

**COMMITTEE ON THE WELFARE
OF SCHEDULED CASTES AND
SCHEDULED TRIBES
(1980-81)**

(SEVENTH LOK SABHA)

SIXTH REPORT

MINISTRY OF RAILWAYS (RAILWAY BOARD)

Action taken by Government on the recommendations contained in the Forty-First Report of the Committee on the Welfare of Scheduled Castes and Scheduled Tribes on the Ministry of Railways (Railway Board) Reservations for, and employment of, Scheduled Castes and Scheduled Tribes in North Eastern Railway and award of petty contracts to Scheduled Castes and Scheduled Tribes in North Eastern Railway.



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COMMITTEE ON THE WELFARE OF SCHEDULED CASTES
AND SCHEDULED TRIBES

(1980-81)

Shri R. R. Bhole—*Chairman*

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3. Shri Bheekhabhai
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19. Shri Dharam Dasg Shastri
20. Shri Balkrishna Wasnik

* Elected w. e. f. 4th December, 1980 *vide* Shri Baleshwar Ram, ceased to be member of the Committee on his appointment as Minister of State.

Rajya Sabha

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SECRETARIAT

Dr. D. N. Gadhok—*Senior Legislative Committee Officer.*

Shri P. C. Chaudhry—*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 Sixth Report on Action Taken by Government on the recommendations contained in the Forty-first Report (Sixth Lok Sabha) on the Ministry of Railways (Railway Board)—Reservations for, and employment of, Scheduled Castes and Scheduled Tribes in North Eastern Railway and award of petty contracts to Scheduled Castes|Scheduled Tribes in North Eastern Railway.

2. The draft Action Taken Report was considered and adopted by the Committee at their sitting held on the 11th December, 1960.

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 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 Forty-first Report of the Committee is given in Appendix. It would be observed therefrom that out of the total number of twenty seven recommendations in the Report, ten recommendations i.e. 37.00 per cent have been accepted by Government, the Committee do not desire to pursue fourteen recommendations i.e. 51.85 per cent of the recommendations in view of the Government replies; replies of Government in respect of three recommendations i.e. 11.15 per cent of the recommendations have not been accepted by the Committee.

R. R. Bhole
(R. R. BHOLE)

Chairman,

NEW DELHI;
17th January, 1961
27th Pausa, 1962 (S).

Committee on the Welfare of Scheduled
Castes and Scheduled Tribes.

CHAPTER I

REPORT

The Report of the Committee deals with the action taken by Government on the recommendations contained in the Forty-first Report (Sixth Lok Sabha) on the Ministry of Railways (Railway Board).

1.2. In Para 1.18 of their Forty-first Report the Committee had observed that the information furnished by the Chief Personnel Officer of the North Eastern Railway about the holding of meetings held on the 2nd September, 1978 which was furnished to the Committee on their request had indicated that none of the Assistant Personnel Officers who acted as Liaison Officer in the various Divisions|Workshops attended the said meeting. It was therefore, very clear that there was apparent contradiction between what was said during the course of evidence and what was corroborated from the minutes. The fact of giving wrong information to the Committee tantamounted to breach of privilege. The Committee, however, did not go into this question but had to strongly deprecated the attitude of officers concerned. The Committee had suggested that the matter should not only be looked into by the Railway Administration but also action should be taken against the officer concerned for furnishing wrong information to the Committee.

1.3. In their reply dated the 22nd June, 78, the Ministry of Railways (Railway Board) have stated that the Committee's observations are presumably based on the discussions held with them at the time of oral evidence. The factual position is that the meetings are held by the Chief Liaison Officers with the DPOs|APOs and Reservation Inspectors on North Eastern Railway.

1.4. The Committee are not happy with the Government's reply. They feel that action should have been taken against the officer who had tried to mislead the Committee by furnishing wrong information.

1.5. In Para 2.17 of their Report the Committee had urged that all vacancies should be notified to the local or Regional Employment Exchanges. The total number of vacancies to be filled or likely to be filled and the number of vacancies reserved for Scheduled Castes and Scheduled Tribes, qualifications prescribed for the posts and the concessions|relaxations permissible in favour of

Scheduled Castes and Scheduled Tribes should be clearly mentioned in the requisition sent to the Employment Exchanges. Copies of such notices should also be sent to the Scheduled Castes and Scheduled Tribe M.L.As and M.Ps and also to the members of the Parliamentary and State Committees on the Welfare of Scheduled Castes and Scheduled Tribes.

1.6. The Ministry of Railways (Railway Board) in their reply dated the 22nd June, 1978 have stated that all recruitment authorities have been directed to send copies of the recruitment notices, indicating the number of vacancies to be filled or likely to be filled, the number of vacancies reserved for Scheduled Castes| Scheduled Tribes and the concessions|relaxations permissible in favour of Scheduled Castes and Scheduled Tribes to the Employment Exchanges located in the areas covered by them. In case adequate number of Scheduled Castes/Scheduled Tribes are not forthcoming in any particular area, copies of recruitment notices are sent to the Employment Exchanges in the adjoining areas so as to attract maximum numbers of Scheduled Castes and Scheduled Tribes.

The question of supplying copies of all employment notices to local Scheduled Caste|Scheduled Tribe M.L.As and M.Ps and also to the Members of the Parliamentary and State Committees on the Welfare of SCs|STs, is not considered desirable by the Minister for Railways.

1.7. The Committee do not agree with the reply of the Government. They feel that copies of notices regarding vacancies should also be sent to the Scheduled Caste and Scheduled Tribe M.L.As and M.P.s and also to the Members of the Parliamentary and State Committee on the Welfare of Scheduled Castes and Scheduled Tribes.

1.8. In Para 2.46 of their Report the Committee had emphasised that a Scheduled Caste or Tribe Officer should be included on the Departmental Recruitment Committee|Selection Boards constituted by the North Eastern Railway 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 North Eastern Railway a Scheduled Caste|Tribe officer from another Railway or from another Department of the Central|State Government should invariably be associated with such Departmental Recruitment|Promotion Committee.

1.9. In their reply dated the 2nd June, 1978, the Ministry of Railways (Railway Board) have stated that as far as possible Scheduled Caste/Scheduled Tribe officer of appropriate status is nominated on the Departmental Recruitment Committee/Selection Board. The recommendation of the Committee regarding appointment of Scheduled Caste/Scheduled Tribe officers from other Railways or Central/State Departments is not found workable.

1.10. The Committee are not satisfied with the reply of Government. They feel that before the Government could come to the conclusion that the recommendation was 'not found workable' the suggestion made by the Committee that Scheduled Caste/Scheduled Tribe officer from another Railway or from another Department of the Central/State Government should be associated with the Departmental Recruitment/Promotion Committees should have been tried. As such, the Committee reiterate their earlier recommendation.

CHAPTER II

RECOMMENDATIONS|OBSERVATIONS WHICH HAVE BEEN ACCEPTED BY GOVERNMENT

Recommendation (Sl. No. 5, Para No. 2.10)

The Committee also note that recruitment to Class IV services is made by screening available Casual Labour substitutes in the North eastern Railway and if requisite number of Scheduled Castes and Scheduled Tribes are not available to fill the vacancies reserved for them, recruitment is made from the open market. The Committee recommend that a Scheduled Caste/Scheduled Tribe officer should always be associated with the Screening Committee to safeguard the interests of Scheduled Castes and Scheduled Tribes. The Committee also desire that while engaging casual labour in the initial stages, it should be ensured that adequate number of Scheduled Castes and Scheduled Tribes are recruited so that there may not be any difficulty in filling the reserved quota at the time of their screening for regular appointment.

Reply of the Government

In order to safeguard the interest of Scheduled Castes|Scheduled Tribes, a S.C./S.T. Officer is associated with the Screening Committees, wherever possible. Instructions have been issued to all Railway units on the N.E. Railway to engage casual labour to ensure that adequate number of Scheduled Caste and Scheduled Tribe candidates are recruited.

[Ministry of Railways letter No. 78E(SCT) 45|19 dated 2-6-78]

Recommendation (Sl. No. 9, Para No. 2.18)

The Committee further recommend that simultaneously with the issue of recruitment advertisements in the press and requisition to the Employment Exchanges, vacancies reserved for Scheduled Castes and Scheduled Tribes should also be notified to all the recognised and|or registered Associations|Organisations of Scheduled Castes and Scheduled Tribes Welfare of Director. of Social Welfare in the State|Union Territory concerned.

Reply of the Government

Necessary instructions have been issued to the Railways and the Service Commissions to notify the Vacancies to the recognised or registered Associations or Organisations of SCs|STs and Directors of SC|ST Welfare or Directors of Social Welfare in States| Union Territories concerned.

[Ministry of Railways letter No 78 E(SCT) 45|19 dated 2-6-78]

Recommendation (Sl. No. 11, Para No. 2.20)

The Committee also suggest that the Railway Service Commission, Muzaffarpur should get in touch with the Industrial Training Institutes and other technical institutions for securing appropriate candidates to man the various posts on the Railway. The Committee further desire that the Liaison Officers in the North Eastern Railway should also maintain close liaison with the Industrial Training Institutes etc. for the recruitment of Scheduled Castes and Scheduled Tribes in the skilled and semi-skilled categories of posts in the said Railway and its workshops.

Reply of the Government

The Railway Service Commission, Muzaffarpur has been instructed to strictly comply with the recommendations.

[Ministry of Railways letter No. 78E(SCT)45/19 dated 2-6-78]

Recommendation (Sl. No. 13, Para No. 2.22)

The Committee note the various concessions|relaxations being granted to Scheduled Caste and Scheduled Tribe Candidates while making recruitment to different categories of posts in the North Eastern Railway and its workshop. The Committee hope that if concerted measures are taken by the North Eastern Railway to implement these concessions|relaxations both in letter and spirit, they expect the backlog in the representation of Scheduled Castes and Scheduled Tribes in their services could be wiped out in the shortest possible time.

Reply of the Government

Concessions and relaxations allowed to SC|ST Candidates are generally implemented. However, the observations of the Committee have been noted for strict compliance.

[Ministry of Railways letter No 78 E(SCT) 45|19 dated 2-6-78]

Recommendation (Sl. No. 14, Para No. 2.30)

The Committee, during the course of evidence, had taken the opportunity to examine some of the rosters maintained by the North Eastern Railway. There were cuttings and also over-writings in the rosters which had not been initiated. The names of persons who had already retired before getting promotions had also been shown in the rosters. The Committee cannot but conclude that the rosters are not being maintained properly, although instructions in this regard were issued by the Ministry of Railways (Railway Board) as far back as 1952. The Committee consider it a serious lapse and desire that action should be initiated against the officers who are responsible for such lapses.

The Committee hardly stress that rosters are the only mechanism through which a watch is kept on the proper placement of Scheduled Castes and Scheduled Tribes in services against the vacancies reserved for them. They feel that the proper and faithful maintenance of rosters would keep the authorities concerned informed of the upto-date representation of Scheduled Castes and Scheduled Tribes at various points in different posts and the short-falls, if any, can be detected immediately. The Committee would, therefore, stress that rosters should be properly maintained by the North Eastern Railway authorities and these should be checked regularly by the competent authority and duly signed certificate of checks made thereon. The discrepancies noticed during the inspection of rosters should be rectified immediately and also brought to the notice of the Head of the Department.

Reply of the Government

The roster registers for all the categories, where reservation rules are applicable, are now being correctly maintained in each unit of promotion.

[Ministry of Railways letter No. 78E(SCT)45/19 dated 2-6-78]

Recommendation (Sl. No. 18, Para No. 2.50)

The Committee note that Casual Labour on the North Eastern Railway are from time to time for absorption against available regular vacancies by a Committee of three Officers—two from Railways and one from out-side. In order that there are no complaints that Scheduled Caste and Scheduled Tribe Casual Labours are left

out during screening at the time of their absorption in the regular establishment, the Committee recommend that there should be at least one member from amongst the Scheduled Castes and Scheduled Tribes on the Screening Committee to safeguard the interests of Scheduled Castes and Scheduled Tribes. The Committee would also recommend that at the initial stage of engaging casual labour itself, it should be ensured that the intake of Scheduled Castes and Scheduled Tribes is in accordance with percentage of reservation in favour of Scheduled Castes and Scheduled Tribes so that their interests at the time of promotions do not go by default.

Reply of the Government

A SC|ST officer is already being nominated on the Screening Committees. The instructions have also been issued to the units where casual labourers are engaged, to engage sufficient number of SC|ST casual labourers in accordance with the percentage of reservation of SCs|STs.

[Ministry of Railways letter No. 78E(SCT)45/19 dated 2-6-78]

Recommendation (Sl. No. 21, Para No. 3.13)

The Committee note that though new recruits are given training in the Training Schools, no special or specific course of in-service training, as such, has been arranged for Scheduled Caste and Scheduled Tribe employees in the North Eastern Railway although instructions in this regard have been issued by the Ministry of Railways (Railway Board) as far-back as 1955. The Committee feel that a special in-service training programme in the North Eastern Railway especially for those Scheduled Caste and Scheduled Tribe employees who have been promoted under the scheme of "best among the failures" by lowering the Standards should be initiated on a regular basis.

Reply of the Government

The Railways promote the best amongst the Scheduled Castes/ Scheduled Tribes even if they fail in the test and they are given training on the job in lieu of in-service training. In safety posts where this relaxation is not permitted, pre-selection coaching is imparted to SC/ST candidates.

[Ministry of Railways letter No. 78E(SCT)45/19 dated 2-6-78]

Recommendation (Sl. No. 32, Para No. 3.14)

The Committee note that the Ministry of Railways (Railway Board) analyse the half-yearly statements showing the progress made in the intake of Scheduled Castes and Scheduled Tribes against vacancies reserved for them in recruitment and promotional categories on receipt from the Railway Administrations and give directions to them, wherever necessary, and the result of analysis is placed on the Table of both Houses of Parliament. The Committee consider the proper compilation of returns and their timely submission to the Ministry of Railways (Railway Board) very important, as the returns are the only mechanism by which the proper implementation of the Reservation orders in favour of Scheduled Castes and Scheduled Tribes can be watched. The Committee, therefore, need hardly emphasise that there should be no laxity in the proper compilation and timely submission of returns by the Railway administrations.

The Committee also hope that the Ministry of Railways (Railway Board) will continue to make a thorough and analytical study of these statements and take prompt and effective measures to remove the deficiencies noticed.

Reply of the Government

The observations made by the Committee have been noted. The representations of Sch. Castes/Sch. Tribes in Railway services and shortfall thereof has been taken note of at the highest level by the High Power Committee presided over by the Prime Minister. Currently, the Committee of senior Secretaries is reviewing the position to suggest ways and means to fill up the quota for Sch. Castes and Sch. Tribes.

[Ministry of Railways letter No. 78E(SCT)45/19 dated 2-6-78]

Recommendations (Sl. No. 23, Para No. 4.7)

The Committee note that registers for registering representations/complaints received from Scheduled Castes and Scheduled Tribes are not being properly maintained.

The Committee would like to stress that separate registers for registering complaints/representations received from Scheduled Caste and Scheduled Tribe employees should be maintained at various levels and a precise procedure laid down to deal with such complaints/representations with utmost expedition. These registers

should at least be checked quarterly by the Liaison Officers and also by the Head of Division concerned during the course of inspection of the Officers under his control to ensure prompt disposal of complaints/representations received from Scheduled Castes and Scheduled Tribes employees and quarterly reports submitted to the Headquarters of North Eastern Railway and also to the Ministry of Railways (Railway Board) for their information.

The Committee are not aware about the time taken in disposal of complaints of Scheduled Caste and Scheduled Tribe employees. The Committee need hardly stress that all the complaints that are received should be processed and finalised within the shortest possible time to create confidence among the Scheduled Castes and Scheduled Tribes employees and to instil in them the feeling that their interests are well looked after.

Reply of the Government

The recommendations of the Committee have been noted for compliance. Representation/Complaint registers for Sch. Caste/Sch. Tribe employees in each office have already been opened on the North Eastern Railway and are being maintained properly. All efforts are being made to process and finalise the complaints within the shortest possible time.

[Ministry of Railways letter No. 78E(SCT)45/19 dated 2-6-78]

Recommendation (Sl. No. 26, Para No. 4.20)

The Committee note that preference is given to Scheduled Caste and Scheduled Tribe persons in allotment of land for 'Grow More Food' purposes on the North Eastern Railway. The Committee would, however, like that information with regard to number of applications from Scheduled Caste and Scheduled Tribe persons pending with the North Eastern Railway authorities for allotment of such land and the reasons for not allotting the same to them, may be collected and furnished to the Committee.

In the end, the Committee would desire that the General Manager, North Eastern Railway should issue instructions to ensure that Scheduled Caste and Scheduled Tribe persons are given preference in the selection of porters in the Railway Stations.

Reply of the Government

Due preference is given to SC/ST persons in allotment of land for "Grow More Food" on the North Eastern Railway.

As desired by the Committee, the information with regard to the number of applications from SCs/STs pending with the North Eastern Railway for allotment of such land and reasons for not allotting the same is being furnished by the North Eastern Railway separately to the Committee.

As desired by the Committee necessary instructions will be issued by the North Eastern Railway to give preference to Sch. Caste and Sch. Tribe persons in the selection of porters on Railway stations.

[Ministry of Railways letter No. 78E (SCT) 45/19 dated 2-6-78]

CHAPTER III

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

Recommendation Sl. No. 1 (Para No. 1.10)

The Committee are distressed to note that a large number of posts in the North Eastern Railway and its Workshops have been kept outside the purview of reservation orders for Scheduled Castes and Scheduled Tribes. The Committee see no reason why reservation orders have not been applied to these posts and would like the Ministry of Railways (Railway Board) to review the whole policy of making reservation orders applicable *in toto* to all the posts in the Railway and its Workshops in consultation with the Department of Personnel and Administrative Reforms.

While selecting persons for posts to be filled in by deputation or transfer in the Railways, it should be ensured that a fair proportion of such posts are filled in by employees belonging to Scheduled Castes and Scheduled Tribes in accordance with the instructions issued by the Department of Personnel and Administrative Reforms *vide* their O.M. No. 36012/7/77-Estt.(SCT) dated the 21st January, 1978 in this regard.

Reply of the Government

In the matter of reservation for Scheduled Castes and Scheduled Tribes, Railways are guided by the instructions issued from time to time by the Department of Personnel & Administrative Reforms. That Department has, therefore, been requested to examine the above recommendations of the Parliamentary Committee on the Welfare of Scheduled Castes and Scheduled Tribes and the decision taken in this regard by that Department will be adopted on the Railways.

In regard to appointments to posts filled by deputation or transfer, the instructions issued by the Department of Personnel *vide* their O.M. No. 36012/7/77-Estt. (SCT) dated 21-1-78 have already been adopted on the Indian Railways. Accordingly, SC/ST employees are given due consideration alongwith other eligible employ-

yees. The Railway Administrations have been asked to follow these instructions rigidly.

[Ministry of Railways letter No. 78E(SCT)45/19 dated 2-6-78]

Recommendation No. 2 (Para No. 1.17)

The Committee note that the Chief Personnel Officer in the North Eastern Railway Headquarters has been appointed as the Liaison Officer to periodically inspect each Unit and report to the General Manager the progress made with regard to the intake of Scheduled Castes and Scheduled Tribes in the services as per quota reserved for them. He is assisted by one Senior Scale Officer at Headquarters and one officer has also been nominated in each of the Divisions. No officer appears to have been nominated as Liaison Officer in any of the Workshops on the Railway. The Committee also note that one of the Joint Directors in the Railway Board, whose jurisdiction *inter-alia* covers the North Eastern Railway, also visits various units of the Railway to keep a watch over the implementation of Reservation Orders for Scheduled Castes and Scheduled Tribes. The Committee desire that with a view to ensure more effective implementation of various Reservation Orders at the Workshop level, a Cell should be set up in each Workshop and an assistant Personnel Officer nominated to look after this job, assisted by atleast one Inspector, as laid down in Railway Board's letter No. 75-E|SCT|15/63, dated the 8th August, 1975, in this regard. The Committee also desire that Liaison Officers should be nominated from officers belonging to Scheduled Castes and Scheduled Tribes working in the various Divisions/Workshops.

Reply of the Government

The Committee has already been informed that Assistant Personnel Officer (Mechanical Workshop), Gorakhpur acts as the Liaison Officer and ensures the implementation of various reservation orders in respect of staff working under Dy. C.O.S. (Depot), Press Superintendent, Bridge Workshop, Dy. CSTE (W/s) and Mechanical Workshop at Gorakhpur. Mechanical Workshop/Samastipur being a small workshop, is looked after by A.P.O./Samastipur and A.D.O./Izatnagar looks after the reservation work of Izatnagar.

[Ministry of Railways letter No. 78E(SCT)45/19 dated 2-6-78]

Comments of the Committee

The Committee may be informed whether a Cell has since been set up in each Workshop and Liaison Officers are being nominated

from amongst the officers belonging to Scheduled Caste and Scheduled Tribe.

Recommendation No. 4 (Para No. 2.9)

The Committee note that recruitment to various categories of Class III posts in the North Eastern Railway is made by the Railway Service Commissions at Allahabad and Muzaffarpur. The Committee also note that in case the Railway Service Commissions are unable to recommend adequate number of Scheduled Castes and Scheduled Tribes against the reserved vacancies the General Manager, North Eastern Railways has been vested with powers to make recruitment of Scheduled Castes and Scheduled Tribes from the open market to wipe out the shortfall. The Committee, therefore, desire that the General Manager should take recourse to these special powers immediately after receipt of intimation from the Railway Service Commission to the effect that they are unable to recommend the requisite number of Scheduled Castes and Scheduled Tribes.

Reply of the Government

On receipt of panels for Class III posts from the Railway Service Commissions, the shortfall of Scheduled Castes/Scheduled Tribes is assessed and direct recruitment from open market is conducted to wipe out the shortfall of SCs/STs, if necessary.

[Ministry of Railways letter No. 78E (SCT) 45/19 dated 2-6-78]

Recommendation No. 6 (Para No. 2.11)

The Committee have no doubt that enough care would be taken at the time of appointment of persons on compassionate grounds to ensure that the interest of Scheduled Castes and Scheduled Tribes are not adversely affected.

Reply of the Government

Appointments made of compassionate grounds are indicated in the rosters and the shortfall in Scheduled Caste and Scheduled Tribe categories is included in the total shortfall of reserved vacancies. While making direct recruitment to wipe out the shortfall, this fact is taken into account.

[Ministry of Railways letter No. 78E (SCT) 45/19 dated 2-6-78]

Recommendation No. 7 (Para No. 2.16A)

The Committee note that for recruitment to minor categories, the time taken by the Railway Service Commission Muzaffarpur is 4 to 6 months and in the case of recruitment to major categories the time taken by the Commission is one to two years. The Committee do not consider this to be a satisfactory position. The Committee need hardly stress that it should be the endeavour of the Commission to reduce the time lag, if necessary by augmenting its strength. The Committee would also suggest that the feasibility of introduction of computerisation for recruitment work on the North Eastern Railway on an experimental basis should be examined immediately. The Committee would further suggest that the Railway Service Commission, Muzaffarpur should invite applications for recruitment to non-technical mass categories annually on a programme basis without waiting for actual indents from the Railway in order to reduce the time lag between indent and the recruitment of staff on the said Railway. This will remove difficulty of promotional categories in respect of availability of candidates belonging to Scheduled Castes and Scheduled Tribes.

Reply of the Government

On financial consideration, computerisation of the work of recruitment on the Railways is not considered feasible at the present stage. The Railway Service Commissions at Madras and Bombay have introduced, on an experimental basis, the objective type of questions and answers. The introduction of this type of examination in other service Commission, including one at Muzaffarpur will be decided on the basis of experience gained by the two Service Commissions.

In order to streamline recruitment procedure through the R.S.C., it has been decided to hold examinations at scheduled time without waiting for indented from the Railway. The Railway Service Commission, Muzaffarpur has been asked to hold such examinations for popular categories in March every year. However, these programmes have been considerable delayed due to non-availability of a suitable Chairman.

[Ministry of Railways letter No. 78E(SCT)45/19 dated 2-6-78]

Recommendation No. 10 (Para No. 2.19)

The Committee would also like the Railway Service Commission, Muzaffarpur and other recruitment authorities in the North Eastern Railway to furnish to the Employment Exchange, in case it is not

already done, the precise reasons for rejection of Scheduled Caste and Scheduled Tribe candidates sponsored by them to fill the reserved posts for their further guidances so as to enable them to gear up their own machinery to sponsor the right type of candidates in future.

Reply of the Government

It is not possible to advise the Employment Exchanges the precise reasons for rejecting SC/ST candidates sponsored by each of the Employment Exchanges for Group 'D' services. List of empanelled candidates is, however, sent to the Employment Exchanges concerned. Instructions have, however, been issued to indicate specific reasons if reserved posts cannot be filled up by reserved candidates.

[Ministry of Railways letter No. 78E(SCT)45/19 dated 2-6-78]

Recommendation No. 12 (Para No. 2.21)

The Committee are pained to observe that correct information as regards the Assistant Secretary, Railway Service Commission has not been given to the Committee. The Committee would like the Ministry of Railways (Railway Board) to investigate the whole affair thoroughly and report the same to the Committee.

Reply of the Government

Certain allegations were made by Shri Sultan Singh, the then Asstt. Secretary, Railway Service Commission, Muzaffarpur against the then acting Chairman of the Commission. The matter was thoroughly investigated at a very high level and it was found that these allegations were not based on facts. It may be added that the then Chairman has since been transferred back to Railway Board and Shri Sultan Singh posted as Assistant Secretary, Railway Service Commission, Calcutta w.e.f. 1-5-1979. Regarding payment of his salary for the period from February to April, 1979, it appears the same has since been paid as no further complaint has been received from Shri Sultan Singh to this effect.

[Ministry of Railways letter No. 78E(SCT)45/19 dated 2-6-78]

Recommendation No. 15 (Para No. 2.34)

The Committee are aware that in accordance with the instructions issued by the Ministry of Railways (Railway Board), if the requisite number of candidates belonging to Scheduled Castes and Scheduled

Tribes are not found suitable in the promotional categories, the best amongst the failures should be promoted against the quotas reserved for them for six months on ad hoc basis and if during these months, their performance is found to be satisfactory names may be included in the panel. The Committee hope that all the appointing authorities in North Eastern Railway will be asked to follow these instructions meticulously and will ensure that all the posts reserved for them are actually filled in by them with a view to wipe out the backlog as early as possible.

Reply of the Government

Reserved quota is being followed keeping in view the administrative interest. This policy is not being followed in categories involving public safety. However, further instructions have again been issued to concerned officials to enforce the rules rigidly.

[Ministry of Railways letter No. 78E (SCT) 45/19 dated 2-6-78]

Recommendation Sl. No. 16 (Para No. 2.40)

The Committee are distressed to note that quite a large number of vacancies have been de-reserved in various grades by the North Eastern Railway in a routine manner without following the prescribed procedure laid down in this regard. Even though the Committee are basically opposed to de-reservation of vacancies reserved for Scheduled Castes and Scheduled Tribes, the Committee expect the Ministry of Railways (Railway Board) to ensure that in case resorting to de-reservation is inevitable the procedure laid down for dereservation of vacancies is strictly followed by the Railways. The Committee would like the Ministry of Railways (Railway Board) to issue fresh instructions to all Railways on the subject so that they may not falter in this regard any more in future. They would also like the Ministry of Railways (Railways Board) to consider and lay down whether responsibility should be fixed on the Liaison Officer Head of the Department in case the procedure for de-reservation of vacancies, as laid down, is not followed properly.

Reply of the Government

The Ministry of Railways is guided by the Instructions issued by the Deptt. of Personnel & Admn. Reforms in regard to de-reservation of posts reserved for SCs and STs, if suitable SC/ST candidates are not available. In case of non-availability of suitable SC/ST candidates for vacancies reserved for SC/ST candidates, the vacancies are carried forward up to the third selection/recruitment year and

in the event of non-availability of suitable candidates, the quota is inter-changed after the third year. If SC/ST candidates are still not available, the quota is lapsed. The procedure laid down in this regard is being strictly followed on the North Eastern Railway.

[Ministry of Railways letter No. 78E (SCT) 45/19 dated 2-6-78]

Recommendation Sl. No. 19 (Para No. 2.53)

The Committee feel that ordinarily vacancies reserved for Schedule 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 and Scheduled Tribes and vice-versa at the end of the third year of the carry forward of vacancies is obviated. The Committee would, therefore, suggest that all possible efforts should be made by the North Eastern Railway authorities 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 very first year.

Reply of the Government

All efforts are being made by the Railway Administration to fill up reserved vacancies to the maximum possible extent. The Ministry of Railways have gone far ahead of other Ministries in this regard and have adopted a system of promoting the best amongst the failed SC/ST candidates and giving them on the job training so as to prevent de-reservation and to ensure filling up of reserved vacancies by SC/ST candidates as far as practicable. As per the instructions of the Deptt. of Personnel inter-change of SC/ST vacancies is permissible only in the third year of recruitment/promotion in Group 'C' and 'D' services and there is no carry forward in class I and class II promotion by selection. The Committee's recommendation to resort to exchange of vacancies in the very first year cannot be adopted unilaterally on the Indian Railways unless the existing instructions are modified by the Deptt. of Personnel.

[Ministry of Railways letter No. 78E (SCT) 45/19 dated 2-6-78]

Recommendation Sl. No. 20 (Para No. 3.8)

The Committee note the measures taken by the North Eastern Railway to fill up the shortfall in vacancies and clear the backlog in various categories of posts in the said Railway. They also note that

there has been some improvement in the intake of Scheduled Castes and Scheduled Tribes during the last three years. In this connection the Committee would like the Ministry of Railways (Railway Board) to check up the figures given in Appendices II and IV to ensure that there is no discrepancy therein. The Committee would further like to emphasise that there is imperative need to strictly follow the reservation orders so that all the reserved vacancies as for Scheduled Caste and Scheduled Tribes are actually filled in by them and shortfalls obliterated within a specified period say within a year. The Committee would also like to be apprised of the results achieved as a result of special drive launched by the North Eastern Railway to wipe out shortfalls in the North Eastern Railway.

Reply of the Government

For category 'D' (Class IV) a special drive was launched and a panel of 276 S.T. candidates has been formed to make good the shortfall of Scheduled Tribes on the North Eastern Railway. The list of persons empanelled has been sent to the respective Divisions. In order to make good the shortfall in other categories, a Crash programme was launched from November, 1979 to March, 1980, but it has been postponed due to court cases filed in the Supreme Court against the reservation policy of the Government. The figures given in Appendices II and IV have been rechecked and there is no discrepancy therein.

[Ministry of Railways letter No. 78E(SCT)45|19 dated 2-6-78]

Recommendation (Sl. No. 24 Para No. 4.13)

The Committee note that under the Apprentices Act, 1961, it is obligatory on all employees in the specified industries to engage apprentices in accordance with the prescribed ratio in the designated trades. Reservations for Scheduled Castes and Scheduled Tribes have also been provided in the Rules framed under the said Act. the Committee hope that in future, all training places will be filled up and Scheduled Caste and Scheduled Tribe candidates will be given their due representation in accordance with the quota reserved for them.

Reply of the Government

From April, 1977 engagement of Apprentices under the Apprentices Act has been stopped pending certain clarifications/acceptance of proposals from/by the Ministry of Labour. It has since been decided to re-start engagement of Apprentices and orders in this

regard will be issued after information regarding vacancy positions in the Railways is furnished by the Railway Administrations. As and when actual engagement starts, the statutory requirements regarding reservation for persons belonging to SC|ST communities will be complied with.

[Ministry of Railways letter No. 78 E(SCT) 45/19 dated 2-6-78]

Comments of the Committee

The Committee may be apprised of the present position of the case.

Recommendation (Sl. No. 25 Para No. 4.19)

The Committee feel that catering|vending contracts up to half-a-unit is an uneconomic unit and desire that all catering|vending contracts up to one unit on all Railways should be awarded to Scheduled Castes and Scheduled Tribes only.

Reply of the Government

Contracts equal to one unit are fairly big. A dining car service on a train is one unit. Refreshment Rooms at large stations are also one unit. For running establishments of one unit, huge capital investment, high degree of expertise and experience are required. If such contracts up to one unit are reserved for SCs|STs, adequate number of suitable contractors will not be available. As such, it is not considered desirable to reserve contracts equated to one unit for SCs|STs. Contracts up-to half unit constitute bulk of the catering contracts on the Railways and include vending contracts which are more remunerative as compared to Refreshment Rooms etc. Moreover, once a SC/ST contractor enters into the domain of catering vending, he can very well try to increase his holding upto the overall general ceiling of 4 units.

Apart from 1/2 unit contracts, SCs|STs are also given first priority in the award of large contracts i.e. more than 1/2 unit. But it is not possible to reserve such bigger contracts of one or more than one unit only for SCs|STs.

[Ministry of Railways letter No. 78 E(SCT) 45/19 dated 2-6-78]

Recommendation (Sl. No. 27 Para No. 4.22)

The Committee note that preference is given to Scheduled Castes and Scheduled Tribes persons in allotment of land for 'Grow More Food' purposes on the North Eastern Railway. The Committee

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would, however like that information with regard to number of applications from Scheduled Caste and Scheduled Tribe persons pending with the North Eastern Railway authorities for allotment of such land and the reasons for not allotting the same to them, may be collected and furnished to the Committee.

In the end, the Committee would desire that the General Manager, North Eastern Railway should issue instructions to ensure that Scheduled Caste and Scheduled Tribe persons are given preference in the selection of porters in the Railway Stations.

Reply of the Government

Due preference is given to SC|ST persons in allotment of land for "Grow More Food" on the North Eastern Railway.

As desired by the Committee, the information with regard to the number of applications from SCs|STs pending with the North Eastern Railway for allotment of such land and reasons for not allotting the same is being furnished by the North Eastern Railway separately to the Committee.

As desired by the Committee, necessary instructions will be issued by the North Eastern Railway to give preference to Sch. Caste and Sch. Tribe persons in the selection of porters on Railway Stations.

[Ministry of Railways letter No. 78 E(SCT) 45/19 dated 2-6-78]

Comments of the Committee

The information with regard to the number of applications from Scheduled Castes|Scheduled Tribes pending with, the North Eastern Railway for allotment of land and the reasons for not allotting the same may please be furnished early.

CHAPTER IV

RECOMMENDATIONS|OBSERVATIONS IN RESPECT OF WHICH REPLIES OF GOVERNMENT HAVE NOT BEEN ACCEPTED BY THE COMMITTEE AND WHICH REQUIRES REITERATION.

Recommendation Sl. No. 3. (Para No. 1.18)

The Committee are constrained to observe that the information furnished by the Chief Personnel Officer of the North Eastern Railway about the holding of meetings of Liaison Officers is not correct. From the perusal of the Minutes of one of the meetings held on the 2nd September, 1978 which was furnished to the Committee on their request which indicated that none of the Assistant Personnel Officers who act as Liaison officer in the various Divisions|Workshops attended the said meeting. It is, therefore, very clear that there is apparent contradiction between what was said during the course of evidence and what is corroborated from the minutes. The fact of giving wrong information to the Committee tantamounts to breach of privilege. The Committee, however, do not propose to go into this question but would like to strongly deprecate the attitude of officers concerned. The Committee would strongly suggest that this matter should not only be looked into by the Railway Administration but also action should be taken against the officer concerned for furnishing wrong information to the Committee.

Reply of the Government

The Committee's observations are presumably based on the discussions held with them at the time of oral evidence. The factual position is that the meetings are held by the Chief Liaison Officers with the DPOs|APOs and Reservation Inspectors on N. E. Railway.

Please see Chapter I, Para 1.4.

Recommendation Sl. No. 8 (Para No. 2.17)

The Committee urge that all vacancies should be notified to the local or Regional Employment Exchanges. The total number of

vacancies to be filled or likely to be filled and the number of vacancies reserved for Scheduled Castes and Scheduled Tribes, qualifications prescribed for the posts and the concessions|relaxations permissible in favour of Scheduled Castes and Scheduled Tribes should be clearly mentioned in the requisition sent to the Employment Exchanges. Copies of such notices should also be sent to the Scheduled Caste and Scheduled Tribe M.L.As. and M.Ps and also to the members of the Parliamentary and State Committees on the Welfare of Scheduled Castes and Scheduled Tribes.

Reply of the Government

All recruitment authorities have been directed to send copies of the recruitment notices, indicating the number of vacancies to be filled or likely to be filled, the number of vacancies reserved for SCs/STs and the concessions|relaxations permissible in favour of SCs|STs to the Employment Exchanges located in the areas covered by them. In case adequate number of SCs/STs are not forthcoming in any particular area, copies of recruitment notices are sent to the Employment Exchanges in the adjoining areas so as to attract maximum number of SCs/STs.

The question of supplying copies of all employment notices to local SC|ST M.L.As and M.Ps and also to the Members of the Parliamentary and State Committees on the Welfare of SCs/STs, is not considered desirable by the Minister for Railways.

Please see Chapter I, Para 1.7.

Recommendation Sl. No. 17 (Para No. 2.46)

The Committee need hardly emphasise the desirability of including a Scheduled Caste or Scheduled Tribe Officers on the Departmental Recruitment Committee/Selection Boards constituted by the North Eastern Railway 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 North Eastern Railway a Scheduled Caste|Tribe officer from another Railway or from another Department of the Central|State Government should invariably be associated with such Departmental Recruitment Promotion Committees.

Reply of the Government

As far as possible SC|ST officer of appropriate status is nominated on the Departmental Recruitment Committees/Selection Board. The recommendation of the Committee regarding appointment of SC|ST officers from other Railways or Central|State Departments is not found workable.

Please see Chapter I, Para 1.10.

NEW DELHI;
17th January, 1981
27th Pausa 1902 (S)

M. Bhole
(R. R. BHOLE)
Chairman,

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

APPENDIX

(Vide Para 4 of Introduction)

I. Total Number of recommendations-	. 27
II. Recommendations which have been accepted by Government (Vide recommendations Sl. Nos. 5, 9, 11, 13, 14, 18, 21, 22, 23, 26)
Number	. 10
Percentage to total	. 37.00
III. Recommendations which the Committee do not desire to pursue in view of Government's replies (vide recommendations Sl. Nos. 1, 2, 4, 6, 7, 10, 12, 15, 16, 19, 20, 24, 25, & 27)
Number	. 14
Percentage to total	. 51.85
IV. Recommendations in respect of which replies of Government have not been accepted and which requires reiteration (vide recommendations Sl. Nos. 3, 8, & 17)
Number	. 3
Percentage to total	. 11.15