

**COMMITTEE ON THE WELFARE OF
SCHEDULED CASTES AND
SCHEDULED TRIBES
(1978-79)**

(SIXTH LOK SABHA)

THIRTY-FOURTH REPORT

MINISTRY OF EXTERNAL AFFAIRS

Action taken by Government on the recommendations contained in the Sixth Report of the Committee on the Welfare of Scheduled Castes and Scheduled Tribes (Sixth Lok Sabha) on the Ministry of External Affairs - Reservations for, and employment of Scheduled Castes and Scheduled Tribes in the Ministry of External Affairs and its subordinate offices including Indian Missions abroad.

Presented to Lok Sabha on 27-4-1979

Laid in Rajya Sabha on 27-4-1979



**LOK SABHA SECRETARIAT
NEW DELHI**

April, 1979/Chaitra, 1901 (Saka)

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

(1978-79)

Shri Ram Dhan—Chairman

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Shri Y. Sahai—Chief Legislative Committee Officer.
Shri H. L. Malhotra—Senior Legislative Committee Officer.

INTRODUCTION

I, the Chairman, Committee on the Welfare of Scheduled Castes and Scheduled Tribes, having been authorised by the Committee to submit the Report on their behalf, present this Thirty-fourth Report (Sixth Lok Sabha) on Action taken by Government on the recommendations contained in the Sixth Report (Sixth Lok Sabha) on the Ministry of External Affairs—Reservations for, and employment of, Scheduled Castes and Scheduled Tribes in the Ministry of External Affairs and its Subordinate offices including Indian Missions abroad.

2. The draft Report was considered and adopted by the Committee at their sitting held on the 3rd April, 1979.

3. The Report has been divided into the following chapters:

I. Report.

II. Recommendations/observations which have been accepted by Government.

III. Recommendations/observations which the Committee do not desire to pursue in view of Government's replies.

IV. Recommendations|observations in respect of which replies of Government have not been accepted by the Committee and which require reiteration.

V. Recommendations/observations in respect of which final replies of Government have not been received.

4. An analysis of the action taken by Government on the recommendations contained in the Sixth Report (Sixth Lok Sabha) of the Committee is given in Appendix II. It would be observed therefrom that out of 22 recommendations made in the Report, 9 recommendations i.e. 40.91 per cent, have been accepted by Government; the Committee do not desire to pursue two recommendations

9.09 per cent of their recommendations, in view of Government's replies eight recommendations i.e. 36.36 per cent, in respect of which replies of Government have not been accepted by the Committee, require reiteration and for three recommendataions i.e. 13.64 per cent final replies of Government have not been received.

NEW DELHI;
April 16, 1979
Chaitra 26, 1901 (S).

RAM DHAN,
Chairman,
*Committee on the Welfare of Scheduled
Castes and Scheduled Tribes.*

CHAPTER I

REPORT

The Report of the Committee deals with action taken by Government on the recommendations contained in the Sixth Report (Sixth Lok Sabha) of the Committee on the Ministry of External Affairs—Reservations for, and employment of, Scheduled Castes and Scheduled Tribes in the Ministry of External Affairs and its Subordinate Offices including Indian Missions abroad.

1.2. In para 2.37 of their Sixth Report, the Committee desired that the Ministry of External Affairs might consider what specific relaxations/concessions could be given to Scheduled Castes and Scheduled Tribe candidates so as to improve their intake in the services of the Ministry of External Affairs and its Subordinate Offices including Indian Missions abroad.

In their reply dated the 17th May, 1978, the Ministry of External Affairs have stated that both the Union Public Service Commission and Subordinate Selection Commission who have been consulted in this regard have confirmed that various specified concessions and relaxations such as fees concession, relaxation of upper age limit, any number of chances for appearing in the examinations, relaxed standard of interviews and appointment on the basis of relaxed standards to make up deficiency in the reserved quota are extended to reserved candidates at the time of written examination|interviews for recruitment to a number of services including those under the Ministry of External Affairs. The only Departmental examination exclusively conducted by the Ministry is for appointments to the grade of Cypher sub-cadre of the IFS(B). There is no interview for appointment to these posts. The Scheduled Caste and Scheduled Tribe candidates taking this examination are required only to qualify with a minimum of 55 per cent marks to be eligible for appointment as against the higher marks expected of unreserved candidates.

There is only one other category of post in Class III for which a test is conducted by the Ministry. This relates to selection for the posts of Chauffeurs for which a driving test is prescribed. This test cannot, for obvious reasons, be relaxed in any case.

The Committee are not satisfied with the Government's reply and desire that qualifying marks in the case of Scheduled Caste and Scheduled Tribe candidates should be reduced to 50 per cent for appointment to the grade of Cypher Sub-cadre of the IFS(B).

1.3. In para 2.76 of their Report, the Committee had expressed the view that vacancies reserved for Scheduled Castes and Scheduled Tribes should in no case, be dereserved. In their reply dated the 21st February, 1978, the Ministry of External Affairs have stated that the dereservation would be resorted to only in exceptional circumstances when dereservation would become inevitable in spite of all the efforts made by the Appointing Authority to appoint suitable candidates belonging to Scheduled Castes and Scheduled Tribes.

The Committee are not satisfied with the reply furnished by the Ministry of External Affairs and reiterate their earlier recommendation that vacancies reserved for Scheduled Castes and Scheduled Tribes should in no case be dereserved.

1.4. In para 2.98 of their Report, the Committee had suggested that all possible efforts should be made by the Ministry of External Affairs to find Scheduled Caste and Scheduled Tribe candidates for all the posts reserved for them. If, however, such candidates were not available to fill all the reserved posts, then the exchange of vacancies should be resorted to in the very first year. The Ministry of External Affairs, in their reply dated the 17th May, 1978, have stated that under the existing instructions, which are uniformly applicable to all Departments/Services of the Government, interchange of vacancies is permissible only in the third year of carry-forward. However, in the case of promotions by selection upto the level of the lowest rank of Class II posts, exchange of unfilled reserved vacancies is always made in the first year itself. Since this Ministry is not empowered to make an exception and exchange vacancies in the very first year itself in respect of recruitment/appointment to groups and grades for which exchange of comments of the Department of Personnel and Administrative Reforms were invited in the matter. According to the reply received from the Department of Personnel and Administrative Reforms, the same question had been raised by the Parliamentary Committee on the Welfare of Scheduled Castes and Scheduled Tribes in Recommendation No. 20 (Para 2.31) contained in their Forty-First Report to which the Department of Personnel and Administrative Reforms had already offered their views as to why it was not advisable to exchange vacancies in the first year itself. The Department of Personnel and Administrative Reforms have stated in their reply to the Parliamentary Committee that the matter was considered by a High Power Committee set up under the chairmanship of the Prime Minister to review the representation of Scheduled Castes and Scheduled Tribes in the Services at its meeting held on 12-11-1976 and the Committee did not consider it necessary to alter the existing arrangements in this regard.

The Committee do not agree with the reply of Government and re-iterate their earlier recommendation that if the Scheduled Caste and Scheduled Tribe candidates are not available to fill all the reserved vacancies, then the exchange of vacancies between Scheduled Castes and Scheduled Tribes, as the case may be, should be resorted to in the very first year.

1.5. In para 3.11, the Committee had recommended that the claims of Scheduled Caste and Scheduled Tribe employees should be considered favourably at the time of making postings abroad, to enable them to acquire the experience of working in the Missions abroad as their stay in a foreign country for a couple of years would, by itself, be a very useful experience for the Scheduled Caste and Scheduled Tribe employees and would help them a lot in broadening their outlook and bringing them up socially and economically. The Ministry of External Affairs, in their reply dated the 24th February, 1978, have stated that the Missions abroad are very much part of the Ministry of External Affairs and postings to Missions abroad are in the nature of internal transfers within the Ministry. Transfer to a post in a Mission abroad is not in the nature of fresh recruitment to a post or promotion/deputation to a higher post. It is difficult to see how the concept of reservation for a particular category can be introduced in the matter of routine deployment of officers among various equivalent posts. Most categories of employees of the Ministry get postings abroad from time to time and in fact considering that the number of posts abroad in most categories is substantially higher than the posts at headquarters, most of the officers spent a significantly large portion of their working career in Missions abroad. In deciding postings, the principle of rotation between various "classes" of posts is employed in order to ensure that each officer has his share of comfortable and difficult stations. In considering posting of an officer, apart from pattern of his previous postings other aspects such as language the functional requirements of the post, special aptitudes or experience required etc. are also taken into account. It would, therefore, not be feasible for the Administration, when deciding development of officers on the basis of the foregoing general criteria, to treat the Scheduled Caste/Scheduled Tribe officers as a separate category following a different set of guidelines. Since postings are in the nature of transfers and all officers get their share, there seems to be no particular advantage in treating the Scheduled Caste/Scheduled Tribe employees as a separate category from the point of view of consideration for postings. If, however, any Scheduled Caste/Scheduled Tribe employee faces any special problems which need to be taken into account by the Ad-

ministration, it may be stated that a sympathetic consideration is given to such problems.

The Committee are not satisfied with the reply of Government and re-iterate that the claims of Scheduled Castes/Scheduled Tribes should be considered favourably at the time of making postings abroad also.

1.6. In Paras 4.14 and 4.15, the Committee had suggested that in-service training programme for Scheduled Caste/Scheduled Tribe employees should be arranged on a regular basis so as to improve their standard of works and also the chances for selection to higher categories of posts. Ministry of External Affairs have though set up a Career Management and Training Cell for the purpose of arranging the participation of the Ministry's personnel in training programmes in April, 1978 but have not drawn up a phased programme for the training of their officers belonging to Scheduled Castes and Scheduled Tribes. Only ten Scheduled Caste and Scheduled Tribe officers have been nominated to the various courses during the period from 1973 to 1978. The Committee had also suggested that the Ministry of External Affairs should draw up a time-bound phased programme forthwith for the training of officers belonging to the Scheduled Castes and Scheduled Tribes in order to give them adequate training enabling them to compete for and take up higher responsibilities in higher posts in due course. In their reply dated the 24th February, 1978, the Ministry of External Affairs have stated that unlike officers of other Ministries, Officers belonging to this Ministry do not remain at Headquarters (New Delhi) of the Ministry throughout their service career. On the other hand, a major period of their service with the Government spent on posting in various Indian Missions/Posts abroad. To be sure, officers do come on posting to Headquarters usual term of 1 or 2 years and again are posted abroad in public interest. While at Headquarters they have to acquaint themselves with the latest developments that take place in the various Divisions at the Ministry. This being the case, it is not administratively feasible to depute officers belonging to Scheduled Castes and Scheduled Tribes according to a time-bound schedule to various training Institutes and courses in India during their comparatively short tenure at Delhi. However, in conformity with existing instructions, efforts would continue to be made to nominate Scheduled Caste and Scheduled Tribe Officers to such courses and training as would become available during suitable periods when such officers are deployed at Headquarters. In accordance with Government directives, this Ministry's endeavour would be to ensure that larger number of officers belonging to Scheduled Caste and Sche-

duled Tribe are nominated to attend Seminars/Symposia/Conferences etc. in preference to general category of officers to enable the former to acquire greater experience for-taking charge of higher responsibilities. The superiors of such officers are also being advised to render suitable guidance, whenever necessary, so that the standard of performance of official duties of these officers is enhanced and they are able to render even more efficient service under the Government.

The Committee are not convinced with the Government's reply and desire that a time-bound phased programme should be drawn up forthwith for the training of Scheduled Caste and Scheduled Tribe employees on a regular basis so as to improve their standard of proficiency and also their chances for selection to higher categories of posts.

CHAPTER II

RECOMMENDATIONS/OBSERVATIONS WHICH HAVE BEEN ACCEPTED BY GOVERNMENT

Recommendation (S. No. 1, Para No. 1. 14.)

The Committee are distressed to note that a large number of posts have been kept outside the purview of the Reservation Orders in favour of Scheduled Castes and Scheduled Tribes by the Ministry of External Affairs. The Committee see no reason why Reservation orders have not been made applicable to these posts in view of the fact that there has been improvement in the educational and socio-economic standards of Scheduled Castes and Scheduled Tribes over the last few years. The Committee would like the Ministry of External Affairs to review the whole policy of making Reservation Orders applicable *in toto* to all posts in consultation with the Department of Personnel and Administrative Reforms. In this connection, the Committee would like to draw the attention of the Ministry of External Affairs to the following recommendation contained in para 1.56 of their Forty-first Report (Fifth Lok Sabha) on the Reservations for Scheduled Castes and Scheduled Tribes in Services:—

“The Committee are in principle opposed to any category of posts being exempted from the purview of reservations. The Committee, therefore, recommend that all exemptions from the rule of reservations of Scheduled Castes and Scheduled Tribes should be done away with.”

Reply of Government

Exemptions from reservations made applicable by the Ministry are in accordance with the existing instructions of the Government applicable to all Government departments and services. The following categories of posts in the Ministry which were considered as Research/technical posts or posts filled by transfers/deputations were kept outside the purview of reservations in accordance with the existing Government directives:—

- (a) Research posts
- (b) Staff in offices of Minister and Minister of State.
- (c) Posts in the Legal & Treaties Division

- (d) Posts in the Bureau of Security
- (e) Interpreters
- (f) Staff in the Government Hospitality Organisation
- (g) Posts in Hindi Unit
- (h) Posts in External Affairs Hostel.

However, in the light of the recommendations of the Parliamentary Committee, the matter was reviewed in detail and it has now been decided that reservation orders should be applied to all categories of posts excepting the posts at (b) above. The posts at (b) are not on the permanent strength of the Ministry and are held either by officials on deputation to the Ministry, in which case the reservation order would not apply, or by officials of the Ministry in whose case reservation orders would already have been applied in their respective grades.

Necessary instructions have been issued to the Personnel Sections dealing with recruitment to these posts to implement reservation orders scrupulously in respect of all future vacancies in these posts.

[Ministry of External Affairs U.O. No. Q(GA) 551/39/77(SCT)
(i) dated 17-5-78]

Recommendation (S. No. 2, Para No. 1.15)

The Committee are unhappy to be informed that records available in the Ministry of External Affairs do not contain any indication whether the question of exempting of posts in the legal and Treaties Division of the Ministry from the purview of Reservation Orders had been considered at any stage. The Committee, however, note that the Ministry of External Affairs has now decided to make the Reservation Orders applicable in case of posts at the level of Assistant Legal Advisers and below in this Division. The Committee expect that all the posts arising in future at this level will actually be filled by Scheduled Castes and Scheduled Tribes till such time their quota is completed.

Reply of Government

The Ministry will take action to implement reservation orders strictly in respect of posts in the Legal & Treaties Division. Further, in the light of the recommendation of the Committee, a greater number of candidates belonging to Scheduled Castes/Scheduled Tribes than the number required by the reservation orders would be recruited, provided suitably qualified candidates become available, with a view to making up the shortfall in the

quota of Scheduled Castes/ Scheduled Tribes in the Division within the shortest period of time.

[Ministry of External Affairs U.O. No. Q(GA) 551/39/77(SCT)
(ii) dated 24-2-1978]

Recommendation (S. No. 3, Para No. 1.21)

The Committee note that the Ministry of External Affairs have agreed to appoint a Director|Deputy Secretary in place of an Under Secretary as Liaison Officer to watch and safeguard the interests of Scheduled Caste and Scheduled Tribe employees. The Committee need hardly highlight the duties of a Liaison Officer, as laid down in the Brochure on Reservation for Scheduled Castes and Scheduled Tribes and desire that these should be scrupulously performed. The Committee would also like the Ministry of External Affairs appoint Liaison Officers in all the Regional Passport Offices, etc, to watch the interests of Scheduled Caste and Scheduled Tribe employees in those offices.

Reply of Government

An officer of the rank of Director has been appointed Liaison Officer for the Ministry of External Affairs to watch over and safeguard the interests of Scheduled Caste and Scheduled Tribe employees in the Ministry.

2. As far as the Regional Passport Offices are concerned, most of the staff in these offices belong to one cadre, the Central Passport and Emigration Organization. In view of this, an officer of the rank of Deputy Secretary to the Passport Emigration & Consular Division has been appointed Liaison Officer to watch over the interests of Scheduled Caste and Scheduled Tribe employees in the Regional Passport Offices.

[Ministry of External Affairs U.O. No. Q(GA) 551/39/77(SCT)
(iii) dated 24-2-1978]

Recommendation (S. No. 4, Para 1.24)

The Committee need hardly point out that mere changing of the name of the General Administration Section to the Cell is not going to yield the desired results unless the Cell is strengthened and geared up to assist the Liaison Officer to discharge his functions effectively and purposefully. The Committee would suggest that the Cell should be properly manned so that it functions gainfully.

Reply of Government

A Special Cell, named SCT Cell, with staff consisting of a Section Officer and assistant and an LDC, has been created in the Ministry of External Affairs for the purpose of ensuring compliance

with the reservation orders and to assist the Liaison Officer to discharge his functions effectively and purposefully.

[Ministry of External Affairs U.O. No. Q(GA) 551/39/77(SCT)
(iv) dated 24-2-1978]

Recommendation (S. No. 16, Para No. 4.7)

The Committee regret to note that there is a big shortfall in almost all categories of posts in the Ministry of External Affairs and its Subordinate Offices including Indian Missions abroad. The representation of Scheduled Castes and Scheduled Tribes in Group 'A' posts in the Ministry of External Affairs is only 7.4 per cent and 7.3 per cent respectively while the representation of Scheduled Castes and Scheduled Tribes in Group 'B' posts is 4.5 per cent and 0.6 per cent respectively. Even in group 'C' posts, the representation of Scheduled Castes and Scheduled Tribes is no better. It is only 7.5 per cent for Scheduled Castes and 3.0 per cent for Scheduled Tribes. Similar is the position in respect of Subordinate offices attached to the Ministry of External Affairs. Considering these heavy shortfalls, the Committee cannot but conclude that extant orders on the subject are neither being followed in letter and spirit by the appointing authorities nor is adequate attention being paid to improve the situation. The Committee are convinced that unless concerted efforts are made by the Ministry of External Affairs and other appointing authorities, the shortfalls in the representation of Scheduled Castes and Scheduled Tribes cannot be wiped out. The Committee, therefore, urge the Ministry of External Affairs to ensure that the reservation orders are rigidly followed so that all the reserved vacancies for Scheduled Castes and Scheduled Tribes are actually filled in by them and that shortfalls are obliterated as early as possible.

Reply of Government

Suitable instructions have been issued to the Personnel Sections in the Ministry and the Subordinate offices to follow rigidly the reservation orders so that the reserved vacancies for Scheduled Castes and Scheduled Tribes are actually filled in by them and the shortfalls are obliterated as early as possible.

[Ministry of External Affairs U.O. No. Q(GA) 551/39/77(SCT)
(xiii) dated 24-2-78]

Recommendation (S. Nos. 19 and 20, Para 4.19 and 4.20)

The Committee regret to note that the annual statements regarding recruitment, etc. of Scheduled Castes and Scheduled Tribes on the prescribed forms, as on the 1st January, 1976, were sent by the Ministry of External Affairs to the Cabinet Secretariat (Department of Personnel and Administrative Reforms) on the 22nd July, 1976 although these should have been sent to them latest by the 31st March, 1976. The Committee also regret to note that the returns prescribed by the Department of Personnel & Administrative Reforms have not been maintained by all the Regional Passport Offices. The Committee would like the Ministry of External Affairs to ensure that, in future, these statements are prepared on the prescribed forms and are submitted to them by all its subordinate offices as soon as after the 1st January of the following year and latest by the 1st March, of that year as laid down in the Cabinet Secretariat (Department of Personnel & Administrative Reforms) O.M. No. 17|3|70-ESTT(SCT) dated the 1st January, 1972. Failure to submit the statements in time should be regarded as a serious lapse on the part of the Heads of Subordinate offices attached to the Ministry of External Affairs.

The Committee would also like to suggest that these annual statements on receipt by the Ministry of External Affairs should be critically examined and analysed so that prompt and effective measures may be taken to remove the deficiencies noticed.

Reply of Government

The above recommendations of the Parliamentary Committee have been noted and the Personnel Sections in the Ministry and its subordinate offices have been directed for strict compliance.

[Ministry of External Affairs U.O. No. Q(GA)/551/39/77(SCT)
(xv) dated 24-2-1978]

Recommendation (S. No. 21, Para No. 4.23)

The Committee desire that the Liaison Officer in the Ministry of External Affairs will take note of the orders of the Government in this regard and will ensure that a note on the recruitment, promotion, dereservation of vacancies and supersession of Scheduled Castes and Scheduled Tribes in the Ministry of External Affairs and its Subordinate Offices including Indian Missions abroad will be included in the Annual Report of the Ministry from 1977 and onwards.

Reply of Government

A note in this regard has been included in the Annual Report of the Ministry for the year 1977 and will continue to be included in the future Annual Reports also.

[Ministry of External Affairs U.O. No. Q(GA)/551/39/77(SCT)
(xvi) dated 17-5-78]

Recommendation (S. No. 22, Para No. 5.2)

The Committee suggest that separate registers for registering the complaints/representations received from the Scheduled Caste and Scheduled Tribe employees should be maintained by the Personnel Sections of the Ministry of External Affairs and also in the Subordinate Offices attached to the Ministry of External Affairs. The Committee would also suggest that a precise procedure should be laid down by the Ministry of External Affairs to deal with such complaints/representations. The registers should at least be quarterly checked by the Liaison Officer to ensure that all such complaints/representations are properly and expeditiously dealt with in the Ministry of External Affairs and its subordinate offices.

Reply of Government

We have issued suitable instructions to the Personnel Sections of the Ministry and also in the subordinate offices attached to the Ministry of External Affairs that separate registers should be maintained for registering the complaints/representations received from the Scheduled Caste and Scheduled Tribe employees and the precise procedure to be followed has been prescribed for checking/reviewing these Registers by concerned officers with a view to ensure appropriate action in the expeditious disposal of the complaints/representations. The Personnel Sections have also been advised to submit the Registers to the Liaison Officer(s) quarterly for scrutiny to ensure that the complaints/representations are properly and expeditiously dealt with.

[Ministry of External Affairs U.O. No. Q(GA)/551/39/77(SCT)
(xvii) dated 24-2-1978]

CHAPTER III

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

Recommendation (S. No. 7, Para 2.44)

The Committee need hardly point out that Roster is a mechanism to keep a watch on the proper and adequate intake of Scheduled Castes and Scheduled Tribes in services and it would cease to have any significance whatsoever if it is not maintained properly. The Committee would, therefore, emphasise that Rosters should not only be maintained properly by the various recruitment authorities in the Ministry of External Affairs and its Subordinate Offices in accordance with the extant orders on the subject but also the appointments of Scheduled Castes and Scheduled Tribes are actually made according to the points reserved for them in the Roster. The Committee would also suggest that Rosters should be checked periodically by the Liaison Officer and any defects noticed therein rectified immediately.

Reply of Government

The Rosters maintained by the Personnel Sections in the Ministry for appointment to various posts by Direct recruitment/Departmental Examinations/Departmental promotions in the Ministry have been inspected and any defects noticed therein have been communicated to the concerned authorities for rectification. It has been found that the Rosters are generally being maintained fairly well and the recruitment procedure on point system prescribed for SC/ST is being followed correctly.

With the appointment of Liaison Officer for the Scheduled Castes and Scheduled Tribes in the Central Passport and Emigration Organisation instructions have been issued for immediate inspection of Rosters maintained by the Regional Passport and Emigration Offices.

[Ministry of External Affairs U.O. No. Q(GA)/551/39/77 (SCTY
(vi) dated 24-2-1978]

Recommendation (S. No. 11, Para No. 2.91)

The Committee need hardly emphasise the desirability of including a Scheduled Caste/Tribe Officer in the various Departmental Recruitment/Promotion Boards/Committees constituted by the Ministry of External Affairs, so as to instil confidence in the Scheduled Caste and Scheduled Tribe employees. In case, a Scheduled Caste Tribe Officer is not available in the Ministry of External Affairs for the purpose, a Scheduled Caste/Tribe Officer from another Ministry/Department should be associated with such Departmental Recruitment/Promotion Boards/Committees.

Reply of Government

The recruitment/promotion boards/committees to various posts in the Ministry of External Affairs are constituted in accordance with the relevant recruitment rules/regulations. Apart from the association of the Chairman/Member of the UPSC with committees considering recruitment/promotion to specific categories of posts, the only provision for representation from outside the Ministry is for participation of a representative of the Ministry of Commerce in the Foreign Service Board, Senior Departmental Promotion Committee. The recommendation of the Committee has been brought to the notice of the Ministry of Commerce for appropriate action at the same time when nomination of representations from that Ministry to the FSB/Sr. DPC/Jr. DPC are considered.

As this Ministry has already informed the Parliamentary Committee, every effort is being made to nominate Scheduled Caste/Scheduled Tribe officers of appropriate seniority to participate in the recruitment/promotion boards/committees, subject to the limitation that only officers of appropriate status posted at headquarters at a given time can be nominated to the boards/committees. Strenuous effort in this direction will continue to be made by this Ministry.

[Ministry of External Affairs U.O. No. Q(GA)/551/39/77 (SCT)
(vi) dated 24-2-1978]

CHAPTER IV

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

Recommendation (S. Nos. 5 & 6, Para Nos. 2.36 & 2.37)

The Committee note the recruitment procedure being followed by the Ministry of External Affairs for recruitment of personnel to man the various categories of posts under their control. The Committee also note that the bulk of recruitment is being done through the Public Service Commission/Subordinate Services Commission.

The Committee are unhappy to note that hardly any concessions/relaxations are given to the Scheduled Caste and Scheduled Tribe candidates at the time of written examinations/interviews. The Committee would like the Ministry of External Affairs to consider what specific relaxations/concessions could be given to the Scheduled Caste and Scheduled Tribe candidates, so as to improve their intake in the services of the Ministry of External Affairs and its Subordinate Offices including Indian Missions abroad.

Reply of Government

In so far as the candidates for various Grades/posts obtained through open competitive examinations (with or without interviews) are concerned, application of relaxations/concessions for Scheduled Castes and Scheduled Tribes come under the purview of the recruiting authorities viz. the Union Public Service Commission and the Subordinate Selection Commission.

Both the Union Public Service Commission and Subordinate Selection Commission who were consulted in this regard have confirmed that various specified concessions and relaxations such as fees concession, relaxation of upper age limit, any number of chances for appearing in the examinations, relaxed standard of interviews and appointment on the basis of relaxed standards to make up deficiency in the reserved quota are extended to reserved candidates at the time of

written examinations/interviews for recruitment to a number of services including those under the Ministry of External Affairs.

Identical concessions/relaxations are given to Scheduled Caste and Scheduled Tribe candidates by the Union Public Service Commission in respect of recruitment to the various All India Services and Central Services Group A/Group B.

The only Departmental examination exclusively conducted by the Ministry is for appointments to the Grade of Cypher Sub-cadre of the IFS(B). There is no interview for appointment to these posts. The Scheduled Caste and Scheduled Tribe candidates taking this examination are required only to qualify with a minimum of 55 per cent marks to be eligible for appointment as against the higher marks expected of unreserved candidates.

There is only one other category of post in Class III for which a test is conducted by the Ministry. This relates to selection for the posts of Chauffeurs for which a driving test is prescribed. This test cannot, for obvious reasons, be relaxed in any case.

[Ministry of External Affairs U.O. No. Q(GA)551|39|77(SCT)
(v) dt. 17-5-1978]

Comments of the Committee

Please see Chapter I, Para 1.2.

Recommendation (S. No. 10, Para No. 2.76)

The Committee are distressed to find that a large number of vacancies have been dereserved in the various grades during the last five years depriving employment to many a Scheduled Castes and Scheduled Tribes. The Committee are unable to accept that even for Class IV vacancies, suitable Scheduled Castes and Scheduled Tribes candidates are not available. The Committee cannot but conclude that neither the strict compliance of the extant orders on the subject have been ensured nor earnest efforts have been made by the Ministry of External Affairs to appoint Scheduled Castes and Scheduled Tribes candidates against the reserved vacancies. The Committee are firmly of the view that vacancies reserved for Scheduled Castes and Scheduled Tribes in no case, should be dereserved.

Reply of Government

The advice from the Department of Personnel and Administrative Reforms has since been received and the relevant extracts

(Appendix-I) have been passed on to the concerned Section for guidance. The dereservation would be resorted to only in exceptional circumstances when dereservation would become inevitable inspite of all the efforts made by the Appointing Authority to appoint suitable candidates belonging to Scheduled Castes and Scheduled Tribes.

[Ministry of External Affairs U.O. No. Q(GA) 551/39/77(SCT)
(vii) dated 24-2-1978]

Comments of the Committee

Please see Chapter I, Para 1.3.

Recommendation (S. No. 13, Para 2.92)

The Committee feel that ordinarily vacancies reserved for Scheduled Castes and Scheduled Tribes should be filled in by the candidates belonging to the respective communities only so that the need to fill in the vacancies reserved for Scheduled Castes by Scheduled Tribes and vice versa at the end of the third year of carry-forward of vacancies is obviated. The Committee would, therefore, suggest that all possible efforts should be made by the Ministry of External Affairs to find Scheduled Caste and Scheduled Tribe candidates for all the posts reserved for them. If, however, such candidates are not available to fill all the reserved posts, then the exchange of vacancies should be resorted to in the very first year.

Reply of Government

Under the existing instructions, which are uniformly applicable to all Departments/Services of the Government, interchange of vacancies is permissible only in the third year of carry-forward. However, in the case of promotions by selection upto the level of the lowest rank of Class I posts, exchange of unfilled reserved vacancies is always made in the first year itself. Since this Ministry is not empowered to make an exception and exchange vacancies in the very first year itself in respect of recruitment/appointment to groups and grades for which exchange of vacancies is recommended only in the third year of carry-forward the comments of the Department of Personnel & Administrative Reforms were invited in the matter. According to the reply received from the Department of Personnel & Administrative Reforms, the same question had been raised by the Parliamentary Committee

on the Welfare of Scheduled Castes and Scheduled Tribes in Recommendation No. 20(Para 2.31) contained in their Forty First Report to which the Department of Personnel & Administrative Reforms had already offered their views as to why it was not advisable to exchange vacancies in the first year itself. The Department of Personnel and Administrative Reforms have stated in their reply to the Parliamentary Committee that the matter was considered by a High Power Committee set up under the chairmanship of the Prime Minister to review the representation of Scheduled Castes and Scheduled Tribes in the Services at its meeting held on 12-11-1976 and the Committee did not consider it necessary to alter the existing arrangements in this regard.

[Ministry of External Affairs U.O. No. Q(GA) 551/39/77(SCT)
(xi) dt. 17-5-78]

Comments of the Committee

Please see Chapter I, para 1.4.

Recommendations (S. Nos. 14 & 15, Para Nos. 3.10 & 3.11)

The Committee note that the posts of Ambassadors, High Commissioners and Head of Missions/Posts are filled by the Central Government at the discretion by appointment of members of Indian Foreign Service or of the other persons eminent in public life. The Committee suggest that the Ministry of External Affairs should consider the feasibility of providing reservations for Scheduled Caste and Scheduled Tribe persons in the appointments of all diplomatic personnel in the Indian Missions/Posts abroad.

The Committee are also of the view that the claims of Scheduled Caste and Scheduled Tribe employees should be considered favourably at the time of making postings abroad, to enable them to acquire the experience of working in the Missions abroad as their stay in a foreign country for a couple of years will, by itself, be a very useful experience for the Scheduled Caste and Scheduled Tribe employees and will help them a lot in broadening their outlook and bringing them up socially and economically.

Reply of Government

Recommendations contained in paragraphs 3.10 and 3.11 are dealt with together since both relate to the question of reservations of Scheduled Caste/Scheduled Tribe employees in the matter of postings.

The Committee is no doubt aware that the Missions abroad are very much part of the Ministry of External Affairs and postings to Missions abroad are in the nature of internal transfers within the Ministry. Transfer to a posts in a Mission abroad is not in the nature of fresh recruitment to a post or promotion/deputation to a higher post. It is difficult to see how the concept of reservation for a particular category can be introduced in the matter of routine deployment of officers among various equivalent posts. Most categories of employees of the Ministry get postings abroad from time to time and in fact considering that the number of posts abroad in most categories is substantially higher than the posts at headquarters, most of the officers spent a significantly large portion of their working career in Missions abroad. In deciding postings, the principle of rotation between various "classes" of posts is employed in order to ensure that each officer has his share of comfortable and difficult stations. In considering posting of an officer, apart from pattern of his previous postings, other aspects such as language, the functional requirements of the post, special aptitudes or experience required etc. are also taken into account. It would, therefore, not be feasible for the Administration, when deciding deployment officers on the basis of the foregoing general criteria, to treat the Scheduled Caste/Scheduled Tribe officers as a separate category following a different set of guidelines.

In respect of most categories of posts in the Ministry, the general principle is that when an officer joins the Ministry, he is liable to be asked to serve from time to time either at headquarters or in our Missions in any part of the world, depending upon the requirements of personnel in each Division/Mission from time to time. If there had been a particularly selective process by which even after joining the Ministry, a decision is taken whether to post an officer abroad or not, in that case, it would have perhaps been reasonable to take into account the special claims of Scheduled Caste/Scheduled Tribe employees. Since postings are in the nature of transfers and all officers get their share, there seems to be no particular advantage in treating the Scheduled Caste/Scheduled Tribe employees as a separate category from the point of view of consideration for postings.

It may also be added that posting abroad does not by itself confer any additional benefit; whatever allowances etc. are given to an officer posted abroad are only to compensate for the higher cost of living in various foreign countries. The point made by the Committee regarding the beneficial impact of postings abroad on Scheduled Caste and Scheduled Tribe employees from the point of view of broadening their outlook and bringing them up socially and eco-

nomically, is certainly appreciated. This aspect is, however, taken care of by the existing system and pattern of postings of the officers of this Ministry. All officers who join the IFS are, for example, posted abroad immediately after a period of initial training in India lasting a slightly less than two years for these officers, the initial posting abroad itself is in the nature of training, enabling them to learn various foreign languages and otherwise enabling themselves to foreign environment and cultures. In varying degrees this applies also to the various categories of officers in the IFS(B) who start getting postings abroad after an initial period of training and stay at headquarters for varying periods.

If, however, any Scheduled Caste/Scheduled Tribe employee faces any special problems which need to be taken into account by the Administration, it may be stated that a sympathetic consideration is given to such problems.

[Ministry of External Affairs, U.O. No. Q(GA)551/39/77(SCT)
(xiii) dated 24-2-78]

Comments of the Committee

Please see Chapter I, para 1.5.

Recommendations (S. No. 17 and 18, Paras 4.14 & 4.15)

The Committee are unhappy to note that no in-service training programme has been arranged by the Ministry of External Affairs exclusively for the Scheduled Castes and Scheduled Tribes employees. Even then some officers of the Ministry of External Affairs have been deputed for training, the number of Scheduled Castes and Scheduled Tribes officers is insignificant. The Committee suggest that in-service training programme for Scheduled Castes and Scheduled Tribes employees should be arranged on a regular basis so as to improve their standard of work and also their chances for selection to higher categories of posts.

The Committee also understand that the Government of India issued instructions as early as on the 26th March, 1970 to the effect that in order to improve the chances of Scheduled Castes and Scheduled Tribes for selection to the higher categories of posts, they should be provided with more opportunities for attending seminars/Symposia/Conferences etc. In their orders dated the 15th November, 1971, while emphasising the needs for more intensive training to directly recruited Class I officers belonging to these communities along with other officers needing such help, the Government of India advised all the Ministries/Departments to nominate a considerably

large number of Scheduled Caste and Scheduled Tribe officers for training programmes run by various Departments and Training Institutions. For this purpose, the Ministries/Departments were advised to draw a phased programme and lay down a time limit, say three years, within which training of such officers in appropriate fields should be completed. The Ministry of External Affairs have though set up a Career Management and Training Cell for the purpose of arranging the participation of the Ministry's personnel in training programmes in April, 1978 but have not drawn up a phased programme for the training of their officers belonging to Scheduled Castes and Scheduled Tribes. Only ten Scheduled Castes and Scheduled Tribes officers have been nominated to the various courses during the period from 1973 to 1976. The Committee would like the Ministry of External Affairs to draw up a time-bound phased programme forthwith for the training of officers belonging to the Scheduled Castes and Scheduled Tribes in order to give them adequate training enabling them to compete for and take up higher responsibilities in higher posts in due course.

Reply of Government

As the Committee is aware, unlike officers of other Ministries. Officers belonging to this Ministry do not remain at Headquarters (New Delhi) of the Ministry throughout their service career. On the other hand a major period of their service with the Government is spent on posting in various Indian Missions/Posts abroad. To be sure, officers do come on posting to Headquarters for usual term of 1 or 2 years and again are posted abroad in public interest. While at Headquarters, they have to acquaint themselves with the latest developments that take place in the various Divisions at the Ministry. This being the case, it is not administratively feasible to depute officers belonging to Scheduled Castes and Scheduled Tribes according to a time-bound schedule to various training Institutes and courses in India during their comparatively short tenure at Delhi. However, in conformity with existing instructions, efforts would continue to be made to nominate Scheduled Castes and Scheduled Tribes Officer to such courses and training as would become available during suitable periods when such officers are deployed at Headquarters, in accordance with Government directives this Ministry's endeavour would be ensure that larger number of officers belonging to Scheduled Caste and Scheduled Tribe are nominated to attend Seminars/Symposia/Conferences etc. in preference to general category of officers to enable the former to acquire greater experience for taking charge of higher responsibilities. The superiors

of such officers are also being advised to render suitable guidance, whenever necessary, so that the standard of performance of official duties of these officers is enhanced and they are able to render even more efficient service under the Government.

[Ministry of External Affairs U.O. No. Q(GA)551|39|77(SCT)
(xiv) dated 24-2-1978]

Comments of the Committee

Please see Chapter I, para 1.6.

CHAPTER V

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

Recommendations (S. Nos. 8 & 9, Paras 2.72 & 2.73)

The Committee note that 25 per cent of the vacancies in Grade IV of the Indian Foreign Service 'B' (General Assistant) are filled by promotion of officers of Grade V (U.D.C.) on the basis of the seniority subject to rejection of the unfit and 75 per cent by direct recruitment on the basis of an open competition examination held by Union Public Service Commission.

The Committee are surprised to note that the proposal to amend the recruitment rules with a view to apply reservation provision for promotion on the basis of seniority-cum-fitness to the General Assistant's Grade has not yet been finalised even after a lapse of about ten years. The Committee would urge upon the Ministry of External Affairs to vigorously pursue the matter with the Union Public Service Commission and the Department of Personnel & Administrative Reforms and expedite a decision in the matter as continued delay in the matter adversely affects the interest of the Scheduled Castes and Scheduled Tribes.

The Committee are constrained to observe that the number of Scheduled Castes and Scheduled Tribes promoted in almost all the categories of posts available in the Ministry of External Affairs is much below the quotas reserved for them. The Committee are also unhappy to be informed that *ad-hoc* promotions have been made during the previous years, especially (Grade IV of IFS 'B') ignoring the claims of Scheduled Castes and Scheduled Tribes.

The Committee expect the Ministry of External Affairs/Department of Personnel & Administrative Reforms to ensure that the claims of Scheduled Castes and Scheduled Tribes are given due consideration before these *ad-hoc* promotions are regularised. The Committee would also like the Ministry of External Affairs/Depart-

ment of Personnel and Administrative Reforms to strictly follow the various orders issued by the Ministry of Home Affairs/Department of Personnel & Administrative Reforms regarding reservations for Scheduled Castes and Scheduled Tribes in promotions and to ensure that all the posts reserved for them are also actually filled in by them.

Reply of Government

The case relating to the amendment of the IFS(B) (RCSP) Rules in respect of promotions/appointments to Grade IV of IFS(B) is still pending with the Department of Personnel and Administrative Reforms, who are being reminded regularly in the matter. Action relating to the regularisation of *ad-hoc* Assistants affording reservations for Scheduled Castes and Scheduled Tribes employees can be taken only after the finalisation of the proposed amendment to the existing relevant rules.

[Ministry of External Affairs U.O. No. Q(GA)551/39/77(SCT)
(vi) dated 24-2-1978]

Recommendation (S. No. 12, Para No. 2.95)

The Committee are distressed to note that all the vacancies reserved for Scheduled Castes and Scheduled Tribes even in Class IV posts could not actually be filled in by Scheduled Caste and Scheduled Tribe candidates. The Committee see no justification in framing a rule by the Director General of Employment and Training that only those persons who had a service of at least three years, including broken periods or 240 days of unbroken service as casual or daily rated labourers could be recruited as peons in Government Departments which had worked to the detriment of the Scheduled Castes and Scheduled Tribes. The Committee would like the Ministry of External Affairs immediately to take up the matter with the Director General of Employment and Training so as to amend the rule so that all the vacancies reserved for Scheduled Castes and Scheduled Tribes are actually filled in by them.

Reply of Government

Since July, 1978, there is a complete Government ban on fresh recruitments to the posts of Peons including appointment of Casual Labourers or daily rated labourers as Peons as the intention of the Government is to effect reduction in the strength of peons *vide* DPAR O.M. No. 14011/2/Estt.(D) dated 24-6-78 and 27-7-78. The Government's intention in doing so is that a messenger system should

be introduced and, therefore, even the sanctioned strength of peons should be reduced by 10 per cent vide DPAR OM. No. 14011/2/76-Estt.(D) dated 6-9-76. In the circumstances, appointing Casual Labourers and daily rated labourers who fulfil conditions prescribed by the D.G.E. & T. as Peons is also no longer possible. However, this Ministry has made a reference to D.G.E.&T. and DPAR regarding amending of this rule concerning the condition of 240 days of unbroken service and 3 years of service (including broken periods) for appointment of Casual Labourers and daily rated workers as peons so that, in the event of the removal or relaxation of the ban in the near future, this Ministry would be able to appoint sufficient number of Scheduled Castes and Scheduled Tribes as peons.

[Ministry of External Affairs U.O. No. Q(GA)551/39/77(SCT)-
(x) dated 24-2-1978]

NEW DELHI;

April 16, 1979
Chaitra 26, 1901 (Saka).

RAM DHAN,
Chairman,

Committee on the Welfare of
Scheduled Castes and Scheduled
Tribes.

APPENDIX I

MOST IMMEDIATE

No. 36022/2/78. EST(SCT)
GOVERNMENT OF INDIA
MINISTRY OF HOME AFFAIRS
Department of Personnel & A.R.
Estt. (SCT Section)

New Delhi, the 26/28 August, 78

OFFICE MEMORANDUM

SUBJECT.—*Sixth Report of the Parliamentary Committee on the Welfare of Scheduled Castes and Scheduled Tribes relating to the Ministry of External Affairs—Recommendations in para 2.76 regarding dereservation of vacancies reserved for Scheduled Castes and Scheduled Tribes.*

The undersigned is directed to refer to the Ministry of External Affairs O.M. No. Q(GA)551/39/77(iii) dated 28th December, 1977 on the subject noted above and to say that as regards the general observation of the Committee that vacancies reserved for Scheduled Castes and Scheduled Tribes should in no case be dereserved, the matter has already been considered in the Department. A note giving the position in this regard is enclosed.

2. With reference to para 2 of the Ministry of External Affairs O.M. under reference the zone of consideration for reserved vacancies the position is that:

- (I) In promotions by *selection* in Class III and IV where reservation have been provided for Scheduled Castes and Scheduled Tribes under the orders issued on 11-7-78, there is already a separate zone of consideration for Scheduled Castes and Scheduled Tribes candidates who are not within the normal zone of consideration for unreserved vacancies can also be considered for promotion against reserved vacancies if they are within the separate zone of consideration with reference to the number of reserved vacancies,

provided they are otherwise eligible for promotion according to the recruitment rules prescribed for the post concerned.

- (II) In promotions on the basis of seniority subject to fitness, there is no zone of consideration as such, as persons who are eligible for such promotions are considered against the available number of vacancies according to seniority and fitness. In the case of vacancies reserved for Scheduled Castes and Scheduled Tribes candidates belonging to these communities can be considered irrespective of their position in the general seniority list provided they are otherwise eligible for consideration for promotion for the post concerned.
- (III) In promotion by selection from Class III to Class II, within Class II and from Class II to the lowest rung of Class I, only those Scheduled Castes/Tribes candidates who are within the normal zone of consideration are considered against reserved vacancies *vide* para 2(1) of O.M. No. 10/41/73 Estt. (SCT) dated 20-7-74 read with O.M. No. 36011/6/75(SCT) dated 7-5-75 (while introducing reservation in promotion by selection in or to Class II, Class II and to the lowest rung of Class I, it was decided by Government that reservation may be provided with the stipulation that only these SC/ST candidates who are with the normal zone of consideration will be considered. This is mainly on the consideration that in post at this level, there is a greater need for balancing between the claims of Scheduled Castes and Scheduled Tribes on the one hand and the needs of efficiency of administration and the morale of the services on the other).

APPENDIX II

ANALYSIS OF THE ACTION TAKEN BY THE GOVERNMENT ON THE RECOMMENDATIONS CONTAINED IN THE SIXTH REPORT (SIXTH LOK SABHA) OF THE COMMITTEE.

I. Total number of recommendations .	22
II. Recommendations which have been accepted by Government (<i>vide</i> Recommendations at Serial Nos. 1, 2, 3, 4, 16, 19, 20, 21 and 22)	
Number	9
Percentage to total	40.91
III. Recommendations which the Committee do not desire to pursue in view of the Government's replies (<i>vide</i> Recommendations at Serial Nos. 7 and 11)	
Number	2
Percentage to total	9.09
IV. Recommendations in respect of which replies of Government have not been accepted by the Committee and which require reiteration (<i>vide</i> Recommendations at Serial Nos. 5, 6, 10, 13, 14, 15, 17 and 18)	
Number	8
Percentage to total	36.36
V. Recommendations in respect of which final replies of Government have not been received (<i>vide</i> Recommendations at Serial Nos. 8, 9 and 12)	
Number	3
Percentage to total	13.64