

**COMMITTEE ON THE WELFARE
OF SCHEDULED CASTES AND
SCHEDULED TRIBES
(1981-82)**

(SEVENTH LOK SABHA)

EIGHTEENTH REPORT

MINISTRY OF RAILWAYS (RAILWAY BOARD)

Action taken by Government on the recommendations contained in the Twelfth Report of the Committee on the Welfare of Scheduled Castes and Scheduled Tribes (Seventh Lok Sabha) on the Ministry of Railways (Railway Board)—Reservations for, and Employment of, Scheduled Castes and Scheduled Tribes in Central Railway and award of petty contracts, parcel booking agencies and out agencies to Scheduled Castes and Scheduled Tribes in Central Railway.

Presented to Lok Sabha on 27 APR 1982

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Corrigenda

to

The Eighteenth Report of the Committee on the Welfare of Scheduled Castes and Scheduled Tribes (Seventh Lok Sabha).

| <u>Page</u> | <u>Line</u> | <u>Corrigenda</u> |
|-------------|-------------|--|
| 7 | 18 | <u>For</u> 'regard' <u>read</u> regional' |
| 7 | 2 | <u>Delete</u> 'Comments of the Committee' |
| 9 | 27 | <u>For</u> '20.12.1981' <u>read</u> '20.10.1981' |
| 9 | 34 | <u>For</u> '8' <u>read</u> '9' |
| 10 | 4 | <u>For</u> 'etd' <u>read</u> 'etc' |
| 11 | 1 | <u>For</u> '230' <u>read</u> '2.30' |
| 11 | 22 | <u>Delete</u> 'that' |
| 14 | 3 | <u>For</u> 'Tribes' <u>read</u> 'Tribe' |
| 14 | 14 | <u>For</u> 'per' <u>read</u> 'par' |
| 14 | 16 | <u>For</u> 'candidates' <u>read</u> 'candidates' |
| 15 | 6 | <u>For</u> 'analyses' <u>read</u> 'analysis' |
| 20 | 25 | <u>For</u> '22' <u>read</u> '23' |
| 21 | 8 | <u>For</u> 'tendered' <u>read</u> 'tenderer' |

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

1981-82

Shri R. R. BHOLE—Chairman

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* Elected on 15th September, 1981 vice Shri K. Rajamallu who resigned from the Committee w.e.f. 7th September, 1981.

** Ceased to be Member of the Committee consequent on his appointment as Deputy Minister w.e.f. 15th January, 1982.

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SECRETARIAT

1. Dr. D. N. Gadhok - Chief Legislative Committee Officer.
2. 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 Eighteenth Report (Seventh Lok Sabha) on Action Taken by Government on the recommendations contained in the Twelfth Report (Seventh Lok Sabha) on the Ministry of Railways (Railway Board)—Reservations for, and employment of, Scheduled Castes and Scheduled Tribes in the Central Railway and award of petty contracts, parcel booking agencies and out-agencies to Scheduled Castes and Scheduled Tribes in Central Railway.

2. The Draft Report was considered and adopted by the Committee at their sitting held on 1st February, 1982.

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

I. Report

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

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

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

4. An analysis of the action taken by Government on the recommendations contained in the Twelfth Report (Seventh Lok Sabha) of the Committee is given in Appendix. It would be observed therefrom that out of twenty-three recommendations made by the Committee in the Twelfth Report nineteen recommendations i.e. 82.6 per cent have been accepted by Government; and four recommendations i.e. 17.4 per cent, in respect of which replies of Government have not been accepted by the Committee require reiteration.

NEW DELHI;
March, 15, 1982

Phalgun, 24, 1903 (Saka)

R. R. BHOLE
Chairman
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/observations contained in the Twelfth Report (Seventh Lok Sabha) on the Ministry of Railways (Railway Board)—Reservations for, and employment of, Scheduled Castes and Scheduled Tribes in Central Railway and award of Petty Contracts and Parcel Booking agencies and out-agencies to Scheduled Castes and Scheduled Tribes in Central Railway.

1.2 In para 11.2 of their Twelfth Report, the Committee had observed that a large number of posts had been kept outside the purview of the Reservation Orders in favour of Scheduled Castes and Scheduled Tribes in the Central Railway. The Committee expressed concern why reservation orders had not been made applicable to those posts and desired that the Ministry of Railways (Railway Board) should review the whole policy of making reservation orders applicable *in toto* to all the posts in the Railways in consultation with the Department of Personnel and Administrative Reforms. The Committee stressed that they were in principle opposed to any category of posts being exempted from the purview of reservations.

1.3 In their reply dated the 20th October, 1981, the Ministry of Railways have stated that the matter has since been examined in consultation with the Department of Personnel and Administrative Reforms who have advised that there has been no change in the policy in regard to exemption of certain categories of posts from the application of reservation rules. It is further stated that the instructions issued by the Department of Personnel and Administrative Reforms *vide* their O.M. No. 36012/7/77-Estt. (SCT) dated 21-1-1978 that while selecting persons for posts to be filled by deputation or transfer, it should be ensured that a fair proportion of such posts are filled in by employees belonging to Scheduled Castes and Scheduled Tribes, have already been adopted on the Railways.

1.4 The Committee do not agree with the reply of Government. The Committee reiterate their earlier recommendation that the whole policy of reservations and to make reservations applicable *in toto* to all the categories of posts in Railways should be reviewed in consultation with the Department of Personnel and Administrative Reforms and such a review should be undertaken expeditiously.

1.5 In para 2.41 of their Report, the Committee had observed that a large number of reserved vacancies had been de-reserved in various grades during the 1977-78, 1978-79 and 1979-80 and also during the two crash programmes thereby depriving employment to many Scheduled Castes and Scheduled Tribes. The Committee were firmly of the view that vacancies reserved for Scheduled Castes and Scheduled Tribes should in no case be de-reserved.

1.6 In their reply dated the 20th October, 1981, the Ministry of Railways have stated that the method of de-reservation of a reserved vacancy for the purpose of appointing a general candidate against that vacancy is resorted to only when such a course is found to be inescapable i.e. even after allowing the relaxations/concessions wherever applicable/available to Scheduled Caste/Scheduled Tribe candidates and/or even after making special efforts by way of launching Crash Programmes, the Scheduled Caste/Scheduled Tribe candidates do not become available for the vacancies reserved for them. Except in the case of vacancies filled by selection in Group 'B' and in the lowest rung of Group 'A' services, the vacancy de-reserved is carried forward for three subsequent recruitment/promotion years and is treated as lapsed only if it cannot be filled even by exchange between Scheduled Castes and Scheduled Tribes in the third year of carry-forward.

1.7 The Committee do not agree with the reply of the Government that de-reservation of reserved vacancies had been resorted to only when such a course was inescapable. The Committee are in principle opposed to the dereservation of posts reserved for Scheduled Castes/Scheduled Tribes.

1.8 In para 4.31 of their Report the Committee had recommended that all catering/vending contracts up to one unit in all Railways should be awarded to Scheduled Castes and Scheduled Tribes only, as 'half a unit was an uneconomic unit.' The Committee also hoped as assured by the representative of the Central Railway during evidence that the amount of the petty contracts would be raised up to Rs. 10,000/.

1.9 The Ministry of Railways, in their reply dated the 20th October, 1981, have stated that it has not been found feasible to accept the recommendation. The Ministry have clarified that on the entire Indian Railways, out of a total of 5025 contractors, 3520 are holding contracts of 1/2 unit each only. These half unit contracts are economically viable and exclusively reserved for Schedule Castes/Scheduled Tribes.

Regarding contracts of higher unit value, the Ministry have stated that only the mobile catering units (i.e. Pantry/Dining/Kitchen/Buffer Car Services), Refreshments and Restaurants are computed as one Catering Unit

each. Rest of the Catering Establishments viz. Tea Stalls, Fruit Stalls etc. up to 5 vendors in each case are computed as half unit. The Ministry have added that in allotment of contracts of more than half unit valuation, first preference is given to the applicants belonging to Scheduled Castes and Scheduled Tribes.

1.10 In their final reply dated the 16th January, 1982, the Ministry of Railways have stated that the Committee's Recommendation for enhancing the amount of petty contracts to Rs. 10,000/- has been examined but the Ministry of Railways do not consider it prudent to award contracts up to this amount without inviting tenders by giving preference to Scheduled Castes/Scheduled Tribes.

1.11 The Committee should be informed urgently as to how many half unit contracts out of a total of 3520 such contracts are held by persons belonging to Scheduled Caste/Scheduled Tribe community. As regards preference given to Scheduled Caste/Scheduled Tribe applicants in the allotment of contracts of more than half unit, the Ministry of Railways (Railway Board) should furnish figures as to how many such contracts had been allotted to Scheduled Caste/Scheduled Tribe applicants in the Central Railway.

1.12 In para 4.89 of their Report the Committee had noted the present policy of the Central Railway with regard to the allotment of parcel booking agencies and out agencies. They felt that if there were Scheduled Caste and Scheduled Tribe applicants for these agencies they should be given preference, so that they could better their economic condition.

1.13 The Ministry of Railways, in their reply dated the 20th October, 1981, have stated that contracts for City Booking Agencies and Out Agencies for passengers, Goods and Parcels are awarded strictly on commercial considerations as a facility to the travelling and trading public. The City Booking Agencies and Out Agencies function like a station and all rules and regulations contained in the various Tariffs and Commercial Manuals and Circulars issued by a Railway to its stations from time to time are equally applicable to a City Booking Agency or an Out Agency. The running of an Out Agency, also involves, besides a fair knowledge of railway working, a good deal of capital investment mobilisation and management of labour.

These contracts are, therefore, not employment-oriented but are directly connected with the functioning of the Railway. The contract for a City Booking Agency or an Out Agency is awarded through the process of calling competitive tenders, to the lowest satisfactory tenderer after giving wide publicity in the press. However, first preference is given to the State

Road Transport Undertakings if they are willing to operate the City Booking Agency/Out Agency and the rates quoted by them are not unduly as compared to the private operators.

The matter has been re-examined in the light of the Committee's recommendation but it has been found neither feasible nor practicable to give any preference or reserve any percentage in the award of these contracts to the persons belonging to Scheduled Castes/Scheduled Tribes.

1.14 The Committee do not agree with the reply of the Government and reiterate their earlier recommendation that preference should be given to Scheduled Castes/Scheduled Tribes in the allotment of parcel booking agencies and out-agencies so that they could better their economic condition.

CHAPTER II

RECOMMENDATIONS/OBSERVATIONS WHICH HAVE BEEN ACCEPTED BY GOVERNMENT

Recommendation No. 2—Para 1.27

The Committee note that the Chief Personnel Officer in the Central Railway Headquarters has been appointed as the Liaison Officer to periodically inspect each unit and report the progress regarding intake of Scheduled Castes and Scheduled Tribes in the services as per the quota reserved for them to the General Manager. The Committee also note that one of the Joint Director (Establishment) in the Railway Board, whose jurisdiction covers the Central Railway also visits various units of the Railway to keep a watch over the implementation of Reservation orders in favour of Scheduled Castes and Scheduled Tribes. The Committee need hardly stress that the Liaison Officer has to ensure due compliance by the subordinate appointing authorities of the orders and instructions pertaining to the reservation of vacancies in favour of Scheduled Castes and Scheduled Tribes and other benefits admissible to them. The Committee suggest that the inspections by the officers of the Ministry of Railways (Railway Board) should be made more frequently so that inadequacies detected in the functioning of the Cell in the Railways are corrected timely.

Reply of Government

The Committee's suggestion has been noted for compliance.

[Min. of Rlys. (Rly. Board) O.M. No. 80E(SCT)/15/75
dt. 20-10-1981].

Recommendation No. 3—Para No. 1.28

The Committee are perturbed to note that the points brought out by the inspection held in 1980 were similar to the points brought out by the inspection held two years earlier. This clearly indicates that no follow up action is taken on the inspection report. The Committee expect the inspecting authorities to ensure that the deficiencies pointed out by them are properly taken note of so that similar mistakes are not repeated.

Reply of Government

The observation of the Committee has been brought to the notice of the Central Railway Administration with the instructions that the deficiencies pointed out by the Inspecting Authorities are properly taken note of so that similar errors are not repeated and that the responsibility should be fixed for any violation of these instructions. The observation of the Committee has also been noted by the Inspecting Officers of the Reservation Cell of the Ministry of Railways for a more vigorous follow-up.

[Min. of Rlys. (Rly. Board) O.M. No. 80E(SCT)/15/75
dt. 20-10-1981].

Recommendation No. 4—Para No. 2.5

The Committee note that recruitment to Class IV is made by Screening available casual labourers/substitutes in the Central 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 and Scheduled Tribe Officer should always be associated with the Screening Committee to safeguard the interest of Scheduled Castes and Scheduled Tribes. The Committee also desire that while engaging casual labourers 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 Government

Instructions already exist that while nominating committees for screening casual labour/substitutes, and for Recruitment Committees/Selection Boards, every effort should be made to include a SC/ST officer on the Committee. Instructions have also been issued recently that while normally there will be no dearth of SC/ST officers of appropriate status within the department or within the railway itself, for inclusion in the Departmental Promotion Committees either by nomination or by co-option, in case no SC/ST officer is available within the Department or within the railway itself, efforts should be made to find a SC/ST officer of appropriate level from the nearby zonal railway or some other railways or production units. In case a SC/ST officer is still not available, effort should be made to find an officer of an appropriate status from a deptt. other than the railway department. If, in any case, it is not possible to include an SC/ST officer in the P.P.C. whether by nomination or co-option, the reasons for such non-cooption should be recorded in writing. In regard to engagement of casual labourers in the initial stages, the Committee are informed that recruitment of casual

labourers on the railway has been suspended. However, instructions are being issued to the railways to keep the Committee's observations in view whenever recruitment of casual labour is resumed.

[Min. of Rlys. (Rly. Board) O.M. No. 80E(SCT)/15/75
dt. 20-10-1981].

Comments of the Committee

The Committee hope that the existing instructions and also the instructions issued recently for inclusion of Scheduled Castes/Tribe officer in Recruitment Committees/Selection Boards will be followed in letter and spirit. The Committee would also like the Ministry of Railways (Railway Board) to furnish a copy of the instructions issued in regard to recruitment of casual labour.

Recommendation No. 5, Para 2.8

The Committee feel that the present system of advertising vacancies for recruitment through leading national papers, etc. needs to be reviewed. The Scheduled Caste and Scheduled Tribe communities are mostly concentrated in backward and remote areas. In order to reach these communities, advertisements should be issued in regard to languages through regional news papers, radio and T.V.

Recommendation No. 6, Para 2.9

The Committee further suggest that simultaneously with the issue of recruitment advertisements in the Press and requisitions to the Employment Exchanges, the reserved vacancies should also be notified to all the recognised registered Associations/Organisations of Scheduled Castes and Scheduled Tribes and to the Director of Scheduled Castes and Scheduled Tribes, Director of Social Welfare and Commissioner for Scheduled Castes and Scheduled Tribes. Also in the advertisements instead of saying vacant posts for preferably Scheduled Castes/Tribes, it should be said "reserved for Scheduled Castes and Scheduled Tribes."

Reply of Government

The instructions in vogue regarding publicity are being meticulously followed. The Railway Service Commissions are making advertisements in all leading newspapers including regional language papers. Copies of the Employment Notices are also sent to all the Associations of Scheduled Castes/Scheduled Tribes as are recognised for the purpose, Director of Scheduled Castes/Scheduled Tribes Welfare or Director for Social Welfare in the States/Union Territories served by the Railway/Railways concerned,

and also to the employment exchanges situated in the area. Instructions to the Railway Service Commissions already exist for announcement of vacancies reserved for Scheduled Castes/Scheduled Tribes over A.I.R.

Necessary instructions have also been issued to the Railway Service Commissions/Zonal Railways to ensure that in the advertisements it should be clearly indicated that the vacancies are reserved for Scheduled Castes/Scheduled Tribes.

So far advertisement on T.V. is concerned, the matter has been referred to Ministry of Information and Broadcasting and on receipt of communication from that Ministry, further necessary action will be taken.

[Min. of Rlys. (Rly. Board) O.M. No. 80E(SCT)/15/75
date 20-10-1981.]

Comments of the Committee

"The Committee may be informed urgently about the decision taken by the Ministry of Information and Broadcasting regarding the issue of advertisements on Television. The Committee further desire that copies of advertisements should also be sent to local M.Ps and MLAs and to all the Members of the Parliamentary Committee on the Welfare of Scheduled Castes and Scheduled Tribes."

Recommendation No. 7—Para No. 2.16

The Committee regret to note that the Central Railway and the Railway Service Commission has no liaison with IIT and other technical institutions for screening suitable candidates to man various posts in the Railway. The Committee desire that both the Central Railway and Railway Service Commission should have close liaison with IITs and ITIs. Also the Liaison Officer of the Central Railway should have a close liaison with these institutions for the recruitment of Scheduled Castes and Scheduled Tribes in the Skilled and semi-Skilled categories of posts in the Central Railway and its workshops.

Reply of Government

The recommendation is accepted. The Central Railway and the Railway Service Commission, Bombay, have been instructed to implement the recommendation of the Committee.

[Min. of Rlys. (Rly. Board) O.M. No. 80E(SCT)/15/75
dt. 20-10-1981].

Recommendation No. 8—Para No. 2.17**Comments of the Committee**

The Committee are unhappy to learn that the Railway Service Commission takes about 12 to 18 months in finalising the selection for popular categories in Class III posts and about 5 to 7 months for technical and non-technical categories in Central Railway. The Committee would like the Ministry of Railways (Railway Board) to go into the working of the Commission particularly from the angle of further simplifying examination procedure and deploying more staff in the Commission to ensure that the time gap between the date of advertisement and the date of appointment is reduced to the barest minimum.

Reply of Government

The number of applications in response to the employment notices for popular categories runs into lakhs. For dealing with such a large number of applications and to conduct the examinations in centres spread over 5 to 6 States, it is necessary to have adequate staff. However, due to the present financial stringency, it has not been found possible to provide more staff to the Commission. To tide over the problem, the Commission is resorting to the engagement of a large number of Casual Labour. Temporary assistance is also taken from the Central & Western Railways. Apart from this, the regular staff of the Commission are also put on overtime to speed up the work. It has also been decided to simplify the application forms so that less time is spent on their scrutiny and also to introduce objective type of questions which would reduce the time for evaluation of the answer books.

[Ministry of Railways (Railway Board) O.M. No. 80-E (SCT) 15/75
Dated 20-12-1981]

Comments of the Committee

The Committee desire that the Railway Service Commission should make special efforts to reduce the time lag between the date of advertisement and the date of selection. The Committee are of the view that there should be a separate Railway Service Commission to cater to the needs of the Central Railway.

Recommendation No. 8—Para No. 2.19

The Committee note the relaxations and concessions given to the Scheduled Castes and Scheduled Tribes for recruitment in the Central Railway. They feel that if concessions and relaxations are granted genuinely there will be no difficulty in getting required number of Scheduled Castes and Scheduled Tribes for the posts reserved for them.

Reply of Government

By and large, the S.C. candidates are available for vacancies reserved for them in direct recruitment to posts in popular categories like Clerks, Ticket Collectors, ASMs, Guards etc. However, in spite of best efforts, candidates belonging to Scheduled Tribes do not respond to the offer of appointment in adequate number. As the Scheduled Tribes are living in the tribal belts only, and are not evenly spread over all the country, they do not become available at the stations where the vacancies occur. Non-fulfilment of reserved quota is mainly due to the non-availability of eligible and suitable SC/ST candidates. However, to ensure that vigorous efforts are made and no avenues for getting reserved community candidates are left unexplored, greater liaison with the State Govt. Officials has been stressed to all the Railways. They have also been urged to send their representatives to the tribal areas to contact the candidates personally.

[Ministry of Railways (Railway Board) O.M. No. 80-E (SCT) 15/75
dated 20-10-1981]

Recommendation No. 10—Para No. 2.24

The Committee are unhappy to learn that even though a special cell exists in the Ministry of Railways (Railway Board) and there is a Special Cell at the Headquarters of Central Railway, to ensure timely and proper implementation of reservation orders, the roster registers have not been maintained properly. The Committee attach great importance to the proper maintenance of rosters and need hardly point out that the rosters are the basic documents on the basis of which filling up of vacancies by Scheduled Castes and Scheduled Tribes are to be determined. They, therefore, feel that the Liaison Officers and those who man the cells should be made to realise their responsibilities. It should be impressed upon them that to avoid any injustice to the Scheduled Castes and Scheduled Tribe communities it is essential that the roster registers etc. are maintained properly.

Reply of Government

The Central Railway Administration have been instructed to increase the periodicity of inspection of the roster registers maintained by the various units. In particular, it has been emphasised upon them to ensure that the Sr. Personnel Officer (RP) at the Headquarters of the Railway should devote adequate time for inspection of communal rosters and that he should also make effective utilisation of the Inspectors attached to him for regular checking up of communal rosters.

[Ministry of Railways (Railway Board) O.M. No. 80-E (SCT) 15/75
Dated 20-12-1981.]

Recommendation No. 11—Para No. 230

The Committee feel that when the Supreme Court has not issued any stay order during the pendency of the second writ petition before them, the Railway authorities, on the basis of judgement given by the Supreme Court on the writ petition of the Akhil Bhartiya Sangh, should have immediately resorted to the application of reservation orders in promotions as per roster system. The Committee apprehend that great imbalance may have been created during the pendency of the first writ petition. They, therefore, recommend that a Crash Programme would immediately be undertaken to fill up the gap as early as possible.

Reply of Government

After the vacation of stay orders by the Supreme Court, necessary instructions were issued to the Zonal Railways to implement the reservation rules for SCs/STs treating all promotions as provisional subject to result of the writ petition in accordance with the orders of the Court. A Crash Programme has also been launched for a period of six months from 1-4-81 to 30-9-81 to wipe out the shortfalls in recruitment/promotion of SCs/STs in group 'C' and 'D' services.

[Ministry of Railways (Railway Board) O.M. No. 80-E (SCT) 15/75
Dated 20-10-1981.]

Comments of the Committee

"The Committee should be informed that about the result of the crash programme launched for the recruitment of Scheduled Castes/Scheduled Tribes from 1-4-1981 to 30-9-1981 and any other crash programmes held thereafter. The Ministry of Railways (Railway Board) may also furnish a copy of the instructions issued to the Zonal Railways to implement the reservation rules after the vacation of stay orders by the Supreme Court."

Recommendation No. 12—Para No. 237

The Committee hope that the Ministry of Home Affairs and the Railway authorities while filling up posts of Chief Security Officers and Vigilance Inspectors keep in view the claims of Scheduled Castes and Scheduled Tribe candidates to these posts as per extant orders on the subject and consider suitable candidates available from these communities for appointing as Chief Security Officers and Vigilance Inspectors.

Reply of Government

Noted. The Committee's observations regarding Chief Security Officers have also been brought to the notice of the Ministry of Home Affairs.

[Ministry of Railways (Railway Board) O.M. No. 80-E (SCT) 15/75
Dated: 20-10-1981.]

Comments of the Committee

"The Committee would like to be apprised of the action taken by the Central Railway and the Ministry of Home Affairs in regard to appointment of Scheduled Castes/Scheduled Tribes Security Officers and Vigilance Inspectors."

Recommendation No. 14—Para No. 2.45

The Committee would like the Ministry of Railways (Railway Board) to direct all the Railways to associate Scheduled Castes and Scheduled Tribes Officers with all the Departmental Recruitment Committees/Selection Boards to instil confidence among the candidates belonging to these communities and also to avoid any cause of complaint of injustice to Scheduled Castes/Scheduled Tribes at a later stage.

Reply of Government

Instructions already exist that while nominating Committees for screening casual labour/substitutes and Recruitment Committees/Selection Boards, every effort should be made to include a Scheduled Caste/Scheduled Tribe Officer on the Committee. Instructions have also been issued recently that while normally there will be no dearth of Scheduled Caste/Scheduled Tribe Officers of appropriate status within the department or within the Railway itself, for inclusion in the Departmental Promotion Committees either by nomination or by co-option, in case no Scheduled Caste/Scheduled Tribe Officer is available within the department, or within the Railway itself, efforts should be made to find out one Scheduled Caste/Scheduled Tribe Officer of appropriate level from the nearby Zonal Railway or some other Railways or production units. In case a Scheduled Caste/Scheduled Tribe Officer is still not available, effort should be made to find an officer of an appropriate status from a department other than the Railway department.

[Ministry of Railways (Railway Board) O.M. No. 80-E (SCT) 15/75
Dated 20-10-1981.]

Recommendation No. 15—Para No. 2.51

The Committee hope that the percentage of recruitment of Scheduled Castes and Scheduled Tribes as casual labour will be kept up as was stated to be on 31-12-1980. They also desire that the Scheduled Castes and Scheduled Tribes casual labours should be employed as far, as possible near to their homes so that their family life is not disrupted.

Reply of Government

Prescribed percentages will continue to be observed. Casual Labour whose employment is seasonal, intermittent, sporadic or extends over short periods is normally recruited from the nearest available source. They are also not ordinarily liable to transfer and the conditions applicable to regular staff do not apply to Casual Labour. Casual Labour are therefore, always kept near to their homes.

[Ministry of Railways (Railway Board) O.M. No. 80-E (SCT) 15/75
Dated 20-10-1981.]

Recommendation No. 16—Para No. 2.55

The Committee hope that before exchange of vacancies reserved for ~~V~~ Scheduled Castes and Scheduled Tribes takes place, all efforts are made to fill the vacancies by the candidates of a community for whom they are reserved, so that any cause of complaint from any community is obviated.

Reply of Government

Before exchange of reserved vacancies amongst Scheduled Castes and Scheduled Tribes takes place, all efforts are made to fill the vacancies by the candidates of the communities for whom they are reserved.

[Ministry of Railways (Railway Board) O.M. No. 80-E (SCT) 15/75
dated 20-10-1981.]

Recommendation No. 17—Para No. 3.10

The Committee are perturbed to note that the shortfalls in recruitment and promotional categories could not be completely wiped out even after two Crash Programmes. On 31st December, 1980, in Class III posts there was shortfall of 28 Scheduled Castes and 95 Scheduled Tribes whereas, in class IV posts shortfall was 325 so far as Scheduled Tribes were concerned. The Committee feel that the Central Railway will have to make more concerted efforts to wipe out the shortfalls. For the recruitment of Scheduled Tribes, the Committee suggest that recruitment Teams should be sent to the areas where Scheduled Tribes are concentrated. Also help of State Directors of Social Welfare/Tribal Welfare should be sought in the matter.

Reply of Government

The recommendation has been brought to the specific notice of the Central Railway Administration for compliance.

[Ministry of Railways (Railway Board) O.M. No. 80-E (SCT) 15/75
Dated 20-10-1981.]

Comments of the Committee

“The Committee would like to be apprised of the number of Scheduled Caste/Scheduled Tribes recruited by Central Railway after the presentation of Twelfth Report to Lok Sabha/Rajya Sabha.”

Recommendation No. 18—Para No. 3.17

The Committee note that the Central Railway has a scheme for imparting training to Scheduled Caste/Tribe candidates who are within the zone of consideration for selection to higher grades. Also re-orientation courses are being arranged to enable the employees belonging to these communities to pass various departmental examinations. The Committee trust that the intake of Scheduled Caste/Tribe candidates to these training schemes will be adequately raised so that a greater number of Scheduled Caste/Tribe employees can take advantage of these schemes to come at par with other employees.

Reply of Government

All candidates belonging to Scheduled Castes and Scheduled Tribes who are within the zone of consideration for promotion in terms of extant orders are given pre-promotion training.

[Ministry of Railways (Railway Board) O.M. No. 80-E (SCT) 15/75
Dated 20-10-1981].

Recommendation No. 19—Para No. 3.21

The Committee note that annual return showing recruitments/promotion in regard to intake of Scheduled Castes and Scheduled Tribes is sent to the Railway Board by the Central Railway. The Central Railway also sends half-yearly statements in regard to the number of posts filled by promotion in class III and Class IV.

The Committee urge that the Ministry of Railways (Railway Board) should stress for timely submission of statements/returns and on receipt they should be properly analysed. Deficiencies found in these returns should be immediately brought to the notice of the concerned Railway so that remedial measures, wherever necessary, are initiated without any loss of time.

Reply of Government

The need for timely submission of the half-yearly returns which are required for preparation of “half-yearly report on the progress made in

the intake of SCs/STs against the vacancies reserved for them in recruitment and promotion categories on the Railways" which is presented to the Parliament has been impressed upon the zonal Railways/Production units. Steps have also been taken to have proper analysis of the returns and bring to the notice of the concerned Railway the deficiencies that are noticed as a result of such analyses.

[Ministry of Railways (Railway Board) O.M. No. 80-E (SCT) 15/75
Dated 20-10-1981].

Recommendation No. 20—Para No. 4.10

The Committee note that in Central Railway complaint registers are maintained for registering complaints/grievances of Scheduled Castes and Scheduled Tribes employees. These registers are periodically checked by Personnel Welfare Inspectors and Personnel Officers of the Divisions/Workshops. The registers are also checked by the Senior Personnel Officer and Personnel Inspectors from the Headquarters office. The Committee also note that no complaint has been pending for more than a year. The Committee are, however, perturbed to note that the number of complaints received during the half year ending 30th September, 1979 was 169 from Scheduled Castes and 39 from Scheduled Tribes. During the half year ending 31st March 1980, Complaints received from Scheduled Castes are 197 and from Scheduled Tribes 39. Majority of the complaints related to promotions. No doubt, it is necessary to have a proper system of receiving/registering complaints and disposing them expeditiously, but it is all the more necessary to instil confidence in the employees belonging to weaker section of society, towards the administration so that there are less number of complaints.

Reply of Government

The Committee's recommendations have been noted for compliance. Appropriate instructions have been issued to the Central Railway.

[Ministry of Railways (Railway Board) O.M. No. 80-E (SCT) 15/75
Dated 20-10-1981].

Recommendation No. 21—Para No. 4.20

The Committee note that under the Apprentices Act, 1961, it is obligatory on the part of employers of the specified industries to train certain number of personnel. The Committee hope that, in future all training places

in the designated trades in the Central Railway, 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 Government

The Committee's recommendations will be kept in view while engaging apprentices in future.

[Ministry of Railways (Railway Board) O.M. No. 80-E (SCT) 15/75
Dated 20-10-1981].

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 REITERATION

Recommendation No. 1—Para No. 1.12

The Committee are perturbed to note that inspite of their observations in para 1.11 of their 21st Report (Sixth Lok Sabha) that they are in principle opposed to any category of posts being exempted from the purview of reservation, a number of categories of posts in the Central Railway have been kept outside the purview of reservation orders in favour of Scheduled Castes and Scheduled Tribes. The Committee in their 21st Report (Sixth Lok Sabha) and 1st Report (Seventh Lok Sabha) have already suggested that "the whole policy of reservations and to make reservation applicable *in toto* to all the categories of posts in Railways should be reviewed in consultation with the Department of Personnel and Administrative Reforms". They hope this review would be undertaken soon so as to extend reservation to all categories of posts.

Reply of Government

The recommendation was referred to the Department of Personnel and Administrative Reforms for consideration. The Department has advised that there has been no change in the policy of the Government with regard to exemption of certain categories of posts and vacancies from the application of reservation rules.

The instructions issued by the Department of Personnel & Administrative Reforms *vide* their O.M. No. 36012/7/77-Estt. (SCT) dated 21-1-1978 that while selecting persons for posts to be filled by deputation or transfer, it should be ensured that a fair proportion of such posts are filled in by employees belonging to Scheduled Castes and Scheduled Tribes, have already been adopted on the Railways.

[Ministry of Railways (Railway Board) O.M. No. 80-E (SCT) 15/75
Dated 20-10-1981.]

Comments of the Committee

(Please see Chapter I Para 1.4)

Recommendation No. 13 (Para No. 2.41)

The Committee are unhappy to note that a large number of reserved vacancies have been de-reserved in various grades during the last three years and also during the two Crash Programmes. The Committee are strongly of the opinion that no vacancies reserved for Scheduled Castes and Scheduled Tribes should be de-reserved.

Reply of Government

The method of de-reservation of a reserved vacancy for the purpose of appointing a general candidate against that vacancy is resorted to only when such a course is found to be inescapable i.e. even after allowing the relaxations/concessions wherever applicable/available to Scheduled Castes/Scheduled Tribes candidates and/or even after taking special efforts by way of launching Crash Programmes, the SC/ST candidates do not become available for the vacancies reserved for them. Except in the case of vacancies filled by selection in Group 'B' and in the lowest rung of Group 'A' services, the vacancy de-reserved is carried forward for three subsequent recruitment/promotion years and is treated as lapsed only if it cannot be filled even by exchange between Scheduled Castes and Scheduled Tribes in the third year of carry-forward.

[Ministry of Railways (Railway Board) O.M. No. 80E(SCT)15/75
dated 20-10-1981.]

Comments of the Committee

(Please see Chapter I Para 1.7.)

Recommendation No. 22—Para No. 4.31

The Committee have, in their 41st Report (6th Lok Sabha) on North Eastern Railway, recommended that all catering vending contracts upto one unit in all Railways should be awarded to Scheduled Castes and Scheduled Tribes only, as half a unit was an uneconomic unit. They expect that all such contracts upto one unit on the Central Railway will be awarded to Scheduled Castes and Scheduled Tribes only. As assured by representative of the Central Railway during evidence, the Committee hope that the amount of the petty contracts will also be raised up to Rs. 10,000/-.

Reply of Government

The recommendation of the Committee has been examined but it has not been found feasible to accept it.

In this connection, it may be mentioned that on the entire Indian Railways, out of a total of 5025 contractors, 3520 are holding contracts of half units each only. These half unit contracts are economically viable and exclusively reserved for Scheduled Castes/Scheduled Tribes.

Regarding contracts of higher unit value, it may be mentioned that only the mobile catering units (i.e. Pantry/Dining/Kitchen/Buffer Car services), Refreshments and Restaurants are computed as one Catering unit each. Rest of the Catering Establishments viz. Tea Stalls, Fruit Stalls etc. upto 5 vendors in each case are computed as half units. It may also be mentioned that in allotment of contracts of more than half unit valuation, first preference is given to the applicants belonging to Scheduled Castes and Scheduled Tribes.

The Committee's recommendation for enhancing the amount of the petty contracts to Rs. 10,000/- is under consideration.

[Ministry of Railways (Railway Board) O.M. No. 80E(SCT)15/75
Dated 20-10-1981.]

Final Reply of Government

The Committee's recommendation for enhancing the amount of petty contract to Rs. 10,000/-has been examined but the Ministry of Railways do not consider it prudent to award contracts upto this amount without inviting tenders by giving preference to SCs/STs.

[Ministry of Railways (Railway Board) O.M. No. 80E(SCT)15/75
dated 16-1-1982.]

For Comments please see Chapter I Para 1.11.

Recommendation No. 22 —Para No. 4.31

The Committee note the present policy of the Central Railway with regard to the allotment of Parcel Booking Agencies and Out Agencies. They feel that if there are Scheduled Castes and Scheduled Tribes applications for these agencies they should be given preference, so that they could better their economic condition.

Reply of Government

Contracts for City Booking Agencies and Out Agencies for passengers, Goods and Parcels are awarded strictly on commercial considerations as a facility to the travelling and trading public. The City Booking Agencies and Out Agencies function like a station and all rules and regulations contained in the various Tariffs and Commercial Manuals and Circulars issued by a

Railway to its station from time to time are equally applicable to a City Booking Agency or an Out Agency. The running of an Out Agency, also involves, besides a fair knowledge of railway working a good deal of capital investment mobilisation and management of labour.

These contracts are, therefore, not employment-oriented but are directly connected with the functioning of the Railway. The contract for a City Booking Agency or an Out Agency is awarded through the process of calling competitive tenders, to the lowest satisfactory tendered after giving wide publicity in the press. However, first preference is given to the State Road Transport Undertakings if they are willing to operate the City Booking Agency/Out Agency and the rates quoted by them are not unduly high as compared to the private operators.

The matter has been re-examined in the light of the Committee's recommendation but it has been found neither feasible nor practicable to give any preference or reserve any percentage in the award of these contracts to the persons belonging to Scheduled Castes/Scheduled Tribes.

[Ministry of Railways (Railway Board) O.M. No. 80E(SCT)15/75
Dated 20-10-1981.]

Comments of the Committee

Please see Chapter I Para 1.14.

NEW DELHI;

March 15, 1982

Phalgun 24, 1903 (Saka)

R. R. BHOLE
Chairman,

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

APPENDIX

Analysis of the Action Taken by the Government Recommendations contained in the
Twelfth Report of the Committee. -----

| | Pages |
|--|-------|
| 1. Total number of recommendations | 23 |
| 2. Recommendations which have been accepted by Government (<i>vide</i> Recommendations at Sl. Nos. 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, and 21 : | |
| Number | 19 |
| Percentage to total | 82.6 |
| 3. Recommendations in respect of which final replies of Government have not been accepted by Committee and which require reiteration (<i>vide</i> Recommendations at Sl. Nos. 1, 13, 22 and 23) | |
| Number | 4 |
| Percentage to total | 17.4 |