Direct recruitment up to below Board level i.e. up to level of Executive Director (if any) is processed within BHEL. Details of Pay Scales and Grades are given at **Appendix-I**.

2.5 Group "B" posts in BHEL are the Supervisory grades from Asst. Foreman grade (SII) to Junior Executive (JE), both technical & non-technical. Reservation in direct recruitment is applicable in these Supervisory grades from Asst. Foreman grade (SII) to Junior Executive (JE). However, in BHEL, induction through direct recruitment to Supervisory cadre is only as Supervisory Trainees, whose scale is in Group "C" post. As such, normally, there is no direct recruitment in Group "B" posts in BHEL. Supervisory Trainees are the feeder cadre for Group "B" posts in BHEL. Details of Pay Scales and Grades are given at **Appendix-II**.

2.6 In Group 'C' and 'D' Posts, it is stated that recruitment is done locally by local Units and the percentage of reservation made is same for both technical and non-technical posts. The details of percentage of reservation prescribed at various Units/ Divisions of BHEL as per requirement of various States is as follows:-

Units/Division	Effective date of reservation	Revised %age with effect from 05/07/2005	
		SC	ST
Bhopal	July' 70	15%	20%
Haridwar	July' 70	18%	3%
Tiruchy	July' 70	19%	1%
R.C Puram, Hyderabad	July' 70	16%	7%
Corp. Office	July' 70	15%	7.5%
R&D, Hyderabad	Nov' 73	16%	7%
ROD Offices	Apr' 75	15%	7.5%
Jhansi	Apr' 76	21%	1%
CFFP, Haridwar	Apr' 76	18%	3%
HRDI, NOIDA	June' 76	15%	7.5%
EDN, Bangalore	Oct' 76	16%	7%
ISG, Bangalore	July' 77	16%	7%
EPD, Bangalore	Oct' 76	16%	7%
BAP, Ranipet	Apr' 82	19%	1%
IP, Jagdishpur	March' 84	21%	1%
CFP, Rudrapur	Apr' 84	21%	1%
IVP, Goindwal	Nov' 84	29%	0%
HERP, Varanasi	Apr' 86	21%	1%

Power Sector	1975		
- Northern Region		15%	7.5%
- Western Region		10%	9%
- Southern Region		19%	1%
- Eastern Region		15%	7.5%
Industry Sector	1981	15%	7%
International Operations	1981	15%	7.5%

Note: The date of effect of reservation is 28.07.1970 or the date of inception of the unit which ever is later.

C. Recruitment procedure

2.7 The Committee have been informed that direct recruitment to various posts in BHEL is normally made at the prescribed induction levels in each cadre/category. The induction level in BHEL is normally in the lowest salary grades of the cadre as mentioned below:-

<u>Cadre</u>	<u>Induction Level</u>
Executive	Engineer/Executive Trainee
Supervisory	Supervisor Trainees
Workers	Artisans Trainees
Unskilled Worker/Semi Skilled Worker	Attendant /Unskilled Worker

2.8 Further, recruitment to the above induction levels are normally made through open advertisement in the press. In addition, vacancies are notified through the following agencies:

- (a) Employment Exchange as per the provisions of Employment Exchange (Compulsory Notification of Vacancies) Act, 1959.
- (b) Recognized associations and agencies who maintain rosters of suitable persons in different skills and specialties for promotion of the interests and welfare of Scheduled Castes/Scheduled Tribes, Ex-Servicemen and other similar special categories.

- (c) In addition, Engineer Trainees are also recruited through campus selections undertaken at premier engineering institutions, such as, IITs, NITs, BHU, BITS, Pilani, now Delhi Technical University etc.

2.9 It was also stated that the reserved vacancies in Group 'A' like Executive/ Engineer Trainees, Medical professional etc. are advertised on all India basis in all the leading National Dailies including Employment News. It was further stated that BHEL has recently introduced an on-line system for recruitment process wherein applications are received on-line against the advertised vacancies and on-line permission slips for written test as well as interview call letters are sent to the candidates. The results of the successful candidates are also displayed on official website of the company. To ensure that successful candidates receive their offers of appointment on time, the same are notified on BHEL website as well as sent individually to all selected candidates through registered posts. With regard to Group 'B' posts, it is stated that there is no normal induction level post in Group 'B' for which open recruitment is made. Reserved vacancies in Group 'C' and 'D' are notified to the Employment Exchange in the first instance. In case suitable SC/ST candidates are not available, vacancies are advertised in the local language newspapers of that region.

2.10 In reply to a query on the appointing authorities to communicate the precise reasons for the rejection of SC/ST candidates to employment exchange so as to facilitate the latter in sponsoring the right type of candidates belonging to these communities it was stated that BHEL is generally able to get the required number of candidates from amongst the names sponsored by the Employment Exchange. However, in exceptional cases where the Company is unable to get the required/suitable type of persons, the reasons for rejection are communicated to the Employment Exchange.

2.11 The Committee were also informed that normally, two weeks time is given for written test/interview. However, in case of appointment, three weeks time is given for joining and further extension is also granted on request. It was also stated that interview for selection

of SC/ST candidates are conducted at separate session on the same date or separate dates, depending upon the number of candidates.

2.12 The Committee note that BHEL has recently introduced an on-line system for recruitment process wherein applications are received on-line against the advertised vacancies carried out in National Dailies and Employment News. It has been noted that on-line permission slips for written test as well interview call letters are sent to the candidates through internet. Even results of successful candidates are displayed on official website of the Company and offer of appointment to selected candidates are also notified on the website as well as sent individually through registered posts. The Committee note that overall the use of information technology is a great boon to mankind, institutions, organisations etc. as it helps save resources and time. However, it should also be noted that the use of information technology in recruitment is not always pragmatic because not many SC/ST candidates especially those residing in remote areas do not have access to these kind of facilities. It is, therefore, advisable that apart from using the services of information technology, the conventional system of advertisement through National/Local dailies, Employment News and correspondence and intimation through letters should be continued. The Committee also desire that copies of advertisement should be provided to the members of the Parliamentary Committee on the Welfare of Scheduled Castes and Scheduled Tribes and also to recognised SC/ST Employees Welfare Associations of BHEL to facilitate them in sponsoring reserved candidates.

D. Recruitment Boards/Selection Committee

2.13 The Committee were informed that the composition of the Recruitment Committees is as under:

For Group 'A' posts:

1. Chairman – An eminent Academician/Technocrat from outside BHEL;
2. Technical expert(s) of the relevant area;
3. Representative of Human Resource function;
4. SC/ST Representative;
5. Minority Representative.

For Group 'B', 'C' and 'D' posts

1. Chairman - Concerned functional head;
2. Technical expert(s) of the relevant area;
3. Representative of Human Resource function;
4. SC/ST Representative;
5. Minority Representative.

The composition of Departmental Promotion Committee is as under:

- (a) Head of Departments or their nominees from the location where candidates are being considered;
- (b) SC/ST Representative;
- (c) Representative of Human Resource Department;
- (d) In case of promotion from Supervisor to Executive cadre, an eminent person from out-side BHEL is appointed as Chairman, similar to Selection Committee for recruitment.

2.14 The Committee were informed that a representative of Scheduled Castes/ Scheduled Tribes is also included in Selection Committee/DPCs for recruitment and promotions to such categories of posts where reservations for SCs/STs do not apply but SC/ST candidates do appear for the test/interview.

2.15 It was also informed that to ensure representation of one member belonging to SCs/STs category in Recruitment Board and Departmental Promotion Committees, guidelines regarding inclusion of a member of SC/ST in the Recruitment Board/ Departmental Promotion Committees are issued by BHEL to all its Units/Divisions every year. To ensure compliance of the same, scrutiny is done by the Corporate Office of BHEL prior to obtaining final approval by the competent authority, taking into account all aspects of the guidelines on the subject.

E. Concessions/Relaxations

2.16 The Committee were informed that the following concessions/relaxations are given to SC and ST candidates at the time of recruitment:-

- (a) Relaxation in age limit by five years as stipulated in the Presidential Directives.
- (b) Exemption from payment of application fee.
- (c) Relaxation in required percentage of marks in the applicable qualification for the positions of Supervisor Trainees and Artisans.
- (d) Travelling expenses are reimbursed to SC/ST candidates called for personal interview.

2.17 In reply to a query as to whether relaxation in essential qualifications is given only for the positions of Supervisor Trainees and Artisans and why these relaxations are not given in other posts, it was stated that as regards the rule position on the subject is concerned, as per reservation guidelines, where an educational qualification has been prescribed, SC/ST candidates are also required to meet the said qualification. Similarly, when a minimum number of marks or minimum grade is also prescribed, the same shall also uniformly apply to all eligible candidates including SC/ST. The other position apart from Artisans and Supervisor Trainees for which recruitment is normally made is that of Engineer Trainees, for which minimum 60% marks in engineering degree are prescribed. For this position, adequate responses from SC/ST candidates are received. Now, all the candidates who meet the eligibility criteria prescribed, are permitted to appear for the written test.

2.18 The Committee note that as per the Presidential Directives certain concessions/relaxations such as relaxation in age, exemption from payment of application fee, relaxation in required percentage of marks and reimbursement of travelling expenses are given to SC and ST candidates in recruitment. In this

regard, the Committee would like to state that at times some organisations in their advertisement for recruitment ask, in addition to the required essential qualification, extraneous qualifications, desirable qualifications and trade experiences which are very disadvantageous for many SCs and STs who barely possess the minimum essential qualification. The Committee opine that as far as the recruitment of SCs and STs are concerned, apart from the minimum essential qualification required, no other extraneous qualifications, desirable qualifications or experiences should be prescribed by the recruiting agency. Many a times, it is seen that candidature of SCs and STs are rejected and the vacant SC/ST posts are not filled up on the ground that they were not found to be suitable. It should be the endeavour of the Company to first offer them a job if they possess the minimum essential qualification and then to give them proper in-house training as per the demand of the job. The Committee, therefore, urge the Management that for recruitment of SC and ST candidates in jobs/posts reserved for them, extraneous and desirable qualifications with requirement for trade experiences should not be insisted upon and their suitability should not be rejected on such grounds. Possessing the minimum essential qualifications should be enough ground for SC/ST candidates to be eligible to be considered for the posts because possessing of higher degree and qualifications does not guarantee efficiency in performance.

F. Recruitment Details

2.19 In the preliminary information submitted by the Ministry, the details of recruitment made during the years 2005, 2006 and 2007 in Group A, B, C and D posts are given as under:-

Year	Category of posts	Total No. of vacancies occurred	Total No. of vacancies actually filled	No. of vacancies reserved for SCs			No. of SC candidates appointed	No. of vacancies reserved for STs			No. of ST candidates appointed	No. of vacancies carried forward	
				C/F from previous year	Reserved during the year	Total		C/F from previous year	Reserved during the year	Total		SCs	STs
1	2	3	4	5	6	7	8	9	10	11	12	13	14
2005	A	105	105	-	17	-	-	11	-	24	9	-	2*
	B	-	-	-	-	-	-	-	-	-	-	-	-
	C	696	696	-	122	-	-	31	-	143	38	-	-
	D(Excl. SW)	0	0	-	-	-	-	-	-	-	-	-	-
2006	A	214	214	-	19	-	-	17	-	28	17	-	-
	B	-	-	-	-	-	-	-	-	-	-	-	-
	C	878	878	-	148	-	-	87	-	140	86	8*	1*
	D(Excl. SW)	0	0	0	0	0	0	0	0	0	0	-	-
2007	A	564	564	-	82	-	-	44	-	77	43	5*	1*
	B	-	-	-	-	-	-	-	-	-	-	-	-
	C	1665	1665	-	248	-	-	87	-	315	141	-	-
	D(Excl. SW)	-	-	-	-	-	-	-	-	-	-	-	-

* All the backlog have been filled up during the subsequent recruitment.

2.20 In the updated information submitted by the Ministry in November, 2009, the details of recruitment made for various categories of posts by BHEL during the years 2008 and 2009 (up to 30.06.2009) are given as under:

Year	Category of posts	Total No. of vacancies filled	No. of vacancies reserved for SCs			No. of SC candidates appointed	No. of vacancies reserved for STs			No. of ST candidates appointed	No. of vacancies carried forward	
			C/F from previous year	Reserved during the year	Total		C/F from previous year	Reserved during the year	Total		SCs	STs
1	2	3	4	5	6	7	8	9	10	11	12	13
2008	A	1736	5	281	286	296	1	137	138	132	-	6
	B	9	-	1	1	1	-	0	0	0	-	-
	C	3550	-	699	699	701	-	256	256	213	-	43
	D	9	-	1	1	5	-	0	0	0	-	-
2009 (Upto June, 2009)	A	188	-	23	23	29	6	10	16	16	-	0
	B	1	-	0	0	0	-	0	0	0	-	-
	C	1043	-	165	165	197	43	75	118	99	-	19*

Note: Recruitment is a continuous process and often there is an overlapping of a recruitment cycle in 2 calendar years. Also frequent extension in joining time by many candidates including reserved category candidates, results in the reflection of temporary shortfall in a particular date.

* Currently, recruitment of Artisans in Group C is in progress and the figure of 19 in ST category as shortfall will be filled by December, 2009, i.e. in the current cycle.

2.21 The Committee were informed that BHEL conducted a special recruitment drive during the year 2004-2005 when 4 SC and 12 ST backlog vacancies were identified for

direct recruitment and all the vacancies were filled up. In their updated information, the Committee were also informed that there was no requirement for special recruitment drive as no backlog vacancies existed in recruitment.

2.22 It has been reported that recruitment is a continuous process and often there is an overlapping of a recruitment cycle in 2 calendar years. It has also been stated that recruitment of Artisans in Group C was in progress and that shortfall of 19 ST posts would be filled up by December, 2009. The Committee would like to know whether all those ST vacancies have been fully filled up. The Committee also would like to stress on the need to fill up reserved vacancies of a given year within the same recruitment year and not be kept for the next recruitment year. Otherwise, special recruitment drive should be conducted to fill up the reserved vacancies so that SC/ST persons are not deprived of their employment opportunity due to delay in recruitment procedure.

G. Staff Strength

2.23 In the preliminary material submitted by the Ministry, a Statement has been furnished showing the details of the staff strength indicating the number of SCs/STs amongst them in Group A, B, C and D posts in BHEL as on the date of enforcement of reservation orders i.e. 28.07.1970 and as on 01.01.2008 as under:-

Staff strength as on 28.07.1970

Category of posts	Total No. of employees	Number of		Percentage of		No. of Shortfall		Percentage of Shortfall	
		SCs	STs	SCs	STs	SCs	STs	SCs	STs
Group A	1955	17	1	0.86	0.05	286	145	14.14	7.45
Group B	1885	22	1	1.16	0.05	260	140	13.84	7.45
Group C	21036	1002	156	4.76	0.74	2153	1421	10.24	6.76
Group D	9141	2101	44	22.98	0.48	729	641	7.98	7.02
	34017	3142	202	9.23	0.59	1961	2349	5.77	6.91

Group A = Executives, B = Supervisors, C = Workers,
D = Unskilled Workers/Semi Skilled Workers

Staff strength as on 01.01.2008

GROUP	NUMBER OF EMPLOYEES : As on 01/04/08				
	Total	SC	%age	ST	%age
Un-skilled /Semi-skilled (Group D)	2300	709	30.83	168	7.3
Skilled Workmen & Supervisors (Group C & B)	29593	6041	20.41	1334	4.51
Total	31893	6750	21.16	1502	4.71

2.24 It has been mentioned that the shortfall in the intake of SCs/STs against their reserved quota is due to the following reasons:-

- (a) A sizeable chunk of the BHEL's manpower was already in position prior to 20/07/1970 i.e. before the Presidential Directives on SC/ST were issued by the Government;
- (b) In case of direct recruitment in Group 'C' and 'D' posts, in some States the percentage for reservation for ST is as low as 0% - 3%. As a result of this, the overall percentage of ST in the company gets affected; and
- (c) Non-availability of suitable candidates in certain specialized functions like Finance, Medical and other highly technical areas.

2.25 The Committee were also informed that the following steps have been taken by the Management to reduce the shortfall:-

- (a) The standards of selection are relaxed for SC/ST candidates whenever sufficient number of SC/ST candidates is not available as per the reservation requirement.
- (b) Special Recruitment Teams for recruitment of ST candidates are sent to various ITIs having concentration of tribal population, such as Chhattisgarh, North East and Karnataka to select ST candidates for recruitment of Group 'C' posts.

2.26 It has been stated that one of the reasons for shortfall in intake of SCs/STs is the non-availability of suitable candidates in certain specialized functions like finance, medical and other highly technical areas. However, in the post evidence replies, it was also

informed that as on the date of submission of the replies there was no backlog in recruitment of SC, ST or OBC because normally all the reserved vacancies are filled-up in the recruitment of Medical Professionals and BHEL does face difficulty in finding the requisite number of finance background persons as the qualifying requirement is CA/ICWA. However, since the Executive Trainee (Finance) is same cadre as Engineer Trainee with same pay scale, the requirements are made up by inducting persons with engineering qualifications. Moreover, the standards of selection are relaxed for SC/ST candidates to fulfill the reservation requirement in a cadre.

2.27 In the updated information submitted by the Ministry in the month of November, 2009, the position of staff strength as on 01.01.2009 is as under:-

Category of posts	Total number of employees	Number of		Percentage of		Number of shortfall		Percentage of shortfall	
		SC	ST	SC	ST				
1	2	3	4	5	6	7	8	9	10
						(SC)	(ST)	(SC)	(ST)
A	12535	1799	670	14.35	5.34	All the reserved vacancies in recruitment have been filled and there is no backlog/shortfall in recruitment after Special Recruitment Drive was undertaken in 2004-05.			
B	11889	1953	322	16.43	2.71				
C	19215	4513	1197	23.49	6.23				
D	1608	550	50	34.20	3.11				

2.28 During evidence held on 20 November 2008, the Chairman of BHEL stated :

“With regard to the staff strength, the shortfall which has been taken: this was the problem in the past when we did not get the Scheduled Tribes but now we do not have that much difficulty. We are able to get ST candidates in other specialized areas also. The only thing is our induction is at the lowest level. Lateral inductions are very few in the company. We induct supervisors and executives only at the lowest level. In the overall cadre there may be some shortfalls, but as far as new recruitments are concerned now, we do not face any difficulty.”

2.29 As per the position of staff strength as on 01.01.2009, there is no data/information in regard to the number and percentage of shortfall of SCs and STs. However, it has been stated that all the reserved vacancies for recruitment have been filled and there is no backlog/shortfall in recruitment after Special Recruitment Drive

undertaken in 2004-05. The Committee, however are surprised that this fact has not been reflected as much as the percentage of STs in the staff strength for all categories of posts is very low compared to other communities. It is distressing to note that even in Group D posts where the requirement of education qualification might not be high, the number of ST in Group D posts is only 3.11% of the total Group D strength. While deposing before the Committee, the Chairman, BHEL admitted that in the past it was difficult to get ST but now it is not that difficult. He also stated that in the overall cadre, there may be shortfalls, but as far as new recruitments are concerned, they do not face any difficulty. Should the Committee, therefore, view that the deficiency in shortfall lies in promotion? Otherwise, if there is no shortfall in recruitment, how is it that the percentage of ST in all Groups is below the prescribed limit? It is the bounden duty of the Company and Government to ensure that the percentage of SC/ST employees is maintained in all categories of posts on recruitment and promotion. Having noted that the percentage of reservation in recruitment of STs in Group C and D varies from State to State and ranges from 0% to 3% whereas the percentage of reservation on promotion is uniform and fixed at 7.5%, the Committee strongly feel that a solution should be found to resolve the problem of maintaining staff strength of ST at prescribed limit in Group C and D posts. Having been informed that there is no dearth of suitable ST candidates now at recruitment stage, the Committee stress that BHEL should ensure that there are enough number of STs in the feeder cadre too for promotion to maintain the prescribed percentage for them. The Committee, therefore, recommend that BHEL in consultation with the Government should examine the issue of maintaining staff strength of STs at the prescribed limit taking into consideration the peculiar situation of variable percentage of reservation in recruitment in Group C and D posts in different States vis-à-vis the

uniform percentage of reservation in promotion to clear the confusion. The Committee further, strongly urge the Management to thoroughly study the merits and demerits of recruitment of only local candidates for Group 'C' and 'D' posts (Both technical and non-technical) by local units based on the reservation percentage of the States and to examine whether ST candidates from other States should also be recruited so as to maintain the prescribed percentage of STs. The Committee also observe that there is shortfall of SCs in Group A posts and that of STs in both Group A and B posts. The Committee recommend that BHEL should wipe out all shortfall of SCs and STs in respective posts.

H. Promotion Procedure

2.30 The Committee have been informed that for posts filled by promotion the prescribed percentage of reservation made is 15% for SCs and 7.5% for STs which were effective from 04.11.1974. However, for Group A posts reservation in promotion is applicable only to the lowest rung of executive cadre i.e. promotion to E1A, which is either from JE grade or SIII grade or change of cadre from SIV to E1A , both technical and non-technical posts.

2.31 For Group 'B' posts reservation in promotion is applicable in cadre change posts, from Workers to Supervisory cadre, i.e. to SI grade (both Technical & non-Technical). However, SI grade comes in Group "C" category. For promotions within Supervisory grades in BHEL (within house, i.e. from SI to SII & SII to SIII grades), all those who complete the prescribed eligibility period, including all SC/ST employees, are promoted, without any limit of reservation percentage, unless found unfit due to recorded misconduct or absenteeism or poor performance.

2.32 As regards procedure followed for promotion of employees to various categories of posts (Technical, non-Technical and Executive) in BHEL, the Committee have been informed that BHEL has a career growth oriented promotion policy with prescribed number

of eligibility period/years of service in each grade, for consideration for promotion to next higher grade. Departmental Promotion Committees (DPCs) formed for various cadres in BHEL examine all aspects such as qualifications, performance in the interview wherever held, ACRs, attendance and general service record of the eligible candidates. These aspects are given weightage and based on the total score, the employees are assessed regarding their suitability for promotion or otherwise. In case of SC/ST candidates, 5 marks extra over and above 100 marks are given as relaxation.

2.33 In regard to the merit-cum-vacancy oriented promotions at higher levels, with limited percentage of promotions, the candidates with outstanding performance are interviewed by the DPC. The criteria of assessment are basically the identification of employees who have made significant contribution in the relevant/allied field of activities. The number of such promotions is very limited. The SC/ST candidates who fulfill the eligibility criteria are considered favourably, as compared to general candidates. The DPC includes a member belonging to SC/ST community.

2.34 The Committee have been informed that the following concessions/relaxations are given to SC/ST employees while considering them for promotion:

- (a) All SC/ST employees eligible for promotion up to lowest rung of Group A i.e. E1A and equivalent grades are evaluated in relaxed standards by way of providing five additional marks over and above 100 marks.
- (b) All eligible SC/ST employees up to lowest rung of Group A, except cadre change promotions, are promoted unless they are found unfit for promotion on account of misconduct, habitual absenteeism, poor performance or adverse entries already communicated to the individual in writing. However, in cadre change promotions from unskilled/semi skilled workmen to skilled workmen, workmen to supervisors and supervisors to executive grades, the prescribed percentages of reservation are being complied with.

Note: The mode of cadre change promotion is by promotion through selection interviews, where 20% marks are assigned to their performance in the interview and 80% marks

for their ACR, experience, qualification, etc. (From June 2010, 10% marks are assigned to the performance in interview in case of executives).

- (c) There is no reservation in promotion within Executive Cadres. However, there is a concession in promotion up to E3 to E4 grades, according to which all SC/ST officers who are senior enough and within the number of vacancies for which selection list has to be drawn, shall be included in the promotees list provided they are not found unfit for promotion.
- (d) SC/ST employees promoted on their own merit, without availing any relaxations, are being treated as general and shall occupy "unreserved posts" and not reserved posts in the respective rosters.
- (e) As a part of the Company's Human Resources Development policy, all SC/ST employees who are eligible for change of house promotions in the respective year are given pre-promotion training/briefing wherein they are appraised of the company operations, policies and rules, job knowledge, ability to express orally and skills to face the interview.

Note: House Promotions means those promotions from one grade to next higher grade & pay scale, but within the same house i.e. within the same category of semiskilled workmen or skilled workmen or supervisors. For such within house promotions, which is without any change in category, but promotion from one pay-scale to next higher scale, they have to only complete a prescribed eligibility period of service in the grade for consideration for promotion and all those considered are promoted, including all SC & ST candidates, even if their performance is average, without any percentage restrictions. Since there is no direct recruitment in these in-between grades, nor dropping of candidates for promotion, unless found unfit due to recorded misconduct or poor performance, no separate promotion roster for these in-between grades for within house promotions were envisaged.

- (f) Over and above, 100% eligible and fit SC/ST executives are promoted from E1A to E2 grades, although there is no reservation but only a concession as mentioned above.

2.35 In the preliminary material, a statement was furnished showing the total number of employees promoted including the number and percentage of SCs/STs during the years 2005, 2006 and 2007 in various categories of posts as under:-

Year	Category of posts	Total number of employees promoted	No. of posts filled		Percentage of		No. backlog vacancies/ shortfall		Remarks
			SC	ST	SC	ST	SC	ST	
2005	A	1891	260	82	13.75	4.34	-	-	-
	B	1917	249	71	12.99	3.70	-	-	-
	C	3063	744	117	24.29	4.82	-	-	-
	D	311	83	15	26.69	4.82	-	-	-

2006	A	2160	287	76	13.29	3.52	-	-	-
	B	1925	302	57	15.69	2.96	-	-	-
	C	2986	694	144	23.24	4.82	-	-	-
	D	354	93	17	26.27	4.80	-	-	-
2007	A	1991	293	134	14.72	6.73	-	-	-
	B	2931	454	67	15.49	2.29	-	-	-
	C	3000	767	148	25.57	4.93	-	-	-
	D	190	63	4	33.16	2.11	-	-	-
2008	A	2531	347	124	13.71	4.90	-	-	-
	B	2745	469	69	17.09	2.51	-	-	-
	C	2378	572	187	24.05	7.86	-	-	-
	D	144	51	10	35.42	6.94	-	-	-

2.36 When asked about the causes of shortfall in promotion, it was stated that normally shortfall occurs in ST category due to non-availability of ST candidates in the feeder cadre. This is due to the fact that in case of direct recruitment in Group 'C' and 'D' posts, in some of the States the percentage for reservation for ST is low (0% - 3%), whereas the percentage of STs in promotion in BHEL is 7.5%.

2.37 When asked about availability of mechanism by which SC/ST employees if found below the required standard for promotion is given pre-promotion training, it was stated that Pre-promotion training is provided to SC/ST employees who are found below the required standard necessary for promotion. BHEL has a Training/HRD Department in all its major Divisions where the following types of training programmes are organised where SC/ST employees are also included:-

- (a) Pre-promotion training of SC/ST eligible candidates
- (b) Upgradation training
- (c) Supervisory Development Programmes

2.38 It was also stated that the Company has no agreement on promotional policy with the employees union. Rather BHEL has a promotion policy formulated by the Company applicable to all employees, including SCs/STs.

2.39 In the post evidence replies, substantiating their earlier replies, the Ministry has stated that the issue of overall shortfall in ST category in the Company is basically because BHEL mainly operates in 12 different States in the country, with small offices and project

sites in different States, where the State percentage of recruitment is vastly differing from Central percentage in Promotions. Since BHEL recruitment is only in induction grades, which form the feeder cadre for future promotions, this shortfall is not based on actual reservation requirement. Since percentage reservation of recruitment in C & D posts is based on State-wise norms, and resultant shortfall in promotions is because of BHEL's spread across the country, this was not taken up specifically with DPE. During the recent recruitments in Group "C" posts, BHEL has been specially making efforts to select the required percentage of STs, even with very relaxed standards during interview, and has decided to conduct special post-recruitment training programmes for such candidates, so as to bring them at par with others.

2.40 In the updated information submitted to the Committee in November, 2009, the total number of employees, including SCs and STs promoted in various groups of posts during the years 2008 and 2009 are given as under:

	Category of posts	Total number of employees promoted	Number of posts filled		Percentage of		Number of backlog vacancies/ shortfall		Remarks
			SC	ST	SC	ST	SC	ST	
1	2	3	4	5	6	7	8	9	10
2008	A	2531	347	124	13.71	4.90	NIL	NIL	@
	B	2745	469	69	17.09	2.51	NA	NA	
	C	2378	572	187	24.05	7.86	NIL	NIL	@
	D	144	51	10	35.42	6.94	NA	NA	
2009	A	2422	358	92	14.78	3.80	NIL	NIL	#
	B	3498	555	85	15.87	2.43	NA	NA	
	C	1500	369	102	24.60	6.80	NIL	NIL	#
	D	60	25	6	41.67	10.00	NA	NA	

@ In 2008, 10 SC and 11 ST backlog vacancies in Group 'A' were diverted for filling up through direct recruitment. In Group 'C', 3 SC and 8 ST backlog vacancies were subsequently filled up in 2009. As per rule applicable, backlog vacancies in promotion can be de-reserved for filling up by unreserved candidates in the subsequent year. However, to improve and maintain the overall representation of reserved categories in the company, the backlog vacancies were diverted to be filled up through direct recruitment of respective category by inducting required number of reserved candidates, over and above the fresh reservation, as per the recruitment roster.

In 2009, 2 SC and 4 ST in Group 'A' and 2 SC and 20 ST in Group 'C' are in the process of diversion for filling up through direct recruitment. Since large scale recruitment is being done in Group 'A' and 'C', these backlog vacancies will be filled up in the current/subsequent recruitment.

2.41 It has been stated that the causes of shortfall in promotion is due to non-availability of ST candidates in the feeder cadre. The reason for non-availability of ST

candidates in the feeder cadre is that BHEL mainly operates in 12 different States in the country, where the percentage of reservation for recruitment especially for Group C and D posts is very low whereas, the percentage of reservation for STs in promotion is uniform i.e. 7.5%. It was also stated that since percentage reservation of recruitment in Group C and D posts is based on State-wise norms, there is resultant shortfall in promotions. However, the Committee note that the situation in respect of Group A and B posts is also same even though the prescribed percentage in recruitment and promotion is uniform. According to the updated information furnished to the Committee in November, 2009, the promotions given to STs especially in Group 'A' and 'B' posts is very dismal and for Group 'C' posts the figure was still low. The Committee are of the view that non-availability of SC/ST candidates in the feeder cadre for promotion is wholly the failure of the Management in not able to recruit enough SCs/STs in the feeder grade due to its lack of commitment towards the welfare and development of SCs and STs. The Committee, therefore, urge the Management to review the recruitment and promotion policies to find a lasting solution to the problem of shortfall not only in promotion but also in recruitment of SC/ST employees. The Committee desire that the Management should consult the Ministry/Department of Public Enterprises to work out a formula to do away with this problem. The Committee further recommend that recruitment of Group C staff should also be made on all India basis so as to give equal opportunity to all SCs/STs in the country but to keep Group 'D' posts exclusively for local candidates. The Committee further recommend that the Management should also take immediate steps to ensure that sufficient candidates are readily available in Group C posts which are the feeder cadre for further promotions.

2.42 The Committee regret to note that ST backlog vacancies in promotion can be de-reserved for filling up by unreserved candidates in the subsequent year. The Committee, however, note that in the year 2008, 10 SC and 11 ST backlog vacancies in Group A were diverted for filling up through direct recruitment and in Group C, 3 SC and 8 ST backlog vacancies were filled up. In the year 2009 too, 2 SC and 4 ST in Group A and 2 SC and 20 ST in Group C were in the process of diversion for filling up through direct recruitment. The Committee are of the view that de-reservation of posts reserved for SCs and STs is the least desirable and desire that BHEL should resort to direct recruitment, if sufficient SC and ST are not available in the feeder cadre for promotion in view of power of relaxation as contained in OM No. AB 14017/30/89-Estt.(RR) dated 10.7.1990. If at all, de-reservation is inevitable, then it should be done strictly as per the prescribed procedures laid down in numerous OMs issued by the DoP&T. The Committee stress that before resorting to de-reservation of reserved vacancies all viable options should be explored and in no way, de-reservation should be resorted to unless absolute necessary. The Committee, therefore, recommend that before resorting to de-reservation of reserved posts, the relevant provisions of DoP&T instructions as enumerated in their OMs No. 36011/25/79-Estt.(SCT), dated 16.11.1979; 36011/5/81-Estt.(SCT), dated 7.4.1981 and 36011/2/83/Estt.(SCT), dated 15.3.1984 and their latest OM on the subject 36012/17/2002-Estt.(Res) dated 6.11.2003 should strictly be followed.

2.43 The Committee should also be apprised of the outcome of the recruitment exercise reported to have been undertaken during the years 2008 and 2009 as mentioned in the footnote of the statement of promotion at para 2.40.

CHAPTER – III

MEASURES TO IMPROVE REPRESENTATION OF SCHEDULED CASTES AND SCHEDULED TRIBES

A. Deputation

3.1 The Committee were informed that the number of posts filled up on deputation in BHEL from other Government Departments during the years 2005, 2006, 2007, 2008 and 2009 (till June) and number of SCs & STs amongst them are as under :

<u>Year</u>	<u>Total</u>	<u>SC</u>	<u>ST</u>
2005	97	12	02
2006	08	--	--
2007	07	--	--
2008	15	01	--
2009 (till June)	—	—	—

3.2 It has also been stated that BHEL has been sending very few employees on deputation to other departments. The year-wise number of employees sent on deputation during the last five years and number of SC/ST amongst them are as under:-

<u>Year</u>	<u>Total</u>	<u>SC</u>	<u>ST</u>
2005	03	--	--
2006	05	--	--
2007	02	--	--
2008	09*	01	--
2009 (till June)	02*	—	—

*Employees were sent on deputation to BHEL subsidiary and Joint Venture Company.

3.3 The Committee note that BHEL has filled some posts on deputation from other Government Departments as well as sent its own employees on deputation to other departments. However, it is noted that not many employees have come on deputation after 2005 nor many have been sent on deputation to other departments. The number of SC/ST employees on deputation was negligible. The Committee opine that for the

sake of career progression, SC/ST officers should be given opportunities in matter of deputation as it opens an avenue for them to get exposed to new work environment, improve upon their working skill and aptitude which eventually benefit the organisation. The Committee, therefore, desire that SC/ST officers should be encouraged to go on deputation or come on deputation to BHEL.

B. Appointment on Compassionate grounds

3.4 The Committee have noted that the number of employees appointed by BHEL on compassionate grounds and the number of SCs and STs amongst them in various categories of posts during the years 2005, 2006, 2007, 2008 and 2009 are as under:-

Year	Category of posts	Total number of posts filled	Posts filled by	
			SC	ST
2005	C	81	18	-
2006	C	82	15	09
2007	C	43	12	-
2008	B	01	-	-
	C	84	25	01
2009 (till 15.10.09)	C	36	17	—

3.5 When asked whether the Department of Public Enterprises has separate rules for appointment of employees on compassionate grounds, it was stated that BHEL has not received any guidelines from DPE in this regard. However, as per BHEL Policy on Compassionate Ground Employment, immediate employment is considered for the dependant of the deceased employee, if the death is due to accident arising out of and in the course of employment and in other cases of employee's death, whenever vacancies are sanctioned to Units in Group C & D, up to 25% vacancies are earmarked for being filled from dependants of deceased employees.

3.6 When asked whether there are any pending cases of appointments on compassionate grounds, it was stated in their post evidence reply that there are some pending cases on account of employee's death other than due to accident arising out of and in the course of employment. In regard to details of such pending cases and the dates from which these were pending, it was replied that details of data/cases are available/processed at respective units of BHEL, as per Head Office guidelines, if and when vacancies are sanctioned to their unit, subject to their meeting the prescribed specifications.

3.7 The Committee note that the Ministry have furnished the details of employees including SCs and STs amongst them appointed on compassionate grounds by BHEL during the years 2005, 2006, 2007, 2008 and 2009 (till 15.10.2009). However, the details of the pending cases with BHEL have not been furnished despite admitting that there are cases pending with the Company. It has also been informed that there are some cases of compassionate ground appointment on account of employee's death other than due to accident arising out of and in the course of employment. The Committee, should, therefore, be apprised as to the total number of cases including from SC and ST dependents of deceased employees that were received for appointment on compassionate grounds during each of the years 2005, 2006, 2007, 2008, 2009 and 2010 and their settlement/pending for appointment within three months of the presentation of this report.

C. Posting abroad

3.8 When asked, if any office of BHEL has been located abroad, it was stated that BHEL has only three Marketing offices located at Dubai, Indonesia and Libya. There is only one representative in each of the locations and none of them belongs to SC/ST community. As on 30.06.2010, there are 9 Marketing/Branch offices and 10 project sites abroad.

3.9 The procedure cited for selection of candidates for posting abroad is based on the specific requirement of the job at respective location which is made with the approval of the CMD. It was also added that reservation orders does not apply to postings, which are transfers within the company rules.

3.10 However, in the post evidence reply, it was informed that during the last 3 years (2006, 2007 & 2008), out of total 88 employees posted abroad at project sites, 13 were SC and 5 were from ST category.

3.11 In the updated information on posting abroad, the Ministry have submitted the following data in November, 2009:

Year	Category of posts	No. of employees posted abroad	SC	ST
2008	A	70	10	4
	B	12	3	1
	C	5	2	-
	D	-	-	-
Total		87	15	5
2009 (till 15.10.2009)	A	49	7	2
	B	16	2	1
	C	7	2	1
	D	-	-	-
Total		72	11	4

3.12 The Committee note that the procedure cited for selection of candidates for posting abroad is based on the specific requirement of the job at respective locations which is made with the approval of the CMD. The Committee also note that reservation orders do not apply to postings. However, the Committee desire that Management should give fair opportunity to SC/ST employees too should they are qualified and eligible for posting abroad. The Committee, therefore, urge the Management endeavour to nominate enough eligible SC/ST candidates for posting abroad.

D. Training abroad/Attending seminars/symposia/conferences etc.

3.13 The Ministry have furnished the following information in regard to employees sent abroad for training :-

Year	Category of Employees	No. of employees sent for training abroad		
		Total	SC	ST
2005	A	49	7	3
	B	1	0	0
	C	0	0	0
	D	0	0	0
Total		50	7	3
2006	A	82	10	0
	B	3	0	0
	C	2	0	0
	D	0	0	0
Total		87	10	0
2007	A	76	9	0
	B	0	0	0
	C	0	0	0
	D	0	0	0
Total		76	9	0
2008	A	44	14	3
	B	0	0	0
	C	0	0	0
	D	0	0	0
Total		44	14	3
2009 (till June)	A	17	5	1
	B	-	-	-
	C	-	-	-
	D	-	-	-
Total		17	5	1

Note: There is no reservation for SC/ST in training.

3.14 To queries on the reasons for low representation of ST employees sent for training abroad, the criteria and eligibility for nomination and steps being taken to improve their representation, it was replied in their post evidence reply that there is no reservation in nominating employees for training abroad. Employees of different cadres, particularly those in Executive cadre, are deputed to foreign countries in connection with procurement/inspection of machineries, training in handling new equipments/technologies,

testing and repair of company manufactured equipments etc. For this, employees with relevant technical capability, functional need and in appropriate grades are sent abroad and/or sponsored, including suitable employees of SC & ST categories.

3.15 It was further stated that the following guidelines are being followed, to regulate the process of nomination/ training:

- (i) The employee must fulfil the eligibility criteria prescribed by the organising agency.
- (ii) The employee must have at least five years balance service.
- (iii) The knowledge and expertise proposed to be acquired through foreign training should be relevant and useful to the employee and organisation for a reasonable period of time.
- (iv) The employee should be clear from vigilance angle.
- (v) The chosen employee should be the right person to implement the learnings acquired through training.
- (vi) The nomination should have the recommendation of the concerned Unit Head.

3.16 The details of employees sent abroad for attending seminars/symposia/ conference are as under:-

Year	Category of employees	No. of employees sent		
		Total	SC	ST
2005	A	139	12	4
	B	0	0	0
	C	0	0	0
	D	0	0	0
Total		139	12	4
2006	A	164	3	4
	B	5	0	0
	C	4	0	0
	D	0	0	0
Total		173	3	4
2007	A	209	24	18
	B	0	0	0
	C	0	0	0
	D	0	0	0
Total		209	24	18
2008 (as on June'08)	A	39	4	2
	B	1	0	0
	C	1	1	0
	D	0	0	0
Total		41	5	2

3.17 When asked the criteria and eligibility for nomination of candidates, the procedure for nomination, the reasons for low representation of SC/ST employees for such programmes and whether the Management has not felt the need to send SC/ST employees for attending seminars/symposia/conferences, it was stated in the post evidence reply that based on the functional requirement employees are being nominated for attending company sponsored Seminar/Training/Symposium abroad. All the company sponsored Training/Seminar etc. are approved by Corporate Office. Whenever there is any opportunity for foreign training/ Seminars/Symposium, the nomination of SC / ST employees is forwarded liberally.

3.18 The Committee are distressed to note that not a single ST employee was sent for training abroad during the years 2006 and 2007. However, during the years 2005 and 2008, there was representation of 3 ST employees in each year for training abroad. It has been informed that there is no reservation in nomination of employees for training abroad but employees are nominated based on the functional requirement and fulfilling other terms and conditions stipulated in the guidelines for regulation of training followed by the Company. Having noted that the company has a policy for regulation of nomination process for training abroad, the Committee stress that ST employees should not be ignored should they otherwise fulfill the eligibility criteria prescribed by the Company as foreign training is very important for employees' confidence building and of great value for advancement of their career. No doubt, it is the aspiration and dream of every employee to avail foreign training in his career. The Committee, therefore, urge the Management to ensure that the nomination of candidates from the recommendation stage by the Head of the concerned Unit should be done in a very transparent and fair manner so that eligible SC and ST candidates get equal opportunity for getting nominated to these trainings.

3.19 The Committee also note that the number of SC and ST candidates sent abroad for attending seminars/symposia/conferences was low. It has been stated that based on the functional requirement employees are being nominated for attending company sponsored seminars etc. The Committee, therefore, recommend that as far as practicable, preference should be given to SC/ST employees for attending seminars/symposia/conferences scheduled to be held abroad.

E. Pre-recruitment/In-service training

3.20 The Committee were informed that the company's Divisions/Units are imparting training to a large number of ITI students under the Apprenticeship Schemes every year. This helps the students to get familiar with the type of skills required for recruitment. Adequate number of SC/ST students is also covered under this training. In some cases, additional classes for SC/ST candidates are also arranged to enable them to familiarize with the examination/test pattern.

3.21 The details of apprentices including SCs/STs taken under Apprenticeship Act in various branches during the last five years are as under:-

Year	Total number of apprentices taken	SC	ST	Total number of apprentices absorbed in BHEL	SC	ST
2005	4849	1065	197	2	01	-
2006	4511	1025	232	157	45	40
2007	4591	1072	208	244	52	41
2008	3981	985	273	23	07	03
2009 (till June)	3346	761	292	27	10	02

3.22 The Committee were also informed that BHEL provides in-service training in various functional areas as well as on subjects of general interest useful to all employees including Scheduled Castes and Scheduled Tribes. Other than functional requirements, such training programmes include subjects like general health, motivation, safety, IT awareness,

Raj Bhasha, academic guidance for children of employees, etc. At Corporate level, there is one Human Resource Development Institute at NOIDA which organizes training programmes on varieties of subjects. Training Calendar for every year is drawn and circulated to all Units for circulation in the Units and nomination of employees. Similarly, there is Human Resource Development Centre at all major Units/Divisions which also draws Training Calendar and circulates to all the Departments of the Unit/Division as well as all the other Units/Divisions of BHEL. An employee in the company can get nominated to any of the programmes conducted by any of the Units/Divisions, depending upon his/her identified training needs. Number of employees who attended training on various subjects, year wise, are given below:

Number of employees			
Year	General	SC	ST
2005	37447	7550	2357
2006	25332	5288	1263
2007	23817	4930	1184
2008	33443	5819	1329
2009 (till June)	15426	1736	815

3.23 The Committee note that BHEL provides training to a large number of ITI students including adequate number of SC/ST candidates under the Apprenticeship Schemes every year, and thus help them to get familiar with the type of skills required for recruitment. The Committee stress that SC/ST candidates should be given preference in getting trained under the Apprenticeship Schemes so that there is good number of suitable SC/ST candidates for recruitment. The Committee further note that BHEL provides in-service training in various functional areas as well as on subjects of general interest useful to all employees including SCs and STs. Other than functional requirements, BHEL impart training on general health, motivation, safety, IT awareness, Raj Bhasha, academic guidance for children of employees. While appreciating these initiatives undertaken by the Company for the welfare of its

employees and their children, the Committee urge the Management to keep up the good work so that other organisations may also emulate these good works of the Company. The Committee also desire that SC/ST employees should be given continuous training in different functional areas so that they can give their best service to the Company.

3.24 The Committee note that apprentices are taken under Apprenticeship Act in various branches of BHEL. During the last 5 years (2005, 2006, 2007 2008 and 2009), a good number of apprentices were taken but comparatively the absorption of those apprentices in BHEL is very low. The Committee are of the view that if the Company cannot absorb all the apprentices after they are trained, then why the Company is taking them under Apprenticeship Act in the first instance. The Committee are of strong opinion that shortfall of SC/ST at the lower level of posts can be made good by absorbing SC/ST apprentices in due course of time. The Committee, therefore, recommend that it should be ensured that SC/ST candidates taken for apprenticeship are given preference for absorption so that shortfall of Scheduled Castes and Scheduled Tribes especially in the posts for which they are trained are always filled up.

F. Liaison Officer and SC/ST Cell

3.25 The Committee were informed that BHEL has SC/ST Liaison Cell at its Head Office and at various Units/Divisions of the Company. To ensure that the Presidential Directives on reservation of SC and ST are implemented in letter and spirit, the following functions are done by SC/ST Cells:

- (a) Compilation and preparation of returns of SC/ST and any other data required by Government agencies.
- (b) Assisting the Management in implementation of Presidential Directives and other guidelines issued by the Govt. from time to time.

- (c) Processing of grievances of SC/ST employees and assisting the National Commission in this regard.
- (d) Prompt settlement of grievances / complaints of SC/ST.
- (e) Conducting periodical inspection of roster.
- (f) Conducting Workshops for SC/ST Associations and Liaison Officers and HR executives dealing with rosters to make them aware of the reservation policy.

3.26 The details of Liaison Officers and the number of staff working in the Cell of all the Units as on 30.06.2009 are as under:-

Unit	Staff strength	Designation
Corporate Office	4	<ul style="list-style-type: none"> • Sr. DGM(HR) (SC) • Manager (HR) (ST) • Dy. Officer (Gen) • Dy. Officer (Gen)
Bhopal	4	<ul style="list-style-type: none"> • AGM (Gen) • Manager (Gen) • Assistant Officer (SC) • Assistant Gr.II, (SC)
R.C Puram, Hyderabad	3	<ul style="list-style-type: none"> • AGM (SC) • Sr. Manager, (Gen) • Personal Assistant (SC)
HEEP, Haridwar	4	<ul style="list-style-type: none"> • DGM (SC) • Sr. Manager, • Sr. Executive, (SC) • Dy . Officer (ST)
Jhansi	3	<ul style="list-style-type: none"> • Sr. Manager • Dy. Manager (Gen) • Assistant Gr.II (SC)
HPBP, Tiruchy	4	<ul style="list-style-type: none"> • Sr. DGM • DGM (SC) • Sr. Manager, (Gen) • PA Gr.III (Gen)
IVP/Goindwal	2	<ul style="list-style-type: none"> • Sr. DGM(SC) • Sr. Executive (Gen)
CFP/Rudrapur	2	<ul style="list-style-type: none"> • Manager (OBC) • Astd. Officer Gr.II, (Gen)
R&D/Hyderabad	4	<ul style="list-style-type: none"> • AGM, (SC) • Sr. DGM(SC) • Manager, (Gen) • Assistant Officer (Gen)
BAP/Ranipet	2	<ul style="list-style-type: none"> • Sr. Manager, (Gen) • PA GrII (SC)
EDN/Bangalore	2	<ul style="list-style-type: none"> • Sr. DGM, (SC) • Assistant Gr.I (ST)

EPD/Bangalore	3	<ul style="list-style-type: none"> • DGM • Manager (Gen) • Assistant Officer (SC)
ISG/Bangalore	3	<ul style="list-style-type: none"> • Sr. Manager (SC) • Assistant Officer Gr.I (ST) • Assistant Officer Gr.I (ST)
IP/Jagdishpur	3	<ul style="list-style-type: none"> • DGM • Dy. Manager (Gen) • Dy. Officer Gr.I (OBC)
HERP/Varanasi	2	<ul style="list-style-type: none"> • Sr. Executive, (Gen) • Assistant Gr II (OBC)
PS (HQ)/NOIDA	3	<ul style="list-style-type: none"> • Sr. Manager • Dy. Manager, (Gen) • Assistant Gr.I (Gen)
PEM/NOIDA	3	<ul style="list-style-type: none"> • DGM • Manager (Gen) • Dy. Officer II (SC)
PS-NR/NOIDA	3	<ul style="list-style-type: none"> • DGM • Executive(HR) (Gen) • Assistant Gr. I (Gen)
PS-ER Kolkata	3	<ul style="list-style-type: none"> • Sr. Manager • Manager (Gen) • Assistant Officer (Gen)
PS-SR/Chennai	3	<ul style="list-style-type: none"> • AGM • Sr. Executive, (Gen) • PA Gr. I (SC)
PS-WR/Nagpur	3	<ul style="list-style-type: none"> • AGM • Sr. Executive (SC) • Dy. Officer (ST)
EMRP/Mumbai	3	<ul style="list-style-type: none"> • AGM • Sr. Manager(Gen) • Sr. Executive (gen)
ROD (HQ) / New Delhi	2	<ul style="list-style-type: none"> • Manager, • Sr. Assistant Gr.II
Industry Sector / New Delhi	2	<ul style="list-style-type: none"> • Dy. Manager (Gen) • Dy. Officer (Gen)
HRDI / NOIDA	2	<ul style="list-style-type: none"> • Manager (Gen) • Sr. Assistant Gr.II (Gen)
Corporate Estt.	2	<ul style="list-style-type: none"> • DGM (Quality) (SC) • Executive (HR) (Gen)

3.27 These Liaison officers are specifically appointed to look after the SC/ST matters in all the Units and additionally they are also entrusted with other work. These liaison officers are normally SC/ST officers in the senior position who are aware of the rules and regulations/ Presidential Directives on the subject and willing to work as Liaison Officers. These officers are nominated and approved by respective Unit Heads.

3.28 It was also stated that BHEL organises workshop on reservation policy every year for all the Liaison Officers and members of the SC/ST Associations. Such workshops are highly appreciated by SC/ST associations and Liaison Officers. These workshops aim at

enhancing the awareness level of the Liaison Officers and members of SC/ST Associations on various aspects of the presidential directives on reservation, their duties and responsibilities. It also enhances networking among the representatives, experience sharing and encourages positive actions as well as attitudinal change.

3.29 The last workshop on reservation policy was conducted for the members of SC/ST Associations and Liaison Officers for SC/ST/OBC of the entire organisation from 10.11.2008 to 11.11.2008 at Cochin. 39 members of SC/ST Associations, 32 Liaison Officers and executives of HR function dealing with the subject/rosters participated in the workshop, besides other officials/invitees.

3.30 It has also been stated that in the Ministry of Heavy Enterprises, an officer of the rank of Deputy Secretary has been designated as Liaison Officer in respect of all matters pertaining to SC/ST. A Cell consisting of one Section Officer and one UDC is also functioning. The Committee were also informed that the following checks have been devised by the Ministry to ensure that the reservations made in favour of Scheduled Castes and Schedule Tribes are fulfilled :-

- (i) Quarterly Reports on implementation of reservation policy are furnished by BHEL to SC/ST Cell of Department of Heavy Industry.
- (ii) Annual Reports on implementation of Presidential Directives of SC/ST indicating inter-alia, reasons for shortfall in recruitment/promotion against reserved posts, if any, are furnished by BHEL to the Department of Heavy Industry.
- (iii) Information regarding specific reports/status on implementation of reservation policy, as and when required, are provided by BHEL to the Department of Heavy Industry.

3.31 The Committee are of the view that the office of a Liaison Officer is a very important institution as far as the welfare and interest of the SCs and STs are concerned. The Liaison Officer is a link between the Management and the SC/ST

employees of the organisation whose main function is to ensure that Presidential Directives on reservation of SCs and STs are implemented in letter and spirit. Therefore, it is important that Liaison Officer and his support staff are appointed from reserved communities, so that the SC/ST employees may be able to convey their problem without fear. Moreover, SC/ST officer appointed as Liaison Officer may also give confidence to SC/ST employees and the Liaison Officer may in turn be able to do his job with more dedication and commitment. However, the Committee note that in some units of BHEL, like Jhansi, Bhopal, Tiruchy, Rudrapur, Ranipet, Bangalore, Jagdishpur, Varanasi, NOIDA, Kolkata, Chennai, Nagpur, Mumbai, New Delhi the Liaison Officers do not belong to these communities. The Committee, therefore, urge the Management that as far possible an officer of appropriate rank from the SC/ST community having a sound knowledge of reservation policies should be appointed as Liaison Officer of the respective units and he should be provided with sufficient number of support staff drawn from reserved communities. The Committee are also aware that Liaison Officers out of fear and intimidation by others do not perform their assigned duties in a fair and transparent manner. Therefore, the Committee urge the Management that the Liaison Officer should be allowed to work independently and without any interference from any side. The Liaison Officer should also not be overburdened with many assignments apart from his liaison duties. However, for any lapse, negligence and dereliction of duty on his part, appropriate action should be taken against him so as to ensure accountability in the office of the Liaison Officer.

3.32 The Committee also note that an officer of the rank of Deputy Secretary has been designated as Liaison Officer in the Ministry of Heavy Enterprises. The Committee urge the Liaison Officer to conduct periodic inspection of the undertakings including BHEL to check that rosters maintained by them and to ensure

that Presidential Directives on reservation of SCs and STs are implemented in letter and spirit.

G. Rosters

3.33 The Committee were informed that since recruitment to Group A posts is done centrally at Corporate Office normally at the induction level, i.e. Executive/Engineer Trainee (E1) , the rosters for the same are maintained at Corporate Office. Besides induction level posts, very few appointments are made in higher level of Group A such as Sr. Medical Officers, Sr, Hindi Officers etc. where the rosters for these appointments are maintained at unit level. Rosters, however for direct recruitment to Group B, C and D posts as well as cadre change promotions from Group D to C, C to B and B to A are maintained by various Units/Divisions of BHEL. It has been stated that the rosters maintained at Head Office and also at regional offices are inspected by respective Liaison Officers and necessary actions as suggested by the Liaison Officers are taken. When asked as to the last time rosters at the Head Office and Regional Offices were inspected by the respective Liaison Officers, it was stated in post evidence reply that since the rosters for induction level in Group A is maintained at Corporate Office, the same are inspected as and when the process for new recruitment cycle is started. Similarly, for other than induction level posts in Group A and Group C posts, the rosters are inspected and updated by Liaison Officers as and when new recruitment cycle starts.

3.34 To a query as to whether the representatives of the Ministry of Heavy Industry and Public Enterprises also visited the Head office and regional/zonal/circle offices of BHEL to check the rosters, the reply was in affirmative. To a further query as to the last time rosters were inspected by the Ministry of Heavy Industry and Public Enterprises, it was mentioned on 18 July 2008. It was also stated that no discrepancies were noted during such inspections.

3.35 The Committee note that rosters maintained at Head Office and also at regional offices are inspected by respective Liaison Officers and necessary action as suggested by the Liaison Officers are taken. It was also informed that the representatives of the Ministry of Heavy Industry and Public Enterprises also visited the Head Office and regional/zonal/circle offices of BHEL to check the rosters. It has also been stated that no discrepancies were noticed during inspections. It appears that rosters maintained at various offices of BHEL are being properly maintained. It is, however reiterated that rosters is a very important document as far as the welfare and interest of the SCs and STs are concerned. It is the only mechanism through which a watch is kept on the proper placement of SC/ST employees in their respective cadres against the vacancies reserved for them. In fact, the whole system of implementation of reservation orders rest on maintenance of rosters. It foretells the time by which the SC/ST employees become eligible for their next promotion by their placement in the roster. The Committee, therefore, urge the BHEL to entrust the job of maintaining rosters to officers who are well versed and acquainted with recruitment rules and maintain them strictly in accordance with the instructions laid down for the purpose. Rosters should be inspected regularly by the Liaison Officers and after every inspection, he should put his signature and stamp as a token for having inspected. The Committee also recommend that the officers concerned for the maintenance of rosters as well as Liaison Officers should be made accountable for its proper maintenance.

CHAPTER – IV**MISCELLANEOUS****A. False caste certificates**

4.1 In the preliminary material submitted to the Committee, it was admitted that there have been instances where the persons had taken employment in BHEL on the basis of false caste certificates. Services of 12 employees were terminated in 1998 at Trichy Unit of BHEL, and 2 employees at Hyderabad in 2007 on account of having taken employment in BHEL on the basis of false caste certificates.

4.2 In the post evidence replies, the Committee were informed that as on 30th June, 2008 there were 65 cases of false caste certificates out of which 31 cases were pending with district authorities for verification/cancellation and 34 cases were pending in different courts. All 31 cases pending with district authorities reported to be pending prior to year 2000 and that BHEL is actively pursuing cases for an early settlement. When asked since when the cases are pending in different courts, it was stated in the post evidence reply that cases are pending in Courts since the year 2000 onwards. Asked to state whether any criminal cases have been initiated against the guilty persons, and, if not, the reasons therefor, the Committee were informed that the certificates have been sent to the concerned district authorities for re-verification. In some cases employees have obtained stay orders from the courts. However, in their post evidence reply, the Ministry have stated that no such guidelines were noted.

4.3 In reply to a query on the number of cases sent to district authorities for re-verification, in their post evidence reply the Ministry have explained that such cases pertain to only 3 units of BHEL , namely, Trichy, R.C. Puram – Hyderabad and Ranipet . It has further been stated that at Trichy, out of 43 cases, 26 cases have been sent to district

authorities for re-verification. The balance 5 cases pertain to R.C. Puram, Hyderabad and Ranipet.

4.4 In reply to a query on steps taken to expedite these cases, it has been stated that reminders are sent/visits are made to the concerned authorities from time to time.

4.5 In reply to queries on the number of cases of securing employment on the basis of false caste certificates that have come to the notice of the Management during the years 2008 and 2009 (till June) and the details of action taken thereon by the Company, the Ministry in their updated information have provided the following information:

	During the year 2008	As on 30 th June, 2009
Pending with District Authorities for verification/cancellation etc.	57	56
Pending in the courts	06	05
Disciplinary action in different stages of process in BHEL	02	00
Total	65	61

4.6 The Committee note that during the year 2008, there were 65 cases of false caste certificates out of which 57 cases were pending with district authorities for verification/cancellation, 6 cases were pending in courts and in 2 cases disciplinary action was initiated which were in different stages of process. According to the status as on 30th June, 2009, there were a total of 61 cases of false caste certificates, out of which 56 cases were pending with district authorities for verification/cancellation and 5 cases were pending in courts. The Committee note that in recent years instances of securing employment on the basis of false caste certificates are on the rise and have become a menace in every organisation. The Committee are distressed by the fact that most of such cases are either pending with district authorities or in courts rendering the Management hapless in taking expeditious decision in the matter. In BHEL, it has been reported that some cases are pending with district authorities since

prior to year 2000 and in courts since the year 2000 onwards. The Committee are shocked that a public undertaking which is one of the navratnas has failed to check a number of persons in securing employment on the basis of false caste certificates and thereby deprived the rights of genuine SCs and STs to get appointment in the company. The Committee are of the view that there are some loopholes in appointment procedure which BHEL has to set right immediately. The Committee, therefore, recommend that BHEL should review its procedure for recruitment/appointment within three months of presentation of this report and strictly insist on production of original caste certificate as prescribed while offering appointment at entry level of candidates. Had the BHEL been extra careful at entry level only, such a large number of false caste certificate cases would not have been pending with district authorities and in courts. The gravity of the issue of getting employment on the basis of false caste certificate has assumed immense proportion that in one such case of a bank employee who got appointment on the basis of false caste certificate, the Supreme Court had pronounced its ruling stating that such persons do not deserve any sympathy or indulgence of the court because a person, who enters the service by producing false caste certificate and obtains appointment for the posts meant for SCs/STs/OBCs deprive a genuine candidate falling in either of the said categories of appointment to the post. The Apex Court ruling further says that equity, sympathy or generosity have no place where the original appointment rests on a false caste certificate. The Committee are, therefore, of the firm view that the problem of false caste certificate cannot be tackled half-heartedly but has to be dealt with iron-hand, so that a strong message is sent to all concerned that false caste certificate cases are to be handled very seriously by all Government Departments and public sector undertakings. The Committee, therefore, recommend that once the case

of false caste certificate is proved, the Management should immediately dismiss the person and not hesitate to file a criminal case against the person.

4.7 The Committee are also of the view that only giving directions to the units of BHEL to closely follow-up the cases with the concerned State Government authorities for speedy disposal of the false caste certificate will not suffice to tackle these problems. In regard to 56 cases pending with district authorities for verification and cancellation, the Committee would like to stress that the Management should approach the concerned district authorities for expeditious disposal of the cases. The district authorities should be given time period to complete the task of verification. In case these are not received, the district authorities should be clearly told that in case they do not send their comments within the prescribed period, they would be held responsible should the Company take action on its own in the matter. As for cases pending in courts, earnest efforts should be made to contact the registrar so that the cases may taken up for early hearing and disposal. The Committee also strongly recommend that BHEL should ask their lawyers to file early hearing petitions in respect of cases pending in courts since 2000 so that these are settled at the earliest. The Committee also recommend that the Management should closely monitor the progress made by different units in this regard by seeking quarterly progress report from them and if required to give necessary advice and guidance for early settlement of the cases.

B. Complaints/grievances of SC/ST employees

4.8 The Committee have been informed that BHEL has a well established grievance redressal procedure for all the employees including SC/ST employees. The redressal scheme follows a three-tier approach as detailed below:-

- (a) In the first stage, an aggrieved employee will present his grievance in writing to his immediate Supervisor/Executive in the prescribed format. The Supervisor/Executive will endeavour to settle the grievance within 2 working days of the presentation. If not satisfied within the stipulated time, the aggrieved employee may take up his grievance to the second stage.
- (b) In the second stage, the aggrieved employee will present his grievance to the Head of his Department in writing in the prescribed format. If the grievance is heard in person, the aggrieved employee may take the help of a co-employee or a representative of any of the Unions represented on the Joint Committee from his Department to present the grievance.
- (c) In any case, the grievance will be settled or replied to by the Head of the Department within 10 days of the presentation. If not satisfied with the reply or if the reply is not provided within the stipulated period, the aggrieved employee may take up his grievance to the third stage.
- (d) At the third stage, the aggrieved employee will formally present his grievance to the Grievance Council in writing in the prescribed format.
- (e) It is provided that an aggrieved employee may take up grievance relating to and arising out of promotions to the third stage directly without passing through the first and second stage.

4.9 In addition to the above, aggrieved SC/ST employees are free to approach the Liaison Officer directly. The Liaison Officer also examines their grievances and puts up their grievances to the management. Liaison Officer will also have personal dialogue with the aggrieved employee to resolve his grievance.

4.10 It has also been mentioned that a complaint register is also maintained showing the records of the complaints/grievances of SC/ST employees together with their disposal.

The year-wise details of complaints received and recorded from SC/ST employees are given below :-

Year	Brought Forward	Received	Settled	Carry Forward
2005	12	13	16	09
2006	09	15	11	13
2007	13	43	14	41
2008	41	28	47	22
2009 (till June)	22	2	2	22

4.11 The nature of complaints lodged are generally related to cadre change promotion. It was also informed that there is no case of harassment or discrimination against SC/ST employees on grounds of social origin has come to knowledge.

4.12 The Committee note that BHEL has a well established grievance redressal mechanism for all employees including SC/ST employees. It has a three-tier approach, where in each stage of the process, complaints/grievances of aggrieved employees can be redressed within a specific time frame by an appropriate authority. In addition to the above, aggrieved SC/ST employees are also free to approach the Liaison Officer directly for redressal of his complaints/grievances. In spite of having a well established procedure for redressal of complaints/grievances, the record of settlement of cases as per information provided to the Committee is not satisfactory. The Committee note that every year the complaints/grievances are being carried forward to the next year. It is stated that most of the complaints/grievances of SCs and STs are related to cadre change promotion. It is certain that only when employees have grievances/complaints, do they approach the authority for redressal. Therefore, it should be the endeavour of the Management to address and settle the complaints/grievances in a time bound manner. The Committee, therefore, recommend that cases of complaints of SCs and STs pending settlement as in June 2009 should be settled within a time frame and inform the

Committee of the nature of action taken within three months of the presentation of the Report.

C. Housing facilities

4.13 It has been stated that the Company has townships at various large manufacturing Units for all levels of employees. There is also provision for HRA at applicable rates for all employees or company leased accommodation for executives, where company accommodations can not be made available.

4.14 The Company has also provides reservation for SCs/STs in allotment of quarters, viz. 10% in type I & II and 5% in type III & IV quarters. The status of the total number of quarters owned by the Company and the number of quarters allotted to SC/ST employees out of them is as under :

<u>Type</u>	<u>Total</u>	<u>SC/ST</u>
I & II	16241	2639
III & IV	5532	1004

4.15 It was also stated that the number of SC/ST employees allotted Company's quarters is much higher than the prescribed norms and there is no waiting list for SC/ST for allotment of quarters.

4.16 BHEL also provides interest subsidy on housing loans to employees. Any employee who has completed five years of continuous service is eligible for interest subsidy. Subsidy is given at the rate of Rs.41/- per Rs.10,000/- loan subject to maximum of Rs.7,50,000/- loan. All employees who are interested to avail this facility are given the same benefit including SC/ST.

4.17 During evidence the Chairman, BHEL stated in regard to interest subsidy:

“As far as the company is concerned it gives interest subsidy. So, a lot of people do not want houses in that place, and they have taken interest subsidy. Of course, there is a demand from the Union, and we have to increase the subsidy. So, there is an interest subsidy which is being given by the Company.”

4.18 The Committee note that the number of SC/ST employees allotted company's owned accommodation is much higher than the prescribed norms and there is no waiting list for SCs /STs for allotment of quarters. The Committee also note that BHEL also provides interest subsidy on housing loans to employees who have completed five years of continuous service. The Committee appreciate that BHEL has taken good care of the housing needs of its employees including that of the SC/ST employees who do not have to wait for allotment of company's owned accommodation. The Committee urge the Management to continue providing accommodation to its employees in all of its Units so that they remain more focussed and dedicated to their duties/works. The Committee also recommend that as mentioned by the Chairman, BHEL, during evidence that Union is demanding an increase in interest subsidy on housing loan and also in view of the mounting cost of flats/houses, the same should be increased appropriately so that all employees including SCs and STs benefit out of these benevolent act of the company.

D. Casual labour/Part-time workers

4.19 The Ministry have stated that there are 10400 casual labour engaged in BHEL who are contractors labour. In regard to the number of SCs/STs amongst them, it is stated that data is not available. It has also been stated that casual labourers who are engaged through contractors are regulated by rules applicable to the contractors. BHEL has no control on hiring of casual labourers by contractors and BHEL does not recruit casual labour. It was also informed that there are no part time workers in BHEL.

4.20 When specifically asked about the type of works for which the service of casual labourers are required, it was stated that casual labourers are normally engaged for temporary nature/one-time jobs such as shifting of office/documents/materials, disposal of materials/documents, one time cleaning activity, other miscellaneous odd jobs.

4.21 Asked about the reason, as to why the data on SC/ST casual labourers employed by the contractors have not been maintained, it was stated in the post evidence replies, that the contractors are not required or bound by rule to maintain and/or report such data to any agency/principal employer, and there are no guidelines in this regard.

4.22 Asked if any preference is given to contractors who have large number of SC/ST casual labourers at the time of awarding contractual works, it was informed that appointment of contractors is done through a bidding process as per Purchase and Works policy of the Company. As per the Purchase and Works policy, L1 bidder is appointed. Data on SC/ST categories of workers is not required to be sought nor is available with a bidder at the time of bidding.

4.23 In reply to a query as to what is the machinery to watch interest of SC/ST casual workers keeping in view the large number of casual labourers, it was stated that whenever the vacancies arise in Group 'C' category, SC/ST contract workers, if eligible, are advised informally to apply for the same.

4.24 To queries as to how many casual labourers were hired and how many of them have since been absorbed, it was stated in their post evidence reply that contract workers who apply and meet the job specifications against sanctioned vacancies are considered along with other eligible candidates for vacancies in the company. The information on the actual number is not being monitored by the company, with this background, as the same is not applicable, or required in absence of any specific guidelines.

4.25 When asked whether labourers engaged by contractors are given leave admissible under Government rules, it was stated that contract labour are given leave applicable as per the Factories Act/Government rules.

4.26 when asked whether any Provident Fund and ESI subscription in respect of the contract labourers are deducted, it was informed that in the case of Provident Fund, the contractor and the principal employer, i.e. BHEL, ensures that the deductions towards contribution to Provident Fund are deposited with the PF Regional Commissioner. In case of ESI, the ESI cards are issued to contract labours for availing medical facilities. ESI Corporation of the respective State is the authority for administration.

4.27 The Committee note that BHEL does not engage part time workers/casual labourers. However, there are 10400 casual labourers engaged as contractors labour. It has been stated that BHEL has no control on hiring of casual labourers by contractors. It has further been stated that these contractors are not required or bound by any rule to give reservation to SCs and STs and to maintain their data as there is no guidelines in this regard. The Committee also note that at the time of awarding contractual works, no preference are given to contractors who employ large number of SC/ST casual labourers, as appointment of contractors is done through a bidding process as per Purchase and Works Policy of the company. The Committee feel that engagement of contract labourers by contractors without proper guidelines in regard to norms for hiring a definite number belonging to SCs/STs is not in the best of their interest. The Committee are of the view that the Company should ensure that the contractors should maintain data on reserved categories of casual labourers hired by them and they should be given liberal employment opportunity as contract labourer. The Committee, therefore, recommend that the Management should have a proper guidelines/policies in regard to hiring of casual labourers especially from

SC/ST communities. To ensure that sufficient number of SC/ST casual labourers are hired, the contractors should be asked to maintain their data which will also help them in accessing various facilities under Factories Act and other Government rules.

E. Contracts

4.28 It has been stated that BHEL hires firms and companies on contract/tender basis for executing various projects across the country. The nature of works executed by the contractors are for the erection and commissioning, renovation, repair and modifications of civil and electrical works and award of services for upkeep and maintenance etc.

4.29 When asked if any percentage of reservation has been provided to hire SC/ST contractors for execution of work, it was informed that there is no such provision to award any contract to the SC/ST contractors under Works Policy of BHEL.

4.30 When asked about the details of contractors hired by BHEL including SC/ST contractors amongst them, it was stated that since the data is not required to be maintained, the same is not available. Moreover, the company has to follow purchase and works policy wherein the L1 bidder is appointed. As such, in absence of any specific guidelines on the matter, the data is not captured.

4.31 The Committee note that BHEL hires firms/companies on contract/tender basis for execution of various projects across the country. However, it has been noted that no reservation has been provided for hiring SC/ST contractors in award of any contract under the Works Policy of BHEL. As such, no information on the number of SC/ST contractors hired by BHEL is maintained. The Committee feel that as a matter of social justice and concern for socio-economic development of SC/ST communities, certain share of the works/contracts should be reserved for SC/ST contractors. The Committee would like to emphasise that socio-economic development of the SCs and STs and their upliftment should not be left to the initiatives of Government alone but

such positive cause should also be espoused by all PSUs including BHEL. The Committee feel that only when every agency/organisation, whether Government or private join hands together and work in tandem, the plight of the SCs and STs in this country can be improved. The Committee, therefore, recommend that BHEL being a 'navaratna' company and one of the most well managed companies in consultation with the Department of Public Enterprises should take the lead and formulate a guideline to give reservation to SCs and STs in award of contracts by the company.

F. Socio-economic development

4.32 The Committee were informed that BHEL as a socially conscious organization and a responsible corporate citizen has undertaken various socio-economic and community development programmes throughout the country, near its manufacturing plants and Corporate office. The Company is committed to carrying out various community development programmes in addition to its normal business activities.

4.33 Focussed areas of such community development works undertaken by BHEL Units include: -

- (a) Area development including environment conservation
- (b) Education
- (c) Health management
- (d) Drinking water facility
- (e) Non-conventional energy management
- (f) Support to physically / mentally challenged children
- (g) Contribution to PM's Relief Fund

4.34 As part of Corporate Social Responsibility activities, BHEL's contributions include adoption of villages, free medical camps/charitable dispensaries, schools for the

underprivileged and handicapped children, ban on child labour, disaster/natural calamity aid, employment for handicapped, widow resettlement, employment for ex-serviceman, irrigation using treated sewage, pollution checking camps, plantation of millions of trees, energy saving and conservation of natural resources through environmental management.

4.35 So far, BHEL has adopted 56 villages near its manufacturing plants. For all round development of these villages, it has constructed school buildings/ additional rooms for the village children, repair & maintenance / renovation works construction of school classrooms, construction of roads, public lavatories, installation of hand pumps besides infrastructure assistance for the adopted villages are provided by BHEL.

4.36 Depending upon the requirement, books, school bags, geometry boxes and school uniforms etc. are provided from time to time to the students of SC/ST communities in schools. Some Units even provided cash awards to meritorious SC/ST students.

4.37 BHEL has taken a big stride in environmental improvement projects by way of planting large number of trees, developing a number of gardens in and around townships. Recently rain water harvesting projects have also been taken up by some of the Units.

4.38 For identifying and promotion of rural talent, different programmes like quiz contests, essay writing, recitation and sports tournaments like wrestling, cricket, kabaddi are arranged by various Units especially in the nearby areas inhabited by SCs and STs to explore the talent in the fields of academics and sports. Cultural programmes are being organised where local artists are encouraged to participate as a step towards promotion and preservation of local art and culture.

4.39 In the health care sector, it organises frequent health camps surrounding villages of the Units. Health Awareness camps are being organized by the different Units/sites focussing on TB, AIDS, Hepatitis B, Pulse Polio, Cataract etc.

4.40 In some villages, solar powered streetlights have been provided. In addition, the Units also carry out activities like construction of approach roads, provision of drinking water, construction of community halls and improvement in drainage system.

4.41 In addition to the above, BHEL has signed a MOU with GOI in 2005-06 and 2006-07 for undertaking 5 social welfare initiatives in each year and successfully completed these projects on time. BHEL has formulated a formal CSR policy in 2007 with thrust areas on self-employment generation, environment protection, community development, education, health management, medical aids, orphanages and old age homes, infrastructural development as disaster/calamity management; concern for bringing up physically/mentally challenged children by setting up infrastructure facilities like school building, furniture, grant-in-aid for running special care schools and vocational training centres, contribution towards natural calamities/Prime Minister's Relief Fund; contribution towards financial assistance to NGOs/Trusts/Societies and UN's global compact programme.

4.42 The Committee note that BHEL as a responsible corporate citizen has undertaken various socio-economic and community development programmes near its manufacturing units and corporate office. It has carried out community development programmes in environment conservation, education, health management, drinking water facility, non-conventional energy management, support to physically/mentally challenged persons, contribution to PM's Relief Fund, adoption of villages etc. The Committee also note that record of socio-economic development activities, schemes and programmes for community development undertaken by the company encompasses all sections of the society. The Committee feel that BHEL can contribute a lot more for the socio-economic development of the SCs and STs not only in the vicinity areas of manufacturing units but all over the country. The Committee stress that allocation made for CSR

should be focused more on socio-economic development of individual SC/ST families rather than covering all other communities. The Committee, therefore, recommend that in tune with the guidelines on the subject, BHEL should fully spend funds allocated under CSR in a structured manner so that activities, schemes and programmes undertaken under CSR directly benefits individual SCs/STs or SC/ST families.

G. SC/ST Employees Associations

4.43 The Committee were informed that periodic meetings with SC/ST Employee's Associations are held in a structured manner to sort out their problems and grievances. Periodicity differs from Unit to Unit, some on quarterly basis, some on half yearly basis.

4.44 In the post evidence replies, it was inter-alia informed that each unit holds periodic meetings at unit level and copies of the record notes of such meetings are provided to all concerned, including SC/ST Employees Associations.

4.45 When asked about the kind of facilities that have been provided to the SC/ST Associations, it was stated that office space and other required infrastructure facilities such as telephones, furniture etc. to run an office are provided to recognized associations at different units of BHEL.

4.46 During the evidence, the Chairman, BHEL apprised the Committee that he made regular visits to units and met the unions including the Employees Association and heard their grievances.

4.47 The Committee note that periodic meetings with SC/ST Employees Associations are held to sort out their problems and grievances. The Committee further note that office space and other required infrastructure facilities such as telephones, furniture etc. to run an office are provided to recognized associations at various units. The Committee also appreciate that the Chairman personally visited

the manufacturing units of BHEL and interacted with them while on tour. The Committee desire that in addition to the existing infrastructure provided to the associations such as office space, telephones and furniture, other necessary infrastructure such as computer with internet facilities should also be provided to them. The Committee also urge the Management to invite representative of SC/ST Employees Associations whenever important decision on matters of SC/ST employees have to be considered. The Committee urge the management not to subject the office bearers of SC/ST Employees Associations to frequent transfer and postings keeping in mind their commitment for the welfare of their fellow employees. The Management should be patient to hear and promptly redress the grievances/complaints brought up by the SC/ST Employees Associations for solution and redressal. The Committee desire that as far as possible the Management should show magnanimity and assume the role of patron to guide and assist the SC/ST Employees Associations in the right direction.

New Delhi;
November, 2010
Kartika, 1932 (Saka)

(GOBINDA CHANDRA NASKAR)
Chairman
Committee on the Welfare of
Scheduled Castes and
Scheduled Tribes

APPENDIX-I
(vide Para No. 2.4)

PAY SCALES IN GROUP A & B (Revised w.e.f. 1.1.2007 SCALES)
GROUP A (All Executives grades) Executive Category in BHEL

1. TOP MANAGEMENT POSTS

A. BOARD LEVEL

SALARY GRADES (Rs.)	DESIGNATIONS
80000-125000	Chairman & Managing Director
75000-100000	Director(s)

B. OTHER THAN BOARD LEVEL

S.G. No.	SALARY GRADES (Rs.)	DESIGNATIONS
E9	62000-80000	Executive Director
E8	51300-73000	Group General Manager/ General Manager I/C/ General Manager

2. Below GM (Designations other than Medical & Security Officials)

S.G. No.	SALARY GRADES (Rs.)	DESIGNATIONS
E7	51300-73000	Addl. General Manager
E6A	51300-73000	Sr. Dy. General Manager/
E6	43200-66000	Dy. Gen. Manager/Specialist
E5	43200-66000	Sr. Manager/Specialist
E4	36600-62000	Manager
E3	32900-58000	Dy. Manager
E2	29100-54500	Sr. Officer/Sr. Engineer/ Sr. Executive
E1	24900-50500	Officer/Engineer/Executive
ET	20600-46500	Engineer/Executive Trainees

APPENDIX-II
(vide Para No. 2.5)

SUPERVISORY CATEGORY IN BHEL (GROUP A, B & C)

S.G. No.	SALARY GRADES (Rs.)	DESIGNATIONS	GROUP
JE	12500-32200	Junior Executive	B
S8	36600-62000	Executive Addl. Engineer Gr.II/ Officer Gr. II	A (Supervisory category)
S7	36600-62000	Sr. Addl. Engineer Gr. I/ Officer Gr. I	A (Supervisory category)
S6	32900-58000	Sr. Addl. Engineer Gr. II/ Officer Gr. II	A (Supervisory category)
S5	29100-54500	Addl. Engineer Gr. I/ Officer Gr. I	A (Supervisory category)
S4	24900-50500	Addl. Engineer Gr. II/ Officer Gr. II	A (Supervisory category)
S3	16400-40500	Dy. Engineer/Officer	B
S2	12600-32500	Asstt. Engineer Gr. I/ Officer Gr. I	B
S1	12400-30500	Asstt. Engineer Gr.II/ Officer Gr. II	C (Lowest grade in Supervisory category)
S0	12300-26000	Supervisory Trainees/ Asstt. Engineer Gr. III/ Officer Gr. III	C (Lowest grade in supervisory category)

APPENDIX-III

MINUTES

**COMMITTEE ON THE WELFARE OF SCHEDULED CASTES AND SCHEDULED TRIBES
(2008-2009)****(FOURTEENTH LOK SABHA)****EIGHTH SITTING
(20.11.2008)**

The Committee sat from 1130 to 1330 hrs. in Committee Room 'B', Parliament House Annexe, New Delhi

PRESENT

Shri Ratilal Kalidas Varma - Chairman

Members**Lok Sabha**

2. Shri Anandrao Vithoba Adsul
3. Shri S. Ajaya Kumar
4. Sardar Sukhdev Singh Libra
5. Shri Kailash Meghwal
6. Shri Rupchand Murmu
7. Shri Jual Oram
8. Shri Ramjilal Suman
9. Shri Chengara Surendran

Rajya Sabha

10. Shri Krishan Lal Balmiki
11. Dr. Radhakant Nayak
12. Shri Thomas Sangma
13. Shri Jesudas Seelam
14. Shri Brij Bhushan Tiwari
15. Shri Nandi Yellaiah

SECRETARIAT

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

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

1. Dr. Satyanarayana Dash, Secretary
2. Dr. Surajit Mitra, Additional Secretary
3. Shri Vikram Gulati, Director

BHARAT HEAVY ELECTRICALS LIMITED (BHEL)

1. Shri K. Ravi Kumar, CMD
2. Shri Anil Sachdev, Director (HR)
3. Shri R.S.V. Prasad, Executive Director (HR&CC)

At the outset the Chairman welcomed the representatives of the Ministry of Heavy Industries and Public Enterprises (Department of Heavy Industry) and Bharat Heavy Electricals Limited (BHEL).

2. The Committee then took evidence of the representatives of the Ministry of Heavy Industries and Public Enterprises (Department of Heavy Industry) and Bharat Heavy Electricals Limited (BHEL) on the subject "Reservation for and Employment of Scheduled Castes and Scheduled Tribes in Bharat Heavy Electricals Limited (BHEL)".

3. The evidence was completed.

(The witnesses then withdrew)

4. A verbatim record of the proceedings was kept.

The Committee then adjourned.

APPENDIX-IV**MINUTES****COMMITTEE ON THE WELFARE OF SCHEDULED CASTES AND
SCHEDULED TRIBES
(2010-2011)****(FIFTEENTH LOK SABHA)****NINTH SITTING
(12.10.2010)**

The Committee sat from 1430 to 1515 hrs. in Committee Room “C”, Parliament House Annex, New Delhi.

PRESENT

Shri Gobinda Chandra Naskar – Chairman

MEMBERS**Lok Sabha**

2. Shri M. Anandan
3. Shri Tara Chand Bhagora
4. Shri Biren Singh Engti
5. Shri Eknath Mahadeo Gaikwad
6. Shri Virendra Kumar
7. Shri Bajju Ban Riyan
8. Shri Bhausahab Rajaram Wakchaure

Rajya Sabha

9. Shri Mukut Mithi
10. Shri Praveen Rashtrapal
11. Shri Thomas Sangma
12. Shri K.B. Shanappa
13. Miss Anusuiya Ukey

SECRETARIAT

1. Dr. R.K. Chadha – Joint Secretary
2. Ms. J.C. Namchoy – Director
3. Shri Hoti Lal – Addl. Director
4. Shri G.C. Dobhal – Under Secretary

At the outset, the Hon'ble Chairman welcomed the Members of the Committee. The Committee then considered the draft report on "Reservation for and Employment of Scheduled Castes and Scheduled Tribes in Bharat Heavy Electricals Limited" and adopted the same with minor modifications.

2. The Committee authorized the Chairman to finalize the Report in the light of consequential changes and present the same to both the Houses of Parliament.
3. The Committee also decided to call for information relating to representation of Scheduled Castes and Scheduled Tribes in Group A, B, C and D posts in various Public Sector Undertakings from Department of Public Enterprises for their consideration.
4. The Hon'ble Chairman also requested the Members to join the study visit of the Committee to Mumbai, Nasik and Goa from 23rd October – 27th October, 2010.

The Committee then adjourned with a vote of thanks to the Chair.

APPENDIX-V
(Vide para 4 of Introduction)

Summary of conclusions/recommendations contained in the Report.

Sl. No.	Para No.	Conclusions/Recommendations
1.	2.	3.
1.	1.14	<p>The Committee regret to note that Bharat Heavy Electricals Limited (BHEL) a leading public sector undertaking in the country enjoying a Navaratna status does not have representation of SC/ST members on its Board of Directors. BHEL also does not have provision for appointment of SCs/STs on its Board because Department of Public Enterprises (DPE) has not prescribed any reservation for appointment to these posts, as it is considered to be a contractual appointment. The Committee also note that selection to the post of Chairman/Directors (full time/part-time) for all Public Sector Enterprises in the country is made through the Public Enterprises Selection Board (PESB) with the approval of the Appointments Committee of the Cabinet (ACC). The Committee are distraught to learn that no action was taken by the Management for inclusion of SC/ST member on the Board of Directors just because no reservation has been prescribed for appointment to these posts. The Committee are very much distressed by the fact that there is hardly any SC/ST member on the board of directors of the public sector undertakings/ enterprises in the country and that the Government are not concerned of the issue of non-representation of SCs/STs in the management of the public sector undertakings/enterprises even after six decades of country's independence. The Committee have been consistently and continuously pressing the Government and management of all PSUs/Banks under examination to take appropriate action so as to include SC/ST members on the Board. Incidentally, the Banks have made provision for inclusion of non-official SC/ST member on their board. The Committee, therefore, feel that it is high time for the Government of India to take affirmative action to accommodate representative from SC/ST community on the Board/ Management of PSUs in the country. The Committee feel that for affirmative action no rules are required but only the will to do it. The Committee opine that the rules and regulations and criteria governing appointments to the Board/Management are framed by the Government from time to time and even PESB is also created by the Government. The Committee, are therefore, of the view that the issue of non-representation of the SC/ST people on the Board/Management level of the PSUs</p>

needs to be reviewed and rules and regulations, criteria etc. which govern appointments of directors on the board should be amended. The Committee are fully aware that there is no dearth of eligible SC/ST officers/candidates to occupy these positions, provided they are given proper support in the form of reservation/concession. In the years 2006 and 2007, 3 SC/ST candidates had attended the Selection Meetings/Interviews for appointment to the post of Director (ER&D), Director (HR) and Director (IS&P) in BHEL. The Committee however, are surprised to note that none of these candidates was selected by the PESB. The Committee, therefore, desire to know the reasons for non selection of SC/ST candidates even though two of them appeared three times in the Selection Interview for the post of Director during the years 2006 and 2007. The Committee also recommend that with the objective of securing social justice and equal opportunities to all, the Government should review its policy on appointments to the Board/Management level posts of all PSUs in the country including BHEL and appropriately amend the rules and regulations governing appointment to these posts so that the SC/ST people are given an opportunity to rise to these positions.

2. 2.12

The Committee note that BHEL has recently introduced an on-line system for recruitment process wherein applications are received on-line against the advertised vacancies carried out in National Dailies and Employment News. It has been noted that on-line permission slips for written test as well interview call letters are sent to the candidates through internet. Even results of successful candidates are displayed on official website of the Company and offer of appointment to selected candidates are also notified on the website as well as sent individually through registered posts. The Committee note that overall the use of information technology is a great boon to mankind, institutions, organisations etc. as it helps save resources and time. However, it should also be noted that the use of information technology in recruitment is not always pragmatic because not many SC/ST candidates especially those residing in remote areas do not have access to these kind of facilities. It is, therefore, advisable that apart from using the services of information technology, the conventional system of advertisement through National/Local dailies, Employment News and correspondence and intimation through letters should be continued. The Committee also desire that copies of advertisement should be provided to the members of the Parliamentary Committee on the Welfare of Scheduled Castes and Scheduled Tribes and also to recognised SC/ST Employees Welfare Associations of BHEL to facilitate them in sponsoring reserved candidates.

3. 2.18 The Committee note that as per the Presidential Directives certain concessions/relaxations such as relaxation in age, exemption from payment of application fee, relaxation in required percentage of marks and reimbursement of travelling expenses are given to SC and ST candidates in recruitment. In this regard, the Committee would like to state that at times some organisations in their advertisement for recruitment ask, in addition to the required essential qualification, extraneous qualifications, desirable qualifications and trade experiences which are very disadvantageous for many SCs and STs who barely possess the minimum essential qualification. The Committee opine that as far as the recruitment of SCs and STs are concerned, apart from the minimum essential qualification required, no other extraneous qualifications, desirable qualifications or experiences should be prescribed by the recruiting agency. Many a times, it is seen that candidature of SCs and STs are rejected and the vacant SC/ST posts are not filled up on the ground that they were not found to be suitable. It should be the endeavour of the Company to first offer them a job if they possess the minimum essential qualification and then to give them proper in-house training as per the demand of the job. The Committee, therefore, urge the Management that for recruitment of SC and ST candidates in jobs/posts reserved for them, extraneous and desirable qualifications with requirement for trade experiences should not be insisted upon and their suitability should not be rejected on such grounds. Possessing the minimum essential qualifications should be enough ground for SC/ST candidates to be eligible to be considered for the posts because possessing of higher degree and qualifications does not guarantee efficiency in performance.
4. 2.22 It has been reported that recruitment is a continuous process and often there is an overlapping of a recruitment cycle in 2 calendar years. It has also been stated that recruitment of Artisans in Group C was in progress and that shortfall of 19 ST posts would be filled up by December, 2009. The Committee would like to know whether all those ST vacancies have been fully filled up. The Committee also would like to stress on the need to fill up reserved vacancies of a given year within the same recruitment year and not be kept for the next recruitment year. Otherwise, special recruitment drive should be conducted to fill up the reserved vacancies so that SC/ST persons are not deprived of their employment opportunity due to delay in recruitment procedure.
5. 2.29 As per the position of staff strength as on 01.01.2009, there is no data/information in regard to the number and percentage of shortfall of SCs and STs. However, it has been stated that all the reserved vacancies for recruitment have been filled and

there is no backlog/shortfall in recruitment after Special Recruitment Drive undertaken in 2004-05. The Committee, however are surprised that this fact has not been reflected as much as the percentage of STs in the staff strength for all categories of posts is very low compared to other communities. It is distressing to note that even in Group D posts where the requirement of education qualification might not be high, the number of ST in Group D posts is only 3.11% of the total Group D strength. While deposing before the Committee, the Chairman, BHEL admitted that in the past it was difficult to get ST but now it is not that difficult. He also stated that in the overall cadre, there may be shortfalls, but as far as new recruitments are concerned, they do not face any difficulty. Should the Committee, therefore, view that the deficiency in shortfall lies in promotion? Otherwise, if there is no shortfall in recruitment, how is it that the percentage of ST in all Groups is below the prescribed limit? It is the bounden duty of the Company and Government to ensure that the percentage of SC/ST employees is maintained in all categories of posts on recruitment and promotion. Having noted that the percentage of reservation in recruitment of STs in Group C and D varies from State to State and ranges from 0% to 3% whereas the percentage of reservation on promotion is uniform and fixed at 7.5%, the Committee strongly feel that a solution should be found to resolve the problem of maintaining staff strength of ST at prescribed limit in Group C and D posts. Having been informed that there is no dearth of suitable ST candidates now at recruitment stage, the Committee stress that BHEL should ensure that there are enough number of STs in the feeder cadre too for promotion to maintain the prescribed percentage for them. The Committee, therefore, recommend that BHEL in consultation with the Government should examine the issue of maintaining staff strength of STs at the prescribed limit taking into consideration the peculiar situation of variable percentage of reservation in recruitment in Group C and D posts in different States vis-à-vis the uniform percentage of reservation in promotion to clear the confusion. The Committee further, strongly urge the Management to thoroughly study the merits and demerits of recruitment of only local candidates for Group 'C' and 'D' posts (Both technical and non-technical) by local units based on the reservation percentage of the States and to examine whether ST candidates from other States should also be recruited so as to maintain the prescribed percentage of STs. The Committee also observe that there is shortfall of SCs in Group A posts and that of STs in both Group A and B posts. The Committee recommend that BHEL should wipe out all shortfall of SCs and STs in respective posts.

6. 2.41

It has been stated that the causes of shortfall in promotion is due to non-availability of ST candidates in the feeder cadre. The reason for non-availability of ST candidates in the feeder cadre is that BHEL mainly operates in 12 different States in the country, where the percentage of reservation for recruitment especially for Group C and D posts is very low whereas, the percentage of reservation for STs in promotion is uniform i.e. 7.5%. It was also stated that since percentage reservation of recruitment in Group C and D posts is based on State-wise norms, there is resultant shortfall in promotions. However, the Committee note that the situation in respect of Group A and B posts is also same even though the prescribed percentage in recruitment and promotion is uniform. According to the updated information furnished to the Committee in November, 2009, the promotions given to STs especially in Group 'A' and 'B' posts is very dismal and for Group 'C' posts the figure was still low. The Committee are of the view that non-availability of SC/ST candidates in the feeder cadre for promotion is wholly the failure of the Management in not able to recruit enough SCs/STs in the feeder grade due to its lack of commitment towards the welfare and development of SCs and STs. The Committee, therefore, urge the Management to review the recruitment and promotion policies to find a lasting solution to the problem of shortfall not only in promotion but also in recruitment of SC/ST employees. The Committee desire that the Management should consult the Ministry/Department of Public Enterprises to work out a formula to do away with this problem. The Committee further recommend that recruitment of Group C staff should also be made on all India basis so as to give equal opportunity to all SCs/STs in the country but to keep Group 'D' posts exclusively for local candidates. The Committee further recommend that the Management should also take immediate steps to ensure that sufficient candidates are readily available in Group C posts which are the feeder cadre for further promotions.

7. 2.42

The Committee regret to note that ST backlog vacancies in promotion can be de-reserved for filling up by unreserved candidates in the subsequent year. The Committee, however, note that in the year 2008, 10 SC and 11 ST backlog vacancies in Group A were diverted for filling up through direct recruitment and in Group C, 3 SC and 8 ST backlog vacancies were filled up. In the year 2009 too, 2 SC and 4 ST in Group A and 2 SC and 20 ST in Group C were in the process of diversion for filling up through direct recruitment. The Committee are of the view that de-reservation of posts reserved for SCs and STs is the least desirable and desire that BHEL should resort to direct recruitment, if sufficient SC and ST are not available in the feeder cadre for promotion in view of power of relaxation as contained in OM No. AB

14017/30/89-Estt.(RR)dated 10.7.1990. If at all, de-reservation is inevitable, then it should be done strictly as per the prescribed procedures laid down in numerous OMs issued by the DoP&T. The Committee stress that before resorting to de-reservation of reserved vacancies all viable options should be explored and in no way, de-reservation should be resorted to unless absolute necessary. The Committee, therefore, recommend that before resorting to de-reservation of reserved posts, the relevant provisions of DoP&T instructions as enumerated in their OMs No. 36011/25/79-Estt.(SCT), dated 16.11.1979; 36011/5/81-Estt.(SCT), dated 7.4.1981 and 36011/2/83/Estt.(SCT), dated 15.3.1984 and their latest OM on the subject 36012/17/2002-Estt.(Res) dated 6.11.2003 should strictly be followed.

8. 2.43 The Committee should also be apprised of the outcome of the recruitment exercise reported to have been undertaken during the years 2008 and 2009 as mentioned in the footnote of the statement of promotion at para 2.40.

9. 3.3 The Committee note that BHEL has filled some posts on deputation from other Government Departments as well as sent its own employees on deputation to other departments. However, it is noted that not many employees have come on deputation after 2005 nor many have been sent on deputation to other departments. The number of SC/ST employees on deputation was negligible. The Committee opine that for the sake of career progression, SC/ST officers should be given opportunities in matter of deputation as it opens an avenue for them to get exposed to new work environment, improve upon their working skill and aptitude which eventually benefit the organisation. The Committee, therefore, desire that SC/ST officers should be encouraged to go on deputation or come on deputation to BHEL.

10. 3.7 The Committee note that the Ministry have furnished the details of employees including SCs and STs amongst them appointed on compassionate grounds by BHEL during the years 2005, 2006, 2007, 2008 and 2009 (till 15.10.2009). However, the details of the pending cases with BHEL have not been furnished despite admitting that there are cases pending with the Company. It has also been informed that there are some cases of compassionate ground appointment on account of employee's death other than due to accident arising out of and in the course of employment. The Committee, should, therefore, be apprised as to the total number of cases including from SC and ST dependents of deceased employees that were received for appointment on compassionate grounds during each of the years 2005, 2006, 2007, 2008, 2009 and

2010 and their settlement/pending for appointment within three months of the presentation of this report.

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| 11. | 3.12 | The Committee note that the procedure cited for selection of candidates for posting abroad is based on the specific requirement of the job at respective locations which is made with the approval of the CMD. The Committee also note that reservation orders do not apply to postings. However, the Committee desire that Management should give fair opportunity to SC/ST employees too should they are qualified and eligible for posting abroad. The Committee, therefore, urge the Management endeavour to nominate enough eligible SC/ST candidates for posting abroad. |
| 12. | 3.18 | The Committee are distressed to note that not a single ST employee was sent for training abroad during the years 2006 and 2007. However, during the years 2005 and 2008, there was representation of 3 ST employees in each year for training abroad. It has been informed that there is no reservation in nomination of employees for training abroad but employees are nominated based on the functional requirement and fulfilling other terms and conditions stipulated in the guidelines for regulation of training followed by the Company. Having noted that the company has a policy for regulation of nomination process for training abroad, the Committee stress that ST employees should not be ignored should they otherwise fulfill the eligibility criteria prescribed by the Company as foreign training is very important for employees' confidence building and of great value for advancement of their career. No doubt, it is the aspiration and dream of every employee to avail foreign training in his career. The Committee, therefore, urge the Management to ensure that the nomination of candidates from the recommendation stage by the Head of the concerned Unit should be done in a very transparent and fair manner so that eligible SC and ST candidates get equal opportunity for getting nominated to these trainings. |
| 13. | 3.19 | The Committee also note that the number of SC and ST candidates sent abroad for attending seminars/symposia/conferences was low. It has been stated that based on the functional requirement employees are being nominated for attending company sponsored seminars etc. The Committee, therefore, recommend that as far as practicable, preference should be given to SC/ST employees for attending seminars/symposia/conferences scheduled to be held abroad. |
| 14. | 3.23 | The Committee note that BHEL provides training to a large number of ITI students including adequate number of SC/ST candidates under the Apprenticeship Schemes every year, |

and thus help them to get familiar with the type of skills required for recruitment. The Committee stress that SC/ST candidates should be given preference in getting trained under the Apprenticeship Schemes so that there is good number of suitable SC/ST candidates for recruitment. The Committee further note that BHEL provides in-service training in various functional areas as well as on subjects of general interest useful to all employees including SCs and STs. Other than functional requirements, BHEL impart training on general health, motivation, safety, IT awareness, Raj Bhasa, academic guidance for children of employees. While appreciating these initiatives undertaken by the Company for the welfare of its employees and their children, the Committee urge the Management to keep up the good work so that other organisations may also emulate these good works of the Company. The Committee also desire that SC/ST employees should be given continuous training in different functional areas so that they can give their best service to the Company.

15. 3.24 The Committee note that apprentices are taken under Apprenticeship Act in various branches of BHEL. During the last 5 years (2005, 2006, 2007 2008 and 2009), a good number of apprentices were taken but comparatively the absorption of those apprentices in BHEL is very low. The Committee are of the view that if the Company cannot absorb all the apprentices after they are trained, then why the Company is taking them under Apprenticeship Act in the first instance. The Committee are of strong opinion that shortfall of SC/ST at the lower level of posts can be made good by absorbing SC/ST apprentices in due course of time. The Committee, therefore, recommend that it should be ensured that SC/ST candidates taken for apprenticeship are given preference for absorption so that shortfall of Scheduled Castes and Scheduled Tribes especially in the posts for which they are trained are always filled up.

16. 3.31 The Committee are of the view that the office of a Liaison Officer is a very important institution as far as the welfare and interest of the SCs and STs are concerned. The Liaison Officer is a link between the Management and the SC/ST employees of the organisation whose main function is to ensure that Presidential Directives on reservation of SCs and STs are implemented in letter and spirit. Therefore, it is important that Liaison Officer and his support staff are appointed from reserved communities, so that the SC/ST employees may able to convey their problem without fear. Moreover, SC/ST officer appointed as Liaison Officer may also give confidence to SC/ST employees and the Liaison Officer may in turn be able to do his job with more dedication and commitment. However, the Committee note that in some

units of BHEL, like Jhansi, Bhopal, Tiruchy, Rudrapur, Ranipet, Bangalore, Jagdishpur, Varanasi, NOIDA, Kolkata, Chennai, Nagpur, Mumbai, New Delhi the Liaison Officers do not belong to these communities. The Committee, therefore, urge the Management that as far possible an officer of appropriate rank from the SC/ST community having a sound knowledge of reservation policies should be appointed as Liaison Officer of the respective units and he should be provided with sufficient number of support staff drawn from reserved communities. The Committee are also aware that Liaison Officers out of fear and intimidation by others do not perform their assigned duties in a fair and transparent manner. Therefore, the Committee urge the Management that the Liaison Officer should be allowed to work independently and without any interference from any side. The Liaison Officer should also not be overburdened with many assignments apart from his liaison duties. However, for any lapse, negligence and dereliction of duty on his part, appropriate action should be taken against him so as to ensure accountability in the office of the Liaison Officer.

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| 17. | 3.32 | The Committee also note that an officer of the rank of Deputy Secretary has been designated as Liaison Officer in the Ministry of Heavy Enterprises. The Committee urge the Liaison Officer to conduct periodic inspection of the undertakings including BHEL to check that rosters maintained by them and to ensure that Presidential Directives on reservation of SCs and STs are implemented in letter and spirit. |
| 18. | 3.35 | The Committee note that rosters maintained at Head Office and also at regional offices are inspected by respective Liaison Officers and necessary action as suggested by the Liaison Officers are taken. It was also informed that the representatives of the Ministry of Heavy Industry and Public Enterprises also visited the Head Office and regional/zonal/circle offices of BHEL to check the rosters. It has also been stated that no discrepancies were noticed during inspections. It appears that rosters maintained at various offices of BHEL are being properly maintained. It is, however reiterated that rosters is a very important document as far as the welfare and interest of the SCs and STs are concerned. It is the only mechanism through which a watch is kept on the proper placement of SC/ST employees in their respective cadres against the vacancies reserved for them. In fact, the whole system of implementation of reservation orders rest on maintenance of rosters. It foretells the time by which the SC/ST employees become eligible for their next promotion by their placement in the roster. The Committee, therefore, urge the BHEL to entrust the job of maintaining rosters to officers who are well versed and acquainted with recruitment |

rules and maintain them strictly in accordance with the instructions laid down for the purpose. Rosters should be inspected regularly by the Liaison Officers and after every inspection, he should put his signature and stamp as a token for having inspected. The Committee also recommend that the officers concerned for the maintenance of rosters as well as Liaison Officers should be made accountable for its proper maintenance.

19. 4.6

The Committee note that during the year 2008, there were 65 cases of false caste certificates out of which 57 cases were pending with district authorities for verification/cancellation, 6 cases were pending in courts and in 2 cases disciplinary action was initiated which were in different stages of process. According to the status as on 30th June, 2009, there were a total of 61 cases of false caste certificates, out of which 56 cases were pending with district authorities for verification/cancellation and 5 cases were pending in courts. The Committee note that in recent years instances of securing employment on the basis of false caste certificates are on the rise and have become a menace in every organisation. The Committee are distressed by the fact that most of such cases are either pending with district authorities or in courts rendering the Management hapless in taking expeditious decision in the matter. In BHEL, it has been reported that some cases are pending with district authorities since prior to year 2000 and in courts since the year 2000 onwards. The Committee are shocked that a public undertaking which is one of the navratnas has failed to check a number of persons in securing employment on the basis of false caste certificates and thereby deprived the rights of genuine SCs and STs to get appointment in the company. The Committee are of the view that there are some loopholes in appointment procedure which BHEL has to set right immediately. The Committee, therefore, recommend that BHEL should review its procedure for recruitment/appointment within three months of presentation of this report and strictly insist on production of original caste certificate as prescribed while offering appointment at entry level of candidates. Had the BHEL been extra careful at entry level only, such a large number of false caste certificate cases would not have been pending with district authorities and in courts. The gravity of the issue of getting employment on the basis of false caste certificate has assumed immense proportion that in one such case of a bank employee who got appointment on the basis of false caste certificate, the Supreme Court had pronounced its ruling stating that such persons do not deserve any sympathy or indulgence of the court because a person, who enters the service by producing false caste certificate and obtains appointment for the posts meant for SCs/STs/OBCs deprive a genuine candidate falling

in either of the said categories of appointment to the post. The Apex Court ruling further says that equity, sympathy or generosity have no place where the original appointment rests on a false caste certificate. The Committee are, therefore, of the firm view that the problem of false caste certificate cannot be tackled half-heartedly but has to be dealt with iron-hand, so that a strong message is sent to all concerned that false caste certificate cases are to be handled very seriously by all Government Departments and public sector undertakings. The Committee, therefore, recommend that once the case of false caste certificate is proved, the Management should immediately dismiss the person and not hesitate to file a criminal case against the person.

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| 20. | 4.7 | <p>The Committee are also of the view that only giving directions to the units of BHEL to closely follow-up the cases with the concerned State Government authorities for speedy disposal of the false caste certificate will not suffice to tackle these problems. In regard to 56 cases pending with district authorities for verification and cancellation, the Committee would like to stress that the Management should approach the concerned district authorities for expeditious disposal of the cases. The district authorities should be given time period to complete the task of verification. In case these are not received, the district authorities should be clearly told that in case they do not send their comments within the prescribed period, they would be held responsible should the Company take action on its own in the matter. As for cases pending in courts, earnest efforts should be made to contact the registrar so that the cases may taken up for early hearing and disposal. The Committee also strongly recommend that BHEL should ask their lawyers to file early hearing petitions in respect of cases pending in courts since 2000 so that these are settled at the earliest. The Committee also recommend that the Management should closely monitor the progress made by different units in this regard by seeking quarterly progress report from them and if required to give necessary advice and guidance for early settlement of the cases.</p> |
| 21. | 4.12 | <p>The Committee note that BHEL has a well established grievance redressal mechanism for all employees including SC/ST employees. It has a three-tier approach, where in each stage of the process, complaints/ grievances of aggrieved employees can be redressed within a specific time frame by an appropriate authority. In addition to the above, aggrieved SC/ST employees are also free to approach the Liaison Officer directly for redressal of his complaints/grievances. In spite of having a well established procedure for redressal of complaints/grievances, the record of settlement of cases as per information provided to the Committee is not satisfactory.</p> |

The Committee note that every year the complaints/grievances are being carried forward to the next year. It is stated that most of the complaints/ grievances of SCs and STs are related to cadre change promotion. It is certain that only when employees have grievances/ complaints, do they approach the authority for redressal. Therefore, it should be the endeavour of the Management to address and settle the complaints/grievances in a time bound manner. The Committee, therefore, recommend that cases of complaints of SCs and STs pending settlement as in June 2009 should be settled within a time frame and inform the Committee of the nature of action taken within three months of the presentation of the Report.

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| 22. | 4.18 | <p>The Committee note that the number of SC/ST employees allotted company's owned accommodation is much higher than the prescribed norms and there is no waiting list for SCs /STs for allotment of quarters. The Committee also note that BHEL also provides interest subsidy on housing loans to employees who have completed five years of continuous service. The Committee appreciate that BHEL has taken good care of the housing needs of its employees including that of the SC/ST employees who do not have to wait for allotment of company's owned accommodation. The Committee urge the Management to continue providing accommodation to its employees in all of its Units so that they remain more focussed and dedicated to their duties/works. The Committee also recommend that as mentioned by the Chairman, BHEL, during evidence that Union is demanding an increase in interest subsidy on housing loan and also in view of the mounting cost of flats/houses, the same should be increased appropriately so that all employees including SCs and STs benefit out of these benevolent act of the company.</p> |
| 23. | 4.27 | <p>The Committee note that BHEL does not engage part time workers/casual labourers. However, there are 10400 casual labourers engaged as contractors labour. It has been stated that BHEL has no control on hiring of casual labourers by contractors. It has further been stated that these contractors are not required or bound by any rule to give reservation to SCs and STs and to maintain their data as there is no guidelines in this regard. The Committee also note that at the time of awarding contractual works, no preference are given to contractors who employ large number of SC/ST casual labourers, as appointment of contractors is done through a bidding process as per Purchase and Works Policy of the company. The Committee feel that engagement of contract labourers by contractors without proper guidelines in regard to norms for hiring a definite number belonging to SCs/STs is not in the best of their interest. The Committee are of the view that</p> |

the Company should ensure that the contractors should maintain data on reserved categories of casual labourers hired by them and they should be given liberal employment opportunity as contract labourer. The Committee, therefore, recommend that the Management should have a proper guidelines/policies in regard to hiring of casual labourers especially from SC/ST communities. To ensure that sufficient number of SC/ST casual labourers are hired, the contractors should be asked to maintain their data which will also help them in accessing various facilities under Factories Act and other Government rules.

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| 24. | 4.31 | <p>The Committee note that BHEL hires firms/companies on contract/tender basis for execution of various projects across the country. However, it has been noted that no reservation has been provided for hiring SC/ST contractors in award of any contract under the Works Policy of BHEL. As such, no information on the number of SC/ST contractors hired by BHEL is maintained. The Committee feel that as a matter of social justice and concern for socio-economic development of SC/ST communities, certain share of the works/contracts should be reserved for SC/ST contractors. The Committee would like to emphasise that socio-economic development of the SCs and STs and their upliftment should not be left to the initiatives of Government alone but such positive cause should also be espoused by all PSUs including BHEL. The Committee feel that only when every agency/organisation, whether Government or private join hands together and work in tandem, the plight of the SCs and STs in this country can be improved. The Committee, therefore, recommend that BHEL being a 'navaratna' company and one of the most well managed companies in consultation with the Department of Public Enterprises should take the lead and formulate a guideline to give reservation to SCs and STs in award of contracts by the company.</p> |
| 25. | 4.42 | <p>The Committee note that BHEL as a responsible corporate citizen has undertaken various socio-economic and community development programmes near its manufacturing units and corporate office. It has carried out community development programmes in environment conservation, education, health management, drinking water facility, non-conventional energy management, support to physically/mentally challenged persons, contribution to PM's Relief Fund, adoption of villages etc. The Committee also note that record of socio-economic development activities, schemes and programmes for community development undertaken by the company encompasses all sections of the society. The Committee feel that BHEL can contribute a lot more for the socio-economic development of the SCs and STs not only in the vicinity areas</p> |

of manufacturing units but all over the country. The Committee stress that allocation made for CSR should be focused more on socio-economic development of individual SC/ST families rather than covering all other communities. The Committee, therefore, recommend that in tune with the guidelines on the subject, BHEL should fully spend funds allocated under CSR in a structured manner so that activities, schemes and programmes undertaken under CSR directly benefits individual SCs/STs or SC/ST families.

26. 4.47 The Committee note that periodic meetings with SC/ST Employees Associations are held to sort out their problems and grievances. The Committee further note that office space and other required infrastructure facilities such as telephones, furniture etc. to run an office are provided to recognized associations at various units. The Committee also appreciate that the Chairman personally visited the manufacturing units of BHEL and interacted with them while on tour. The Committee desire that in addition to the existing infrastructure provided to the associations such as office space, telephones and furniture, other necessary infrastructure such as computer with internet facilities should also be provided to them. The Committee also urge the Management to invite representative of SC/ST Employees Associations whenever important decision on matters of SC/ST employees have to be considered. The Committee urge the management not to subject the office bearers of SC/ST Employees Associations to frequent transfer and postings keeping in mind their commitment for the welfare of their fellow employees. The Management should be patient to hear and promptly redress the grievances/complaints brought up by the SC/ST Employees Associations for solution and redressal. The Committee desire that as far as possible the Management should show magnanimity and assume the role of patron to guide and assist the SC/ST Employees Associations in the right direction.