

LIST OF AUTHORISED AGENTS FOR THE SALE OF LOK SABHA
SECRETARIAT PUBLICATIONS

ANDHRA PRADESH

1. Andhra University General Co-operative Stores Ltd., Waltair (Visakhapatnam).

BIHAR

2. M/s. Crown Book Depot, Upper Bazar, Ranchi (Bihar).

GUJARAT

3. Vijay Stores, Station Road, Anand.

MADHYA PRADESH

4. Modern Book House, Shiv Volas Palace, Indore City.

MAHARASHTRA

5. M/s. Sunderdas Gianchand, 601, Girgaum Road, near Princess Street, Bombay-2.
6. The International Book House Pvt., 9, Ash Lane, Mahatma Gandhi Road, Bombay-1.
7. The International Book Service, Deccan Gymkhana, Poona-4.
8. The Current Book House, Maruti Lane, Raghunath Dadaji Street, Bombay-1.
9. M/s. Usha Book Depot, 585/A, Chira Bazar Khan House, Girgaum Road, Bombay-2.

10. M & J Services, Publishers, Representatives Accounts & Law Book Sellers, Bahri Road, Bombay-15.

11. Popular Book Depot, Dr. Bhadkamkar Road, Bombay-400001.

MYSORE

12. M/s. Peoples Book House, Opp. Jaganmohan Palace, Mysore-1.

UTTAR PRADESH

13. Law Book Company, Sardar Patel Marg, Allahabad-1.
14. Law Publishers, Sardar Patel Marg, P.B. No. 77, Allahabad—U.P.

WEST BENGAL

15. Granthaloka, 5/1, Ambica Mookherjee Road, Belgharia, 24-Parganas.
16. W. Newman & Company Ltd., 3, Old Court House Street, Calcutta.
17. Mrs. Manimala, Buys & Sells, 128, Bow Bazar Street, Calcutta-12.

DELHI

18. Jain Book Agency, Connaught Place, New Delhi.
19. M/s. Sat Narain & Sons, 3141, Mohd. Ali Bazar, Mori Gate, Delhi.

CONTENTS

	PAGE
COMPOSITION OF THE COMMITTEE	(iii)
INTRODUCTION	(v)
CHAPTER I Report	1
CHAPTER II Recommendations/Observations which have been accepted by Government	7
CHAPTER III — Recommendations/Observations which the Committee do not desire to pursue in view of the Government's replies	14
CHAPTER IV Recommendations/Observations in respect of which replies of government have not been accepted by the committee and which require reiteration	15
APPENDICES — I. Staff position of Films Division as on 1-7-1978 showing Scheduled Castes and Scheduled Tribes among them	21
II. Analysis of the action taken by Government on the recommendations	22

52346 (2)
 4.5.78

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

(1978-79)

Shri Ram Dhan—Chairman,

MEMBERS

Lok Sabha

2. Shri T. Balakrishnaiah
3. Shri B. Bhanwar
4. Shri Bharat Singh Chowhan
5. Shri Somjibhai Damor
6. Shri Biren Singh Engti
7. Shri Hukam Ram
8. Shri Hukam Chand Kachwai
9. Shri B. C. Kamble
10. Shri Rama Chandra Mallick
11. Shri Charan Narzary
12. Shri Nathuni Ram
13. Shri Natverlal B. Parmar
14. Shri K. Pradhani
15. Shri B. Rachaiah
16. Shri Ram Charan
17. Shri Amar Roypradhan
18. Shri Purnanarayan Sinha
19. Shri Suraj Bhan
20. Shri Bhausahab Thorat

Rajya Sabha

21. Shri Bhagwan Din
22. Shri Prasenjit Barman
23. Shri Balram Das

(iv)

24. **Shri Sriman Prafulla Goswami**
25. **Shrimati Saroj Khaparde**
26. **Shri S. Kumaran**
27. **Shri P. K. Kunjachen**
28. **Dr. (Smt.) Sathiawani Muthu**
29. **Shri Leonard Soloman Saring**
30. **Shri Parbhu Singh**

SECRETARIAT

1. **Shri Y. Sahai—Chief Legislative Committee Officer.**
2. **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 Twenty-eighth Report (Sixth Lok Sabha) on Action Taken by Government on the recommendations contained in their Nineteenth Report (Sixth Lok Sabha) on the Ministry of Information and Broadcasting—Reservations for, and employment of, Scheduled Castes and Scheduled Tribes in Films Division.

2. The draft Report was considered and adopted by the Committee on the 29th November, 1978.

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 the Government's replies.

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

4. An analysis of the action taken by Government on the recommendations contained in the Nineteenth Report of the Committee on the Welfare of Scheduled Castes and Scheduled Tribes is given in Appendix II. It would be observed therefrom that out of 18 recommendations made by the Committee in their Nineteenth Report, 12 recommendations, i.e. 67 per cent have been accepted by Government and there are 6 recommendations, i.e. 33 per cent in respect of which replies of Government have not been accepted by the Committee and require reiteration.

RAM DHAN,
Chairman,

*Committee on the Welfare of
Scheduled Castes and
Scheduled Tribes.*

NEW DELHI;
February 5, 1979.

Magha 16, 1900 (Saka).

CHAPTER I

REPORT

This Report of the Committee deals with the action taken by Government on the recommendations contained in their Nineteenth Report (Sixth Lok Sabha) on the Ministry of Information and Broadcasting—Reservations for, and employment of, scheduled Castes and Scheduled Tribes in Films Division.

1.2. In para 6 of their Nineteenth Report (Sixth Lok Sabha), the Committee had considered that the organisational set up either in the Ministry of Information and Broadcasting or in the Films Division was inadequate to deal with the reservations for, and employment of, Scheduled Castes and Scheduled Tribes in the services of Films Division. The Committee had stressed the desirability of immediately setting up of a separate Cell in the Ministry of Information and Broadcasting as well as in the Films Division, as per the extant orders on the subject, for the effective implementation of reservation orders in favour of Scheduled Castes and Scheduled Tribes.

In their reply, the Ministry of Information and Broadcasting stated that Government had not found it possible to create additional posts for setting up of a Cell for the effective implementation of reservation orders in favour of Scheduled Castes/Scheduled Tribes in the Ministry of Information and Broadcasting. The matter was, however, being examined with a view to setting up such a Cell in the Ministry by redeployment of existing staff. Meanwhile the Films Division had already created a Special Cell for the purpose by internal adjustment of existing staff.

The Committee would reiterate that the Cell should immediately be created in the Ministry of Information and Broadcasting.

1.3. In para 13 of their Report, the Committee had noted that quite a large number of posts had been kept outside the purview of the reservation orders in favour of Scheduled Castes and Scheduled Tribes by the Films Division. The Committee were not convinced by the reasons put forth by the Films Division for exempting these posts from the purview of the reservation orders. The Committee had asked the Films Division to review the whole policy

of making reservation orders applicable *in toto* to all the posts in consultation with the Ministry of Information and Broadcasting and Department of Personnel and Administrative Reforms. In this connection, the Committee had also drawn the attention of the Films Division to the following recommendation contained in para 1.56 of their full 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 for Scheduled Castes and Scheduled Tribes should be done away with."

In para 32 of their Report, the Committee had further felt that there should be no difficulty in getting suitable Scheduled Caste and Scheduled Tribe candidates for recruitment in the posts of Staff Artists either on contractual basis or on *ad-hoc* basis. The Committee had asked the Films Division to launch a vigorous drive to tap the talent available among the Scheduled Castes and Scheduled Tribes for employment as Staff Artists, etc.

In their reply, the Ministry of Information and Broadcasting stated that the reservation orders were not at present being applied only in the case of staff artists in the Films Division. The matter had been considered and it had been decided to apply the reservation orders to the staff artists on contract fee basis in the Films Division in the categories of Title Artists and Commentary Speakers. Regarding staff artists in the category of Musicians/Instrumentalists, the decision in the case of All India Radio and Films Division staff artists would be made on a uniform basis. Regarding artists required on an *ad-hoc* basis for shooting of films at Bombay or at outside locations, efforts would be made by the Films Division to tap the talents available among the Scheduled Castes and Scheduled Tribes.

The Committee would reiterate the reservation orders should also be made applicable to the posts of Musicians and Instrumentalists. The Committee would also like to be informed of the progress made so far in the recruitment of Scheduled Castes and Scheduled Tribes Artists on *ad hoc* basis.

1.4. In para 29 of their Report, the Committee had desired that copies of all advertisements issued by the Films Division should invariably be sent to the local Scheduled Caste/Scheduled Tribe

M.L.As and M.Ps. as well as to the Members of the Committee on the Welfare of Scheduled Castes and Scheduled Tribes so that they might also sponsor suitable Scheduled Caste and Scheduled Tribe candidates for employment in the Films Division.

In their reply, the Ministry of Information and Broadcasting stated that copies of advertisements in respect of reserved vacancies in Groups C and D posts in the Films Division issued by the Central Employment Exchange as well as Films Division would be sent to such of the local M.Ps. and M.L.As. as might ask for these or desire to have them. Copies of such advertisements would also be sent to the Secretariat of the Parliamentary Committee on the Welfare of Scheduled Castes and Scheduled Tribes and to the Lok Sabha/Rajya Sabha Secretariats so that the reserved vacancies could be brought to the notice of suitable Scheduled Caste/Scheduled Tribe candidates to enable them to apply for the posts through appropriate channels.

The Committee would like to emphasise that copies of advertisements should invariably be sent to all the local Scheduled Caste/Tribe MPs and MLAs, whether they ask for them or not.

1.5. In para 36 of their Report, the Committee had stressed the desirability of including a Scheduled Caste/Tribe Officer in the various Departmental Recruitment/Promotion Committees constituted by the Films Division so as to instil confidence in the Scheduled Caste and Scheduled Tribe employees. In case a Scheduled Caste/Tribe Officer of the required status was not available in the Films Division for the purpose, a Scheduled Caste/Tribe Officer from another Department of the Central/State Government should invariably be associated with such Departmental Recruitment/Promotion Committees.

In their reply dated the 27th August, 1978, the Ministry of Information and Broadcasting stated that instructions about the association of officers belonging to Scheduled Castes and Scheduled Tribes in the Departmental Promotion Committees and Selection Boards already existed in the Office Memoranda of the Department of Personnel No. 27(4)(iii)/70-Est.(SCT), dated 2-9-1970, 16/1/74-Est.(SCT) dated 8-4-1974 and No. 16/1/74-Est.(SCT) dated 23-5-1975. While following these instructions, the observations of the Committee would also be kept in view.

The Committee are not satisfied with the reply of the Government. The Committee would reiterate that a Scheduled Caste/Tribe

Officer should invariably be included in all Departmental Recruitment/Promotion Committees.

1.6. In para 54 of their Report, the Committee had observed that vacancies reserved for Scheduled Castes and Scheduled Tribes, in no case, should be dereserved. The Committee had desired that before steps for dereservation were taken, it should be ensured whether suitable Scheduled Caste candidates were available for appointment against the vacancies reserved for Scheduled Tribes and *vice versa*.

In their reply, the Ministry of Information and Broadcasting stated that dereservation only meant that during a particular year, the appointing authorities could fill up the reserved vacancies by general community candidates. After such dereservation, the reservations did not lapse, as they were generally carried forward for adjustment, to subsequent three recruitment years, and efforts had to be continued to recruit Scheduled Caste/Scheduled Tribe candidates against the carried forward reservations. It was only when Scheduled Caste/Scheduled Tribe candidates were not available at all during the initial year as well as in the subsequent three years of carry forward also that the still unfilled reservations lapsed.

Since sufficient number of Scheduled Castes/Scheduled Tribes candidates might not always be available for certain posts filled by direct recruitment, particularly those requiring technical, special or professional skill, qualifications etc., and since sufficient number of eligible candidates belonging to these communities might not always be available also in the feeder grades for promotion, it would not be practicable to stop "dereservation" totally as, in the interest of work, the vacancies would have to be filled up, if necessary, after deserving them. Instructions, however, already existed that before taking up a case for dereservation, Ministries/Departments should ensure that all the steps prescribed to secure Scheduled Caste/Scheduled Tribe candidates against reserved vacancies had invariably been taken and fully followed by the appointing authorities concerned and that the claims of eligible candidates belonging to these communities had been duly considered and that dereservation was proposed only when such a course became inevitable due to non-availability of suitable Scheduled Caste/Scheduled Tribe candidates (*vide* Department of Personnel & Administrative Reforms Office Memorandum No. 16/2/74-Estt.(SCT) dated 8.5.1974). In order to have a further check on cases of dereservation, instructions had been issued in Department of Personnel and Administrative Reforms

Office Memorandum No. 16/27/74-Estt.(SCT) dated 12.11.1975 that before a proposal for dereservation was sent to the Department of Personnel and Administrative Reforms, a note should be recorded to the effect that the proposal was being made with the full knowledge and concurrence of the Liaison Officer concerned.

Recommendation No. 18 on the same subject contained in the 41st Report of the Parliamentary Committee had also been brought to the notice of the Ministries/Departments by the Department of Personnel and Administrative Reforms *vide* Office Memorandum No. 36022/18/76-Estt.(SCT) dated 25.9.1976 wherein attention of the Ministries/Departments had been drawn to the existing orders on the subject and it had been enjoined upon them that they should ensure that dereservation was proposed only when such a course became inevitable due to non-availability of Scheduled Caste/Scheduled Tribe candidates after taking all the prescribed steps and after applying relaxed standards in their favour.

As regards the suggestion of the Committee about exchange of vacancies reserved for Scheduled Tribes in favour of Scheduled Castes and *vice versa*, the existing orders allowing exchange of reserved vacancies only in the third year, i.e., last year of carry forward when otherwise the reservation was to lapse, were issued after detailed consideration of all aspects of the matter. The main consideration with which an exchange had been allowed only in the last year of carry forward and not in earlier years, is that Scheduled Castes and Scheduled Tribes had been viewed as distinct groups for the purpose of reservation and if reservations were allowed to be exchanged between Scheduled Castes and Scheduled Tribes every year, it would indirectly mean a combined or overall quota of reservation for Scheduled Castes and Scheduled Tribes together. Such an arrangement might also give rise to the complaints that the vacancies reserved for one community were being made over to the other at the cost of the former. The High Power Committee to review the representation of Scheduled Castes and Scheduled Tribes in services had also occasion to consider this matter at its meeting held on 12.11.1976, when it felt that the existing orders allowing exchange of reserved vacancies for Scheduled Castes in favour of Scheduled Tribes and *vice versa* only in the third year, i.e., last year of carry forward, when the reservations would otherwise lapse, safeguard the legitimate interests of both the groups *viz.*, the Scheduled Castes and Scheduled Tribes and that an exchange of the reservations earlier than in the final year of carry forward would

affect adversely the weaker of the two groups viz., generally the Scheduled Tribes.

The Committee would reiterate that the vacancies reserved for Scheduled Castes and Scheduled Tribes should in no case be dere-served. The Committee would like the Ministry of Information and Broadcasting to place the whole matter before the High Power Committee through the Ministry of Home Affairs (Department of Personnel and Administrative Reforms) for re-consideration whether dereservation of vacancies should not be stopped forthwith.

CHAPTER II

RECOMMENDATIONS/OBSERVATIONS WHICH HAVE BEEN ACCEPTED BY GOVERNMENT

Recommendation (S. No. 2, Para No. 7)

The Committee are surprised to learn that there is no specific liaison between the Films Division and the Ministry of Information and Broadcasting. The Committee need hardly point out that close coordination and liaison between the Ministry of Information and Broadcasting and Films Division is a pre-requisite for the proper implementation of the reservation orders. The Committee would like the Ministry of Information and Broadcasting to devise effective ways and means for keeping a close watch on the implementation of reservation orders in toto by the Films Division.

Reply of Government

With a view to having effective check and a close watch on the implementation of the reservation orders by the Films Division and the Films Wing in this Ministry, suitable instructions have been issued enjoining upon them to submit their respective rosters for scrutiny, once in a year, to the Chief Liaison Officer of this Ministry.

[Ministry of Information & Broadcasting O.M. No. A.1409/32/78-
Admn. I dated 27-8-1978]

Comments of the Committee

The Committee would like to be furnished with a copy of the instructions issued by the Ministry of Information and Broadcasting on the subject.

Recommendation (S. No. 3, Para No. 9)

The Committee note that the Films Division has appointed the Administrative Officer, a Group 'A' officer in the scale of Rs. 1100-1600, as Liaison Officer to watch and safeguard the interests of Scheduled Caste and Scheduled Tribe employees. The Committee need hardly emphasise that the duties of the Liaison Officer, as enumerated above, should be scrupulously performed.

Reply of Government

The observations of the Committee have been noted.

[Ministry of Information & Broadcasting O.M. No. A.14019/32/78-
Admn. I dated 27-8-1978]

Recommendation (S. No. 5, Para No. 16)

The Committee attach great importance to the proper compilation of returns and their timely submission to the concerned authorities. The Committee expect the Films Division to ensure that there is no laxity or delay in the submission of returns.

Reply of Government

The observations of the Committee have been noted for compliance.

[Ministry of Information & Broadcasting O.M. No. A.14019/32/78-
Admn. I dated 27-8-1978]

Recommendation (S. No. 6, Para No. 17)

The Committee would like the Ministry of Information and Broadcasting and the Department of Personnel and Administrative Reforms to carefully scrutinise the returns on their receipt from the Films Division with a view to find out whether the reservation orders in favour of Scheduled Castes and Scheduled Tribes are being effectively implemented by the Films Division or not. The Committee would also like them to ensure that the discrepancies, if any, are communicated to the Films Division immediately and that the Films Division in fact rectifies those discrepancies.

Reply of Government

The Recommendation of the Committee for a close and careful scrutiny of the various returns/statements about the implementation of the reservation orders etc. of the SC/ST submitted by the Films Division have been noted for compliance.

[Ministry of Information & Broadcasting O.M. No. A.14019/32/78-
Admn. I dated 27-8-1978]

Recommendation (S. No. 7, Para No. 28)

The Committee note the recruitment procedure being followed by the Films Division for recruitment of personnel to man the various categories of posts under their control. The Committee would like the Films Division to consider what further relaxations in standards could be given to Scheduled Castes and Scheduled Tribes at the time of examination/interview/recruitment so as to augment their intake in the services of the Films Division.

Reply of Government

For recruitment to the various technical posts in Groups C & D in Films Division relaxation is already given to Scheduled Caste and Scheduled Tribe candidates in respect of theoretical knowledge and practical experience etc. wherever considered practicable consistent with the needs of efficiency. In line with the existing practices, the recommendation of the Committee will be kept in view.

[Ministry of Information & Broadcasting, O.M. No. A.14019/32/78-
Admn. I, dated 27-8-1978]

Comments of the Committee

The Committee would like to be informed about the specific concessions/relaxations being given to Scheduled Castes and Scheduled Tribes at the time of examination/interview/recruitment.

Recommendation (S. No. 9, Para No. 30)

The Committee see no reason why reservations are not being made applicable in the case of recruitment to the casual vacancies in Group D posts like Mazdoor etc., when there are specific orders on the subject that reservations are applicable in case the duration of employment is more than 45 days. The Committee recommend that reservation orders should be made applicable in all casual vacancies where the duration of appointment is more than 45 days. The Committee would also expect the Films Division to ensure that reservation orders are scrupulously followed at the time of regularising the casual employees.

Reply of Government

Government accept that the Films Division will follow the reservation orders carefully while filling up vacancies by direct re-

recruitment including those by regularising the casual employees.

[Ministry of Information & Broadcasting, O.M. No. A.14019|32|78-
Admn. I, dated 27-8-1978]

Recommendation S. No. 10, Para No. 31)

The Committee, while noting the fact that reservation orders were not applicable in case of posts filled by deputation from other departments at the time when evidence of the representatives of the Ministry of Information and Broadcasting/Films Division was taken, would like to point out that the Ministry of Home Affairs (Department of Personnel and Administrative Reforms) have since issued instructions in this regard vide their O.M. No. 36012|7|77-Estt. (SCT) dated the 21st January, 1978. The Committee trust that these instructions will be scrupulously followed by the Ministry of Information and Broadcasting/Films Division.

Reply of Government

The observations of the Committee have been noted.

[Ministry of Information & Broadcasting, O.M. No. A.14019|32|78-
Admn. I, dated 27-8-1978]

Recommendation (S. No. 13, Para No. 44)

The Committee regret to note that there is a big shortfall in almost all categories of posts in the Films Division. Whereas the representation of Scheduled Castes and Scheduled Tribes in Groups A and B posts is almost negligible, the position in Groups C and D posts is no better. The distressing feature is that no steps worth the name have been taken by the Films Division to augment the intake of Scheduled Castes and Scheduled Tribes as is evident from the fact that even though sufficient number of applications were received from eligible Scheduled Castes and Scheduled Tribes against reserved posts in all the categories, hardly any appointments were made from amongst them. In these circumstances, the Committee cannot help concluding that extant orders on the subject are neither being followed in letter and spirit by the appointing authorities of the Films Division, nor is adequate attention being paid to improve the situation. The Committee are convinced that unless concerted efforts are initiated by the Films Division,

the shortfall in the representation of Scheduled Castes and Scheduled Tribes cannot be wiped out. The Committee, therefore, urge the Films Division to ensure that the reservation orders are rigidly followed show that all the reserved vacancies for Scheduled Castes and Scheduled Tribes are actually filled in by them and that shortfalls are obliterated within a time-bound schedule to be drawn up for the purpose. The Committee feel that there is no dearth of suitable Scheduled Caste and Scheduled Tribe candidates, and, therefore, suggest that as a right step towards this direction special recruitment to recruit Scheduled Caste and Scheduled Tribe candidates against the reserved vacancies in the various categories of posts should immediately be resorted to.

Reply of Government

The staff position of the Films Division as on 1-7-78 showing Scheduled Castes and Scheduled Tribes among them is given in the Statement attached (Appendix I). Efforts will be made by the Films Division to increase the intake of Scheduled Caste and Scheduled Tribe candidates and to reduce the shortfall. The suggestion for making special recruitment will also be kept in view in this connection.

[Ministry of Information & Broadcasting O.M. No. A.1409/32/78-78-Admn. I dated 27-8-1978]

Comments of the Committee

The Committee would like that a time-bound schedule may be prepared and the entire shortfall wiped out within a year.

Recommendation (S. No. 14, Para No. 48)

The Committee consider the proper maintenance of rosters as a *sine qua non* for keeping a close watch on the effective implementation of reservation orders and adequate intake of Scheduled Castes and Scheduled Tribes in services. The Committee have no doubt that unless rosters are maintained properly, they would cease to have any significance whatsoever. The Committee would, therefore, stress that the rosters should be maintained as per extant orders on the subject and not only be inspected regularly by the competent authorities but it should be ensured that all the vacancies reserved for Scheduled Castes and Scheduled Tribes are actually filled in and appointments made according to the points mentioned in the rosters. The inspecting authorities should also

point out the discrepancies, if any, noticed and ensure that they are rectified by the Films Division.

Reply of Government

Necessary instructions have been issued to the Films Division for proper maintenance of the rosters about the intake of the SC/ST against the vacancies reserved for them and to submit their rosters to the Chief Liaison Officer for scrutiny.

[Ministry of Information & Broadcasting O.M. No. A.1409/32/78-78-Admn. I dated 27-8-1978]

Comments of the Committee

The Committee would like to be furnished with a copy of the instructions issued by the Ministry of Information and Broadcasting on the subject.

Recommendation (S. No. 15, Para No. 50)

The Committee suggest that a special in-service training programme, especially for those Scheduled Caste and Scheduled Tribe candidates, who have been recruited/promoted by lowering the standards should be initiated by the Films Division on a regular basis so as to make them better equipped for selection to higher categories of posts.

Reply of Government

The recommendation has been accepted for compliance by the Films Division.

[Ministry of Information & Broadcasting O.M. No. A.1409/32/78-Admn. I dated 27-8-1978]

Comments of the Committee

The Committee would like to be furnished with a copy of the training programme drawn up for the Scheduled Castes and Scheduled Tribes by the Ministry of Information and Broadcasting.

Recommendation (S. No. 17, Para No. 57)

The Committee do not accept the plea that 'there was no Sche-

duled Caste and Tribe candidate in the eligibility zone for promotions' for not promoting Scheduled Castes and Scheduled Tribes against the various reserved posts as indicated in the statement above.

The Committee feel that the orders regarding reservations in promotions should have been implemented in letter and spirit and some Scheduled Castes and Scheduled Tribes should have been promoted either by extending the existing zone of consideration or by having a separate zone of consideration for Scheduled Castes and Scheduled Tribes. The Committee would expect the Films Division to ensure that all the posts reserved for Scheduled Castes and Scheduled Tribes are actually filled in by them.

Reply of Government

The observations of the Committee have been noted for compliance.

(Ministry of Information and Broadcasting O.M. No. A. 14019|32|
78-Admn. I dated 27-8-1978)

Comments of the Committee

The Committee would like to be informed about the progress made in the promotion of Scheduled Castes/Scheduled Tribes during the last year.

Recommendation (S. No. 18, Para No. 59)

The Committee desire that figures regarding recruitment, promotion, dereservation of vacancies, supersession of Scheduled Castes and Scheduled Tribes, etc., so far as Films Division is concerned, should be published in the Annual Report of the Ministry of Information and Broadcasting from 1978 onwards.

Reply of Government

The Committee's recommendation has been noted for compliance.

[Ministry of Information & Broadcasting O.M. No. A.14019|32|
78-Admn. I dated 27-8-78].

CHAPTER III

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

NIL

CHAPTER IV

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

Recommendation (S. No. 1, Para No. 6)

The Committee do not consider that the organisational set up either in the Ministry of Information and Broadcasting or in the Films Division is adequate enough to deal with the reservations for, and employment of, Scheduled Castes and Scheduled Tribes in the services of Films Division. The Committee stress the desirability of immediately setting up of a separate Cell in the Ministry of Information and Broadcasting as well as in the Films Division, as per the extant orders on the subject, for the effective implementation of reservation orders in favour of Scheduled Castes and Scheduled Tribes.

Reply of Government

Government have not found it possible to create additional posts for setting up of a cell for the effective implementation of reservation orders in favour of SC|ST in the Ministry of Information and Broadcasting. The matter is however being examined with a view to setting up such a cell in the Ministry by redeployment of existing staff. Meanwhile, the Films Division have already created a Special Cell for the purpose by internal adjustment of existing staff.

[Ministry of Information & Broadcasting O.M. No. A.14019|32|
78-Admn. I dated 27-8-78].

Comments of the Committee

Please see Chapter I, para 1.2.

Recommendation (S. No. 4, Para No. 13)

The Committee are unhappy to note that quite 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 Films Division. The Committee do not feel convinced by the reasons put forth by the Films Division for exempting these posts from

the purview of the reservation orders. The Committee would like the Films Division to review the whole policy of making reservation orders applicable in toto to all the posts in consultation with the Ministry of Information and Broadcasting and Department of Personnel and Administrative Reforms. In this connection, the Committee would like to draw the attention of the Films Division to the following recommendation contained in para. 1.56 of their 41st 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 for Scheduled Castes and Scheduled Tribes should be done away with.”

Reply of Government

The reservation orders are not at present being applied only in the case of staff artists in the Films Division. The matter has been considered and it has been decided to apply the reservation orders to the staff artists on contract fee basis in the Films Division in the categories of Title Artists and Commentary Speakers. Regarding staff artists in the category of Musicians/Instrumentalists, the decision in the case of All India Radio and Films Division staff artists will be made on a uniform basis.

Regarding artists required on an ad-hoc basis for shooting of films at Bombay or at outside locations, efforts will be made by the Films Division to tap the talents available among the Scheduled Castes and Scheduled Tribes.

[Ministry of Information & Broadcasting O.M. No. A-14019/32/78-Admn. I dated 8.9.78]

Comments of the Committee

Please see Chapter I, para 1.3

Recommendation (S. No. 8, Para No. 29)

The Committee desire that copies of all advertisements issued by the Films Division should invariably be sent to the local Scheduled Caste/Scheduled Tribe M.L.As. and M.Ps. as well as to the Members of the Committee on the Welfare of Scheduled Castes and Scheduled Tribes so that they may also sponsor suitable Scheduled Caste and Scheduled Tribe candidates for employment in the Films Division.

Reply of Government

Copies of advertisements in respect of reserved vacancies in Groups C and D posts in the Films Division issued by the Central Employment Exchange as well as Films Division will be sent to such of the local M.Ps. and M.L.As. as may ask for these or desire to have them. Copies of such advertisements will also be sent to the Secretariat of the Parliamentary Committee on the Welfare of Scheduled Castes and Scheduled Tribes and to the Lok Sabha/Rajya Sabha Secretariats so that the reserved vacancies can be brought to the notice of suitable Scheduled Caste/Scheduled Tribe candidates to enable them to apply for the posts through appropriate channels.

[Ministry of Information & Broadcasting O.M. No. A.14019/32/78-Admn. I dated 8-9-78]

Comments of the Committee

Please see Chapter I, para 1.4

Recommendation (S. No. 11, Para No. 32)

The Committee feel that there should be no difficulty in getting suitable Scheduled Caste and Scheduled Tribe candidates for recruitment in the posts of Staff Artists either on contractual basis or on an ad-hoc basis. The Committee would like the Films Division to launch a vigorous drive to tap the talent available among the Scheduled Castes and Scheduled Tribes for employment as Staff Artists etc.

Reply of Government

The reservation orders are not at present being applied only in the case of staff artists in the Films Division. The matter has been considered and it has been decided to apply the reservation orders to the staff artists on contract fee basis in the Films Division in the categories of Title Artists and Commentary Speakers. Regarding staff artists in the category of Musicians/Instrumentalists, the decision in the case of All India Radio and Films Division staff artists will be made on a uniform basis.

Regarding artists required on an ad-hoc basis for shooting of films at Bombay or at outside locations, efforts will be made by the Films Division to tap the talents available among the Scheduled Castes and Scheduled Tribes.

[Ministry of Information & Broadcasting O.M. No. A.14019/32/78-Admn. I dated 8-9-78]

Comments of the Committee

Please see Chapter I, para 1.3

Recommendation (S. No. 12, Para No. 36)

The Committee stress the desirability of including a Scheduled Caste/Tribe Officer in the various Departmental Recruitment/Promotion Committees constituted by the Films Division so as to instil confidence in the Scheduled Caste and Scheduled Tribe employees. In case a Scheduled Caste/Tribe Officer of the required status is not available in the Films Division for the purpose, a Scheduled Caste/Tribe Officer from another Department of the Central/State Government should invariably be associated with such Departmental Recruitment/Promotion Committees.

Reply of Government

Instructions about the association of officers belonging to Scheduled Castes and Scheduled Tribes in the Departmental Promotion Committees and Selection Boards already exist in the Office Memoranda of the Department of Personnel No. 27(4)(iii)/70-Est.(SCT) dated 2.9.1970, 16/1/74 Est.(SCT) dated 8.4.1974 and No. 16/1/74-Est. (SCT) dated 23.5.1975. While following these instructions, the observations of the Committee will also be kept in view.

[Ministry of Information & Broadcasting O.M. No. A.14019/32/78-
Admn. I dated 27-3-1978]

Comments of the Committee

Please see Chapter I, para 1.5

Recommendation (Sl. No. 16, Para No. 54)

The Committee are firmly of the view that vacancies reserved for Scheduled Castes and Scheduled Tribes, in no case, should be *dereserved*. The Committee desire that before steps for *dereservation* are taken, it should be ensured whether suitable Scheduled Caste candidates are available for appointment against the vacancies reserved for Scheduled Tribes and *vice versa*.

Reply of Government

Dereservation only means that during the particular year, the appointing authorities can fill up the reserved vacancies by general community candidates. After such *dereservation*, the reservations do not lapse, as they are generally carried forward for adjustment, to subsequent three recruitment years, and efforts have to be continued to recruit Scheduled Caste/Scheduled Tribe candidates against the carried forward reservations. It is only when Scheduled Caste/Scheduled Tribe candidates are not available at all during the initial year as well as in the subsequent three years of carry forward also, that the still unfilled reservations lapse.

2. Since sufficient number of Scheduled Caste|Scheduled Tribes candidates may not always be available for certain posts filled by direct recruitment, particularly those requiring technical, special or professional skill, qualifications etc., and since sufficient number of eligible candidates belonging to these communities may not always be available also in the feeder grades for promotion, it will not be practicable to stop "dereservation" totally as, in the interest of work, the vacancies will have to be filled up, if necessary, after dereserving them. Instructions, however, already exist that before taking up a case for dereservation, Ministries|Departments should ensure that all the steps prescribed to secure Scheduled Caste|Scheduled Tribe candidates against reserved vacancies have invariably been taken and fully followed by the appointing authorities concerned and that the claims of eligible candidates belonging to these communities have been duly considered and that dereservation is proposed only when such a course becomes inevitable due to non-availability of suitable Scheduled Caste|Scheduled Tribe candidates (*vide* Department of Personnel and Administrative Reforms Office Memorandum No. 16|2|74-Estt. (SCT) dated 8-5-1974]. In order to have a further check on cases of dereservation, instructions have been issued in Department of Personnel and Administrative Reforms Office Memorandum No. 16|27|74-Estt. (SCT) dated 12-11-1975 that before a proposal for dereservation is sent to the Department of Personnel and Administrative Reforms, a note should be recorded to the effect that the proposal is being made with the full knowledge and concurrence of the Liaison Officer concerned.

3. Recommendation No. 18 on the same subject contained in the 41st Report of the Parliamentary Committee has also been brought to the notice of the Ministries|Departments by the Department of Personnel and Administrative Reforms *vide* Office Memorandum No. 36022|18|76-Estt. (SCT) dated 25-9-1976 wherein attention of the Ministries|Departments has been drawn to the existing orders on the subject and it has been enjoined upon them that they should ensure that dereservation is proposed only when such a course becomes inevitable due to non-availability of Scheduled Caste|Scheduled Tribe candidates after taking all the prescribed steps and after applying relaxed standards in their favour.

4. As regards the suggestion of the Committee about exchange of vacancies reserved for Scheduled Tribes in favour of Scheduled Castes and *vice versa*, the existing orders allowing exchange of

reserved vacancies only in the third year, i.e. last year of carry forward when otherwise the reservation is to lapse, were issued after detailed consideration of all aspects of the matter. The main consideration with which an exchange has been allowed only in the last year of carry forward and not in earlier years, is that Scheduled Castes and Scheduled Tribes have been viewed as distinct groups for the purpose of reservation and if reservations are allowed to be exchanged between Scheduled Castes and Scheduled Tribes every year, it would indirectly mean a combined or overall quota of reservation for Scheduled Caste and Scheduled Tribe together. Such an arrangement may also give rise to the complaints that the vacancies reserved for one community are being made over to the other at the cost of the former. The High Power Committee to review the representation of Scheduled Castes and Scheduled Tribes in services had also occasion to consider this matter at its meeting held on 12-11-1976, when it felt that the existing orders allowing exchange of reserved vacancies for Scheduled Castes in favour of Scheduled Tribes and *vice versa* only in the third year, i.e., last year of carry forward, when the reservations will otherwise lapse, safeguard the legitimate interests of both the groups, viz., the Scheduled Castes and Scheduled Tribes and that an exchange of the reservations earlier than in the final year of carry forward would affect adversely the weaker of the two groups viz., generally the Scheduled Tribes

[Ministry of Information and Broadcasting O.M. No. A. 14019/
32-78-Admn. I dated 8-9-1978]

Comments of the Committee

Please see Chapter I, para 1.6.

NEW DELHI;

February 5, 1979.

Magha 16, 1900 (Saka).

RAM DHAN.

Chairman,

*Committee on the Welfare
of Scheduled Castes and
Scheduled Tribes.*

APPENDIX I

Staff position of Films Division as on 1-7-1978 showing Scheduled Castes and Scheduled Tribes among them.

Group	Total No. of employees	No. of Scheduled Caste employees	No. of Scheduled Tribes employees	Percentage of		Remarks
				Scheduled Castes	Scheduled Tribes	
Group A	41	1	2	2.44	4.88	
Group B	110	7	0	6.36	—	
Group C	554	75	10	13.50	1.80	
Group D . (excluding Safaiwala)	259	67	11	26.40	4.35	
	958	150	23	15.66	2.40	
Group D Safaiwala only	13	12	—	92.30	—	

APPENDIX II

(*Vide* Introduction)

Analysis of the Action Taken by the Government on the recommendations contained in the Nineteenth Report (Sixth Lok Sabha) of the Committee on the Welfare of Scheduled Castes and Scheduled Tribes.

I. Total number of recommendations	18
II. Recommendations/Observations that have been accepted by Government (<i>Vide</i> Recommendations at S. Nos. 2 (Para 7), 3 (Para 9), 5 (Para 16), 6 (Para 17), 7 (Para 28), 9 (Para 30), 10 (Para 31), 13 (Para 44), 14 (Para 48), 15 (Para 50) and 18 (Para 59).	
Number	12
Percentage to total	67
III. Recommendations/Observations in respect of which replies of Government have not been accepted by the Committee and which require reiteration (<i>Vide</i> Recommendations at S. Nos. 1 (Para 6), 4 (Para 13), 8 (Para 29), 11 (Para 32), 12 (Para 36) and 16 (Para 54).	
Number	6
Percentage to total	33