

**COMMITTEE ON THE WELFARE OF
SCHEDULED CASTES AND
SCHEDULED TRIBES
(2000-2001)**

(THIRTEENTH LOK SABHA)

TWELFTH REPORT

**MINISTRY OF RAILWAYS
(RAILWAY BOARD)**

(Action Taken by the Government on the recommendations contained in the First Report of the Committee on the Welfare of Scheduled Castes and Scheduled Tribes (Eleventh Lok Sabha)—Reservation for and employment of Scheduled Castes and Scheduled Tribes in South Eastern Railway.)



*Presented to Lok Sabha on 18 April, 2001
Laid in Rajya Sabha on 16 April, 2001*

**LOK SABHA SECRETARIAT
NEW DELHI**

April, 2001/Chaitra, 1923 (Saka)

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**COMPOSITION OF THE COMMITTEE ON THE WELFARE OF
SCHEDULED CASTES AND SCHEDULED TRIBES (2000-2001)**

Shri Kariya Munda—Chairman

MEMBERS

Lok Sabha

2. Shri Mahendra Baitha
3. Shri Padmanava Behera
4. Shri Ananda Mohan Biswas
5. Shri S.K. Bwiswmuthiary
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27. Shri Kanshi Ram
28. Shri Palden Tsering Gyamtso
29. Shri Nagendra Nath Ojha
30. Shri Ram Nath Kovind

SECRETARIAT

1. Shri B.R. Kanathia — *Joint Secretary*
2. Shri Shiv Singh — *Assistant Director*

INTRODUCTION

1, the Chairman, Committee on the Welfare of Scheduled Castes and Scheduled Tribes having been authorised by the Committee to finalise and submit the Report on their behalf, present this Twelfth Report (Thirteenth Lok Sabha) on Action Taken by Government on the recommendations of the Committee contained in their First Report (11th Lok Sabha) on the Ministry of Railways (Railway Board) regarding — Reservation for and Employment of Scheduled Castes and Scheduled Tribes in South Eastern Railway.

2. The Draft Report was considered and adopted by the Committee on 8th March, 2001.

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

CHAPTER I	Report
CHAPTER II	Recommendations/observations which have been accepted by the Government.
CHAPTER III	Recommendations/observations which the Committee do not desire to pursue in view of replies of the Government.
CHAPTER IV	Recommendations/observations in respect of which replies of the Government have not been accepted by the Committee and which require reiteration.
CHAPTER V	Recommendations/observations in respect of which final replies of the Government have not been received.

4. An analysis of the Action Taken by the Government on the recommendations contained in the 1st Report of the Committee is given in the Appendix. It would be observed therefrom that out of 16 recommendations made in the Report, 5 recommendations *i.e.* 31% have been accepted by the Government. The Committee do not desire to pursue 1 recommendation *i.e.* 6% of the total recommendations in view of the Government's replies. There are 4 recommendations *i.e.* 25% in respect of which replies of Government have not been accepted by the Committee and required further comments. In case of 6 recommendations *i.e.* 38%, final replies of the Government have not been received.

NEW DELHI;
April, 2001

Chaitra, 1923 (Saka)

KARIYA MUNDA,
Chairman,
Committee on the Welfare
of Scheduled Castes and
Scheduled Tribes.

CHAPTER I

REPORT

1.1 This Report of the Committee on the Welfare of Scheduled Castes and Scheduled Tribes deals with the action taken by the Government on the recommendations contained in the First Report (Eleventh Lok Sabha) of the Committee on the Welfare of Scheduled Castes and Scheduled Tribes on the Ministry of Railways (Railway Board) regarding Reservation for and Employment of Scheduled Castes and Scheduled Tribes in South Eastern Railway.

1.2 The First Report was presented to Lok Sabha on 28.11.1996. It contained 16 recommendations/observations. Replies of the Government in respect of these recommendations/observations have been examined and are categorised as under :—

- (i) Recommendations/ observations which have been accepted by Government (Sl. No. 4, 10, 13, 14, 15)
- (ii) Recommendations/observations which the Committee do not desire to pursue taking into consideration the replies of the Government (Sl. No. 11)
- (iii) Recommendations/observations replies to which have not been accepted by the Committee and need reiteration (Sl. No. 2, 5, 12, 16)
- (iv) Recommendations/observations in respect of which final replies have not been received (Sl. No. 2.4, 2.16, 4.5, 4.6, 4.7 & 4.8)

1.3 The Committee are constrained to note that though Action Taken Replies to the recommendations/observations contained in the Report are required to be furnished by the Government within a period of six months from the date of presentation of the Report but in the instant case the Ministry of Railways (Railway Board) have furnished the Action Taken Replies after almost four years and Action Taken replies on 6 recommendations/observations are still awaited. The Committee express their serious displeasure over inordinate delay on the part of the Government which undermines the importance of the recommendations/observations of the Committee. They, therefore, desire that the Final Action Taken replies alongwith the reasons for such inordinate delay on

the recommendations/Observations in respect of which the replies have not been furnished so far should be furnished within a month of the receipt of Action Taken Report.

1.4 The Committee will now deal with those action taken replies of the Government which need reiteration and comments.

RESERVATION IN SERVICE

Recommendation (Sl. No. 2, Para No. 2.14)

1.5 The Committee had noted that despite Special Recruitment Drives undertaken during the years 1992-93, 1993-94 and 1994-95, a sizeable number of vacancies in Group 'C' and 'D' posts in respect of SC/ST categories were carried forward. The Committee were unhappy to note that a continuous shortfall of SC employees in all categories except in Group 'B' and Safaiwala and also shortfall of ST employees in almost every category except in Group 'B' posts existed as on 1.1.95. The plea of South Eastern Railway that SC/ST candidates were not available in Technical (Diploma and Graduate) and Para Medical categories was not at all convincing. The Committee had, therefore, recommended that besides launching Special Recruitment Drives more frequently, the South Eastern Railway should also make sincere efforts for campus/Institutional recruitments so that sufficient and suitable number of SC/ST candidates could be recruited to eliminate the shortfall in these categories.

Reply of the Government

1.6 The Ministry of Railways (Railway Board) in their reply have stated that the South Eastern Railway is already processing recruitment of 1259 SC/ST candidates in Group 'C' and Group 'D' vacancies through the Special Recruitment Drive of 1996-97 which is in progress. This will wipe out the backlog vacancies as on 30.6.96.

1.7 Introduction of recruitment had been considered in consultation with Department of Personnel and Trg. (DOP&T) but the same had been found to be not feasible for acceptance for the following reasons:

- (a) Direct recruitment in Group 'C' posts on the Indian Railways are mostly being made through various Railway Recruitment Boards. All vacancies are to be notified in the Newspapers, gazettes (notification are also given to the Institution/Campuses where candidates study) etc. for wide publicity and candidates are to be selected through open competition based on their merit.
- (b) Group 'D' posts, are mostly being filled up by screening and absorption of casual labourers and substitutes and wherever direct recruitment is held the same is done after notifying the vacancies and a selection through open competition. The extant policy is thus to allow equal opportunity for employment in Railways to all aspirants of Railway services.

Comments of the Committee

1.8 The Committee are not satisfied with the view advanced by the Government that campus/Institutional recruitments had been found to be not feasible. The Committee feel that not only wide publicity and selection through open competition based on their merit should be resorted to but in the case of SC/ST candidates extra relaxation should be given to them so that continuous shortfall of SC/ST employees may be eliminated in these categories. The Committee are also not satisfied with the reply of the Government that the extant policy is to allow equal opportunity for employment in Railways to all aspirants of Railway services. The Committee therefore, recommend that these weaker/socially backward SC/ST people should be given further relaxations and concessions so as to make them eligible for the competition.

PROMOTION

Recommendation (Sl. No. 5, Para No. 3.6)

1.9 The Committee had noted with dismay that 2 post of SC and 4 posts of ST in Group C in promotion category lapsed. The usual plea of non-availability of eligible SC/ST employees in immediate lower grade was hardly convincing. The Committee had desired that the shortfall in promotion in respect of SC/ST should be cleared at the earliest, if possible, by relaxing the minimum qualifying period of service as instructed by the Ministry of Railways (Railway Board) *vide* their letter No. E(NG) I-94/PMI/17 dt. 11.11.94 so that there is no occasion for shortfall or backlog of reserved vacancies. The Committee also recommended that to overcome the non-availability of eligible SC/ST candidates in the lower grade the promotional posts should temporarily be diverted to direct recruitment from among the SCs and STs only.

Reply of the Government

1.10 In their reply the Government have stated that in order to ensure that reserved quota is filled up by the earmarked community candidates only, the following safeguards are already existing:—

- (1) Relaxing the minimum qualifying period of service for non-Safety posts in terms of Board's instructions contained in Letter No. E(NG)I/94/PMI/17 dt. 11.11.94.
- (2) Pre-selection coaching for safety and non-selection posts to enhance the chances of SCs/STs to get selected against the reserved posts.
- (3) Diverting the promotional categories posts to direct recruitment, if such direct recruitments are permissible.
- (4) If adequate number of SC/ST candidates against the non-safety category posts are not found in the selection/seniority-cum-suitability test, the best among the failed candidates are given ad-hoc promotion for Six months for — in service training to bring them up

to the requisite standard. If they are found suitable for the post after in service training of 6 months, they are empanelled and promoted, on regular basis.

2. The above safeguard are adequate to minimise the lapse of the reserved posts of the SCs/STs.

3. The present position of the SC/ST shortfalls is as under :—

Sl. No.	Category & Scale	Sanctioned Strength	Repn. Should be		Existing repn.		Shortfall	
			SCs	STs	SCs	STs	SCs	STs
1.	Refrigeration Mech. (1200-1800)	11	02	1	2	Nil	—	1
2.	Train Lighting Fitter Gr. I (1320-4000)	31	05	02	3	1	2	1
3.	Train Lighting Fitter (Gr. I (1200-1800)	27	04	02	4	2	—	—

As seen from the above, the prescribed percentage of reservation has been achieved in the cadre posts of Train Lighting Fitter Gr. II. So far as Refrigeration Mechanic posts are concerned, reservation is provided on the Progressive Rotation Rosters. As and when posts will fall due for STs it will be given to them. For the basis of Train Lighting Fitter Gr. I all efforts will be made to achieve the prescribed quota immediately where backlog is 2 for SCs & 1 for ST as per post based roster.

As per the extant rules, South Eastern Railways could not divert the promotional posts to recruitment as there is no element of direct recruitment in these categories. The dereservation has been done keeping in view the administrative need that the trains operation should not suffer adversely for want of the incumbents on the posts.

The power delegated to the GMs to deserve technical and safety category posts at their level has since been withdrawn.

Comments of the Committee

1.11 The Committee note that as per the extant rules, South Eastern Railway could not divert the promotional posts to recruitment as there is no element of direct recruitment in these categories. The Committee also note that despite various safeguards existing in favour of SCs/STs the shortfall in various cadres still exists. The Committee, therefore, urge upon the government to amend the rules to this effect. The Committee, are, therefore not convinced with the reply of the Government and would like to reiterate their earlier recommendations that to overcome the non-availability of eligible SC/ST candidates in the lower grade the

promotional posts should temporarily be diverted to direct recruitment from among the SCs and STs only.

COMPLAINTS/GRIEVANCES

Recommendation (Sl. No. 11, Para No. 4.15)

1.12 The Committee had noted that the complaints of SCs/STs were disposed of within a period of 1-6 months. The Committee also noted that requests for appointment compassionate grounds by people other than the employees of South Eastern Railway were also included in the complaint register. The Committee had desired that the complaints/grievances received from SC/ST employees should be registered separately. The Committee had, also recommended that, in future all the complaints/grievances of SC/ST employees, irrespective of thier nature, should be disposed of within a period of three months.

Reply of the Government

1.13 In thier reply the Government have stated that instructions already exist for maintenance of separate complaints register for SCs/STs to ensure quick redressal of grievances of the reserved community candidates. Instructions also exist that Railways/Production Units should ensure proper maintenance of the complaints register and disposal of complaints within a period of three months. Complaints register are required to be checked regularly at least quartely by the Liaison Officers and also by the Head of the Division concerned during the course of inspection and quarterly report to be sent to Zonal Railway Headquarters. The extant instructions have been re-iterated *vide* Board's letter No. 95-E(SCT) I/80/1 pt. IV dated 28.7.98 (copy enclosed). All efforts are made that complaints/grievances of the SC/ST employees are redressed within the period of three months. Though all the grivances are redressed within this period, except in few cases due to court cases or verification involving very old records. Thus, these recommendations of the Committee are strictly adhered to by the South Eastern Railway in particular and on Indian Railways in general.

Comments of the Committee

1.14 The Committee appreciate the efforts initiated by the Railways for maintaining separate complaint register for SCs/STs and to ensure that their grievances are disposed of quickly. However, the Committee are of the opinion that constant monitoring on the part of Railway Board in general and South Eastern Railway in particular is needed to ventilate the grievances of SCs/STs quickly.

ROSTER

Recommendation (Sl. No. 12, Para No. 4.17)

1.15 The Committee were unhappy to note that the roster registers maintained in South Eastern Railway were not being inspected at a regular

interval. The Committee had also noted that the discrepancies/shortcomings found during the inspection of rosters were of basic/general nature. The Committee had, therefore, recommended that the rosters should be maintained properly by employing such persons who are well versed with the reservation policy/Rules.

Reply of the Government

1.16 These observations are noted. More vigorous and sustained efforts are being put in to ensure that roster registers are maintained in perfect condition. In-house training is also being arranged for ministerial staff who are primarily responsible for maintenance of these roster registers to ensure that omissions noted may not be repeated again. After the introduction of 200 point and 100 point rosters of recruitment grade due to the OBC reservations, the concerned staff made omissions of routine nature which has no impact as such on the reservations due to SCs/STs. During the inspections conducted by the Dy. CPO (Reservation) and by other officers as well as Reservation Inspectors, they demonstrate to the concerned supervisory and ministerial staff in presence of Divisions/workshop authorities how to maintain the rosters. The ways and means will ensure proper maintenance of roster and omissions will not recur.

Comments of the Committee

1.17 The Committee appreciate that more vigorous efforts have been made and in-house training is also being arranged for ministerial staff who are primarily responsible for maintenance of these roster registers. The Committee hope that this trend will continue. The Ministry however, is silent about the inspection of roster at a regular interval. The Committee, therefore, reiterate their earlier recommendation that the rosters should be maintained properly and inspected at regular intervals.

PETTY CONTRACT

Recommendation (Sl. No. 16, Para No. 4.25)

1.18 The Committee had noted with great concern that not a single petty contract was awarded to a person belonging to SC/ST during 1994-95. The Committee also noted with concern that after the review made in 1991-92 by the then Minister for Railways, in case of small and roadside stations, vending and catering contracts, preference is given to SC/ST candidates without any reservation to them and the basic criteria for giving petty contract is the capability, reputation, experience and track of records of the party to give requisite standard of food and service to passengers. The Committee had, therefore, recommended that the Ministry of Railways (Railway Board) should review this policy and fix at least 25% reservation for SCs/STs while awarding petty contracts.

Reply of the Government

1.19 The Committee will be glad to know that, based on the Minister of Railway's announcement in the Parliament on 15.5.1997 policy instructions

have been issued to the Zonal Railways for giving reservation of 30% (20% for SC and 10% for ST) in the award of catering/vending licences including pantry cars and refreshment rooms. In respect of small and petty licences, the Zonal Railway have been asked to evolve a formula for giving reservation to SCs/STs; whereas in respect of contracts for pantry cars and refreshment rooms, the percentage of reservation is implemented on the basis of roster maintained at the Railway Board level.

The basic criteria for evaluation of eligible applicants, however, will remain the same, *i.e.* capability, reputation, experience, track record of the party and the ability to give requisite standard of food and services to the passengers.

Comments of the Committee

1.20 The Committee are not satisfied with the reply of the Government that the basic criteria for evaluation of eligible applicants will remain the same for all the venders including SCs/STs. The Committee recommend that in the case of SC/ST applicants some relaxation in the criteria must be given to them. It should not be compulsory criteria for them that they should have well reputed background, track record and long experience in the line. If the SC/ST applicants are capable to provide requisite standard of food and services to the passengers they should be considered for award of such contracts.

CHAPTER II

RECOMMENDATIONS/OBSERVATIONS WHICH HAVE BEEN ACCEPTED BY THE GOVERNMENT

Recommendation (Sl. No. 4, Para No. 2.18)

The Committee appreciate that the South Eastern Railway is imparting pre-promotional training to the SCST employees in non-safety categories and have made arrangements to give pre-selection coaching in safety category so that SCST employees can qualify for promotion. The Committee feel that it is a fruitful step in the right directions and would like the South Eastern Railway to continue the scheme in future also.

Reply of the Government

Appreciation is noted. The scheme is continuing on South Eastern Railway.

Recommendation (Sl. No. 10, Para No. 4.11)

"The Committee note that 4 cases of appointment on the basis of false caste certificate were detected and the services of these persons had been terminated. The Committee desire that criminal proceedings should be initiated against the guilty persons who had secured appointment on the false caste certificate. The Committee also desired that concrete corrective steps should be taken to check the recurrence of such cases in future so that genuine SC and ST are not deprived of their constitutional rights".

Reply of the Government

In pursuance of the recommendation made by the Hon'ble Committee in its 39th report (Northern Railway) *vide* para 3.20, instruction had been issued to the Zonal Rlys/Production Units *vide* Board's letter No. 78-E(SCT)1529 dt. 28.6.96 (copy enclosed) for referring the cases to the local Police Station for initiating action under Indian Penal Code against those who had secured employment in Railways on the basis of bogus caste certificate.

2. The Committee will be glad to know that the above recommendation has been accepted by the Govt. and earlier instructions, further instructions reiterated *vide* Board's letter No. 95-E(SCT)1801 pt. XVI dt. 24.8.98 (copy enclosed) for initiating criminal proceedings immediately against those person's (even if the persons involved are retired one) who had produced false caste certificate so as to enjoy the benefit of reservation in appointment/promotion. The above has been brought to the notice of all concerned so that it acts as a deterrent against persons who try to enjoy the benefit of reservation on the basis of forged/false caste certificate.

Recommendation (Sl. No. 13, Para No. 4.19)

“The Committee feel that this is a need to have adequate manpower trained enough in legal matters to present the Government’s viewpoint in most effective way before CAT/Court. It is, therefore, necessary that at the each Zonal Railway/PUs as well as Ministry of Railways, there should be adequate number of the Chief Law Assistant/Law Assistants who are entrusted for ensuring that departmental replies are prepared in such a manner that they are in conformity with the Government policies and duly supported by the precedents as well as decided cases of the Apex Court and this work cannot be done unless and until adequate number of Chief Law Assistant/Law Assistants are inducted in the Reservation Cell”.

Reply of the Government

The Hon’ble Committee may be advised that the above recommendation has been accepted in this Ministry (Railway Board). With a view to improve the efficiency in preparing draft counter replies/instructions have been issued *vide* Board’s letter No. 96-E(SCT)1/801 pt. IX dated 15.6.98 (a copy of which is enclosed) for creation of a post of Chief Law Assistant/Law Assistant exclusively for dealing with reservation matters in Reservation Cell either by adjustment or by additional creation with matching surrender depending on the position of workload obtaining on the Railway/Unit.

Recommendations (Sl. No. 14 & 15, Para No. 4.20 & 4.21)

“The reservation matters that go to the Court/CAT are of special nature. In the opinion of Committee it is necessary that at each Zonal Railway a panel of Advocates may be kept to defend the policies of the Government of India. These panels should be finalised in consultation with the SPO of the Zonal Railway/Production Unit and EDE(Res.) at Ministry of Railways level.”

“The Committee, therefore recommend that a panel may be drawn of the Advocates of higher professional reputation, integrity and competence in consultation with the Executive Director Establishment (Reservation) so that the reservation policy at apex level is also defended in a more effective manner by a competent level person. Some senior officer should be made responsible to monitor such cases at least twice a year”.

Reply of the Government

The above recommendation has been examined by the Board. In view of the above recommendation, instructions have been issued to all the Zonal Railways and Production Units *vide* Board’s letter No. 96-E(SCT)1/801 pt. VIII dated 10.6.98 for keeping a special panel of Advocates of professional

reputation, integrity and competence to defend the policies of the Government of India regarding reservation matters. These panels will be finalised in consultation with the Chief Personnel Officer of Zonal Railway/Production Units and Executive Director Estt.(Res.) of Railway Board. Further, it has been provided that in important centres of litigation like Delhi, Mumbai, Chennai and Calcutta, a panel of special counsels of higher professional reputation, integrity and competence has to be constituted in consultation with the EDE(Res.) by legal Adviser with the approval of Minister for Railways.

CHAPTER III

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

Recommendation (Sl. No. 11, Para No. 4.15)

“The Committee note that the complaints of SCs/STs are disposed of within a period of 1-6 months. The Committee also note that requests for appointment on compassionate grounds by people other than the employees of South Eastern Railway are also included in the complaint register. The Committee desire that the complaints/grievances received from SC/ST employees should be registered separately. The Committee, also recommend that, in future, all the complaints/grievances of SC/ST employees, irrespective of their nature, should be disposed of with a period of three months.”

Reply of the Government

Instructions already exist for maintenance of separate complaint register for SCs/STs to ensure quick redressal of grievances of the reserved community candidates. Instructions also exist that Railways/Production Units should ensure proper maintenance of the complaints register and disposal of complaints within a period of three months. Complaints register are required to be checked regularly at least quarterly by the Liaison Officers and also by the Head of the Division concerned during the course of inspection and quarterly report be sent to Zonal Railway Headquarters. The extant instructions have been reiterated *vide* Board's letter No. 95-E(SCT)I/80/1 pt. IV dated 28.7.98 (copy enclosed). All efforts are made that complaints/grievances of the SC/ST employees are redressed within the period of three months. Though all the grievances are redressed within this period, except in few cases due to court cases or verification involving very old records. Thus, these recommendations of the Committee are strictly adhered to by South Eastern Railway in particular and on Indian Railways in general.

CHAPTER IV

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

Recommendation (Sl. No. 2, Para No. 2.14)

The Committee note that despite Special Recruitment Drives undertaken during the years 1992-93, 1993-94 and 1994-95 a sizeable number of vacancies in Group 'C' and 'D' posts in respect of SCs/STs categories were carried forward. The Committee are unhappy to note that a continuous shortfall of SC employees in all the categories except in Group 'B' and Safaiwala and also shortfall of ST employees in almost every category except in Group 'B' posts existed as on 1.1.95. The plea of South Eastern Railway that SC/ST candidates are not available in Technical (Diploma and Graduate) and para Medical categories is not at all convincing. The Committee, therefore, recommend that besides launching Special Recruitment Drives more frequently, the South Eastern Railway should also make sincere efforts to compus/Institutional recruitment's so that sufficient and suitable number of SC/ST candidates can be recruited to eliminate the shortfall in these categories.

Reply of the Government

South Eastern Railway is already processing recruitment of 1259 SCs/STs candidates in Group 'C' and Group 'D' vacancies through the Special Recruitment Drive of 1996-97 which is in progress. This will wipe out the backlog vacancies as on 30.6.96.

2. Introduction of recruitment had been considered in consultation with Department of Personnel and Trg. (DOP&T) but the same had been found to be not feasible for acceptance for the following reasons:

- (a) Direct recruitment in Group 'C' posts on the Indian Railways are mostly being made through various Railway Recruitment Boards. All vacancies are to be notified in the Newspapers, gazettes (notification are also given to the Institution/Campuses where candidates study) etc. for wide publicity and candidates are to be selected through open competition based on their merit.
- (b) Group 'D' posts, are mostly being filled up by screening and absorption of casual labourers and substitutes and wherever direct recruitment is held the same is done after notifying the vacancies and a selection through open competition.

The extant policy is thus to allow equal opportunity for employment in Railways to all aspirants of Railway services.

Recommendation (Sl. No. 5, Para No. 3.6)

“The Committee note with dismay that 2 posts of SC and 4 posts of ST in Group C in promotion category lapsed. The usual plea of non-availability of eligible SC/ST employees in immediate lower grade is hardly convincing. The Committee desire that the shortfall in promotion in respect of SC/ST should be cleared at the earliest, if possible, by relaxing the minimum qualifying period of service as instructed by the Ministry of Railways (Railway Board) *vide* their letter No. E(NG)I-94/PMI/17 dt. 11.11.94 so that there is no occasion for shortfall or backlog of reserved vacancies. The Committee also recommend that to overcome the non-availability of eligible SC/ST candidates in the lower grade the promotional posts should temporarily be diverted to direct recruitment from among the SCs and STs only.”

Reply of the Government

1. To ensure that reserved quota is filled up by the earmarked community candidates only, the following safeguards are already existing:—

- (1) Relaxing the minimum qualifying period of service for non-Safety posts in terms of Board's instructions contained in letter No. E(NG)I/94/PMI/17 dt. 11.11.94.
- (2) Pre-selection coaching for safety and non-selection posts to enhance the chances of SCs/STs to get selected against the reserved posts.
- (3) Diverting the promotional categories posts to direct recruitment, if such direct recruitments are permissible.
- (4) If adequate number of SC/ST candidates against the non-safety category posts are not found in the selection/seniority-cum-suitability test, the best among the failed candidates are given *ad-hoc* promotion for Six months for in-service training to bring them up to the requisite standard. If they are found suitable for the posts after in service training of 6 months, they are empanelled and promoted on regular basis.

2. The above safeguards are adequate to minimise the lapse of the reserved posts of the SCs/STs.

3. The present position of the SC/ST shortfalls is as under:—

Sl. No.	Category & Scale	Sanctioned strength	Repn. should be		Existing repn.		Shortfall	
			SCs	STs	SCs	STs	SCs	STs
1.	Refrigeration Mech. (1200-1800)	11	02	1	2	Nil	—	1
2.	Train Lighting Fitter Gr. I (1320-4000)	31	05	02	3	1	2	1
3.	Train Lighting Fitter II (1200-1800)	27	04	02	4	2	—	—

4. As seen from the above, the prescribed percentage of reservation has been achieved in the cadre posts of Train Lighting Fitter Gr. II. So far as Refrigeration Mechanic posts are concerned, reservation is provided on the Progressive Rotation rosters. As and when posts will fall due for STs it will be given to them. For the basis of Train Lighting Fitter Gr. I all efforts will be made to achieve the prescribed quota immediately where backlog is 2 for SCs & 1 for ST as per post based roster.

5. As per the extant rules, South Eastern Railway could not divert the promotional posts to recruitment as there is no element of direct recruitment in these categories. The dereservation had been done keeping in view the administrative need that the trains operation should not suffer adversely for want of the incumbents on the posts.

6. The power delegated to the GMs to deserve technical and safety category posts at their level has since been withdrawn.

Recommendation (Sl. No. 12, Para No. 4.17)

“The Committee are unhappy to note that the roster registers maintained in South Eastern Railway are not being inspected at a regular interval. The Committee also note that the discrepancies/shortcomings found during the inspection of rosters are of basic/general nature. The Committee, therefore, recommend that the rosters should be maintained properly by employing such persons who are well versed with the reservation policy/Rules.”

Reply of the Government

These observations are noted. More vigorous and sustained efforts are being put into ensure that roster registers are maintained in a perfect condition. In-house training is also being arranged for ministerial staff who are primarily responsible for maintenance of these roster registers to ensure that omissions noted may not be repeated again. After the introduction of 200 point and 100 point rosters of recruitment grade due to the OBC reservations, the concerned staff made omissions of routine nature which has no impact as such on the reservations due to SC/STs.

During the inspections conducted by the Dy. CPO(Reservation) and by other officers as well as Reservation Inspectors, they demonstrate to the concerned supervisory and ministerial staff in presence of Divisions/workshop authorities how to maintain the rosters. The above ways and means will ensure proper maintenance of roster and omissions will not recur.

Recommendation (Sl. No. 16, Para No. 4.25)

The Committee note with a great concern that not a single petty contract was awarded to a person belonging to SC/ST during 1994-95. The Committee also note with concern that after the review made in 1991-92 by the then Minister for Railways, in case of small and roadside stations, vending and catering contracts, preference is given to SC/ST candidates without any reservation to them and the basic criteria for giving petty contract is the capability, reputation, experience and track of records of the party to give requisite standard of food and service to passengers. The Committee, therefore, recommend that the Ministry of Railways (Railway Board) should review this policy and fix at least 25% reservation for SCs and STs while awarding petty contracts.

Reply of the Government

The Committee will be glad to know that, based on the then Minister of Railway's announcement in the Parliament on 15.5.1997 policy instructions have been issued to the Zonal Railways for giving reservation of 30% (20% for SC and 10% for ST) in the award of catering/vending licences including pantry cars and refreshment rooms. In respect of small and petty licences, the Zonal Railways have been asked to evolve a formula for giving reservation to SC/STs; whereas in respect of contracts for pantry cars and refreshment rooms, the percentage of reservation is implemented on the basis of roster maintained at the Railway Board level.

The basic criteria for evaluation of eligible applicants, however, will remain the same, i.e. capability, reputation, experience, track record of the party and the ability to give requisite standard of food and services to the passengers.

CHAPTER V

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

Recommendation (Sl. No. 1, Para No. 2.4)

The Committee note that a large number of posts in South Eastern Railway have been kept outside the purview of reservation orders. The Committee, desire that as already recommended in their 21st Report (Sixth Lok Sabha), the Railways should review its policy of keeping a number of posts outside the purview of Reservation orders in consultation with the Department of Personnel and Training and apprise the Committee of the decision arrived at within three months.

Recommendation (Sl. No. 3, Para No. 2.16)

The Committee note with concern that at present there is no scheme for imparting pre-recruitment training to SC and ST candidates in South Eastern Railway. They have observed that there are many mega Public Sector Undertakings including Banks who are imparting pre-recruitment training to SC/ST candidates. Keeping in view the existing shortfalls of SCs and STs in various categories of posts in South Eastern Railway, the Committee, recommend that the Railways should impart pre-recruitment training to SC/ST candidates without fail which would certainly lead to an improved intake of these candidates.

Recommendation (Sl. No. 6, Para No. 4.5)

Keeping in view the significance and importance of the functions assigned to Reservation Cell of the Ministry of Railways as well as Zonal Railways and Production Units the Committee are of the view that necessary early step should be taken to strengthen the Cell by inducting sufficient staff in it.

Recommendation (Sl. No. 7, Para No. 4.6)

Since the incumbents are discharging special responsibilities, they have to be selected with due care and their tenure and continuity has to be assured. The Committee, therefore, recommends that they have to be inducted in the reservation cell with due consultation of EDE (Res.) in-charge of the Cell at the Ministry level and SPOs who are discharging the functions in the Zonal and Production Units should also be chosen in consultation with the EDE (Res.) in charge of the Cell.

Recommendation (Sl. No. 8, Para No. 4.7)

The Committee also attach due significance and importance that the incumbents who are inducted in the reservation cell have to be allowed to

continue so that with their experience the Cell is benefited and there is a permanency which will help in dealing with the SCs/STs problems with more in development and full commitments. If any incumbent is to be changed, it should be done in consultation with EDE (Res.) in-charge of the Cell and SPOs.

The Committee also desire that the Reservation Cell should have a full strength all the time, so that the work of Reservation Cell may not suffer for want of incumbents. The Committee also recommend that the SPO (RP) at Zonal and Production Unit level should work directly under EDE (Res.).

NEW DELHI;
April, 2001

Chaitra, 1923 (Saka)

KARIYA MUNDA,
Chairman,
Committee of the Welfare
of Scheduled Castes and
Scheduled Tribes.

APPENDIX

(Vide Para 4 of the Introduction)

Analysis of the Action taken by Government on recommendations contained in the 1st Report (Eleventh Lok Sabha) of the Committee on the Welfare of SCs and STs.

1. Total number of the Recommendations	16
2. Recommendations/Observations that have been accepted by Government	
Numbers.....	5
Percentage to total.....	31%
3. Recommendations/Observations which the Committee do not desire to pursue in view of the Government's replies	
Numbers.....	1
Percentage to total.....	6%
4. Recommendations/Observations in respect of which replies of Government have not been accepted by the Committee	
Numbers.....	4
Percentage to total.....	25%
5. Recommendations/Observations in respect of which final replies of Government have not been received	
Numbers.....	6
Percentage to total.....	38%