

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

(SIXTEENTH LOK SABHA)

MINISTRY OF PETROLEUM AND NATURAL GAS

**Action taken by the Government on the Recommendations/ Observations
contained in the Fifth Report (Sixteenth Lok Sabha) of the Committee
on Welfare of Other Backward Classes on “Measures undertaken
to secure representation of OBCs in employment and for their
welfare in Indian Oil Corporation Limited”**

SEVENTH REPORT



सत्यमेव जयते

**LOK SABHA SECRETARIAT
NEW DELHI
March, 2017/ Chaitra, 1939 (Saka)**

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

(SIXTEENTH LOK SABHA)

**[Action taken by the Government on the Recommendations/ Observations
contained in the Fifth Report (Sixteenth Lok Sabha) of the Committee
on Welfare of Other Backward Classes on “Measures undertaken
to secure representation of OBCs in employment and for their
welfare in Indian Oil Corporation Limited”]**

MINISTRY OF PETROLEUM AND NATURAL GAS

Presented to Lok Sabha on 31.03.2017

Laid in Rajya Sabha on 31.03.2017



सत्यमेव जयते

**LOK SABHA SECRETARIAT
NEW DELHI**

March, 2017/ Chaitra, 1939 (Saka)

C.O.OBC No. 14

Price : Rs

@2014 BY LOK SABHA SECRETARIAT

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

CONTENTS

	PAGE
REPORT	
COMPOSITION OF THE COMMITTEE (2016-17).....	(iii)
INTRODUCTION.....	(iv)

CHAPTER I	Report.....	1-8
CHAPTER II	Recommendations/Observations which have been accepted by the Government.....	9-10
CHAPTER II	Recommendations/Observations which the Committee do not desire to pursue in the light of the replies received from the Government.	11-14
CHAPTER IV	Recommendations/Observations in respect of which replies of the Government have not been accepted by the Committee and which require reiteration.	15-18
CHAPTER V	Recommendations/Observations in respect of which final replies of the Government are still awaited.....	19-22

APPENDICES

I	Extracts of Minutes of the Third Sitting of the Committee on Welfare of Other Backward Classes (2016-17) held on 22 th March, 2017	23-24
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 Fifth Report (Sixteenth Lok Sabha).....	25

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
6. Shri P. Karunakaran
7. Shri Ravindra Kushawaha
8. Dr. Mriganka Mahato
9. Dr. Banshilal Mahato
10. Dr. Swami Sakshi ji Maharaj
11. Shri Rodmal Nagar
12. Shri Ram Mohan Naidu Kinjarapu
13. Dr. (Smt.) Pritam Gopinath Munde
14. Shri Kapil Moreswar Patil
15. Shri Harinarayan Rajbhar
16. Shri Mullappally Ramachandran
17. Shri Rajeev Satav
18. Rajveer Singh (Raju Bhaiya)
19. Shri Ladu Kishore Swain
20. Shri Kanwar Singh Tanwar

RAJYA SABHA

21. Shri Ram Narain Dudi
22. Dr. Vikas Mahatme
23. Shri B.K. Hariprasad
24. Shri Ahamed Hassan
25. Shri Vishambhar Prasad Nishad
26. Shri Husain Dalwai
27. Smt. Vijila Sathyananth
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 (2016-17) having been authorized by the Committee to present the Report on their behalf, present this Seventh Report on "Action Taken by Government on the recommendations/observations contained in the Fifth Report (Sixteenth Lok Sabha) of the Committee on Welfare of Other Backward Classes (2015-16) on "Measures undertaken to secure representation of OBCs in employment and for their welfare in Indian Oil Corporation Limited." pertaining to the Ministry of Petroleum & Natural Gas.

2. The Fifth Report was presented to Lok Sabha on 03.05.2016. The replies of the Government to all the recommendations contained in the Report were received on 28.09.2016.

3. The replies of the Government were examined and the Draft Report was considered and adopted by the Committee at their sitting held on 22.03.2017

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

NEW DELHI
29 March, 2017
8 Chaitra, 1939 (Saka)

GANESH SINGH,
Chairperson
Committee on Welfare of OBCs

CHAPTER

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 Fifth Report (Sixteenth Lok Sabha) on “Measures undertaken to secure representation of OBCs in employment and for their welfare in Indian Oil Corporation Limited” pertaining to the Ministry of Petroleum and Natural Gas.

2. The Fifth Report (Sixteenth Lok Sabha) of the Committee was presented to Lok Sabha on 3rd May, 2016 and was laid on the Table of Rajya Sabha the same day. The Report contained 10 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. 4.....
(Total - 1)
Chapter II
- ii. Recommendations/Observations which the Committee do not desire to pursue in view of the Government's replies:
Recommendation Sl. Nos. 6,7,9
(Total - 3)
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, 2, 3,8.....
(Total - 4)
Chapter IV
- iv. Recommendations/Observations in respect of which final replies of the Government are still awaited:
Recommendation Sl. Nos. 5 and 10.....
(Total - 2)
Chapter V

3. The Committee desire that Action Taken Notes on the Recommendations/ Observations contained in Chapter I of the Report and final replies in respect of the Recommendations/Observations contained in Chapter V of the Report for which only interim replies have been given by the Government should be furnished to the Committee within three month 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.

OBC representation in Board of Directors of Indian Oil Corporation Limited (IOCL) reiterated

5. The Committee in their Fifth Report (2015-16) has recommended as under:

(Recommendation No. 1)

“The Indian Oil Corporation Limited (IOCL) is a leading national oil company meeting a major chunk of India's energy demands for over half a century. It accounts for nearly half of India's petroleum products market share and plays vital role in refining as well as downstream distribution sector. The chairman is at the top of the organisational structure and the affairs of IOCL are governed by the Board of Directors. The Committee note that there is no representation of OBCs in Board of Directors. The Committee have been given to understand that none of the officers who have joined the organisation after implementation of reservation policy for OBCs in 1993 have reached the position of Executive Director/ Director as on date and no identified officer under OBC category is, therefore, occupying the position in the Board/top management. The Committee feel that the issue of social inclusions have to be seen beyond the framework of technicalities. There may not be any provision for reservation in the Board of Directors, still the Committee feel that it is imperative to give due representation to the weaker and underprivileged sections of society including SC/ST, OBC and women etc. The Committee are dismayed to observe that the representation of the OBCs on the Board of Directors of IOCL have been conspicuously ignored by the Government. The Committee, therefore, recommended the Ministry of Petroleum and Natural Gas to take appropriate steps in this regard so that the representation of OBCs on the Board of Directors, in all the PSUs including the upstream and the downstream oil companies insured.”

6. The Ministry of Petroleum and Natural Gas in their action taken reply has stated

“The appointments as members of the of the Board of Directors of Indian Oil Corporation Limited are made by the Government through Public Enterprises Selection Board (PESB). Hence, we do not have any comments on this. MoP&NG may reply.”

7. **The Committee find the above action taken reply received from Government is incomplete and inconclusive in as-much-as it does not contain the opinion of nodal Ministry i.e. Ministry of Petroleum and Natural Gas on this important issue of ensuring OBC representation in the Board of Directors of IOCL and in all other Oil PSUs. The Committee reiterate their earlier recommendation for ensuring OBC representation in Board of Directors of IOCL for their social inclusion in real terms and urge upon the Ministry of Petroleum and**

Natural Gas to apprise their opinion on the subject before the Committee for arriving at logical conclusion.

Filling up of OBC vacancies in IOCL and then their pre-recruitment training reiterated.

(Recommendation Sl. Nos.2, 3 and 8)

8. The Committee in their Fifth Report had recommended as under:

“The Committee note that IOCL is implementing the reservation orders of the Government of India in favour of Other Backward Classes notified in September 1993 from the recruitment cycle of 1994-95. Indian Oil recruits employees basically at three levels-the lowest level of Group A as Grade A Officers and in the salary grade III and IV as skilled workmen in Group C and in salary grade I as an unskilled workmen in Group D. The data provided by the Ministry shows the percentage of OBC employees in the total strength of IOCL, has reached a little more than 13 percentage even after passing of more than two decades of implementation of reservation of OBCs. It has also been observed that there is a shortfall of 173 OBC vacancies in Group ‘A’ posts as on 30.06.2015. The Committee find it surprising that the Ministry has tried to justify the low percentage of OBC employees on various technical grounds and the core issue of non-fulfilment of shortfall vacancies have been attributed to the non-availability of suitable OBC candidates. The Committee, therefore, recommend that the Ministry should make concerted efforts to fill all the shortfall of vacancies in a time bound manner. The Committee also suggest that the Ministry should initiate steps to advertise the vacancies widely in the rural and remote areas to make the OBC candidates aware of all available vacancies. Steps should also be taken to provide them pre-recruitment training. The Committee would like to be apprised of the action taken by the Government in this regard”

(Recommendation Sl. No.2)

“The Committee find that there are 42 backlog OBC vacancies in Group ‘A’ as on 30.6.2015 in ‘other than open competition’ segment apart from one vacancy in open competition segment and 3 and 2 vacancies in Group ‘C’ and ‘D’ respectively. Though the year-wise details of backlog vacancies are not available, yet it is quite evident that a considerable number of OBC vacancies in Group ‘A’ posts have remained unfilled regularly. The Ministry has cited legal issues for not holding the campus selection process. Now, after the Madras High Court verdict in favour of campus recruitment by PSUs, the Committee hope that all the backlog vacancies will be fulfilled on priority basis without any further delay.”

(Recommendation Sl. 3)

“The Committee have been informed that IOCL does not conduct pre-recruitment training. In-service training is, however, provided to all employees including OBCs, considering their functional and developmental requirements to improve their work efficiency/skill set etc., which helps them to achieve their career development aspirations.

The Committee feel that the OBC candidates appearing in competitive examinations for recruitment belonging to socially and educationally backward section of the society need support and encouragement to compete with the other candidates. The Committee, therefore, recommend that IOCL should 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 its apex Training Institutes, Indian Oil Institute

of Petroleum Management in this regard. The Committee would like to be apprised of the action taken in the matter.”

(Recommendation Sl. No. 8)

9. The Ministry of Petroleum and Natural Gas in their action taken reply has stated as under:

- “ 1. Committee’s comment of shortfall of 173 vacancies in group A posts as on 30.06.2015 is not technically correct. What was shown to the Committee was that out of total 9958 vacancies notified for filling from 8.9.1993. 2460 were reserved for OBCs. As part of the exercise, only 2287 OBC candidates could be selected (which also includes OBCs selected on merit).
2. On the roster, the backlog in group A is 43 (as on 30.06.2015), of which ‘1’ has arisen from recruitment in Grade A0 in ‘Open category’ and remaining 42 from the Otherwise than by Open Competition category.
3. The backlog in Otherwise than by open competition in Group A (i.e. in Grade A) can be liquidated through selection primarily from campuses only. No selections have been made from FY 2013-14 from Campus in due deference to judicial pronouncements. This is scheduled to commence from FY 2016-17 and the situation is bound to improve.
4. The backlog of 1 OBC in open category is emanating from recruitment of Assistant Officers in Grade A0. The Assistant Officers in Grade A0 are not recruited regularly. Hence, this will be liquidated during the next round of recruitments of Assistant officer (in grade A0).
5. Most of the recruitment in executive cadre takes place on All India basis through open Competition, for which advertisements are published in the leading national dailies and also in Employment News.
6. Detailed advertisement enumerating the selection criteria like age, experience, educational qualification, % of marks in qualifying degree examination, work experience (wherever applicable), admissible relaxations to SC/ST/OBC/PWD etc. are not hosted on our website www.iocl.com.
7. As regards pre-recruitment training to OBC candidates, please refer reply to recommendation at point no. 8 below.”

(Reply to Recommendation Sl. No. 2)

“Please refer reply to recommendation at point no. 2 above.

Additionally, the updated status on the backlog in Group C and D is given below:

Group of Posts	Backlog as on 30.06.2015	Backlog as on 31.12.2015	Remarks
Marketing Division			
C	2	1	Special Recruitment Drive for OBC was carried out to fill up the backlog positions. -In group ‘C’ one position in Andhra Pradesh was filled up, the other position in Maharashtra could not be filled up due to non availability of suitable candidate. -In group D, one position in Odisha
D	2	1	

			was filled up, the other position in Bihar could not be filled as the selected as well as waitlisted candidates refused to Join. Vacant positions will be filled in next recruitment drive.
Refineries Division			
C	1	1	Backlog is in the post of Junior Engineering Assistant-IV (TPS) of Gujarat Refinery. Recruitment action is in progress (Recruitment advertisement has been issued in this regard).

(Reply to Recommendation Sl. No. 3)

“Over the past few years, it has been our experience that the performance of OBC candidates is encouraging. Of the total OBC candidates joining the corporation about one-fifth are coming on their own merit without availing any relaxation in terms of age or standards. Further, the availability of OBC candidates who are selected against vacancies reserved for them is also adequate. A fair number of candidates who have been offered appointment do not join Indian Oil on account of choosing other employers and thereby leading to some temporary shortfall.

We have about 1 to 1.5 lakh candidates applying for recruitment of engineers in Indian Oil of which about 50% candidates are belonging to SC/ST/OBC categories.

There are practical difficulties in providing pre-recruitment training to such large number of reserved category candidates.”

(Reply to Recommendation Sl. No. 8)

10. The Committee found that the percentage of OBCs in total strength of IOCL was as low as thirteen percent even after implementation of OBC reservation way back in 1993 and as high as 173 Group ‘A’ posts for OBCs were lying vacant as on 30.06.2015. The Committee had inter-alia recommended for making concerted efforts for filling up OBC vacancies in IOCL and for providing pre-recruitment training to OBC candidates. The Government in their action taken reply on the issue of non-filling up of OBC vacancies in Group ‘A’ in IOCL have questioned the conclusion of the Committee as ‘not technically correct;’ as the number of 173 OBC vacancies is shown after taking into account the OBC candidates selected on merit. The Ministry of Petroleum and Natural Gas has however admitted that following judicial pronouncements the OBC vacancies remained unfulfilled since 2013-14 and hoped that

position might improve during 2016-17. On the issue of imparting pre-recruitment training for OBCs, various factors like selection of OBC candidates in IOCL on their own merit over the past few years, adequate availability of OBC candidates, etc. have been placed before the Committee. In this connection the Ministry of Petroleum and Natural Gas have argued before the Committee that out of the total of one lakh candidates applying for recruitment of engineers in IOCL, as high as 50% belong to reserved categories SC/ST/OBCs and have apprehended that there are practical difficulties in providing pre-recruitment training to such a large number of reserved category candidates. In the light of above apprehension highlighted by IOCL/Ministry of Petroleum and Natural Gas, the Committee feel that Government should explore the possibility of working out strategy for imparting phase-wise pre-recruitment training to OBC candidates applying for recruitment of Engineers in IOCL keeping in view the interest of large number of OBCs. The Committee therefore reiterate that their recommendations of making concerted efforts for filling up of OBC vacancies in IOCL and providing pre-recruitment trainings to OBCs are expeditiously implemented.

Setting up a proper and efficient monitoring mechanism in IOCL for accelerating commissioning of Retail Outlet dealerships of OBC candidates reiterated.

(Recommendation Sl. No. 10)

11. The Committee in Fifth Report recommended as under:

“The Committee find that the Ministry of Petroleum and Natural Gas had approved 27% reservation for OBC candidates in allotment of retail outlet dealership in July 2012. However, the new Dealer Selection Guidelines covering OBC reservation except in the States of Arunachal Pradesh, Meghalaya, Nagaland and Mizoram could be introduced only in May 2014. According to the Ministry, the Guidelines also stipulate that the candidate will have to submit a separate undertaking along with the application and the OBC certificate declaring his/her OBC status and fulfilment of non-creamy layer criteria. Moreover, the date of undertaking is also to be treated as the date of reckoning for OBC status of the candidate and also determining that the candidate does not fall in the Creamy Layer. As such, the Committee are unable to comprehend as to why an OBC candidate is forced to submit a separate undertaking even after furnishing a valid OBC certificate which is issued by Government authorities only and carries the non-creamy layer status of the candidate also. The Committee feel that this is an unnecessary and avoidable act of duplicacy causing undue harassment

to OBC candidates in the name of proving their eligibility. The Committee also note that 249 candidates have been selected under OBC category for RO dealership as on 31.12.2015, out of which 36 have been commissioned. Though the Committee are not aware of the total number of RO dealership, allocated to other candidates during the period, yet the Committee hope that the reservation criteria for OBC is being followed scrupulously by the IOCL while allocating the dealership. At the same time, the Committee are also concerned about the slow rate of commissioning to the RO Dealership allocated to the OBC candidates. Against this backdrop, the Committee recommend the Ministry to set up a proper and efficient monitoring mechanism with a view to oversee the proper implementation of reservation policy for OBCs in allocation of RO Dealership, and also to resolve the difficulties in timely commissioning of dealership. The Committee would like to be apprised of the action taken in this regard."

12. The Ministry of Petroleum and Natural Gas in their action taken reply has stated as under:

"Undertaking is being taken from the applicant in order to seek confirmation that he/she belongs to Non creamy layer of OBC at the time of applying for dealership and accordingly the date of undertaking is taken as the date for reckoning for OBC status of the candidate and also for determining that the candidate does not fall in the creamy layer. This is done in order to ensure there is no change in status of applicant with respect to his/her OBC status and non-creamy layer status at the time of applying for dealership. However, in view of concern raised by the Committee the same would be examined by Industry (OMCs).

"OMCs are taking necessary action for timely commissioning of Retail outlet dealerships of the selected candidates under OBC category."

13. **Expressing concern over slow pace of OBC reservation for allotment of Retail Outletships (ROs) after approval of such reservation in July, 2012, the Committee had highlighted poor commissioning of RO dealerships to OBCs as on 31.12.2015. The Committee had recommended the Ministry of Petroleum and Natural Gas to set up proper and efficient monitoring mechanism for ensuring OBC reservation in allotment of RO dealerships. The Committee had also expressed dismay over seeking fresh undertaking from RO aspirants from OBC community even when they had already submitted the same at the initial stage thereby causing unnecessary harassment to OBC candidates. In response thereto the Committee have been inter-alia informed that seeking fresh undertaking from OBC candidates is being done for determining that OBC candidates do not fall within the creamy layer. The Committee do not subscribe to the view of Ministry of Petroleum and Natural Gas/IOCL on the issue of seeking of fresh undertaking for OBC candidates for the purpose of determination of**

creamy layer. In this connection the Ministry of Petroleum and Natural Gas has also informed that the concern raised by the Committee would be examined by Industry Oil Marketing Companies (OMCs). The Committee therefore reiterate that the Ministry of Petroleum and Natural Gas should set up proper and efficient monitoring mechanism for overseeing the implementation of reservation policy for OBCs in allocation of RO dealerships and resolve the issue of timely commissioning of dealership. The Committee also treat the reply of the Government as interim and urge the Ministry of Petroleum and Natural Gas to apprise them the final view on the issue.

CHAPTER-II

RECOMMENDATIONS/OBSERVATIONS WHICH HAVE BEEN ACCEPTED BY THE GOVERNMENT

Recommendation (S. No. 4)

Liaison officers for OBCs

The Committee note that the IOCL has appointed separate Liaison Officers to look after the matters relating to the reservation for the OBCs. The Committee had suggested during the course of examination of the subject to appoint Liaison Officers for OBCs from OBC Community to the extent possible. The IOCL in their response have informed the Committee that the IOCL, being a PSU, adheres to the Presidential Directives/Government guidelines issued from time to time on reservation matters and they are strictly implementing the DoPT instructions in this regard. The IOCL have further informed that they have requested the Ministry of P&NG to seek advice from DoPT/DOE on appointment of Liaison Officers for OBCs from OBC category. The Committee are surprised that instead of appreciating the spirit behind the suggestion of the Committee, the IOCL has tried to justify their position behind the garb of Government guidelines. The Committee are of the firm view that the DoPT orders on appointing separate Liaison Officers for looking after matters relating to OBCs do not in any way restrict the appointment of Liaison Officers from OBC community. Further, the Committee feel that appointment of Liaison Officer for OBCs from OBC community is not in violation of the DoPT instructions. Rather, the Committee feel that by appointing Liaison Officer from the same community, the Liaison Officer may be more concerned towards the cause of implementing the reservation policy and any speculation of biased approach on the part of the Liaison Officer can also be avoided. Moreover, the Liaison Officers are also supposed to look into the grievances of OBC employees and the employees may feel much more comfortable in approaching the Liaison Officer from their own community for placing their grievances. The Committee, therefore, strongly recommend that IOCL should make all out efforts to appoint the Liaison Officers for OBCs from the OBC community to ventilate their grievances and boost the morale of OBC employees.

Reply of the Government

We have issued necessary advice to our Divisions to make all efforts to appoint the Liaison Officers for OBCs from the OBC community from among senior levels of Management.

As on date we have following two Liasion Officers for OBCs from the OBC community:

1. Shri Bhaskar Hazarika, Bongaigaon Refinery who is in the Chief Manager Grade.
2. Shri Rajesh Kumar, Eastern Region Pipelines-I who is in the Senior Manager Grade.

(Ministry of Petroleum and Natural Gas Letter No. DP/6/2 dated 28.09.2016)

CHAPTER-III

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

Recommendation (Sl. No. 6)

OBC Employees Association

The Committee note that there is no separate OBC employees' Association in IOCL. The Committee are of the opinion that OBC employees association can be another forum to take up the issues relating to the recruitment/welfare and grievances of OBCs within the organisation. While the Committee appreciate that there are a few associations comprising employees belonging to SC, ST and OBC category, they strongly feel that there is an imperative need for formation of OBC Employees' Welfare Association in IOCL so as to provide appropriate platform to the OBC employees to voice their sentiments, problems, grievances, complaints etc. before the management. The Committee, therefore, desire that the OBC employees in IOCL should be provided necessary support like a separate room etc. for forming their separate OBC association. The IOCL management may also hold periodical meetings with the representatives of such Association to ensure that their grievances are attended to regularly with due promptitude .

Reply of the Government

In Indian Oil, workmen are represented by recognised Unions and officers by Indian Oil Officers' Association (IOOA) with regard to all matters of grievances and welfare. Further during the period of 5 decades, we have a single Recognised Union at respective locations having majority support of workmen community and one Officers' Association representing the officers community.

The Unions and Officers' Association take up issues concerning welfare and safeguarding the interests of the total workforce relating to service conditions etc. The SC/ST/OBC/Minority employees are also members of the Recognised Unions/Officers' Association, who represent the employees as a whole.

As regards reserved categories (SC/ST/OBC), there are multiple groups who claim to be representing interests of reserved category. Certain facilities and dispensations such as office space, communication facilities, checks off facility, periodic meetings with the management, collective bargaining etc. have been extended by the management only to the Recognised Unions & Officers' Association. Further giving these facilities to one group, will open demands from other groups for extending the same to them.

As and when, any grievance of OBC employees arises, the Liaison Officer holds meetings with concerned employee(s) in order to resolve the grievances and wherever remedial actions are required, the same are taken.

Further, at different locations, the Liaison Officers also hold periodical meetings with the local Association of SC/ST/OBC employees, where ever they exist. Minutes of such meetings are prepared and circulated to the SC/ST/OBC Employees Association. Few copies of minutes of meetings with OBC Associations are enclosed at **Annexure**.

(Ministry of Petroleum and Natural Gas Letter No. DP/6/2 dated 28.09.2016)

Recommendation (Sl. No. 7)

Corporate Social Responsibility (CSR)

The Committee note that the IOCL has taken initiative to fulfill Corporate Social Responsibility by providing funds for various welfare activities including educational scholarship to selected poor and deserving students on merit-cum-means basis and conducting industrial trade courses in various technical disciplines. According to the IOCL, 3891 SC/ST/OBC students were provided educational scholarships during last three years. Also, out of 410 students, 277 number of SC/ST/OBC students got benefitted from the industrial trade courses in various vocational streams. From the scrutiny of data relating to the budget allocations on CSR activities vis-a-vis expenditure incurred, the Committee note that the total funds allocated during the last three years have not been utilised fully. Non-utilisation of total funds allocated for CSR activities leads to depriving needy applicants from the benefit of educational scholarship, vocational training courses, etc. which is highly unwarranted. The Committee desire that the IOCL should closely monitor the expenditure under the CSR activities and take adequate steps to remove the bottlenecks so as to safeguard the interests of weaker and downtrodden section of the society. The Committee also find that the IOCL does not maintain separate record for the expenditure being incurred on the welfare of the other backward classes. However, the data indicating the number of OBC beneficiaries and the amount spent on the OBC beneficiaries in various CSR projects covering educational scholarships, swasthya sewa, nursing and industrial training etc. shows that the IOCL has spent about 28.45 per cent of the total expenditure during last three years on the OBC beneficiaries. While acknowledging the efforts being made by the IOCL to contribute towards social sector causes under CSR, the Committee recommend that the IOCL should focus their activities more and more towards the benefit and welfare of the socially and educationally backward classes in order to minimize the gap between the haves and have-nots. The Committee also desire that records of fund allocation in favour of the welfare of OBCs should be maintained separately.

Reply of the Government

Indian Oil's CSR projects are carried out mostly in the vicinity of its units/installations, based on requests received from the Village Panchayat, Sarpanch, Zilla Parishad, MLAs, MPs, School authorities, District Administration, Law & order agencies, etc. It is observed that at such places, the target population consists of beneficiaries from all categories of people, viz. SCs, STs, OBCs, minorities, women, children, aged, differently abled, etc. and as such, we do not target any single community while planning our CSR activities. For such projects, data is captured based on proportionate representation of various communities as per the census data. However, for continuing CSR projects viz. scholarships, training, skill development programs, etc., Indian Oil allocates benefits based on the extant guidelines on reservation and in such cases, data with respect to various beneficiary communities are maintained.

(Ministry of Petroleum and Natural Gas Letter No. DP/6/2 dated 28.09.2016)

Recommendation (Sl. No. 9)

Foreign Training of OBC Employees

The Committee note that the IOCL has nominated only 16 OBC employees out of 276 officials for attending foreign training programmes during last three years. While the Committee fully support the idea of taking care of the functional need of the organisation while nominating officials for such foreign training programmes, yet to boost the morale of the officers/employees belonging to OBC community, the Committee feel that it is imperative that they find more representation in such training programmes. The Committee, therefore, 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

Employees are sent abroad for trainings connected to acquisition of new equipments, Technological upgrades & work-related competency building programs. For programs concerning new equipments/Technological upgrades, employees connected with these are nominated. No separate targeting on the basis of caste is carried out. However, while selecting the officers for competency building training programs, symposia etc. abroad, due care is taken to also select/nominate eligible officers belonging to OBC categories. This is evident from the improving trend of officers belonging to OBC categories who have attended training programs abroad during the last 3 financial years, which is given below:

Year	% of OBC employees sent for training abroad
2013-14	6.33
2014-15	7.76
2015-16	12.95

(Ministry of Petroleum and Natural Gas Letter No. DP/6/2 dated 28.09.2016)

CHAPTER-IV

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

Recommendation (S. No. 1) on Representation of OBCs on the Central Board of Directors

“The Indian Oil Corporation Limited (IOCL) is a leading national oil company meeting a major chunk of India's energy demands for over half a century. It accounts for nearly half of India's petroleum products market share and plays vital role in refining as well as downstream distribution sector. The chairman is at the top of the organisational structure and the affairs of IOCL are governed by the Board of Directors. The Committee note that there is no representation of OBCs in Board of Directors. The Committee have been given to understand that none of the officers who have joined the organisation after implementation of reservation policy for OBCs in 1993 have reached the position of Executive Director/ Director as on date and no identified officer under OBC category is, therefore, occupying the position in the Board/top management. The Committee feel that the issue of social inclusions have to be seen beyond the framework of technicalities. There may not be any provision for reservation in the Board of Directors, still the Committee feel that it is imperative to give due representation to the weaker and underprivileged sections of society including SC/ST, OBC and women etc. The Committee are dismayed to observe that the representation of the OBCs on the Board of Directors of IOCL have been conspicuously ignored by the Government. The Committee, therefore, recommended the Ministry of Petroleum and Natural Gas to take appropriate steps in this regard so that the representation of OBCs on the Board of Directors, in all the PSUs including the upstream and the downstream oil companies insured.”

Reply of the Government

The Ministry of Petroleum and Natural Gas in their action taken reply has stated

“The appointments as members of the of the Board of Directors of Indian Oil Corporation Limited are made by the Government through Public Enterprises Selection Board (PESB). Hence, we do not have any comments on this. MoP&NG may reply.”

(Ministry of Petroleum and Natural Gas Letter No. DP/6/2 dated 28.09.2016)

Comments of the Committee

(Please see Para 7 of Chapter 1 of the Report)

(Recommendation Sl. Nos.2, 3 and 8)

Recommendation No. 2 on Reservation in Recruitment

The Committee in their Fifth Report had recommended as under:

“The Committee note that IOCL is implementing the reservation orders of the Government of India in favour of Other Backward Classes notified in September 1993 from the recruitment cycle of 1994-95. Indian Oil recruits employees basically at three levels-the lowest level of Group A as Grade A Officers and in the salary grade III and IV as skilled workmen in Group C and in salary grade I as an unskilled workmen in Group D. The data provided by the Ministry shows the percentage of OBC employees in the total strength of IOCL, has reached a little more than 13 percentage even after passing of more than two decades of implementation of reservation of OBCs. It has also been observed that there is a shortfall of 173 OBC vacancies in Group ‘A’ posts as on 30.06.2015. The Committee find it surprising that the Ministry has tried to justify the low percentage of OBC employees on various technical grounds and the core issue of non-fulfilment of shortfall vacancies have been attributed to the non-availability of suitable OBC candidates. The Committee, therefore, recommend that the Ministry should make concerted efforts to fill all the shortfall of vacancies in a time bound manner. The Committee also suggest that the Ministry should initiate steps to advertise the vacancies widely in the rural and remote areas to make the OBC candidates aware of all available vacancies. Steps should also be taken to provide them pre-recruitment training. The Committee would like to be apprised of the action taken by the Government in this regard”

(Recommendation Sl. No.2)

Reply of the Government

The Ministry of Petroleum and Natural Gas in their action taken reply has stated as under:

- “ 1. Committee’s comment of shortfall of 173 vacancies in group A posts as on 30.06.2015 is not technically correct. What was shown to the Committee was that out of total 9958 vacancies notified for filling from 8.9.1993. 2460 were reserved for OBCs. As part of the exercise, only 2287 OBC candidates could be selected (which also includes OBCs selected on merit).
2. On the roster, the backlog in group A is 43 (as on 30.06.2015), of which ‘1’ has arisen from recruitment in Grade A0 in ‘Open category’ and remaining 42 from the Otherwise than by Open Competition category.
3. The backlog in Otherwise than by open competition in Group A (i.e. in Grade A) can be liquidated through selection primarily from campuses only. No selections have been made from FY 2013-14 from Campus in due deference to judicial pronouncements. This is scheduled to commence from FY 2016-17 and the situation is bound to improve.
4. The backlog of 1 OBC in open category is emanating from recruitment of Assistant Officers in Grade A0. The Assistant Officers in Grade A0 are not recruited regularly. Hence, this will be liquidated during the next round of recruitments of Assistant officer (in grade A0).
5. Most of the recruitment in executive cadre takes place on All India basis through open Competition, for which advertisements are published in the leading national dailies and also in Employment News.
6. Detailed advertisement enumerating the selection criteria like age, experience, educational qualification, % of marks in qualifying degree examination, work experience (wherever applicable), admissible relaxations to SC/ST/OBC/PWD etc. are not hosted on our website www.iocl.com.
7. As regards pre-recruitment training to OBC candidates, please refer reply to recommendation at point no. 8 below.”

Comments of the Committee

(Please see Para 10 of Chapter 1 of the Report)

Recommendation No. 3 on Backlog OBC vacancies

“The Committee find that there are 42 backlog OBC vacancies in Group ‘A’ as on 30.6.2015 in ‘other than open competition’ segment apart from one vacancy in open competition segment and 3 and 2 vacancies in Group ‘C’ and ‘D’ respectively. Though the year-wise details of backlog vacancies are not available, yet it is quite evident that a considerable number of OBC vacancies in Group ‘A’ posts have remained unfilled regularly. The Ministry has cited legal issues for not holding the campus selection process. Now, after the Madras High Court verdict in favour of campus recruitment by PSUs, the Committee hope that all the backlog vacancies will be fulfilled on priority basis without any further delay.”

(Recommendation Sl. 3)

Reply of the Government

“Please refer reply to recommendation at point no. 2 above.

Additionally, the updated status on the backlog in Group C and D is given below:

Finally, the updated status on the backlog in Group C and D is given below:			
Group of Posts	Backlog as on 30.06.2015	Backlog as on 31.12.2015	Remarks
Marketing Division			
C	2	1	Special Recruitment Drive for OBC was carried out to fill up the backlog positions. -In group 'C' one position in Andhra Pradesh was filled up, the other position in Maharashtra could not be filled up due to non availability of suitable candidate. -In group D, one position in Odisha was filled up, the other position in Bihar could not be filled as the selected as well as waitlisted candidates refused to Join. Vacant positions will be filled in next recruitment drive.
D	2	1	
Refineries Division			
C	1	1	Backlog is in the post of Junior Engineering Assistant-IV (TPS) of Gujarat Refinery. Recruitment action is in progress (Recruitment

			advertisement has been issued in this regard).
--	--	--	------------------------------------------------

(Ministry of Petroleum and Natural Gas Letter No. DP/6/2 dated 28.09.2016)
(Please see Para 10 of Chapter 1 of the Report)

Recommendation No. 8 on training facility for OBCs

“The Committee have been informed that IOCL does not conduct pre-recruitment training. In-service training is, however, provided to all employees including OBCs, considering their functional and developmental requirements to improve their work efficiency/skill set etc., which helps them to achieve their career development aspirations.

The Committee feel that the OBC candidates appearing in competitive examinations for recruitment belonging to socially and educationally backward section of the society need support and encouragement to compete with the other candidates. The Committee, therefore, recommend that IOCL should 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 its apex Training Institutes, Indian Oil Institute of Petroleum Management in this regard. The Committee would like to be apprised of the action taken in the matter.”

(Recommendation Sl. No. 8)

Reply of the Government

“Over the past few years, it has been our experience that the performance of OBC candidates is encouraging. Of the total OBC candidates joining the corporation about one-fifth are coming on their own merit without availing any relaxation in terms of age or standards. Further, the availability of OBC candidates who are selected against vacancies reserved for them is also adequate. A fair number of candidates who have been offered appointment do not join Indian Oil on account of choosing other employers and thereby leading to some temporary shortfall.

We have about 1 to 1.5 lakh candidates applying for recruitment of engineers in Indian Oil of which about 50% candidates are belonging to SC/ST/OBC categories.

There are practically difficulties in providing pre-recruitment training to such large number of reserved category candidates.”

(Ministry of Petroleum and Natural Gas Letter No. DP/6/2 dated 28.09.2016)

Comments of the Committee

(Please see Para 10 of Chapter 1 of the Report)

CHAPTER-V

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

Recommendation No. 5 on Appointment on Compassionate Ground

The Committee note that under Indian Oil Corporation's Scheme for Rehabilitation of the family of the "employee dying or suffering Permanent Total Disablement while in service, the female spouse may opt among other provisions, employment of otherwise eligible, suitable and dependant son/daughter. Such candidates are considered for employment subject to being found fit by Selection Committee for recruitment and other eligibility condition as per policy of the Corporation."

The Committee were informed that in IOCL from the period 01.01.1993 till 31.12.2015 total number of death/permanent total disablement cases leading to compassionate employment were 1335, out of which 161 cases pertained to OBCs.

The Committee also note that out of 23 requests pending for compassionate employment under Corporation's Rehabilitation Scheme out of which, 16 cases belong to OBC candidates. These are pending mostly due to waiting period time to acquire induction level qualification of the eligible wards.

The Committee observe that in 13 cases of the OBC applicants, the wards are still studying and in the remaining three cases proposal is under consideration. The Committee recommend that IOCL should take concerted steps to provide employment to these remaining three candidates without any delay. The Committee also recommend that the Ministry in consultation with IOCL should expeditiously remove the pendency of cases of compassionate appointment including those of OBC candidates in a time bound manner. The Committee would like to be apprised of the action taken by the Government in this regard.

Reply of the Government

The updated status in respect of the 16 cases which were pending for compassionate employment under Indian Oil Corporation's Scheme for Rehabilitation of the family of the "employee dying or suffering Permanent Total Disablement while in service is given below:

S. No.	Name of employee Late S/Shri	Name of ward S/Shri	Status of employment
1	Ashok Kr. Ram	Rajesh Ram	The ward has acquired the requisite induction level qualification post grant of waiting period. Certain clarification on degree has been sought and is awaited.
2	Soniram Kujur	Bapi John Kujur	The ward is still studying and has not yet acquired the requisite induction level qualification. Approval given for waiting period till 2018.
3	Md. Mojibuddin	Md. Ali Raza	The ward is still studying and has not yet acquired the requisite induction level qualification. Approval given for waiting period till 2018.
4	Vasant B. Tikekar	Pournima V. Tikekar	The ward is still studying and has not yet acquired the requisite qualification. Approval given for waiting period granted till 2017.
5	V.S. Sathiyamoorthy	V.S. Sai Sandhya	The ward is still studying and has not yet acquired the requisite induction level qualification. Approval given for waiting period till December 2016.
6	K. Babu	Dinesh	The ward has acquired requisite induction level qualification post grant of waiting period. Final Marksheets awaited.
7	C. Janardhana	Roopa	The ward is still studying and has not yet acquired the requisite induction level qualification. Approval given for waiting period till 2018.
8	Jaga Mohan Borah	Manas Pratim Borah	Ward has joined the services of the Corporation as Trainee.
9	Ramesh Ch. Das	Jayanta Das	Ward has joined the services of the Corporation as Trainee.
10	Ramani Kanta Barman	Champak Barman	Ward has joined the services of the Corporation as Trainee.
11	Dijen Chandra Barman	Rahen Barman	The ward is still studying and has not yet acquired the requisite induction level qualification. Approval given for waiting period till 2018.
12	Prodip Kumar Saikia	Juri Saikia	Ward has joined the services of the Corporation in June' 2016
13	Ashok Kr. Nath	Pramit Nath	The ward is still studying and has not yet acquired the requisite induction level qualification. Approval given for waiting period till 2018.
14	Thalapadma Konwar	Anirban Konwar	Ward has joined the services of the Corporation in June' 2016.
15	Khagen Kumar Khanikar	Sangeeta Khanikar	Ward has joined the services of the Corporation in June' 2016.
16	Roma Kanta Gogoi	Suraj Moni Gogoi	Selection at final stage.

As may be seen from the above details, in the three cases (at Sl. No. 14,15 & 16) where the proposal was under consideration, employment has been provided to wards of two deceased employees and in case of Shri Suraj Moni Gogoi s/o Roma Kanta Gogoi, the selection committee has approved his candidature and final approval for his selection in the non-executive post is under process.

Note: Under the Rehabilitation Scheme, in case the dependent ward does not possess the induction level qualification, he/she shall be provided an opportunity to acquire such qualification by extending the normal waiting period of three years to a maximum limit of seven years.

(Ministry of Petroleum and Natural Gas Letter No. DP/6/2 dated 28.09.2016)

Recommendation No. 10 on Reservation in retail outlet dealership

The Committee find that the Ministry of Petroleum and Natural Gas had approved 27% reservation for OBC candidates in allotment of retail outlet dealership in July 2012. However, the new Dealer Selection Guidelines covering OBC reservation except in the States of Arunachal Pradesh, Meghalaya, Nagaland and Mizoram could be introduced only in May 2014. According to the Ministry, the Guidelines also stipulate that the candidate will have to submit a separate undertaking along with the application and the OBC certificate declaring his/her OBC status and fulfillment of non-creamy layer criteria. Moreover, the date of undertaking is also to be treated as the date of reckoning for OBC status of the candidate and also determining that the candidate does not fall in the Creamy Layer. As such, the Committee are unable to comprehend as to why an OBC candidate is forced to submit a separate undertaking even after furnishing a valid OBC certificate which is issued by Government authorities only and carries the non-creamy layer status of the candidate also. The Committee feel that this is an unnecessary and avoidable act of duplicacy causing undue harassment to OBC candidates in the name of proving their eligibility. The Committee also note that 249 candidates have been selected under OBC category for RO dealership as on 31.12.2015, out of which 36 have been commissioned. Though the Committee are not aware of the total number of RO dealership, allocated to other candidates during the period, yet the Committee hope that the reservation criteria for OBC is being followed scrupulously by the IOCL while allocating the dealership. At the same time, the Committee are also concerned about the slow rate of commissioning to the RO Dealership allocated to the OBC candidates. Against this backdrop, the Committee recommend the Ministry to set up a proper and efficient monitoring mechanism with a view to oversee the proper implementation of reservation policy for OBCs in allocation of RO Dealership, and also to resolve the difficulties in timely

commissioning of dealership. The Committee would like to be apprised of the action taken in this regard.

Reply of the Government

Undertaking is being taken from the applicant in order to seek confirmation that he/she belongs to Non creamy layer of OBC at the time of applying for dealership and accordingly the date of undertaking is taken as the date for reckoning for OBC status of the candidate and also for determining that the candidate does not fall in the creamy layer. This is done in order to ensure there is no change in status of applicant with respect to his/her OBC status and non-creamy layer status at the time of applying for dealership. However, in view of concern raised by the Committee the same would be examined by Industry (OMCs).

OMCs are taking necessary action for timely commissioning of Retail outlet dealerships of the selected candidates under OBC category

(Ministry of Petroleum and Natural Gas Letter No. DP/6/2 dated 28.09.2016)

Comments of the Committee

(Please see Para 13 of Chapter 1 of the Report)

NEW DELHI
29 March, 2017
8 Chaitra, 1939 (Saka)

GANESH SINGH,
Chairperson
Committee on Welfare of OBCs

APPEXNDIX-I

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

EXTRACTS OF MINUTES OF THE FIFTH SITTING OF THE COMMITTEE ON WELFARE OF OTHER BACKWARD CLASSES (2016-17) HELD ON 22nd March, 2017 IN COMMITTEE ROOM 'B', GROUND FLOOR, PARLIAMENT HOUSE ANNEXE, NEW DELHI

The Committee sat from 1500 hrs. to 1630 hrs.

PRESENT

Shri Ganesh Singh — *Chairperson*

MEMBERS

Lok Sabha

2. Smt. Santosh Ahlawat
3. Shri Prataprao Jadhav
4. Shri Ram Mohan Naidu Kinjarapu
5. Dr. Banshilal Mahato
6. Dr (Smt.) Pritam Gopinath Munde
7. Shri Rodmal Nagar
8. Dr. Mriganka Mahato
9. Shri Rajeev Satav
10. Shri Kapil Moreswar Patil
11. Shri Ladu Kishore Swain

Rajya Sabha

12. Shri Ram Narain Dudi
13. Dr. Vikas Mahatme
14. Shri B.K. Hariprasad
15. Shri Ahamed Hassan
16. Shri Vishambhar Prasad Nishad
17. Shri Husain Dalwai
18. 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 |

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 taking evidence of the representative of Ministry of Consumer Affairs, Food and Public Distribution, Department of Food and Public Distribution and Food Corporation of India (FCI) on the subject “Measures undertaken for ensuring representation of OBCs in employment and for their welfare in FCI” to be followed by consideration and adoption of the Draft Report on Action Taken by the Government on the recommendations contained in the Fifth Report of the Committee on the subject “Measures undertaken for ensuring representation of OBCs in employment and for their welfare in Indian Oil Corporation Ltd.”

X	X	X
---	---	---

X	X	X
---	---	---

3. Thereafter the Committee took up for consideration the Draft Report on Action Taken by the Government on the recommendations contained in the Fifth Report of the Committee (2015-16) on “Measures undertaken for ensuring representation of OBCs in employment and for their welfare in Indian Oil Corporation Ltd. (IOCL)”. The Committee adopted the said Draft Report without any changes and authorized the Chairperson to present the Report to Parliament.

The Committee then adjourned.

A copy of the verbatim proceedings has been kept.

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 FIFTH REPORT
(SIXTEENTH LOK SABHA)
(Refer Para 4 of Introduction)

(i)	Total No. of Recommendations/Observations	10
(ii)	Recommendations/Observations of the Committee which have been accepted by the Government:	
	Recommendation Nos. 4	Total : 1 Percentage – 10%
(iii)	Recommendations/Observations which the Committee do not desire to pursue in view of the replies received from the Government:	
	Recommendation Nos.6,7,9	Total : 3 Percentage- 30%
(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. 1,2,3,8	Total : 4 Percentage – 40%
(v)	Recommendations/Observations in respect of which final replies of the Government are still awaited:	
	Recommendation No. 5 and 10	Total : 2 Percentage – 20%