

**COMMITTEE ON WELFARE OF OTHER BACKWARD CLASSES
(2016-17)**

(SIXTEENTH LOK SABHA)

MINISTRY OF LABOUR & EMPLOYMENT

**[Action taken by the Government on the Recommendations/ Observations
contained in the Second Report (Sixteenth Lok Sabha) of the Committee
on Welfare of Other Backward Classes on “Reservation in
employment and welfare measures for OBCs in the
Employees' Provident Fund Organisation”]**

SIXTH REPORT



सत्यमेव जयते

**LOK SABHA SECRETARIAT
NEW DELHI**

8 February, 2017/ 19 Magha, 1938 (Saka)

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MINISTRY OF LABOUR & EMPLOYMENT

Presented to Lok Sabha on 08.02.2017

Laid in Rajya Sabha on 08.02.2017



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LOK SABHA SECRETARIAT
NEW DELHI
8 February, 2017/ 19 Magha, 1938 (Saka)

C.O.OBC No. 13

Price : Rs

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Published under Rule 382 of the Rules of Procedure and Conduct of Business in Lok Sabha
(Fifteenth Edition)

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COMPOSITION OF THE COMMITTEE ON WELFARE OF OBCs (2016-17)

SHRI GANESH SINGH- CHAIRPERSON

MEMBERS

LOK SABHA

2. Smt. Santosh Ahlawat
3. Shri A. Arunmozhithevan
4. Dr. Boora Narsaiah Goud
5. Shri Prataprao Ganpatrao Jadhav
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14. Shri Kapil Moreswar Patil
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26. Shri Husain Dalwai
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28. Shri Narendra Budania
29. Shri Ram Nath Thakur
30. Shri Rajaram

SECRETARIAT

1. Shri N.C. Gupta - *Joint Secretary*
2. Shri A.K. Shah - *Director*
3. Shri R.R. Kumar - *Additional Director*
4. Smt. P. Jyoti - *Under Secretary*

INTRODUCTION

I, the Chairperson, Committee on Welfare of Other Backward Classes having been authorised by the Committee to present the Report on their behalf, present this Sixth Report on "Action taken by Government on the recommendations/observations contained in the Second Report (Sixteenth Lok Sabha) of the Committee on Welfare of Other Backward Classes on "Reservation in employment and welfare measures for OBCs in the Employees' Provident Fund Organisation" pertaining to the Ministry of Labour & Employment.

2. The Second Report was presented to Lok Sabha on 13.08.2015 The replies of the Government to all the recommendations contained in the Report were received on 17.11.2015.

3. The replies of the Government were examined and the Draft Report was considered and adopted by the Committee at their sitting held on 27.01.2017

4. An analysis of the Action Taken by the Government on the recommendations/observations contained in the Second Report (Sixteenth Lok Sabha) of the Committee is given in Appendix-II

NEW DELHI;
6 February, 2017
17 Magha, 1938 (Saka)

GANESH SINGH,
Chairperson,
Committee on Welfare of OBCs

CHAPTER I

REPORT

This Report of the Committee on Welfare of Other Backward Classes deals with the action taken by the Government on the Recommendations/Observations contained in their Second Report (Sixteenth Lok Sabha) on "Reservation in employment and welfare measures for OBCs in the Employees' Provident Fund Organisation" pertaining to the Ministry of Labour & Employment.

2. The Second Report (Sixteenth Lok Sabha) of the Committee was presented to Lok Sabha on 13th August, 2015 and was laid on the Table of Rajya Sabha the same day. The Report contained 7 Recommendations/Observations. Action taken notes in respect of all the Recommendations/Observations contained in the Report have been received from the Government. These have been examined and categorised as follows:

- i. Recommendations/Observations which have been accepted by the Government:
Recommendation Sl. Nos. 2, 3.....
(Total - 2)
Chapter II
- ii. Recommendations/Observations which the Committee do not desire to pursue in view of the Government's replies:
Nil
(Total - Nil)
Chapter III
- iii. Recommendations/Observations in respect of which replies of the Government have not been accepted by the Committee and which require reiteration:
Recommendation Sl. No. 1, 4, 5, 6, 7.....
(Total - 5)
Chapter IV
- iv. Recommendations/Observations in respect of which final replies of the Government are still awaited:
NIL
(Total - NIL)
Chapter V

3. **The Committee desire that Action Taken Notes on the Recommendations/Observations contained in Chapter I of the Report should be furnished to the Committee within three months of the presentation of this Report.**

4. The Committee will now deal with the action taken by the Government on some of the Recommendations/Observations which need reiteration or comment in the succeeding paragraphs.

Representation of OBCs on the Central Board of Trustees

Recommendation Sl. No. 1 (Para No. 2.1)

5. The Committee in their Second Report had desired the Ministry of Labour and Employment to take initiative to ensure representation of OBC persons in the Central Board of Trustees of the EPFO as the representatives of the employees in order to promote and protect the interest of OBC employees of the organisation. This can be effected by encouraging OBC employees to form Association for the Welfare of OBC employees. The Committee had also recommended that the Ministry should also make efforts to get an OBC member included in the Executive Committee amongst the three representatives of the employees.

6. In their Action Taken Notes, the Ministry of Labour & Employment has stated as under:-

“The Central Board of Trustees (CBT), Employees’ Provident Fund is a tripartite body having representations from official side and employers’ as well as employees’ side. The CBT is constituted as per the provisions contained in Section 5A of the Employees’ Provident Funds & Miscellaneous Provisions Act, 1952. There is no statutory provisions under the said Act for specific representation of OBCs in CBT or its Executive Committee. The Members of the CBT, EPF from employers’ as well as employees’ side are appointed by the Central Government on the recommendations of the Associations of employers and employees, recognized by the Central Government.”

7. **The Committee find that the reply given by the Ministry that there is no statutory provisions under the Employees’ Provident Funds & Miscellaneous Provisions Act, 1952 (EPF&MP) for specific representation of OBCs in Central Board of Trustees (CBT) or its Executive Committee is routine, casual and academic in nature. The Committee had noted in their original Report that amongst other members, the CBT consisted of 10 persons representing employees in the establishments to which the scheme applied. The Committee had also noted that the employees representatives were determined by the Trade Unions and Employees’ Association and are appointed by the Central**

Government after consultation with such organisations of employees. In view of this, the Committee had recommended the Ministry of Labour and Employment to ensure representation of OBC persons in the CBT of the EPFO as the representatives of the employees chosen by the OBC Employees' Association, which is well within the ambit of the EPF&MP Act. This could be effected by facilitating the formation of OBC Employees' Welfare Association in the Organisation or by recognizing the existing one. The Committee are still of the same view and would like to reiterate their recommendation. The Committee further restate that an OBC member should be included in the Executive Committee also under the quota of three representatives of the employees. The Committee desire that the Ministry should take a positive action in this regard in order to promote and protect the interest of OBC employees of the organisation and intimate the Committee about the action taken in this regard.

Training Facilities for OBCs

Recommendation Sl. No.4 (Para No. 2.4)

8. In their Second Report, the Committee had observed that the EPFO arrange for Induction Training to the new recruits and Refresher Course to all the cadres regularly through the Zonal Training Institutes/National Academy for Training and Research in Social Security (NATRSS) irrespective of their categories. Further, special training are given to all the applicants including OBCs whenever any posts are proposed to be filled through Departmental Examination Quota. In view of this, the Committee had recommended the Employees' Provident Fund Organisation to take initiative to start pre-recruitment training especially for the OBC candidates on priority basis so as to provide the backward community people a level playing field. The Committee had also suggested that the possibilities and feasibility may be explored to take services of the Zonal Training Institutes and/or the National Academy for Training and Research in Social Security (NATRSS) in this regard.

9. The Ministry of Labour & Employment in their Action Taken Notes have stated as follows:-

“EPFO follows DoPT instructions on the subject. Any instruction of the Government, issued by the nodal Ministry, would be complied with by the EPFO.”

10. In view of the fact that the EPFO arrange Induction Training to the new recruits and Refreshers course to all the cadres regularly through the Zonal Training Institutes/NATRSS, the Committee in their Original Report had recommended the EPFO to take initiative to start pre-recruitment training especially for the OBC candidates on priority basis. The Committee feel that the reply given by the Ministry that EPFO follows DoPT instructions and any instruction of the Government issued by the nodal Ministry would be complied with is insufficient. The DoPT might not have issued any instruction in this regard, yet it is difficult for the Committee to understand as to which order of DoPT obstructs the way of imparting pre-recruitment training to the depressed class of the society. The Committee while examining various subjects under their purview observed that some of the organizations including public sector banks and financial institutions are providing pre-recruitment training to SC, ST and OBC candidates in order to ensure up-gradation of their skill to bring them at par with their counterparts. The Committee are of the opinion that the other organisations like EPFO can also take lead in starting pre-recruitment training for socially and educationally backward classes in a similar way. This step will also help the organisation in filling up the backlog vacancies of OBCs in time bound manner. The Committee therefore, reiterate their recommendation and hope that EPFO will arrange for the pre-recruitment training for OBC candidates on priority basis in consultation with DoPT, if needed.

Foreign training programmes for OBC employees

Recommendation Sl. No. 5 (Para No. 2.5)

11. In their Second Report, the Committee had noted that the EPFO had nominated only 3 OBC employees out of 27 officials for attending foreign training programmes during last three years. The EPFO justified it by stating that they do not differentiate any candidate on the basis

of categories or region while selecting for a training course and the officers are chosen for foreign training based on the functional requirement. While supporting the idea of the taking care of the functional need of the organisation, the Committee had recommended that the organisation should adopt a just and equitable approach for weaker section of the society and accommodate more and more OBC officials in foreign training programmes, assignments and symposia in order to boost the morale of the officers/employees belonging to OBC community.

12. In the Action Taken Replies to the recommendation of the Committee, the Ministry of Labour & Employment stated as under:-

“EPFO follows DoPT instructions on the subject. Any instruction of the Government, issued by the nodal Ministry, would be complied with by the EPFO.”

13. **The Committee in their Second Report had highlighted the low representation of OBC employees of the EPFO in foreign training programmes and had recommend to adopt a just and equitable approach for weaker section of the society and accommodate more and more OBC officials in foreign training programmes, assignments and symposia in order to boost the morale of the officers/employees belong to OBC community. The Committee are surprised that the Ministry has repeated same reply as given on the issue of pre-recruitment training that EPFO follows DoPT instructions and any such instruction from DoPT if comes would be complied with. The Committee would like to understand whether any orders of DoPT provide to keep low representation of OBCs foreign training programmes. As a matter of fact, the special attention by the State to the socially and educationally backward classes has been assured by the Constitution of India and any deviation from the well established provisions of the Constitution in the name of DoPT orders is not acceptable in any manner. The Committee, therefore, reiterate their recommendation that EPFO should ensure adequate representation of OBCs in foreign training programmes, assignments and symposia to promote and protect the interests of OBC employees.**

OBC Reservation in Recruitment Boards/Selection Committees

Recommendation Sl. No. 6 (Para No. 2.6)

14. The Committee in their Second Report had referred to the DoPT OM dated 13th February, 2014 to establish that wherever a Selection Committee/Board is constituted for making recruitment to 10 or more vacancies, it shall be mandatory to have at least one Member belonging to OBC category in such Committee/Board and also all efforts should be made to ensure the inclusion of one OBC member even if the number of vacancies to be filled is less than ten. The EPFO had informed that they are not making any recruitment directly and in respect to OBC representation in the Departmental Promotion Committee (DPC), it was informed that there is no provision for reservation of OBCs in promotion quota. However, in view of the sizeable number of OBC employees working in the organisation, the Committee had recommended that the EPFO should make all efforts to include at least one OBC officer in the DPC on the lines of representation being given to the SC/ST officer in the DPC.

15. The Ministry of Labour & Employment in their Action Taken Notes stated as follows:-

“EPFO follows DoPT instructions on the subject. Any instruction of the Government, issued by the nodal Ministry, would be complied with by the EPFO.”

16. **The Committee in their Second Report had observed that it was mandatory for any organisation to have at least one OBC member in the Selection Committee/Board constituted for filling up 10 or more vacancies and to make all efforts to have an OBC member even if the vacancies to be filled are less than ten. The Committee had also noted that representation of SC/ST officers was ensured by the DoPT in the Departmental Promotion Committees. Against this backdrop, the Committee had strongly felt that in view of the sizeable number of OBC employees working in the organisation, it was desirable to have a representative of OBC employees in the DPC. The Committee are dismayed to find that the Ministry has chosen to stick to a repetitive reply and shirk their responsibility in the name of absence of any instruction from DoPT. The Committee are unable to comprehend as to how the inclusion of an OBC member alongwith an SC/ST representative in the DPC could be termed as violation of DoPT orders. The Committee expect that the Ministry would rise above the academic approach**

and take pragmatic decision based on the idea of inclusive growth of the society. The Committee, therefore, reiterate their recommendation of giving representation to the OBC officers in the Departmental Promotion Committees.

Grievance Redressal Mechanism

Recommendation Sl. No. 7 (Para No. 2.7)

17. The Committee, in their Second Report had expressed displeasure over the stand taken by the Ministry of Labour & Employment not to recognise officially the formation of OBC Employees' Welfare Association in the EPFO on the basis of the said DoPT clarification that category based (SC/ST/OBC) associations are not to be recognised. The Committee had emphasised that the Constitution has provided safeguards for the socially and educationally backward section of the society for the sake of their upliftment and to ensure that the backward people are given the opportunity to join the mainstream of the society. As such the Committee had recommended that the EPFO should consider to recognise the formation of OBC Employees' Welfare Association in their organisation in order to provide appropriate platform to the OBC employees to voice their sentiments, problems, grievances, complaints etc. before the management. The EPFO may also arrange to hold periodical meetings with the representatives of such Association to ensure that their grievances are addressed as early as possible.

18. The Ministry of Labour & Employment in their Action Taken Notes stated as follows:-

“EPFO follows DoPT instructions on the subject. Any instruction of the Government, issued by the nodal Ministry, would be complied with by the EPFO.”

19. The Committee in their Second Report had highlighted the safeguards provided by the Constitution of India to the socially and educationally backward section of the society for the sake of their upliftment and to ensure that the backward people are given the opportunity to join the mainstream of the society. It was the spirit of the Constitution that prompted the Committee to recommended that the EPFO should consider to recognise the formation of OBC Employees' Welfare Association in their organisation in order to provide appropriate platform to the OBC employees to voice their sentiments,

problems, grievances, complaints, etc. before the management. However, it appears that the Government has not taken the recommendation of the Committee seriously. Otherwise, it might not have ignored the fact so easily that there are a number of organizations where SC/ST employees' welfare associations are functional for quite a long period and for that matter OBC employees' welfare associations have also been recognised by some of the organisations nation wide. The Committee feel that the EPFO should also follow suit and facilitate formation of OBC employees welfare association in their organisation or officially recognize the existing Association, as the case may be, in order to promote and protect the interest of OBC employees. The Committee also reiterate that the EPFO may also arrange to hold periodical meetings with the representatives of such association to ensure that their grievances are smoothly addressed.

CHAPTER-II

RECOMMENDATIONS/OBSERVATIONS WHICH HAVE BEEN ACCEPTED BY THE GOVERNMENT

Recommendation (Sl. No. 2)

Recruitment and Implementation of Reservation Policy for OBCs

The Committee note that the EPFO is implementing the reservation orders of the Government of India in recruitment by giving 27 percent reservation to OBC candidates in direct recruitment on All India basis by open competition. In case of Group 'C' and 'D' posts, which normally attracts candidates from local regions, the percentage of reservation varies for different States/UTs as per the Government orders. The Committee also note that there is a huge gap between the sanctioned strength of 24,659 in the organisation and the actual strength of just 18,901 leaving a considerable shortage of 5,758 officials in all the category of officers and staff as on 31st March, 2014 which include the reported shortage of 249 Group 'A' officers, 1691 Group 'B' officers and 3818 staff in Group 'C' category. EPFO has informed that the recruitment of 252 candidates including 63 candidates belonging to OBC category for the entry level post of Assistant Provident Fund Commissioner (APFC) in Group 'A' is in final stage. From the information furnished by the EPFO for Group 'B' posts, the Committee find that no recruitment has been conducted since 1998-99 in spite of the reported shortage of 1691 officers. The Committee are surprised that the EPFO is still under consultation process with UPSC to fill up only 543 posts of Enforcement Officers through direct recruitment out of which 154 posts belong to OBC category. It is further disheartening that in Group 'C' category, which is facing the shortage of as many as 3818 staff, the EPFO is in the process of filling up only 1157 vacancies including 420 vacancies of OBC category. The EPFO has informed that fresh vacancies are being collected from all the regions. Moreover, the Committee have been given to understand that the EPFO is having some dispute with the Union Public Service Commission (UPSC) regarding recruitment in Group 'A' and 'B' category of posts. The Ministry of Labour & Employment is still firming up their views with respect to the clarifications sought by the UPSC. Even for Group 'C' posts, it appears that the Ministry is not sure about engaging a particular agency and is swinging between the Institute of Banking Personnel Selection (IBPS) and the Staff Selection Commission (SSC). In view of the foregoing, the Committee feel that the

Ministry of Labour & Employment is not serious enough to fill up the huge pending vacancies in general and OBC vacancies in particular and a number of bona fide candidates especially from OBC category are being deprived of opportunities. The Committee, therefore, recommend that the recruitment process may be expedited by pragmatically resolving the issues with UPSC and other recruitment agencies and all the pending OBC vacancies may be filled up in a time bound manner. The Committee would like to be apprised of the action taken in this regard.

Reply of the Government

Employees Provident Fund is in the process of sorting out issued with regard to the recruitment process especially with regard to UPSC and other recruitment agencies. The process of recruitment of Assistant PF Commissioners has already started and the UPSC has already notified the vacancies. Further, the issue of direct recruitment of Enforcement Officer/Accounts Officer has been sorted out with UPSC and with the approval of UPSC, the recruitment rules for this cadre has already been notified and the recruitment is under process. In addition, the Educational Consultants India Limited (Ed. CIL), a Central Government Public Sector Undertaking, has been selected as an agency for conducting recruitment in Group C posts.

[Ministry Labour and Employment OM No-H-11021/22/2014-SS-I dt. Nov, 2015]

Recommendation (Sl. No. 3)

Data Collection

During the course of the examination of the subject, the Committee had sought year-wise information about recruitments made in all the grades and representation given to OBC candidates in the EPFO since the implementation of reservation policy of the Government of India in favour of OBCs in 1993. The Committee are aghast to note that the data in this respect is not being maintained by the EPFO and they are still in the process of developing Human Resource Software. The Committee have been informed that most of the recruitments are

being made in Group 'C' category at Zonal and Regional levels and there is no Central Roster System for maintaining the record. Nevertheless, the Committee feel that data maintenance with regard to the recruitments and implementation of reservation is one of the primary responsibilities of the Executive. Even the Right to Information Act, 2005 provide that every public authority shall maintain all its records duly catalogued and indexed and ensure that all records that are appropriate to be computerised are computerised within a reasonable time. The Committee are astonished that the EPFO has not developed a centralised data maintenance system even after the lapse of 10 years of enforcement of the RTI Act. It is further deplorable that the EPFO is not able to provide information regarding recruitment made in Group 'A' and Group 'B' categories also since 1993, which is executed at the Headquarter level. Against this backdrop, the Committee recommend the EPFO to develop a computerised data maintenance w.r.t. all the recruitments made and reservation enforced at Regional, Zonal and Headquarter level at least since 1993 and connect through a network so as to ensure easy, smooth and quick access to such records, on priority basis. The Committee may be apprised of the action taken in this regard.

Reply of the Government

The EPFO, through its Information Service Wing, has developed in-house Computerized mechanism-Human Resource Personal Information System (HRPIS). The field offices have been directed to punch the data to ensure easy, smooth and quick access to the personal records. Feeding of data is already underway.

[Ministry Labour and Employment OM No-H-11021/22/2014-SS-I dt. Nov, 2015]

CHAPTER-III

RECOMMENDATIONS/OBSERVATIONS WHICH THE COMMITTEE DO NOT DESIRE TO PURSUE IN THE LIGHT OF THE REPLIES RECEIVED FROM THE GOVERNMENT

-NIL-

CHAPTER-IV

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

Recommendation (Sl. No. 1)

Representation of OBCs on the Central Board of Trustees

The Employees' Provident Fund Organisation (EPFO) is a statutory body which was established under Employees' Provident Fund & Miscellaneous Provisions Act, 1952 which extends to the whole of India except Jammu & Kashmir. The EPFO functions to institute compulsory savings for employees so as to provide for Provident Fund, Pension and Insurance benefits as a part of the social security mandate of the Government. The Committee have been informed that the Act applies to 187 industries/classes of establishments where 20 or more employees are employed. The EPFO is functioning under the administrative control of Central Board of Trustees, Employees' Provident Funds under the Chairmanship of the Minister of Labour, Government of India. The Committee note that the Central Board of Trustees is constituted in terms of Section 5A of the Act and consists of a Chairman, a Vice-Chairman and 40 other members appointed by the Government of India. Out of these 40 members, five persons are Central Government officials, fifteen persons are from State Governments, ten persons representing employers of the establishments and ten persons representing employees in the establishments to which the scheme applies. These ten representatives of the employees are appointed by the Central Government after consultation with such organisations of employees as may be recognised by the Central Government in this behalf. The Committee have been given to understand that the employees' representatives are determined by the Trade Unions and Employees' Associations. In view of the extant provisions and practice, the Committee desire that the Ministry of Labour and Employment may take initiative to ensure representation of OBC persons in the Central Board of Trustees of the EPFO as the representatives of the employees in order to promote and protect the interest of OBC employees of the organisation. This may be effected by encouraging OBC employees to form Association for the Welfare of OBC employees. The Ministry may also make efforts to get an

OBC member included in the Executive Committee amongst the three representatives of the employees.

Reply of the Government

The Central Board of Trustees (CBT), Employees' Provident Fund is a tripartite body having representations from official side and employees' as well as employee' side. The CBT is constituted as per the provisions contained in Section 5A of the Employees' Provident Funds & Miscellaneous Provisions Act, 1952. There is no statutory provisions under the said Act for specific representation of OBCs in CBT or its Executive Committee. The Members of the CBT, EPF from employers' as well as employees' side are appointed by the Central Government on the recommendations of the Associations of employers and employees, recognized by the Central Government.

[Ministry Labour and Employment OM No-H-11021/22/2014-SS-I dt. Nov, 2015]

Comments of the Committee

(Please see para 7 of Chapter I of the Report)

Recommendation (Sl. No. 4)

Training facility for OBCs

The Committee have been informed that EPFO does not conduct pre-recruitment training. They arrange for Induction Training to the new recruits and Refresher course to all the cadres regularly through the Zonal Training Institutes/National Academy for Training and Research in Social Security (NATRSS) irrespective of their categories. Further, special trainings are given to all the applicants including OBCs whenever any post are proposed to be filled through Departmental Examination Quota. The Committee feel that the OBC candidates appearing in competitive examinations for recruitment belong to socially and educationally backward section of the society and they genuinely need support and encouragement to compete with the other candidates in any open competition. In view of the fact that the EPFO is organising Induction Training programmes and Refresher Courses as also the training

programmes while filling vacancies through Departmental Quota, the Committee recommend the EPFO to take initiative to start pre-recruitment training especially for the OBC candidates on priority basis so as to provide the backward community people a level playing field. The possibilities and feasibility may be explored to take services of the Zonal Training Institutes and/or the NATRSS in this regard.

Reply of the Government

EPFO follows DoPT instructions on the subject. Any instruction of the Government, issued by the nodal Ministry, would be complied with by the EPFO.

[Ministry Labour and Employment OM No-H-11021/22/2014-SS-I dt. Nov, 2015]

Comments of the Committee

(Please see para 10 of Chapter I of the Report)

Recommendation (Sl. No. 5)

Foreign Training Programme for OBC employees

The Committee further note that the EPFO has nominated only 3 OBC employees out of 27 officials for attending foreign training programmes during last three years. On being enquired about the reasons for low representation of OBC officials, the EPFO stated that they do not differentiate any candidate on the basis of categories or region while selecting for a training course and the officers are chosen for foreign training based on the functional requirement and their likely contribution for the organisation after receiving the training. While the Committee fully support the idea of taking care of the fulfilment of functional need of the organisation while nominating officials for such training programmes, yet to boost the morale of the officers/employees belonging to OBC community, it is imperative that they find more representation in such training programmes. The Committee, therefore, are not convinced with the reasons extended by the EPFO and desire that the organisation should adopt a just and

equitable approach for weaker section of the society in future and accommodate more and more OBC officials in foreign training programmes, assignments and symposia.

Reply of the Government

EPFO follows DoPT instructions on the subject. Any instruction of the Government, issued by the nodal Ministry, would be complied with by the EPFO.

[Ministry Labour and Employment OM No-H-11021/22/2014-SS-I dt. Nov, 2015]

Comments of the Committee

(Please see para 13 of Chapter I of the Report)

Recommendation (Sl. No. 6)

OBC Reservation in Recruitment Boards/Selection Committees

The Committee note that all the direct recruitments in the EPFO are being effected through recruitment examinations conducted by the UPSC/SSC or other external agencies and the EPFO is not making any recruitment directly. Regarding appointments through promotional quota, the Committee have been informed that the Departmental Promotion Committee (DPC) is constituted as per the Notified/Gazette Recruitment Rules. The Ministry of Labour & Employment has further expressed that there is no provision for the reservation of OBCs in promotional quota. The Committee do not concur with the views of the Ministry in this regard and wish to draw the attention of the Ministry on the OM issued by the DoPT on 13th February, 2014 wherein it has been provided inter-alia that wherever a Selection Committee/Board is constituted for making recruitment to 10 or more vacancies in any level of posts or services, it shall be mandatory to have at least one Member belonging to OBC category in such Committee/Board. It has also been provided in the Government directive to make all efforts to ensure the inclusion of one OBC Member in such Committee/Board even if the number of vacancies against which selection is to be made is less than ten. Besides, for constitution of DPC, the DoPT has provided for inclusion on SC/ST officers. The Committee feel that even

though there is no reservation for OBCs in promotions, they are getting reservation to the extent of 27 per cent in the direct recruitment and many of them are qualifying on their own merit. Thus, there is a sizeable number of OBC employees working in the organisation. It is, therefore, desirable to have a representative of OBCs in the DPC. In view of this, the Committee recommend that the EPFO should make all efforts to include at least one OBC officer in the DPC on the lines of inclusion of SC/ST officer, in order to ensure OBC representation.

Reply of the Government

EPFO follows DoPT instructions on the subject. Any instruction of the Government, issued by the nodal Ministry, would be complied with by the EPFO.

[Ministry Labour and Employment OM No-H-11021/22/2014-SS-I dt. Nov, 2015]

Comments of the Committee

(Please see para 16 of Chapter I of the Report)

Recommendation (Sl. No. 7)

Grievance Redressal Mechanism

The Committee note with appreciation that the EPFO has appointed a separate Liaison Officer for OBCs in the Head Office and all field offices have also been instructed to nominate one officer separately as Liaison Officer for OBCs. The Committee have been given to understand that the OBC employees are free to approach the nominated officer for redressal of their grievances, if any. Regarding the numbers of complaints received from OBC employees, the Committee were informed that a total of 1450 staff grievances were received which include the grievances received from OBC employees also. It was emphasised by the Ministry of Labour & Employment that the data on number of grievances received from the OBCs are not maintained separately. While the Committee understand that it is difficult to maintain data of the complaints received on caste-basis, at the same time, the Committee feel that given the

opportunity of placing their grievances at proper forum, the OBC employees will certainly come forward for redressal of their grievances. Appointment of separate Liaison Officer for OBCs is one such step which can be instrumental in addressing the cause of welfare of and justice to OBCs. Similarly, the Committee are of the opinion that OBC Employees' Welfare Association can be another forum to take up the issues relating to the recruitment, welfare and grievances of OBCs in the organisation. As such the Committee deplore the stand taken by the Ministry of Labour & Employment not to recognise officially the formation of OBC Employees' Welfare Association in the EPFO on the basis of the said DoPT clarification that category based (SC/ST/OBC) associations are not to be recognised. Rather the Committee are of the firm view that the Constitution has provided safeguards for the socially and educationally backward section of the society for the sake of their upliftment and to ensure that the backward people are given the opportunity to join the mainstream of the society. The Committee, therefore, recommend that the EPFO should consider to recognise the formation of OBC Employees' Welfare Association in their organisation in order to provide appropriate platform to the OBC employees to voice their sentiments, problems, grievances, complaints etc. before the management. The EPFO may also arrange to hold periodical meetings with the representatives of such Association to ensure that their grievances are addressed as early as possible.

Reply of the Government

EPFO follows DoPT instructions on the subject. Any instruction of the Government, issued by the nodal Ministry, would be complied with by the EPFO.

[Ministry Labour and Employment OM No-H-11021/22/2014-SS-I dt. Nov, 2015]

Comments of the Committee

(Please see para 19 of Chapter I of the Report)

CHAPTER-V

RECOMMENDATIONS/OBSERVATIONS IN RESPECT OF WHICH FINAL REPLIES OF THE
GOVERNMENT ARE STILL AWAITED

-NIL-

NEW DELHI;
6 February, 2017
17 Magha, 1938 (Saka)

GANESH SINGH,
Chairperson,
Committee on Welfare of OBCs

APPENDIX-I

COMMITTEE ON WELFARE OF OTHER BACKWARD CLASSES (2016-17)

**EXTRACTS OF MINUTES OF THE THIRD SITTING OF THE COMMITTEE ON
WELFARE OF OTHER BACKWARD CLASSES (2016-17) HELD ON
27th JANUARY, 2017 IN COMMITTEE ROOM 'B', GROUND FLOOR,
PARLIAMENT HOUSE ANNEXE, NEW DELHI**

The Committee sat from 1400 hrs. to 1630 hrs.

PRESENT

Shri Ganesh Singh — *Chairperson*

MEMBERS

Lok Sabha

2. Dr. Boora Narsaiah Goud
3. Shri Rodmal Nagar
4. Shri Ravindra Kushawaha
5. Dr. Swami Sakshi Ji Maharaj
6. Shri Ladu Kishore Swain
7. Shri Harinarayan Rajbhar
8. Shri Kanwar Singh Tanwar

Rajya Sabha

9. Shri Ram Narain Dudi
10. Shri B.K. Hariprasad
11. Shri Ahamed Hassan
12. Shri Vishambhar Prasad Nishad
13. Shri Ram Nath Thakur

SECRETARIAT

1. Shri N.C. Gupta - Joint Secretary
2. Shri A.K. Shah - Director
3. Shri R.R. Kumar - Additional Director
4. Shri A.S.K. Das - Deputy Secretary

X X X

X X X

2. At the outset, the Chairperson welcomed the Members of the Committee to the sitting of the Committee convened for consideration and adoption of Draft Report on Action Taken by Government on recommendations of the Committee contained in their Second Report on the Reservation in Employment and Welfare measures for OBCs in Employees Provident Fund Organisation (EPFO).

X X X

X X X

3. The Committee took up for consideration the aforesaid Draft Report and Chairperson highlighted major observations of the Committee. The Committee adopted the Draft Report *in toto* and authorised the Chairperson to present the same to the Parliament.

X X X

X X X

The Committee then adjourned.

A copy of the verbatim proceedings has been kept.

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APPENDIX II

Analysis of the action taken by the Government on the recommendations / observations of the Committee on Welfare of Other Backward Classes contained in their Second Report (Sixteenth Lok Sabha) (Para 4 of Introduction)

(i)	Total No. of Recommendations/Observations	7
(ii)	Recommendations/Observations of the Committee which have been accepted by the Government:	
	Recommendation Nos. 2 and 3	Total : 2 Percentage – 28.57%
(iii)	Recommendations/Observations which the Committee do not desire to pursue in the light of the replies received from the Government:	
	- Nil -	Total : 0 Percentage- 0%
(iv)	Recommendations/Observations in respect of which the replies of the Government have not been accepted by the Committee and which require reiteration: Recommendation Nos. 1, 4, 5, 6, and 7	Total : 5 Percentage – 71.43%
(v)	Recommendations/Observations in respect of which final replies of the Government are still awaited : - NIL -	Total : 0 Percentage – 0%