

**COMMITTEE ON THE WELFARE OF
SCHEDULED CASTES AND
SCHEDULED TRIBES
(2012-2013)**

(FIFTEENTH LOK SABHA)

TWENTY FOURTH REPORT

ON

MINISTRY OF FINANCE (DEPARTMENT OF REVENUE)

"Reservation for and employment of Scheduled Castes and Scheduled Tribes in Central Board of Direct Taxes (CBDT)"

Presented to Lok Sabha on 26.11.2012

Laid in Rajya Sabha on 26.11.2012



**LOK SABHA SECRETARIAT
NEW DELHI**

26 November , 2012 /5 Agrahayana, 1934(Saka)

CONTENTS

Page No.

COMPOSITION OF THE COMMITTEE.....	(iii)
INTRODUCTION.....	(V)
CHAPTER I	
A. Background.....	1
B. Organisational Set-up.....	1
CHAPTER II - RESERVATION IN SERVICES	
A. Reservation and Recruitment Procedure.....	4
B. Reservation in promotion.....	8
C. Relaxations/Concessions.....	10
D. Recruitment Board/Departmental Promotion Committee.....	12
E. Staff Strength and Backlog.....	13
F. Rosters.....	16
CHAPTER III- MEASURES TO IMPROVE THE REPRESENTATION OF SCs/STs IN SERVICES	
A. SC/ST Cell & Liaison Officer in CBDT.....	19
B. Special Recruitment Drive.....	21
C. Grievances/Complaint.....	26
D. Deputation.....	28
E. Training.....	29
CHAPTER IV - MISCELLANEOUS	
A. Appointment on the basis of false caste certificate.....	34
B. Appointment on Compassionate Grounds.....	37
C. Housing facilities.....	40
D. SC/ST Welfare Associations.....	44

APPENDICES

APPENDIX - A	Year-wise Details of Recruitment made during 2008 to 2011(2008)....	47
APPENDIX - B	Year-wise Details of Recruitment made during 2008 to 2011(2009)....	48
APPENDIX - C	Year-wise Details of Recruitment made during 2008 to 2011(2010)....	49
APPENDIX - D	Year-wise Details of Recruitment made during 2008 to 2011(2011)....	50
APPENDIX - E	Year-wise Details of Promotion made during 2008 to 2011(2008).....	51
APPENDIX - F	Year-wise Details of Promotion made during 2008 to 2011(2009).....	52
APPENDIX - G	Year-wise Details of Promotion made during 2008 to 2011(2010).....	53
APPENDIX - H	Year-wise Details of Promotion made during 2008 to 2011(2011).....	54
APPENDIX - I	Note regarding promotion of SC/ST officials who cleared departmental qualifying examination with grace marks.....	55
APPENDIX - J	Group-wise/ Charge-wise Strength as on 1-1-2011(Group A&B).....	58
APPENDIX - K	Group-wise/ Charge-wise Strength as on 1-1-2011(Group C).....	59
APPENDIX - L	Group-wise/ Charge-wise Strength as on 1-1-2011(Group D).....	60
APPENDIX - M	A statement showing the post-wise details of backlog vacancies existing in SC/ST categories.....	61
APPENDIX - N	Statement showing details of SC/ST cells set up in CBDT.....	62
APPENDIX - O	A statement showing the details of the work responsibilities entrusted to the Liason Officers working in different Charges/Directorates apart from work relating to SC/St employees.....	69
APPENDIX - P	A statement showing the mechanism for the redressal of grievances/complaint of SC/ST employees.....	71
APPENDIX - Q	Details of disposal of 10 grievance applications received.....	77
APPENDIX - R	Details of false caste certificates at CCIT (CCA) Bhopal.....	80
APPENDIX - S	Details of false caste certificates at CCIT (CCA) Delhi.....	83
APPENDIX - T	Details of false caste certificates at CCIT (CCA) Hyderabad.....	84
APPENDIX - U	Details of false caste certificates at CCIT (CCA) Chennai.....	87
APPENDIX - V	Minutes of the sitting of the Committee held on 24.04.2012.....	89
APPENDIX - W	Minutes of the sitting of the Committee held on 26.09.2012	91
APPENDIX - X	Summary of Conclusions/Recommendations contained in the Report.....	94

COMPOSITION OF THE COMMITTEE ON THE WELFARE OF SCHEDULED CASTES AND SCHEDULED TRIBES (2012-2013)

Shri Gobinda Chandra Naskar - Chairman

MEMBERS - LOK SABHA

2. Shri M. Anandan
3. Shri Bhudeo Choudhary
4. Smt. Santosh Chowdhary
5. Smt. Jyoti Dhurve
6. Shri Premchand Guddu
7. Smt. Paramjit Kaur Gulshan
8. Dr. M. Jagannath
9. Shri Mohan Jena
10. Shri Mohinder Singh Kaypee
11. Shri Mithilesh Kumar
12. Shri Arjun Ram Meghwal
13. Shri Bharat Ram Meghwal
14. Shri Ashok Kumar Rawat
15. Shri Bajju Ban Riyan
16. Smt. Rajesh Nandi Singh
17. Dr. Kirit Premjibhai Solanki
18. Shri Lalit Mohan Suklabaidya
19. Shri Bhausahab Rajaram Wakchaure
20. Vacant*

MEMBERS - RAJYA SABHA

21. Shri Thaawar Chand Gehlot
22. Shri Rishang Keishing
22. Shri Faggan Singh Kulaste
24. Shri Lalhming Liana
25. Dr. Bhalchandra Mungekar
26. Shri D. Raja
27. Shri Nand Kumar Sai
28. Shri Ishwar Singh
29. Shri Veer Singh
30. Shri A.V. Swamy

*Vacant due to appointment of Shri Porika Balram Naik, As MoS vide Cabinet Secretariat order No. 1/34/1/2012, dated 28.10.2012

SECRETARIAT

- | | | | |
|----|--------------------|---|----------------------|
| 1. | Dr. R.K. Chadha | - | Additional Secretary |
| 2. | Shri Hardev Singh | - | Director |
| 3. | Shri S. Chatterjee | - | Additional Director |
| 4. | Ms. Pooja Kirthwal | - | Committee Assistant |

INTRODUCTION

I, the Chairman, Committee on the Welfare of Scheduled Castes and Scheduled Tribes having been authorised by the Committee to finalise and submit the Report on their behalf, present this Twenty Fourth Report (Fifteenth Lok Sabha) on the Ministry of Finance (Department of Revenue) on the subject "Reservation for and employment of Scheduled Castes and Scheduled Tribes in Central Board of Direct Taxes (CBDT)".

2. The Committee took evidence of representatives of the Ministry of Finance (Department of Revenue). The Committee wish to express their thanks to the officers of the Ministry of Finance for placing before the Committee the material and information the Committee required in connection with the examination of the subject.

3. The Report was considered and adopted by the Committee on 26 September, 2012.

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

New Delhi;
26 November, 2012
5 Agrahayana, 1934 (Saka)

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

CHAPTER I

A. Background

1.1 The Central Board of Revenue as the apex body of the Department of Revenue, entrusted with the administration of taxes, came into existence as a result of the Central Board of Revenue Act, 1924. Initially the Board was in charge of both direct and indirect taxes. However, when the administration of taxes became too unwieldy for one Board to handle, the Board was split into two, namely the Central Board of Direct Taxes (CBDT) and the Central Board of Excise and Customs (CBEC) with effect from 1.1.1964. This bifurcation was brought about by constitution of two Boards under Section 3 of the Central Board of Revenue Act, 1963.

1.2 The CBDT is a statutory authority functioning under the Central Board of Revenue Act, 1963. The officials of the Board in their ex-officio capacity also function as a Division of the Ministry dealing with matters relating to levy and collection of direct taxes.

B. Organisational Set-up

1.3 The CBDT consists of a Chairman and six Members, namely, Member (Income-tax), Member (Legislation & Computerisation), Member (Personnel & Vigilance), Member (Investigation), Member (Revenue) and Member (Audit & Judicial).

1.4 The posts of the Members and the Chairman of the CBDT are ex-cadre posts. Selection to these posts is made in accordance with the Central Board of Direct Taxes (Chairman & Members) Recruitment Rules, 2006 as amended on 24.12.2008 and 22.07.2011 and the guidelines are approved by the Prime Minister.

1.5 As per the records available in the Revenue (Hqrs.), no member from the SC/ST community has been appointed as Chairman/ Member of the CBDT since 1987. Information prior to 1987 is not available.

1.6 During the evidence, when asked whether there are any suitable SC/ST candidates who can be on the Board of Directors, the Chairman, CBDT replied:-

“Sir, it is the Central Board and it is not Board of Directors but it is one and the same thing. This selection is made by the Appointments Committee of the Cabinet and we ourselves were selected by them. We will find it really difficult to reply on that. We have written to the Department of Revenue which processes the selection of the members including the Chairman.”

1.7 When enquired about the appointing authority involved in the appointment on the Board of Directors, the Ministry in their post evidence reply stated that in so far as the Chairman and the Members of the CBDT were concerned, the selection for the posts is made by the Selection Committee under the Chairmanship of Cabinet Secretary, Principal Secretary to the Prime Minister, Home Secretary, Secretary (Personnel), Department of Personnel and Training and Secretary, Department of Revenue being the Members. The President of India is the appointing authority.

1.8 It was also stated that candidates of the SC/ST community could not be appointed as Chairman/Member of the CBDT either due to non-availability of eligible officers or that the available applicants were not meeting the comparative merit criteria.

1.9 The Committee are appalled to note that no officer hailing from SC/ST community has been appointed as Chairman or Member of the Board since 1987. Also information prior to 1987 is not available. No representation of SC/ST in the apex body of Income Tax department is of grave concern. The Committee note that for the past 25 years no member from SC/ST community has ever occupied the post of Chairman/Member of CBDT. The Committee vehemently quash the lame excuse of the Government that this scenario is a result of either non availability of eligible officers or that the available applicants do not meet comparative merit criteria. The Committee are of the view that the relevant Act for appointment of Chairman/Members of CBDT should be suitably amended to provide reservation to SCs/STs on the Board of Directors. Also relaxations/concessions should be provided to SC/ST candidates eligible for such

positions. The Committee would like to be apprised of the reply of the Department of Revenue in the matter of selection of Members of Board of Directors of CBDT. The Committee strongly express their displeasure in the matter that the SCs/STs are being deprived of occupying higher posts in the CBDT. The Committee would like to assert that necessary steps should be taken by the Government in this regard for revising the procedure of selection for the posts of Chairman/Member in CBDT for candidates belonging to SC/ST category.

CHAPTER II

RESERVATION IN SERVICES

A. Reservation and Recruitment Procedure

2.1 The Committee have been informed that the percentage of reservation followed in CBDT in favour of SCs and STs for posts filled by direct recruitment is 15% in favour of SCs and for STs, it is 7.5%.

2.2 It has also been informed that the posts filled by direct recruitment for various categories are as under:

Group 'A'

Indian Revenue Services (IRS):

Assistant Commissioner of Income Tax (ACIT)

Electronic Data Processing (EDP):

Assistant Director (Systems)

Others Cadres :

Income Tax Inspector, Tax Assistant and Stenographers Gr. II, Notice Server, Multitasking Staff, Data Processing Assistants Grade 'A' and 'B', Junior Hindi Translator, Staff Car Driver (OG);

2.3 Likewise posts filled by promotion for various categories are as under:

Group 'A':

Indian Revenue Services (IRS):

Chief Commissioner of Income Tax(CCIT), Commissioner of Income Tax(CIT), Additional Commissioner of Income Tax(Addl.CIT), Joint Commissioner of Income Tax(JCIT), Deputy Commissioner of Income Tax(DCIT) and Assistant Commissioner of Income Tax (ACIT).

Electronic Data Processing (EDP):

Joint Director (Systems), Deputy Director (Systems), Assistant Director (Systems),

Official Language (OL) posts:

Director (OL), Deputy Director (OL), Assistant Director (OL)

Others :

Income Tax Officer, Income Tax Inspector, Office Superintendent, Senior Tax Assistant, Tax Assistant, Notice Server, Administrative officers Grade I, II and III, Principal Private Secretary/ Private Secretary, Stenographer Grade I, Data Processing Assistant Grade-'B', Staff Car Driver Grade-I, II and Special Grade, Senior Hindi Translator;

2.4 The Committee have also been informed that recruitment in Group 'A' and other technical posts is made through the Union Public Service Commission and in other posts it is through the Staff Selection Commission.

2.5 In a written reply, the Ministry have furnished statements showing the year- wise recruitment made for various categories of staff of CBDT during the years 2008, 2009, 2010 and 2011 in group A B C and D posts as given in **Appendix-A to D**.

2.6 The Committee pointed out that there existed backlog in SC/ST vacancies in certain regional offices like that of Chennai, Mumbai, Delhi, Chandigarh, Hyderabad among others and enquired the reasons therefor.

2.7 In their post evidence reply, the Ministry informed that the backlog in SC/ST vacancies existed mainly because of inadequate nominations, particularly in the cadre of stenographer from the Staff Selection Commission, non-joining of a large number of the nominated candidates and resigning from the posts by the candidates after appointment is given. It was further stated that the shortfall/ backlog vacancies were being intimated to the Staff Selection Commission regularly.

During evidence, Member (Personnel and Vigilance) CBDT stated that:-

“In most of the other cadres we have filled up the backlog, except in the cadre of the stenographers. This is basically because we are not in a position to recruit them. Our recruitment is done by the Staff Selection Commission. In 2008 we had asked the Staff Selection Commission for 1611 stenographers which also included the backlog. But

they could give us only four. We now, after a lot of correspondence etc., and have requested Chairman, SSC that if we agree to lower the benchmark, then will they be in a position to give us the candidates in the stenographers' cadre. He has said that we may give them the vacancy of all the regional centres and in the event of the benchmark being lowered, they have promised to give us the number of stenographers that are lying vacant. It is only in the cadre of the stenographers that we have not been able to recruit. There is no other backlog. We have stopped recruiting in the Group D cadre."

2.8 In a written questionnaire, the Ministry were asked to state the reasons for these posts lying vacant and the strategy chalked out to fill the backlog posts. In their post evidence replies, the Ministry stated that most of the posts in the Income Tax Department were in Group 'C'. Further it was stated that the erstwhile Group 'D' post had also been redesignated as Multi-Tasking Staff and placed in Group 'C' and that is why major backlog vacancies existed in Group 'C' posts. The Ministry also stated that the shortfall/backlog of vacancies had been reported to the Staff Selection Commission, who had nominated a large number of candidates for various posts and their recruitment at regional/ field level is under process.

2.9 During evidence, CBDT stated that the multitasking services were filled through outsourcing. The Committee urged CBDT to sensitize the contractor that he must give priority to the Scheduled Castes and Scheduled Tribes while outsourcing for multitasking services, to which the Chairman, CBDT assured that "We will take into consideration the sensitisation."

2.10 The Committee are aghast to note that massive shortfall exists in both the direct recruitment and the promotion categories. It has been stated that the shortfall in direct recruitment majorly resulted from non-joining of a large number of nominated candidates and resigning from the posts by the candidates after appointment. The Committee note that the said backlog is primarily restricted to stenographer cadre in direct recruitment. The Committee recommends that the said shortfall should be cleared on priority basis and directs the Ministry to continually pursue the matter with Staff Selection Commission (SSC). CBDT in conjunction with the SSC should devise a detailed plan to overcome such shortfall. Firstly, SSC should be requested to maintain

a wait list of candidates which should be made operative in case of non-joining/resignation of the selected candidates since the fresh recruitments would be a time consuming task. The Committee also take note of the fact that Group 'D' posts have been redesignated as multitasking services and placed in Group 'C'. CBDT have further informed that their requirements for multitasking services are met through outsourcing. The Committee would thus like to recommend that outsourcing should be made in such a manner that adequate number of SC/ST candidates are engaged for multi-tasking services.

B. Reservation in promotion

2.11 It has been informed that the CBDT follows the provisions of the Recruitment Rules for the respective posts and also the instructions of DoP&T (Govt. of India) issued from time to time.

2.12 In a written reply, the Committee have been informed about the number of persons promoted during the years, 2008, 2009, 2010 and 2011 in various categories of posts and the number of percentage of SC/ST employees as per **Appendix-E to H**.

2.13 It has also been stated that the shortfall in promotion is mainly due to the reason that eligible officials were not available in feeder cadres. When asked whether pre-promotion training is given to SC/ST employees, it was stated that training was imparted to the officials belonging to SC/ST category, who were taking up departmental examination for promotion, viz. Ministerial Staff Examination, Income Tax Inspectors Examination, Income Tax Officers Examination.

2.14 In their post evidence reply, the Ministry stated that the training was imparted usually before the Departmental Examinations. The year wise details from 2008 to 2011 of the number of SC/ST officials who had qualified the examination and were promoted after undergoing such training is shown in the statement below:

Sl. No.	Charge/ Directorate	2008				2009				2010				2011			
		Qualified the Exam.		Promoted		Qualified the Exam.		Promoted		Qualified the Exam.		Promoted		Qualified the Exam.		Promoted	
		SC	ST	SC	ST	SC	ST	SC	ST	SC	ST	SC	ST	SC	ST	SC	ST
1.	Ahmedabad	65	25	50	12	69	20	21	7	113	34	31	8	86	21	52	13
2.	Bangalore	29	6	12	11	63	22	22	5	34	14	20	5	17	8	6	5
3.	Bhubaneswar	12		4		12		0		9		5		12		2	
4.	Bhopal	17	11	38	16	36	16	37	16	24	5	18	13	20	5	24	1
5.	Kolkata	128	28	23	7	105	21	83	19	108	27	58	13	61	12	6	1
6.	Chandigarh	No such data is maintained															
7.	Chennai	35	11	35	11	23	3	23	3	24	1	24	1	61	4	61	4
8.	Kochi	11		3		14		4		19		2		8		12	
9.	Delhi	70	5	25	9	110	18	31	4	61	19	44	7	77	22	130	3
10.	Guwahati	0	1	0	0	0	0	0	0	2	0	0	0	1	0	0	0
11.	Hyderabad	13	5	23	9	51	27	16	4	26	12	10	8	31	16	37	1
12.	Jaipur	65		15		71		19		30		21		39		8	
13.	Kanpur	1		1		1		1		0		0		2		1	
14.	Lucknow	6	2	0	0	29	6	1	0	16	5	7	2	9	0	13	2
15.	Mumbai	39	20	39	20	127	33	127	33	80	37	80	37	51	16	51	1
16.	Nagpur	8	4	1	1	14	16	4	3	10	4	3	2	8	3	0	0
17.	Patna	21	18	8	3	16	12	11	7	14	11	5	3	16	7	12	6
18.	Pune	20		20		15		15		13		4		13		7	
19.	DG (Inv.)	There is no departmental examination in these Directorates.															
20.	DG (Sys.)																
21.	DIT (PRPP&OL)																
22.	DIT(ITA)																
23.	DOMS																
24.	DG (NADT)																

2.15 The Committee are constrained to note that the Ministry is putting forward lame excuses as non-availability of eligible officers in feeder cadre for shortfall in promotion. The nonchalant attitude of the Ministry is evident from the fact that despite conducting departmental examination meant for promotion to the post of Income Tax Inspector and Income Tax Officers, shortfall in promotion still persists. It is evident that every year a good number of SC/ST candidates qualify the examination for promotion but only handful are promoted. This clearly exhibits the incoherent nature of the reply of

the Ministry. The Committee are surprised to note that despite having SC/ST candidates who are eligible for promotion posts, the CBDT has been depriving these candidates of rightful promotion. The Committee would like to recommend that an enquiry should be initiated for such cases in various Directorates to determine the reasons for keeping promotion posts vacant despite availability of SC/ST candidates, who have already qualified in the examination for promotion. The Committee refute the contention of the Ministry that non-availability of eligible candidates is the major reason for backlog. The Committee also note with concern that departmental examinations for promotion are not held in certain Directorates and would like to know the reasons for the same. The Committee recommend that the departmental examinations should be held in all the Directorates to facilitate the SC/ST candidates in feeder cadre.

C. Relaxations/Concessions

2.16 On being asked whether any relaxation/concession is being provided to SC/ST candidates while considering them for promotion it was stated that the Department was following the instructions issued by the Department of Personnel and Training (DoPT) from time to time on reservation in promotion.

2.17 The Committee also note that there is a provision for conducting departmental examination to make the staff eligible for the promotion to the next cadre and also that the SC/ST candidates are provided with grace marks upto 5% in such departmental examination in view of the provision under Article 335 of the Constitution. The Committee also sought clarification as to why the officers/officials belonging to SC/ST community, who were otherwise senior in the seniority list, were not given promotion against the roster available for the general candidates just because they have passed the qualifying examination with grace marks. The Ministry submitted their views highlighting the judicial verdicts in the matter of promotion of reserved candidates on own merit as per **Appendix I**.

2.18 When asked whether the eligibility criteria for promotion of SC/ST employees from feeder cadre can be relaxed, it was stated that the DoP&T had not issued any specific instructions for relaxing the eligibility criteria to make up the shortfall of Special Recruitment Drive in promotion quota.

2.19 The Committee censure the inaction of CBDT regarding the denial of promotion to the Scheduled Castes and Scheduled Tribes officials who were senior than the general candidates in the zone of consideration for promotion and were otherwise eligible for promotion in the roster points meant for the general candidates due to the reason that they have qualified the departmental examination by getting 5% grace marks in the qualifying examination. The Committee are of firm view that the purpose of the qualifying examination is only to make the candidates eligible for consideration by the Departmental Promotion Committee for such promotion and hence, the marks obtained in the departmental examination are not required to be taken into account for any other purpose. The Committee, therefore, recommend that the Scheduled Castes and Scheduled Tribes candidates who have passed the departmental qualifying examination by availing the facility of 5% relaxation or grace marks, should not be debarred from promotion on their 'own merit' since they are already eligible for the promotion.

D. Recruitment Board/Departmental Promotion Committee

2.20 The Committee have been informed that the Recruitment Boards for recruitment are constituted either by the UPSC or by the SSC. In promotion, Departmental Promotion Committees as per the Recruitment Rules of the respective posts, have been constituted with one member belonging to SC/ST category.

2.21 The Committee have also been informed that there are representatives of SC/ST in the Recruitment Board/Departmental Promotion Committee. The year wise details of the

number of SC/ST representatives included in the Recruitment Board/Departmental Promotion Committee in the last three years are given in the statement below:

Charge/ Directorate	1st year		2nd year		3rd year	
	No. of DPCs	No. of SC/ST reps	No. of DPCs	No. of SC/ST reps	No. of DPCs	No. of SC/ST reps
Ahmedabad	26	26	20	20	18	18
Bangalore	14	14	14	14	13	13
Bhubaneswar	11	11	14	14	13	13
Bhopal	11	11	12	12	13	13
Kolkata	9	9	8	8	9	9
Chandigarh	4	4	5	5	5	8
Chennai	18	18	26	26	28	28
Kochi	A DPC having at least one SC/ST member, is constituted by this charge for the previous three years.					
Delhi	In every Group 'B' DPC, the Liaison Officer who has necessary been a SC/ST official, have been nominated as member of DPC in Group 'C' DPCs a SC or ST officer is nominated as member of DPC.					
Guwahati	5	7	5	8	4	11
Hyderabad	30	30	30	30	21	21
Jaipur	11	11	10	10	11	11
Kanpur	13	13	12	12	14	14
Lucknow	44	44	28	28	5	5
Mumbai	4	4	3	3	4	4
Nagpur	10	10	11	11	8	8
Patna	11	11	10	10	9	9
Pune	20	20	9	9	15	15
DG (Inv.)	5	5	5	5	9	9
DG (Sys.)	1	1	1	1	1	1
DIT (PRPP&OL)	2	2	2	2	7	7
DIT(ITA)	Always representation in all Departmental Promotion Committees in the past three years have been ensured by calling SC/ST representatives.					
DOMS	2	2	0	0	0	0
DG (NADT)	There is no promotional post in NADT					

E. Staff Strength and Backlog

2.22 In a written reply, the Ministry has furnished statements showing the total number of employees and number of SC/ST employees among them in Group A, B, C and D posts in CBDT as on 1st January, 2011 as given in **Appendix-J to L**.

2.23 It has also been stated that the shortfall in the intake of SCs and STs in the direct recruitment was mainly due to non-sponsoring of adequate number of candidates by the Staff Selection Commission and decline/ resignation of the candidates nominated by the SSC and that the backlog/ shortfall in vacancies together with the vacancies arising in every year was regularly reported to the SSC which conducts recruitment process every year. It was further stated that the shortfall in promotion quota was due to non-availability of eligible officials in the feeder cadres.

2.24 During the evidence, the Committee enquired about the reasons as to why filling of backlog vacancies was taking so much time to which Member (Personnel and Vigilance), CBDT replied as under:-

“.....We have a lot of shortage. Out of 57,000 sanctioned posts, we have only about 45,000 or so. There are a lot of vacancies persisting in our Department.”

2.25 Member (Personnel and Vigilance) CBDT further stated:-

“In the Group C it was only in the stenographers’ cadre. In all other cadres we have filled it.”

2.26 Member (Personnel and Vigilance) CBDT also admitted:

“Basically, majority of the backlog even in the promotion is actually a backlog which is over the years is in the Stenographers cadre. It gives those numbers. It is because we do not have people in the feeder cadre and we are not able to promote them to PS.”

2.27 When asked about non-filling of such large number of SCs and STs vacancies in stenographer cadre, the Chairman, CBDT replied:-

“.....as far as the shortage of stenographers is concerned, it is not restricted only to SC/ST but general category also. Now, gradually, shorthand training institutes have all closed as very few people are going in for shorthand and people are getting used to working in computers. So, the training institutes have closed down. Because of this, not only the SC/ST candidates but we also do not get even the general candidates for the post of stenographers.....”

2.28 He further stated:

“.....we have taken the initiative of requesting the SSC that as a special case, they should not insist on 100 per accuracy. They should insist for 85 per cent accuracy for the general candidates and 80 per cent accuracy for the SC/ST candidates so that we will get some stenographers....”

2.29 The Ministry in a written questionnaire were asked to furnish updated post wise details of backlog vacancies existing in Group A, B and C along with backlog vacancies existing in stenographer cadre. The Ministry in their post evidence reply provided the details of backlog vacancies as given in **Appendix M**.

2.30 The Committee take a serious note of the response of the Ministry with regard to filling up of backlog vacancies. As per the information furnished by the Ministry (Appendix M), it appears that backlog persists in various posts including Tax Assistant, Senior Tax Assistant, Income Tax Inspector, Office Superintendent among other. Even multitasking services which have been merged in Group 'C' after abolition of Group 'D' posts, are suffering from backlog. The Committee recommend that the backlog in these post may be filled at the earliest by adopting liberal benchmarks. The Committee should be apprised of details in this regard. The Committee would also like to be apprised of the reasons as to why vacancies exist in posts other than stenographer cadre. The Committee find it highly preposterous that multitasking services are also marred by shortfall for which minimal qualifications are required. The Committee may also be informed about the number of SC/ST employees recruited to multitasking services through outsourcing. The Committee also urge the Ministry to make sure that contractors involved in outsourcing may be sensitized on this issue and direct them to give preference to SCs/STs candidates. The Committee also recommend that certain percentage of reservation for SCs/STs may be provided in the multitasking services.

2.31 The Committee excoriate the Ministry for the persisting backlog in Group A, B and C vacancies. It has been informed that the backlog/shortfall is regularly reported to SSC, however, there seems to be no improvement in the situation. The Chairman, CBDT during evidence stated that major backlog exists in stenographer cadre belonging to Group 'C'. It is apparent that relaxing the criteria to 80 percent accuracy has not fetched enough stenographers to fill the backlog. Thus the Committee would like to recommend that CBDT should further lower the criteria for stenographer cadre since the backlog persist both in the General and SC/ST vacancies. The Committee further recommend that the SC/ST candidates appointed on relaxed standards must be

provided post recruitment training to bring them upto the required standards. The Committee should be apprised of the progress in the matter.

F. Rosters

2.32 The Committee have been informed that the reservation rosters for posts in Group 'A' (Indian Revenue Services) are maintained by the CBDT at its Head Quarters. However rosters for posts other than Group 'A' (Indian Revenue Services) are maintained in the attached and subordinate offices.

2.33 It has also been informed that in most of the cadre controlling regions/ directorates, the rosters are regularly inspected except for Jaipur Region, where the rosters are inspected occasionally. Also, Mumbai Region, DIT(PR, PP&OL), DIT(ITA) had stated that the rosters were placed before DPCs consisting among other, representative of SC/ST.

2.34 The Committee were informed that the representatives of the Ministry of Finance had not visited the Head Office and attached offices of the CBDT to check the rosters. On being asked how does the Ministry ensure that the rosters are maintained properly in accordance with the rules in the absence of such inspections, it was stated by the Ministry in their post evidence replies that Liaison Officers belonging to Scheduled Castes/Schedule Tribes had been appointed in the Offices of Cadre Controlling Authorities, to inspect the reservation rosters maintained in the Regions/Directorates. Further, Liaison Officer had also been appointed in the CBDT (Hq), to inspect the Rosters in respect of Group 'A' posts (Indian Revenue Service) maintained in the CBDT (Hq).

2.35 In their post evidence replies, the Ministry stated that the Chief Commissioner of Income Tax (Cadre Controlling Authority), Jaipur had now been instructed to follow the Government of India instructions on annual inspection of the reservation rosters by the Liaison Officer in letter and spirit.

2.36 When enquired whether any discrepancy have been noted by the concerned Liaison Officers while inspecting the rosters at the various regional offices and corrective action taken thereafter, the Ministry in their written reply, stated that in Guwahati region, the discrepancies noted by the Liaison Officer were not found acceptable by the Cadre Controlling Authority and hence were over ruled. In Hyderabad Charge, the discrepancies pointed out, were rectified as per rules. The Ministry stated that no discrepancy had been pointed out in other regions/directorates.

2.37 The Committee are flabbergasted at the complacent attitude of the Ministry regarding inspection of rosters. The inspection of rosters, it appears are not given much gravity in CBDT. The Committee would like to know whether strict schedules are followed with regard to inspection of rosters. The laxity of CBDT is evident from the fact that only after intervention of the Committee, it had instructed CCIT (Jaipur) for inspection of rosters. The Committee would like to be apprised of the progress in this regard. The Committee should also be informed regarding discrepancies, if any, detected in Mumbai region, DIT(PR, PP&OL), DIT(ITA) wherein rosters are placed before DPC and details thereof. The Committee strongly feels that CBDT has not been frank regarding discrepancies in rosters. The Committee desire to be informed regarding the discrepancies which were overruled in Guwahati region. The details of discrepancies sorted out in Hyderabad region may also be provided to the Committee.

CHAPTER III

MEASURES TO IMPROVE THE REPRESENTATION OF SCs/STs IN SERVICES

A. SC/ST Cell & Liaison Officer in CBDT

3.1 In their written reply, the Ministry furnished a detailed statement showing the information w.r.t SC/ST Cell set up in the CBDT, at its head office and attached offices, main functions of the SC/ST Cell, number of people working in the Cell at Head Office and attached offices and SCs/STs among them and details of the Liaison Officer along with the procedure of their appointment and any formal training imparted to them, as given in **Appendix-N**.

3.2 The Committee observed that there were no separate SC/ST Cells in various regional offices and inquired whether any alternate arrangements were being made at these regional offices to look after the interest of SCs/STs. The Ministry in their post evidence replies, informed that the Cadre Controlling Authorities had been instructed to set up a separate SC/ST Cell in their regional offices.

3.3 The Committee further pointed out that except in Kolkata and Guwahati regional offices, Liaison Officers had been entrusted with additional responsibilities and desired to be apprised regarding the details of the additional work/responsibilities entrusted to the Liaison Officer, the details of which are given in **Appendix O**.

3.4 The Committee were informed that the Liaison Officer working in these Cells belong to the SC/ST community. The Committee were also informed that a majority of Liaison Officers were not imparted training regarding reservation policies. In a written questionnaire, the Ministry were asked whether the Liaison Officers and officials working in the SC/ST Cell were well versed with the reservation policies for SCs/STs and what steps had been taken by the Ministry to impart formal training to them. The Ministry in their post evidence reply, stated that the National Academy for Direct Taxes, Nagpur had been instructed to formulate and conduct training courses for Liaison Officers/officials working in the SC/ST Cells.

3.5 The Ministry further stated that no complaints regarding the functioning of SC/ST Cell had been received by CBDT.

3.6 The Committee take serious note of the fact that separate SC/ST Cells are not in existence in various regional offices. The Committee are concerned that in the absence of SC/ST Cells, the aggrieved SC/ST officials have no means of redressal. The laxity of Ministry in this regard is deplorable. The Ministry had impressed upon the cadre controlling authorities to set up a separate SC/ST Cell only upon being prodded by the Committee. The Committee are distressed to note that no alternate arrangement has been made in past for addressing the grievances of SC/ST officials. The Committee after taking into consideration the given facts feel that the Ministry have been indifferent towards the welfare of SC/ST officials in CBDT. The Committee strongly emphasize that the SC/ST Cell should be made operative in all the Directorates/Regions and that the Committee should be apprised regarding details thereof.

3.7 The Committee are saddened by the fact that Liaison Officers apart from carrying out work related to SCs/STs have been assigned various other duties (Appendix O). The Committee are of view that the Liaison Officer is a key figure in an organisation and is responsible for ensuring implementation of reservation policies of the Government. The Committee feel that burdening the Liaison Officer with additional responsibilities may dilute the whole purpose of his appointment as Liaison Officer. The Committee strongly recommend that since the Liaison Officer is appointed to ensure due compliance of orders and instructions pertaining to reservations of vacancies in favour of SCs/STs, he should not be overburdened with other official work. The Committee are utterly dismayed by the fact that formal training to make Liaison Officer and officials working in SC/ST Cell well versed with reservation policies for SCs/STs is not provided by many Directorates. The Committee would like to point

out that the Liaison Officer acts as a watchdog to safeguard the interests and welfare of the SCs and STs and should have sound knowledge of reservation policies/rules. The Committee would, therefore, like to impress upon the fact that formal training should be provided to Liaison Officer so that they can discharge their duties earnestly and effectively. The Committee have been informed by the Ministry of Finance that National Academy for Direct Taxes, Nagpur has been instructed to formulate and conduct training for Liaison Officers/officials. The Committee would like to be apprised of the schedule of such training and the Directorates providing training along with names of the Liaison Officers.

B. Special Recruitment Drive

3.8 Information regarding the backlog reserved vacancies for SCs and STs identified for filling up through Special Recruitment Drive in terms of instructions issued by DoP&T vide their office memorandum No. 36038/1/2008-Estt(Res.) dated 19.11.2008 and position of their filling up furnished to the Committee is as given below:-

DIRECT RECRUITMENT QUOTA

Classification of posts	Scheduled Castes		Scheduled Tribes	
	No. of backlog vacancies identified (as on 01.11.2008)	No. of backlog vacancies filled	No. of backlog vacancies identified (as on 01.11.2008)	No. of backlog vacancies filled
Group 'B'	NIL	NIL	NIL	NIL
Group 'C'	120	49	104	46
Group 'D'	11	4	32	24

PROMOTION QUOTA

Classification of posts	Scheduled Castes		Scheduled Tribes	
	No. of backlog vacancies identified (as on 01.11.2008)	No. of backlog vacancies filled	No. of backlog vacancies identified (as on 01.11.2008)	No. of backlog vacancies filled
Group 'B'	84	30	193	86
Group 'C'	700	220	770	227
Group 'D'	26	14	121	60

3.9 The Committee were informed that DoP&T vide their office memorandum dated 26.07.2011 had re-launched the Drive and instructed all the Ministries/Departments to make concerted efforts to ensure that the remaining backlog reserved vacancies for SCs and STs are filled up by 31 March, 2012. It was further stated that all the cadre controlling authorities under the CBDT had accordingly been instructed to ensure that the remaining backlog vacancies were filled up by 31 March, 2012.

3.10 The Committee observed that the backlog in category 'C' was comparatively higher than in Category 'B' and 'D'. The Ministry in their post evidence reply, stated that the number of posts/grades were much more in group B and Group D. Moreover, the erstwhile posts in Group 'D' had also been redesignated as multi tasking staff and placed in Group 'C'. The details of the posts falling under Group 'C' category is enlisted as under:

- 1) Inspector of Income Tax
- 2) Senior Tax Assistant
- 3) Tax Assistant
- 4) Lower Division Clerk
- 5) Stenographer Gr. I
- 6) Stenographer Gr. II
- 7) Notice Server
- 8) Staff Car Driver(SG)
- 9) Staff Car Driver Gr. I

- 10) Staff Car Driver Gr. II
- 11) Staff Car Driver (OG)
- 12) Senior Hindi Translator
- 13) Junior Hindi Translator
- 14) Hindi Typist
- 15) Multi Tasking Staff (erstwhile Group. D. posts)

3.11 The Ministry also informed regarding the progress of Special Recruitment Drive 2008-09 for filling up the backlog reserved vacancies of SCs and STs in offices under the CBDT both in direct recruitment quota and promotion quota as on 31.03.2012 as under:

(i) In Direct Recruitment Quota as on 31.03.2012.

Posts	SC		ST	
	No. of backlog vacancies indentified as on 01.11.2008	No. of backlog vacancies filled	No. of backlog vacancies indentified as on 01.11.2008	No. of backlog vacancies filled
Income Tax Inspector	5	5	6	6
Tax Assistant	34	34	37	37
Stenographer Grade-II (erstwhile Grade-III)	56	13	47	3
Others	4	0	3	1
MTS (erstwhile Group 'D')	11	11	12	8
Total	110	63	105	55

(ii) In Promotion Quota as on 31.03.2012

Posts	SC		ST	
	No. of backlog vacancies indentified as on 01.11.2008	No. of backlog vacancies filled	No. of backlog vacancies indentified as on 01.11.2008	No. of backlog vacancies filled
Sr. Private Secretary/PS	28	16	33	11
Income Tax Officer	11	11	26	16
Administrative Officer Gr.-III	7	7	11	7
Office Superintendent	7	5	75	49
Stenographer Grade-I	29	4	48	9
Data Processing Assistant	1	1	0	0
Income Tax Inspector	48	28	189	83
Sr. Tax Assistant	391	247	368	153
Tax Assistant	36	8	81	16
Stenographer Grade-II (erstwhile)	214	11	100	1
Driver Grade-I	1	1	9	0
Notice Server	6	6	14	1
UDC/LDC	5	2	7	1
MTS (erstwhile Group 'D')	26	3	121	16
Total	810	350	1082	363

3.12 The Committee are perturbed to note that despite issuance of strict directives by DoP&T to all Ministries/Departments to fill the backlog reserved vacancies for SCs/STs by 31.03.2012, the backlog still persists in direct recruitment and promotion quotas. In direct recruitment quota, there were 47(110-63) backlog vacancies of SCs and 50 (105-55) backlog vacancies of STs as on 31.3.2012 out of which major backlog exists in stenographer cadre. However, the backlog appear to be dispersed among various categories of posts in promotion quota wherein a massive backlog of 460 (810-350) vacancies exists in SC category and that of 719 (1082-363) vacancies exists in ST category. There are 203 SC posts and 99 ST posts lying vacant in the stenographer grade. Apart from that, there are backlog vacancies existing in the posts of Private Secretary, Sr. Private Secretary, Administrative Officer, Officer Superintendent, Income Tax Inspector, Sr. Tax Assistant, Tax Assistant etc. Even the multitasking services, which are catered by outsourcing, are having mammoth backlog. The Committee are exasperated at the lackadaisical approach of the Ministry regarding the Special Recruitment Drive. The Committee are baffled by the stereotyped replies of the Ministry of Finance regarding non clearance of backlog. The Committee recommend that the backlog in stenographer cadre in the direct recruitment quota may be filled by adopting relaxed standards so that SC/ST candidates do not suffer due to exceptionally high standards which even general category candidates are not able to meet. Keeping in mind the colossal backlog in promotion quota, the Committee would like to urge the CBDT to consider in house candidates who have qualified departmental examination for promotion. The Committee would like to impress upon the Ministry of Finance that, if they still are not able to find the eligible candidates in the feeder cadre, the promotion backlog vacancies may be diverted to the direct recruitment quota.

C. Grievances/Complaints

3.13 The Committee were informed that the Reservation Rosters were maintained and vetted by the Liaison Officers. SC/ST Cells under the control of the Liaison Officers had been created in most of the cadre controlling regions and the Directorates to redress the grievances of SC/ST officials. Further a member of SC/ST was included in the Departmental Promotion Committees (DPCs).

3.14 The position furnished by various cadre controlling regions regarding the maintenance and details of complaint register, instances of harassment and discrimination against SC/ST employees along with periodical meetings with SC/ST employees which were held to sort out their problems/grievances, is as given in **Appendix-P**.

3.15 The Committee observed that a separate complaint register was maintained at a very few Directorates and consequently complaints at various Directorates could not have been reported.

3.16 The Committee noted that there were pending grievance applications in the Bhopal and Mumbai regions and desired to be apprised of the details of such applications. In their post evidence replies, the Ministry of Finance have stated that the nature of complaints/grievances in Bhopal region was mainly related to seniority and promotion in the respective cadre. Also a few grievances related to transfer-posting and pay-related issues. The grievances were settled. The Ministry also informed that in Mumbai region, 6 pending cases were related to inter-Charge transfer/Granting of ACP/Discrimination in transfer and posting, etc.

3.17 The Committee also desired to be apprised of the 10 disposed of applications in the Nagpur region details of which were furnished by the Ministry in their post evidence reply as given in **Appendix- Q**.

3.18 The Committee have also been informed by the Ministry that as per records the representations in the Delhi region were received from (i) Shri Dhanpat Singh (SC) (ii). Shri Laxmi Chand (SC) (iii). Surender Pal (SC) and (iv). Shri Ashok Kumar (SC) and that these grievances have already been settled. The Ministry have further informed that a grievance register has been maintained in Delhi office w.e.f 01.04.2012 to ensure timely redressal of the complaints.

3.19 The Committee enquired from the Ministry whether SC/ST Cells meant for redressal of grievances included representatives from SC/ST community. The Ministry in their post evidence reply stated that the regions where SC/ST Cell had been constituted were having representative(s) from SC/ST community. In other regions, the cadre controlling authorities had been instructed to set up such Cells with representation from the SC/ST community.

3.20 The Committee express grave concern regarding the fact that no separate complaint register is maintained to record the complaints/grievances of SCs/STs at various Directorates. The Committee are of view that since most of these complaints/grievances are related to promotion, transfer, additional increments, pay fixation, grant of selection grade, seniority etc. these need to be recorded properly, clearly indicating the date of receipt of the complaint, nature of each case and its disposal. The Committee, therefore, recommend that a separate register be maintained at all Directorates. The Committee also urge that a senior official may be deputed at each Directorate for monitoring these registers periodically so as to ensure that all complaints/grievances of SC/ST officers are redressed properly. The SC/ST officials who are not able to register their complaints because of the absence of any redressal machinery, are the ultimate sufferers. The Committee, therefore, recommend that the Ministry should issue pertinent directions to all cadre controlling authorities to maintain separate registers for complaints so that the grievances of the aggrieved

SC/ST officials should not go unheard. The Committee should also be informed about the action taken in the matter within three months of presentation of this Report.

D. Deputation

3.21 The Committee have been informed that no posts have been filled up in CBDT on deputation from other Government Departments since 2008.

3.22 The information showing number of employees of CBDT sent on deputation to other Departments and the number of SC/ST employees among them is as given below:-

Charge/ Directorate	2008			2009			2010			2011		
	Total	SC	ST	Total	SC	ST	Total	SC	ST	Total	SC	ST
Ahmedabad	0	0	0	0	0	0	0	0	0	0	0	0
Bangalore	0	0	0	1	0	0	0	0	0	0	0	0
Bhubaneswar	0	0	0	0	0	0	0	0	0	0	0	0
Bhopal	0	0	0	0	0	0	0	0	0	1	0	0
Kolkatta	1	0	0	0	0	0	0	0	0	2	1	0
Chandigarh	0	0	0	3	1	0	1	0	0	0	0	0
Chennai	0	0	0	1	1	0	0	0	0	0	0	0
Kochi	1	0	0	0	0	0	1	0	0	0	0	0
Delhi	1	0	1	1	0	0	0	0	0	0	0	0
Guwahati	0	0	0	0	0	0	0	0	0	0	0	0
Hyderabad	1	0	0	0	0	0	7	0	0	0	0	0
Jaipur	0	0	0	0	0	0	1	0	0	0	0	0
Kanpur	0	0	0	0	0	0	0	0	0	0	0	0
Lucknow	0	0	0	0	0	0	0	0	0	2	0	0
Mumbai	0	0	0	0	0	0	0	0	0	0	0	0
Nagpur	0	0	0	0	0	0	0	0	0	0	0	0
Patna	0	0	0	0	0	0	0	0	0	0	0	0
Pune	0	0	0	0	0	0	1	0	0	0	0	0
DG(Inv.)	0	0	0	0	0	0	0	0	0	0	0	0
DG (Sys.)	0	0	0	0	0	0	0	0	0	0	0	0
NADT	1	0	0	0	0	0	0	0	0	1	0	0
DIT(PRPP&OL)	0	0	0	2	1	0	0	0	0	0	0	0
DIT(ITA)	0	0	0	0	0	0	0	0	0	0	0	0
DOMS	0	0	0	0	0	0	0	0	0	0	0	0

E. Training

3.23 The Committee have been informed that regular in-service courses are held for all the officers/officials of the Department, for which nominations are called for from the respective CCIT (CCA).

3.24 The information regarding details of the number of employees belonging to the general, SC and ST category trained during the years 2008, 2009, 2010 and 2011 is as given below:-

Charge/ Directorate	2008			2009			2010			2011		
	Total	SC	ST	Total	SC	ST	Total	SC	ST	Total	SC	ST
DG(NADT)	13098	3723		10181	4223		12351	3985		6289	1625	
Ahmadabad	2888	651	289	3350	917	413	3266	818	394	1690	345	144
Bangalore	985	322	155	931	425	218	873	362	205	357	130	73
Bhubaneswar	0	0	0	0	0	0	0	0	0	0	0	0
Bhopal	190	54	36	152	65	26	126	36	16	99	22	14
Kolkatta	1624	1048		1802	666		1300	753		304	150	
Chandigarh	data is not maintained											
Chennai	544	74	0	999	144	0	1201	139	0	575	130	0
Kochi	All the candidates under the cadre Controlling Authority of Kerala Charge have been nominated for various training programmes scheduled from time to time.											
Delhi	113	25	15	144	25	13	165	27	13	96	16	1
Guwahati	397	73	90	754	135	151	340	75	78	353	51	42
Hyderabad	275	55	24	378	58	50	609	94	37	408	46	35
Jaipur	11	1	1	9	0	2	6	1	3	14	0	0
Kanpur	311	47	9	356	79	8	384	75	12	308	47	8
Lucknow	data is not maintained											
Mumbai	374	50	5	1022	289	84	1347	219	78	292	38	14
Nagpur	150	56		652	275		461	203		534	282	
Patna	data is not maintained											
Pune	583	88	56	726	183	83	571	122	40	349	33	29
DG(Inv.)	0	0	0	0	0	0	0	0	0	0	0	0
DG (Sys.)	0	0	0	65	13	0	0	0	0	0	0	0
DIT(PRPP&OL)	0	0	0	0	0	0	0	0	0	0	0	0
DIT(ITA)	0	0	0	0	0	0	0	0	0	0	0	0
DOMS	0	0	0	0	0	0	0	0	0	0	0	0

3.25 The Committee observe that no data in respect of the number of employees trained in Chandigarh, Lucknow and Patna Charge/Directorate was maintained by CBDT. The Ministry in their post evidence replies, stated that regular in-service courses were held for all the officers/officials of the Department. For any such course, the nominations are called for from the respective Cadre Controlling Authority by the Regional Training Institutes (RTIs). The course was then conducted for the officers/officials so nominated which include officers/officials belonging to SC/ST categories. The Chandigarh Charge had, however, informed that training was imparted to all the newly promoted officials irrespective of caste. By this, it is ensured that all SC/ST employees were imparted training and were benefited. It was also informed that necessary arrangements have been made for future by maintaining

separate register in respect of data of SC/ST employees who had been imparted training. Further, the figures of Lucknow and Patna Charge(both Charges coming under DTRTI, Kolkata) had been included in the figures of Kolkata, which are given as under:

Year	General	SC/ST	Total	Percentage of SC/ST employees
2008	1624	1048	2672	39.22
2009	1802	666	2468	26.99
2010	1300	753	2053	36.68
2011	304	150	454	33.04

3.26 Upon enquiring whether CBDT provides pre-recruitment training to SC/ST aspirants who wish to join the organization it was informed that direct recruitment was made through UPSC/SSC for which pre-recruitment training was not imparted by the CBDT/Income Tax Department.

3.27 The Committee have been informed that employees of CBDT are sent abroad for attending seminars/symposia/conference etc. However, only 3 ST and 2 ST candidates were sent during the years 2010 and 2011, respectively. The Committee have also been informed that CBDT have deputed officers/officials for foreign training. The details of SC/ST employees sent for foreign training during years 2008, 2009, 2010 and 2011 are as under:-

Name of Training Unit	Name of the Course	2008			2009			2010			2011 till date			Total		
		Gen.	SC	ST	Gen.	SC	ST	Gen.	SC	ST	Gen.	SC	ST	Gen.	SC	ST
DG(Trg.), NADT, Nagpur	Induction Course	*	*	*	43	16	7	77	23	12	66	18	10	186	56	30
	Faculty Members	2	1	0	5	1	0	11	1	0	8	0	0	26	3	0
DTRTI, Ahmedabad		0	0	0	0	0	0	2	0	0	0	0	0	2	0	0
DTRTI, Bangalore		0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
DTRTI, Chennai		0	0	0	0	0	0	3	0	1	0	0	0	3	0	1
DTRTI, Chandigarh		0	0	0	0	0	0	2	0	0	0	0	0	2	0	0
DTRTI, Kolkata		0	0	0	0	0	0	2	0	0	1	0	0	3	0	0
DTRTI, Lucknow		0	0	0	0	0	0	2	0	0	2	0	0	4	0	0

DTRTI, Mumbai		0	0	0	0	0	0	2	0	0	0	0	0	2	0	0
Total		2	1	0	48	17	7	101	24	13	77	18	10	228	59	31

3.28 During evidence the Committee enquired regarding the nature and duration of such foreign training to which Chairman CBDT replied:

“.....The training period is of 16 months. A person who comes as Assistant Commissioner by way of direct recruitment, he has got about 37 or 38 years of service which he will put in the Department. While doing the job for 37 or 38 years, he will have to handle many international taxation issues also; he will have to interact with various people who are better exposed to the international environment and he will have to try and match with them because if the person opposite who is coming to represent the taxpayer is a very highly qualified person with a lot of training, then our person will not be able to match him. So, he will not be able to collect the requisite amount of tax. For that purpose, one week foreign training course is organized.”

3.29 In their post evidence replies, the Ministry stated that the "training was for induction course/faculty members from time to time". The Ministry in a written questionnaire were asked whether SC/ST officials/officers were sanctioned leave against the duration of such training and whether transport allowance was granted for attending such training. The Ministry in their post evidence replies stated that the officials/officers on training were treated as on duty and were entitled to transport allowance as admissible under the rules.

3.30 The Committee are happy to note that a fair percentage of SC/ST candidates have been provided training. However, the Committee would like to be apprised of the criteria adopted for sponsoring the candidates for foreign training. The Committee are of the firm opinion that getting trained abroad will not only enable the SC and ST officers to acquire skills and aptitude but will widen their horizon and also provide an impetus to their careers. The Committee, therefore, recommend that the Ministry should draw out a list of eligible SC/ST candidates for training abroad. The Committee would like to be informed regarding development in this regard.

CHAPTER IV

MISCELLANEOUS

A. Appointment on the basis of false caste certificate

4.1 In a written reply submitted to the Committee, it has been stated that some cases of appointment on the basis of false caste certificate have been detected in few region/Directorates (**Appendix-R to U**) as summarized below:

(i) Chief Commissioner of Income Tax (CCA) Bhopal

Eight cases have been detected on the basis on false ST caste certificates. Out of these 8 cases, one official appointed as Income Tax Inspector has been dismissed from service. Other cases are pending at various stages.

(ii) Chief Commissioner of Income Tax (CCA) Delhi

Only one case of false ST caste certificate has been detected. The person was appointed to the grade of Senior Tax Assistant and is under suspension.

(iii) Chief Commissioner of Income Tax (CCA) Hyderabad

Two cases of false ST caste certificates and three cases of false SC caste certificates have been detected. One of the officials who submitted a false ST caste certificate for appointment as DCIT has since retired and the other case is pending. Likewise, one false SC caste certificate case appointed as ITO had retired and other two cases are pending at various stages.

(iv) Chief Commissioner of Income Tax (CCA) Chennai

There have been three cases of appointment on the basis of false caste certificates. One is on the basis of false SC caste certificate and two on the basis of false ST caste certificates. All these cases are *sub-judice*.

4.2 The Committee enquired on to what action/criminal proceedings were initiated against the erring officials who got appointment on the basis of false caste certificate. The Ministry in their post evidence reply stated that one such case had come to notice in Kolkata region and the matter was under process to initiate disciplinary action as per extant rules. The Mumbai region had intimated that in such cases, the officials had been asked to produce caste validity certificates and in some cases such validity certificates had also been sought from the concerned State authorities. No such cases were pending in other regions.

4.3 The Committee are perturbed by the tardy progress relating to false caste certificate cases. The Committee are of the view that CBDT should act in a proactive manner and display extra vigilance at the time of initial appointment by resorting to compulsory verification of all caste certificates at entry level itself to curb the menace of false caste certificates. The Committee are disturbed to note that cases of false caste certificates are pending at various levels for verification. It is once again stressed that getting employment on the basis of false caste certificates is the gravest form of injustice to SCs/STs persons. Such form of fraudulent act deprives the genuine SCs/STs candidates of the rights bestowed upon them by the Constitution of India. Pending of false caste certificate cases at the level of Screening Committees and Collectors for verification is just delaying justice to SC/ST candidates who have been deprived of their jobs. The Committee recommend that CBDT should direct its Income Tax Commissioners in various Directorates, to personally involve themselves in expeditious disposal of such cases and pursue the District Collectors/Competent Authorities of the region in this regard.

4.4 The Committee are pained to note that persons appointed on the basis of false caste certificates are still continuing in service and some of them have even retired while the cases are still going on. The Committee are dissatisfied that no severe action/criminal proceedings have been initiated against the guilty persons. A person

found accused is merely dismissed from service. The Committee recommend that stringent action in this regard like lodging FIR against the guilty, should be taken in order to set an example for others and discourage them from resorting to such tactics. The Committee also take serious note of the fact that certain cases are *sub-judice* and although departmental proceedings have been initiated further action is being delayed. The Committee urge CBDT that it should implead as a party and actively pursue the matter for getting the stay vacated in disputed cases. The Committee would also like CBDT to rigorously pursue the cases and try to get an early hearing and decision. The Committee should be apprised of the status of false caste certificates cases lying pending within three months of presentation of this Report.

B. Appointment on Compassionate Grounds

4.5 The Committee have been informed that the instructions issued by the Department of Personnel & Training from time to time on the subject matter are being scrupulously followed in making appointment on compassionate grounds.

4.6 The number of pending SC/ST cases on compassionate grounds for the year 2011 are given as under:

Charge / Directorate	Total no. of employees appointed	No. of		Pending cases	
		SC	ST	SC	ST
Ahmedabad	0	0	0	17	9
Bangalore	2	0	0	24	3
Bhubaneswar	0	0	0	1	0
Bhopal	0	0	0	6	1
Kolkatta	24	3	1	4	1
Chandigarh	0	0	0	8	0
Chennai	1	1	0	7	0
Kochi	2	1	1	0	0
Delhi	0	0	0	26	2
Guwahati	0	0	0	3	2
Hyderabad	9	1	0	5	0
Jaipur	0	0	0	19	10
Kanpur	13	7	0	15	1
Lucknow	0	0	0	19	1
Mumbai	2	0	0	19	3
Nagpur	1	0	0	3	0
Patna	2	1	1	4	1

Pune	0	0	0	4	0
DG(Inv.)	0	0	0	3	0
DG (Sys.)	0	0	0	0	0
NADT	0	0	0	1	
DIT(PRPP&OL)	0	0	0	3	0
DIT(ITA)	0	0	0	0	0
DOMS	0	0	0	0	1

4.7 During evidence, the Committee noted that considerable number of applications regarding appointment on compassionate grounds were pending and enquired the reasons thereof.

4.8 In reply, Chairman CBDT stated:

“The qualification of the person who died in service may be different from that of his son or daughter or wife. Keeping that in view, it is not that his son or daughter will get the same post. They will not get the same post. But efforts are made to give some post to the son or daughter of the deceased person, but that is based on the qualification of that person who applies for the job. There also, the effort is made to relax the standard out of sympathy and we try to make up if there is any shortcoming. In terms of age also, many times even a person of 50 years or 40 years age is also appointed, particularly as Group D employee.”

4.9 The Ministry in their post evidence reply, stated that Screening Committees had been constituted in all the Regions/Directorates, which considered/recommended the cases for appointment on compassionate grounds in accordance with the instructions/guidelines issued by the DoP&T from time to time. The Ministry also admitted that no alternate financial assistance was being provided by CBDT to the applicants seeking employment on compassionate grounds in lieu of the job.

4.10 It was further stated that as per the governing instructions, only 5% of the vacancies in Group 'C' and erstwhile Group 'D' posts by Direct Recruitment in a year could be filled up through appointment on compassionate grounds. Therefore, in case of more applications, the appointments on compassionate grounds were provided to the most deserving candidates on the recommendations of the designated screening committee constituted in each Charge/Directorate. However, reply/comments given by individual Charge are summarized as under:

	Charge	Comments/reply of the individual charge
1.	Delhi	As per 6th Central Pay Commission report the recruitment in Group 'D' posts have been abolished. Now the Group 'D' posts have been redesignated as Multi Tasking Staff. The vacancies against Group 'D' posts have been worked out and the appointment against vacancy reserved for Compassionate appointment is under consideration by this office as per DOPT instructions/O.M. issued for appointment on Compassionate grounds in respect to MTS.
2.	Bhubaneswar	The Charge had reported pendency of only One application of SC instead of 24 as referred in the question. The case is now under process for consideration for compassionate appointment. The application is pending since last 6 months.
3.	Jaipur	As per the rules, only 5% vacancies of Direct Recruitment quota are filled up through compassionate appointments. Recently, on recommendation of the committee, 7 vacancies for SCs and 4 for STs have been filled up upto the RY 2011-12.
4.	Lucknow	The reason for pendency of such a large reported number of cases for compassionate appointments is that appointment can not be offered to all the compassionate cases as the same is restricted to five percent of vacancies under direct recruitment quota in Group 'C' or Group 'D' and the said ceiling normally leaves only one vacancy each in Group 'C' and Group 'D' in a Recruitment Year.
5.	Mumbai	As per determination of vacancies for compassionate ground given in scheme for compassionate appointment, a person selected for appointment on compassionate ground should be adjusted in recruitment roster against appropriate category viz, SC/ST/OBC/General depending on the category to which he belongs. Accordingly, the vacancies of compassionate quota are taken as total, and then, the selected candidates against the said vacancies are adjusted in recruitment roster against appropriate category in.

4.11 The Committee observe that there are a large number of pending cases of appointments on compassionate grounds in various Directorates. The Committee are of view that due to the ceiling of 5% on the compassionate appointments in case of direct recruitment, has restricted the CBDT from disposing of the pending cases of compassionate appointments. However, the Committee are hopeful that the Ministry would deal with cases of compassionate appointments on priority within a specific timeframe so that dependents of the deceased SC/ST employees do not face hardship

after the demise of their bread earners. The Committee would like to recommend that the Ministry should make sincere endeavours on humanitarian grounds to adjust the pending cases of compassionate appointments among vacancies available in multi tasking services. As admitted by Chairman, CBDT during evidence that the qualifications of the kin may be different from that of the deceased employees, efforts must be made to absorb the member of the deceased employee's family as a multi tasking service employee for which minimal qualifications are required. The Committee also note that CBDT does not offer financial assistance in lieu of providing job on compassionate grounds.

C. Housing facilities

4.12 The Committee have been informed that CBDT provides housing facilities to its employees. The percentage of residential accommodation reserved for SCs/STs in the allotment of residential quarters and the number of quarters of each type allotted to the employees vis-à-vis number allotted to SCs and STs is given as under:

Charge/ Directorate	Housing facilities provided	Percentage of reservation		No. of quarters allotted		
		SC	ST	total	SC	ST
Ahmedabad	Yes	10	5	366	110	80
Bangalore	Yes	No such percentage has been reserved, however the quarters are allotted as per the rules prevailing at the time of allotment.		609	129	25
Bhubaneswar	Yes	No		288	33	39
Bhopal	Yes	No		83	20	3
Kolkatta	Yes	10% in Type A & B Quarters; and 5 % in Type C&D Quarters for SC/ST category officials.		408	60	49
Chandigarh	Yes	No, there is no such reservation in house allotment in CCIT, NWR, Chandigarh.		127	23	5
Chennai	Yes	No reservation/ No pendency		187	23	7

Kochi	Yes	10% in Types A&B and 5% in Types C&D are reserved for SCs/STs		219	37	5
Delhi	Yes	No reservation but no waiting list In respect of type -I, II & IV		1284	123	44
Guwahati	Yes	No percentage of residential accommodation reserved for SCs/STs in the allotment of residential quarters.		99	12	19
Hyderabad	Yes	10%	5%	313	39	15
Jaipur	Yes	Nil	Nil	345	44	73
Kanpur	Yes	10% in Type-I & II and 5% in type III & IV of general pool accommodations		334	86	10
Lucknow	Yes	10% in Type A & B Quarters; and 5 % in Type C&D Quarters for SC/ST category officials.		189	39	0
Mumbai	Yes	NO, there is no reservation for SCs/STs in the allotment of residential quarters. Allotment of residential quarters is on seniority basis.		254	31	9
Nagpur	Yes	No, the allotment of the residential accommodation is provided on first cum first serve basis, subject to the availability of the accommodation and eligibility.		45	12	1
Patna	Yes	10% for SCs & 5% for STs.		205	38	0
Pune	Yes	Yes, for type I & II, 10% clear vacancies. For type III & IV, 5% of clear vacancies.		175	22	17
DG(Inv.)	Yes				14	6
DG (Sys.)	official accommodation is not provided by this Directorate.					
NADT	Yes	No request for allotment of residential quarter at NADT, Nagpur is pending		190	41	17
DIT(PRPP&OL)	The Housing facilities are provided by CCIT-Delhi and Directorate of Estates to the officers/officials who apply for the same subject to availability of vacant flats.	N.A.			9	2
DIT(ITA)	_do_	N.A.		N.A.		
DOMS	The facility are provided by the Directorate of Estates.	NA		15	3	3

4.13 The Committee observed that there was no reservation in housing made for SC/ST employees in some Directorates and demanded the reasons for such deviation. The Ministry in their post evidence reply, stated that the Cadre Controlling Authorities had been instructed to strictly follow the government rules/instructions.

4.14 The Ministry further furnished the number of pending applications for housing accommodation and the period since pending as under:

Sl. No	Charge/ Directorate	Pending applications and period									
		2008		2009		2010		2011		2012	
		SC	ST	SC	ST	SC	ST	SC	ST	SC	ST
1.	Ahmedabad					2	NIL	6	6		
2.	Bangalore	NIL									
3.	Bhubaneswar									4	3
4.	Bhopal	NIL									
5.	Kolkata	NIL									
6.	Chandigarh	5 applications of SC officials and 2 of ST officials are pending in Type II and 1 application is pending in other Types.									
7.	Chennai	NIL									
8.	Kochi	NIL									
9.	Delhi	2	1	1	5	1				4	
10.	Guwahati									1	3
11.	Hyderabad	1	1			2	1	1	2		
12.	Jaipur							1		1	
13.	Kanpur	NIL									
14.	Lucknow	NIL									
15.	Mumbai					9		2		30	
16.	Nagpur	NIL									
17.	Patna	NIL									
18.	Pune	NIL									
19.	DG (Inv.)										
20.	DG (Sys.)	Not applicable									
21.	DIT (PRPP&OL)	NIL									
22.	DIT(ITA)	Not applicable									
23.	DOMS	Not applicable									
24.	DG (NADT)	NIL									

4.15 The Committee are of the firm view that the caste prejudice against SCs/STs has often posed numerous hurdles in securing housing facilities for them and their families. The Committee had earlier pointed out that reservation in housing allotment is not available in certain Directorates. Although the Ministry have assured that cadre controlling authorities have been instructed to follow Government instructions, the Committee recommend that mandatory reservation in residential accommodation should be made for SC/ST employees in those Directorates which are currently not making any reservation so that the SC/ST employees do not have to worry about residence in places of their posting. In view of pending cases of housing accommodation i.e., 7 in Bhubaneswar, 8 in Chandigarh, 4 in Delhi, 4 in Guwahati, 1 in Jaipur and 30 in Mumbai, the Committee would urge the Ministry to provide accommodation to such officials at the earliest.

D. SC/ST Welfare Associations

4.16 On being enquired whether there were any service associations formed by the officials / officers belonging to the Scheduled Castes and Scheduled Tribes at CBDT and how many such service associations were recognized by the CBDT and headed by SC/ST officials/officers, the Ministry in their written reply, stated that the SC/ST employees had formed an association called "All India Income Tax SC/ST employees Welfare Federation (ITSEWA)" whose main objective is to redress the grievances of the SC/ST employees in the Income Tax Department. However, the Federation could not be given recognition as a service association for the reasons that the Central Civil Services (Recognition of Service Associations) Rules, 1993 prohibits formation of service association to represent the interest on the basis of any caste, tribe, region or religious denomination.

4.17 The Ministry further stated that there were two service associations recognized by the CBDT under the Central Civil Services (Recognition of Service Associations) Rules, 1993. These are (i) Income Tax Employees Federation (ITEF), and (ii) Income Tax Gazetted

Officers Association (ITGOA). These Service Associations take care of interests of all employees of the Income Tax Department including SC/ST employees. Members of the SC/ST employees had been included in the Executive Committee of these service associations both at the national and at the regional levels.

4.18 It has been brought to the notice of the Committee through various representations received by All India Income Tax SC/ST Employees Welfare Federation that CBDT does not provide recognition to associations formed by the officers and officials belonging to Scheduled Castes and Scheduled Tribes.

4.19 The Committee strongly criticize CBDT for not recognizing the Associations/Federations formed by the Scheduled Castes and Scheduled Tribes officers and officials as 'service associations' by alleging them as caste based associations. The Committee are of view that the so called recognized service associations are mostly headed by the general/forward class who are usually apathetic towards the issues beneficial to the Scheduled Castes and Scheduled Tribes. Thus in order to safeguard the interest of the officials/officers belonging to Scheduled Castes and Scheduled Tribes, the Committee recommend that the Associations/Federations constituted by the Scheduled Castes and Scheduled Tribes officials/officers should be recognized as service association by the CBDT.

New Delhi;
26 November, 2012
5 Agrahayana, 1934 (Saka)

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

MINUTES

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

(FIFTEENTH LOK SABHA)

SIXTEENTH SITTING

(24.04.2012)

The Committee sat from 1500 to 1630 hrs. in Room No. 'E', Parliament House
Annexe, New Delhi

PRESENT

Shri Gobinda Chandra Naskar - Chairman

MEMBERS

LOK SABHA

2. Smt. Jyoti Dhurve
3. Shri Prem Chand Guddu
4. Smt. Paramjit Kaur Gulshan
5. Shri Mohinder Singh Kaypee
6. Dr. Virendra Kumar
7. Shri Hamdullah Sayeed
8. Dr. Kirit Premjibhai Solanki
9. Shri Lalit Mohan Suklabaidya

RAJYA SABHA

10. Shri D. Raja

SECRETARIAT

1. Dr. R.K. Chadha, Joint Secretary
2. Shri Hardev Singh, Director
3. Shri S. Chatterjee, Additional Director

WITNESSES

MINISTRY OF FINANCE (DEPARTMENT OF REVENUE) CENTRAL BOARD OF DIRECT TAXES

- 1 Shri Laxman Das, Chairman
- 2 Mrs. Manjari Kacker, Member (Personnel & Vigilance)
- 3 Shri S.K. Lohani, Joint Secretary (Admn.)
- 4 Shri P. Narayanan, Director (Ad.VII & Ad.IX)
- 5 Shri Manoj Joshi, Director of Income Tax (HRD-II)

At the outset, the Chairman welcomed the members of the Committee. On inquiry about the status of the proposed meeting of the Committee with the Hon'ble Prime Minister to discuss issues related to welfare of Scheduled Castes and Scheduled Tribes, the Committee were informed that the Hon'ble Prime Minister has kindly agreed for a meeting with the members of Committee and confirmation in this regard was expected shortly.

2. The Committee then considered the draft report on Action taken by the Government on the recommendations contained in the Eighth Report (Fifteenth Lok Sabha) regarding "Reservation for and Employment of Scheduled Castes and Scheduled Tribes in Punjab and Sind Bank and credit facilities provided by the Bank to them" and adopted the same.

(The witnesses were called in)

3. The Committee then took oral evidence of the representatives of the Ministry of Finance (Department of Revenue) CBDT on the subject "Reservation for and Employment of Scheduled Castes and Scheduled Tribes in Central Board of Direct Taxes (CBDT)".

4. The evidence was completed.

(The witnesses then withdrew)

5. A verbatim record of the proceedings was kept.

The Committee then adjourned.

MINUTES

COMMITTEE ON THE WELFARE OF SCHEDULED CASTES AND SCHEDULED TRIBES (2012-2013)

(FIFTEENTH LOK SABHA)

**SEVENTH SITTING
(26.09.2012)**

The Committee sat from 1130 to 1315 hrs. in Committee Room No. '62',
Parliament House, New Delhi

PRESENT

Shri Gobinda Chandra Naskar - Chairman

MEMBERS

LOK SABHA

2. Shri M. Anandan
3. Shri Bhudeo Choudhary
4. Smt. Santosh Chowdhary
5. Smt. Paramjit Kaur Gulshan
6. Dr. M. Jagannath
7. Shri Mohan Jena
8. Shri Mohinder Singh Kaypee
9. Shri Mithilesh Kumar
10. Shri P. Balaram Naik
11. Shri Ashok Kumar Rawat
12. Shri Bajju Ban Riyan
13. Dr. Kirit Premjibhai Solanki
14. Shri Lalit Mohan Suklabaidya
15. Shri Bhausahab Rajaram Wakchaure

RAJYA SABHA

16. Shri Faggan Singh Kulaste
17. Shri Lalhming Liana
18. Shri D. Raja
19. Shri Nand Kumar Sai
20. Shri Ishwar Singh
21. Shri Veer Singh

SECRETARIAT

1. Dr. R.K. Chadha, Joint Secretary
2. Shri Hardev Singh, Director
3. Shri S. Chatterjee, Additional Director

WITNESSES

MINISTRY OF PERSONNEL, PUBLIC GRIEVANCES AND PENSIONS **(DEPARTMENT OF PERSONNEL AND TRAINING)**

1. Shri P.K. Misra, Secretary
2. Shri B.P. Sharma, Additional Secretary and E.O.
3. Shri Manoj Joshi, Joint Secretary (AT&A)
4. Shri Ravi Kota, Director (EO)

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

1. Shri Arun Kumar Sinha, Joint Secretary
2. Shri Rakesh Bhartiya, Director
3. Shri Umesh Dongre, Director
4. Shri Madan Mohan, Joint Director

PUBLIC ENTERPRISES SELECTION BOARD

1. Mrs. P.S. Behuria, Secretary
2. Shri Vedantam Giri, Director

At the outset, the Chairman welcomed the Members of the Committee. The Committee then considered the draft Report on the subject "Reservation for and Employment of Scheduled Castes and Scheduled Tribes in Central Board of Direct Taxes (CBDT)" and adopted the same.

(The witnesses were called in)

2. Thereafter, the Committee took oral evidence of the representatives of the Ministry of Personnel, Public Grievances and Pensions (Department of Personnel and Training), Ministry of Heavy Industry and Public Enterprises (Department of Public Enterprises) and the Public Enterprises Selection Board (PESB) on the subject "Review of representation of Scheduled Castes and Scheduled Tribes in the senior positions of Government of India".

3. During the discussion, the Committee were informed by the representatives of the Department of Personnel and Training that the information desired by the Committee is still awaited from some Departments/Undertakings. The Committee, therefore, decided to hold another meeting on the subject on 10 October, 2012 and call the representatives of the Ministries for further evidence.

(The witnesses then withdrew)

4. A verbatim record of the proceedings was kept.

The Committee then adjourned.

Summary of Conclusions/Recommendations contained in the Report

Sl. No.	Para No.	Summary of Conclusions/Recommendations
1.	2.	3.
1.	1.9	<p>The Committee are appalled to note that no officer hailing from SC/ST community has been appointed as Chairman or Member of the Board since 1987. Also information prior to 1987 is not available. No representation of SC/ST in the apex body of Income Tax department is of grave concern. The Committee note that for the past 25 years no member from SC/ST community has ever occupied the post of Chairman/Member of CBDT. The Committee vehemently quash the lame excuse of the Government that this scenario is a result of either non availability of eligible officers or that the available applicants do not meet comparative merit criteria. The Committee are of the view that the relevant Act for appointment of Chairman/Members of CBDT should be suitably amended to provide reservation to SCs/STs on the Board of Directors. Also relaxations/concessions should be provided to SC/ST candidates eligible for such positions. The Committee would like to be apprised of the reply of the Department of Revenue in the matter of selection of Members of Board of Directors of CBDT. The Committee strongly express their displeasure in the matter that the SCs/STs are being deprived of occupying higher posts in the CBDT. The Committee would like to assert that necessary steps should be taken by the Government in this regard for revising the procedure of selection for the posts of Chairman/Member in CBDT for candidates belonging to SC/ST category.</p>

- | | | |
|----|------|--|
| 2. | 2.10 | <p>The Committee are aghast to note that massive shortfall exists in both the direct recruitment and the promotion categories. It has been stated that the shortfall in direct recruitment majorly resulted from non-joining of a large number of nominated candidates and resigning from the posts by the candidates after appointment. The Committee note that the said backlog is primarily restricted to stenographer cadre in direct recruitment. The Committee recommends that the said shortfall should be cleared on priority basis and directs the Ministry to continually pursue the matter with Staff Selection Commission (SSC). CBDT in conjunction with the SSC should devise a detailed plan to overcome such shortfall. Firstly, SSC should be requested to maintain a wait list of candidates which should be made operative in case of non-joining/resignation of the selected candidates since the fresh recruitments would be a time consuming task. The Committee also take note of the fact that Group 'D' posts have been redesignated as multitasking services and placed in Group 'C'. CBDT have further informed that their requirements for multitasking services are met through outsourcing. The Committee would thus like to recommend that outsourcing should be made in such a manner that adequate number of SC/ST candidates are engaged for multi-tasking services.</p> |
| 3. | 2.15 | <p>The Committee are constrained to note that the Ministry is putting forward lame excuses as non-availability of eligible officers in feeder cadre for shortfall in promotion. The nonchalant attitude of the Ministry is evident from the fact that despite conducting departmental examination meant for promotion to the post of Income Tax Inspector and</p> |

Income Tax Officers, shortfall in promotion still persists. It is evident that every year a good number of SC/ST candidates qualify the examination for promotion but only handful are promoted. This clearly exhibits the incoherent nature of the reply of the Ministry. The Committee are surprised to note that despite having SC/ST candidates who are eligible for promotion posts, the CBDT has been depriving these candidates of rightful promotion. The Committee would like to recommend that an enquiry should be initiated for such cases in various Directorates to determine the reasons for keeping promotion posts vacant despite availability of SC/ST candidates, who have already qualified in the examination for promotion. The Committee refute the contention of the Ministry that non-availability of eligible candidates is the major reason for backlog. The Committee also note with concern that departmental examinations for promotion are not held in certain Directorates and would like to know the reasons for the same. The Committee recommend that the departmental examinations should be held in all the Directorates to facilitate the SC/ST candidates in feeder cadre.

4.

2.19

The Committee censure the inaction of CBDT regarding the denial of promotion to the Scheduled Castes and Scheduled Tribes officials who were senior than the general candidates in the zone of consideration for promotion and were otherwise eligible for promotion in the roster points meant for the general candidates due to the reason that they have qualified the departmental examination by getting 5% grace marks in the qualifying examination. The Committee are of firm view that the purpose of the qualifying examination is only to make the candidates

eligible for consideration by the Departmental Promotion Committee for such promotion and hence, the marks obtained in the departmental examination are not required to be taken into account for any other purpose. The Committee, therefore, recommend that the Scheduled Castes and Scheduled Tribes candidates who have passed the departmental qualifying examination by availing the facility of 5% relaxation or grace marks, should not be debarred from promotion on their 'own merit' since they are already eligible for the promotion.

5.

2.30

The Committee take a serious note of the response of the Ministry with regard to filling up of backlog vacancies. As per the information furnished by the Ministry (Appendix M), it appears that backlog persists in various posts including Tax Assistant, Senior Tax Assistant, Income Tax Inspector, Office Superintendent among other. Even multitasking services which have been merged in Group 'C' after abolition of Group 'D' posts, are suffering from backlog. The Committee recommend that the backlog in these post may be filled at the earliest by adopting liberal benchmarks. The Committee should be apprised of details in this regard. The Committee would also like to be apprised of the reasons as to why vacancies exist in posts other than stenographer cadre. The Committee find it highly preposterous that multitasking services are also marred by shortfall for which minimal qualifications are required. The Committee may also be informed about the number of SC/ST employees recruited to multitasking services through outsourcing. The Committee also urge the Ministry to make sure that contractors involved in outsourcing may be sensitized on this issue and direct

them to give preference to SCs/STs candidates. The Committee also recommend that certain percentage of reservation for SCs/STs may be provided in the multitasking services.

6.

2.31

The Committee excoriate the Ministry for the persisting backlog in Group A, B and C vacancies. It has been informed that the backlog/shortfall is regularly reported to SSC, however, there seems to be no improvement in the situation. The Chairman, CBDT during evidence stated that major backlog exists in stenographer cadre belonging to Group 'C'. It is apparent that relaxing the criteria to 80 percent accuracy has not fetched enough stenographers to fill the backlog. Thus the Committee would like to recommend that CBDT should further lower the criteria for stenographer cadre since the backlog persist both in the General and SC/ST vacancies. The Committee further recommend that the SC/ST candidates appointed on relaxed standards must be provided post recruitment training to bring them upto the required standards. The Committee should be apprised of the progress in the matter.

7.

2.37

The Committee are flabbergasted at the complacent attitude of the Ministry regarding inspection of rosters. The inspection of rosters, it appears are not given much gravity in CBDT. The Committee would like to know whether strict schedules are followed with regard to inspection of rosters. The laxity of CBDT is evident from the fact that only after intervention of the Committee, it had instructed CCIT (Jaipur) for inspection of rosters. The Committee would like to be apprised of the progress in this regard. The Committee should also be informed regarding

		<p>discrepancies, if any, detected in Mumbai region, DIT(PR, PP&OL), DIT(ITA) wherein rosters are placed before DPC and details thereof. The Committee strongly feels that CBDT has not been frank regarding discrepancies in rosters. The Committee desire to be informed regarding the discrepancies which were overruled in Guwahati region. The details of discrepancies sorted out in Hyderabad region may also be provided to the Committee.</p>
8.	3.6	<p>The Committee take serious note of the fact that separate SC/ST Cells are not in existence in various regional offices. The Committee are concerned that in the absence of SC/ST Cells, the aggrieved SC/ST officials have no means of redressal. The laxity of Ministry in this regard is deplorable. The Ministry had impressed upon the cadre controlling authorities to set up a separate SC/ST Cell only upon being prodded by the Committee. The Committee are distressed to note that no alternate arrangement has been made in past for addressing the grievances of SC/ST officials. The Committee after taking into consideration the given facts feel that the Ministry have been indifferent towards the welfare of SC/ST officials in CBDT. The Committee strongly emphasize that the SC/ST Cell should be made operative in all the Directorates/Regions and that the Committee should be apprised regarding details thereof.</p>
9.	3.7	<p>The Committee are saddened by the fact that Liaison Officers apart from carrying out work related to SCs/STs have been assigned various other duties (Appendix O). The Committee are of view that the Liaison Officer is a key figure in an organisation and is responsible for ensuring implementation of reservation</p>

policies of the Government. The Committee feel that burdening the Liaison Officer with additional responsibilities may dilute the whole purpose of his appointment as Liaison Officer. The Committee strongly recommend that since the Liaison Officer is appointed to ensure due compliance of orders and instructions pertaining to reservations of vacancies in favour of SCs/STs, he should not be overburdened with other official work. The Committee are utterly dismayed by the fact that formal training to make Liaison Officer and officials working in SC/ST Cell well versed with reservation policies for SCs/STs is not provided by many Directorates. The Committee would like to point out that the Liaison Officer acts as a watchdog to safeguard the interests and welfare of the SCs and STs and should have sound knowledge of reservation policies/rules. The Committee would, therefore, like to impress upon the fact that formal training should be provided to Liaison Officer so that they can discharge their duties earnestly and effectively. The Committee have been informed by the Ministry of Finance that National Academy for Direct Taxes, Nagpur has been instructed to formulate and conduct training for Liaison Officers/officials. The Committee would like to be apprised of the schedule of such training and the Directorates providing training along with names of the Liaison Officers.

10.

3.12

The Committee are perturbed to note that despite issuance of strict directives by DoP&T to all Ministries/Departments to fill the backlog reserved vacancies for SCs/STs by 31.03.2012, the backlog still persists in direct recruitment and promotion quotas. In direct recruitment quota, there were 47(110-63) backlog vacancies of SCs and 50 (105-55) backlog

vacancies of STs as on 31.3.2012 out of which major backlog exists in stenographer cadre. However, the backlog appear to be dispersed among various categories of posts in promotion quota wherein a massive backlog of 460 (810-350) vacancies exists in SC category and that of 719 (1082-363) vacancies exists in ST category. There are 203 SC posts and 99 ST posts lying vacant in the stenographer grade. Apart from that, there are backlog vacancies existing in the posts of Private Secretary, Sr. Private Secretary, Administrative Officer, Officer Superintendent, Income Tax Inspector, Sr. Tax Assistant, Tax Assistant etc. Even the multitasking services, which are catered by outsourcing, are having mammoth backlog. The Committee are exasperated at the lackadaisical approach of the Ministry regarding the Special Recruitment Drive. The Committee are baffled by the stereotyped replies of the Ministry of Finance regarding non clearance of backlog. The Committee recommend that the backlog in stenographer cadre in the direct recruitment quota may be filled by adopting relaxed standards so that SC/ST candidates do not suffer due to exceptionally high standards which even general category candidates are not able to meet. Keeping in mind the colossal backlog in promotion quota, the Committee would like to urge the CBDT to consider in house candidates who have qualified departmental examination for promotion. The Committee would like to impress upon the Ministry of Finance that, if they still are not able to find the eligible candidates in the feeder cadre, the promotion backlog vacancies may be diverted to the direct recruitment quota.

11.	3.20	<p>The Committee express grave concern regarding the fact that no separate complaint register is maintained to record the complaints/grievances of SCs/STs at various Directorates. The Committee are of view that since most of these complaints/grievances are related to promotion, transfer, additional increments, pay fixation, grant of selection grade, seniority etc. these need to be recorded properly, clearly indicating the date of receipt of the complaint, nature of each case and its disposal. The Committee, therefore, recommend that a separate register be maintained at all Directorates. The Committee also urge that a senior official may be deputed at each Directorate for monitoring these registers periodically so as to ensure that all complaints/grievances of SC/ST officers are redressed properly. The SC/ST officials who are not able to register their complaints because of the absence of any redressal machinery, are the ultimate sufferers. The Committee, therefore, recommend that the Ministry should issue pertinent directions to all cadre controlling authorities to maintain separate registers for complaints so that the grievances of the aggrieved SC/ST officials should not go unheard. The Committee should also be informed about the action taken in the matter within three months of presentation of this Report.</p>
12.	3.30	<p>The Committee are happy to note that a fair percentage of SC/ST candidates have been provided training. However, the Committee would like to be apprised of the criteria adopted for sponsoring the candidates for foreign training. The Committee are of the firm opinion that getting trained abroad will not only enable the SC and ST officers to acquire skills and aptitude but will widen their horizon and also provide</p>

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an impetus to their careers. The Committee, therefore, recommend that the Ministry should draw out a list of eligible SC/ST candidates for training abroad. The Committee would like to be informed regarding development in this regard.

The Committee are perturbed by the tardy progress relating to false caste certificate cases. The Committee are of the view that CBDT should act in a proactive manner and display extra vigilance at the time of initial appointment by resorting to compulsory verification of all caste certificates at entry level itself to curb the menace of false caste certificates. The Committee are disturbed to note that cases of false caste certificates are pending at various levels for verification. It is once again stressed that getting employment on the basis of false caste certificates is the gravest form of injustice to SCs/STs persons. Such form of fraudulent act deprives the genuine SCs/STs candidates of the rights bestowed upon them by the Constitution of India. Pending of false caste certificate cases at the level of Screening Committees and Collectors for verification is just delaying justice to SC/ST candidates who have been deprived of their jobs. The Committee recommend that CBDT should direct its Income Tax Commissioners in various Directorates, to personally involve themselves in expeditious disposal of such cases and pursue the District Collectors/Competent Authorities of the region in this regard.

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The Committee are pained to note that persons appointed on the basis of false caste certificates are still continuing in service and some of them have even retired while the cases are still going on. The Committee are dissatisfied that no severe

action/criminal proceedings have been initiated against the guilty persons. A person found accused is merely dismissed from service. The Committee recommend that stringent action in this regard like lodging FIR against the guilty, should be taken in order to set an example for others and discourage them from resorting to such tactics. The Committee also take serious note of the fact that certain cases are *sub-judice* and although departmental proceedings have been initiated further action is being delayed. The Committee urge CBDT that it should implead as a party and actively pursue the matter for getting the stay vacated in disputed cases. The Committee would also like CBDT to rigorously pursue the cases and try to get an early hearing and decision. The Committee should be apprised of the status of false caste certificates cases lying pending within three months of presentation of this Report.

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The Committee observe that there are a large number of pending cases of appointments on compassionate grounds in various Directorates. The Committee are of view that due to the ceiling of 5% on the compassionate appointments in case of direct recruitment, has restricted the CBDT from disposing of the pending cases of compassionate appointments. However, the Committee are hopeful that the Ministry would deal with cases of compassionate appointments on priority within a specific timeframe so that dependents of the deceased SC/ST employees do not face hardship after the demise of their bread earners. The Committee would like to recommend that the Ministry should make sincere endeavours on humanitarian grounds to adjust the pending cases of compassionate appointments among vacancies

		<p>available in multi tasking services. As admitted by Chairman, CBDT during evidence that the qualifications of the kin may be different from that of the deceased employees, efforts must be made to absorb the member of the deceased employee's family as a multi tasking service employee for which minimal qualifications are required. The Committee also note that CBDT does not offer financial assistance in lieu of providing job on compassionate grounds.</p>
16.	4.15	<p>The Committee are of the firm view that the caste prejudice against SCs/STs has often posed numerous hurdles in securing housing facilities for them and their families. The Committee had earlier pointed out that reservation in housing allotment is not available in certain Directorates. Although the Ministry have assured that cadre controlling authorities have been instructed to follow Government instructions, the Committee recommend that mandatory reservation in residential accommodation should be made for SC/ST employees in those Directorates which are currently not making any reservation so that the SC/ST employees do not have to worry about residence in places of their posting. In view of pending cases of housing accommodation i.e., 7 in Bhubaneswar, 8 in Chandigarh, 4 in Delhi, 4 in Guwahati, 1 in Jaipur and 30 in Mumbai, the Committee would urge the Ministry to provide accommodation to such officials at the earliest.</p>
17.	4.19	<p>The Committee strongly criticize CBDT for not recognizing the Associations/Federations formed by the Scheduled Castes and Scheduled Tribes officers and officials as 'service associations' by alleging them as caste based associations. The Committee are of view that the so called recognized service associations</p>

are mostly headed by the general/forward class who are usually apathetic towards the issues beneficial to the Scheduled Castes and Scheduled Tribes. Thus in order to safeguard the interest of the officials/officers belonging to Scheduled Castes and Scheduled Tribes, the Committee recommend that the Associations/Federations constituted by the Scheduled Castes and Scheduled Tribes officials/officers should be recognized as service association by the CBDT.