

**COMMITTEE ON THE WELFARE OF  
SCHEDULED CASTES AND  
SCHEDULED TRIBES  
(2016-2017)**

**(SIXTEENTH LOK SABHA)**

**ELEVENTH REPORT**

**ON**

**MINISTRY OF COMMUNICATIONS  
(DEPARTMENT OF TELECOMMUNICATIONS)**

**Reservation for and Employment of Scheduled Castes and Scheduled Tribes in  
Bharat Sanchar Nigam Limited (BSNL)**

**Presented to Lok Sabha on 12.04.2017**

**Laid in Rajya Sabha on 12.04.2017**



**LOK SABHA SECRETARIAT  
NEW DELHI**

**12 April, 2017/ 22 Chaitra, 1939 (Saka)**

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**COMPOSITION OF THE COMMITTEE ON THE WELFARE OF  
SCHEDULED CASTES AND SCHEDULED TRIBES (2016-2017)**

**Dr. Kirit P. Solanki - Chairperson**

**MEMBERS - LOK SABHA**

2. Shri Ram Charitra Nishad
3. Shri Santokh Singh Chaudhary
4. Shri R. Dhruvanarayan
5. Dr. (Smt.) Heena Vijay Gavit
6. Dr. K. Gopal
7. Shri Rattan Lal Kataria
8. Dr. Virendra Kumar
9. Smt. Sakuntala Laguri
10. Smt. Pratima Mondal
11. Prof. Seetaram Ajmeera Naik
12. Dr. Ravindra Babu Pandula
13. Shri Kamlesh Paswan
14. Shri Ramchandra Paswan
15. Shri Vishnu Dayal Ram
16. Shri Charanjeet Singh Rori
17. Shri Krupal Balaji Tumane
18. Shri Vikram Usendi
19. Shri Bhanu Pratap Singh Verma
20. Shri Chintaman Navasha Wanaga

**MEMBERS – RAJYA SABHA**

21. Shri Shamsheer Singh Dullo
22. Shri D. Raja
23. Shri Amar Shankar Sable
24. Shri Veer Singh
25. Shri Tiruchi Siva
26. Smt. Wansuk Syiem
27. Shri Pradeep Tamta
28. Shri Dilip Kumar Tirkey
29. Mahant Shambhuprasadji Tundiya
30. Shri Ramkumar Verma

**SECRETARIAT**

- |    |                     |   |                   |
|----|---------------------|---|-------------------|
| 1. | Shri N.C. Gupta     | - | Joint Secretary   |
| 2. | Shri D.R. Shekhar   | - | Director          |
| 3. | Shri Vinay P. Barwa | - | Deputy Secretary  |
| 4. | Shri L. Singson     | - | Committee Officer |

## INTRODUCTION

I, the Chairperson, Committee on the Welfare of Scheduled Castes and Scheduled Tribes having been authorised by the Committee to finalise and submit the Report on their behalf, present this Eleventh Report (Sixteenth Lok Sabha) on the subject “Reservation for and Employment of Scheduled Castes and Scheduled Tribes in Bharat Sanchar Nigam Limited (BSNL)” pertaining to the Ministry of Communications (Department of Telecommunications).

2. The Committee took evidence of the representatives of the Ministry of Communications (Department of Telecommunications) and Bharat Sanchar Nigam Limited (BSNL) on 22.11.2016. The Committee wish to express their gratitude to the officers of the Ministry of Communications (Department of Telecommunications) and Bharat Sanchar Nigam Limited (BSNL) for tendering before the Committee the material and information the Committee required in connection with the examination of the subject.

3. The Report was considered and adopted by the Committee on 11<sup>th</sup> April, 2017.

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

**New Delhi;**  
**12 April, 2017**  
**22 Chaitra , 1939(Saka)**

**DR. KIRIT P. SOLANKI**  
**Chairperson,**  
**Committee on the Welfare of**  
**Scheduled Castes and**  
**Scheduled Tribes**

## CHAPTER I

### ORGANISATIONAL SET UP

#### **A. Background Note**

1. Bharat Sanchar Nigam Limited (BSNL) was incorporated on 15<sup>th</sup> September, 2000. It took over the business of providing of telecom services and networks management from the erstwhile Central Government Department of Telecom Services (DTS) and Telecom Operations (DTO) with effect from 1<sup>st</sup> October, 2000 on going concern basis. It is one of the largest and leading public sector units providing comprehensive range of telecom services in India. As on 30.10.2016 BSNL has around 2,03,067 employees out of which 37,725 employees belong to SC and 10,807 ST categories.

#### **B. Aims and Objectives**

2. The Committee have been informed that the aims and objectives of BSNL are as under:-

- (a) To upgrade the quality of telecom services to international level.
- (b) To build a high degree of customer confidence by sustaining quality and reliability in service.
- (c) To expand the telecom network so as to make new telephone connections freely available.
- (d) To increase accessibility of services, by providing a large number of Local and NSD/ISD Public Call Offices (PCOs) so as to reach out the masses.
- (e) To provide new telecom services like Facsimile, Cellular, Voice-mail, Video Conferencing, Electronic Mail, Internet, Packet Switched Data Network, Leased Lines.
- (f) To raise necessary financial resources for its developmental needs.

#### **C. Board of Directors**

3. The Committee have been informed that the Board comprise of 12 Directors, of which 6 (including the Chairman & Managing Director) are whole time Directors, 2 are Government Nominee Directors, and 4 are Non-official Part Time Directors. Thus, the Board has the optimum mix of 50% whole time Directors and 50% part-time Directors. The composition is as per the Corporate Governance Norms for the unlisted CPSEs, laid down by the Department of Public Enterprises.

4. Asked to state whether any member from SC/ST community has ever been appointed as Chairman/Member on the Board of BSNL, it has been stated that Whole Time Directors (including CMD) are selected through Public Enterprises Selection Board (PESB), which is a high powered body constituted by Government of India Resolution dated 03.03.1987, subsequently amended from time to time. The selection is made through an open advertisement by the PESB. The persons recommended by PESB are appointed with approval of the Appointments Committee of the Cabinet (ACC). Further, records are not maintained with regard to the category of the persons recommended for appointment as Whole Time Directors.

5. When asked about the steps taken by the Management to include SC/ST member on the Board of Directors, it has been stated that BSNL being a wholly owned Government of India Company i.e. Central Public Sector Enterprise (CPSE), the Directors (Whole Time/Official Part Time/Non official Part Time (Independent)) are appointed by the President of India through the Administrative Department i.e. the Department of Telecommunications (DoT), in accordance with the Articles of Association of the Company vide Article No. 111, which provides for "appointment of Directors by the President of India".

6. When further asked about the policy of the Government in regard to appointment of SCs/STs on the Board of BSNL which is under the administrative control of Ministry of Communications (Department of Telecommunications), it has been stated that the Board of CPSE comprises of whole time Directors, Government Directors and Non-Official Directors (NoDs). The appointment of whole time Directors are made on the recommendation of PESB and its subsequent approval by the ACC as explained in reply to para 4 above.

7. Regarding appointment of Government Directors, it has been stated they are appointed by the Administrative Ministry/Department in terms of the guidelines issued by Department of Public Enterprises (DPE). As per the said guidelines, there are two such

Directors on the Board, the Joint Secretary or Additional Secretary dealing with the particular enterprises and Financial Advisor of the Ministry.

8. As for Non Official Directors (NoDs) they are appointed on the recommendation of Search Committee of DPE and its subsequent approval by the ACC. DPE vide their OM No. 9 (15)/2012-GM dated 31.07.2013 has issued eligibility criteria for persons to be considered for appointment as NoD on the Board of CPSEs.

## CHAPTER II

### RESERVATION IN SERVICES

#### A. Reservation Orders

2.1 The Committee have been informed that since the time of formation of BSNL on 01.01.2000, the prescribed percentage of 15% for SCs and 7.5% for STs has been followed both in the case of direct recruitment and promotion for all grades of posts.

2.2 Presidential Directives and other guidelines regarding reservation and employment for SC/ST in services in all CPSEs including BSNL are issued by the Department of Public Enterprises from time to time. BSNL being a CPSE is following all orders regarding reservation for and employment of SC/ST in services. An officer of the rank of Deputy Secretary to Government of India in DoT is functioning as Liaison Officer to monitor the implementation of Reservation Policy and other guidelines issued in respect of SCs/STs by the Government of India from time to time, in respect of PSUs under the control of DoT including BSNL.

#### B. Staff Strength

2.3 The Committee have been informed that the Staff Strength in BSNL including SC/ST employees and also the shortfall as on 30.10.2016 are as under:

Group of Post	Total No. of employees	Number of		Percentage of		No. of Shortfall		Percentage of shortfall	
		SC	ST	SC	ST	SC	ST	SC	ST
1	2	3	4	5	6	7	8	9	10
Executive	44671	7453	2310	16.68	5.17	*	*	*	*
Non-Executive	158396	30272	8497	19.11	5.36	*	*	*	*
Total	203067	37725	10807	18.58	5.32	*	*	*	*

\* Since the above data includes that of cadres recruited on regional basis, a calculation based on the percentage of reservation on All India basis (15% for SCs and 7.5% for STs) will not depict a true picture of representation [whether shortfall or adequate]

2.4 The Committee have been further informed that the main reasons for shortfall in staff strength are due to various court cases and the non-availability of eligible candidates.

**2.5 The prescribed percentage of reservation for Scheduled Tribes on all India basis is 7.5% but BSNL has not been able to maintain it both in executive and non-**



**executive posts. The main reason cited for shortfall in staff strength is attributed to various court cases and non-availability of eligible candidates. The reasons stated for the shortfall and nature of reply show the callous approach of the Management towards maintenance of prescribed percentage of reserved vacancies in general and ST in particular. The Committee are of the view that being a Government company, it is the bounden duty of the BSNL to follow the reservation policy and to maintain the prescribed percentage for Scheduled Tribes. The Committee, therefore, recommend that the BSNL should endeavour to resolve all court cases including possibility to settle them out of Court at the earliest and ensure that the prescribed percentage of 7.5 prescribed for ST is maintained by BSNL.**

### **C. Recruitment of Staff**

2.6 The Committee have been informed that in Telecom cadre recruitment to the post of DGM, Junior Telecom Officer and Junior Engineer is made through Open Competitive Examination as per provisions of Recruitment Rules. Whereas, in Finance Cadre, recruitment to the post of Junior Account Officer is made through Open Competitive Examinations as per provisions of Recruitment Rules. At present no recruitments are being made in other cadres/posts of BSNL.

2.7 The following concessions/relaxations are given to SCs/STs candidates in direct recruitment and promotions:-

- (a) Age relaxation as per Government of India orders.
- (b) Relaxation in minimum qualifying marks.
- (c) Grant of TA to appear written examination/interview.
- (d) Concession in examination fee.
- (e) Review of results of the failed SC/ST candidates in case reserved vacancies remain unfilled.

2.8 The Committee have been informed that in so far as recruitment is concerned wide publicity is given by the marketing wing of BSNL in all leading English, Hindi, and Regional News Papers of all the states and also inform the candidates to see BSNL website for details. In this IT revolution BSNL is publishing the advertisement on BSNL portal i.e.

[www.externalexam.bsnl.co.in](http://www.externalexam.bsnl.co.in) as well as Central Government Employment portal in Ministry of Labour. Further the copies of advertisements are sent to recognised All India Associations of SCs and STs. In the post evidence reply it has been informed that in future, advertisement for recruitment in BSNL will also be given to Doordarshan and All India Radio for broadcasting.

2.9 All communications/letters pertaining to interview/appointment/written test are issued to the candidates through Speed Post. Information are also sent through SMS and e-mail of the candidates. 90 days minimum period of notice is given to SC/ST candidates for written test/interview and 30 days period is given for joining after selection. However in case of interview, if any, SC/ST candidates are available then a member from SC/ST category is included in the Interview Board.

2.10 The Committee have been informed that at the time of recruitment process the marketing wing of BSNL gives wide publicity in all leading English, Hindi and Regional Newspapers of all the States besides informing the candidates to see the BSNL website for details as well the Central Government Employment portal in Ministry of Labour. Lauding the efforts made in this regard, the Committee desire that for wider publicity and reach especially to cover remote and rural areas advertisement/publicity for reserved vacancies and posts especially which do not require high technical qualification may also be advertised through All India Radio and Doordarshan.

2.11 The details of recruitment made by BSNL during the years 2013, 2014, 2015 and 2016 are as under:-

**(i) Accounts Cadre**

Year	Category of Posts	Total No. of vacancies occurred	Total No. of vacancies actually filled	No of Vacancies reserved for SCs			No. of SC candidate appointed	No. of vacancies reserved for ST			No. of ST candidates appointed	No vacancies carried forward	
				c/f from prev. yr	Reserved during the yr	Total		c/f from prev. yr	Reserved during the yr	Total		SCs	STs
1	2	3	4	5	6	7	8	9	10	11	12	13	14
2013													
2014													
2015	JAO	962	948	45	150	195	193*	50	68	118	117*	2	1
2016 (till date)													

\*This figure relates to the number of candidates who were selected for the post of JAO in BSNL, details of actual no. of candidates who have joined the BSNL has been called from the circle.

## (ii) Telecom Cadre

Year	Category of Posts	Total No. of vacancies occurred	Total No. of vacancies actually filled	No of Vacancies reserved for SCs			No. of SC candidate appointed	No. of vacancies reserved for ST			No. of ST candidates appointed	No vacancies of carried forward	
				c/f from prev. yr	Reserved during the yr	Total		c/f from prev. yr	Reserved during the yr	Total		SCs	STs
1	2	3	4	5	6	7	8	9	10	11	12	13	14
2013	JE(TTA)	2471	2182	**	**	**	**	**	**	**	**	31	79
2014	There was not recruitment during the years 2014 & 2015												
2015													
2016* (till date)	JE (TTA)	158	Pre-appointment formalities under way.	31	N/A	31	Pre-appointment formalities under way.	79	N/A	79	Pre-appointment formalities under way.	Pre-appointment formalities under way.	

\* Special Recruitment Drive for filling backlog vacancies of SC/ST/OBC conducted on 21.02.2016 Results declared in 11.03.2016.

\*\* Since the cadre of TTA was a SSA (Secondary Switching Area) cadre, these details are available only with SSAs/circles. However, these details are being collected from the recruiting circles.

**Note:** No recruitment has been made in the other cadre of BSNL during the period.

2.12 In the post evidence reply, the details of other cadre of BSNL for which recruitment have not been made with reasons are furnished as under:

### Architect Cadre:

- JTO(Architect) and Deputy Architect. As BSNL has been concentrating on its core competence (i.e.Telecom.) area only, as its survival strategy, recruitments (alongwith range of activities) has been down sized in non-core areas of the Company like Architect, Civil, Electrical etc.
- After formation of BSNL, no recruitment has been made to these posts in Architectural wing.

### Civil Cadre:

- JTO(Civil). As BSNL has been concentrating on its core competence (i.e.Telecom.) area only, as its survival strategy, recruitments (alongwith range of activities) has been down sized in non-core areas of the Company like Architect, Civil, Electrical etc.
- The last recruitment for the post of JTO(C) was made in the year 2009.

### Electrical Cadre:

- JTO(Elect.). As BSNL has been concentrating on its core competence (i.e.Telecom.) area only, as its survival strategy, recruitments (alongwith range of activities) has been down sized in non-core areas of the Company like Architect, Civil, Electrical etc.
- Last recruitment to the grade of JTO(Elect.) was made on the basis of examination held on 21.06.2009.

**2.13 The Committee note that other than telecom and account cadre, BSNL has stopped recruitment in non-core areas of the company such as architect, civil and**

electrical, to concentrate on its core area of telecom so as to stay in business. The Committee are given to understand that the last recruitment of JTO (C) and JTO(Elect.) were held in 2009. In this regard, the Committee would like to know the details of SCs/STs recruited in the last recruitment examination held for JTO(C) and JTO(Elect.) in 2009. The Committee may also be apprised of the total number of posts including SC/ST posts and backlogs abolished by the company consequent upon adoption of its new policy of stopping of recruitments in non-core areas viz. architect, civil, electrical cadre, etc. The Committee also would like to know whether due process of rules were followed before abolition of reserved vacancies/posts, if not, all the legitimate due of reserved category posts be filled up to the prescribed level.

2.14 When asked to state the reasons for carrying forward of 2 SC and 01 ST vacancies in JAO cadre in recruitment exercise held in 2015, it has been clarified in the post evidence reply that the reasons for carrying forward of 2 SC and 1 ST vacancies in 2015 in the post of JAO in Account Cadre is due to insufficient number of SC/ST candidates qualifying the exam. It is further been stated that it is proposed to conduct Special Recruitment Drive to fill up the backlog vacancies. The schedule for the same shall be by 31.03.2017.

**2.15 The Committee recommend that 2 SC and 1 ST vacancies of JAO which could not be filled due to insufficient SC/ST candidates qualifying the recruitment exam held in 2015 and carried forward should be filled within three months by the scheduled Special Recruitment Drive at the earliest possible.**

2.16 In the post evidence reply, it was also informed that the reason for not holding recruitment for the post of JE(TTA) in telecom cadre in the years 2014 and 2015 was that the Open Competitive Examination for Direct Recruitment in the cadre of TTA for the recruitment Year 2012 was conducted Circle-wise on 14.07.2013 and the results were declared by the respective Circles on different dates in the year 2014. After pre-

appointment formalities, the candidates of the Recruitment Year 2012, were appointed only in the year 2015. Further the Recruitment Rules to the cadre of TTA was also under revision and the new RRs were published on 25.08.2014. In this connection, it is also submitted that BSNL is recruiting employees on need basis keeping in view the financial position of the Company. In view of these circumstances, no recruitment was made in the cadre of JE (TTA) in the years 2014 and 2015.

2.17 When asked to state the time frame to complete the process of pre-appointment formalities of newly recruited JE(TTA) for the year 2016, it has been informed that the process of pre-appointment formalities involves activities such as offer of appointment to the candidates, police verification of the candidates, verification of caste certificate submitted by the candidates, medical check-up of the candidates, etc, and thereafter sending the eligible candidates for a 10 week pre-appointment training, qualification in which is also mandatory before formal appointment. Further, in case of selected candidates not turning up or being found ineligible, a waiting list is maintained by Recruitment Branch of BSNL Corporate Office for allotting replacements. Since these activities involve agencies other than BSNL also, as well as the involvement of the candidates, setting a time-limit for the completion of pre-appointment formalities may not be possible. However, it is expected that pre-appointment formalities may be completed by 30.06.2017.

**2.18 The Committee note that pre-appointment formalities for newly recruited JE(TTA) in 2016 is likely to be completed by 30.06.2017 after due process. The Committee also note that notified vacancies for SCs/STs are likely to be fulfilled as waiting list is maintained by Recruitment Branch of the Corporate office for allotting replacements in case of selected candidates not turning up or being found ineligible. The Committee desire that pre-appointment formalities should be completed expeditiously without further delay. Necessary steps should also be taken to ensure that all 31 SC and 79 ST notified vacancies are completely filled and**

**not a single SC/ST vacancy is carried forward due to reasons such as of non-availability of suitable/eligible candidates.**

2.19 Replying to a query on procedure for recruitment of Telecom Technical Assistant (TTA) cadre posts, it has stated in the post evidence reply that direct recruitment to TTA posts is made through Open Competitive Examination. Initially, the TTA cadre was an SSA cadre and recruitment was being made SSA-wise. The Open Competitive Examination for Direct Recruitment in the cadre of TTA for the Recruitment Year 2012 was conducted Circle-wise on 14.07.2013 and the results were declared by the respective Circles on different dates. The new Recruitment Rules to the cadre of TTA came into effect from 25.08.2014, whereby the TTA cadre was declared a Circle cadre and therefore the SRD conducted in 2016 Circle-wise and the consolidated results were declared by the Recruiting Branch BSNL Corporate office.

2.20 In the post evidence written reply furnished by the Ministry of Communications (Department of Telecommunications) to the Committee, it may be seen that the details of TTA which are available only with SSAs/circles and have now been collected and consolidated data thereof as under:

Year	Category of Posts	Total No. of Vacancies Occurred	Total No. of Vacancies Actually filled	No. of vacancies reserved for SCs			No. of vacancies reserved for STs			No. of candidates appointed		No. of vacancies carried forward	
				c/f from prev. yr.	Reserved During yr.	Total	c/f from prev. yr.	Reserved During yr.	Total	SC	ST	SC	ST
1	2	3	4	5	6	7	8	9	10	11	12	13	14
2013	Telecom Technical Assistant (JE)	2590	2157	11	306	317	1	200	201	287	119	30	82
There was no recruitment during the years 2014 & 2015													
2016*	Telecom Technical Assistant (JE)	158	65**	31	0	31***	79	0	79***	16**	31**	0**	0**

- Special Recruitment Drive for filling backlog vacancies of SC/ST/OBCs conducted on 21.02.2016. Results declared in 11.3.2016.

\*\* Pre-appointment formalities are underway in the Circles and these are not the final figures.

\*\*\* Though the actual carry forward vacancies of SC and ST were 30 and 82 respectively, there was a slight error on the part of three Circles while communicating their carry forward vacancies, which has resulted in the notification of the vacancies as 31 and 79 respectively.

**2.21 The Committee are surprised to note that in 2016 pre-appointment formalities of Telecom Technical Assistance (JE) was underway in the Circles but at the**

same time it is stated that these are not the final figures. The Committee desire that after completion of pre-appointment formalities the details of SC/ST vacancies actually earmarked to be filled and finally filled may be furnished to the Committee.

#### D. Promotion

2.22 The Committee have been informed that there are two types of promotions in BSNL. One is post based functional promotion as per provisions of respective recruitment rules in which relaxations in minimum qualifying marks have been given to SC/ST candidates. Another is financial upgradation as per provisions of Executive Promotion Policy (EPP) and Non-Executive Promotion Policy (NEPP) which envisages relaxed criteria for assessment of SCs/STs categories.

2.23 The cadre wise details of promotions made during the years 2013, 2014, 2015 and 2016 (upto October, 2016) are as under:

##### (i) Accounts Cadre

Year	Category of posts	Total no. of employees promoted	Number of posts filled		Percentage Of		No. of backlog vacancies/shortfall		Remarks
			SC	ST	SC	ST	SC	ST	
1	2	3	4	5	6	7	8	9	10
2013	CAO	487	55	07	11 %	1.4%	18	30	All eligible candidates promoted
	JAO	648	64	13	10 %	2%	33	36	The sufficient no. of SC/ST didn't qualify the Limited Internal competitive exam despite review of result of failed SC/ST candidates.
2014	CAO	201	46	-	23 %	-	16	15	All eligible candidates promoted
2015	AO	1520	204	85	13.5 %	6%	24	29	All eligible candidates promoted
2016 (till date)	As per the notification for LICE for filling up the vacant posts in the grade of JAO, out of 2097 vacancies, 342 and 246 posts have been earmarked against SC and ST quota respectively. Result have been declared, however, the process of pre-induction training of successful candidates, who have qualified the exam as per the vacancy position is underway at NATFM, Hyderabad.								

##### (ii) Telecom Cadre

Year	Category of Posts	Total no. of employees promoted	No. of posts filled		Percentage of		No. of backlog vacancies/Shortfall		Remarks
			SC	ST	SC	ST	SC	ST	
1	2	3	4	5	6	7	8	9	10
2013	JTO	2908	269	80	9.25%	2.75%	1528	1100	All candidates who qualified in the LICE have

									been promoted
	SDE(T)	2514(CQ)	333	109	13.2%	4.3%	271	373	To fill shortfall / backlog vacancies, a LDCE was conducted on 20-06-2015. The result is still awaited (sub-Judice)
	DE(T)	690	28	34	4%	5%	Nil	Nil	4% SC & 5%ST as shown in table are due to the fact that this much vacancies for SC/ST were available for 2010-11 as per the roster and accordingly filled up.
2014	JTO	Nil							
	SDE(T)	Nil							
	DE(T)	2771	413	199	14.9%	7.2%	Nil	Nil	
2015	JTO	Nil							
	SDE(T)	Nil							
	DE(T)	Nil							
2016 (till date)	LICE conducted on 22.05.2016 for promotion to the cadre of JTO against vacancies of the recruitment year 2013-14. Promotion yet to be made.								
	SDE(T)	Nil							
	DE(T)	Nil							

**(iii) Civil Cadre**

Year	Category of posts	Total no. of employees promoted	Number of posts filled		Percentage of		No. of backlog vacancies /shortfall		Remarks
			SC	ST	SC	ST	SC	ST	
1	2	3	4	5	6	7	8	9	10
2013	SDE(C)	60	15	Nil	25.00	Nil	Nil	Nil	-
2014		70	17	02	24.28	2.85	Nil	Nil	-
2015		52	Nil	Nil	Nil	Nil	Nil	Nil	-
2016 (till date)		55	12	Nil	21.81	Nil	Nil	Nil	
2013	EE(C)	Nil	Nil	Nil	Nil	Nil	Nil	Nil	-
2014		40	09	Nil	22.50	Nil	Nil	Nil	-
2015		Nil	Nil	Nil	Nil	Nil	Nil	Nil	-
2016 (till date)		Nil	Nil	Nil	Nil	Nil	Nil	Nil	
2013	SE(C)	28	03	02	10.71	7.14	Nil	Nil	-
2014		17	07	02	41.18	11.76	Nil	Nil	-
2015		13	Nil	02	Nil	15.38	Nil	Nil	-
2016 (till date)		04	Nil	Nil	Nil	Nil	Nil	Nil	
2013	CE(C)	52	06	01	11.54	1.92	Nil	Nil	-
2014		10	Nil	Nil	Nil	Nil	Nil	Nil	-
2015		14	Nil	02	Nil	14.28	Nil	Nil	-
2016 (till date)		04	01	Nil	25.0	Nil	Nil	Nil	
2013	PCE(C)	03	Nil	Nil	Nil	Nil	Nil	Nil	-
2014		Nil	Nil	Nil	Nil	Nil	Nil	Nil	-
2015		05	Nil	Nil	Nil	Nil	Nil	Nil	-
2016 (till date)		03	Nil	Nil	Nil	Nil	Nil	Nil	-

**(iv) Architect Cadre**



Year	Category of posts	Total no. of employees promoted	Number of posts filled		Percentage of		No. backlog vacancies/shortfalls		Remarks
			SC	ST	SC	ST	SC	ST	
1	2	3	4	5	6	7	8	9	10
2012	Architect	3	0	0	0	0	0	0	
	SDE (Arch)	3	0	0	0	0	0	0	
	AE (Arch)	0	0	0	0	0	0	0	
2013	SDE (Arch)	4	0	0	0	0	0	0	
	AE (Arch)	4	0	0	0	0	0	0	
2014	SDE (Arch)	2	0	0	0	0	0	0	
	AE (Arch)	5	0	1	0	20	0	0	
2015	SDE (Arch)	4	1	0	25	0	0	0	
	AE (Arch)	3	0	0	0	0	0	0	
2016	Architect	6	2	0	33	0	0	0	

**(v) Electrical Cadre**

Year	Category of Posts	Total No of employees promoted	No Of posts filled		Percentage of		No backlog vacancies /Shortfall		Remarks
			SC	ST	SC	ST	SC	ST	
1	2	3	4	5	6	7	8	9	10
2013	JTO(E)				NIL				
	SDE(E)	30	6	0	20	0	NIL	NIL	
	EE(E)				NIL				
2014	JTO(E)				NIL				
	SDE(E)	24	5	4	20.83	16.66	0	0	
	EE(E)	4	3	0	75	0	0	0	
2015	JTO(E)				NIL				
	SDE(E)	21	4	0	19	0	0	0	
	EE(E)				NIL				
2016	JTO(E)	66	12	5	18.15	7.57	9	8	
	SDE(E)	21	4	0	19	0	0	0	
	EE(E)				NIL				

2.24 The Committee note that regarding promotion made for CAO and JAO in Accounts cadre, SC/ST vacancies in every promotion year beginning from 2013 to 2015 has not been fully filled despite being stated that all eligible candidates are promoted. Asked to state the reasons for this lapse, it has been informed in the post evidence reply that as per BSNL MS Recruitment Rules, 2009 the requisite number of qualifying service in the grade of AO is 7 years. However, due to non-availability of eligible candidates who have completed the requisite service of 7 years, the vacancies remained unfilled. The process to conduct the DPC was initiated, however, OA No. 60/00295/2015 has been filed by Sh. Parkash Vir&Anr in the CAT Chandigarh Bench. The Hon'ble Tribunal vide its interim orders has restrained BSNL from making further promotion on the basis of reservation and

to follow the mandate given by the Hon'ble Supreme court in the case of M. Nagraj. Due to which the process of conducting DPC for promotion is held up.

2.25 The Committee note that in the promotional exercise made in 2013 for the post of JTO in Telecom cadre a total of 2908 employees including 269 SC and 80 ST posts were filled. Despite this effort, there still remains 1528 SC and 1100 ST backlog vacancies/shortfall with a remark being made that all candidates who have qualified in the LICE have been promoted. Asked to clarify this situation, it is informed in the post evidence reply that the total number of vacancies for the LICE held in 2013 was 11758 out of which a total of 2908 candidates qualified including 269 SC and 80 ST candidates. Further, the vacancies for the LICE held in 2013 and the number of candidates qualified is as under:

Other Category		SC Category		ST Category	
Vacancy	Filled	Vacancy	Filled	Vacancy	Filled
8781	2559	1797	269	1180	80

**2.26 The Committee note that in the year 2016 cadre, out of 2097 vacancies notified for filling through LICE in the grade of JAO in Accounts cadre, 342 and 246 posts were earmarked for SC and ST quota respectively. After the declaration of results the process of pre-induction training of successful candidate who have qualified the exam as per the vacancy position is underway at NATFM, Hyderabad. The Committee would like to know whether all notified vacancies for SCs/STs have been filled and if not, reasons therefor alongwith concrete steps being taken to fill all vacancies . The Committee may also be informed about the efforts made by Ministry/BSNL for getting Court order vacated so as to make further promotion on the basis of reservation.**

2.27 The Committee have been further informed that the feeder cadre for promotion to JTO are the BSNL employees in the pay scale of 13600-25420/- or above with combined 5 years residency period in the pay scale of 13600-25420/- or above and below the age of

55 years as on 1<sup>st</sup> July of the vacancy year provided they possess the requisite educational qualification as per the JTO(T) Recruitment Rules 2014.

2.28 When further asked whether sufficient number of SC/ST candidates are available in the feeder cadre/posts for promotion to JTO, it has been informed that there are insufficient number of candidates available in all categories including General category as well as SC/ST with reference to the number of vacancies to be filled through the Limited Internal Competitive Examination.

**2.29. The Committee are surprised to note that there are insufficient SC/ST candidates including general category candidates in the feeder cadre for promotion to JTO. It shows the faulty recruitment and promotion process of BSNL who could not properly prepare feeder cadre for promotion to JTO. The Committee take serious view of it and strongly recommend that BSNL should immediately come out with a concrete plan to ensure availability of sufficient candidates including SCs/STs in the feeder grades for promotion to JTO.**

2.30 The Committee have also noted from the preliminary reply that a Limited Internal Competitive Exam (LICE) was conducted on 22.05.2016 for promotion to cadre of JTO against vacancies for the recruitment year 2013-14 and that promotion are yet to be made. When asked to state the time frame for completion of promotion exercise of successful candidates to JTO cadre. It has been informed that process of promotion will be completed after 10 weeks induction training and field training of the successful candidates. The training is being conducted in batches and is likely to be completed by 30.06.2017.

2.31 When asked to state the number of successful SC/ST candidates awaiting promotion to JTO, it has been informed that the total number of SC & ST qualified candidates in JTO LICE held on 22.05.2016 are 298 and 135 respectively.

2.32 Replying to query on not promoting SCs/STs even after qualifying internal exam, it has been informed that all the candidates including SC/ST candidates will be promoted after completion of their induction and field training. The training is being conducted in batches and is likely to be completed by 30.06.2017.

**2.33. The Committee note that Limited Internal Competitive Examination (LICE) was conducted on 22.05.2016 for affecting promotion to cadre of JTO against vacancies for the recruitment year 2013-14 wherein a total of 298 SC and 135 ST candidates have qualified the exam. The Committee further note that these selected candidates will be promoted after completion of induction and field training which is conducted in batches and likely to be completed by June, 2016. The Committee recommend that all selected candidates who are presently undergoing induction and field training in different batches be promoted as per stipulated date and time and the Committee informed accordingly.**

2.34 The Committee also noted that in case of promotion made in JTO(E), SDE(E) and EE(E) posts in Electrical cadre in 2016, there has been 9 SC and 8 ST backlog/shortfall in JTO(E) posts. When asked to state the reason for not filling these 9 SC and 8 ST vacancies, it has been informed that the post could not be filled up as the candidates could not secure minimum qualifying marks applicable for SCs and STs candidates.

2.35 The Committee have been informed that the main reasons of shortfall in promotion are various court cases and non-availability of eligible candidates. It has also been informed that SC/ST employees who are due for promotion but are found below par are given pre-examination trainings.

**2.36. The Committee note that in the promotional exercise made for JTO (E) cadre in 2016, 9 SC and 8 ST vacancies could not be filled as the candidates could not secure minimum qualifying marks applicable for SCs and STs. Whereas, it has been also stated that the company has a policy of giving pre-examination trainings to SC/ST employees who are due for promotion but are found below par. The Committee find these contradictory replies of the BSNL as misleading and confusing. The Committee therefore recommend that for every promotion exercise based on limited internal departmental exam, pre-promotion training and proper guidance should be given to SC/ST candidates to enable them to clear promotional examination and to ensure that reserved vacancies of a particular year are**

**completely filled by reserved candidates leaving no scope for carrying forward of the same.**

2.37 The Committee have been also informed that BSNL is following all the orders of DoP&T relating to reservation for SCs/STs in all categories of posts, wherever applicable. However, promotion in the SDE(T) and AGM/DE(T) are held up due to various litigations on the issue of reservation in promotion. But when asked to state the reasons for withholding of promotion for the post of SDE(T) and AGM/DE(T), it has been clarified that there are litigations on the promotion in SDE(T) cadre and AGM(T) cadre . In SDE(T) cadre, Original Petition CAT No. 25,45 & 126 of 2015 are filed against the All India Eligibility List of JTOs for promotion to the SDE(T) under 67% Seniority cum fitness quota in Hon'ble High Court of Kerala against the promotion. Likely date of hearing in this regard was in the 1<sup>st</sup> or 2<sup>nd</sup> week of January 2017. The last promotion order under seniority cum fitness was issued in year 2011 for vacancy year 2008-09. Further, through other stream of promotion to SDE (T) cadre, a LDCE for promotion JTO to SDE(T) was held on 21.6.2015 for vacancy year 2010-11 and unfilled/backlog vacancy of SC/ST up to 2009-10. The result has also been declared but promotion could not be materialized due to Hon'ble CAT Chandigarh judgement dated 18.10.2016 in O.A No. 060/00133/2015 filed by Sh. Shiv Kumar Sharma. The following has been directed by Hon'ble CAT Chandigarh:-

“Promotions under LDCE quota for 2010-2011 or even for subsequent years shall be made only after making of proposed amendment in RRs relating to inter-se-seniority of promotees under both the quotas to be applicable from the vacancy year 2009-10 onwards as mentioned above. In the promotion order also condition shall be incorporated regarding inter-se-seniority of promotees of both the quotas on the lines stated in affidavit dated 19.9.2016( inter-se-seniority between Seniority quota of promotees and LDCE promotees for the same vacancy year) and information dated 21.9.2016 as mentioned above and undertaking to the same effect shall also be taken from the promotees of LDCE quota. Those refusing to give any such undertaking may not be promoted.

It is also directed that as and when interim status quo order is vacated or modified or writ petition is finally disposed by Hon'ble High court of Kerala, promotion under seniority quota shall be made expeditiously”.

2.38 It has been further informed that the RR for amendment to this extent is under process.

2.39 In AGM (T) stream the promotions are held up due to judgement of Hon'ble CAT Chandigarh in O.A. No. 060/00864/2015 dated 08.09.2016 filed by Sh. Sukhwinder Singh.

The following has been directed:-

“In promotion from the post of SDE(T) to the post of AGM/DE(T), to consider the applicant and others within the zone of consideration for promotion from SDE(T) to the post of AGM/DE(T) without applying the principle of reservation in promotion”.

2.40 In the past BSNL is following the principle of reservation in the aforesaid promotion, due to above direction BSNL is unable to execute the promotions. The above judgement of Hon'ble CAT Chandigarh court has been challenged before Hon'ble High Court of Chandigarh on 13.12.2016.

2.41 The last promotion order in AGM (T) cadre was issued on 20.8.2014 for vacancy year 2013-2014.

2.42 When asked to state how many SC/ST officers are affected by withholding promotion in SDE(T) and AGM/DE(T), it has been informed that in SDE(T) cadre, out of total 10846 vacancies, 2009 and 919 vacancies pertain to SC and ST categories respectively. In AGM/DE(T) cadre, out of total 674 vacancies, 90 and 59 vacancies pertain to SC and ST categories respectively.

2.43 When further asked to state the steps taken by the Management to expedite the litigation process it has been informed that BSNL has filed Writ Petition on the judgement of Hon'ble CAT Chandigarh in the High court Chandigarh against the provision of reservation in promotion and action in this regard has initiated on seniority issue, the hearing is under process in High Court Ernakulam. (Likely date of hearing in this regard was in the 1<sup>st</sup> or 2<sup>nd</sup> week of January 2017). BSNL is also impleading in similar other cases in Hon'ble Supreme court. Details of various court cases are as under:

<b>Sl.No.</b>	<b>Case No.</b>	<b>Bench</b>	<b>Judgement Date</b>
1	OP CAT 25/2015	HC, Ernakulam	Pending
2	OP CAT 45/2015	HC, Ernakulam	Pending
3	OP CAT 126/2015	HC, Ernakulam	Pending
4	OP CAT 133/2015	Chandigarh, CAT	18.10.2016
5	OP CAT 864/2015	Chandigarh, CAT	18.10.2016

Note: In respect of Sr.No.1, 2, 3 above, the court judgement of CAT has been challenged by Maxmillan and others in Hon'ble Court Ernakulam, Kerala on seniority issue in All India Eligibility List of JTOs from which the promotion from JTO(T) to SDE(T) is being granted. The promotion from JTO to SDE under seniority cum fitness has been stayed by Hon'ble High Court of Ernakulam, Kerala.

2.44 During the evidence, when the Committee queried about the details of the court cases pending, a senior representative of BSNL stated:

“First example of court case is JTO (T) to SDE (T). In this particular group, there are four cases which have come to Chandigarh CAT. These four different groups have gone to the Chandigarh CAT. They have referred to the verdict of the Supreme Court in respect of M. Nagaraj case given on 19.10.2006. They say that the Supreme Court has finally given a verdict which should be applied to it. The verdict in M. Nagaraj case says that BSNL, the State PSU has to come up with the backwardness calculation; then, inadequacy in the representation of the SC/ST should be calculated and finally the efficiency parameter should also be observed. So, it is only after quantitative data collection and analysis, the PSU are supposed to do that.

So far as BSNL, which is a Government of India company where 100 per cent stake is with the Government, is concerned, we have been following the DoP&T guidelines. We have given it in writing that DoP&T guidelines apply to us. We have been following it since beginning. But they have not agreed to it. Then, final verdict of the CAT came. It asked the BSNL to restrain from further promotions till these parameters are observed.

The affected cadres are JTO to SDE, JO to AO and SDE to DE. These are the three main cadres of BSNL where majority of the employees are there. Their promotions have been held up for almost two and half years.

Afterward, being aggrieved, we have now gone to the High Court of Punjab and Haryana. We have filed a writ petition. We have also given an application in the Supreme Court. There is already a case going on in the Supreme Court against M. Nagaraj case. Today, that is, 22.11.2016, there is hearing of that case. We are expecting a favorable judgment so that we can proceed further.”

**2.45 The Committee are surprised to observe that BSNL has been embroiled in many court cases related to implementation of reservation policies which have affected the promotional prospects of many SC/ST employees of the company in various cadres. The Committee are at loss to understand the reasons due to which matter reached the Courts in the first instance and what the BSNL Management was doing all these years when reservation principles are clearly mandated by the Constitution. In so far as reservation for SCs/STs are concerned there is a clear mandate of the Constitution prescribing 15% for SCs and 7.5% for STs in**

recruitment and promotions in all Government services/Government undertakings/Banks etc. Thus, BSNL had to only to comply with these directions/orders of the Government and see that SCs/STs are properly represented as per the prescribed percentage. Clearly BSNL has failed to comply with these directions. The Committee find this callous approach and discriminatory attitude of the company to implement reservation policy in letter and spirit as unfortunate and despicable. The Committee further observe that when the matter was dragged into courts/tribunals, the administration should have whole heartedly associated itself with the cases and prepare to defend its own action of giving promotions to SCs/STs as per reservation policies. The Committee are of the view that when few disgruntled employees who were against reservations in promotion have gone to court/tribunals challenging the promotional exercise carried out on the basis of sound principles of reservation policy and laid own procedures of Recruitment Rules of the company, in the very first instance the DOPT which is the nodal Department for such issues should have been consulted for guidance and directions. Further, the best legal counsels/advocates should have been hired to properly represent and defend the cases to get the stay orders vacated.

2.46 In view of the above, the Committee recommend that BSNL should immediately consult the DOPT on the matter and seek their guidance and if need be, best legal counsels /advocates should be hired by the company who are conversant with reservation policy and can effectively defend the cases pending in the Courts/Tribunals in the best interest of the SC/ST employees as well as the company. The legal counsels/advocates so hired be made compliant to attend all hearings of the cases so that hearings are not adjourned again and again because adjournment of cases due to absence of legal counsels will further delay settlement of the cases.



2.47 The Committee may also be apprised of the outcome of hearings which was to be held in the month of January this year on All India Eligibility lists of JTOs for promotion to SDE (T) by Hon'ble High Court of Kerala.

2.48 In the case of promotion to SDE (T) through the stream of limited departmental competition exam (LDCE) held on 21.06.2015 for the year 2010-11, the Committee note that the result previously declared was held up due to litigation in Hon'ble CAT Chandigarh. As per the direction of the Hon'ble CAT Chandigarh, BSNL has initiated the process of amendment of RR pertaining to inter-se seniority of promotees under both seniority-cum-fitness and LDCE quota. The Committee recommend that amended RR of the company should be devoid of discrimination and should fully protect the interest of the SC/ST employees.

2.49 The Committee observe that promotions from SDE to AGM/DE(T) are also held up due to directions of Hon'ble CAT Chandigarh in O.A. No.060/00864/2015 dated 08.09.2016 filed by Shri Sukhwinder Singh. The directions made on the case emphasized on giving promotion to AGM/DE(T) cadre without applying the principle of reservation when the Government rules allow reservation in proportion upto the lowest rung of Group 'A' officers which the company has adhered to all these years without any problem. The Committee appreciate that BSNL has at least challenged this verdict of Hon'ble CAT Chandigarh in Hon'ble High Court of Chandigarh on 13.12.2016. The Committee desire that all efforts should be made to get the stay orders vacated at the earliest and promote 90 SC and 59 ST officers whose promotions have been delayed for no fault of theirs. The Committee may also be apprised about the final outcome of decision of Court cases.

#### **E. Backlog Vacancies and Special Recruitment Drive**

2.50 The Cadre wise status of backlog vacancies for the years 2013, 2014, 2015 and 2016 are as under:

##### **(i) Telecom Cadre**

Years	Backlog of SCs		Backlog of STs	
	DR-DGM	SDE(T)	DR-DGM	SDE(T)

2013	13	59	7	212
2014	13	344 (59+285)	7	377
2015	13	344 (59+285)	7	377
2016 (till date)	13	344 (59+285)	7	377

Remarks:

- In respect of SDE(T), Exam for above backlog vacancies alongwith regular vacancies for year 2010-2011 to 2013-2014 has been conducted, result has also been declared but promotion could not be done due to stay granted by CAT Chandigarh in a court case.
- In respect of DR-DGM, Exam for above backlog vacancies alongwith other un-filled vacancies has been conducted, but result is still awaited.

In the cadre of Junior Engineers (TTA) no recruitments has been made during the years 2013, 2014, 2015 & 2016. Special Recruitment Drive for filling up the backlog vacancies of SCs/STs in the cadre of Junior Engineers (TTA) for the recruitment year 2012 has been conducted on 21.02.2016. Result has been declared on 11.03.2016. The vacancies declared for SC/ST were 31 and 79 respectively and against these vacancies 31 candidates of SC and 79 candidates of ST have been qualified.

**(ii) Finance Cadre:**

Year	No. of backlog vacancies (JAO)		Remarks
	SC	ST	
As on 31.10.2013	45	50	The backlog are from the year 2010 when the direct recruitment exam was conducted in JAO grade. No direct recruitment was done in the year 2013
31.10.2014	45	50	While filling up the vacancies in the JAO grade, direct recruitment exam held in February 2015.
31.10.2015	2	1	The same shall be carried forward to next recruitment.
31.10.2016 (till date)	2	1	The same shall be carried forward to next recruitment.

Note: The backlog vacancies in the grade of JAO shall be taken care of in next exam for JAO.

**(iii) Electrical Cadre**

Year	Cadre	SC	ST	Remarks
31.10.2013	JTO(E)	28	61	The above backlog vacancies are due to non-securing of minimum relaxed qualifying marks by the candidates.
31.10.2014		28	61	
31.10.2015		28	61	
30.09.2016		22	57	
31.10.2013	SDE(E)	0	9	
31.10.2014		0	9	
31.10.2015		0	9	
30.09.2016		0	5	
31.10.2013	EE(E)	Nil	Nil	

31.10.2014	Nil	Nil	
31.10.2015	Nil	Nil	
30.09.2016	Nil	Nil	

(iv) **Civil Cadre:**

Year	In the grade of EE(C) SCF		In the grade of SDE(C) LDCE		Reasons
	SC	ST	SC	ST	
2013	Nil	Nil	01	22	Last LDCE Exam for promotion in the grade of SDE(C) was held in 2013. Therein, Backlog vacancy in SC category is one and in ST category is 22. Rectt Section vide letter dated August 2016 has been requested to conduct the LDCE exam for 89 vacancies including the backlog vacancies in SC/ST category. The exam will be conducted before 24.12.2016.
2014	Nil	05	01	22	
2015	Nil	05	01	22	
2016 (till date)	Nil	05	01	22	

2.51 When asked the Ministry to state whether any Special Recruitment Drive has been launched exclusively for filling backlog vacancies, it has been stated that Special Recruitment Drive (SRD) for filling up 31 SC and 79 ST backlog vacancies in the cadre of Junior Engineers (TTA) was conducted on 21.02.2016 and result has been declared on 11.03.2016.

2.52 It has been further stated that the backlog vacancies in the cadre of Junior Engineers (TTA) has been cleared through the SRD exam as mentioned in preceding para but backlog vacancies in other cadres of finance cadre, electrical cadre and architect cadre are still existing. The Committee have also been informed that the backlog vacancies are kept alive for future consideration.

**2.53 The Committee note that regarding backlog vacancies pertaining to SDE (T) examination for these backlog vacancies alongwith regular vacancies for the year 2010-11 to 2013-14 has been conducted and result declared but promotion could not be given due to the stay granted by CAT Chandigarh. As for DR-DGM posts, exam for backlog vacancies alongwith unfilled vacancies has been conducted but the result is still awaited. The Committee recommend that concrete efforts should be**

made by the Management to get the stay order of CAT Chandigarh vacated so as to safeguard the interest of SC/ST employees of BSNL. The Committee further recommend that result of exam conducted to fill backlog vacancies alongwith other unfilled vacancies in DR-DGM should be declared at the earliest and all SC/ST backlog vacancies be filled without any further delay.

2.54 The Committee note that in the grade of SDE (C) backlog of 01 SCs and 22 STs have remained unchanged since the year 2013. However, it has been stated that Recruitment Section vide letter dated August, 2016 has been requested to conduct the LDCE exam for 89 vacancies including the backlog vacancies of SC/ST category before 24.12.2016. The Committee are surprised to note that these backlog vacancies have remain unfilled for last four years. The Committee are of the view that whenever backlog vacancies get accumulated and remain unfilled due to certain reasons, it should be the bounden duty of the organisation concerned to fill it at the earliest because backlog cannot remain indefinitely. The Committee, therefore, recommend that all efforts should be made to fill these 01 SC and 22 ST backlog vacancies in SDE (C) without any further delay and also inform the Committee of the outcome.

2.55 The Committee also desires to know of the efforts that were made to fill 05 ST backlog vacancy in the grade of EE (C) SCF and outcome thereof.

## CHAPTER III

### MEASURES TO IMPROVE REPRESENTATION OF SCs/STs

#### A. Compassionate Appointments

3.1 The Committee have been informed that BSNL has made 59, 46, 564 and 63 compassionate ground appointments during the years 2013, 2014, 2015 and 2016. As per DoPT guidelines issued for compassionate ground appointment there is no reservation for SC/ST candidates and as such the data has not been maintained category-wise.

3.2 However, in the post evidence reply the detailed break up 59, 46, 564 and 63 cases of compassionate ground appointments made and showing the number of SC/ST amongst them are submitted as under:

Sl.No.	Year	SC	ST	OC	Total
1	2013	42	8	9	59
2	2014	31	4	11	46
3	2015	149	30	385	564
4	2016	17	4	42	63

3.3 The Committee are also informed that there is no socio-economic condition/criteria fixed for appointment on compassionate grounds. The details of employees waiting for compassionate grounds appointment in SC/ST category are 34 and 98 respectively.

3.4 **The Committee note that 34 SC and 98 ST cases of compassionate grounds appointments are pending for appointment which is quite considerable. The Committee also learnt that grading system on compassionate appointments is being maintained by the BSNL which may not be to the advantage of the SCs/STs. Even though, there is no so socio-economic criteria fixed for appointment on compassionate grounds, but it is understandable that SC/ST employees/families are usually from deprived section of the society and losing an earning member of the family would entail them to further deprivation. In view of the above, the Committee urge the Management to explore the feasibility of expediting and giving appointments to SCs/STs pending cases in the true meaning of the term compassionate grounds appointments.**

## B. Training

3.5 BSNL has also made arrangements for conducting pre-recruitment as well as pre-promotion training to SC/ST candidates in Training Centers. This training is available to both internal as well as external candidates prior to examination. The details of SC/ST employees imparted training during the years 2013, 2014, 2015 and 2016 (till September, 2016) are as under:

Year	SCs/STs
2013	2740
2014	180
2015	1101
2016 (till Sept. 2016)	1031

3.6 The Committee are also informed that in service training is given to all the employees of BSNL including SC & ST employees. The details of in-service training given to employees including SCs/STs during the years 2013, 2014, 2015 and 2016 are as under:

Year	SCs/STs
2013	20785
2014	13609
2015	15097
2016 (till Sept. 2016)	9129

## C. Foreign Training

3.7 BSNL has also sent officers on foreign training. The details of employees sent abroad for training during the years 2013, 2014, 2015 and 2016 are as under:

Year	No. of employees	No. of SC employees	No. of ST employees
2013	36	2	-
2014	45	6	-
2015	64	5	1
2016 (Upto Sep 2016)	32	4	-

3.8 During the evidence, the representative of BSNL has also stated:

“..... for foreign training and deputations, we have given yearly break-ups. It has been noted by our top management that upto September 2016 it is four and we are expecting that by March it will be going much above.”

3.9 When further asked the reason for non representation of ST employees for foreign training the Chairman & Managing Director of BSNL stated:

“..... Having realized that we have also issued the circulars to all the CGMs, all the Directors that henceforth when they are deputing for foreign training, they should make provision for SCs and STs. Instructions have already been issued to them.”

**3.10 The Committee note that during the last four years only one ST employee has been sent on foreign training. The Committee recommend that to increase their exposure and efficiency at the time of nomination for foreign training due care should be taken to ensure that adequate number of ST employees are also nominated.**

#### **D. Rosters**

3.11 The Committee have been informed that BSNL has maintained rosters for each category of posts for direct recruitment and promotion. These rosters are prepared as per guidelines of DoPT. Further rosters for all cadres (Corporate Level) are placed in Portals, w.e.f. 31.08.2016.

3.12 These rosters are regularly inspected by Chief Liaison Officer at Corporate Office. In various circles and Districts/SSAs of BSNL, rosters are inspected by Liaison Officers and Deputy Liaison Officers. The Cadre-wise details of maintenance of rosters are as under:

##### **(i) Telecom Cadre**

In Telecom cadre in respect of SDE(T), the roster for Seniority Quota(SQ) & Competitive Quota(CQ) (both mode of promotions) are being maintained and inspected by CLO(SCT). In respect of DE(T) & DR-DGM, the rosters are being maintained and inspected by CLO(SCT). Roster of Non-executive cadres and JTO cadre are maintained at Circle/SSA/Divisional level.

##### **(ii) Finance Cadre**

In Finance Cadre, rosters for the post of AO/Sr.AO/CAO (Promoted through seniority cum fitness basis) is maintained by SEA section and the same was inspected by CLO (SCT) CO BSNL. Rosters in the grade of JAO, being a circle cadre is maintained at Circle level.

**(iii) Architect Cadre:**

In architect cadre, rosters are maintained for the posts of SDE/AE(Arch) by the Arch. wing of BSNL CO. In Architecture Cadre, no rosters are maintained at Circle Level.

**(iv) Civil Cadre**

Civil cadre, the rosters of various grades i.e. SDE(C) & EE(C) has been prepared at BSNL CO as per the prevalent guidelines and regularly checked/ inspected by CLO/SCT/BSNL CO. The rosters of JTO(C) has been prepared at BSNL regional/ zonal/circle offices.

**(v) Electrical Cadre**

In electrical cadre, the rosters in the grade of JTO/SDE/EE are maintained at Corporate Level. Further in Electrical cadre, no rosters are maintained at Circle Level.

3.13 The Committee have been informed that rosters maintained at Head Office, Circle Offices, District/SSAs Offices are inspected/checked by the representatives from the Ministry of Communications (Department of Telecommunications). Advisories have been issued to prepare rosters as per the DoPT guidelines wherever minor discrepancies have been observed in the maintenance of rosters.

**3.14 The Committee note that rosters have been maintained for each category of posts for direct recruitment and promotion. The Committee also appreciate that these rosters are prepared as per guidelines of DOPT and placed in portals of the Company w.e.f 03.08.2016. It is also observed that apart from the CLO and Liaison officers roster representatives from the Ministry of Communications (Department of Telecommunications) also inspect the rosters maintained at Head Office, Circle**



**Offices and Districts/SSAs offices. The Committee need hardly emphasise that rosters are an important tool in implementation of reservation for SCs/STs and hence should be maintained properly by an officer who is well versed and trained in rosters preparation, maintenance and fixation of rosters points. It is often alleged that BSNL being a very large organisation having offices all over the Country have often neglected maintenance of rosters in Circles and SSA levels due to lack of awareness in rosters maintenance. The Committee therefore recommend that officers from Head office should carry out inspection of rosters at the Circle and SSA levels regularly and all miscalculation of rosters points should be rectified immediately. Further the Liaison officers of these offices should also be sent for rosters awareness trainings regularly.**

#### **E. SC/ST Cell/ Liaison Officers**

3.15 The Committee have been informed that SC/ST Cell have been set up in Head Office and Circle Offices to look after the welfare of SC/ST employees. The main functions of SCT Cell is to monitor the proper implementation of reservation policy for SCs and STs in various recruitments & promotions in BSNL and inspection of Rosters prepared/maintained by various cadre controlling branches at Corporate Office level and various Circles/SSAs of BSNL spread all over the Country. The Details of officers/staff working in SCT Cell at head office are as under:

• GM & Chief Liaison Officer	-	1
• Deputy General Manager	-	1
• Assistant General Manager	-	2
• Deputy Manager	-	2
• Assistant Manager	-	2
• Clerks	-	2
• Group 'D'	-	1

(Out of above, 4 belongs to SC category and 1 belongs to ST category)

3.16 In the Field Units of BSNL Liaison Officers (JAG level) at Telecom Circle and Deputy Liaison Officers (STS level) at Telecom Districts are functioning alongwith their supporting staff. The details regarding the number of persons working in the cell is being collected by BSNL.

3.17 It has also been informed that a SAG level Officer has been appointed as Chief Liaison Officer(SCT) in BSNL corporate office to ensure due compliance by the appointing authorities of the various orders and instructions pertaining to reservation of vacancies in favour of Scheduled Castes and Scheduled Tribes and other concessions admissible to them.

3.18 It has been further stated that the Chief Liaison Officer has been entrusted with the work of SC/ST matters and also to look after other issues like Women Harassment, Persons with Disabilities and Minority matters.

**3.19 The Committee note that SC/ST Cells have been set up in the Head office and Circle Offices to look after the welfare of SC/ST employees. One of the main functions of the SC/ST Cell is to monitor the implementation of reservation policy for SCs and STs in various recruitments and promotions and inspection of rosters maintained by various cadre controlling branches at Corporate, Circles and SSA levels. The Committee opine that since the SC/ST Cell are headed by the Chief Liaison officers/Deputy Liaison officers at the Corporate and Circle levels who are looking after important issues related to SC/ST welfare, officers to be appointed as CLO/Deputy Liaison officers should be individuals of high integrity and impeccable service records. It is also observed that Management has often resorted to appointments of these Liaison Officers without keeping in mind the interests of SC/ST employees but rather keeping the interest of the company at large. The Committee, therefore, recommend that in order to have an effective Liaison Officers contributing for the company and also protecting the interests of SC/ST employees before appointment of Liaison Officers the SC/ST Association should be taken into confidence and consulted. The Committee further recommend that all SC/ST Cells in the various circles office should be provided with adequate staff to effectively man the Cell.**

**F. Appointment on the basis of false caste certificates**

3.20 The Committee have been informed that 19 cases pertaining to securing employment on the basis of false caste certificates have come to notice of BSNL during the years 2013, 2014, 2015 and 2016.

3.21 In the post evidence reply it has been informed that out of 19 cases, 9 cases have been disposed of. In 2 cases major penalty proceedings has been initiated. Out of remaining 8 cases, 6 cases are pending with State authorities and 2 cases are in Courts. These cases would be disposed of once decision on these cases are taken by State Authorities/Courts.

3.22 It has been further informed that to expedite disposal of pending cases in various Tribunals/Courts/Deputy Collector's office, the Management is continuously liaising with concerned authorities for disposal of these cases.

3.23 During the evidence, the Secretary (Telecom.) has also stated:

“I joined the Department as Secretary on the 1<sup>st</sup> of February and this is the letter of 11<sup>th</sup> February. I will have to look at the file whether my predecessor also wrote. I think she mentioned that my predecessor also wrote. So, this is not the first time. The Director (HR) mentioned that after the Secretaries of the Department of Telecom have taken up this matter with the Chief Secretaries, they have had some progress in the identification and the verification of the allegation of false certificate and they have been able to proceed with the action. I do agree that we need to take it up continuously till every case is resolved. We will ensure that it is done.”

**3.24 The Committee are also of the view that to tackle and control the problem of people joining BSNL on production of false caste certificates, the recruitment branch should carry out thorough verification of caste certificates at the time of appointment and also refer it to the issuing authority for authentication and revalidation. The Committee also would like to stress that getting into a Government job at the expense of reserved vacancies on production of false caste certificates is a crime and grave injustice against reserved category people because it denies them gainful employment opportunity guaranteed by the constitution. The Committee, therefore, recommend that in view of the gravity of the situation and its consequences, a person getting appointment on false caste certificates prima facie should immediately be terminated from service rather than being allowed to go to**

**courts for relief which will embroil the Management in a long legal tussle. The Committee also recommend that in view of the fact that many people easily obtain false caste certificates in connivance with the issuing authority, the officer/authority who issued the false certificate should also be held accountable and complaint be lodged against him for indulging in this nefarious activity. The Committee further recommend that existing pending cases should be expedited and disposed of by vigorously following up with the certificate issuing authorities within a specific time frame and its outcome informed to the Committee.**

## CHAPTER – IV

### MISCELLANEOUS

#### A. Deputation

4.1 The Committee have been informed that one post of CVO, BSNL has been filled on deputation basis from other Government department. It was further informed that BSNL has also sent employees including SCs and STs on deputation to other department. The details of SCs/STs employees sent on deputation to other departments during the last five years are as under:

Year	SC	ST
2013	NIL	NIL
2014	02	NIL
2015	NIL	NIL
2016	02	NIL

#### B. Casual Labour/Part Time Worker

4.2 The Committee have also been informed that contract labourers are engaged by BSNL. However, no such advise in respect of SCs/STs quota has been included in contract/MOU, as no guidelines by Government of India are available in this regard. The nature of works/contracts which are outsourced through contractors are in non-core activities, such as, security of telecom installation, housekeeping jobs, cable laying, external plant maintenance, infra maintenance, transportation of materials, erection of poles and wires. The terms and conditions of service and the benefits for contract labour are as per existing labour laws/acts/statutes, complying with the provisions of Minimum wages/ Social security measures, mandatory facilities etc.

4.3 The Committee have also been informed that currently, there are 3469 Casual labourers engaged in BSNL throughout the country. These Casual Labourers were engaged before the formation of BSNL. As of now there is a ban on engagement of casual labour. Further, there is a ban on regularization of Casual labourers in the light of the Judgement of the Hon'ble Supreme Court of India in the Uma Devi vs. UOI case.

4.4 During the evidence, the Chairman & Managing Director of BSNL has stated:

“Casual workers were recruited at the time of DoT. We are not recruiting any casual labour now for the last about 10-15 years. There was a backlog of casual labour when the BSNL was DoT. They are still continuing as a block of casual labour. They are 3000 odd in number.”

**4.5 The Committee note that contract labourers such as Safai Karamcharies engaged by BSNL are outsourced through open market wherein reservation norms are not applicable. The Committee are of the view that there are thousands of eligible SCs/STs in the Country who are not able to get even the job as a daily wagger, sweeper etc. The Committee, therefore, desire that possibilities should be explored to hire these contract labourers through those agencies who have maximum SCs/STs in its rolls so that majority of poor SCs/STs may get the benefits.**

**4.6 The Committee further note that there are 3469 casual labourers engaged by BSNL since before the formation of the Committee who are paid daily wages as per court directions. The Committee would like to explore feasibility of regularising the services of these casual labourers on humanitarian grounds.**

#### **C. Housing Facilities**

4.7 In reply to query on housing facilities provided to its employees it has been stated that BSNL has its own staff quarters on pan India basis and provides staff quarters to its employees depending upon the availability. BSNL has also provided reservation for SCs/STs in allotment of residential quarters to employees as per ruling of SR-317-B-25 of Directorate of Estates, 10% Qtrs. in Type-I & II and 5% in Type-III & IV are reserved for allotment to SC/ST employees which are further bifurcated in the ratio of 2:1 between SC & ST respectively.

#### **D. Redressal of Grievances**

4.8 The Committee have been informed that SCT Cell has been formed under the Chief Liaison Officer at Corporate Office for ensuring proper implementation of reservation policy. Further, Liaison Officers and Deputy Liaison Officers have been nominated in various Circles and District level in respect of field units for the purpose. As and when

complaints/grievances are received in the SCT Cell of BSNL Corporate Office or Circle Office the same are sent to the concerned authorities for examination and taking appropriate action to resolve the complaints/grievances.

4.9 It has also been stated that complaints register is being maintained by the Cell wherein nature of complaints/grievances are recorded with the date of disposal. During the last four years 209 complaints have been received from SC/ST employees of BSNL. It is also stated that the nature of these complaints are mostly related to service matters and transfer/posting. So far no case of harassment or discrimination against SC/ST employees on ground of their social origin have been noticed.

4.10 It has been also informed that almost all complaints have been disposed off as per rules. However, 17 cases are under examination by the concerned branches of BSNL and that efforts are being made to dispose of these cases at the earliest.

**4.11 The Committee note that complaints/grievances of SC/ST employees received in the SCT Cell at Corporate office or Circle office are sent to the concerned authorities for examination and taking appropriate action to resolve the cases. In spite of this mechanism and claims the Committee still receives representations from individual SC/ST employees as well Association regarding delay in promotions, posting/transfer, harassment, discrimination, non-implementation of reservation policy etc. Moreover, the fact that there are 17 cases which are still under examination by the concerned branches and that efforts are still underway to dispose of these cases indicate that the grievance redressal mechanism of the organisation is not effective enough to tackle the grievances of SC/ST employees. It is also a fact that due to the failure of the departmental redressal mechanism to deliver justice to them, these aggrieved persons are forced to resort to other remedial measures outside of the administrative set up.**

## **E. Petty Contracts**

4.12 The Committee have been informed that BSNL Civil Wing hires individual/ firms/ companies etc on contract/ tender basis for setting up of infrastructure and execution of various projects across the country.

4.13 The nature of contractual works executed by contractors are such as construction of buildings for different purposes like residential buildings, technical buildings, school/ college/ hostel buildings, administrative buildings, OFC laying, tower foundations and erection works and maintenance works etc.

4.14 It has also been informed that no reservation has been provided to SC/ST contractors in award of such contractual works.

## **F. SC/ST Employees Welfare Association**

4.15 The Committee have been informed that there is only one recognized association for SC/ST Employees in BSNL. Before formation of SC/ST Employees Welfare Association of BSNL, on the recommendation of the Parliamentary Committee on the Welfare of SC and ST to form one association for the Welfare of the Employees belonging to SC/ST community in BSNL. One SC/ST Employees Welfare Association was recognised vide letter dated 15-3-2007.

4.16 Replying to query on retired employee/officer having been made an officer bearer the association, it has been stated that as per bye-laws of SEWA, BSNL all working employees of BSNL of all cadres belonging to SC/ST community only shall be entitled for membership.

4.17 It has been also informed that quarterly meeting is held with SC/ST Employees Welfare Association to sort out their grievances. The minutes of the meeting is circulated to the SEWA, BSNL.

**4.18 The Committee appreciate that on the intervention of the Parliamentary Committee on the Welfare of Scheduled Castes and Scheduled Tribes, BSNL has**



now only one SC/ST Employees Association (SEWA) where all working/serving SC/ST employees are a member or an executive member of the Association. The Committee are also of the view that in such a large organisation like BSNL which has more than 2 lakhs employees to have a unified SC/ST Association working for the welfare of SC/ST employees has become an organisational necessity especially in resolving the conflict between SC/ST employees and the Management. It enables to maintain an ideal and healthy relationship between the Management and the Association for the overall interest the Company and growth of the company to which they belong. The Committee also feel that many grievances/complaints of SC/ST employees can be redressed through the Association who are readily available and easily approachable to many aggrieved employees. The Committee, therefore, recommend that all offices of the Association starting from the Head Office to the Circle and Districts/SSAs level should be provided necessary infrastructure such as check off facility, telephones with broadband facility, furniture, special casual leaves for attending meetings with the Management and other important Committees etc. The Committee also recommend that office bearers of the Association should also be avoided from frequent transfer and posting to places far away from their hometown.

4.19 The Committee note that apart from the Board of Directors of the Company there are other Boards such as Staff Welfare Board, Sports and Cultural Board etc. headed by Chairman and other officers. Leaders of SC/ST Association are not Members of such boards and they are only invited to attend such meetings whenever held. The Committee therefore recommend that apart from regular quarterly meetings with the Management, the Association leader be made a Member of these Boards and made a party to important policy decision taken for the overall welfare of the employees including the SC/ST interest. The Committee also urge that all executive members of the Association should also be made accountable to their

**official duty as per their official position irrespective of holding important portfolio  
in the Association.**

**New Delhi;  
12 April, 2017  
22 Chaitra , 1939(Saka)**

**DR. KIRIT P. SOLANKI  
Chairperson,  
Committee on the Welfare of  
Scheduled Castes and  
Scheduled Tribes**

**COMMITTEE ON THE WELFARE OF SCHEDULED CASTES  
AND SCHEDULED TRIBES  
(2016-2017)**

**(SIXTEENTH LOK SABHA)**

**TENTH SITTING**

**(22.11.2016)**

**MINUTES**

The Committee sat from 1500 hrs. to 1645 hrs. in "Committee Room E",  
Basement, Parliament House Annexe, New Delhi

**PRESENT**

Shri Kirit Premjibhai Solanki - Chairperson

**MEMBERS**

**LOK SABHA**

2. Shri Ram Charitra Nishad
3. Shri R. Dhruvanarayana
4. Shri Rattan Lal Kataria
5. Shri Virendra Kumar
6. Smt. Sakuntala Laguri
7. Smt. Pratima Mandal
8. Prof. Seetaram Ajmeera Naik
9. Dr. Ravindra Babu Pandula
10. Shri Ram Chandra Paswan
11. Shri Vishnu Dayal Ram
12. Shri Krupal Balaji Tumane
13. Shri Vikram Usendi
14. Shri Bhanu Pratap Singh Verma

**RAJYA SABHA**

15. Smt. Wansuk Syiem
16. Shri Pradeep Tamta
17. Shri Ram Kumar Verma

**SECRETARIAT**

1. Shri N.C. Gupta, Joint Secretary
2. Shri D.R. Shekhar, Director
3. Shri Vinay P. Barwa, Deputy Secretary

**LIST OF WITNESSES**

**MINISTRY OF COMMUNICATIONS (DEPARTMENT OF TELECOMMUNICATIONS)**

1. Shri J.S. Deepak - Secretary (T)
2. Shri R.K. Misra - Member (S)
3. Shri Amit Yadav - Joint Secretary (A)

**BHARAT SANCHAR NIGAM LIMITED (BSNL)**

1. Shri Anupam Srivastava - Chairman-cum-Managing Director
2. Smt. Sujata T. Ray - Director (HR)
3. Shri Debkumar Chakrabarty - General Manager (Pers.)

**MHANAGAR TELEPHONE NIGAM LIMITED (MTNL)**

1. Shri P.K. Purwar - Chairman-cum-Managing Director
2. Shri Suni Kumar - Director (HR)
3. Shri N.K. Joshi - Executive Director

At the outset, the Chairperson welcomed the representatives of the Ministry of Communications (Department Of Telecommunications) and Bharat Sanchar Nigam Limited (BSNL) and Mahanagar Telephone Nigam Limited (MTNL).

2. The Committee then took evidence of the representatives of the Ministry of Communications (Department of Telecommunications) and BSNL on the subject "Reservation for and Employment of Scheduled Castes and Scheduled Tribes in Bharat Sanchar Nigam Limited (BSNL)". Besides BSNL, the Members also raised certain issues pertaining to representation of SCs/STs in MTNL and sought clarification thereon which were responded by the CMD of MTNL. Before concluding the evidence the Committee directed the representatives of the Ministry to furnish replies to points on which information were not readily available during the evidence to the Committee within 15 days.

The evidence was completed.

**(The witnesses then withdrew)**

A verbatim record of the proceedings was kept.

**The Committee then adjourned.**

**COMMITTEE ON THE WELFARE OF SCHEDULED CASTES  
AND SCHEDULED TRIBES**

**(2016-2017)**

**(SIXTEENTH LOK SABHA)**

**EIGHTEENTH SITTING**

**(11.04.2017)**

**MINUTES**

The Committee sat from 1030 hrs. to 1100 hrs. in Chairperson's Chamber, Room No. 137,  
Parliament House, New Delhi.

**PRESENT**

Shri Kirit Premjibhai Solanki - Chairperson

**MEMBERS**

**LOK SABHA**

2. Shri Rattan Lal Kataria
3. Smt. Sakuntala Laguri
4. Smt. Pratima Mondal
5. Prof. Seetaram Ajmeera Naik
6. Shri Vishnu Dayal Ram
7. Shri Bhanu Pratap Singh Verma
8. Shri Chintaman Navasha Wanaga

**RAJYA SABHA**

9. Smt. Wansuk Syiem
10. Shri Ramkumar Verma

**SECRETARIAT**

1. Shri N.C. Gupta, Joint Secretary
2. Shri D. R. Shekhar, Director
3. Shri Vinay P. Barwa, Deputy Secretary

At the outset, the Chairperson welcomed the Members of the Committee. The Committee then considered the draft report on the subject "Reservation for and Employment of Scheduled Castes and Scheduled Tribes in Bharat Sanchar Nigam Limited" pertaining to the Ministry of Communications (Department of Telecommunications) and adopted the same. The Committee also authorized the Chairperson to present the same to both the Houses of Parliament in the current session of the Parliament.

**XXXXXXXXXX**

SUMMARY OF CONCLUSIONS/RECOMMENDATIONS CONTAINED IN THE REPORT

Sl. No.	Para No.	Conclusions/Recommendations
1	2	3
1.	2.5	<p>The prescribed percentage of reservation for Scheduled Tribes on all India basis is 7.5% but BSNL has not been able to maintain it both in executive and non-executive posts. The main reason cited for shortfall in staff strength is attributed to various court cases and non-availability of eligible candidates. The reasons stated for the shortfall and nature of reply show the callous approach of the Management towards maintenance of prescribed percentage of reserved vacancies in general and ST in particular. The Committee are of the view that being a Government company, it is the bounden duty of the BSNL to follow the reservation policy and to maintain the prescribed percentage for Scheduled Tribes. The Committee, therefore, recommend that the BSNL should endeavour to resolve all court cases including possibility to settle them out of Court at the earliest and ensure that the prescribed percentage of 7.5 prescribed for ST is maintained by BSNL.</p>
2.	2.10	<p>The Committee have been informed that at the time of recruitment process the marketing wing of BSNL gives wide publicity in all leading English, Hindi and Regional Newspapers of all the States besides informing the candidates to see the BSNL website for details as well the Central Government Employment portal in Ministry of Labour. Lauding the efforts made in this regard, the Committee desire that for wider publicity and reach especially to cover remote</p>

		and rural areas advertisement/publicity for reserved vacancies and posts especially which do not require high technical qualification may also be advertised through All India Radio and Doordarshan.
3.	2.13	The Committee note that other than telecom and account cadre, BSNL has stopped recruitment in non-core areas of the company such as architect, civil and electrical, to concentrate on its core area of telecom so as to stay in business. The Committee are given to understand that the last recruitment of JTO (C) and JTO(Elect.) were held in 2009. In this regard, the Committee would like to know the details of SCs/STs recruited in the last recruitment examination held for JTO(C) and JTO(Elect.) in 2009. The Committee may also be apprised of the total number of posts including SC/ST posts and backlogs abolished by the company consequent upon adoption of its new policy of stopping of recruitments in non-core areas viz. architect, civil, electrical cadre, etc. The Committee also would like to know whether due process of rules were followed before abolition of reserved vacancies/posts, if not, all the legitimate due of reserved category posts be filled up to the prescribed level.
4.	2.15	The Committee recommend that 2 SC and 1 ST vacancies of JAO which could not be filled due to insufficient SC/ST candidates qualifying the recruitment exam held in 2015 and carried forward should be filled within three months by the scheduled Special Recruitment Drive at the earliest possible.
5.	2.18	The Committee note that pre-appointment formalities for



		<p>newly recruited JE(TTA) in 2016 is likely to be completed by 30.06.2017 after due process. The Committee also note that notified vacancies for SCs/STs are likely to be fulfilled as waiting list is maintained by Recruitment Branch of the Corporate office for allotting replacements in case of selected candidates not turning up or being found ineligible. The Committee desire that pre-appointment formalities should be completed expeditiously without further delay. Necessary steps should also be taken to ensure that all 31 SC and 79 ST notified vacancies are completely filled and not a single SC/ST vacancy is carried forward due to reasons such as of non-availability of suitable/eligible candidates.</p>
6.	2.21	<p>Committee are surprised to note that in 2016 pre-appointment formalities of Telecom Technical Assistance (JE) was underway in the Circles but at the same time it is stated that these are not the final figures. The Committee desire that after completion of pre-appointment formalities the details of SC/ST vacancies actually earmarked to be filled and finally filled may be furnished to the Committee.</p>
7.	2.26	<p>Committee note that in the year 2016 cadre, out of 2097 vacancies notified for filling through LICE in the grade of JAO in Accounts cadre, 342 and 246 posts were earmarked for SC and ST quota respectively. After the declaration of results the process of pre-induction training of successful candidate who have qualified the exam as per the vacancy position is underway at NATFM, Hyderabad. The Committee would like to know whether all notified vacancies for SCs/STs have been</p>

		filled and if not, reasons therefor alongwith concrete steps being taken to fill all vacancies . The Committee may also be informed about the efforts made by Ministry/BSNL for getting Court order vacated so as to make further promotion on the basis of reservation.
8.	2.29	Committee are surprised to note that there are insufficient SC/ST candidates including general category candidates in the feeder cadre for promotion to JTO. It shows the faulty recruitment and promotion process of BSNL who could not properly prepare feeder cadre for promotion to JTO. The Committee take serious view of it and strongly recommend that BSNL should immediately come out with a concrete plan to ensure availability of sufficient candidates including SCs/STs in the feeder grades for promotion to JTO.
9.	2.33	Committee note that Limited Internal Competitive Examination (LICE) was conducted on 22.05.2016 for affecting promotion to cadre of JTO against vacancies for the recruitment year 2013-14 wherein a total of 298 SC and 135 ST candidates have qualified the exam. The Committee further note that these selected candidates will be promoted after completion of induction and field training which is conducted in batches and likely to be completed by June, 2016. The Committee recommend that all selected candidates who are presently undergoing induction and field training in different batches be promoted as per stipulated date and time and the Committee informed accordingly.
10.	2.36	The Committee note that in the promotional exercise made for

		<p>JTO (E) cadre in 2016, 9 SC and 8 ST vacancies could not be filled as the candidates could not secure minimum qualifying marks applicable for SCs and STs. Whereas, it has been also stated that the company has a policy of giving pre-examination trainings to SC/ST employees who are due for promotion but are found below par. The Committee find these contradictory replies of the BSNL as misleading and confusing. The Committee therefore recommend that for every promotion exercise based on limited internal departmental exam, pre-promotion training and proper guidance should be given to SC/ST candidates to enable them to clear promotional examination and to ensure that reserved vacancies of a particular year are completely filled by reserved candidates leaving no scope for carrying forward of the same.</p>
11.	2.45	<p>The Committee are surprised to observe that BSNL has been embroiled in many court cases related to implementation of reservation policies which have affected the promotional prospects of many SC/ST employees of the company in various cadres. The Committee are at loss to understand the reasons due to which matter reached the Courts in the first instance and what the BSNL Management was doing all these years when reservation principles are clearly mandated by the Constitution. In so far as reservation for SCs/STs are concerned there is a clear mandate of the Constitution prescribing 15% for SCs and 7.5% for STs in recruitment and promotions in all Government services/Government</p>

		<p>undertakings/Banks etc. Thus, BSNL had to only to comply with these directions/orders of the Government and see that SCs/STs are properly represented as per the prescribed percentage. Clearly BSNL has failed to comply with these directions. The Committee find this callous approach and discriminatory attitude of the company to implement reservation policy in letter and spirit as unfortunate and despicable. The Committee further observe that when the matter was dragged into courts/tribunals, the administration should have whole heartedly associated itself with the cases and prepare to defend its own action of giving promotions to SCs/STs as per reservation policies. The Committee are of the view that when few disgruntled employees who were against reservations in promotion have gone to court/tribunals challenging the promotional exercise carried out on the basis of sound principles of reservation policy and laid own procedures of Recruitment Rules of the company, in the very first instance the DOPT which is the nodal Department for such issues should have been consulted for guidance and directions. Further, the best legal counsels/advocates should have been hired to properly represent and defend the cases to get the stay orders vacated.</p>
12.	2.46	<p>In view of the above, the Committee recommend that BSNL should immediately consult the DOPT on the matter and seek their guidance and if need be, best legal counsels /advocates should be hired by the company who are conversant with reservation policy and can effectively defend the cases</p>

		<p>pending in the Courts/Tribunals in the best interest of the SC/ST employees as well as the company. The legal counsels/advocates so hired be made compliant to attend all hearings of the cases so that hearings are not adjourned again and again because adjournment of cases due to absence of legal counsels will further delay settlement of the cases.</p>
13.	2.47	<p>The Committee may also be apprised of the outcome of hearings which was to be held in the month of January this year on All India Eligibility lists of JTOs for promotion to SDE (T) by Hon'ble High Court of Kerala.</p>
14.	2.48	<p>In the case of promotion to SDE (T) through the stream of limited departmental competition exam (LDCE) held on 21.06.2015 for the year 2010-11, the Committee note that the result previously declared was held up due to litigation in Hon'ble CAT Chandigarh. As per the direction of the Hon'ble CAT Chandigarh, BSNL has initiated the process of amendment of RR pertaining to inter-se seniority of promotees under both seniority-cum-fitness and LDCE quota. The Committee recommend that amended RR of the company should be devoid of discrimination and should fully protect the interest of the SC/ST employees.</p>
15.	2.49	<p>The Committee observe that promotions from SDE to AGM/DE(T) are also held up due to directions of Hon'ble CAT Chandigarh in O.A. No.060/00864/2015 dated 08.09.2016 filed by Shri Sukhwinder Singh. The directions made on the case emphasized on giving promotion to AGM/DE(T) cadre</p>

		<p>without applying the principle of reservation when the Government rules allow reservation in proportion upto the lowest rung of Group 'A' officers which the company has adhered to all these years without any problem. The Committee appreciate that BSNL has at least challenged this verdict of Hon'ble CAT Chandigarh in Hon'ble High Court of Chandigarh on 13.12.2016. The Committee desire that all efforts should be made to get the stay orders vacated at the earliest and promote 90 SC and 59 ST officers whose promotions have been delayed for no fault of theirs. The Committee may also be apprised about the final outcome of decision of Court cases.</p>
16.	2.53	<p>The Committee note that regarding backlog vacancies pertaining to SDE (T) examination for these backlog vacancies alongwith regular vacancies for the year 2010-11 to 2013-14 has been conducted and result declared but promotion could not be given due to the stay granted by CAT Chandigarh. As for DR-DGM posts, exam for backlog vacancies alongwith unfilled vacancies has been conducted but the result is still awaited. The Committee recommend that concrete efforts should be made by the Management to get the stay order of CAT Chandigarh vacated so as to safeguard the interest of SC/ST employees of BSNL. The Committee further recommend that result of exam conducted to fill backlog vacancies alongwith other unfilled vacancies in DR-DGM should be declared at the earliest and all SC/ST backlog vacancies be filled without any further delay.</p>

17.	2.54	<p>The Committee note that in the grade of SDE (C) backlog of 01 SCs and 22 STs have remained unchanged since the year 2013. However, it has been stated that Recruitment Section vide letter dated August, 2016 has been requested to conduct the LDCE exam for 89 vacancies including the backlog vacancies of SC/ST category before 24.12.2016. The Committee are surprised to note that these backlog vacancies have remain unfilled for last four years. The Committee are of the view that whenever backlog vacancies get accumulated and remain unfilled due to certain reasons, it should be the bounden duty of the organisation concerned to fill it at the earliest because backlog cannot remain indefinitely. The Committee, therefore, recommend that all efforts should be made to fill these 01 SC and 22 ST backlog vacancies in SDE (C) without any further delay and also inform the Committee of the outcome.</p>
18.	2.55	<p>The Committee also desires to know of the efforts that were made to fill 05 ST backlog vacancy in the grade of EE (C) SCF and outcome thereof.</p>
19.	3.4	<p>The Committee note that 34 SC and 98 ST cases of compassionate grounds appointments are pending for appointment which is quite considerable. The Committee also learnt that grading system on compassionate appointments is being maintained by the BSNL which may not be to the advantage of the SCs/STs. Even though, there is no so socio-economic criteria fixed for appointment on compassionate grounds, but it is understandable that SC/ST</p>

		<p>employees/families are usually from deprived section of the society and losing an earning member of the family would entail them to further deprivation. In view of the above, the Committee urge the Management to explore the feasibility of expediting and giving appointments to SCs/STs pending cases in the true meaning of the term compassionate grounds appointments.</p>
20.	3.10	<p>The Committee note that during the last four years only one ST employee has been sent on foreign training. The Committee recommend that to increase their exposure and efficiency at the time of nomination for foreign training due care should be taken to ensure that adequate number of ST employees are also nominated.</p>
21.	3.14	<p>The Committee note that rosters have been maintained for each category of posts for direct recruitment and promotion. The Committee also appreciate that these rosters are prepared as per guidelines of DOPT and placed in portals of the Company w.e.f 03.08.2016. It is also observed that apart from the CLO and Liaison officers roster representatives from the Ministry of Communications (Department of Telecommunications) also inspect the rosters maintained at Head Office, Circle Offices and Districts/SSAs offices. The Committee need hardly emphasise that rosters are an important tool in implementation of reservation for SCs/STs and hence should be maintained properly by an officer who is well versed and trained in rosters preparation, maintenance and fixation of rosters points. It is often alleged that BSNL</p>



		<p>being a very large organisation having offices all over the Country have often neglected maintenance of rosters in Circles and SSA levels due to lack of awareness in rosters maintenance. The Committee therefore recommend that officers from Head office should carry out inspection of rosters at the Circle and SSA levels regularly and all miscalculation of rosters points should be rectified immediately. Further the Liaison officers of these offices should also be sent for rosters awareness trainings regularly.</p>
22.	3.19	<p>The Committee note that SC/ST Cells have been set up in the Head office and Circle Offices to look after the welfare of SC/ST employees. One of the main functions of the SC/ST Cell is to monitor the implementation of reservation policy for SCs and STs in various recruitments and promotions and inspection of rosters maintained by various cadre controlling branches at Corporate, Circles and SSA levels. The Committee opine that since the SC/ST Cell are headed by the Chief Liaison officers/Deputy Liaison officers at the Corporate and Circle levels who are looking after important issues related to SC/ST welfare, officers to be appointed as CLO/Deputy Liaison officers should be individuals of high integrity and impeccable service records. It is also observed that Management has often resorted to appointments of these Liaison Officers without keeping in mind the interests of SC/ST employees but rather keeping the interest of the company at large. The Committee, therefore, recommend that in order to have an effective Liaison Officers contributing for</p>

		<p>the company and also protecting the interests of SC/ST employees before appointment of Liaison Officers the SC/ST Association should be taken into confidence and consulted. The Committee further recommend that all SC/ST Cells in the various circles office should be provided with adequate staff to effectively man the Cell.</p>
23.	3.24	<p>The Committee are also of the view that to tackle and control the problem of people joining BSNL on production of false caste certificates, the recruitment branch should carry out thorough verification of caste certificates at the time of appointment and also refer it to the issuing authority for authentication and revalidation. The Committee also would like to stress that getting into a Government job at the expense of reserved vacancies on production of false caste certificates is a crime and grave injustice against reserved category people because it denies them gainful employment opportunity guaranteed by the constitution. The Committee, therefore, recommend that in view of the gravity of the situation and its consequences, a person getting appointment on false caste certificates prima facie should immediately be terminated from service rather than being allowed to go to courts for relief which will embroil the Management in a long legal tussle. The Committee also recommend that in view of the fact that many people easily obtain false caste certificates in connivance with the issuing authority, the officer/authority who issued the false certificate should also be held accountable and complaint be lodged against him for</p>

		<p>indulging in this nefarious activity. The Committee further recommend that existing pending cases should be expedited and disposed of by vigorously following up with the certificate issuing authorities within a specific time frame and its outcome informed to the Committee.</p>
24.	4.5	<p>The Committee note that contract labourers such as Safai Karamcharies engaged by BSNL are outsourced through open market wherein reservation norms are not applicable. The Committee are of the view that there are thousands of eligible SCs/STs in the Country who are not able to get even the job as a daily wager, sweeper etc. The Committee, therefore, desire that possibilities should be explored to hire these contract labourers through those agencies who have maximum SCs/STs in its rolls so that majority of poor SCs/STs may get the benefits.</p>
25.	4.6	<p>The Committee further note that there are 3469 casual labourers engaged by BSNL since before the formation of the Committee who are paid daily wages as per court directions. The Committee would like to explore feasibility of regularising the services of these casual labourers on humanitarian grounds.</p>
26.	4.11	<p>The Committee note that complaints/grievances of SC/ST employees received in the SCT Cell at Corporate office or Circle office are sent to the concerned authorities for examination and taking appropriate action to resolve the cases. In spite of this mechanism and claims the Committee still receives representations from individual SC/ST</p>

		<p>employees as well Association regarding delay in promotions, posting/transfer, harassment, discrimination, non-implementation of reservation policy etc. Moreover, the fact that there are 17 cases which are still under examination by the concerned branches and that efforts are still underway to dispose of these cases indicate that the grievance redressal mechanism of the organisation is not effective enough to tackle the grievances of SC/ST employees. It is also a fact that due to the failure of the departmental redressal mechanism to deliver justice to them, these aggrieved persons are forced to resort to other remedial measures outside of the administrative set up.</p>
27.	4.18	<p>Committee appreciate that on the intervention of the Parliamentary Committee on the Welfare of Scheduled Castes and Scheduled Tribes, BSNL has now only one SC/ST Employees Association (SEWA) where all working/serving SC/ST employees are a member or an executive member of the Association. The Committee are also of the view that in such a large organisation like BSNL which has more than 2 lakhs employees to have a unified SC/ST Association working for the welfare of SC/ST employees has become an organisational necessity especially in resolving the conflict between SC/ST employees and the Management. It enables to maintain an ideal and healthy relationship between the Management and the Association for the overall interest the Company and growth of the company to which they belong. The Committee also feel that many grievances/complaints of</p>

		<p>SC/ST employees can be redressed through the Association who are readily available and easily approachable to many aggrieved employees. The Committee, therefore, recommend that all offices of the Association starting from the Head Office to the Circle and Districts/SSAs level should be provided necessary infrastructure such as check off facility, telephones with broadband facility, furniture, special casual leaves for attending meetings with the Management and other important Committees etc. The Committee also recommend that office bearers of the Association should also be avoided from frequent transfer and posting to places far away from their hometown.</p>
28.	4.19	<p>Committee note that apart from the Board of Directors of the Company there are other Boards such as Staff Welfare Board, Sports and Cultural Board etc. headed by Chairman and other officers. Leaders of SC/ST Association are not Members of such boards and they are only invited to attend such meetings whenever held. The Committee therefore recommend that apart from regular quarterly meetings with the Management, the Association leader be made a Member of these Boards and made a party to important policy decision taken for the overall welfare of the employees including the SC/ST interest. The Committee also urge that all executive members of the Association should also be made accountable to their official duty as per their official position irrespective of holding important portfolio in the Association.</p>

Sl. No.	Para No.	Conclusions/Recommendations
1	2	3
1.	2.5	<p>The prescribed percentage of reservation for Scheduled Tribes on all India basis is 7.5% but BSNL has not been able to maintain it both in executive and non-executive posts. The main reason cited for shortfall in staff strength is attributed to various court cases and non-availability of eligible candidates. The reasons stated for the shortfall and nature of reply show the callous approach of the Management towards maintenance of prescribed percentage of reserved vacancies in general and ST in particular. The Committee are of the view that being a Government company, it is the bounden duty of the BSNL to follow the reservation policy and to maintain the prescribed percentage for Scheduled Tribes. The Committee, therefore, recommend that the BSNL should endeavour to resolve all court cases including possibility to settle them out of Court at the earliest and ensure that the prescribed percentage of 7.5 prescribed for ST is maintained by BSNL.</p>
2.	2.10	<p>The Committee have been informed that at the time of recruitment process the marketing wing of BSNL gives wide publicity in all leading English, Hindi and Regional Newspapers of all the States besides informing the candidates to see the BSNL website for details as well the Central Government Employment portal in Ministry of Labour. Lauding the efforts made in this regard, the Committee desire that for wider publicity and reach especially to cover remote and rural areas advertisement/publicity for reserved vacancies</p>

		and posts especially which do not require high technical qualification may also be advertised through All India Radio and Doordarshan.
3.	2.13	The Committee note that other than telecom and account cadre, BSNL has stopped recruitment in non-core areas of the company such as architect, civil and electrical, to concentrate on its core area of telecom so as to stay in business. The Committee are given to understand that the last recruitment of JTO (C) and JTO(Elect.) were held in 2009. In this regard, the Committee would like to know the details of SCs/STs recruited in the last recruitment examination held for JTO(C) and JTO(Elect.) in 2009. The Committee may also be apprised of the total number of posts including SC/ST posts and backlogs abolished by the company consequent upon adoption of its new policy of stopping of recruitments in non-core areas viz. architect, civil, electrical cadre, etc. The Committee also would like to know whether due process of rules were followed before abolition of reserved vacancies/posts, if not, all the legitimate due of reserved category posts be filled up to the prescribed level.
4.	2.15	The Committee recommend that 2 SC and 1 ST vacancies of JAO which could not be filled due to insufficient SC/ST candidates qualifying the recruitment exam held in 2015 and carried forward should be filled within three months by the scheduled Special Recruitment Drive at the earliest possible.
5.	2.18	The Committee note that pre-appointment formalities for newly recruited JE(TTA) in 2016 is likely to be completed by

		<p>30.06.2017 after due process. The Committee also note that notified vacancies for SCs/STs are likely to be fulfilled as waiting list is maintained by Recruitment Branch of the Corporate office for allotting replacements in case of selected candidates not turning up or being found ineligible. The Committee desire that pre-appointment formalities should be completed expeditiously without further delay. Necessary steps should also be taken to ensure that all 31 SC and 79 ST notified vacancies are completely filled and not a single SC/ST vacancy is carried forward due to reasons such as of non-availability of suitable/eligible candidates.</p>
6.	2.21	<p>Committee are surprised to note that in 2016 pre-appointment formalities of Telecom Technical Assistance (JE) was underway in the Circles but at the same time it is stated that these are not the final figures. The Committee desire that after completion of pre-appointment formalities the details of SC/ST vacancies actually earmarked to be filled and finally filled may be furnished to the Committee.</p>
7.	2.26	<p>Committee note that in the year 2016 cadre, out of 2097 vacancies notified for filling through LICE in the grade of JAO in Accounts cadre, 342 and 246 posts were earmarked for SC and ST quota respectively. After the declaration of results the process of pre-induction training of successful candidate who have qualified the exam as per the vacancy position is underway at NATFM, Hyderabad. The Committee would like to know whether all notified vacancies for SCs/STs have been filled and if not, reasons therefor alongwith concrete steps</p>



		being taken to fill all vacancies . The Committee may also be informed about the efforts made by Ministry/BSNL for getting Court order vacated so as to make further promotion on the basis of reservation.
8.	2.29	Committee are surprised to note that there are insufficient SC/ST candidates including general category candidates in the feeder cadre for promotion to JTO. It shows the faulty recruitment and promotion process of BSNL who could not properly prepare feeder cadre for promotion to JTO. The Committee take serious view of it and strongly recommend that BSNL should immediately come out with a concrete plan to ensure availability of sufficient candidates including SCs/STs in the feeder grades for promotion to JTO.
9.	2.33	Committee note that Limited Internal Competitive Examination (LICE) was conducted on 22.05.2016 for affecting promotion to cadre of JTO against vacancies for the recruitment year 2013-14 wherein a total of 298 SC and 135 ST candidates have qualified the exam. The Committee further note that these selected candidates will be promoted after completion of induction and field training which is conducted in batches and likely to be completed by June, 2016. The Committee recommend that all selected candidates who are presently undergoing induction and field training in different batches be promoted as per stipulated date and time and the Committee informed accordingly.
10.	2.36	The Committee note that in the promotional exercise made for JTO (E) cadre in 2016, 9 SC and 8 ST vacancies could not be

		<p>filled as the candidates could not secure minimum qualifying marks applicable for SCs and STs. Whereas, it has been also stated that the company has a policy of giving pre-examination trainings to SC/ST employees who are due for promotion but are found below par. The Committee find these contradictory replies of the BSNL as misleading and confusing. The Committee therefore recommend that for every promotion exercise based on limited internal departmental exam, pre-promotion training and proper guidance should be given to SC/ST candidates to enable them to clear promotional examination and to ensure that reserved vacancies of a particular year are completely filled by reserved candidates leaving no scope for carrying forward of the same.</p>
11.	2.45	<p>The Committee are surprised to observe that BSNL has been embroiled in many court cases related to implementation of reservation policies which have affected the promotional prospects of many SC/ST employees of the company in various cadres. The Committee are at loss to understand the reasons due to which matter reached the Courts in the first instance and what the BSNL Management was doing all these years when reservation principles are clearly mandated by the Constitution. In so far as reservation for SCs/STs are concerned there is a clear mandate of the Constitution prescribing 15% for SCs and 7.5% for STs in recruitment and promotions in all Government services/Government undertakings/Banks etc. Thus, BSNL had to only to comply</p>

		<p>with these directions/orders of the Government and see that SCs/STs are properly represented as per the prescribed percentage. Clearly BSNL has failed to comply with these directions. The Committee find this callous approach and discriminatory attitude of the company to implement reservation policy in letter and spirit as unfortunate and despicable. The Committee further observe that when the matter was dragged into courts/tribunals, the administration should have whole heartedly associated itself with the cases and prepare to defend its own action of giving promotions to SCs/STs as per reservation policies. The Committee are of the view that when few disgruntled employees who were against reservations in promotion have gone to court/tribunals challenging the promotional exercise carried out on the basis of sound principles of reservation policy and laid own procedures of Recruitment Rules of the company, in the very first instance the DOPT which is the nodal Department for such issues should have been consulted for guidance and directions. Further, the best legal counsels/advocates should have been hired to properly represent and defend the cases to get the stay orders vacated.</p>
12.	2.46	<p>In view of the above, the Committee recommend that BSNL should immediately consult the DOPT on the matter and seek their guidance and if need be, best legal counsels /advocates should be hired by the company who are conversant with reservation policy and can effectively defend the cases pending in the Courts/Tribunals in the best interest of the</p>

		SC/ST employees as well as the company. The legal counsels/advocates so hired be made compliant to attend all hearings of the cases so that hearings are not adjourned again and again because adjournment of cases due to absence of legal counsels will further delay settlement of the cases.
13.	2.47	The Committee may also be apprised of the outcome of hearings which was to be held in the month of January this year on All India Eligibility lists of JTOs for promotion to SDE (T) by Hon'ble High Court of Kerala.
14.	2.48	In the case of promotion to SDE (T) through the stream of limited departmental competition exam (LDCE) held on 21.06.2015 for the year 2010-11, the Committee note that the result previously declared was held up due to litigation in Hon'ble CAT Chandigarh. As per the direction of the Hon'ble CAT Chandigarh, BSNL has initiated the process of amendment of RR pertaining to inter-se seniority of promotees under both seniority-cum-fitness and LDCE quota. The Committee recommend that amended RR of the company should be devoid of discrimination and should fully protect the interest of the SC/ST employees.
15.	2.49	The Committee observe that promotions from SDE to AGM/DE(T) are also held up due to directions of Hon'ble CAT Chandigarh in O.A. No.060/00864/2015 dated 08.09.2016 filed by Shri Sukhwinder Singh. The directions made on the case emphasized on giving promotion to AGM/DE(T) cadre without applying the principle of reservation when the

		<p>Government rules allow reservation in proportion upto the lowest rung of Group 'A' officers which the company has adhered to all these years without any problem. The Committee appreciate that BSNL has at least challenged this verdict of Hon'ble CAT Chandigarh in Hon'ble High Court of Chandigarh on 13.12.2016. The Committee desire that all efforts should be made to get the stay orders vacated at the earliest and promote 90 SC and 59 ST officers whose promotions have been delayed for no fault of theirs. The Committee may also be apprised about the final outcome of decision of Court cases.</p>
16.	2.53	<p>The Committee note that regarding backlog vacancies pertaining to SDE (T) examination for these backlog vacancies alongwith regular vacancies for the year 2010-11 to 2013-14 has been conducted and result declared but promotion could not be given due to the stay granted by CAT Chandigarh. As for DR-DGM posts, exam for backlog vacancies alongwith unfilled vacancies has been conducted but the result is still awaited. The Committee recommend that concrete efforts should be made by the Management to get the stay order of CAT Chandigarh vacated so as to safeguard the interest of SC/ST employees of BSNL. The Committee further recommend that result of exam conducted to fill backlog vacancies alongwith other unfilled vacancies in DR-DGM should be declared at the earliest and all SC/ST backlog vacancies be filled without any further delay.</p>
17.	2.54	<p>The Committee note that in the grade of SDE (C) backlog of</p>

		<p>01 SCs and 22 STs have remained unchanged since the year 2013. However, it has been stated that Recruitment Section <u>vide</u> letter dated August, 2016 has been requested to conduct the LDCE exam for 89 vacancies including the backlog vacancies of SC/ST category before 24.12.2016. The Committee are surprised to note that these backlog vacancies have remain unfilled for last four years. The Committee are of the view that whenever backlog vacancies get accumulated and remain unfilled due to certain reasons, it should be the bounden duty of the organisation concerned to fill it at the earliest because backlog cannot remain indefinitely. The Committee, therefore, recommend that all efforts should be made to fill these 01 SC and 22 ST backlog vacancies in SDE (C) without any further delay and also inform the Committee of the outcome.</p>
18.	2.55	<p>The Committee also desires to know of the efforts that were made to fill 05 ST backlog vacancy in the grade of EE (C) SCF and outcome thereof.</p>
19.	3.4	<p>The Committee note that 34 SC and 98 ST cases of compassionate grounds appointments are pending for appointment which is quite considerable. The Committee also learnt that grading system on compassionate appointments is being maintained by the BSNL which may not be to the advantage of the SCs/STs. Even though, there is no so socio-economic criteria fixed for appointment on compassionate grounds, but it is understandable that SC/ST employees/families are usually from deprived section of the</p>

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