

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

(1999-2000)

**(THIRTEENTH LOK SABHA)
THIRD REPORT**

MINISTRY OF URBAN DEVELOPMENT

**Reservation for and employment of Scheduled Castes and Scheduled Tribes in
Delhi Development Authority and housing facilities provided to them**

LOK SABHA SECRETARIAT

NEW DELHI

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CHAPTER I

(a) Organisational set-up

- 1.1 The committee were informed that Delhi Development Authority is a body corporate constituted under Section 3 of the Delhi Development Act, 1957. It has a legal status with common seal with power to acquire, hold and dispose of property both movable and immovable and to contract and can sue and be sued in its own name.
- 1.2 As per Section 3(3) of the Delhi Development Act, 1957, the authority shall consist of the following members, namely:-
- (a) a chairman who shall be the Administrator of the Union Territory of Delhi, ex officio;
 - (b) a vice-chairman to be appointed by the Central Government;
 - (c) a finance and accounts member to be appointed by the Central Government;
 - (d) an engineer member to be appointed by the Central Government;
 - (e) as and when the Municipal Corporation of Delhi is established, two representatives of that corporation to be elected by the councillors and aldermen of the corporation from among themselves
 - (f) as and when the Metropolitan Council for the Union Territory of Delhi is constituted, three representatives of that council to be elected by the members of the council from among themselves, and until that council is constituted, three representatives of the Interim Metropolitan Council to be elected by the members of the Interim Metropolitan Council from among themselves;

- (g) three other persons to be nominated by the Central Government, of whom one shall be a person with experience of town planning or architecture; and
- (h) the Commissioner of the Municipal Corporation of Delhi, ex officio.

1.3 The committee were also informed that according to Section 5 of the Delhi Development Authority Act, 1957, the authority shall constitute an advisory council for the purpose of advising the Authority on the preparation of the master plan and on such other matters relating to the planning of development or, arising out of, or in connection with, the administration of the said Act as may be referred to it by the Authority.

1.4 The advisory council shall consist of the following members, namely:-

- (a) the chairman of the Authority, ex officio, who shall be the president;
- (b) two persons with knowledge of town planning or architecture to be nominated by the Central Government;
- (c) one representative of the Health Services of Delhi administration to be nominated by the Central Government;
- (d) four representatives of the Municipal Corporation of Delhi to be elected by the councillors and aldermen from among themselves;
- (e) two persons representing the Delhi Electricity Supply Committee and the Delhi Water Supply and Sewage Disposal Committee of the said corporation of whom—
 - (i) one shall be elected by the members of the Delhi Electric Supply Committee from among themselves, and
 - (ii) one shall be elected by the members of the Delhi Water Supply and Sewage Disposal Committee from among themselves;

- (ee) one representative of the Delhi Transport Corporation to be nominated by the Central Government;
- (f) three persons to be nominated by the Central Government of whom one shall represent the interests of commerce and industry and one, the interest of labour, in Delhi;
- (g) four persons from the technical departments of the Central Government to be nominated by that Government; and
- (h) three members of Parliament of whom two shall be members of the House of the People and one shall be a member of the Council of State to be elected respectively by the members of the House of the People and the members of the Council of the States.

1.4 When asked about the non-inclusion of SC/ST member in DDA and its Advisory Council and efforts made by the Ministry to give adequate representation to SC/ST in DDA or in its Advisory Council, the Secretary of Ministry of Urban Affairs & Employment (Department of Urban Development) (now Ministry of Urban Development) stated as under:

“According to the Act, there is no provision for any reservation. It is laid down that the Advisory Council shall consist of the following members, that is, the Chairman of the Authority, two persons with the knowledge of town planning or architecture to be nominated by the Central Government, one representative from the Health Services of the Delhi Administration, four representatives of the MCD to be elected by the Council and two persons representing Delhi Electricity Authority and Delhi Water Supply organisation. All of them are representing different organisations. This is laid down in the DDA Act. We are working according to this Act.”

The Secretary further added that:-

“.....we will circulate to all the bodies that they should keep this in mind when they elect their members through the Advisory Council and see to it that there is some representative in future.”

- 1.5 The committee note that Delhi Development Authority is a corporate body constituted under Section 3 of the Delhi Development Act, 1957. The committee further note that official members in the Authority/Advisory Council are appointed by the Central Government and non-official members are elected by the respective bodies such as Municipal Corporation of Delhi, Government of Delhi and the Parliament to serve as members of the Authority/Council. The committee are perturbed to note that inspite of the nomination/election made by the Central Government and other Government bodies there is no SC/ST member in the Advisory Council of Delhi Development Authority. The committee, therefore, recommend that the Ministry should take positive steps to interact with the concerned authorities for the adequate appointment of SC/ST member in the Delhi Development Authority/Advisory Council as assured by the representative of the Ministry of Urban Affairs and Employment during the evidence.

CHAPTER II

RECRUITMENT

(a) Reservation in services

2.1 The committee were informed that the percentage of reservation was made applicable in favour of Scheduled Castes and Scheduled Tribes in Delhi Development Authority with effect from June, 1978 as per detail given below:-

	<u>SC</u>	<u>ST</u>
(i) Posts filled by direct recruitment	15%	7.5%
(ii) Posts filled by promotion	15%	7.5%

2.2 On a query made by the committee during the evidence regarding procedures of recruitment, the Ministry in their post evidence note have stated that as per procedure for recruitment in vogue in Delhi Development Authority, recruitment in Group-A, B, C & D categories of posts is done strictly as per provisions of Recruitment Regulations of each category of post. However, for the direct recruitment, number of vacancies are advertised in leading Newspapers, Employment News and through Employment Exchange. Notices are also being sent to recognised SC/ST Associations.

(b) Recruitment made

2.3 Statement showing the position of recruitment made in technical and non-technical cadre during the years from 1994 to 1997 and upto 31.7.98 were as under:-

- 2.4 It has been observed from the above statements that in the non-technical categories of Group 'B' and 'C' a number of vacancies of Scheduled Castes and Scheduled Tribes in various categories of posts had been carried forward during the years 1994 to 1997 and in 1998 upto July, 1998.
- 2.5 On being asked about the reasons for continuous carrying forward of Scheduled Caste and Scheduled Tribe vacancies in non-technical categories of posts and steps taken by the Ministry to eliminate the number of carry forward vacancies, the Ministry of Urban Development in their post evidence replies have stated that non-availability of eligible candidates in each category compels the carrying forward of the reserved vacancies and due to surplus staff it is not possible to have general recruitment. They have further stated that the vacancies in the regular category reserved for SC/ST may be filled from SC/ST candidates available in the work-charge category.
- 2.6 The committee note that there are number of vacancies in non-technical categories of posts which were carried forward during the years 1994 to 1997 and in 1998 upto July, 98. The plea of the Ministry that candidates are not available in each category which compel them to carry forward the reserved vacancies is beyond the imagination of the committee because the posts which had been carried forward are of general (non-technical) cadre in which non-availability hardly comes into picture because sufficient number of SC/ST candidates are easily available. The committee regret to point out that sincere efforts have not been made by the Delhi Development Authority to fill up reserved vacancies. The committee, therefore, recommend that genuine and all out efforts should be made by the Delhi Development Authority to find suitable SC/ST candidates for the posts reserved for them.

(c) Staff Strength and Shortfall

- 2.7 The staff strength and number of Scheduled Castes and Scheduled Tribes among them (Technical and non-technical) in Delhi Development Authority for the years 1995 to 1997 and upto 31.7.98 was stated to be as under:-
- 2.8 It is apparent from the above statements that there was continuous and huge shortfall in Group 'A', 'B' and 'C' categories of technicals posts. Besides, in non-technical cadre also there was a shortfall in Group 'A', 'B', 'C' and 'D' categories of posts in Scheduled Tribe category.
- 2.9 When asked about the reasons of shortfall and remedial measures taken by the Delhi Development Authority to wipe out the shortfall, the committee were informed that Group 'A' is a selection post and shortfall occurs due to non-availability of candidates in the zone of consideration / extended zone of consideration. In regard to Group 'B', 'C' and 'D', the Ministry in their post evidence note have stated that due to surplus staff it was not possible to have general recruitment. However, the vacancies in the regular category reserved for SC/ST may be filled from the SC/ST candidates available in the work-charge category.
- 2.10 During the evidence of the Ministry, the representative of the Delhi Development Authority stated:
“.....The reason why this backlog occurred is the Asiad. At the time of Asiad, a huge recruitment was made. At that time, nobody bothered about following the roster system or the quota for the Scheduled Castes and Scheduled Tribes because it was an overnight recruitment. They were all kept on the Muster Roll only. Therefore, it was not necessary to follow the system. But later on the Muster Roll appointments became permanent appointments. Therefore, all these things are coming up by way of backlog.”
- 2.11 The Ministry of Urban Development in their post evidence reply have stated that it has been decided by them that whenever vacancies are available and Delhi

Development Authority can call for options from its serving employees to fill up the SC/ST backlog as far as possible subject to availability of a candidates. Necessary training will be provided to them before the test. They have further stated that direct recruitment from market is not feasible because of surplus staff in Delhi Development Authority.

- 2.12 The committee regret to note that there was shortfall in Group 'A', 'B' and 'C' of the technical cadre and in non-technical cadre too there was shortfall in Group 'A', 'B', 'C' and 'D' categories of posts in Scheduled Tribe category. Reasons of shortfall submitted by the Ministry of Urban Development / Delhi Development Authority in regard to Group 'A' posts was that it was due to non-availability of candidates and in Group 'B', 'C' and 'D' it was due to surplus staff but the committee feel that these reasons do not seem to be having the force of the genuineness. The committee express its serious concern about the lackadaisical approach adopted by the Delhi Development Authority to wipe out the shortfall. Had Delhi Development Authority made sincere efforts in the past this shortfall could have been wiped out much earlier. The committee, therefore, recommend that present shortfall in all the categories of posts must be wiped out by giving first preference to the serving Scheduled Caste/Scheduled Tribe employees of Delhi Development Authority and if any vacancy occur on account of retirement, permanent transfer etc.. those posts must be filled up by SC/ST candidates only.

(c) Special Recruitment Drive

- 2.13 The committee were informed that Special Recruitment Drives had been conducted during 1994 to 1997 and in 1998 (upto July, 1998) as per statement given below:-
- 2.14 During the evidence when the committee enquired about the Special Recruitment Drive, the representative of the Delhi Development Authority stated as under:-

“.....we regularly advertise these posts. But most of the time we do not find suitable candidates. Whosoever is found suitable, we recruit him immediately.”

- 2.15 When the committee asked the Ministry of Urban development to furnish latest details of Special Recruitment Drive conducted and number of candidates applied and the number of candidates finally selected in all the categories of posts, the Ministry in their post evidence reply have stated that the matter for Special Drive for recruitment of SC/ST is engaging attention on high priority. It was further stated that a Press Note under Special Drive for recruitment of Scheduled Caste candidates for 3 posts of Planning Assistant had been issued in February, 1999.
- 2.16 The committee infer from the above that number of Scheduled Castes and Scheduled Tribes staff (Technical and non-technical) shown in the statement para 2.7 are much more than the figures of SC/ST candidates recruited through Special Recruitment Drive as shown in the statement in para 2.13. The committee also note that in para 2.7 only groupwise figure has been given whereas different categories of posts in each group should have been given to show the clear picture of the shortfall. The committee are at loss to find that clear facts about Special Recruitment Drive such as the number of shortfall vacancies in each category of posts, number of application received, number of candidates selected and balance shortfall etc. has not been made available to the committee. It shows the jingoism of the Delhi Development Authority to suppress the material facts. The committee, therefore, recommend that figure related to all the Special Recruitment Drives launched by the Delhi Development Authority till date with above cited details may please be furnished immediately. The Committee also recommend that all the backlog must be cleared at the earliest.

CHAPTER III

PROMOTION

(a) Promotion Procedure

- 3.1 The committee were informed that for promotion of employees to various categories of posts in Delhi Development Authority, procedure as laid down in the recruitment regulation is followed and all concessions / relaxations permissible to SC/ST employees as per instructions are given to them.
- 3.2 When the committee asked about the promotion procedure in detail, the Ministry in their post evidence reply have stated that various Departmental Promotion Committees constituted for promotion to Group 'A', 'B', 'C' and 'D' categories of posts are following rules, regulations and procedure laid down by the Government of India for promotion from time to time apart from implementation of the Recruitment Rules framed by the Delhi Development Authority.

(c) Promotion made

- 3.3 The committee were informed that number of employees promoted and the number of Scheduled Castes and Scheduled Tribes among them during the years 1994 to 1997 and in 1998 (upto 31.7.98) were as per following statements:-
- 3.4 It is observed from the above statements that there was backlog of Scheduled Castes and Scheduled Tribes in various categories of posts which comes under both technical and non-technical categories.
- 3.5 On being enquired about the clearance of backlog, the Ministry of Urban Development in their post evidence reply have stated that backlog is the result of non-availability of eligible employees in the feeder cadre, this can be limited only when eligible employees become available in the respective categories. They

have further stated that due to surplus staff in DDA, it would not be possible to go for market recruitment to fill up such vacancies in general categories.

- 3.6 The committee note that a number of posts in different categories of posts of Scheduled Castes and Scheduled Tribes (technical and non-technical) were shown as backlog. The usual plea of non-availability of eligible employees in the feeder cadre is hardly convincing. The committee desire that the backlog in promotion must be cleared at the earliest, if need be, by relaxing the qualifying service and experience so that there is no occasion for shortfall or backlog of reserved vacancies.

(c) Pre-promotional / In-service Training

- 3.7 The committee were informed that there was no specific training programme for Scheduled Castes and Scheduled Tribes for the purpose of promotion.
- 3.8 When the committee wanted to know about the pre-promotional training imparted to SC/ST employees, the representative of the Ministry stated that:-

“In the case of promotion, after I went through the notes which have been submitted to this committee, I did feel that particularly for promotion where we say that candidates from the Scheduled Castes and Scheduled Tribes community are not eligible, they will not become eligible unless we give them some special in-house training.----- . At least in the case of promotion, I feel that some kind of in-house training should be there which should not show our prejudice or bias against any particular person.----- . For in-house training, I give you a commitment and assurance that the Delhi Development Authority would work out a concept and start an in-house training programme for promotion.”

- 3.9 The Ministry of Urban Development in their post evidence note have stated that pre-promotion training was being provided to SC/ST employees alongwith others to prepare them for the examination.
- 3.10 The committee are surprised to find that there was no provision for giving pre-promotional training to SC/ST employees in promotion. The committee are also at loss to find that after pointing out by the committee, the Secretary of the Ministry of Urban Development also admitted during the evidence that there is a need for pre-promotional training. The committee further note that the Ministry in their post evidence note have stated that pre-promotion training is being provided to SC/ST employees alongwith others. The committee understand that this training must have been started after the evidence of the committee. However, the Committee desire the spirit of imparting pre-promotional training to SC/ST employees should be maintained in future also.

CHAPTER IV
MISCELLANEOUS

(a) Notice of vacancies to Scheduled Caste/Scheduled Tribe organisation/interview of SC/ST candidates.

4.1 As regards sending of copies of the advertisement to recognised All India Associations of Scheduled Castes and Scheduled Tribes, the Committee were informed that they were not following these instructions. Similarly, it was also informed that at the time of filling up of various vacancies, SC/ST candidates are also interviewed along with the candidates of general category.

4.2 On being enquired by the Committee about publicity of the vacancies, the Vice-Chairman, Delhi Development Authority during the evidence held on 27.10.98 stated:

“We give publicity through Newspaper. We give in both English and Hindi Newspapers. We also send communication to certain SC/ST Organisations.”

4.3 During the second evidence of the Ministry of Urban Development and Delhi Development Authority held on 4.1.99 when the Committee pointed out that there are specific guidelines which makes it mandatory to send copies of the advertisement notice to recognised SC/ST organisations, the Vice-Chairman, Delhi Development Authority clarified the position as under:-

“It is right that we are not sending it to the recognised institutions of Scheduled Castes and the Scheduled Tribes. Last time, you had pointed it out. We have checked up the position. It is our duty to send it there. It was being sent but not all the time and on all the occasions. We have issued a circular. Henceforth, it will be going to all such recognised institutions which have been prescribed by the Government of India the list is available with us.”

He further added:-

“So far as separate interview is concerned, we will be following it up later on. I must honestly admit that so far it has not been done”.

4.4 The Committee are surprised to find that Delhi Development Authority was most ignorant in the implementation of the guidelines issued by the Government of India. The Committee are unable to understand that the representative of Delhi Development Authority in the evidence held on 27.10.98 admitted that they were sending communication to SC/ST organisations whereas in the evidence of 4.1.99 the same representative reversed his earlier version. It shows total lackadaisical approach of the Delhi Development Authority towards SC/ST people. The Committee hope that from now onwards instructions relating to sending of copies of advertisements / notices to recognised SC/ST organisations and holding of separate interview for SC/ST candidates will be followed by the Delhi Development Authority with due sincerity and in letter and spirit.

(b) Liaison officer and Scheduled Caste/Scheduled Tribe Cell

4.5 The Committee were informed that an officer of the level of Director had been nominated as Liaison Officer in the Delhi Development Authority. It was also informed that neither in Delhi Development Authority nor in the Ministry any SC/ST Cell had been set up.

4.6 When the Committee enquired about setting up of SC/ST Cell, the Secretary, Ministry of Urban Development stated during the evidence held on 4.1.99 as under:-

“----- You are absolutely right. On the 17th December, 1998, we have issued an order because then I was doing that review before coming to this meeting that we have set up two nodal officer in the Ministry to monitor DDA's performance regarding two or three things, namely, recruitment as well as allotment of flats, plots and shops. That is what we have done

Delhi Development Authority has similarly respected the sentiments of this Hon'ble Committee and set up a cell, as directed by you. It has been done.”

- 4.7 On being enquired about the duties assigned to the Liaison Officer, the Ministry in their post evidence note have stated that the present Liaison Officer is not a full timer and is entrusted with the job of DD (Incl.) in addition to his own work.
- 4.8 The Committee are perturbed to note that even after crystal clear instructions issued by the Government regarding setting up of SC/ST Cell, the Ministry of Urban Development was ignorant about these instructions and only after pointing out by the Committee an SC/ST Cell each at Ministry and Delhi Development Authority has been set up. The Committee deplore the laxity on the part of the Ministry and Delhi Development Authority in adopting Government instructions. The Committee also recommend that a full time Liaison Officer be appointed to head SC/ST cell and to look after the well being of the SC/ST employees and proper implementation of the reservation orders.

(c) Rosters

- 4.9 The Committee were informed that Roster Registers are maintained in Delhi Development Authority for various categories of posts. It was also stated that Liaison Officer has been entrusted the work to check the rosters. As regards to inspection of Rosters by the representative of the Ministry it was replied that since DDA has been instructed to furnish their rosters to the Ministry, therefore, the question of inspection by the representative of the Ministry does not arise.
- 4.10 When asked about the periodicity of the inspection of rosters by the Liaison Officer, the Ministry in their post evidence reply have stated that inspection is carried out by the Liaison Officer from time to time.
- 4.11 The Committee are of the opinion that rosters are the only mechanism by which proper representation of SCs and STs in services can be ascertained. The

Committee, therefore, stress that the rosters should be maintained by the Delhi Development Authority in accordance with the existing orders and checked periodically by the competent authorities. Discrepancies, if any, found during the inspection of rosters should be rectified immediately and also brought to the notice of the concerned Head of the Department.

(a) Training abroad.

4.12 With regard to employees sent abroad for training or for attending seminar/symposia/conference etc. the Committee were furnished with the following statements:-

4.13 It is seen from the above statement that a total of 22 employees were sent abroad during the years from 1993 to 1998 out of which only one Scheduled Castes was given this opportunity.

4.14 When asked about criterion for sending employees abroad, the representative of Delhi Development Authority in the evidence held on 27.10.98 stated as under:-

“About the persons who have gone on training etc., most of the person who have gone on training are the persons who are on deputation to Delhi Development Authority. The programme is fixed by the Department of Personnel and Training. They write to us saying that so and so persons is being sent for foreign training and we relieve that person to go for training under different schemes of the Government of India like to Colombo plan etc. So far as we are concerned, we do not have any such thing. Everything depends on where exactly a person is working. We do not have any laid down policy that this much percentage of SCs and STs should go on training.”

4.15 The Ministry in their post evidence note have also stated that training programme was circulated to all concerned. Nomination is made from the offices either by LG/DDA or by Government of India and it is as per the criteria laid down in each training programme.

4.16 The Committee note that during the years from 1993 to 1998 a total of 22 employees were sent abroad for training/conference etc. out of which only one Scheduled Caste availed this opportunity. The Committee also note that although nominations for training/symposia/conference to be held overseas are made by LG/DDA/Government of India even then the concerned Ministry (i.e. Ministry of Urban Development) should communicate to these authorities that wherever nominations for such training programmes are finalised due consideration should be given to Scheduled Caste/Scheduled Tribe incumbants also.

COMPLAINTS/GRIEVANCES

4.17 The Committee were informed that grievances/complaints received from Scheduled Caste/Scheduled Tribe employees in DDA are examined by the Personal Department and appropriate action is taken with the approval of the competent authority. It was also informed that system of maintaining grievance register was not in operation in DDA. However, it was being introduced.

4.18 When the Committee asked Ministry to explain reasons for not maintaining grievances register, the Ministry of Urban Development in their post evidence note have stated that grievances of Scheduled Caste/Scheduled Tribe employees were being processed and priority was given to them. They further stated that a separate register was not opened earlier, has now been opened. The Committee also wanted to have details regarding number of complaints pending, period of their pendency and nature of complaint but this information had not been supplied to the committee for the reasons best known to them.

4.19 The Committee are unable to understand that proper maintenance of grievance/complaint register was not in vogue in DDA and the same has been introduced only after the Committee starts its examination with regard to implementation of reservation orders in DDA. It ostensibly shows the ignorance

of DDA authorities in disposing of complaints of Scheduled Caste/Scheduled Tribe employees. The Committee would urge upon the Ministry of Urban Development that they should review the working of the DDA with regard to the implementation of the reservation orders and if need be implementing officers should be trained enough to make them conversant with the reservation orders/instructions of the Government of India.

FALSE CASTE CERTIFICATE

- 4.20 As regards to securing employment on the basis of false caste certificate, the committee were informed that one complaint was received by DDA on 29-11-96 from General Secretary, DDA, Scheduled Caste/Scheduled Tribe Employees Association alleging that 5 persons had obtained employment to the post of Assistant Engineer (Civil) against reserved posts by furnishing false caste certificate. It was further informed that the complaint had been referred to National Commission for Scheduled Caste/Scheduled Tribe for their advice on 8.8.1997.
- 4.21 An enquiry made by the Committee as to whether any criminal/disciplinary proceedings had been initiated against the guilty employees, the Ministry of Urban Development in their post evidence note have stated that the matter was under the consideration of the National Commission for Scheduled Castes / Scheduled Tribes.
- 4.22 During the evidence held on 17.3.1999, when the Committee enquired about pursuing of the matter with the National Commission for Scheduled Castes/Scheduled Tribes which is pending since 1996, the representative of the DDA stated:-
“I do not think that we have written a letter,”
When asked as to what action DDA had taken, the Vice-Chairman, DDA replied as under:-

“As a Head of the Department, I concede that there has been a mistake on our part. DDA should have pursued the matter and reminders should have been sent.”

- 4.23 The Committee feel that mere throwing the ball into the court of National Commission for Scheduled Castes and Scheduled Tribes would not absolve DDA from its responsibility. DDA should have investigated the genuineness of the certificates as alleged by the Scheduled Caste/Scheduled Tribe Association and should have taken appropriate action in 1996 itself. The Committee desire that latest position in this regard may please be intimated to the Committee. Moreover, the Committee are of the opinion that criminal proceedings should be initiated against the guilty persons who had secured appointment on the basis of false caste certificate and corrective measures should be taken to check recurrence of such cases in future so that genuine Scheduled Castes and Scheduled Tribes are not deprived of their constitutional right.

PART III

CHAPTER V

ALLOTMENT OF HOUSES/FLATS/SHOPS

- 5.1 The Committee were informed that 25% of the build up shops/stalls/kiosks are earmarked for allotment to the members of Scheduled Castes and Scheduled Tribes. It had also been informed that in all the schemes of allotment of flats, DDA has been providing 25% reservation to the persons belonging to Scheduled Caste and Scheduled Tribe. The Committee were further, informed that in the scheme announced after May, 1996, reservation are being provided for Scheduled Castes and Scheduled Tribes to the extent of 17.5% and 7.5% respectively. Also, if adequate number of applications are not received from persons belonging to Scheduled Tribe category, the remaining flats are allotted to the applicants belonging to Scheduled Caste category and vice-versa. Similarly, if total applications from persons belonging to Scheduled Caste and Scheduled Tribe category are less than number of flats reserved, the remaining flats are allotted to general category applicants.
- 5.2 On being enquired about de reservation of flats the representation of the DDA during the evidence held on 27-10-98 stated as under:-
“In Rohini Scheme we got 80,000 applications. We allotted 4988 flats in 1992 and 4994 in 1994. At that time we did not receive more than 80,000 applications. Therefore, whoever applied got it. The remaining flats have gone to other parties.”
- 5.3 When the Committee enquired whether at any point of time the number of applications received from Scheduled Caste/Scheduled Tribe persons were less than the number of flats reserved for them, the Ministry in their post evidence reply have stated that as and when any Housing Scheme is announced by DDA,

25% of the registrants are reserved for Scheduled Caste/Scheduled Tribe and as soon as flats are ready, the same are allotted by computerised draw of lots maintaining the above reservation ratio.

5.4 The details of allotment of shops/stalls/kiosks etc. made by DDA during the last seven years i.e. 1992 to 1998 were as under:-

Year	Total No. of Application Received		Total No. of allotment made		No. of applications rejected		Reasons for rejection if any,
	SC	ST	SC	ST	SC	ST	
1992	22677 (SC + ST)		190	81	2267 (SC + ST)		Non submission of required documents such as SC/ST certificate Copy of ration card, incomplete application and minor applicants etc.
1993	8576 (SC + ST)		242	104	867 (SC + ST)		
1994	3914 (SC + ST)		166	72	291 (SC + ST)		
1995	3905 (SC + ST)		134	57	277 (SC + ST)		
1996	7411 (SC + ST)		106	49	641 (SC + ST)		
1997	11717 (SC + ST)		98	42	535 (SC + ST)		
1998	—						

5.5 It is observed from the statement ibid that the total allotment made to Scheduled Caste/Scheduled Tribe persons was much below the percentage prescribed by the DDA. For instance in 1997 a total 11717 applications were received from Scheduled Castes and Scheduled Tribes out of which 535 were rejected which were incomplete in one way or the other. After deducting the number of rejected applications total valid applications comes out to 11182 of which 98 allotment were made to Scheduled Castes and 42 to Scheduled Tribes. In nut shell, the percentage of allotment in respect of both Scheduled Castes and Scheduled Tribes in 1997 is 1.25%. In the same way 1.33%, 4.49%, 6.57%, 5.26% and

2.29% shops/stalls/kiosks were allotted to Scheduled Castes and Scheduled Tribes during the year 1992, 1993, 1994, 1995 and 1996 respectively.

5.6 On a query made by the Committee as to the reasons of low percentage of allotment made for Scheduled Castes/Scheduled Tribes by DDA, the Ministry in their post evidence replies have stated that as per the policy/directions of the Government of India being followed by the DDA, the percentage of shops/stalls etc. for allotment to reserve categories particularly for the Scheduled Castes/Scheduled Tribes is 25% of the shops/stalls yearly made available after construction by the Engg./Finance Wing of DDA. The year-wise details of the shops/stalls so made available after construction, applications received and

allotment made was as under:-

Fin. Year	No. of shops/ Stalls made Available	Total No. of shops/stalls reserved For @ 25%	Total No. of applications received	Shops/Stalls allotted to SC/ST	% of shops/ stalls allotted
1992-93	1084	271	2267	271	25%
1993-94	1384	346	8576	346	25%
1994-95	952	238	3914	238	25%
1995-96	766	191	3905	191	25%
1996-97	620	155	7411	155	25%
1997-98	562	140	11717	140	25%
1998-99	424	106	10708	106	25%

They have further added that from the above details, it is evident that DDA have made the allotments as per guidelines of Government of India on the issue. The above

details are based on the total no. of applications received and total no. of allotments made to Scheduled Caste/Scheduled Tribe categories and the percentage is calculated on the basis of applications received and shops/stalls allotted whereas it should be calculated on the basis of total shops made available for allotment and shops allotted to members of Scheduled Caste/Scheduled Tribe. As the number of the applications is much more than the shops reserved for them, a computerised draw is held on the basis of a random number in the presence of three independent judges and all shops reserved for Scheduled Caste/Scheduled Tribe are allotted to them. In fact, percentage should be calculated not from the total number of applications to total number of shops allotted to Scheduled Caste/Scheduled Tribe but from the total number of available shops to total number of shops allotted to the members of Scheduled Caste/Scheduled Tribe.

5.7 The Committee note that if adequate number of applications are not received from persons belonging to Scheduled Tribes category, the remaining flats are allotted to the applicants belonging to Scheduled Caste category and vice-versa. Similarly, if total applications from persons belonging to Scheduled Caste and Scheduled Tribes category are less than number of flats reserved, the remaining flats are allotted to general category applicants. The Committee are also pained to note that even representative of the DDA admitted this fact. The Committee feel that there is no dearth of Scheduled Caste/Scheduled Tribe people who are striving hard to get a house in Delhi. The Committee, therefore, recommend that rule of de-reservation should not be applied in the case of allotment of Houses/Shops etc. and if there is any backlog at any point of time, fresh applications may be invited to allot the same only to Scheduled Caste/Scheduled Tribe people.

5.8 As regards to Ambedkar Awas Yojana – 1989 the Committee were informed that this Yojana was launched in the year 1989 to make up for the deficiency of Scheduled Caste/Scheduled Tribe registrants experienced in respect of 25% quota fixed for these categories under the NPRS-1979 Scheme for allotment of Janta, LIG and MIG flats. The status of registrants/allotments made/registrants awaiting allotment in this Yojana, as on 31.07.98 was stated to be as under:-

Category	No. of persons regd.	No. of allotments made upto 31.7.98	No. of registrants awaiting allotment as on 31.7.98
MIG	7,000	2,187	3,630
LIG	10,000	3,269	5,982
JANATA	3,000	2,988	All covered
TOTAL	20,000	8,444	9,612

5.9 With regard to update position of Ambedkar Awas Yojana, the Vice-Chairman, DDA during the evidence held on 17-3-99 stated as follows:-

“Actually speaking, construction of housing units have gone substantially because of lack of water, power and because of lack of land. For the last three years, effectively no land has been acquired by the Government of Delhi. In spite of that in the current year, with whatever land that we have got, we have formulated a scheme for the construction of 19,000 dwelling units in the year 2000-2001. After this meeting, I am going to discuss about this matter with the Secretary and after that we will come out with Ambedkar Awas Yojana may be in the first week of April or last week of March. It has just got formulated.”

5.10 The Committee note that after the launch of Ambedkar Awas Yojana in 1989 more than 10 years have elapsed but out of 20,000 registrants there are still 9984 registrants awaiting allotment under this scheme. The Committee, however, hope that the Delhi Development Authority would be constructing about 19,000 dwelling units in 2000-2001 as submitted by the Vice-Chairman, DDA during the evidence held on 17-3-99. The Committee, therefore desire that schemes/planning formulated in regard to wiping out of backlog of Scheduled Caste/Scheduled Tribe registrants under Ambedkar Awas Yojana should be intimated to the Committee and sincere and all out efforts should be made in this direction by the Ministry and Delhi Development Authority simultaneously. The Committee also recommend that registrants should be paid simple interest for the period beyond one year from the date of registration to date of allotment because

they are the sufferers for such a long waiting period without any fault of their own.

NEW DELHI

April, 2000

Vaisakha, 1922(Saka)

KARIYA MUNDA

CHAIRMAN

COMMITTEE ON THE WELFARE

OF SCHEDULED CASTES AND

SCHEDULED TRIBES