

SCTC No. 739

**COMMITTEE ON THE WELFARE OF  
SCHEDULED CASTES AND  
SCHEDULED TRIBES  
(2011-2012)**

**(FIFTEENTH LOK SABHA)**

**FOURTEENTH REPORT  
ON  
MINISTRY OF RAILWAYS  
(RAILWAY BOARD)**

Action taken by the Government on the recommendations contained in the Sixth Report (Fifteenth Lok Sabha) of the Committee on the Welfare of Scheduled Castes and Scheduled Tribes on the subject "Reservation for and Employment of Scheduled Castes and Scheduled Tribes in South Western Railway (SWR)"

*(Presented to Lok Sabha on 7th September, 2011)*

*(Laid in Rajya Sabha on 7th September, 2011)*



**LOK SABHA SECRETARIAT  
NEW DELHI**

*September, 2011/Bhadrapada, 1933 (Saka)*

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COMPOSITION OF THE COMMITTEE ON THE WELFARE OF SCHEDULED  
CASTES AND SCHEDULED TRIBES (2011-2012)

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\*Appointed as Acting Chairman by Hon'ble Speaker for the period Shri Gobinda Chandra Naskar is unable to discharge his duties as the Chairman of the Committee due to his illness.

## 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 Fourteenth Report (Fifteenth Lok Sabha) on action taken by the Government on the recommendations contained in their Sixth Report (Fifteenth Lok Sabha) on the Ministry of Railways (Railway Board) regarding “Reservation for and Employment of Scheduled Castes and Scheduled Tribes in South Western Railway (SWR)”.

2. The draft Report was considered and adopted by the Committee on the 7th July, 2011 (Appendix-F).

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

I. Report.

II. Recommendations/observations which have been accepted by the Government.

III. Recommendations/observations which the Committee do not desire to pursue in view of replies of the Government.

IV. Recommendations/observations in respect of which replies of the Government have not been accepted by the Committee and which require reiteration.

V. Recommendations/observations in respect of which final replies of the Government have not been received.

4. An analysis of the Action Taken by the Government on the recommendations contained in the Sixth Report (Fifteenth Lok Sabha) of the Committee is given in Appendix-G. It would be observed therefrom that out of 27 recommendations made in the report, 6 recommendations *i.e.* 22.22 per cent have been accepted by the Government. The Committee do not desire to pursue 8 recommendations *i.e.* 29.63 per cent of the total recommendations in view of the replies of the Government. There are 11 recommendations *i.e.* 40.74 per cent in respect of which replies of the Government have not been accepted by the Committee and which require further reiteration and in respect of 2 recommendations *i.e.* 7.41 per cent, final replies of the Government have not been received.

NEW DELHI;  
*September, 2011*  
*Bhadrapada, 1933 (Saka)*

BIREN SINGH ENGTI,  
*Chairman,*  
*Committee on the Welfare of Scheduled*  
*Castes and Scheduled Tribes.*

## CHAPTER I

### REPORT

1.1 This Report of the Committee on the Welfare of Scheduled Castes and Scheduled Tribes deals with the action taken by the Government on the recommendations contained in their Sixth Report (Fifteenth Lok Sabha) on the Ministry of Railways (Railway Board) regarding “Reservation for and Employment of Scheduled Castes and Scheduled Tribes in South Western Railway (SWR)”.

1.2 The Sixth Report was presented to Lok Sabha on 11th March, 2010. It contained 27 recommendations/observations. Replies of the Government in respect of all these recommendations/observations have been examined and are categorised as under:—

- (i) Recommendations/Observations which have been accepted by the Government (Sl. Nos. 4, 5, 7, 9, 14 and 21).
- (ii) Recommendations/Observations which have the Committee do not desire to pursue in view of the replies of the Government (Sl. Nos. 3, 8, 19, 20, 22, 23, 26 and 27).
- (iii) Recommendations/Observations in respect of which replies of the Government have not been accepted by the Committee and which require reiteration (Sl. Nos. 1, 2, 6, 10, 11, 12, 13, 15, 16, 18 and 24).
- (iv) Recommendations/Observations in respect of which final replies of the Government have not been received (Sl. No. 17 and 25).

**1.3 The Committee are constrained to note that though Action Taken Replies to the recommendations/observations contained in a Report are required to be furnished by the Government within a period of three months from the date of presentation of the Report but in the instant case the Ministry of Railways (Railway Board) have furnished their Action Taken Replies on the Committee’s recommendations/observations including incomplete replies on their 3 recommendations/observations on 01.11.2010 and 11.02.2011 after a lapse of nine months. The Committee express their displeasure over the inordinate delay on the part of the Ministry which detracts from the importance of the recommendations of the Committee. The Committee, therefore, desire that the Final Action Taken Replies alongwith the reasons for such delay on the recommendations/observations in respect of which incomplete or no replies have been furnished so far should be furnished alongwith the final replies after the receipt of Action Taken Report. The Committee also desire that final replies in respect of the recommendations on which the Committee show their reiteration or for which incomplete replies have been given, ought to be furnished within six months of the presentation of the Report.**

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

## **Composition of Railway Board**

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

1.5 The Committee note that Indian Railways as a part of Central Government functions directly under the Ministry of Railways. Railway Board comprising the Chairman and 6 Members is the apex body entrusted with the management and policy making. In fact, the overall control of the Indian Railways is vested in Railway Board. The Committee note that Indian Railways is divided into zones, which are further subdivided into divisions. Each zone and Kolkata Metro is headed by a General Manager (GM) who reports directly to Railway Board. The Committee note that there is one Member on the Board who belongs to Scheduled Caste. The Committee are of the firm view that Railways which employ a large number of people should not have any problem in having representation of at least one SC/ST Member on the Board. The Committee, therefore, recommend that with a view to safeguarding the interest and welfare of SC/ST employees and also to give confidence to all SC/ST employees of Indian Railways, the Government should ensure inclusion of at least one SC/ST Member on the Board, even if it entails amendment of the existing provisions for such appointment. The Committee should also be apprised of the existing provisions in the appointment of Chairman and Members of the Railway Board.

### **Reply of the Government**

1.6 The posts of Members of Railway Board are of the level of Secretary to the Government of India level appointment. The appointments to the posts of Members including Member (Staff) of Railway Board, Financial Commissioner (Railways) and Chairman, Railway Board are regulated by norms and guidelines laid down for the purpose and are approved at the highest level in the Government. Caste/creed is not the criteria for such appointments.

1.7 As regards the existing provisions for appointment of Chairman/Members of Railway Board, copies of the relevant Resolutions are attached as **Appendix-‘A’ (1-4)**.

### **Comments of the Committee**

**1.8 The Ministry of Railways (Railway Board), in their action taken reply, have stated that appointments to the posts of Members including Member (Staff) of Railway Board, Financial Commissioner (Railways) and Chairman, Railway Board are regulated by norms and guidelines laid down for the purpose and are approved at the highest level in the Government and that caste/creed is not the criteria for such appointments. Instead of taking steps towards creation of opportunity for appointments of SC/ST member in the Board, the Government have simply stated the existing procedure. Had the Committee been satisfied with earlier reply, they would not have recommended to make provision for inclusion of SC/ST member in the Board by amending rules/regulations and guidelines governing appointments to the Board. This view point of the Committee on the need for appointments of SC/ST members in the Board has neither been addressed appropriately by the Ministry of Railways (Railway Board) nor any interest has been shown by them to act upon it. The Committee are forced to imply that even though the Government talk about inclusive economic growth, they are indifferent and not willing to act when it comes to issues concerning the welfare of SC/ST. The Committee, therefore, reiterate their earlier**

**recommendation and urge the Government to initiate action to make specific provisions to include SC/ST members on the Board by amending the existing rules/regulations and guidelines governing appointments to the Board and no further excuse in the matter is desirable. Action taken in the matter should be reported to the Committee at the earliest.**

#### **Reservation Cell in Ministry**

##### **Recommendation (Sl. No. 2, Para No. 1.17)**

1.9 The Committee note that Ministry of Railways has a separate Cell to look after the interests of SC/ST employees of the Railways and to ensure proper, strict and timely implementation of the instructions issued from time to time. The Committee also note that the Executive Director Establishment (Reservation) acts as Liaison Officer in matters relating to reservation for SCs/STs, OBCs and Minorities. It has also been stated that the Cell functions under the control of Member (Staff) who is assisted by a strength of 20 officers/staff including 6 SC and 10 ST and that two more Section Officers are being posted therein in pursuance of cadre restructuring undertaken recently. The Committee further note that close liaison and co-ordination is maintained between the Ministry and the South Western Railway in regard to implementation of Reservation Rules and procedures. The Committee, however, are surprised to note that the Cell which was earlier set up to look after the interests of SC/ST employees, has now been entrusted with reservation matters in respect of OBCs and Minorities too, which the Committee feel is simply against the spirit for which it was set up. The original idea to set up a Cell was to mainly assist the Liaison Officer appointed specifically to oversee SC/ST matters and to discharge his duties effectively. It should not, therefore, be proper to convert this Cell meant for SCs/STs as Reservation Cell for OBCs and Minorities as well. The Committee feel that the nature of problem and the basis on which reservation is being provided to SCs and STs are completely different from that of OBCs and Minorities. It is, therefore, not acceptable to the Committee that reservation matters of all the categories should be clubbed together and the Cell meant for looking after the interest of SCs/STs should be entrusted to look after reservation matters of OBCs and Minorities on grounds that all relate to reservation matters. By entrusting the extra work relating to OBCs and Minorities, the Cell would not be able to give proper attention to the interest of SC/ST employees for which it has been set up. The Committee, therefore, recommend that the workforce posted in the Cell should exclusively be engaged in work relating to the welfare and interests of SC/ST employees and that the Liaison Officer should also not to be entrusted with the work relating to OBCs and Minorities. The Committee also recommend that separate Cells for Minorities and OBCs should be set up in the Ministry of Railways so that these Cells work to ensure proper implementation of reservation policy for those categories effectively.

##### **Reply of the Government**

1.10 The recommendation of the Committee have been noted. The proposal for setting up a separate Minority Cell in the Ministry of Railways is under examination by the Administration.

### Comments of the Committee

**1.11 The Committee are happy to note that the Railways have agreed to set up separate Minority Cell in the Ministry of Railways. However, the Committee feel that the Ministry have accepted that recommendations half heartedly. Though the Ministry of Railways have agreed to set up a separate Minority Cell, they are silent about the separation of OBC matter from the present Reservation Cell which should look after only SC/ST matters. Therefore, the Committee reiterate their earlier recommendation to set up separate Cell for both Minorities and OBCs in the Ministry so that the Cell meant for only SC/ST matters can ensure proper implementation of reservation policy for SCs/STs effectively.**

#### Liaison Officer/Cell in South Western Railway

##### Recommendation (Sl. No. 3, Para No. 1.21)

1.12 The Committee note that a Reservation Cell has been set up in South Western Railway in Headquarters Office as well as on each Division to look after the interest of SC/ST employees. The total staff strength posted in the Cell at Headquarters of SW Railway is reported to be four. The Committee are of the view that the Reservation Cell should only be entrusted with the work relating to reservation matters of SCs and STs only so that the staff posted in the Cell should be able to cope up with the work assigned to them otherwise the very existence of the Cell becomes meaningless. The Committee emphasise that the workload of the Cell should be assessed periodically. The Committee also stress that staff preferably from SC/ST community should be posted after giving them proper training on reservation matters.

##### Reply of the Government

1.13 Care is generally taken that the workload of the staff posted in the Reservation Cell is within manageable limits and training is imparted to such staff as and when required.

### Comments of the Committee

**1.14 The Committee feel that though their recommendation has been accepted by the Ministry of Railways (Railway Board), the Committee feel that the reply furnished by the Ministry of Railways (Railway Board) is too general. The Ministry should have given specific assurance in regard to the posting of SC/ST community staff preferably, in the Reservation Cell and also to give them proper training on reservation matters. The Committee desire that their recommendation should be considered by the Ministry *in toto*.**

#### Maintenance of Rosters

##### Recommendation (Sl. No. 6, Para No. 1.28)

1.15 The Committee note that post based rosters for both recruitment and promotion are being maintained since 1997. The Committee note that no specific reply has been given as to how often the inspection of rosters were carried out during the years 2004 to 2007. The reply furnished is that these rosters have been verified by Liaison Officer/



SPO/IR at various Divisions and Workshops as per the Inspection Programme. The Committee note that some discrepancies like not maintaining separate post based rosters for direct recruitment and promotional quota, not reflecting *ad-hoc* promotions continuing more than 45 days, and the Controlling Officer not sanctioning actual vacancy and percentage of shortfall for SC, ST in the category and grade-wise were noted during the inspection. The Committee are surprised that such serious negligence and lapses have been taken lightly by the Department. It is the duty of the Liaison Officer to bring to the notice of the Head of Department and the Ministry of Railways. In fact, appropriate action against such Controlling Officers should have been taken for such lapses and negligence. The Committee recommend that the inspection of rosters should be done at regular intervals by the Liaison Officer and any case of negligence or lapses in the matter of following the reservation and other orders relating to SCs/STs should be brought to the notice of the Ministry of Railways (Railway Board) for taking necessary action. Rosters should clearly be signed and authenticated with official stamp of the Liaison Officer concerned as a proof of having been inspected the same. The Committee also recommend that the rosters should be computerised and copies may be neatly bound and paginated. The Committee also recommend that all the staff working in the Cell should undergo training in regard to reservation and maintenance of rosters at Zonal Railway Training Institute (ZRTI) before they are posted.

#### **Reply of the Government**

1.16 The discrepancies noticed earlier have been subsequently rectified. In most of the cases, where inspections have been carried out, it is observed that separate Roster Registers for Recruitment and Promotion are maintained. Roster Registers are regularly inspected by the concerned authorities of Division, Zonal Headquarters. Rosters which have been inspected have been signed and authenticated by the authorities with official stamps. However, wherever the shortcomings have been noticed they have been instructed to follow the proper forms of inspections. Follow-up inspection are carried out to see the result. The concerned authorities have been told time and again to give sufficient training to the dealing hands to maintain Roster Registers properly. The Railways have been asked to maintain latest format of the Roster Registers, which most of the Railways are carrying out.

#### **Comments of the Committee**

**1.17 The Committee are surprised to note that the Ministry of Railways (Railway Board) have taken their recommendation too lightly and given a vague reply. The Committee are not satisfied with the reply as it does not explain as to how often the inspection of rosters were carried out during 2004 to 2007 and what specific reconciliatory steps were taken to the discrepancies pointed out during the verification of rosters by the Liaison Officers/SPO/IR at various Divisions and workshops under the South Western Railway as per Inspection Programmes. Nor did any appropriate action has been reported to have been taken against the Controlling Officers for such serious negligence and lapses. The Committee are of the view that unless Liaison Officer(s) prepare schedule and undertake inspection of Zonal/Regional Headquarters to physically inspect the roster registers so as to ensure proper implementation of**

**reservation orders, the very purpose for which the Liaison Officers are appointed will be defeated. Therefore, while reiterating their earlier recommendation the Committee desire that the inspection of rosters should be done at regular interval by only designated Liaison Officer(s) and any case of negligence or lapse in the matter of following the reservation orders relating to SCs/STs should be brought to the notice of the Ministry of Railways (Railway Board) for taking appropriate necessary action against such officers. The Committee also would like to know about the training imparted/being imparted to the staff working in Reservation Cell at Zonal Railway Training Institute (ZRTI). The Committee should also be apprised of the action taken in regard to development of suitable software for effective maintenance of rosters in the Ministry.**

### **Reservation Orders**

#### **Recommendation (Sl. No. 8, Para No. 2.10)**

1.18 The Committee note that the Ministry of Railways (Railway Board) generally follow the orders on reservation for SCs/STs issued from time to time by the Ministry of Personnel, Public Grievances and Pensions (Department of Personnel & Training). On the basis of the orders issued by the DOP&T necessary instructions are issued by the Railway Board to Zonal Railways/Production Units etc. The Committee appreciate the efforts made by the Railway Board to consolidate orders relating to reservation for SCs/STs in one Master Circular as a referral book. The Committee note that there are certain categories of posts which have been exempted from the applicability of the reservation orders as per orders of the DOP&T. In SW Railway, the number of such posts is 27 which are exempted from applicability of the reservation orders. Presently, there are only 19 posts which have been occupied, but none of them belongs to SC/ST category. The reasons for keeping the posts of Vigilance Inspector/Investigating Inspector are that these are ex-cadre posts filled up on tenure basis which do not involve promotion. The Committee are dismayed that not a single SC/ST official has been selected to the posts of Vigilance Inspector/Investigating Inspector in SW Railway. The Committee, therefore, impress upon the Government that while appointing incumbents for these posts SC/ST employees having the requisite qualifications should not be ignored just because there is no reservation but should be given fair opportunity to occupy such posts on ex-cadre tenure basis.

#### **Reply of the Government**

1.19 The Committee in recommendation No. 1.6 of their 39th Report has raised the similar issue which was examined in consultation with the Department of Personnel and Training. During review of exclusions, the post of Vigilance Inspector was exempted within the fold of Reservation orders. A copy of the action taken note on the issue which was sent to the Lok Sabha Secretariat is enclosed (*Appendix-B*).

1.20 Inspectors are selected after conducting the written examination followed by *viva-voce*. Fair opportunity is given to all SC/ST candidates in selection of Vigilance Inspector/Investigating Inspectors. Presently, 19 Vigilance Inspectors are working against the sanctioned post of 20 over South Western Railway. Out of these, 3 Vigilance Inspectors belong to SC/ST community.

### Comments of the Committee

**1.21 The Ministry of Railways (Railway Board) have referred to the action taken by them on the Committee's recommendation No. 1.6 of their 39th Report of 10th Lok Sabha (9th Action Taken Report of 12th Lok Sabha) stating that similar issue were examined in consultation with the Ministry of Personnel, Public Grievances and Pensions (Department of Personnel and Training) in which it was decided that the post of Vigilance Inspector was exempted within the fold of reservation orders. The Committee have been informed that presently, 19 Vigilance Inspectors are working against the sanctioned posts of 20 in South Western Railway and out of these, 3 Vigilance Inspectors belong to SC/ST communities. The Committee observe that earlier the Ministry had informed the Committee that the number of such posts was 27. The Committee would like to be apprised of the status of remaining 7 posts. The Committee should also be apprised of details of SC/ST officers who have occupied the post of Vigilance inspector in South Western Railway.**

#### Details of Recruitment

##### Recommendation (Sl.No. 9, Para No. 2.24)

1.22 The Committee note that Direct Recruitment to posts in various Group 'A' services on Indian Railways including South Western Railway is done centrally by Railway Board through Union Public Service Commission and no direct recruitment is generally made to Group 'B' posts being a promotional grade. The recruitment to Group 'C' posts is done by Railway Recruitment Board (RRB), Bangalore. The Committee also note that recruitment in Group 'D' posts is being done at Zonal Railways by way of issuing notifications in Employment News/Newspapers etc. and inviting applications for the same and then conducting physical efficiency test and written examination. The Committee recommend that the Ministry of Railways (Railway Board) should monitor the recruitment of various Group 'D' posts being made by Zonal Railways periodically so as to ensure that sufficient number of SCs and STs are recruited. The Committee also desire that Railway Board should maintain zone-wise records in this regard.

#### Reply of the Government

1.23 Committee's recommendation has been noted.

### Comments of the Committee

**1.24 While accepting the reply of the Ministry of Railways (Railway Board), the Committee desire to know the action taken/being taken in the direction to maintain Zonal-wise records so that the recruitment of various Group 'D' posts being made by Zonal Railways could be monitored by the Ministry of Railways (Railway Board) periodically.**

##### Recommendation (Sl. No. 10, Para No. 2.25)

1.25 The Committee note that the present system of recruitment against various Group 'C' and 'D' posts is an open competition for which advertisements are given in leading Newspapers and Employment News. Employment Exchanges, therefore, do

not seem to play any role in this process. The Committee feel that even after having a well placed method of recruitment adopted by the Ministry of Railways and South Western Railway, the desired results especially in the matter of recruitment of sufficient number of SCs/STs in Group 'C' and 'D' posts have not been achieved. The Committee are of the firm view that since recruitment of Group 'C' and 'D' posts is an open competition, every effort should be made to give wide publicity to such posts in areas predominantly inhabited by SC/ST population. However, no examination centre has been set up in such areas. It may be true for South Western Railway not to have tribal concentrated areas in their zone, but that does not mean that other zones do not have tribal concentrated areas. The Committee, therefore, strongly recommend that necessary examination centres be set up in such areas particularly in all the capitals of North East States and also tribal concentrated areas in different Divisions/Zones of Railways on rotational basis so that candidates from these areas do not have to travel long distances to appear for recruitment examinations.

#### **Reply of the Government**

1.26 Indian Railways is an organization having all India character. There are 21 Railway Recruitment Boards (RRBs) and 16 Railway Recruitment Cells (RRCs) located across the country for recruitment of Group 'C' and Group 'D' employees respectively. Examination centres for conducting RRB examinations are kept not only in the Divisional Railway Headquarters but also in other cities/towns/district headquarters based on the requirement and the number of candidates appearing in the examinations. So far as Special Recruitment Drive for SC/ST candidates is concerned, all these candidates are issued free railway pass. Moreover, the RRBs freely accept the applications from the candidates all over the country in response to their advertisements and do not make any discrimination on the basis of State/Region or Area.

#### **Comments of the Committee**

**1.27 The Committee fail to understand the logic of the Indian Railways that SC/ST candidates are issued free railway passes for Special Recruitment Drive (SRD) whereas it is a matter of the policy to extend relaxation/concession to SC/ST candidates in the form of reimbursement of expenditure incurred by them on railway conveyance to appear in direct recruitment examination under the Union Government. The Committee are of the view that unless SC/ST candidates are given certain relaxations and concessions in recruitment rules they will not be represented adequately. The Committee express that mere providing free railway passes to aspiring candidates for appearing in competitive exams is not enough as many hilly and remote areas are quite far from the nearest Railway Station. The eligible candidates not only have to travel by road to reach the nearest Railway Station but they have to incur for their stay in the designated town, which most of the aspiring SC/ST candidates cannot afford. The Committee, therefore, reiterate their earlier recommendation that examination centres should be set up particularly in all the capitals of North East States and also in tribal concentrated areas in different Divisions/Zones of Railways. The Committee would appreciate the efforts of the Railways to initiate to set up such examination centres at least on rotational basis in all such areas as most of these areas are not connected by railway network and that many aspiring ST candidates from these areas may get an opportunity to appear for recruitment examinations.**

**Recommendation (Sl. No. 11, Para No. 2.26)**

1.28 The Committee note that various concessions/relaxations are allowed to SCs and STs at the time of recruitment. The Committee desire that Railway authorities should increase the number of attempts for SC/ST candidates who fail in the initial training course.

**Reply of the Government**

1.29 The Ministry of Railways are providing concessions/relaxations to the directly recruited SC and ST candidates during their initial training. Such trainees are given 2nd chance with stipend/pay and the third chance without stipend or any other remuneration as per the Ministry of Railways letter No. E(MPP)2000/3/10, dated 10.08.2000 (copy enclosed *Appendix-C*).

**Comments of the Committee**

**1.30 The Committee note that during initial training to directly recruited SC/ST Apprentice candidates, two chances are provided to them with stipend/pay and third one without stipend or pay or remuneration by the Railways. The Committee feel that these chances are not enough for SC/ST candidates who are generally from poor background and appear for direct recruitment. The Committee stress upon the need for increase in these chances at least thrice instead of present two with stipend/pay and fourth one without stipend/pay keeping in view the economic condition of the SC/ST candidates.**

**Recommendation (Sl.No. 12, Para No. 2.27)**

1.31 The Committee are dismayed to note that in respect of recruitment made during the years from 2004-2007, the vacancies reserved for SCs/STs in Group 'C' and 'D' remained unfilled resulting in carrying forward of the posts to next recruitment year. In respect of recruitment made during the years 2008 and 2009 (till the information was furnished), barring the SC posts in Group 'D', the problem of carrying forward of SC and ST posts persisted. The Committee find it difficult to accept the fact that there was no eligible candidates available for SC/ST posts. The Committee would like to point out that there is large number of educated unemployed SC/ST candidates in the country. Therefore, it is not correct to say that no eligible candidates are available for Group 'C' and 'D' posts from the SC/ST category. Had the South Western Railway/RRB made any effort to have those SC/ST posts publicized widely in the SC/ST inhabited areas, the Committee strongly feel that if not all but most of those posts would have been filled up. The Committee note that a large number of Group 'C' and 'D' posts have not been filled up and are allowed to accumulate over the years. It is a matter of great concern that the vacancies of 61 SCs and 73 STs in Group 'C' and 121 STs in Group 'D' during the year 2009 are still to be filled up and no serious effort seems to have been made for clearance of vacancies reserved for SCs/STs. The Committee are not happy with this trend of carrying forward of vacancies year after year which is against the interest of SCs and STs. The Committee desire that this trend should be stopped immediately at all costs so that interest of SCs/STs are well protected. The Committee, therefore, impress upon the Ministry of Railways (Railway Board) to make credible and

concerted efforts so that vacancies reserved for SCs/STs are not carried forward from one recruitment year to another but filled up during every recruitment year. The Committee strongly recommend that all unfilled Group 'C' and 'D' posts reserved for SCs and STs should be filled up at the earliest by publicizing those reserved posts widely in SC/ST inhabited areas.

#### **Reply of the Government**

1.32 Filling up of vacancies is a continuous process. The process for direct recruitment of candidates in Group 'C' is at different stages in various Railway Recruitment Boards. To give better representation to the candidates of SCs and STs and get adequate SC&ST candidates through RRB examinations, the minimum pass marks percentage in the RRB written examinations for Group 'C' categories is as follows:—

UR	-	40%
SC&OBC	-	30%
ST	-	25%

1.33 It is also submitted that the vacancies are given wide publicity including publication in the Employment News, leading national and local dailies etc. Railway Recruitment Boards, have already advertised Centralised Employment Notifications for various Group 'C' category vacancies on Indian Railways including South Western Railway. Details containing category wise vacancies notified in Centralized Employment Notifications reserved for SC & ST candidates for South Western Railway is attached as *Appendix - D*.

1.34 As far as recruitment of Group 'D' staff on South Western Railway is concerned, it is informed that recruitment exercise initiated in July, 2007 for intake of staff from open market could not be completed owing to agitation from local political groups demanding for limiting the scope of recruitment to these categories to local unemployed youths only coupled with the fact that 6th Central Pay Commission (CPC) has upgraded all Group 'D' categories to Group 'C' along with the incumbents (after suitable re-training, wherever required) with no further recruitment taking place in any of the existing Group 'D' posts. The minimum grade in which all future recruitments would take place will be the PB-1 (Group 'C') Pay Band of Rs. 5200-20200 with the grade pay of Rs. 1800/-. The recruitment in this grade will be from amongst candidates possessing minimum qualifications of either 10th or ITI or equivalent. Issue of enhancement of qualification is under consideration.

#### **Comments of the Committee**

**1.35 Having noted the accumulated unfilled posts in Group 'C' and 'D' reserved for SCs and STs and the trend of carrying forward of vacancies year after year, which is against the interest of SCs/STs, the Committee had strongly recommended that all unfilled Group 'C' and 'D' posts reserved for SCs and STs should be filled up at the earliest. The Committee are not satisfied with the action taken reply given by the Ministry of Railways (Railway Board) which is ambiguous. Instead of giving the specific reply, the Ministry have taken the plea that the filling up of vacancies is a continuous process and relaxation is given in minimum pass marks percentage in**

the Railway Recruitment Board (RRB) written examinations for Group 'C'. Reiterating their earlier recommendation, the Committee urge the Ministry to be apprised of the fate of all the unfilled vacancies in South Western Railway as on 31st December, every year since 2004 alongwith the status of 278 SC and 138 ST vacancies notified in Central Employment Notification for SWR as given in *Appendix-D*.

1.36 As far as Group 'D' posts are concerned, the Committee understand the compulsion of the Ministry that 6th Central Pay Commission has recommended to upgrade all Group 'D' categories to Group 'C' alongwith the incumbents (after staff re-training, wherever required) with no further recruitment taking place in any of the existing Group 'D' posts. The Committee should be apprised as to how the unfilled Group 'D' posts which were being carried forward would be dealt with in view of recommendation of 6th Central Pay Commission.

#### Staff Strength and Shortfall

##### Recommendation (Sl. No. 13, Para No. 2.38)

1.37 The Committee note that as on 1.1.2007, there was shortfall of SC and ST employees in Group 'C', Group 'D' excluding Safaiwala and Group 'D' Safaiwala posts. According to the information submitted recently, the shortfall of SC and ST still persists as on 1.1.2009. The Committee also observe that data in respect of Group D staff for the years 2008 and 2009 does not have separate information for Group 'D' excluding Safaiwala and Group 'D' Safaiwala. The Committee should be apprised as to why no separate data for Group 'D' posts has been maintained.

##### Reply of the Government

1.38 Consolidated details are furnished as under:—

Category of posts	Total No. of employees in position	Number of		Percentage of total		No. Shortfalls		Percentage of shortfall	
		SC	ST	SC	ST	SC	ST	SC	ST
1	2	3	4	5	6	7	8	9	10
<b>1.1.2008</b>									
Group A	228	49	22	21.49	9.64				
Group B	196	34	32	17.34	16.32				
Group C	24970	4311	1730	17.26	6.92	254	371	1.01	1.48
Group D	8757	1636	464	18.68	5.29	277	285	3.16	3.25
Group D Safaiwala	572	311	19	54.37	3.32	—	24	—	4.18
<b>1.1.2009</b>									
Group A	235	45	31	19.14	13.19				
Group B	218	44	39	20.18	17.88				
Group C	24827	4080	1714	16.13	6.90	355	372	1.42	1.49
Group D	8893	1824	896	20.51	10.07	258	308	2.90	3.46
Group D Safaiwala	579	348	39	60.10	6.73	—	4	—	0.77

### Comments of the Committee

1.39 The Committee observe that the Ministry have now furnished information in respect of SC/ST employment in Group 'D' excluding Safaiwalas and Group 'D' Safaiwalas posts that existed as on 1.1.2008 and 1.1.2009 respectively. The Committee note with concern that even in Group 'D' and Group 'D' Safaiwala posts of SC/ST, there are shortfall of SCs/STs. The Committee wonder as to how there is drastic shortfall of 60.10% from 54.37% within a year. The Committee feel that the South Western Railway is not at all serious in improve the shortfall in SC/ST vacancies. The Committee had recommended that reasons for not maintaining separate data for 'D' Group excluding Safaiwala and 'D' Group (Safaiwala) to be furnished to them as it is a serious lapse on the part of South Western Railway. However, nothing has been said about it. The Committee take serious note of it. The Committee recommend that appropriate action should be taken against the officers who had purposely not maintained the record of Group 'D' posts separately for Group 'D' Safaiwala.

#### Recommendation (Sl. No. 14, Para No. 2.39)

1.40 In regard to reason for shortfall in Group 'D' posts as on 1.1.2007, it was stated that a notification for 4701 vacancies in Group 'D' categories including SCs/STs was issued but the recruitment could not be completed on account of local/regional protests/ agitations. The Committee should be apprised whether the recruitment has now been undertaken and, if so, details of recruitments made should be furnished to them.

#### Reply of the Government

1.41 In the Group 'D' recruitment, South Western Railway has notified 4701 vacancies. The Group 'D' recruitment has not yet been restored after it was last stopped due to disturbances.

### Comments of the Committee

1.42 As far as Group 'D' posts are concerned, the Committee understand the compulsion of the Ministry that 6th Central Pay Commission has recommended to upgrade all Group 'D' categories to Group 'C' alongwith the incumbents (after staff re-training, wherever required) with no further recruitment taking place in any of the existing Group 'D' posts. However, the Committee find it difficult to accept that the recruitment exercise initiated in July, 2007 for intake of staff from open market could not be completed owing to objection from local political groups demanding for limiting the scope of recruitment to these categories to local unemployed youths. The Committee understand that though there was some disturbance in western region of the country at the given time, the SWR region was not affected by the agitation. Further, hadn't the SWR adopted a lackadaisical approach towards the filling up of unfilled 4701 vacancies in Group 'D', these vacancies could have been filled up before the implementation of recommendation of 6th Central Pay Commission with a little bit of their serious efforts. Even then, the Committee stress upon that an earnest effort should be made to upgrade Group 'D' employees to Group 'C' by equal attention to SCs/STs employees. The Committee would also like to be apprised of the issue of enhancement of qualification as soon as it is decided.



**Recommendation (Sl. No. 15, Para No. 2.40)**

1.43 The Committee note that there is still shortfall of SCs and STs in technical and non-technical categories of posts both in recruitment and promotional posts. The Committee are distressed by the reply that there is no adequate response to most of the categories of posts especially technical, diploma, graduate and para-medical categories from ST candidates whereas there is generally no difficulty in getting adequate SC/ST candidates for non-technical popular categories. The Committee are of the strong view that there should not be any dearth of eligible SC/ST candidates for Group C and D posts especially in ST dominated areas like North-East States where many educated unemployed STs are clamouring for an opportunity to get jobs in Railways. Moreover, for technical, diploma, graduate and para medical categories, the Railways should have contacted campuses of professional/technical colleges/institutes which have come up in towns and cities all over the country. The Committee, however, note that on Indian Railways the system for campus recruitment does not exist. Had the Indian Railways been a little innovative and had gone to the professional/technical colleges/institutes for campus recruitment, the Committee feel that most of the posts in regard to technical, diploma, graduate and para medical categories for ST candidates would not have remained vacant. The Committee urge the Ministry to move with time and bring about change in their recruitment system. The Committee, therefore, recommend that Indian Railways should recruit the SC/ST candidates from the professional colleges/institutes for technical and para-medical jobs if they do not receive adequate response and the posts reserved for them remain vacant.

**Reply of the Government**

1.44 Recruitment on Indian Railways for Group 'C' & Group 'D' posts is a continuous process. With the recent changes in methodology of recruitment of Group 'C' posts, vacancies including those reserved for SCs/STs are notified throughout Indian through Centralized Employment Notification by one nodal RRB. Examination for a particular post is held simultaneously by all the participating RRBs. A candidate is free to apply to any RRB of his choice. For the present, Centralized Notifications have already been issued for the vacancies including vacancies for para-medical categories. All the laid down provisions in respect of SC/ST candidates are complied while undertaking such recruitments.

1.45 There is an established procedure for recruitment on Indian Railways. The system for campus recruitment does not exist on Indian Railways.

**Comments of the Committee**

**1.46 The Committee are quite confused with the reply of the Ministry that these recruitment on Indian Railways for Group C and Group D posts is a continuous process, while further recruitment for Group 'D' posts have been discontinued as per the recommendations of 6th Central Pay Commission. The Committee want to know whether recruitment process for fresh Group D posts are still going on with the reasons therefor. The Committee are very much familiar with the recruitment process for Group C in Railways and observe that inspite of a well established recruitment mechanism, the Railways are not able to recruit enough SC/ST candidates, particularly in technical jobs, because of non-availability of candidates with such**

**educational background. That is why the Committee had recommended for campus recruitment for technical and para-medical jobs if they do not receive adequate response and the posts reserved for SCs/STs remain vacant. The Committee are also distressed by the reply which simply says that the system for campus recruitment does not exist on Indian Railways. The Committee reiterated that earlier recommendation and emphasise that Ministry should consider the campus recruitment for technical and para-medical jobs reserved for SC/ST to wipe out the existing shortfall/backlog.**

**Recommendation (Sl. No. 16, Para No. 2.41)**

1.47 The Committee also note that South Western Railway also took several measures to wipe out shortfall of SCs and STs. A panel from another Railway Recruitment Board was utilized to fulfill the quota for SC communities; screening of substitutes has been organized which make good the shortfall of SC/ST to some extent; wide publicity was given to recruitment notices in other regions of the country with greater population of STs. The Committee should be apprised as to the details of advertisements for recruitment that have been published in tribal dominated areas. It has also been stated that a special recruitment drive was undertaken to make good the shortfall of vacancies in 2004 by which as many as 225 (SC-113 and ST -112) backlog vacancies were identified and fully wiped out. During evidence, Chairman, Railway Board had also mentioned that out of 9,366 vacancies which existed as on 31.3.2004, 9276 vacancies were already filled up through Special Recruitment Drives and that only 90 vacancies in Group 'C' *i.e.* 31 of SCs and 59 of STs remained to be filled up. The Committee also note that in pursuance of Ministry of Personnel, Public Grievances and Pensions (Department of Personnel and Training) OM No. F. No. 36038/1/2008-Estt. (Res.) dated 19th November, 2008, a total of 255 vacancies of SCs in (Group C&D) and 203 vacancies of STs in (Group C & D) have been identified as on 01.11.2008 for conducting Special Recruitment Drives. The Committee should be apprised whether all the 90 (31 SC and 59 ST) posts in Group C posts have since been filled up as also the status of the identified posts *i.e.* 255 SC and 203 ST posts in Group C and Group D posts as on 1.11.2008.

**Reply of the Government**

1.48 The backlog reserved vacancies of 31 SCs and 59 STs in the Special Recruitment Drive, 2004 have since been filled up. The progress of filling up of backlog reserved vacancies, identified as on 01.11.2008, for SCs/STs in direct recruitment quota as on 31.03.2010 is as under:—

*Direct Recruitment Quota*

Group	No. of Backlog reserved vacancies as on 01.11.2008.		No. of backlog reserved vacancies filled during the drive		No. of backlog reserved vacancies remaining unfilled	
	SC	ST	SC	ST	SC	ST
C	82	63	74	24	8	39
D	173	140	66	13	107	127
Total	255	203	140	37	115	166

### Comments of the Committee

**1.49** The Committee are utterly dismayed by the fact that the Ministry have not gone through their recommendations properly. The Committee had specifically asked for the details of the advertisements which were published in tribal dominated areas as claimed by them to wipe out shortfall of SCs and STs vacancies in SWR. The Committee consider it as a deliberate attempt to conceal their fallacy thereby showing disrespect to them and demand an explanation from the Ministry in this regard. The Committee reiterate their earlier recommendation of providing them with the advertisements, etc. issued by the South Western Railway in tribal dominated areas since 2004 to 2010 (till 31.3.2010).

**1.50** The Committee also observe that the efforts of the South Western Railway are not enough to wipe out the backlog of 255 SC and 203 ST vacancies as on 1.11.2008, otherwise after conducting Special Recruitment Drive 2008, 115 SC posts and 166 ST posts should not have remained unfilled as on 31st March, 2010. The Committee are of the opinion that once the Ministry of Personnel, Public Grievances and Pensions (Deptt. of Personnel and Training) issue instructions to conduct Special Recruitment Drive to fill up backlog vacancies concerted efforts need to be taken to fill up all backlog vacancies of SCs/STs. It becomes the bounden duty of the Ministry concerned to ensure that Special Recruitment Drive should continue till backlog of SC/ST vacancies are filled up and they should not wait for further instructions from DoP&T in this regard. The Committee should be provided with the details of 115 and 166 Group C & D backlog SC/ST vacancies which remained unfilled.

### Details of Promotion

#### Recommendation (Sl. No. 17, Para No. 2.52)

**1.51** The Committee note that there was shortfall of Scheduled Castes in Group 'B' STs in Group 'C' and 'D' in South Western Railway in the year 2007. The reasons for shortfall of SC employees in Group 'B' posts is that most of SC employees were empanelled and promoted against unreserved posts, as they had come up on their own merit. No reason has been mentioned in respect of shortfall of ST in Group 'C' and 'D' posts. The Committee note that shortfall of SC and ST still persists in Group 'C' and 'D' posts in South Western Railway in the year 2009. The Committee recommend that further relaxation in the length of service may be granted to SC/ST employees if otherwise they are fit for promotion. During evidence, it had also been stated that out of 33,062 identified vacancies, 27,404 vacancies were filled up and 5,658 vacancies could not be filled up due to non availability of eligible candidates in feeder cadre, court cases and smaller cadre. In case of South Western Railways there is shortfall of 279 SC and ST posts *i.e.* 196 in Group 'C' and 83 in Group 'D' posts. The Committee note that promotional posts are also not filled up due to the court cases and small cadre. It is desired that shortfall in all the categories of posts should be wiped out by giving relaxation in the eligible criteria, by expediting action to dispose of all pending court cases at the earliest and by converting the promotional posts, wherever permissible, to direct recruitment posts. The Committee should be apprised of the action taken within three months of the presentation of the report to the Parliament. The Committee would also

like to know the fate of all the vacancies identified by the Ministry as on 01.11.2008 under the Special Promotional Drive for Scheduled Castes and Scheduled Tribes.

#### Reply of the Government

1.52 The shortfall in Group 'C' and 'D' posts have since been filled up. The progress of Special Promotional Drive launched for filling up of backlog reserved vacancies for SCs/STs in promotional quota is as under:—

#### Promotional Quota

Group	No. of Backlog reserved vacancies as on 01.11.2008. drive.		No. of backlog reserved vacancies filled during the		No. of backlog reserved vacancies remaining unfilled	
	SC	ST	SC	ST	SC	ST
C	278	323	103	108	175	215
D	83	164	5	0	78	164
Total	361	487	108	108	253	379

1.53 Regarding conversion of Promotional posts to Direct Recruitment posts, it is stated that wherever direct recruitment is admissible, posts are converted from promotional posts to direct recruitment for wiping out the shortfall, if required, and there is no candidate available in near future.

#### Comments of the Committee

1.54 The Committee are not fully satisfied with the reply. The Ministry have not extended any reasons in respect of shortfall of ST in Group C and D posts in the year 2007. Further, the Ministry have simply informed that the shortfall in Group C and D posts have since been filled up without mentioning any details. Nor did they mention if any further relaxations in the length of service were granted to SC/ST employees as recommended by the Committee. The Committee are of the view that the Ministry should have apprised them of the details of the shortfall in all categories of 279 SCs and STs posts in Group C and D in case of South Western Railways and total 5,658 vacancies in Indian Railways, which were to be filled up by giving relaxation in the eligible criteria by expediting action to dispose of all pending court cases at the earliest and by converting the promotional posts, whenever permissible to direct recruitment posts. During Special Promotional Drive launched for filling up of backlog reserved vacancies for SCs/STs in promotional quota, the Committee are perturbed to note that out of 361 SC and the 487 ST backlog vacancies in Group C and D posts, the nos. of reserved vacancies filled during the Special Recruitment Drive are only 108 SC and 108 ST posts in both the Groups which include 5 SC posts in Group D posts. The Committee feel that the Ministry are not at all serious to clear the backlog of SC/ST vacancies speedily as is evident from the number of unfilled SC and ST

**vacancies. The Committee strongly recommended that the Ministry should make serious efforts to wipe out all backlog vacancies by 31.12.2011 and apprise them of the status in this regard. The number of remaining unfilled SC and ST promotional backlog vacancies are 175 and 215 in Group C and 78 and 164 in Group D posts respectively. It is distressing to note that only 5 SC posts in Group D posts have been filled out of a total of 83 SC and 164 ST posts identified for Special Promotional Drive. The progress made in respect of special promotional drive for Group D posts gives a clear impression of the lackadaisical approach to the issue and welfare of SC/ST employees by the Indian Railways. The Committee should be apprised as to how those unfilled SC/ST backlog vacancies would be treated in view of the explanation given in respect of Group D categories having been upgraded to Group C categories in pursuance of recommendations of 6th Central Pay Commission.**

### **Apprentices**

#### **Recommendation (Sl. No. 18, Para No. 3.10)**

1.55 The Committee note that there is no scheme for giving pre-recruitment training for SC/ST candidates by South Western Railway. The Committee, however, are pleased to note that there is pre-promotional training scheme for SC/ST employees who are coming up for promotion to higher grade particularly in safety categories and few other non-safety categories. In service training is being imparted to SC/ST employees for their promotion to higher grade in non-safety categories when they are found below the required standard. To qualify for promotion to posts in safety categories, it is stated that arrangements are made to give them suitable pre-selection coaching without fail. The Committee are of the considered view that while many public sector undertakings including Banks are providing pre-recruitment training for SCs and STs as a part of recruitment process, the Railways being the largest employer can also provide such training to SC and ST candidates especially in categories where availability of suitable SC/ST candidates are not adequate. By providing pre-recruitment training more SC/ST candidates can be helped to qualify in the selection process. The Committee, therefore, recommend that the Ministry of Railways (Railway Board) should take the initiative and provide pre-recruitment training to SC/ST candidates as being done in case of promotion. The Committee should be apprised of the action taken in this regard.

#### **Reply of the Government**

1.56 The above recommendation of the Hon'ble Committee has been duly examined and it is stated that Ministry of Railways is not in a position to provide pre-recruitment training to any section of candidates including Scheduled Castes/Scheduled Tribes because the number of applicants in reference to recruitment notices normally may run into crores every year. However, there is a Central Sector Scheme (namely coaching and allied assistance) of free coaching provided/imparted by Ministry of Social Justice and Empowerment with a view to ensure effective implementation and monitoring of Government Programmes and assist the students belonging to weaker sections including Scheduled Castes, Scheduled Tribes and Other Backward Classes in a better manner.

### Comments of the Committee

**1.57** The Committee do not agree with the contention of the Ministry of Railways (Railway Board) that they are not in position to provide pre-recruitment training to any section of candidates including Scheduled Castes and Scheduled Tribes because the number of applicants in reference to recruitment notices normally may run into crore every year. The Committee have insisted time and again that Railways may not hold pre-recruitment training for all the posts but there are some specific posts in Railways where it is usually noticed that SC/ST candidates are not available and the posts reserved for them remain vacant or are not fully filled up. The Committee again insist that the Ministry of Railways (Railway Board) should identify such posts and hold pre-recruitment training for SC and ST candidates, so as to fill up those SC/ST posts. The supposition of the Ministry of Railways that applications may run into crores might be an exaggeration. Had there been a large number of SC and ST applicants, the Committee feel the problem of shortfall/backlog of SCs/STs either in recruitment and promotion would not have become a permanent feature in the Indian Railways. Non-availability of suitable SC/ST candidates for the posts is often stated to be one of the reasons for non-filling up of SC/ST vacancies. Against this backdrop, it is construed that either the high eligibility criteria prescribed for the posts or the high standard of examination for recruitment may be the reasons for non-availability of SC/ST candidates. While the Committee agree that there exists a mechanism wherein SC/ST candidates are given pre-examination training by the Ministry of Social Justice and Empowerment, which are for non-specialist posts, they are of the firm view that the Railways can also initiate a process of pre-recruitment training, specially to the posts which are technical and unique to the Railways. The Committee, therefore, reiterate their earlier recommendation that the Ministry of Railways (Railway Board) should take the initiative and provide pre-recruitment training to SC/ST candidates to prepare them to come up to the required standard and to help in wiping out the present and any eventual shortfall/backlog of SC/ST vacancies for various posts existing under various Zones of the Indian Railways.

#### Recommendation (Sl. No. 19, Para No. 3.11)

1.58 The Committee also note that the Railways have not offered jobs under the Apprentices Act in a mandatory manner. However, the Committee are surprised to know that not a single ST person was absorbed by the Railways in the years 2007 and 2008 despite the fact that 2 and 4 ST Apprentices were imparted training in those years. The Committee would like to be apprised of the reasons in this regard. The Committee recommend that the Ministry should arrange training under the Apprentices Act in such a manner that at least all the SC and ST Apprentices thus imparted training could get absorbed in the Railways, otherwise the very purpose of such training is defeated.

#### Reply of the Government

1.59 Apprenticeship training programme in the industries was made statutory by the enactment of the Apprentices Act, 1961. As per Apprentices Act, 1961 training is imparted with the sole objective of training adequate manpower in industrial skills to

meet the demand of various industries in the country. Due reservation of SCs/STs (as well as OBCs) are made while engaging Act Apprentices. However, it is not obligatory for the establishment, imparting such training to provide jobs to the Apprentices so trained in their establishment.

1.60 However, in matters of recruitment, other things being equal, preference is given to the Course Completed Act Apprentices trained in the relevant trade in Railway establishment over a candidate who is not such an Apprentice.

#### **Comments of the Committee**

**1.61 The Committee note that Indian Railways are not obliged to provide jobs to the Apprentices imparted training under the Apprentices Training programmes. The Committee are of view that the Indian Railways being the largest employer in the country should try to absorb all the SC/ST Apprentices who are Course Completed Act Apprentices imparted training in the Railways to make the Apprentices Training Programme meaningful.**

#### **False Caste Certificates**

##### **Recommendation (Sl. No. 20, Para No. 3.16)**

1.62 The Committee note that 6 cases of employment secured on the basis of the false caste certificates were detected, out of which 3 employees were dismissed from service but one of them has been reinstated as per the orders of Court of Law. However, other 3 cases are pending in high court apart from this, three cases had also been received from Dy. Commissioners. Out of which 2 employees have been dismissed and in respect of 1 case, fresh/final enquiry report is yet to be received from Dy. Commissioners. The Committee are distressed to note that 50 complaints are pending with Dy. Commissioner/District Collector since 2005. Another 2 complaints of false caste certificates seem to have been received in May 2009. The Committee are pained to note that no serious and concerted efforts seem to have been taken by the South Western Railway to settle all the old cases as a result of which these cases have been allowed to linger on for such a long time. The Committee are of the view that timely action to dismiss persons who had obtained employment on the basis of false caste certificates and initiation of necessary criminal proceedings against them could have avoided the present situation. The Committee, therefore, recommended that South Western Railway should write to Deputy Commissioners/District Collectors to complete the enquiries within stipulated date to settle all pending cases failing which action should be taken for initiating criminal proceedings against the persons who obtain employment on the basis of false caste certificates. The Committee should be apprised of the action taken in each of the 50 complaints as also the other complaints which are pending within three months of the presentation of this report. The Committee also recommended that necessary action should be initiated to expedite court cases pending in High Court.

#### **Reply of the Government**

1.63 Although 50 complaints were received, on verification of those complaints, it was found that only 18 cases were of bogus/false caste certificates. Out of these, five (5) cases have been dismissed and 13 cases are under investigation at the concerned Dy. Commissioner level. The details of these are enclosed as *Appendix-E*.

### **Comments of the Committee**

**1.64** The Committee are not happy with the replies given by the Ministry, which do not take into account the pointed observations and recommendation of the Committee. The Committee had specifically asked the South Western Railway to apprise the Committee of the action taken in each of the 50 complaints as also the other complaints which were pending within three months of the presentation of the report. The Committee had also asked the South Western Railway to write to Dy. Commissioners/ District Collectors to complete the enquiries within stipulated date to settle all pending cases. Instead, the Ministry have given details/status of only 18 cases which are under investigation at the concerned Dy. Commissioner level. The Ministry are silent at which level the remaining 32 complaints were verified and decided as genuine. The Ministry have also not bothered to respond to the specific recommendation for initiating criminal proceedings against the persons who obtained employment on the basis of false caste certificate since mere dismissal from service is not an exemplary punishment to check such menace. The Committee are also of the view that the Ministry are not at all serious about expediting the early settlement of pending court cases. The Committee, therefore, should be apprised of the specific and complete action taken by the South Western Railway on their recommendations. The Committee stress that securing employment on the basis of false caste certificates is a very grave issue and should not be taken lightly as genuine SC/ST people have been deprived of their opportunity in getting jobs.

#### **Petty Contracts**

##### **Recommendation (Sl. No. 24, Para No. 4.27)**

1.65 The Committee note that Catering Policy — 2005 provides reservation of 49.5% for various categories in small catering units at ‘D’, ‘E’ and ‘F’ category stations, the break up of reservation is 12% for SCs, 8% for STs, 20% for OBCs and 9.5% for Minorities. The Committee also note that a reservation of 10% (6% for SCs and 4% for STs) out of 25% in award of small units at ‘A’, ‘B’, and ‘C’ category stations has been provided. However, the same has not been provided in award of licenses in major units. The Committee opine that if reservation is provided in award of major catering contracts, many SC/ST aspirants/entrepreneurs would be willing to make investments. The Committee, therefore, recommend that reservation should be made in award of major catering contracts in the Indian Railways or certain quota of contracts should be earmarked exclusively for SCs/STs.

#### **Reply of the Government**

1.66 The Committee on various occasions have raised the issue that reservation be executed for management of major catering and bookstalls to Scheduled Castes and Scheduled Tribes. The position has already been explained through various action taken notes submitted to the Committee. It is once again reiterated that as a policy, Ministry of Railways have taken a stand that there will be no reservation in allotment of licenses for major catering units and bookstalls. Management of major units requires a lot of managerial acumen, functional capabilities and catering experience and capability to muster resources including financial resources and such management of catering



services are required to cater to large scale operation in order to meet the aspiration and requirements of the travelling public. Major units require the best available in the trade. Catering today is related with the development of tourism industry in India and at international level. A catering contract now is not merely a service contract for an individual to serve but has become more complicated and is beyond the competence of one or two persons to manage the multifarious activities involved in maintaining services under the contract. It requires a full fledged organisation/company with individuals having competence in the diverse activities which form the catering services. There is a high level of expectations and risks are high. Hence reservation under any category is not applicable for major catering units awarded by tender system.

1.67 Further, there are no directives from Central Government about reservation, its percentage and criteria for commercial contracts and licences. Reservation up to 25% in the allotment of minor catering units at A, B and C category stations and 49.5% at D, E and F category stations and 25% reservation for allotment of bookstalls at B, C, D, E category station has been primarily done as social obligation of the Government. However, Scheduled Castes and Scheduled Tribes persons are not debarred from participating in the allotment of major catering units. They are eligible on par with other similar aspirants.

1.68 Further, after the interim order of 16.09.2009, the stay on the previous Catering Policy 2005 was vacated by Hon'ble Supreme Court and it was communicated to the Zonal Railways to implement the same. Hon'ble Supreme Court in its final judgement in SLP No. 10742-43/2007 dated 04.08.2010 has disposed of the SLPs challenging the clauses on reservation and others in the Catering Policy, as infructuous since the Railways have reviewed the policy and introduced Catering Policy 2010 dated 21.07.2010 wherein the clauses on the reservation as existed in the previous policy have been retained.

#### **Comments of the Committee**

**1.69 The Committee understand that the management of major units require managerial acumen, functional capability and catering experience as also capability to muster financial resources. The Committee, however, do not fully agree with the contention of the Ministry of Railways that providing reservation in major catering contracts will lead to compromise on some important aspects. The Committee are pained to note that the Ministry have underestimated the capability of SCs and STs whereas there is no dearth of SC/ST businessmen who may like to invest in catering services. If given an opportunity, they can achieve what others have achieved and such an efforts would definitely empower them socially as well as economically. There may be many SC/ST businessmen who are engaged in catering business, but because of lack of opportunity cannot show their competence. The time has now come that SCs and STs should not be underestimated. The Committee, therefore, reiterate that reservation should also be made in award of major catering contracts in the Indian Railways or certain quota of contracts should be earmarked exclusively for SCs and STs.**

#### **Recommendation (Sl. No. 25, Para No. 4.28)**

1.70 Similarly, in the Book Stall Policy, dated 12.10.2004, a reservation of 10% (*i.e.* 6% for SCs and 4% for STs) out of 25% has been provided in the allotment of new book

stalls at 'B' 'C' 'D' 'E' and 'F' category of stations whereas reservation has not been provided in allotment of new book stall at 'A' category stations. The Committee observe that the Book Stall Policy is not in the best of interest for SCs/STs because reservation has not been provided for them in allotment of licences for book stalls at major stations. The Committee would like to stress that SCs/STs should be given a chance to prove their mettle in this field. The committee, therefore, recommend that reservation should also be provided in allotment of book stalls at major stations. The Committee appreciate that despite that there is no constitutional provision for reservation in commercial contracts the Ministry of Railways on their own have provided certain provisions for reservation in various commercial contracts including catering and book stalls. The Committee impress upon the Government that Indian Railways being the largest employer in Government sector and taking into consideration their social responsibility towards weaker sections, the reservation should be made applicable in all commercial contracts including catering and book stalls as well as for all the categories of stations.

#### **Reply of the Government**

1.71 Book stall Policy is sub-judice in the Supreme Court and no new allotments are being made owing to this fact.

#### **Comments of the Committee**

**1.72 The Committee should be apprised of the date since when the matter is sub-judice in Supreme Court and also desire that the Ministry need to pursue the case earnestly by filing early hearing petitions in Supreme Court. The Committee should be apprised of the outcome of judgement of Supreme Court as and when delivered.**

#### **Recommendation (Sl. No. 26, Para No. 4.29)**

1.73 The Committee are saddened by the fact that Catering Policy has been stayed and the matter is in Supreme Court. The Committee appreciate that the Railways are fighting to get the stay vacated. The Committee would like to know the latest position in this regard.

#### **Reply of the Government**

1.74 After the interim order of 16.09.2009, the stay on the previous Catering Policy, 2005 was vacated by Hon'ble Supreme Court and it was communicated to the Zonal Railways to implement the same. Hon'ble Supreme Court, in its final judgement in SLP No. 10742-43/2007 dated 4.8.2010, has disposed of the SLPs challenging the clauses on reservation and others in the Catering Policy, 2005 as infructuous since the Railways have reviewed the policy and introduced Catering Policy, 2010 dated 21.7.2010 wherein the clauses on the reservation existing in the previous policy has been retained.

#### **Comments of the Committee**

**1.75 The Committee are happy to note that the stay on the Catering Policy, 2005 was vacated by Hon'ble Supreme Court and it was communicated to the Zonal Railways to implement the same. Having noted that the Ministry of Railways have reviewed their policy and introduced new Catering Policy, 2010 dated 21.7.2010 wherein the**

**clauses on the reservation existing in the previous policy has been retained, the Committee desire that the salient features of the new Catering Policy, 2010 may be furnished to them.**

#### **Socio-economic Development**

##### **Recommendation (Sl. No. 27, Para No. 4.32)**

1.76 The Committee note that there are no specified backward tribal areas in the territorial jurisdiction of South Western Railway. However, the Railways are participating in the development of backward areas and are engaged in building a Rail Transport Infrastructure by constructing new lines, conversion of meter gauge/narrow gauge lines to broad gauge to have industrial and economic development of those areas, which have potential for growth, but have not been able to develop for want of Rail Infrastructure. The Committee also note that a large number of new lines and gauge conversion projects have been taken up for the development of backward, tribal, remote hilly and other under developed areas even though these projects have not been considered justifiable on the basis of financial rate of return but taken up purely on socio-economic consideration. The Committee are of the view that keeping apart economic consideration these projects be accorded priority so that fruits of the rapid economic growth also reach the under privileged strata of the society. The Committee should be apprised of the progress of projects undertaken especially in tribal, remote hilly and backward areas.

##### **Reply of the Government**

1.77 Most of the new line projects are financially unviable and have been taken up on socio-economic consideration for development of hilly, tribal, under developed and backward areas. There are 122 new line projects in progress which have been taken up primarily on socio-economic considerations and the throw forward of new line projects as on 01.04.2010 is Rs. 59,875 crores. Earlier the funds being provided per year were of the order of about Rs. 2500 crores including National Projects. However, during 2010-11, Rs. 3757 crores has been provided through the railway budgetary support. In addition, funds are also being provided for National Projects by Ministry of Finance as an additionality.

1.78 However, the funds being provided are not even adequate to cover for escalation. Considering this, Hon'ble Minister of Railways has requested Chief Ministers of States to agree to share at least 50% of the cost of said projects. However, only a few State Governments have agreed to share the cost of projects in their State.

##### **Comments of the Committee**

**1.79 The Committee are quite concerned that on one hand the Ministry make mention of many projects taken up on socio-economic consideration for development of hilly, tribal, under developed and backward areas and on the other hand they show their helplessness to complete the projects due to insufficient fund. Resource crunch should not be the reasons for delay in infrastructure projects because these are the basic need for overall development of an area. The Committee, therefore, urge that all out efforts should be made so that those remote and under developed tribal areas can**

be connected with other parts of the country by railway network. The Committee appreciate the efforts being made by the Ministry of Railways to involve States to share the cost of such projects in their States. The Committee desire that apart from convincing the States, the Ministry should ask for funds from the Centre for completing all projects in these areas. The Committee also are of the view that Railways also explore whether local labourers available under MGNREGA can also be mobilized to work in the projects so that the cost may come down to some extent. Unless whole hearted efforts are not made by the Ministry, such projects will always remain only on papers.

## **CHAPTER II**

### **RECOMMENDATIONS/OBSERVATIONS WHICH HAVE BEEN ACCEPTED BY THE GOVERNMENT**

#### **Recommendation (Sl. No. 4, Para No. 1.22)**

2.1 The Committee further note that Liaison Officers meet with Personnel Officers at regular intervals to exchange experiences gained by them and to sort out the problems faced by them in implementing the reservation rules for SCs/STs. The Committee recommend that atleast one meeting of all the Liaison Officers should be held at Railway Board level and minutes thereof should be kept for future guidance.

#### **Reply of the Government**

2.2 The recommendation of the Committee for holding at least one Meeting of the Liaison Officers of all the Railways at Railway Board level has been noted.

#### **Recommendation (Sl. No. 5, Para No. 1.23)**

2.3 The Committee view that the Liaison Officer has been entrusted with important functions as far as the interest of SCs and STs are concerned. He is responsible for ensuring correct implementation of reservation policy in an organisation. The Committee, therefore, stress that the person to be appointed as Liaison Officer should possess sufficient experience and should be well conversant with reservation orders/rules and that he should be given training on reservation related matters. Further, the Committee would like to stress that the Liaison Officer should be allowed to function independently without any external pressure within the ambit of his jurisdiction. His views/opinions on matters like promotions/selections should not be overruled but should be taken note of and corrective action be taken. The Committee also desire that the Liaison Officers should be protected from frequent transfers and postings so as to utilize their services for a considerable period of time.

#### **Reply of the Government**

2.4 The Committee's recommendations are noted for compliance.

#### **Recommendation (Sl. No. 7, Para No. 1.29)**

2.5 The Committee view that rosters are very important documents as far as the interest and welfare of SCs/STs are concerned. In fact, the successful implementation of reservation rules entirely depends on proper maintenance of the rosters. Even slight miscalculation of roster points whether for recruitment or promotion by the official concerned may hamper employment/promotional opportunities for SCs/STs. The Committee, therefore, urge that the maintenance of rosters should not be taken casually and only such official who is well conversant with the reservation orders/rules and roster points should be entrusted with the job. It should be ensured that all necessary

information in the respective columns provided for the purpose made in the rosters are filled neatly and that no over writing is done.

**Reply of the Government**

2.6 Experienced Officials are generally entrusted with reservation matters. However, observations and recommendations of the Committee are noted.

**Recommendation (Sl. No. 9, Para No. 2.24)**

2.7 The Committee note that Direct Recruitment to posts in various Group 'A' services on Indian Railways including South Western Railway is done centrally by Railway Board through Union Public Service Commission and no direct recruitment is generally made to Group 'B' posts being a promotional grade. The recruitment to Group 'C' posts is done by Railway Recruitment Board (RRB), Bangalore. The Committee also note that recruitment in Group 'D' posts is being done at Zonal Railways by way of issuing notifications in Employment News/Newspapers etc. and inviting applications for the same and then conducting physical efficiency test and written examination. The Committee recommend that the Ministry of Railways (Railway Board) should monitor the recruitment of various Group 'D' posts being made by Zonal Railways periodically so as to ensure that sufficient number of SCs and STs are recruited. The Committee also desire that Railway Board should maintain zone-wise records in this regard.

**Reply of the Government**

2.8 Committee's recommendation has been noted.

**Comments of the Committee**

2.9 Please *see* Para No. 1.24 of Chapter I.

**Recommendation (Sl. No. 14, Para No. 2.39)**

2.10 In regard to reason for shortfall in Group D posts as on 1.1.2007, it was stated that a notification for 4701 vacancies in Group D categories including SCs/STs was issued but the recruitment could not be completed on account of local/regional protests/agitations. The Committee should be apprised whether the recruitment has now been undertaken and, if so, details of recruitments made should be furnished to them.

**Reply of the Government**

2.11 In the group 'D' recruitment, South Western Railway has notified 4701 vacancies. The group 'D' recruitment has not yet been restored after it was last stopped due to disturbances.

**Comments of the Committee**

2.12 Please *see* Para No. 1.42 of Chapter I.

**Recommendation (Sl. No. 21, Para No. 4.6)**

2.13 The Committee note that South Western Railway has a well defined procedure prescribed for the redressal of complaints/grievances of SC/ST employees. Complaint

registers are being maintained and checked during the visit of the officers from Divisions and Headquarters office and that the complaints are generally disposed of within a period of one month depending upon the nature of complaint. The Committee also note that Liaison Officer also carries out inspections in Divisions/Extra Divisional Units (EDU) to see the pending complaints/grievances. The Committee are satisfied that except 1 all complaints/grievances had been disposed of during the years 2004—2009. The Committee desire that the remaining complaint should also be disposed of expeditiously. The Committee urge South Western Railway to endeavour to redress grievances of SC/ST employees satisfactorily in future too.

#### **Reply of the Government**

2.14 South Western Railway has a well maintained procedure for attending to the complaints/grievances of SC/ST employees and for their redressal after the formation of New Zonal Railways. The pending one (1) case of complaint/grievances has also been subsequently disposed off. The Committee's recommendation for redressal of grievances of SC/ST employees satisfactorily in future also would be adhered to.

### CHAPTER III

#### RECOMMENDATIONS/OBSERVATIONS WHICH THE COMMITTEE DO NOT DESIRE TO PURSUE IN VIEW OF THE REPLIES OF THE GOVERNMENT

##### **Recommendation (Sl. No. 3, Para No. 1.21)**

3.1 The Committee note that a Reservation Cell has been set up in South Western Railway in Headquarters Office as well as on each Division to look after the interest of SC/ST employees. The total staff strength posted in the Cell at Headquarters of SW Railway is reported to be four. The Committee are of the view that the Reservation Cell should only be entrusted with the work relating to reservation matters of SCs and STs only so that the staff posted in the Cell should be able to cope up with the work assigned to them otherwise the very existence of the Cell becomes meaningless. The Committee emphasise that the workload of the Cell should be assessed periodically. The Committee also stress that staff preferably from SC/ST community should be posted after giving them proper training on reservation matters.

##### **Reply of the Government**

3.2 Care is generally taken that the workload of the staff posted in the Reservation Cell is within manageable limits and training is imparted to such staff as and when required.

##### **Comments of the Committee**

3.3. Please *see* Para No. 1.14 of Chapter I.

##### **Recommendation (Sl. No. 8, Para No. 2.10)**

3.4 The Committee note that the Ministry of Railways (Railway Board) generally follow the orders on reservation for SCs/STs issued from time to time by the Ministry of Personnel, Public Grievances and Pensions (Department of Personnel & Training). On the basis of the orders issued by the DOP&T necessary instructions are issued by the Railway Board to Zonal Railways/Production Units etc. The Committee appreciate the efforts made by the Railway Board to consolidate orders relating to reservation for SCs/STs in one Master Circular as a referral book. The Committee note that there are certain categories of posts which have been exempted from the applicability of the reservation orders as per orders of the DOP&T. In SW Railway, the number of such posts is 27 which are exempted from applicability of the reservation orders. Presently, there are only 19 posts which have been occupied, but none of them belongs to SC/ST category. The reasons for keeping the posts of Vigilance Inspector/Investigating Inspector are that these are ex-cadre posts filled up on tenure basis which do not involve promotion. The Committee are dismayed that not a single SC/ST official has been selected to the posts of Vigilance Inspector/Investigating Inspector in SW Railway. The Committee, therefore, impress upon the Government that while appointing



incumbents for these posts, SC/ST employees having the requisite qualifications should not be ignored just because there is no reservation but should be given fair opportunity to occupy such posts on ex-cadre tenure basis.

#### **Reply of the Government**

3.5 The Committee in recommendation No. 1.6 of their 39th Report has raised the similar issue which was examined in consultation with the Department of Personnel and Training. During review of exclusions, the post of Vigilance Inspector was exempted within the fold of Reservation orders. A copy of the action taken note on the issue which was sent to the Lok Sabha Secretariat is enclosed (*Appendix-B*).

3.6 Inspectors are selected after conducting the written examination followed by *viva-voce*. Fair opportunity is given to all SC/ST candidates in selection of Vigilance Inspector/Investigating Inspectors. Presently, 19 Vigilance Inspectors are working against the sanctioned post of 20 over South Western Railway. Out of these, 3 Vigilance Inspectors belong to SC/ST community.

#### **Comments of the Committee**

3.7. Please *see* Para No. 1.21 of Chapter I.

#### **Recommendation (Sl. No. 19, Para No. 3.11)**

3.8 The Committee also note that the Railways have not offered jobs under the Apprentices Act in a mandatory manner. However, the Committee are surprised to know that not a single ST person was absorbed by the Railways in the years 2007 and 2008 despite the fact that 2 and 4 ST Apprentices were imparted training in those years. The Committee would like to be apprised of the reasons in this regard. The Committee recommend that the Ministry should arrange training under the Apprentices Act in such a manner that at least all the SC and ST Apprentices thus imparted training could get absorbed in the Railways, otherwise the very purpose of such training is defeated.

#### **Reply of the Government**

3.9 Apprenticeship training programme in the industries was made statutory by the enactment of the Apprentices Act 1961. As per Apprentices Act, 1961 training is imparted with the sole objective of training adequate manpower in industrial skills to meet the demand of various industries in the country. Due reservation of SC/STs (as well as OBCs) are made while engaging Act Apprentices. However, it is not obligatory for the establishment, imparting such training to provide jobs to the Apprentices so trained in their establishment.

3.10 However, in matters of recruitment, other things being equal, preference is given to the Course Completed Act Apprentices trained in the relevant trade in Railway establishment over a candidate who is not such an Apprentice.

#### **Comments of the Committee**

3.11 Please *see* Para No. 1.61 of Chapter I.

**Recommendation (Sl. No. 20, Para No. 3.16)**

3.12 The Committee note that 6 cases of employment secured on the basis of the false caste certificates were detected, out of which 3 employees were dismissed from service but one of them has been reinstated as per the orders of Court of Law. However, other 3 cases are pending in high court apart from this, three cases had also been received from Dy. Commissioners. Out of which 2 employees have been dismissed and in respect of 1 case, fresh/final enquiry report is yet to be received from Dy. Commissioners. The Committee are distressed to note that 50 complaints are pending with Dy. Commissioner/District Collector since 2005. Another 2 complaints of false caste certificate seem to have been received in May 2009. The Committee are pained to note that no serious and concerted efforts seem to have been taken by the South Western Railway to settle all the old cases as a result of which these cases have been allowed to linger on for such a long time. The Committee are of the view that timely action to dismiss persons who had obtained employment on the basis of false caste certificates and initiation of necessary criminal proceedings against them could have avoided the present situation. The Committee, therefore, recommended that South Western Railway should write to Deputy Commissioners/District Collectors to complete the enquiries within stipulated date to settle all pending cases failing which action should be taken for initiating criminal proceedings against the persons who obtain employment on the basis of false caste certificates. The Committee should be apprised of the action taken in each of the 50 complaints as also the other complaints which are pending within three months of the presentation of this report. The Committee also recommended that necessary action should be initiated to expedite court cases pending in High Court.

**Reply of the Government**

3.13 Although 50 complaints were received, on verification of those complaints, it was found that only 18 cases were of bogus/false caste certificates. Out of these, five (5) cases have been dismissed and 13 cases are under investigation at the concerned Dy. Commissioner level. The details of these are enclosed as (*Appendix-E*).

**Comments of the Committee**

3.14 Please *see* Para No. 1.64 of Chapter I.

**Recommendation (Sl. No. 22, Para No. 4.14)**

3.15 The Committee note that during the years from 2002-03 to 2006-07, a total of 1210 persons were provided employment on compassionate grounds out of which 275 belonged to SC and 71 to ST communities. The Committee also note that during the years 2007 to 2009, till the information submitted on 29th July, 2009, 82 SC and 14 ST out of 347 persons in Group 'C' and 135 SC and 33 ST persons out of 421 in Group 'D' posts, have been employed on compassionate grounds. The Committee also note that 120 cases are pending in divisions out of which 21 cases pertain to SC and 4 cases to ST communities. However, as informed by the Ministry, 2 cases are pertaining to the year 2005, are of missing employees for which police report from widow/ward has not been received and 1 case pertaining to the year 2006 is a case of bigamy which is under

process. In regard to the year 2007, it has been informed that there were 19 cases of SCs and 3 cases of STs who were given employment on compassionate grounds. The Committee had been informed during evidence, that there is no case pending for more than 6 months. However, the Committee note that there are two cases pertaining to the year 2005 and 1 case pertaining to the year 2006. The Committee, therefore, recommend that these 3 pending cases should be settled expeditiously. The Committee appreciate the positive attitude in regard to providing employment to the wards of deceased railway employees in indigent circumstances. The Committee should be apprised of the progress of the pending cases.

**Reply of the Government**

3.16 Pending CGA cases for the year 2005 and 2006 have already been disposed of. Compassionate appointments are normally disposed of within maximum 3-4 months. However at times, longer time is taken when conflicting claims come and some other discrepancies in qualification of the candidates are noticed. There is no provision of reservation for SC/ST in compassionate appointments.

**Recommendation (Sl. No. 23, Para No. 4.19)**

3.17 The Committee note that for allotment of railway quarters in non-essential categories, the extant instructions provide reservation of 10% in Type I and II and 5% in Type III and IV in favour of SC/ST employees in all areas where the number of quarter is 50 or more. The Committee also note that out of total of 13,206 quarters, 1116 *i.e.* 8.45% have been allotted to SC/ST employees in Type I to IV. However, in Type I and II, prescribed percentage of 10% has not been achieved for which it has been informed that the variation is meagre and all Divisions/Workshops in South Western Railway have been advised to allot the quarters to SC/ST employees in order to achieve the required percentage. The Committee should be apprised of the latest position in achieving the prescribed percentage in allotment of Type I and Type II quarters to SCs and STs.

**Reply of the Government**

3.18 The latest position in the allotment of quarters to non-essential categories is detailed below:

- (a) In Type I & II 2085 quarters for SCs & 924 quarters for STs out of total 13250 quarters at 15.73% for (SC) & 6.97% for (ST) have been provided (Total 22.70%).
- (b) In Type III & IV 231 quarters for SCs & 124 quarters for STs out of total 2983 quarters at 7.74% for (SC) & 4.15% for (ST) have been provided (Total 11.90%).
- (c) Out of 16345 quarters including newly constructed 3139 quarters 20.81% have been allotted to SC/ST employees over all in Type I to V.

**Recommendation (Sl. No. 26, Para No. 4.29)**

3.19 The Committee are saddened by the fact that the Catering Policy has been stayed and the matter is in Supreme Court. The Committee appreciate that the Railways are fighting to get the stay vacated. The Committee would like to know the latest position in this regard.

### **Reply of the Government**

3.20 After the interim order of 16.09.2009, the stay on the previous Catering Policy, 2005, was vacated by Hon'ble Supreme Court and it was communicated to the Zonal Railways to implement the same. Hon'ble Supreme Court, in its final judgement in SLP No. 10742-43/2007 dated 4.8.2010, has disposed of the SLPs challenging the clauses on reservation and others in the Catering Policy, 2005 as infructuos since the Railways have reviewed the policy and introduced Catering Policy, 2010 dated 21.7.2010 wherein the clauses on the reservation existing in the previous policy has been retained.

### **Comments of the Committee**

3.21 Please *see* Para No. 1.75 of Chapter I.

### **Recommendation (Sl. No. 27, Para No. 4.32)**

3.22 The Committee note that there are no specified backward tribal areas in the territorial jurisdiction of South Western Railway. However, the Railways are participating in the development of backward areas and are engaged in building a Rail Transport Infrastructure by constructing new lines, conversion of meter gauge/narrow gauge lines to broad gauge to have industrial and economic development of those areas, which have potential for growth, but have not been able to develop for want of Rail Infrastructure. The Committee also note that a large number of new lines and gauge conversion projects have been taken up for the development of backward, tribal, remote, hilly and other under developed areas even though these projects have not been considered justifiable on the basis of financial rate of return but taken up purely on socio-economic consideration. The Committee are of the view that keeping apart economic consideration these projects be accorded priority so that fruits of the rapid economic growth also reach the under privileged strata of the society. The Committee should be apprised of the progress of projects undertaken especially in tribal, remote, hilly and backward areas.

### **Reply of the Government**

3.23 Most of the new line projects are financially unviable and have been taken up on socio-economic consideration for development of hilly, tribal, under developed and backward areas. There are 122 new line projects in progress which have been taken up primarily on socio-economic considerations and the throw forward of new line projects as on 01.04.2010 is Rs. 59,875 crores. Earlier the funds being provided per year were of the order of about Rs. 2500 crores including National Projects. However, during 2010-11, Rs. 3757 crores has been provided through the railway budgetary support. In addition, funds are also being provided for National Projects by Ministry of Finance as an additionality.

3.24 However, the funds being provided are not even adequate to cover for escalation. Considering this, Hon'ble Minister of Railways has requested Chief Ministers of States to agree to share at least 50% of the cost of said projects. However, only a few State Governments have agreed to share the cost of projects in their State.

### **Comments of the Committee**

3.25 Please *see* Para No. 1.79 of Chapter I.

## CHAPTER IV

### RECOMMENDATIONS/OBSERVATIONS IN RESPECT OF WHICH REPLIES OF THE GOVERNMENT HAVE NOT BEEN ACCEPTED BY THE COMMITTEE AND WHICH REQUIRE REITERATION

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

4.1 The Committee note that Indian Railways as a part of Central Government functions directly under the Ministry of Railways. Railway Board comprising the Chairman and 6 Members is the apex body entrusted with the management and policy making. In fact, the overall control of the Indian Railways is vested in Railway Board. The Committee note that Indian Railways is divided into zones, which are further sub-divided into divisions. Each zone and Kolkata Metro is headed by a General Manager (GM) who reports directly to Railway Board. The Committee note that there is one Member on the Board who belongs to Scheduled Caste. The Committee are of the firm view that Railways which employ a large number of people should not have any problem in having representation of at least one SC/ST Member on the Board. The Committee, therefore, recommend that with a view to safeguarding the interest and welfare of SC/ST employees and also to give confidence to all SC/ST employees of Indian Railways, the Government should ensure inclusion of at least one SC/ST Member on the Board, even if it entails amendment of the existing provisions for such appointment. The Committee should also be apprised of the existing provisions in the appointment of Chairman and Members of the Railway Board.

#### **Reply of the Government**

4.2 The posts of Members of Railway Board are of the level of Secretary to the Government of India level appointment. The appointments to the posts of Members including Member (Staff) of Railway Board, Financial Commissioner (Railways) and Chairman, Railway Board are regulated by norms and guidelines laid down for the purpose and are approved at the highest level in the Government. Caste/creed is not the criteria for such appointments.

4.3 As regards the existing provisions for appointment of Chairman/Members of Railway Board, copies of the relevant Resolutions are attached as (*Appendix- 'A'*) (1-4).

#### **Comments of the Committee**

4.4 Please see Para No. 1.8 of Chapter I.

#### **Recommendation (Sl. No. 2, Para No. 1.17)**

4.5 The Committee note that Ministry of Railways has a separate Cell to look after the interests of SC/ST employees of the Railways and to ensure proper, strict and timely implementation of the instructions issued from time to time. The Committee also note that the Executive Director Establishment (Reservation) acts as Liaison Officer in

matters relating to reservation for SCs/STs, OBCs and Minorities. It has also been stated that the Cell functions under the control of Member (Staff) who is assisted by a strength of 20 officers/staff including 6 SC and 10 ST and that two more Section Officers are being posted therein in pursuance of cadre restructuring undertaken recently. The Committee further note that close liaison and co-ordination is maintained between the Ministry and the South Western Railway in regard to implementation of Reservation Rules and procedures. The Committee, however, are surprised to note that the Cell which was earlier set up to look after the interests of SC/ST employees, has now been entrusted with reservation matters in respect of OBCs and Minorities too, which the Committee feel is simply against the spirit for which it was set up. The original idea to set up a Cell was to mainly assist the Liaison Officer appointed specifically to oversee SC/ST matters and to discharge his duties effectively. It should not, therefore, be proper to convert this Cell meant for SCs/STs as Reservation Cell for OBCs and Minorities as well. The Committee feel that the nature of problem and the basis on which reservation is being provided to SCs and STs are completely different from that of OBCs and Minorities. It is, therefore, not acceptable to the Committee that reservation matters of all the categories should be clubbed together and the Cell meant for looking after the interest of SCs/STs should be entrusted to look after reservation matters of OBCs and Minorities on grounds that all relate to reservation matters. By entrusting the extra work relating to OBCs and Minorities, the Cell would not be able to give proper attention to the interest of SC/ST employee for which it has been set up. The Committee, therefore, recommend that the workforce posted in the Cell should exclusively be engaged in work relating to the welfare and interests of SC/ST employees and that the Liaison Officer should also not to be entrusted with the work relating to OBCs and Minorities. The Committee also recommend that separate Cells for Minorities and OBCs should be set up in the Ministry of Railways so that these Cells work to ensure proper implementation of reservation policy for those categories effectively.

#### **Reply of the Government**

4.6 The recommendation of the Committee have been noted. The proposal for setting up a separate Minority Cell in the Ministry of Railways is under examination by the Administration.

#### **Comments of the Committee**

4.7 Please *see* Para No. 1.11 of Chapter I.

#### **Recommendation (Sl. No. 6, Para No. 1.28)**

4.8 The Committee note that post based rosters for both recruitment and promotion are being maintained since 1997. The Committee note that no specific reply has been given as to how often the inspection of rosters were carried out during the years 2004 to 2007. The reply furnished is that these rosters have been verified by Liaison Officer/SPO/IR at various Divisions and Workshops as per the Inspection Programme. The Committee note that some discrepancies like not maintaining separate post based rosters for direct recruitment and promotional quota, not reflecting *ad-hoc* promotions continuing more than 45 days, and the Controlling Officer not sanctioning actual vacancy and percentage of shortfall for SC, ST in the category and grade-wise were

noted during the inspection. The Committee are surprised that such serious negligence and lapses have been taken lightly by the Department. It is the duty of the Liaison Officer to bring to the notice of the Head of Department and the Ministry of Railways. In fact, appropriate action against such Controlling Officers should have been taken for such lapses and negligence. The Committee recommend that the inspection of rosters should be done at regular intervals by the Liaison Officer and any case of negligence or lapses in the matter of following the reservation and other orders relating to SCs/STs should be brought to the notice of the Ministry of Railways (Railway Board) for taking necessary action. Rosters should clearly be signed and authenticated with official stamp of the Liaison Officer concerned as a proof of having been inspected the same. The Committee also recommend that the rosters should be computerised and copies may be neatly bound and paginated. The Committee also recommend that all the staff working in the Cell should undergo training in regard to reservation and maintenance of rosters at Zonal Railway Training Institute (ZRTI) before they are posted.

#### **Reply of the Government**

4.9 The discrepancies noticed earlier have been subsequently rectified. In most of the cases, where inspections have been carried out, it is observed that separate Roster Registers for Recruitment and Promotion are maintained. Roster Registers are regularly inspected by the concerned authorities of Division, Zonal Headquarters. Rosters which have been inspected have been signed and authenticated by the authorities with official stamps. However, wherever the shortcomings have been noticed they have been instructed to follow the proper forms of inspections. Follow up inspection are carried out to see the result. The concerned authorities have been told time and again to give sufficient training to the dealing hands to maintain Roster Registers properly. The Railways have been asked to maintain latest format of the Roster Registers, which most of the Railways are carrying out.

#### **Comments of the Committee**

4.10 Please *see* Para No. 1.17 of Chapter I.

#### **Recommendation (Sl. No. 10, Para No. 2.25)**

4.11 The Committee note that the present system of recruitment against various Group 'C' and 'D' posts is an open competition for which advertisements are given in leading Newspapers and Employment News. Employment Exchanges, therefore, do not seem to play any role in this process. The Committee feel that even after having a well placed method of recruitment adopted by the Ministry of Railways and South Western Railway, the desired results especially in the matter of recruitment of sufficient number of SCs/STs in Group 'C' and 'D' posts have not been achieved. The Committee are of the firm view that since recruitment of Group 'C' and 'D' posts is an open competition, every effort should be made to give wide publicity to such posts in areas predominantly inhabited by SC/ST population. However, no examination centre has been set up in such areas. It may be true for South Western Railway not to have tribal concentrated areas in their zone, but that does not mean that other zones do not have tribal concentrated areas. The Committee, therefore, strongly recommend that necessary

examination centres be set up in such areas particularly in all the capitals of North East States and also tribal concentrated areas in different Divisions/Zones of Railways on rotational basis so that candidates from these areas do not have to travel long distances to appear for recruitment examinations.

#### **Reply of the Government**

4.12 Indian Railways is an organization having all India character. There are 21 Railway Recruitment Boards (RRBs) and 16 Railway Recruitment Cells (RRCs) located across the country for recruitment of Group 'C' and Group 'D' employees respectively. Examination centres for conducting RRB examinations are kept not only in the Divisional Railway Headquarters but also in other cities/towns/district headquarters based on the requirement and the number of candidates appearing in the examinations. So far as Special Recruitment Drive for SC/ST candidates is concerned, all these candidates are issued free railway pass. Moreover, the RRBs freely accept the applications from the candidates all over the country in response to their advertisements and do not make any discrimination on the basis of State/Region or Area.

#### **Comments of the Committee**

4.13 Please *see* Para No. 1.27 of Chapter I.

#### **Recommendation (Sl. No. 11, Para No. 2.26)**

4.14 The Committee note that various concessions/relaxations are allowed to SCs and STs at the time of recruitment. The Committee desire that Railway authorities should increase the number of attempts for SC/ST candidates who fail in the initial training course.

#### **Reply of the Government**

4.15 The Ministry of Railways are providing concessions/relaxations to the directly recruited SC and ST candidates during their initial training. Such trainees are given 2nd chance with stipend/pay and the third chance without stipend or any other remuneration as per the Ministry of Railways letter No. E(MPP) 2000/3/10, dated 10.08.2000 (Copy enclosed *Appendix-C*).

#### **Comments of the Committee**

4.16 Please *see* Para No. 1.30 of Chapter I.

#### **Recommendation (Sl. No. 12, Para No. 2.27)**

4.17 The Committee are dismayed to note that in respect of recruitment made during the years from 2004-2007, the vacancies reserved for SCs/STs in Group 'C' and 'D' remained unfilled resulting in carrying forward of the posts to next recruitment year. In respect of recruitment made during the years 2008 and 2009 (till the information was furnished), barring the SC posts in Group 'D', the problem of carrying forward of SC and ST posts persisted. The Committee find it difficult to accept the fact that there was no eligible candidates available for SC/ST posts. The Committee would like to point out that there is large number of educated unemployed SC/ST candidates in the country. Therefore, it is not correct to say that no eligible candidates are available for



Group 'C' and 'D' posts from the SC/ST category. Had the South Western Railway/ RRB made any effort to have those SC/ST posts publicized widely in the SC/ST inhabited areas, the Committee strongly feel that if not all but most of those posts would have been filled up. The Committee note that a large number of Group 'C' and 'D' posts have not been filled up and are allowed to accumulate over the years. It is matter of great concern that the vacancies of 61 SCs and 73 STs in Group 'C' and 121 STs in Group 'D' during the year 2009 are still to be filled up and no serious effort seems to have been made for clearance of vacancies reserved for SCs/STs. The Committee are not happy with this trend of carrying forward of vacancies year after year which is against the interest of SCs and STs. The Committee desire that this trend should be stopped immediately at all costs so that interest of SCs/STs are well protected. The Committee therefore, impress upon the Ministry of Railways (Railway Board) to make credible and concerted efforts so that vacancies reserved for SCs/STs are not carried forward from one recruitment year to another but filled up during every recruitment year. The Committee strongly recommend that all unfilled Group 'C' and 'D' posts reserved for SCs and STs should be filled up at the earliest by publicizing those reserved posts widely in SC/ST inhabited areas.

#### **Reply of the Government**

4.18 Filling up of vacancies is a continuous process. The process for direct recruitment of candidates in Group 'C' is at different stages in various Railway Recruitment Boards. To give better representation to the candidates of SCs and STs and get adequate SC & ST candidates through RRB examinations, the minimum pass marks percentage in the RRB written examinations for Group 'C' categories is as follows:—

UR	—	40%
SC & OBC	—	30%
ST	—	25%

4.19 It is also submitted that the vacancies are given wide publicity including publication in the Employment News, leading national and local dailies etc. Railway Recruitment Boards have already advertised Centralised Employment Notification for various Group 'C' category vacancies on Indian Railways including South Western Railway. Details containing category-wise vacancies notified in Centralized Employment Notifications reserved for SC and ST candidates for South Western Railway is attached as *Appendix-D*.

4.20 As far as recruitment of Group 'D' staff on South Western Railway is concerned, it is informed that recruitment exercise initiated in July, 2007 for intake of staff from open market could not be completed owing to agitation from local political groups demanding for limiting the scope of recruitment to these categories to local unemployed youths only coupled with the fact that 6th Central Pay Commission (CPC) has upgraded all Group 'D' categories to Group 'C' alongwith the incumbents (after suitable re-training, wherever required) with no further recruitment taking place in any of the existing Group 'D' posts. The minimum grade in which all future recruitments would take place will be the PB-1 (Group 'C') Pay Band of Rs. 5200-20200 with the grade pay of Rs. 1800. The recruitment in this grade will be from amongst candidates possessing

minimum qualifications of either 10th or ITI or equivalent. Issue of enhancement of qualification is under consideration.

#### Comments of the Committee

4.21 Please *see* Para No. 1.35 of Chapter I.

#### Recommendation (Sl. No. 13, Para No. 2.38)

4.22 The Committee note that as on 1.1.2007, there was shortfall of SC and ST employees in Group 'C' and Group 'D' excluding Safaiwala and Group 'D' Safaiwala posts. According to the information submitted recently, the shortfall of SC and ST still persists as on 1.1.2009. The Committee also observe that data in respect of Group 'D' staff for the year 2008 and 2009 does not have separate information for Group 'D' excluding Safaiwala and Group 'D' Safaiwala. The Committee should be apprised as to why no separate data for Group 'D' posts has been maintained.

#### Reply of the Government

4.23 Consolidated details are furnished as under:—

Category of posts	Total No. of employees in position	Number of		Percentage of total		No. of Shortfalls		Percentage of Shortfall	
		SC	ST	SC	ST	SC	ST	SC	ST
1	2	3	4	5	6	7	8	9	10
<b>1.1.2008</b>									
Group A	228	49	22	21.49	9.64				
Group B	196	34	32	17.34	16.32				
Group C	24970	4311	1730	17.26	6.92	254	371	1.01	1.48
Group D	8757	1636	464	18.68	5.29	277	285	3.16	3.25
Group D Safaiwala	572	311	19	54.37	3.32	—	24	—	4.18
<b>1.1.2009</b>									
Group A	235	45	31	19.14	13.19				
Group B	218	44	39	20.18	17.88				
Group C	24827	4080	1714	16.13	6.90	355	372	1.42	1.49
Group D	8893	1824	896	20.51	10.07	258	308	2.90	3.46
Group D Safaiwala	579	348	39	60.10	6.73	—	4	—	0.77

#### Comments of the Committee

4.24 Please *see* Para No. 1.39 of Chapter I.

**Recommendation (Sl. No. 15, Para No. 2.40)**

4.25 The Committee note that there is still shortfall of SCs and STs in technical and non-technical categories of posts both in recruitment and promotional posts. The Committee are distressed by the reply that there is no adequate response to most of the categories of posts especially technical, diploma, graduate and para-medical categories from ST candidates whereas there is generally no difficulty in getting adequate SC/ST candidates for non-technical popular categories. The Committee are of the strong view that there should not be any dearth of eligible SC/ST candidates for Group 'C' and 'D' posts especially in ST dominated areas like North East States where many educated unemployed STs are clamouring for an opportunity to get jobs in Railways. Moreover, for technical diploma, graduate and para-medical categories, the Railway should have contacted campuses of professional/technical colleges/institutes which have come up in towns and cities all over the country. The Committee, however, note that on Indian Railways the system for campus recruitment does not exist. Had the Indian Railways been a little innovative and had gone to the professional/technical colleges/institutes for campus recruitment, the Committee feel that most of the posts in regard to technical, diploma graduate and para-medical categories for ST candidates would not have remained vacant. The Committee urge the Ministry to move with time and bring about change in their recruitment system. The Committee, therefore, recommend that Indian Railways should recruit the SC/ST candidates from the professional colleges/Institutes for technical and para-medical jobs if they do not receive adequate response and the posts reserved for them remain vacant.

**Reply of the Government**

4.26 Recruitment on Indian Railways for Group 'C' and Group 'D' posts is a continuous process. With the recent changes in methodology of recruitment of Group 'C' posts, vacancies including those reserved for SCs/STs are notified throughout India through Centralized Employment Notification by one nodal RRB. Examination for a particular post is held simultaneously by all the participating RRBs. A candidate is free to apply to any RRB of his choice. For the present, Centralized Notifications have already been issued for the vacancies including vacancies for Para-medical categories. All the laid down provisions in respect of SC/ST candidates are complied while undertaking such recruitments.

4.27 There is an established procedure for recruitment on Indian Railways. The system for campus recruitment does not exist on Indian Railways.

**Comments of the Committee**

4.28 Please see Para No. 1.46 of Chapter I.

**Recommendation (Sl. No. 16, Para No. 2.41)**

4.29 The Committee also note that South Western Railway also took several measures to wipe out shortfall of SCs and STs. A panel from another Railway Recruitment Board was utilized to fulfil the quota for SC communities; screening of substitutes has been organised which make good the shortfall of SC/ST to some extent; wide publicity was given to recruitment notices in other regions of the country

with greater population of STs. The Committee should be apprised as to the details of advertisements for recruitment that have been published in tribal dominated areas. It has also been stated that a special recruitment drive was undertaken to make good the shortfall of vacancies in 2004 by which as many as 225 (SC-113 and ST-112) backlog vacancies were identified and fully wiped out. During evidence, Chairman, Railway Board had also mentioned that out of 9,366 vacancies which existed as on 31.3.2004, 9276 vacancies were already filled up through Special Recruitment Drives and that only 90 vacancies in Group 'C' *i.e.* 31 of SCs and 59 of STs remained to be filled up. The Committee also note that in pursuance of Ministry of Personnel, Public Grievances and Pensions (Department of Personnel and Training) OM No. F. No. 36038/1/2008-Estt.(Res.) dated 19th November, 2008 a total of 255 vacancies of SCs in (Group C & D) and 203 vacancies of STs in (Group C & D) have been identified as on 01.11.2008 for conducting Special Recruitment Drives. The Committee should be apprised whether all the 90 (31 SC and 59 ST) posts in group 'C' posts have since been filled up as also the status of the identified posts *i.e.* 255 SC and 203 ST posts in Group 'C' and Group 'D' posts as on 1.11.2008.

#### Reply of the Government

4.30 The backlog reserved vacancies of 31 SCs and 59 STs in the Special Recruitment Drive, 2004 have since been filled up. The progress of filling up of backlog reserved vacancies, identified as on 01.11.2008, for SCs/STs in direct recruitment quota as on 31.03.2010 is as under:—

#### Direct Recruitment Quota

Group	No. of Backlog reserved vacancies as on 01.11.2008		No. of backlog reserved vacancies filled during the drive		No. of backlog reserved vacancies remaining unfilled	
	SC	ST	SC	ST	SC	ST
C	82	63	74	24	8	39
D	173	140	66	13	107	127
Total	255	203	140	37	115	166

#### Comments of the Committee

4.31 Please *see* Para No. 1.49 of Chapter I.

#### Recommendation (Sl. No 18, Para No. 3.10)

4.32 The Committee note that there is no scheme for giving pre-recruitment training for SC/ST candidates by South Western Railway. The Committee, however, are pleased to note that there is pre-promotional training scheme for SC/ST employees who are coming up for promotion to higher grade particularly in safety categories and few other non-safety categories. In-service training is being imparted to SC/ST employees for their promotion to higher grade in non-safety categories when they are found

below the required standard. To qualify for promotion to posts in safety categories, it is stated that arrangements are made to give them suitable pre-selection coaching without fail. The Committee are of the considered view that while many public sector undertakings including Banks are providing pre-recruitment training for SCs and STs as a part of recruitment process, the Railways being the largest employer can also provide such training to SC and ST candidates especially in categories where availability of suitable SC/ST candidates are not adequate. By providing pre-recruitment training more SC/ST candidates can be helped to qualify in the selection process. The Committee, therefore, recommend that the Ministry of Railways (Railway Board) should take the initiative and provide pre-recruitment training to SC/ST candidates as being done in case of promotion. The Committee should be apprised of the action taken in this regard.

#### **Reply of the Government**

4.33 The above recommendation of the Hon'ble Committee has been duly examined and it is stated that Ministry of Railways is not in a position to provide pre-recruitment training to any section of candidates including Scheduled Castes/Scheduled Tribes because the number of applicants in reference to recruitment notices normally may run into crores every year. However, there is a Central Sector Scheme (namely coaching and allied assistance) of free coaching provided/imparted by Ministry of Social Justice and Empowerment with a view to ensure effective implementation and monitoring of Government Programmes and assist the students belonging to weaker sections including Scheduled Castes, Scheduled Tribes and Other Backward Classes in a better manner.

#### **Comments of the Committee**

4.34 Please see Para No. 1.57 of Chapter I.

#### **Recommendation (Sl. No. 24, Para No. 4.27)**

4.35 The Committee note that Catering Policy — 2005 provides reservation of 49.5% for various categories in small catering units at 'D', 'E' and 'F' category stations, the break up of reservation is 12% for SCs, 8% for STs, 20% for OBCs and 9.5% for Minorities. The Committee also note that a reservation of 10% (6% for SCs and 4% for STs) out of 25% in award of small units at 'A', 'B', and 'C' category stations has been provided. However, the same has not been provided in award of licences in major units. The Committee opine that if reservation is provided in award of major catering contracts, many SC/ST aspirants/entrepreneurs would be willing to make investments. The Committee, therefore, recommend that reservation should be made in award of major catering contracts in the Indian Railways or certain quota of contracts should be earmarked exclusively for SCs/STs.

#### **Reply of the Government**

4.36 The Committee on various occasions have raised the issue that reservation be executed for management of major catering and bookstalls to Scheduled Castes and Scheduled Tribes. The position has already been explained through various action taken notes submitted to the Committee. It is once again reiterated that as a policy,

Ministry of Railways have taken a stand that there will be no reservation in allotment of licences for major catering units and bookstalls. Management of major units requires a lot of managerial acumen, functional capabilities and catering experience and capability to muster resources including financial resources and such management of catering services are required to cater to large scale operation in order to meet the aspiration and requirements of the travelling public. Major units require the best available in the trade. Catering today is related with the development of tourism industry in India and at international level. A catering contract now is not merely a service contract for an individual to serve but has become more complicated and is beyond the competence of one or two persons to manage the multifarious activities involved in maintaining services under the contract. It requires a full-fledged organisation/company with individuals having competence in the diverse activities which form the catering services. There is a high level of expectations and risks are high. Hence reservation under any category is not applicable for major catering units awarded by tender system.

4.37 Further, there are no directives from Central Government about reservation, its percentage and criteria for commercial contracts and licences. Reservation up to 25% in the allotment of minor catering units at A,B and C category stations and 49.5% at D, E and F category stations and 25% reservation for allotment of bookstalls at B,C,D,E category stations has been primarily done as social obligation of the Government. However, Scheduled Castes and Scheduled Tribes persons are not debarred from participating in the allotment of major catering units. They are eligible on par with other similar aspirants.

4.38 Further, after the interim order of 16.09.2009, the stay on the previous Catering Policy 2005 was vacated by Hon'ble Supreme Court and it was communicated to the Zonal Railways to implement the same. Hon'ble Supreme Court in its final judgement in SLP No. 10742-43/2007 dated 04.08.2010 has disposed of the SLPs challenging the clauses on reservation and others in the Catering Policy, as infructuous since the Railways have reviewed the policy and introduced Catering Policy 2010 dated 21.07.2010 wherein the clauses on the reservation as existed in the previous policy have been retained.

#### **Comments of the Committee**

4.39 Please *see* Para No. 1.69 of Chapter I.

## CHAPTER V

### RECOMMENDATIONS/OBSERVATIONS IN RESPECT OF WHICH FINAL REPLIES OF THE GOVERNMENT HAVE NOT BEEN RECEIVED.

#### Recommendation (Sl. No. 17, Para No. 2.52)

5.1 The Committee note that there was shortfall of Scheduled Castes in Group 'B', STs in Group 'C' and 'D' in South Western Railway in the year 2007. The reasons for shortfall of SC employees in Group 'B' posts is that most of SC employees were empanelled and promoted against unreserved posts, as they had come up on their own merit. No reason has been mentioned in respect of shortfall of ST in Group 'C' and 'D' posts. The Committee note that shortfall of SC and ST still persists in Group 'C' and 'D' posts in South Western Railway in the year 2009. The Committee recommend that further relaxation in the length of service may be granted to SC/ST employees if otherwise they are fit for promotion. During evidence, it has also been stated that out of 33,062 identified vacancies, 27,404 vacancies were filled up and 5,658 vacancies could not be filled up due to non-availability of eligible candidates in feeder cadre, court cases and smaller cadre. In case of South Western Railway there is shortfall of 279 SC and ST posts *i.e.* 196 in Group 'C' and 83 in Group 'D' posts. The Committee note that promotional posts are also not filled up due to the court cases and small cadre. It is desired that shortfall in all the categories of posts should be wiped out by giving relaxation in the eligible criteria, by expediting action to dispose of all pending court cases at the earliest and by converting the promotional posts, wherever permissible, to direct recruitment posts. The Committee should be apprised of the action taken within three months of the presentation of the report to the Parliament. The Committee would also like to know the fate of all the vacancies identified by the Ministry as on 01.11.2008 under the Special Promotional Drive for Scheduled Castes and Schedule Tribes.

#### Reply of the Government

5.2 The shortfall in Group 'C' and 'D' posts have since been filled up. The progress of Special Promotional Drive launched for filling up of backlog reserved vacancies for SCs/STs in promotional quota is as under:

#### *Promotional Quota*

Group	No. of Backlog reserved vacancies as on 01.11.2008		No. of backlog reserved vacancies filled during the drive		No. of backlog reserved vacancies remaining unfilled	
	SC	ST	SC	ST	SC	ST
C	278	323	103	108	175	215
D	83	164	5	0	78	164
Total	361	487	108	108	253	379

5.3 Regarding conversion of Promotional posts to Direct Recruitment posts, it is stated that wherever direct recruitment is admissible, posts are converted from promotional posts to direct recruitment for wiping out the shortfall, if required, and there is no candidate available in near future.

**Comments of the Committee**

5.4 Please *see* Para No. 1.54 of Chapter I.

**Recommendation (Sl. No. 25, Para No. 4.28)**

5.5 Similarly, in the Book Stall Policy, dated 12.10.2004, a reservation of 10% (*i.e.* 6% for SCs and 4% for STs) out of 25% has been provided in the allotment of new book stalls at 'B' 'C' 'D' 'E' and 'F' category of stations whereas reservation has not been provided in allotment of new book stall 'A' category stations. The Committee observe that the Book Stall Policy is not in the best of interest for SCs/STs because reservation has not been provided for them in allotment of licences for book stalls at major stations. The Committee would like to stress that SCs/STs should be given a chance to prove their mettle in this field. The Committee, therefore, recommend that reservation should also be provided in allotment of book stalls at major stations. The Committee appreciate that despite that there is no constitutional provision for reservation in commercial contracts the Ministry of Railways on their own have provided certain provisions for reservation in various commercial contracts including catering and book stalls. The Committee impress upon the Government that Indian Railways being the largest employer in Government sector and taking into consideration their social responsibility towards weaker sections, the reservation should be made applicable in all commercial contracts including catering and book stalls as well as for all the categories of stations.

**Reply of the Government**

5.6 Book Stall Policy is *sub-judice* in the Supreme Court and no new allotments are being made owing to this fact.

**Comments of the Committee**

5.7 Please *see* Para No. 1.72 of Chapter I.

NEW DELHI;  
September, 2011  
Bhadrapada, 1933 (Saka)

BIREN SINGH ENGTI,  
Chairman,  
Committee on the Welfare  
of Scheduled Castes and  
Scheduled Tribes.



**APPENDIX A-1**  
**MINISTRY OF RAILWAYS**  
**(Railway Board)**  
**RESOLUTION**

New Delhi, the 16th February, 1987

**Subject:** *Tenure linked norms for filling up of the posts of Members of the Railway Board, Financial Commissioner, Railways, and Chairman, Railway Board.*

No. ERB-1/87/11/1:—The Government of India have reviewed the policy of appointment to the posts of Members, Railway Board & *ex-officio* Secretaries to Government of India, Financial Commissioner, Railways & *ex-officio* Secretary to Government of India and Chairman, Railway Board & *ex-officio*, Principal Secretary to Government of India, from the point of view of avoiding unduly short tenures and thus in the interest of smooth and efficient running of the Railway system. The Government have, accordingly, decided that the following tenure linked norms may be followed while filling up these posts:—

- (i) Officers to be considered for the posts of members of the Railway Board (including Financial Commissioner, Railways) (a) should normally have a balance tenure of service of two years or more from the date of occurrence of the vacancy; and (b) should normally have worked for a period of one year in the grade preceding that of Member, Railway Board/Financial Commissioner, Railways.

Note: In the context of the above, the preceding grade for Members of the Railway Board (other than Financial Commissioner, Railways) would be that of General Manager (Open Line) on the Railways and for the post of Financial Commissioner, Railways, the preceding grade would be the post of Adviser (Finance) Railway Board, in grade Rs. 3,000 per month (fixed) or any other post, in the Government of India at this level or higher.

- (ii) The Officers to be considered for the post of Chairman, Railway Board, should normally have a minimum tenure of two years as Member, Railway Board, and/or Chairman, Railway Board, including at least one year as Chairman, Railway Board.

2. These norms will be observed in relation to vacancies of Members of Railway Board, Financial Commissioner, Railways, and Chairman, Railway Board arising from 1-4-1987 onwards and will be taken into account with immediate effect while considering the candidates for filling up the relevant lower posts.

ORDER: Ordered that a copy of the Resolution be circulated. Ordered also that the Resolution be published in the Gazette of India for general information.

PRAKASH NARAIN,  
Chairman,  
Railway Board & *Ex-officio* Principal Secretary.

**APPENDIX A-2**

GOVERNMENT OF INDIA (Bharat Sarkar)  
MINISTRY OF RAILWAYS (Rail Mantralaya)  
(Railway Board)

No. ERB-I/2003/1/2

New Delhi

Dt. 05.04.2006

**RESOLUTION**

**Subject:** *Tenure linked norms for filling up of the posts of Members of the Railway Board, Financial Commissioner, Railways and Chairman, Railway Board.*

In the tenure linked Norms for filling up the posts of Members of Railway Board, Financial Commissioner, Railways and Chairman, Railway Board, Notified *vide* Ministry of Railways (Railway Board) Resolution No. ERB-I/87/11/1 dated February 16, 1987, in the note below Sub-Para (i), *inter alia*, the preceding grade of Financial Commissioner, Railways has been indicated as that of Advisor (Finance), Railway Board in Grade Rs. 3,000 per month (fixed) or any other post in Government of India of this level or higher level. Government of India have decided to amend this norm for selection for the post of Financial Commissioner, Railways. Accordingly, the Note below Sub-Para (i) of resolution No. ERB-I/87/11/1 dated February 16, 1987 is amended as indicated in the Annexure with immediate effect.

ORDER: Ordered that a copy of the resolution be circulated. Ordered also that the resolution be published in the Gazette of India for General Information.

Sd/-  
M.K. AGARWAL  
Secretary,  
Railway Board.

The Manager,  
Government of India Press,  
Mayapuri, Ring Road,  
New Delhi.

(TO BE PUBLISHED IN THE GAZETTE OF INDIA,  
EXTRAORDINARY, PART-I, SECTION-I)

*ANNEXURE*

TENURE LINKED NORMS FOR FILLING UP OF THE POSTS OF MEMBERS OF  
RAILWAY BOARD, FINANCIAL COMMISSIONER, RAILWAYS AND  
CHAIRMAN, RAILWAY BOARD—ANNEXURE REFERRED TO IN  
MINISTRY OF RAILWAYS (RAILWAY BOARD) RESOLUTION  
NO. ERB-I/2003/1/2 DATED 05.04.2006.

**Amendment**

The Note below Sub-Para (i) in Resolution No. ERB-I/87/11/1 dated February 16, 1987 will be substituted as under:—

“In the context of the above, the preceding grade for Members of the Railway Board (Other than Financial Commissioner, Railways) would be that of General Manager (Open Line) on the Railways and for the post of Financial Commissioner, Railways, the preceding grade would be the post of Additional Member, Railway Board in the grade Rs. 24,050-26,000/- or equivalent from amongst the Indian Railway Accounts Service (IRAS) Officers only.”

### APPENDIX A-3

भारत सरकार (GOVERNMENT OF INDIA)  
रेल मंत्रालय (MINISTRY OF RAILWAYS)  
रेलवे बोर्ड (RAILWAY BOARD)

No. ERB-I/2003/1/2/80/1. रेल भवन, नई दिल्ली, 110 001 तिथि 04-06-2007.  
*Rail Bhawan, New Delhi, 110 001, dated 04-06-2007.*

### RESOLUTION

**Subject:** *Tenure linked norms for filling up of the posts of Members of the Railway Board.*

The Government of India have considered the matter of framing the guidelines for relaxation of tenure linked norms for appointment to the post of members of the Railway Board and have decided to add the guidelines, as indicated in the Annexure, as Note-2 below the existing Note under Sub-Para (i) of Ministry of Railways (Railway Board) Resolution No. ERB-I/87/11/1, dated 16.02.1987 as amended *vide* Resolution No. ERB-I/2003/1/2, dated 5.4.2006.

ORDER : Ordered that a copy of the resolution be circulated. Ordered also that the resolution be published in the Gazette of India for General Information.

Sd/-  
MATHEW JOHN  
Secretary,  
Railway Board.

The Manager,  
Government of India Press,  
Mayapuri, Ring Road,  
New Delhi.

(TO BE PUBLISHED IN THE GAZETTE OF INDIA  
EXTRAORDINARY, PART-I, SECTION-I)

ANNEXURE

TENURE LINKED NORMS FOR FILLING UP OF THE POSTS OF MEMBERS OF  
RAILWAY BOARD, FINANCIAL COMMISSIONER, RAILWAYS AND  
CHAIRMAN, RAILWAY BOARD—ANNEXURE REFERRED TO IN  
MINISTRY OF RAILWAYS (RAILWAY BOARD) RESOLUTION  
NO. ERB-I/2003/1/2, DATED 04/06/2007

The following will be added as Note 2 below the Note under sub-para (i) of Resolution No. ERB-I/87/11/1 dated February 16, 1987 as amended *vide* Resolution No. ERB-I/2003/1/2 dated 5.4.2006:—

Note 2

- (i) Tenure Linked Norms may be followed, wherever suitable Officers fulfilling the twin norms as available.
- (ii) Where relaxation of norms is involved, senior most General Manager (Open Line) with reasonably long tenure subject to a minimum of one year on the date of occurrence of the vacancy may be considered for appointment to the post of member.

Copy to:

1. Appoints Committee of the Cabinet, Department of Personnel and Training, Office of the Establishment Officer (*w.r.t.* letter No. 23 (73) EO/05 (Acc.), dated 08.03.2006).
2. The Secretary, Union Public Service Commission, Dholapur House, New Delhi (With three spare copies).
3. The Lok Sabha Secretariat, New Delhi (With 4 spare copies).
4. The Rajay Sabha Secretariat, New Delhi (With 4 spare copies).
5. The Ministry of Law & Justice (Legislative Department), New Delhi.
6. (i) The General Managers, All Indian Railways, CLW, DLW, ICF, RWF, RCF, CORE.  
(ii) The General Manager, Metro Railway, 3A, Jawaharlal Nehru Road, Calcutta-700071.  
(iii) CAO, DMW, COFMOW.  
(iv) The Director General, RDSO, Lucknow.  
(v) The Director General, Railway Staff College, Vadodara.  
(vi) The Director, Indian Railway Institute of Civil Engineering, Pune.  
(vii) The Director, Indian Railway Institute of Signal Engg. and Telecommunication, Secunderabad.  
(viii) The Director, Indian Railway Institute of Mechanical and Electrical Engineering, Jamalpur-011214 (Bihar).

(Railways, Production Units, Railway Institutes are requested that the Resolution be circulated among the members of various Group 'A' Railway Services.)

7. OSD/MR, PS/MR, PS/MSR(N), PS/MSR(V), EDPG/MSR(N), JDPG/MR.
8. Sr. PPSs./PPs/PSs to CRB, FC, MT, ML, Ns, MM, ME, DG/RPF, DG/RHS, Secy., All AMs/Advisers, All Executive Directors, JS, JS(G), JS(E&P), Dir. (Estt.), Dir./E(GC), DS(C)/CRB, DS(G), US(C), US (Protocol), US(A), Railway Board.
9. E(O), I, II, III, E (GC), Library, PAO, Cash-I, ERB-II, ERB-III, F(E), F(E) II, F(E) III, FE(Spl.), G.G.(Acc.) Parliament Branches, Railway Board.

#### APPENDIX A-4

भारत सरकार (GOVERNMENT OF INDIA)  
रेल मंत्रालय (MINISTRY OF RAILWAYS)  
रेलवे बोर्ड (RAILWAY BOARD)

No. ERB-I/2003/1/2 रेल भवन, नई दिल्ली, 110 001 तिथि 07-08-2007.  
Rail Bhawan, New Delhi, 110 001, dated 07-08-2007.

#### RESOLUTION

**Subject:** — *Tenure linked norms for filling up of the posts of Members of the Railway Board, Financial Commissioner, Railways and Chairman, Railway Board.*

The Tenure Linked Norms for filling up the posts of Members of Railway Board, Financial Commissioner, Railways and Chairman, Railway Board have been notified *vide* Ministry of Railways (Railway Board) Resolution No. ERB-I/87/11/1 dated February 16, 1987 as amended *vide* Board's Resolutions No. REB-I/2003/1/2 dated 5.4.2006 and dated 4.6.2007. In the amendment carried out in the Tenure Linked Norms for filling up the post of Financial Commissioner/Railways *vide* Board's Resolution No. ERB-I/2003/1/2 dated 5.4.2006, the preceding grade for the post of Financial Commissioner, Railways has been indicated as that of Additional Member, Railway Board in the grade of Rs. 24,050-26000 or equivalent from amongst Indian Railway Accounts Service (IRAS) Officers only. Government of India have decided to amend this norm for selection for the post of Financial Commissioner, Railways. Accordingly, Note, below Sub-Para (i) of Resolution No. ERB- I/87/1/1 dated February 16, 1987 as amended *vide* Board's Resolution No. ERB-I/2003/1/2 dated 5.4.2006 is amended as indicated in the Annexure with immediate effect.

ORDER: Ordered that a copy of the resolution be circulated. Ordered also that the resolution be published in the Gazette of India for General Information.

Sd/-  
MATHEW JOHN  
Secretary,  
Railway Board.

The Manager,  
Government of India Press,  
Mayapuri, Ring Road,  
New Delhi.

(TO BE PUBLISHED IN THE GAZETTE OF INDIA,  
EXTRA ORDINARY, PART-I, SECTION-I)

ANNEXURE

TENURE LINKED NORMS FOR FILLING UP OF THE POSTS OF MEMBERS OF  
THE RAILWAY BOARD, FINANCIAL COMMISSIONER, RAILWAYS AND  
CHAIRMAN, RAILWAY BOARD—ANNEXURE REFERRED TO IN  
MINISTRY OF RAILWAYS (RAILWAY BOARD) RESOLUTION  
NO. ERB-I/2003/1/2/DATED 7.8.2007

**Amendment**

The Note Below Sub-para (i) in Resolution No. ERB-I/87/11/1 dated February 16, 1987 as amended *vide* Board's resolution No. ERB-I/2003/1/2 dated 5.4.2006 will be substituted as under:

“In the context of the above, the preceding grade for Members of the Railway Board (other than Financial Commissioner, Railways) would be that of General Manager (Open Line) on the Railways and for the post of Financial Commissioner, Railways, the preceding grade would be General Manager belonging to IRAS cadre.”

Copy to:

1. Appoints Committee of the Cabinet, Department of Personnel and Training, Office of the Establishment Officer (w.r.t. letter No. 23 (73) EO/2006 (Acc.), dated 26.7.2007.
2. The Secretary, Union Public Service Commission, Dholapur House, New Delhi (With three spare copies).
3. The Lok Sabha Secretariat, New Delhi (With 4 spare copies).
4. The Rajya Sabha Secretariat, New Delhi (With 4 spare copies).
5. The Ministry of Law & Justice (Legislative Department), New Delhi.
6. (i) The General Managers, All Indian Railways, CLW, DLW, ICF, RWF, RCF, CORE.  
(ii) The General Manager, Metro Railways, 3A, Jawaharlal Nehru Road, Calcutta-700071.  
(iii) CAO, DMW, COFMOW.  
(iv) The Director General, RDSO, Lucknow.  
(v) The Director General, Railway Staff College, Vadodara.  
(vi) The Director, Indian Railway Institute of Civil Engineering, Pune.  
(vii) The Director, Indian Railway Institute of Signal Engg. and Telecommunication, Secunderabad.  
(viii) The Director, Indian Railway Institute of Mechanical and Electrical Engineering, Jamalpur-011214 (Bihar).

(Railways, Production Units, Railway Institute are requested that the Resolution be circulated among the members of various Group 'A' Railway Services).



7. OSD/MR, PS/MR, PS/MSR(N), PS/MSR(V), EDPG/MSR(N), JDPG/MR.
8. Sr. PPSs/PPSs/PSs to CRB, FC, MT, ML, Ns, MM, ME, DG/RPF, DG/RHS, Secy., All AMs/Advisers, All Executive Directors, JS, JS (G), JS (E&P), Dir. (Estt.), Dir./E (GC), DS(C)/CRB, DS (G), US (C), US (Protocol), US (A), Railway Board.
9. E (O) I, II, III, E (GC), Library, PAO, Cash-I, ERB-II, ERB-III, F (E), F (E) II, F (E) III, FE (Spl.) G, G (Acc.) Parliament Branches, Railway Board.

## **APPENDIX B**

### **STATEMENT SHOWING THE ACTION TAKEN ON THE RECOMMENDATIONS/ CONCLUSIONS CONTAINED IN THE THIRTY-NINTH REPORT OF 12TH L.S. OF THE COMMITTEE ON THE WELFARE OF SCHEDULED CASTES AND SCHEDULED TRIBES ON THE MINISTRY OF RAILWAYS (RAILWAY BOARD)**

#### **Recommendation (Sl. No. 1) Para No. 1.6**

The Committee recommend that the Ministry of Railways should review in consultation with the Department of Personnel and Training, its policy of keeping a number of posts outside the purview of reservation orders and apprise the Committee of the difficulties/constraints, if any, faced in bringing each of the aforesaid exempted posts within the fold of Reservation Orders.

#### **Reply of Government**

The Recommendation has been considered in detail and following exclusions were reviewed:—

- (i) Vacancies filled by transfer.
- (ii) Vacancies filled by promotion in grades or posts in which the element of direct recruitment, if any, exceeds 75%.
- (iii) Temporary appointments of less than 45 days duration.
- (iv) Those work charged posts which are required for emergencies, like floods relief work, accident restoration and relief etc.
- (v) Appointment of Casual labour/Substitutes.
- (vi) Promotions against leave vacancies of less than 45 days.
- (vii) Posts filled by deputation.
- (viii) Posts filled by up in Production Control Organisation by drafting staff from the shop floor on ex-cadre tenure basis without involving promotions. However, when the ex-cadre tenure posts are filled up involving promotions, reservation rules will apply.
- (ix) Posts of Vigilance Inspector.
- (x) In the scheme of upgradation where all the posts in a category are upgraded.
- (xi) Posts of Instructors in training schools filled by drafting employees from other departments on tenure basis.

2. Exclusions listed at Sl. Nos. (i) to (vii) above are as per general policy of the Department of Personnel and Training and exclusions at Sl. No. (viii) is provided on the consideration that these posts are filled up on deputation basis and does not involve promotion. The exclusion at Sl. No. (ix) for the post of Vigilance Inspector is specifically provided on the consideration that incumbents of posts are required to investigate/assist in investigations. Therefore, they may be selected on the criteria of

integrity/efficiency and posts are kept outside the scope of reservation. Exclusion at Sl. No. (x) above is provided on the consideration that in mass upgradation all including SCs/STs get benefited *suo-motto*. The exclusion at Sl. No. (xi) above is provided on the consideration that these posts are filled up on tenure basis.

3. These inclusions have a very negligible impact on promotional prospects of SC/ST employees because these are very small and insignificant in number.

**APPENDIX C**

GOVERNMENT OF INDIA  
MINISTRY OF RAILWAYS  
(Railway Board)

RBE. No. 96/2000

No: E (MPP) 2000/3/10

New Delhi, dated 10.08.2000

The General Manager/OSDs,  
All India Railways/Pus.  
Metro Railway Calcutta.  
RE/Allhabad.

The Director General,  
RDSO, Lucknow.  
CAO/COFMOW

**Subject:—***Training of Apprentices/Trainees-Repeat Course*

In partial modification of Boards letter No. EN (NG) 58/RCT/150, dated 21.11.1961 on subject mentioned above, it has been decided that,

- (a) The Trainees/Apprentices, other than those covered under the Apprentices Act, 1961 may be given one repeat course or 2nd chance without any stipend or any other remuneration.
- (b) The Trainees/Apprentices, other than those covered under the Apprentices Act, 1961 belonging to OBC categories may be given one repeat course or 2nd chance without any stipend or any other remuneration.
- (c) The Trainees/Apprentices, other than those covered under the Apprentices Act, 1961 belonging to SC/ST categories may be given 2nd chance with stipend/pay and the third chance, without stipend or any other remuneration.

2. The above orders would cover the directly recruited, Intermediate Apprentices/ LDCE and GDCE candidates.

Sd/-  
R. MUKUNDAN  
Director (Training)  
Railway Board

No. E (MPP) 2000/3/10

New Delhi, dated 10.08.2000

1. The General Secretary, NFIR 3 Chelmsford Road, New Delhi for information with 35 spares.

2. The General Secretary, AIRF, 4 State Entry Road, New Delhi for information with 35 spares.
3. The Secretary General, FROA, R. No. 256-A, Rail Bhawan, New Delhi for information with 20 spares.
4. The Secretary General, IRPOF, R. No. 268-A, Rail Bhawan, New Delhi for information with 20 spares.
5. All members, Departmental Council and National Council and Secretary Staff side Natinoal Council, 13/C Ferozeshah Road, New Delhi (90 spares).

For Secretary Railway Board

Copy to:

PPS/AM (Staff), OSD (NS), ADV (IR)  
EDE (N) ED (T&MPP), EDE (RES.),  
DDE (LR)  
E (NG) I. E (NG) II, E (SCT) I.E (G)  
CAO/COFMOW

## APPENDIX D

### CATEGORY-WISE VACANCIES RESERVED FOR SC & ST CANDIDATES NOTIFIED IN CENTRALISED EMPLOYMENT NOTIFICATION FOR SOUTH WESTERN RAILWAY

Name of the Category	CEN No.	Date of Publication	No. of Vacancies	
			SC	ST
AIP	01/2010	30.01.2010	148	68
NTPC Graduate Cat.	02/2010	13.02.2010	12	06
ASM	03/2010	20.02.2010	36	18
NTPC Under-Graduate Cat.	04/2010	27.02.2010	40	17
SEs/JEs/DMS	05/2010	06.03.2010	36	26
Para-medical Categories	06/2010	13.03.2010	05	02
Safety Categories (Tech-CMA, RDSO)	07/2010	27.03.2010	01	01
<b>TOTAL</b>			<b>278</b>	<b>138</b>

**APPENDIX E**

**NAME OF THE MINISTRY/DEPARTMENT: MINISTRY OF RAILWAY—SOUTH WESTERN RAILWAY HQ/HUBLI INFORMATION  
ABOUT APPOINTMENT MADE ON THE BASIS OF FALSE/FAKE CASTE CERTIFICATES**

Sl. No.	Name of the Officer/Employee alleged to have been appointed on the basis of false/fake caste certificate	Name & full address of the Organization in which appointed	Whether the Organization/ Ministry/Department/ Subordinate Office/ Public Sector Undertaking/ autonomous body or other	The post to which originally appointed and the date of such appointment	The post held at present	Whether the case relates to SC or ST or OBC category	Authority to whom issued the certificate or which is claimed to have issued the certificate	Action taken including the latest position of the case.
1	2	3	4	5	6	7	8	9
1.	Shri O. Rajappa S/o Obalappa	Commercial Deptt./S.Rly. MAS/Divn.	S.W. Railway	Ticket Collector Appointed on 03.01.1981	Area Officer/ SBC	ST	Tahasildar, Challakere Tq. Chitradurga Dist. Karnataka	Case referred to Dy. Dist. Commissioner/CTA
2.	Shri O. Rajappa S/o Obalappa	Comml.Deptt./S.W. Railway SBC/Divn. S.W. Rly.	S.W. Railway	Ticket Collector Appointed on 26.05.1983	Chief Travelling Ticket Inspector/ SBC Division	ST	Tahasildar, Challakere Tq. Chitradurga Dist. Karnataka	Case referred to Dy. Dist. Commissioner/CTA
3.	Shri B.B. Meti	DRM Office Engg., Deptt. SW Rly Hubli Division	S.W. Railway	Gangman appointed on 8.2.1985	Loco Pilot, Goods Dr-II/Hubli	ST	Dy. Commissioner/ Bijapur & Dy. Commissioner, Gadag (Karnataka)	Dismissed from service.
4.	Shri Jitendra Kumar Samal	DRM Office, Mech. Deptt. SW Rly. Hubli Division	S.W. Railway	Loco Pilot 9.6.2004	Sr. Loco Pilot, CLR	ST	Dy. Commissioner/ Hindool (Orissa)	Dismissed from service.

1	2	3	4	5	6	7	8	9
5.	Shri M. Y. Sunagar	DRM Office, Elect. Deptt., SW Rly.	S.W. Railway	Khalasi, Appointed on 22.06.1988	Tech.III/Elect. BJP	ST	Dy. Commissioner/ Bagalkot (Karnataka)	Dismissed from service.
6.	Shri Y. N. Sunagar	DRM Office, Elect. Deptt., SW Rly., Hubli Division	S.W. Railway	Khalasi, Appointed on 27.06.1988	Tech.I/Elect. Gadag	ST	Dy. Commissioner/ Bagalkot (Karnataka)	Dismissed from service.
7.	Shri Chandrasekhar Y. Ramodagi	DRM Office, Mech. Deptt., SW Rly, Hubli Divn.	S. W. Railway	C&W Khalasi Appointed on 05.01.1985	Tech. I/C & W Hubli	ST	Dy. Commissioner/ Dharwad (Karnataka)	Caste under process/verification.
8.	Shri Suresh Basappa, Koli	DRM Office, Elect. Deptt., SW Rly., Hubli Divn.	S. W. Railway	Jr. Clerk Appointed on 01.05.1991	OS. II/ Elect. Hubli	ST	Dy. Commissioner/ Dharwad (Karnataka)	Caste under process/verification.
9.	Shri Subhaschandra D. Sunagar	DRM Office, Elect. Deptt., SW Rly., Hubli Divn.	S. W. Railway	Gangman Appointed on 05.09.1979	Gangmate/ Hospet Branch Line Hubli	ST	Dy. Commissioner/ Bagalkot (Karnataka)	Case is pending with DC/ Bagalkot.
10.	Shri Ravindranath H.D. Sunagar	DRM Office, Engg.. Deptt., SW Rly., Hubli Divn.	S. W. Railway	Gangman Appointed on 05.09.1979	Jr. Track Man Hospet Branch Line Hubli	ST	Dy. Commissioner/ Bagalkot (Karnataka)	Case is pending with DC/ Bagalkot.
11.	Shri R.C. Ambigar	DRM Office, Elect. Deptt., SW Rly., Hubli Divn.	S. W. Railway	Khalasi Appointed on 27.06.1988	Tech.I/ Elect. Hubli	ST	Dy. Commissioner/ Bagalkot (Karnataka)	Dismissed on 25.01. 2005 & Reinstated by Court order and the case is pending with DC/Bagalkot.
12.	Shri Vishnu Laxman Telgar	DRM Office, Engg. Deptt., SW Rly., Hubli Divn.	S. W. Railway	Gangman Appointed on 25.03.1996	Kh. Helper TMO Hubli	ST	Dy. Commissioner/ Dharwad, (Karnataka)	The Director & Appellate Authority Scheduled Tribe Welfare Deptt., Bangalore has disposed off the



13.	Shri Venu Telgar	DRM Office, Genl. Admn. Deptt., SW RLY., Hubli Divn.	S. W. Railway	Gangman Appointed on 08.02.1985	Jr. Clerk/ Hospet	ST	Dy. Commissioner/ Dharwad, (Karnataka)	appeal duly giving direction to DSWO/DWR to re-examine the caste certificate and take appropriate action in the light of the documents produced.  The Director and Appellate Authority Scheduled Tribe Welfare Deptt., Bangalore has disposed off the appeal duly giving direction to DSWO/DWR to re-examine the caste certificate and take appropriate action in the light of the documents produced.
14.	Shri Mohan Telgar	DRM Office, S&T Deptt., SW RLY., Hubli Divn.	S. W. Railway	Khalasi Appointed on 01.03.2002	Kh. Helper DWR	ST	Dy. Commissioner/ Dharwad, (Karnataka)	The Director and Appellate Authority Scheduled Tribe Welfare Deptt., Bangalore has disposed off the appeal duly giving direction to DSWO/DWR to re-examine the caste certificate and take appropriate action in the light of the documents produced.
15.	Shri Basappa, C. Kattapur	DRM Office, Engg. Deptt., SW RLY., Hubli Divn.	S. W. Railway	Gangman Appointed on 01.03.2002	P. Man 'A'/ LHN	ST	Dy. Commissioner/ Dharwad, (Karnataka)	(1). Enquiry final reported from Sr. DOM (2). Review application has been filed by administration praying to review the order passed by the Hon'ble Tribunal in O.A. No. 105/2009

1	2	3	4	5	6	7	8	9
16.	Shri B.S. Shashidhar	DRM Office, Engg. Deptt., SW RLY., Hubli Divn.	S. W. Railway	IOW-Gr. III Appointed on 26.09.1995	SE/W SDGM/O/H Hubli	ST	Dy. Commissioner/ Bangalore (Karnataka)	Case is pending with DC/ Bangalore
17.	Shri Praveen Banavath	DRM Office, Optg. Deptt., SW RLY., Hubli Divn.	S. W. Railway	Yard Porter Appointed on 01.11.1989, 08.02.1985	SM-II/ VYS/HPT	ST	District Commissioner & Magistrate, Karnool (AP)	Case is pending with DC & M/Karnool (AP)
18.	Shri Lingdaur Rajasekhar	Carriage & Wagon Depot/ Mech. Deptt./ TPTY/GTL Divn. of S.C. Rly.	S. W. Railway	C&W Khalasi Appointed on 09.12.2005	Jr. Clerk/GS D-Hubli	ST	Tahasildar, Gulbarga Distt. (Karnataka)	(1) Tahasildar, Gulbarga has stated that caste certificate to the employee has not been issued. (2) Dy. CMM/GSD/UBL has written a letter to CPO/UBL for further course of action. (3) CPO advised to Dy. CMM/GSD to send Personnel file of the employee for verification. (4) Dy. CMM/GSD/UBL has called for the Personnel file of the employee from Sr. DPO/GTL is not yet received.

**APPENDIX F**

(*Vide* Para 2 of Introduction)

**MINUTES**

COMMITTEE ON THE WELFARE OF SCHEDULED CASTES AND SCHEDULED  
TRIBES

(2011-2012)

(FIFTEENTH LOK SABHA)

**Sixth Sitting**

(07.07.2011)

The Committee sat from 1430 hrs. to 1530 hrs. in Committee Room "B", Parliament House Annexe, New Delhi.

PRESENT

Shri Gobinda Chandra Naskar — *Chairman*

MEMBERS

*Lok Sabha*

2. Shri Bhudeo Choudhary
3. Smt. Santosh Chowdhary
4. Smt. Jyoti Dhurve
5. Shri Virendra Kumar
6. Shri Bharat Ram Meghwal
7. Shri Ashok Kumar Rawat
8. Shri Bajju Ban Riyan
9. Smt. Sushila Saroj
10. Shri Hamdullah Sayeed
11. Dr. Kirit Premjibhai Solanki
12. Shri Lalit Mohan Suklabaidya

*Rajya Sabha*

13. Shri Silvius Condpan
14. Shri Lalhming Liana
15. Dr. Bhalchandra Mungekar
16. Shri K.B. Shanappa
17. Shri Veer Singh
18. Miss Anusuiya Uikey
19. Shri Veer Pal Singh Yadav

## SECRETARIAT

1. Dr. R.K. Chadha — *Joint Secretary*
2. Ms. J.C. Namchyo — *Director*
3. Shri Hoti Lal — *Addl. Director*

At the outset, the Chairman welcomed the Members of the Committee. The Committee then considered the draft report on Action taken by the Government on the recommendations contained in the Sixth Report (Fifteenth Lok Sabha) on the Ministry of Railways (Railway Board) regarding “Reservation for and Employment of Scheduled Castes and Scheduled Tribes in South Western Railway (SWR)” and adopted the same with some modifications.

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

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

## APPENDIX G

(Vide Para 4 of Introduction)

### ANALYSIS OF ACTION TAKEN BY THE GOVERNMENT ON THE RECOMMENDATIONS CONTAINED IN THE SIXTH REPORT (15TH LOK SABHA) OF THE COMMITTEE ON THE WELFARE OF SCHEDULED CASTES AND SCHEDULED TRIBES

1. Total number of recommendations	27
2. Recommendations/observations which have been accepted by the Government ( <i>vide</i> recommendations at Sl. Nos. 4, 5, 7, 9, 14 and 21)	
Number	6
Percentage to the total	22.22%
3. Recommendations/observations which the Committee do not desire to pursue in view of the Government replies ( <i>vide</i> recommendations at Sl. Nos. 3, 8, 19, 20, 22, 23, 26 and 27)	
Number	8
Percentage to the total	29.63%
4. Recommendations/observations in respect of which replies of the Government have not been accepted by the Committee and which require reiteration ( <i>vide</i> recommendations at Sl. Nos. 1, 2, 6, 10, 11, 12, 13, 15, 16, 18 and 24)	
Number	11
Percentage to the total	40.74%
5. Recommendations/observations in respect of which final replies of the Government have not been received ( <i>vide</i> recommendations at Sl. Nos. 17 and 25)	
Number	2
Percentage	7.41%

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