

**COMMITTEE - ON THE WELFARE
OF SCHEDULED CASTES AND
SCHEDULED TRIBES
(1982—83)**

(SEVENTH LOK SABHA)
THIRTY-SECOND REPORT
MINISTRY OF RAILWAYS
(RAILWAY BOARD)

Action Taken by Government on the recommendations contained in the Twentieth 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 Southern Railway.

Presented to Lok Sabha on . . . 18-5 Apr 1983
Laid in the Rajya Sabha on



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(1982-83) (Seventh Lok Sabha).

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COMMITTEE ON THE WELFARE OF
SCHEDULED CASTES AND
SCHEDULED TRIBES
(1982-83)

Shri A. C. Das—*Chairman*

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1. Shri H. G. Paranjpe—*Joint Secretary*
2. Shri D. C. Pande—*Chief Legislative Committee Officer*
3. Shri P. C. Chaudhry—*Senior Legislative Committee Officer*

INTRODUCTION

1, the Chairman, Committee on the Welfare of Scheduled Castes and Scheduled Tribes having been authorised by the Committee to submit the Report on their behalf, present this Thirty-Second Report (Seventh Lok Sabha) on Action Taken by Government on the recommendations contained in the Twentieth Report (Seventh Lok Sabha) on the Ministry of Railways (Railway Board)—Reservations for, and employment of, Scheduled Castes and Scheduled Tribes in Southern Railway.

2. The Draft Report was considered and adopted by the Committee at their sitting held on 2nd March, 1983.

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.

V. Recommendations/Observations on which Final Replies of Government have not been received.

4. An analysis of the action taken by Government on the recommendations contained in Twentieth Report (Seventh Lok Sabha) of the Committee is given in Appendix-III. It would be observed therefrom that out of twenty-one recommendations in the Report 12 recommendations i.e. 57·3 per cent have been accepted by Government; the Committee do not desire to pursue one recommendation *i. e.* 4·6 per cent, in view of the Government replies; five recommendations *i.e.* 23·7 per cent, in respect of which Replies of

(vi)

Government have not been accepted by the Committee require reiteration and three recommendations *i. e.* 14·4 per cent, in respect of which final replies of Government have not been received.

NEW DELHI;

A. C. DAS,
Chairman,

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

18th March 1983

27th Phalgun 1904 (S)

CHAPTER I

REPORT

This Report of the Committee deals with the Action Taken by Government on the recommendations/observations contained in the Twentieth Report (Seventh Lok Sabha) on the Ministry of Railways (Railway Board)—Reservations for, and employment of, Scheduled Castes and Scheduled Tribes in Southern Railway.

1.2 In para 1.13 of their Twentieth Report the Committee had observed that Reservation orders were not made applicable to posts in vigilance organisation and other tenure posts. The Committee had recommended that the reservation orders should apply to these posts and desired the Ministry of Railways (Railway Board) to review the whole policy of making reservation orders applicable *in toto* all the posts in the Railways and its workshops in consultation with the Department of Personnel and Administrative Reforms.

The Committee also wanted to know the specific rule or authority to the effect that reservation rules are not applicable to the posts of vigilance Inspectors and other tenure posts.

1.3 In their reply dated 19th February, 1983 the Ministry of Railways (Railway Board) have stated that the recommendation was referred to the Department of Personnel and Administrative Reforms for consideration. That 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.

A copy of the advice tendered by the Department of Personnel and Administrative Reforms vide their O. M. No. 3622/2/81-Estt. (SCT) dated 27-7-1981 is at Appendix-I.

1.4 The Committee are not satisfied with the reply of the Government and reiterate their earlier recommendation. The Committee see no reason why reservation orders should not be made applicable to posts of Vigilance Inspectors and other tenure posts in the Railways.

1.5 In para 2.4 of their Report the Committee had observed that on the Southern Railway, the recruitment made during 1978-79, 1979-80 and 1980-81 in Groups 'C' and 'D' indicated that there were shortfalls even in non-technical categories of posts and had recommended that special recruitment should be made to wipe out the shortfalls in Groups 'C' and 'D'. In reply, Ministry of Railways had stated that during the last crash Programme

ended on 31-12-81 shortfall in the recruitment categories in Group 'C' and 'D' has been made good leaving a balance of 27 reserved vacancies for STs. In promotional categories there was a shortfall of 616 SCs and 2903 STs in respect of Group 'C' and 'D' categories of which 288 SCs and 737 STs have been promoted.

The Committee enquired about the procedure followed for promotion in Group 'D' as normally there is direct recruitment in that group.

1.6 In their reply dated the 19th February, 1983, the Ministry of Railways (Railway Board) have stated that vacancies in lowest rung of Group 'D' service are only filled by direct recruitment from the open market by the workshops and by empanelment of casual labourers in the open line. In the event of Scheduled Caste/Scheduled Tribe casual labourers not being available for empanelment against reserved quota, direct recruitment is resorted to from the open market to fill the quota in the open line also.

The break up of 288 Scheduled Caste and 737 Scheduled Tribe in Groups 'C' and 'D' is as under :—

	SC	ST
Group 'C'	204	524
Group 'D'	24	213
	288	737

1.7 The Committee do not accept the reply of the Government as they are not convinced that suitable Scheduled Caste/Scheduled Tribe candidates are not available for promotion even in Group 'D' posts. The Committee, therefore, recommend that all posts in Group 'D' in different cadres should be filled up by direct recruitment only to get over the difficulty of non-availability of suitable Scheduled Caste/Scheduled Tribe candidates in the feeder cadre.

1.8 In para 2.45 of their Report the Committee had observed that a large number of promotional vacancies in Group C and D had been dereserved by the Southern Railway, during the years 1978-79, 1979-80 and 1980-81. The Committee felt that dereservation should be resorted to only when it was absolutely necessary and all efforts including special recruitment to locate suitable Scheduled Caste/Scheduled Tribe candidates had failed after holding special recruitment.

1.9 In their reply dated the 5th November, 1982, the Ministry of Railways (Railway Board) have stated that dereservation is resorted to only after exhausting all ways and means to get suitable Scheduled Caste/Scheduled Tribe employees for each post and when it is absolutely essential in the interest of service to fill the reserved vacancies by others. The number of vacancies dereserved related to promotional categories in which there was no element of direct recruitment.

1.10 The Committee do not accept reply of the Government that the number of vacancies dereserved mentioned in the recommendation relate to promotional categories. A large number of vacancies had been dereserved in Group 'D' where there is normally direct recruitment. As such, the Committee reiterate their earlier recommendation that dereservation should be resorted to only when it is absolutely necessary and all efforts including special recruitment have failed to fill the reserved vacancies.

1.11 In para 3.11 of their Report, the Committee had observed that as on 31st March, 1981, there was shortfall of 4014 Scheduled Castes/Scheduled Tribes in Groups C and D posts and the shortfall existed even in non-technical categories like commercial clerk, office clerk and ticket collector etc. The Committee had recommended that a Committee of senior officers drawn from Railway Board and the Southern Railway should be asked to analyse the strategy and achievements of the Crash Recruitment Programme launched in 1981 and earlier and to lay down guidelines for removing the shortfalls in a planned manner.

1.12 In their reply dated the 5th November, 1982 the Ministry of Railways (Railway Board) have stated that the short fall in recruitment categories in Group 'C' and 'D' has been made good except 27 reserved for Scheduled Tribes. So far as promotional vacancies are concerned, there was a shortfall of 616 Scheduled Caste and 2903 Scheduled Tribe in respect of Group 'C' and 'D' categories of which 288 Scheduled Caste and 737 Scheduled Tribe have been promoted.

The shortfall in the promotional categories could not be made good mainly due to the following reasons :—

- (i) non-availability of the reserved community candidates in the feeder categories.
- (ii) Not more than 50% of the vacancies in a year can be filled by reserved community candidates as per the judgment of the Supreme Court.

1.13 The Committee further desired to have the details of the feeder categories in which there was non-availability of suitable candidates.

1.14 In their reply dated 19th February, 1983, the Ministry of Railways (Railway Board) have furnished a list of feeder cadres in which reserved community candidates were not available (Appendix-II.)

The number of reserved vacancies that could not be filled up as per the judgment of the Supreme Court imposing 50% limit is as under :—

	SC	ST
Group 'C'	14	51
Group 'D'	6	26

1.15 The Committee do not accept the reply of the Government that there are shortfalls in Group 'C' and 'D' on account of non-availability of reserved community candidates in the feeder categories. The Committee note that certain promotional posts mentioned in the list which has been furnished to the Committee fall in group 'B' and not in Group 'C'. As such, the data is not wholly relevant. The Committee thus reiterate their earlier recommendation that a Committee of senior officers, drawn from the Railway Board and the Southern Railway should be asked to analyse the strategy and achievements of the Crash Recruitment Programme launched in 1981 and earlier and to lay down guidelines for removing the shortfalls in a planned manner.

1.16 In para 4.25 of their Report, the Committee had observed that out of 14 petty contracts given on the Southern Railway during 1978-79 only 4 such contracts could be awarded to persons belonging to SC and ST and the remaining 10 petty contracts were given to other community applicants. The Committee further desired to know whether 14 petty contracts given on the Southern Railway during 1978-79 were advertised exclusively for SC/ST candidates and whether copies of advertisements were sent to any SC/ST Associations or local MPs/MLAs belonging to Scheduled Caste/Scheduled Tribe.

1.17 In their reply dated the 19th February, 1983, the Ministry of Railways (Railway Board) have stated that the 14 petty contracts given during the year 1978-79 were not advertised exclusively for SC/ST candidates. Copies of advertisements were also not sent to any SC/ST Associations or local MPs/MLAs belonging to Scheduled Castes/Scheduled Tribes. The detailed procedure to be followed in respect of calling of applications exclusively from SC/ST persons in respect of award of petty contracts upto 1/2 units and sending a copy of the said notice/advertisement to the local MPs/MLAs for information was communicated to the Zonal Railways only during the year 1981 and the Southern Railway sent those instructions to the Divisions in March, 1981 for compliance.

1.18 The Committee do not accept the reply of Government as they do not feel convinced that there were only 4 persons belonging to Scheduled Caste/Scheduled Tribe who were interested in the award of petty contracts during 1978-79 out of a total of 14 such contracts awarded during that year. The Committee recommend that Ministry of Railways should also provide reservation for Scheduled Castes/Tribes in all catering contracts of more than half units.

CHAPTER II

RECOMMENDATIONS/OBSERVATIONS WHICH HAVE BEEN ACCEPTED BY GOVERNMENT

Recommendation No. 2 (Para 1·26)

The Committee note that the Special Cell in the Ministry of Railways keeps a watch over the implementation of the Reservation Orders for Scheduled Castes and Scheduled Tribes on the Railways by means of inspections conducted by the two Joint Directors alongwith their inspectors of the various Railway establishments.

Reply of Government

No remarks.

[Ministry of Railways (Railway Board) O. M. No. 82-E (SCT) 80/1/
S. Rly dated 5-11-82]

Recommendation No. 3 (Para 1·27)

The Committee also note that the Southern Railway hold periodical meetings of the Liaison Officers at the Zonal Headquarters to discuss problems relating to the implementation of reservation orders in favour of Scheduled Castes/Scheduled Tribes.

Reply of Government

No remarks.

[Ministry of Railways (Railway Board) O.M. No. 82-E (SCT)80/V
S. Rly. dated 5-11-1982].

Recommendation No. 4 (Para 1·28)

The Committee are not however, happy that during 1979 there was only one inspection of Southern Railway by the Joint Director while in 1980 there were two such inspections by the Inspector but none by the Joint Director. The Committee recommend that the Zonal Railways should be inspected minimum twice a year and at least one inspection should be done by the Joint Director himself. The Committee need hardly stress that the importance of inspection by senior officers, as they feel that as inspection can only have an impact if it is conducted by an officer by a sufficiently high level. Since the Special Cell of Railway Board is meant for reservation work it should not be difficult for the two

Joint Directors to inspect the Zonal Railway at least once in a year personally.

Reply of Government

Noted.

[Ministry of Railways (Railway Board) O.M. No. 82-E(SCT)/80/1/S. Rly. dated 5-11-1982].

Recommendation No. 8 (Para 2·10)

The Committee note that against the employment notices issued in January 1981, the response from the Scheduled Caste/Scheduled Tribe applicants had been very poor. Consequently another supplementary employment notice had to be issued in September, 1981 to fill the reserved vacancies. The Committee desire that the Southern Railway should draw up a complete dossier on the relaxations/ concessions available to Scheduled Caste and Scheduled Tribe candidates for purposes of recruitment and give wide publicity to them. While issuing advertisements in newspapers for vacancies or while sending requisitions to the employment exchanges particular mention should be made about the number of vacancies available for Scheduled Castes and Tribes, the concessions/relaxations that are provided to Scheduled Caste/Scheduled Tribe candidates in order to attract more applications for the reserved posts.

Reply of Government

While publishing employment notices details regarding the number of vacancies available for Scheduled Castes and Scheduled Tribes and the relaxations given to the reserved community candidates in respect of age etc. are always published. The Committee's suggestion to give wide publicity to the relaxations/concessions available to Scheduled Castes and Scheduled Tribes for purposes of recruitment has been noted by the Southern Railway.

[Ministry of Railways (Railway Board) O.M. No 82-E(SCT)/80/1/S. Rly. dated 5-11-1982].

Recommendation No. 9 (Para 2·16)

The Committee find that out of 4146 casual labourers who have been regularised on Southern Railway, 874 (21 per cent) belong to Scheduled Castes and 253 (6 per cent) are Scheduled Tribes. The committee hope that the Southern Railway will make vigorous efforts to improve these percentages so that in course of time sufficient number of Scheduled Caste/Scheduled Tribe employees are available for promotion to Group 'C' posts.

Reply of Government

Suitable instructions have been issued by the Southern Railway to its Divisions to improve the percentages for regularisation of Scheduled Castes and Scheduled Tribes engaged as casual labourers.

[Ministry of Railways (Railway Board) O.M. No. 82-E(SCT)/80/1/S.
Rly. dated 5-11-19 82].

Comments of the Committee

“A copy of the instructions issued by the Southern Railway may be furnished to the Committee for information and perusal”.

Recommendation No. 12 (Para No. 2. 39)

The Committee note that a large number of vacancies have been filled by promotion on *ad-hoc* basis in the Southern Railway. During 1980-81, as many as 2263 posts were filled on *ad hoc* basis in Group C category. The Committee hope that the Southern Railway will go into the merits and demerits of *ad hoc* promotions and will report to this practice in future only if it is not detrimental to the interests of employees and particularly to the SC/ST employees.

Reply of Government

Noted.

[Ministry of Railways (Railway Board) O.M. No. 82-E(SCT) 80/1/
S. Rly. dated 5-11-1982].

Recommendation No. 14 (Para 2-47)

The Committee note that during the last three years 109 Scheduled Caste candidates were appointed against reserved Scheduled Tribe vacancies. They trust that all possible steps are taken to fill the vacancies by those candidates for whom they are reserved before desiring to exchange the vacancies between the Scheduled Castes and Scheduled Tribes.

Reply of Government

Exchange of vacancies between Scheduled Castes and Scheduled Tribes is done only when it is not possible to fill the vacancies by those candidates for whom those are reserved.

[Min. of Rlys. (Railway Board) O. M. No. 82 E(SCT) 80/1/S. Rly. dated
5-11-1982.]

Recommendation 16 (Para 3-14)

The Committee regret to note that there is no either in-service or pre-selection/pre-promotion Training Programme separately for Scheduled Caste/Scheduled Tribe employees.

The Committee feel that a special-in-service training programme in the Southern Railway specially for those Scheduled Caste/Scheduled Tribe employees who have been promoted under the schemes of "best among the failures" by lowering the standards should be initiated on a regular basis. This is essential to build confidence in them and also to bring them up to the required standard of efficiency.

Reply of Government

Pre-selection and pre-promotion training programmes for Scheduled Caste and Scheduled Tribe employees has been launched in Engineering, Signal & Telecommunication and Electrical Branches and action is on hand to extend the same to other branches.

Action is being taken by the Railway to arrange 'in-service' training for the Scheduled Caste and Scheduled Tribe employees promoted on *ad-hoc* basis being the best among the failed employees. They are now given all possible facilities and guidance to pick up the work.

[Min. of Railways (Rly. Board) O.M. No. 82E(SCT)-80/1/S. Rly. dated 5-11-1982].

Recommendation No. 17 (Para 3-19)

The Committee note that time schedule has been laid down for the submission of returns on recruitment etc. of SCs/SFs to the Railway Board by the Zonal Railway and that these returns are analysed to find out the progress made in regard to the intake of SC/ST both in recruitment and promotional categories. The Committee attach importance to the proper compilation of return and their timely submission to the Ministry of Railways (Railway Board) as they think these returns are the only mechanism by which proper implementation of Reservation orders in favour of SC/ST can be watched. The Committee need hardly emphasize that there should be no laxity in the proper compilation and timely submission of returns by the Zonal Railways and on scrutiny of same by the Ministry of Railways.

Reply of Government

Noted.

[Min. of Railways (Rly. Board) O.M. No. 82 E (SCT) 80/1/S. Rly. dated 5-11-1982.]

Recommendation No. 18 (Para 4-6)

The Committee are unhappy to note that in certain cases adverse entries in the confidential reports had not been conveyed in time to the employees concerned on the Southern Railways. The Committee hope

that such lapses will not recur again and it will be ensured that Scheduled Caste and Scheduled Tribe employees do not get superseded at the time of promotion on the basis of any adverse remarks which could not be conveyed to them. The Committee need hardly stress that it is the duty of every organisation to watch that no injustice is done to their employees particularly to those belonging to weaker sections of the community.

Reply of Government

Suitable instructions have been issued by the Southern Railway to all concerned in this regard.

[Min. of Railways (Railway Board) O.M. No. 82-E(SCT)/80/1/S. Rly. dated 5-11-1982].

Recommendation No. 19 (Para 4.7)

The Committee would like the Railway Board/Southern Railway to ensure that the complaints registers are maintained properly in all Divisions/Units of Southern Railway. They are checked regularly and the disposal of each complaint is clearly indicated. To create a feeling among the Scheduled Caste/Scheduled Tribe employees that their interests are not being overlooked, the Committee suggest that their complaints should be processed and disposed of judiciously and expeditiously. The complaint register should also be checked by the Chief Liaison Officers of Southern Railway during the course of his periodical inspections.

Reply of Government

Complaints Registers are being maintained by the Southern Railway and the action taken in respect of each complaint is conveyed to the concerned employee. The Railway Administration has ensured a check of these registers by the Chief Liaison Officer (Chief Personnel Officer) during his periodical inspections. Suitable instructions have also been issued to the Railways to ensure that the complaints registers are maintained properly in all Divisions/Units and they are checked regularly and the disposal of each complaint is clearly indicated. The need of processing and disposing these complaints judiciously and expeditiously has also been stressed.

[Min. of Railways (Rly, Board) O.M. No. 82 E(SCT)/80/1/S. Rly. Dated 5-11-1982]].

Recommendation No. 20 (Para 4.17)

The Committee note that apprentices are recruited for various technical posts in the Southern Railway against regular vacancies, through Railway Service Commission and they are absorbed after successful completion of the training. The Committee however, feel surprised that no

apprentices had been recruited under the Apprentices Act 1961 on the Southern Railway and the Railway Administration have not given any cogent reasons why this statutory obligation has not been fulfilled and under what circumstances the apprenticeship scheme is now being revived. The Committee recommend that recruitment of apprentices under Apprentices Act should be a continuous process not only on the Southern Railway but also in all other Zonal Railways. Even if these apprentices are not absorbed in the Railways, at least the country would benefit inasmuch as additional trained manpower would be available for utilisation in sectors other than the Railways.

Reply of Government

Recruitment of Apprentices under the Apprentices Act, 1961 was started in the Railway Workshops in 1963. Upto 1975 recruitment was confined to Railway Workshops only and the number of apprentices recruited for the training was about 6,000 to 7,000 in a year.

During 1975 as a result of the implementation of the 20 Point Programme of the Government, the scope of the Apprentices Act was widened and the number of Apprentices recruited was considerably increased. Instead of confining the recruitment to Workshops only, recruitment was started in the Loco Running Sheds, Catering Department, Printing Presses and also in the Commercial Trades such as Clerks and Cashiers etc. The number of Apprentices increased to about 14,000.

In 1977, the recruitment of Apprentices under the Apprentices Act was reviewed. Although under the Apprentices Act, Employers (including the Railways) are required to impart training only to the apprentices and there is no obligation on the part of the Employer to employ the apprentices after completion of the training, the apprentices who had completed the course started agitating for absorption in the Railways. Due to limited capacity of the Railways, it was not found possible to absorb all such apprentices. A proposal was, therefore, mooted that the Railways should recruit only that number of apprentices which had reasonable chances of being absorbed after completion of the training. This proposal was referred to the Min. of Labour and further recruitment of all apprentices was stopped w.e.f. 21-4-77.

However, the question of fresh recruitment of the apprentices under the Apprentices Act has been reconsidered and instructions have been issued on 17-9-1981 to start recruitment of apprentices under the Act in Mechanical Workshops, Production Units, Diesel and Electric Loco Shops, Carriage & Wagon Depots, Railway Electrification, Engineering and Signal Workshops and Printing Presses.

[Min. of Railways (Rly. Board) O.M. No. 82 E(SCT) 80/1/S. Rly. dated 5-11-1982].

CHAPTER III

RECOMMENDATION/OBSERVATION WHICH THE COMMITTEE DO NOT DESIRE TO PURSUE IN VIEW OF GOVERNMENT'S REPLY

Recommendation Sl. No. 5 (Para No. 1-29)

The Committee are of the view that mere designating of Liaison Officers and their periodically inspecting units and reporting the progress is not enough, what is needed is concerted action on the part of the Liaison Officers in Southern Railway to ensure due compliance by the Subordinate appointing authorities with the orders and instructions pertaining to the reservation of vacancies in favour of Scheduled Castes and Scheduled Tribes and other benefits admissible to them and to ensure that anomalies and discrepancies which creep in the maintenance of rosters etc. are not allowed to stay for long but are deleted and rectified quickly.

Reply of Government

The Liaison Officer (S.P.O./RP) of Southern Railway inspects the Divisional/Extra Divisional Officers and Permanent Way Inspector's/Inspector of Works' offices periodically to ensure proper implementation of the orders regarding reservations for S.Cs./STs.

[Ministry of Railways (Railway Board) O.M. No. 82-E (SCT) 80/1/S. Rly. dated 5-11-1982].

Comments of the Committee

It may be ensured that inspections are done twice a year regularly and the Reports are sent to the Railway Board.

CHAPTER IV

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

Recommendation Sl. No. 1 (Para No. 1.13) •

The Committee are distressed to note though they had recommend in para 1.13 of their 11th Report (7th Lok Sabha) for making reservation orders applicable to posts in Vigilance Organisation also, the Reservation rules have still not been made applicable to the posts of Vigilance Inspectors and other tenure posts. The Committee see no reason why reservation orders should not apply 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 Railways and its workshops in consultation with the Department of Personnel and Administrative Reforms. While selecting persons for posts to be filled by deputation or transfer in the Railways it should be ensured that fair proportion of such posts are filled by employees belonging to Scheduled Castes and Scheduled Tribes in accordance with the instructions issued by the Department of Personnel and Administrative Reforms on the 21st January, 1978 in this regard.

Reply of Government

Recommendation No. 1 (Para 1.13)—of the Parliamentary Committee relating to South Central Railway was referred to the Department of Personnel and Administrative Reforms which 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 Parliamentary Committee was advised accordingly in reply to recommendation No. 1 (Para 1.13) concerning South Central Railway.

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.

Further information desired by the Committee

In reply Government have stated that "There has been no change in the policy of the Government with regard to exemption of certain categories of posts."

Please quote the specific rule or authority to the effect that reservation rules are not applicable to the posts of vigilance inspectors and other tenure posts.

Further Reply of Government

The recommendation was referred to the Department of Personnel and Administrative Reforms for consideration. That 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 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.

A copy of the advice tendered by the Department of Personnel and Administrative Reforms to above *vide* their O.M. No. 3622/2/81-Estt. (SCT) dated 27-7-1981 is enclosed as Annexure 'A'.

[Min. of Railways (Rly. Board) O.M. No. 82- E (SCT)/80/1/ S. Rly.
dt. 19-2-1983]

Comments of the Committee

(Please see Chapter I Para 1.4)

Recommendation Sl. No. 7 (Para No. 2.4)

The Committee note that on the Southern Railway recruitment to Group A Service is made by UPSC and there is no direct recruitment for Group B posts. From the figures given in Para 2.2 above relating to the recruitment made during 1978-79, 1979-80, 1980-81 in Group C and D, the Committee are surprised to find that there are shortfalls even in non-technical categories of posts. In technical categories, no data has been furnished in respect of vacancies filled either by promotion or under the sports quota. The Committee feel that there is bound to be shortfall in technical categories also for which the availability of suitable Scheduled Caste/ Scheduled Tribe candidates is far less than in non-technical categories.

The Committee therefore desire that special recruitment should be made to wipe out the shortfalls in Group C and D which are the feeder cadres for promotion to the higher posts in Group B. The Committee need hardly stress that if requisite number of Scheduled Caste and Scheduled Tribe candidates are not available for filling promotional vacancies then the best among the failure should be promoted against the quota reserved for them for six months on *ad hoc* basis and if during the six months their performance is found to be satisfactory their names should be considered for regular promotion.

Reply of Government

A special drive has been launched by the Southern Railway to make good the shortfall of Scheduled Castes and Scheduled Tribes by addressing the Employment Exchanges of the Andhra Pradesh, Karnataka, Tamil Nadu, Pondicherry and Kerala in its jurisdiction. The applications received have been scrutinised and action is on hand to call the candidates for selection.

During the last Crash Programme ended on 31-12-81 shortfall in the recruitment categories in Group 'C' & 'D' has been made good leaving a balance of 27 reserved vacancies for Scheduled Tribes. So far promotional categories are concerned, there was a shortfall of 616 Scheduled Castes and 2903 Scheduled Tribes in respect of Group 'C' & 'D' categories of which 288 Scheduled Castes and 737 Scheduled Tribes have been promoted, leaving a balance of 328 Scheduled Castes and 2166 Scheduled Tribes, which will be wiped off in a phased manner in due course. The next Crash Programme has already been launched from 1-9-82 to 31-3-83.

As regards promotion of best among the failed Scheduled Caste/Scheduled Tribe employees on a trial basis for six months, this is already being done in respect of non-safety categories to the extent Scheduled Caste and Scheduled Tribe employees are available.

Further information desired by the Committee

In reply Government have stated that "so far as promotional categories are concerned, there was a shortfall of 616 Scheduled Castes and 2903 Scheduled Tribes in respect of Group 'C' and 'D' categories of which 288 Scheduled Castes and 737 Scheduled Tribes have been promoted. . . ."

- (i) Please elaborate how promotion is made in Group 'D' as normally there is direct recruitment in Group 'D'.
- (ii) Please give the breakup of 288 Scheduled Castes and 737 Scheduled Tribes who have been promoted. How many fall in Group 'C' and how many in Group 'D'.

Further Reply of Government

Vacancies in the lowest rung of Group 'D' service are only filled by direct recruitment from the open market by the Workshops and by empanelment of casual labourers in the open line. In the event of SC/ST casual labourers not being available for empanelment against reserved quota direct recruitment is resorted to from the open market to fill the quota in the open line also.

Vacancies in other grade in Group 'D' are filled by promotion of staff from lower grade on seniority-cum-suitability basis. Vacancies in the Artisan grade are, however, filled on the basis of trade test. In the case of peons, the initial grade is Rs. 196-232 (RS.) Their avenue of promotion is to the post of Record Sorter in grade Rs. 210-270 (RS). In the case of Artisan staff, the recruitment grade is Rs. 196-232 (unskilled) and their avenue of promotion is to grade Rs. 210-270 (RS). (semi-skilled).

The percentage of reservation of Scheduled Castes/Scheduled Tribes in direct recruitment in Group 'D' service on S. Rly. is 14% and 5% respectively, whereas for promotion, the percentage is 15 and 7½ respectively. This would mean that there will be notional shortfall in promotional categories.

(ii) Breakup of 288 Scheduled Castes and 737 Scheduled Tribes in Group 'C' and 'D' is as under :

	S.C.	S.T.
Group 'C'	204	524
Group 'D'	84	213
	288	737

[Min. of Railways (Rly. Board) O.M. No. 82 - E (SCT)/80/1/S. Rly. dt. 19-2-83]

Comments of the Committee

(Please see Chapter I Para 1.7)

Recommendation Sl. No. 13 (Para No. 2.45)

The Committee are unhappy to note that a large number of promotional vacancies in Group C and D have been dereserved by the Southern Railway during the years 1978-79, 1979-80 and 1980-81. During 1978-79, 648 Scheduled Tribe vacancies were dereserved in Group 'C' and 250 Scheduled Tribe vacancies were dereserved in Group 'D'. The Committee are surprised that even in Group 'D' which is the lowest cadre, suitable Scheduled Tribe candidates were not available for promotion. The Committee are as a

principle, opposed to ~~dereservations~~. They however feel that dereservation should be resorted to only when it is absolutely necessary and all efforts including special recruitment to locate suitable Scheduled Caste/Scheduled Tribe candidates have failed after holding special recruitment etc.

Reply of Government

De-reservation is resorted to only after exhausting all ways and means to get suitable SC/ST employees for each post and when it is absolutely essential in the interest of service to fill the reserved vacancies by 'others'.

The number of vacancies ~~dereserved~~ mentioned in this recommendation relate to promotional categories. In a large number of promotional categories, there is no element of direct recruitment and in such categories, it is not feasible to make good the shortfall of Scheduled Caste and Scheduled Tribe candidates by holding special recruitment etc. However, where there is some element of direct recruitment in the promotional categories, the shortfall of Scheduled Castes and Scheduled Tribes in those categories is already being made good by resorting to direct recruitment against the permissible quota of direct recruitment, subject to, however, observing the condition that not more than 50% of the vacancies occurring in a year, be filled by reserved community candidates.

[Ministry of Railways (Railway Board) O.M. No. 82-E (SCT)/80/1/S. Rly. dated 5-11-1982]

Comments of the Committee

(Please see Chapter I Para 1.10)

Recommendation Sl. No. 15 (Para No. 3-11)

The Committee are distressed to note that as on 31st March, 1981, there was shortfall of 4014 Scheduled Castes and Scheduled Tribes for Group C and D posts. They are all the more perturbed that the shortfall exists even in non-technical categories like Commercial Clerk, Office Clerk and ticket collector etc. for which no technical skills are necessary. When this matter was raised during evidence the representative of Ministry of Railways (Railway Board) had merely said that the Southern Railway would go into the matter in detail. The Committee feel that the Southern Railway have not studied the problem in depth as to why there are shortfalls even in non-technical categories. The Committee also do not share the optimism of the Ministry of Railways that the shortfalls are likely to be made good during the next 3 months as the crash programme for recruitment of Scheduled Castes and Scheduled Tribes launched on 1-4-81 had been extended up to the end of December, 1981. The Committee feel that the matter should immediately be examined in depth and suitable remedial measure taken in the light of the conclusions arrived at. They suggest that a Committee of Senior Officers, drawn from the Railway Board and the Southern Railway

should be asked to analyse the strategy and achievements of the Crash Recruitment Programmes launched in 1981 and earlier and to lay down guidelines for removing the shortfalls in a planned manner. The committee have no doubt that if earnest efforts are made to locate suitable SC/ST candidates with the help of the State Welfare Department and Technical Institutes etc. it would not be difficult to wipe out the shortfalls at least in Group 'C' and 'D' both in technical and non-technical categories within a reasonable period of time.

Reply of Government

Shortfall in recruitment categories in Group 'C' and 'D' has been made good except 27 reserved for Scheduled Tribes.

So far as promotional vacancies are concerned, there was a shortfall of 616 Scheduled Castes and 2903 Scheduled Tribes in respect of Group 'C' and 'D' categories of which 288 Scheduled Castes and 737 Scheduled Tribes have been promoted, leaving a balance of 328 Scheduled Castes and 2166 Scheduled Tribes. The balance shortfall in the promotional categories could not be made good due to mainly for the following two reasons :

- (i) Non-availability of the reserve community candidates in the feeder categories; and
- (ii) Not more than 50% of the vacancies in a year can be filled by reserved community candidates as per the judgement of the Supreme Court.

In most of the promotional categories, there is no element of direct recruitment. However, where there is any element of direct recruitment, efforts are also made to make good the short fall in the promotional categories by resorting to direct recruitment against permissible quota subject to observing the condition of not filling up more than 50% of the vacancies in a year by reserved community candidates.

As of present, the shortfall in the recruitment categories has been wiped out. The Railway Administrations have also been addressed to work out shortfall in all categories of 'C' and 'D' groups and take up Crash programme from 1-9-1982 to 31-3-1983 to clear the shortfall. In the process the shortfall in the promotional categories will be wiped off in a phase manner in due course. The results achievements of the Crash Programme have been analysed in Boards Office and guidelines have also been issued to the Railways to make good the shortfalls. In view of this, formation of a Committee is not considered necessary.

Further information desired by the Committee

In reply Government have stated that "there was a shortfall of 616 Scheduled Castes and 2903 Scheduled Tribes in respect of Group 'C' and 'D'

categories of which 288 Scheduled Castes and 737 Scheduled Tribes have been promoted.”

- (i) As there is normally direct recruitment in Group ‘D’, please give the break up of 288 Scheduled Castes and 737 Scheduled Tribes who have been promoted.
- (ii) Please mention the feeder categories in which there was non-availability of reserved candidates.
- (iii) How many reserved vacancies could not be filled on account of the Supreme Court Judgement that not more than 50% of the vacancies in a year can be filled by reserved community candidates.

Further Reply of Government

- (i) Reply given to item No. 7 (ii) covers this point.
- (ii) The details of feeder cadres in which reserved community candidates were not available or promoted, is given in the Annexure ‘C’.
- (iii) The number of vacancies that could not be filled up due to 50% limit is as under :

	S.C.	S.T
Group ‘C’	14	51
Group ‘D’	6	26

[Min. of Railways (Railway Board) O.M. No. 82-E (SCT)/80/1/S. Rly. dt. 19-2-83.]

Comments of the Committee

(Please see Chapter I Para 1.15)

Recommendation Sl. No. 21 (Para No. 4-25)

The Committee note that a decision was taken by the Ministry of Railways (Railway Board) in July 1978 that the catering vending contracts upto 1/2 unit would be exclusively reserved for Scheduled Caste and Scheduled Tribe persons. The Committee further note that out of 14 petty contracts given on the Southern Railway during 1978-79 only 4 such contracts could be awarded to persons belonging to Scheduled Castes and Scheduled Tribes and the remain 10 petty contracts were given to other community applicants. The Committee are not convinced that there were only 4 persons belonging to Scheduled Castes and Scheduled Tribes who were interested in

the award of petty contract during 1978-79. The Committee feel that the whole matter should be examined in depth by the Southern Railway with a view to find out whether adequate publicity had been given regarding the award of these petty contracts and in the advertisement it was clearly indicated that these contracts were exclusively meant for Scheduled Castes and Scheduled Tribes. The Committee is of the opinion that in case of poor response form Scheduled Caste/Scheduled Tribe candidates of the first advertisement a second advertisement should also be issued before giving petty contracts to other community candidates. The Committee need hardly stress that it is no use having a scheme on paper only. To provide socio-economic benefit to the Scheduled Castes and Scheduled Tribes, the schemes meant for them should be implemented in letter and spirit.

Reply of Government

Prior to 1-8-1978, the catering/vending contracts equated upto half unit each used to be allotted to the members of Scheduled Castes/Scheduled Tribes in preference if they were found capable of doing the job satisfactorily. From 1-8-1978 onwards, all catering/vending contracts equated upto half unit each have been reserved exclusively for the members of Scheduled Castes/Scheduled Tribes vide Railway Ministry's instructions contained in their letter No. 78-TG. III/670 dated 28-7-78. In June, 1979 the Zonal Railways were directed that if no SC/ST candidate is available for these contracts, and the railway administration decides to de-reserve such contracts, special prior exemption in each case is to be obtained from the Ministry of Railways. These instructions were reiterated to the Railways in January 1981 for strict compliance without exception. In February 1981, the zonal railways have been devised that while inviting applications for awards of these contracts, they should indicate in their notices/advertisements that these contracts are exclusively reserved for Scheduled Castes/Scheduled Tribes and applications received from other than SC/ST candidates should not be entertained. They were also advised in February 1981 that copies of such notices/advertisements should be sent to the local MPs/MLAs for information and the financial soundness of the candidates belonging to these categories should not be insisted upon for the purpose of award of catering/vending contracts equated upto half unit each. It was also reiterated to the zonal railway, that while seeking prior approval of the Railway Ministry for de-reservation of these contracts, they should submit proper justification for their proposals indicating inter-alia the result of the earlier notices/advertisements and that only after obtaining prior approval of the Ministry, they should issue fresh notices/advertisements calling for applications from all categories including SC/ST and if such cases, applications are received from SCs/STs, the railways must give them first preference over others.

It will thus be seen that the catering/vending contracts equated upto half unit each were reserved exclusively for Scheduled Castes/Scheduled Tribes w.e.f. 1-8-78 and the instructions for prior approval of the Railway Ministry for de-reservation of such contracts were issued on 11-6-1979. Thus, during the first 4 months of the financial year 1978-79 there was no reservation and the instructions for obtaining prior approval of this Ministry for de-reservation was issued only during 1979-80. As such, it may be quite possible that out of petty catering/vending contracts awarded by Southern Railway during 1978-79 only 4 such contracts were awarded to the persons belonging to Scheduled Castes/Scheduled Tribes. However, with the subsequent instructions laying down the procedure for re-advertisement, de-reservation etc., as mentioned above, the interest of the candidates belonging to SC/ST has been fully protected.

Further information desired by the Committee

- (i) Whether 14 petty contracts given on the Southern Railway during 1978-79 were advertised exclusively for SC/ST candidates.
- (ii) Whether copies of the advertisements were sent to any SC/ST Associations or local MPs /MLAs belonging to Scheduled Castes/Scheduled Tribes.

Further Reply of Government

The 14 petty contracts given during the year 1978-79 were not advertised exclusively for SC/ST candidates. However, it was indicated in the advertisements that preference will be given only to SC/ST applicants. Out of these 14 contracts, only 4 were awarded to SC/ST applicants. Since no applications were received from SC/ST applicants in respect of the remaining 10 contracts, those were awarded to other than SC/ST applicants.

Copies of advertisements were not sent to any SC/ST Associations or local MPs/MLAs belonging to SCs/STs. The detailed procedure to be followed in respect of calling of applications exclusively from SC/ST persons in respect of award of petty contracts upto 1/2 units and sending a copy of the said notice/advertisement to the local MPs/MLAs for information was communicated to the zonal Railways only during the year 1981 and Southern Railway sent these instructions to the Divisions in March 1981 for compliance. As such this detailed procedure could not be followed by Southern Railway in respect of 14 contracts awarded during the year 1978-79.

[Min. of Railways (Rly. Board) O.M. No. 82-E(SC/ST)/80/1/S. Rly.
dt. 19-2-83]

Comments of the Committee

(Please see Chapter I Para 1.18)

CHAPTER V

RECOMMENDATIONS/OBSERVATIONS ON WHICH FINAL RE- PLIES OF GOVERNMENT HAVE NOT BEEN RECEIVED

Recommendation Sl. No. 6 (Para No. 1.30)

As the Cell in the Railway Board has to look after a large number of Zonal Railways, the Committee recommend that the staff strength of the Cell should be augmented by (i) upgrading the post of Additional Director to Director; (ii) having 3 Section Officers instead of one Section Officer at present; and (iii) raising the number of Inspectors to 4.

The Committee also recommend that as stated by the representative of the Railway Board on 6-2-1981 during evidence on South Central Railway, the post of OSD, Calcutta, should be reviewed without any further delay.

Reply of Government

The post of OSD, Calcutta has been revived from November 1981.

As regards augmenting the strength of the "Reservation Cell" and upgrading the post of Additional Director, to that of Director, the Committee's recommendation is under examination.

[Ministry of Railways (Railway Board) O.M. No. 82-E(SCT)/80/1/S. Rly.,
dated 5-11-1982]

Comments of the Committee

The Committee may be apprised if the strength of the Cell in the Railway Board has been augmented and the post of Additional Director has been upgraded to that of Director.

Recommendation Sl. No. 10 (Para No. 2.25)

The Committee note that recruitment for all Group 'C' posts including those reserved for Scheduled Castes and Scheduled Tribes, for the Southern Railway is made by the Railway Service Commission. They also note that no power regarding relaxation of minimum qualifications as delegated to the Railway Service Commission. However, the Commission is competent to give relaxation to Scheduled Caste and Scheduled Tribe candidates in qualifying marks fixed for examination. The Committee recommended that the Railway Service Commission should examine the feasibility of giving further relaxation to Scheduled Caste/Scheduled Tribe candidates in qualifying marks in order to improve their intake in Group 'C' posts. The Committee further note that Railway Service Commission, Madras, is initiating

recruitment processes for all major categories of posts one year in advance. The Committee feel that such advance planning is a step in the right direction. They suggest that the Ministry of Railways (Railway Board) should see that other Railway Service Commissions also fall in line so that there is not much time gap between the final recruitment and the date when the vacant posts are notified to the Commission.

Reply of Government

As already stated relaxation of limits of qualifying marks obtained by Scheduled Caste and Scheduled Tribe candidates in examinations conducted by the Commissions is well within the powers of the Commissions. However, the Railway Service Commission, Madras has been advised to examine the feasibility of giving further relaxations to SC and ST candidates in qualifying marks, in order to improve their intake in Group 'C' posts.

Other Railway Service Commissions have also been advised to initiate recruitment processes for all major categories of posts one year in advance as has been done by Railway Service Commission, Madras.

Comments of the Committee

The Committee may be informed of the outcome of the advice given to Railway Service Commission, Madras, regarding giving further relaxation to Scheduled Caste/Tribe candidates in qualifying marks for recruitment to Group C posts.

Recommendation Sl. No. 11 (Para No. 2-27)

The Committee note the various concessions and relaxations given to the Scheduled Caste and Scheduled Tribe candidates at the time of written test, interview and selection for promotion in Groups C & D. Presently, the zone of consideration in promotions for Scheduled Caste/Scheduled Tribe employees is three times the number of vacancies. The Committee recommend that the zone of consideration for Scheduled Caste/Scheduled Tribe candidates should be raised to five times the number of vacancies so that adequate number of employees belonging to these communities are available for consideration for promotion to the next grade.

Reply of Government

The recommendation is under examination.

Further information desired by the Committee

- (i) Please furnish the final reply of Government.
- (ii) What is the authority for fixing the zone of consideration for SC/ST employees for promotion as 3 times the number of vacancies.

Further Reply of Government

- (i) Certain data with regard to the reserved vacancies remaining unfilled due to the zone of consideration being limited in the case of Scheduled Castes and Scheduled Tribes is being obtained from the Railways and a final decision would be communicated after the issue is examined on receipt of the said data.
- (ii) Decision for fixing the zone of consideration for Scheduled Caste and Scheduled Tribe employees for promotion in selection posts as three times the number of vacancies was taken by the Ministry of Railways under their own rule making powers. The zone of three times the number of vacancies applies separately to the Scheduled Castes and Scheduled Tribe employees so that the interests of these employees are safeguarded. This field is being enforced in order to obviate large-scale supersession of senior employees by junior employees.

[Min. of Railways (Rly. Board) O.M. No. 82 E(SCT) 80/1/S. Rly.,
dt. 19-2-1983.]

Comments of the Committee

The Committee desire that on the question of increasing the zone of consideration for SC/ST candidates to 5 times the number of vacancies, the Ministry of Railways should reconsider their decision in consultation with the Department of Personnel.

NEW DELHI;

18th March, 1983
27th Phalguna, 1904(S)

A. C. DAS,

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

APPENDIX I

No. 36022/2/81-E(SCT) (See para 1·3)

GOVERNMENT OF INDIA

Department of Personnel & Administrative Reforms

M.H.A.

New Delhi, the 27th July, 1981

Office Memorandum

SUBJECT : Parliamentary Committee on the Welfare of SCs/STs—Implementation of reservation rules for the SCs/STs on Northern Railway—Recommendations/Observations in respect of which replies of Govt. have not been accepted by the Committee and which required reiteration.

The undersigned is directed to refer to the Ministry of Railways O.M. No. 77E(SCT) 15/31 (Pt. III) dated 5-6-1981 on the above subject and to say that there has been no change in the policy of Govt. in relation to exempted categories of posts and vacancies. The reasons for not extending reservation orders to certain posts and grades were given in detail in our Annexure 'B' U.O. No. 36022/11/79-Estt. (SCT) dated 15-10-1979 and they will still hold good. Reply to the Parliamentary Committee may be sent accordingly.

Sd/-

(BATA K. DEY)

Deputy Secretary to the Government of India

To

The Ministry of Railways

Annexure 'B'

[COPY]

Department of Personnel & A.R.

Estt. (SCT) Section

SUBJECT : Reservations for Scheduled Castes and Scheduled Tribes—Exemptions and Exclusions.

The undersigned is directed to draw the attention of the Ministry of Railways (Railways Board) to their O.M. No. 78E(SCT) 51/31 dated 21st March, 1979 on the subject mentioned above and to say that this Department has carefully considered the recommendation made by the Committee of Parliament on welfare of Scheduled Castes and Scheduled Tribes as extracted in that Ministry's O.M. under reference.

2. It will be appreciated that the reservation originally applied only to the vacancies filled by direct recruitment and has been extended in stages to cover also the promotions made through limited departmental competitive examinations to posts/grades in Class II, III and IV; on the basis of seniority-cum-fitness to posts/grades in all classes and on the basis of promotion by selection in Classes II, III and IV and to the lowest rung of Class I service. The question of extending reservation to the other areas as mentioned in para 1 of that Ministry's O.M. under reference has been considered repeatedly in the past at the highest levels in the Government, but it has not been found possible to extend reservations to these areas for some of the reasons mentioned briefly below:

(1) In promotions by selection within Class I services

The responsibilities of such posts are generally of a very high order. It was considered that it might be too much of a compromise with both efficiency of administration and the morale of the existing staff if reservations are sought to be made in such promotions. Reservations at these higher levels are likely to lead to supersession and promotional avenues at the top levels being restricted, they are sure to adversely affect the morale of the senior management of the Civil Services, which may not be a desirable end in itself.

(2) Promotions to posts/grades in which the element of direct recruitment exceeds 66 $\frac{2}{3}$ %

As stated above originally reservation was confined only to the vacancies filled on a regular basis by direct recruitment. The promotion posts were clearly excluded from the purview of reservation. Subsequently, however, reservations were extended in stages to the various promotional areas. Till 1968, the promotions made by selection to/within class III and IV posts, apart from those made through a limited departmental competitive examination, were subject to reservations only in respect of such grades/posts in which there was no element of direct recruitment. However, on a review of the policy of reservation in promotion the Government liberalised and enlarged the scope of the reservation scheme in 1968 by laying down that reservations would be applicable to the promotions made through limited departmental competitive examination in class II, III and IV and by selection to/within Class III and IV in respect of grades/services in which the element of direct recruitment did not exceed 50%. This was further liberalised by the orders issued on 16-2-1976, with a view to enlarging the scope of reservations in promotions, by substituting 66 $\frac{2}{3}$ % in place of the 50% element of direct recruitment.

(3) Posts filled by transfer or deputation

Recruitment by means of deputation and transfer is prescribed only in those cases where the turnover is essential or where special professional experience is necessary for manning a post or where there are no career prospects to attract suitable persons through other modes of recruitment. Instead of making any formal reservations, particularly in the posts filled by deputation instructions have been issued to the Ministries sponsoring candidates for deputation also to consider the eligible Scheduled Castes/Scheduled Tribes employees alongwith the other eligible employees while sponsoring names for deputation. Similarly, instructions have also been issued to the employing Ministries/Heads of offices concerned, particularly where the number of posts to be filled by deputation is fairly substantial, to make an endeavour to see that a fair proportion of such posts is filled by employees belonging to these communities from the feeder cadres. It is considered that these measures would sufficiently safeguard the interests of Scheduled Castes and Scheduled Tribes in such appointments.

(4) Purely temporary establishments such as work-charged (daily rated) staff

Orders have already been issued on 10th February, 1977 requiring Ministries/Departments that the principles of reservation for Scheduled Castes/Scheduled Tribes should generally be suitably applied to the extent possible to work-charged posts also except those required for flood relief, accident relief and restoration work etc. This it is considered, would take care of bulk of the recruitment to the work-charged establishments. It is, however, considered that it will not be practicable to extend reservations also to the recruitment of casual or muster roll labour employed on a day-to-day basis or for very short periods. In this connection it will also not be out of place to mention that it is understood that as the things stand a sizeable percentage of such casual labour is drawn from the Scheduled Castes/Scheduled Tribes even in the ordinary course and as such the application of reservation would not bring any practical benefit to the members of Scheduled Castes/Scheduled Tribes but would pose considerable administrative and practical difficulties for the administrative and recruiting authorities.

3. It may be added here that reservations already extend to the major areas of recruitment. The extension of the reservation to the few excepted areas as discussed above is not likely to lead to any significant improvement in their representation, and can, at best, have a marginal effect. It is well known that it has not been possible to fill all the reserved vacancies, in the

areas where the reservations already apply, because of the non-availability of Scheduled Castes/Scheduled Tribes candidates, despite the existence of a strict and elaborate procedure for securing suitable Scheduled Caste/Scheduled Tribe candidates for filling the vacancies reserved for them, and availability of a number of relaxations and concessions. This Department, therefore, considers that what is of prime importance is not to enlarge the scope of reservation, but to enlarge the availability of suitably eligible and adequately deserving Scheduled Castes/Scheduled Tribes candidates, and take intensive steps to increase their intake into Government services. This matter is already engaging the active attention of the Government. It may be mentioned here that there has been a heartening steady upward swing in the level of the representation of Scheduled Castes and Scheduled Tribes in the services under the Government of India during the last few years and it is hoped that the position will improve further considerably within the next three to five years.

4. The above views may be communicated suitably to the Parliamentary Committee on Welfare of Scheduled Castes/Scheduled Tribes.

Sd/-

(A. S. TANEJA)

Under Secretary, (SCT)

Ministry of Railways

APPENDIX II

(See Para 1.14)

List of Feeder Cadres in which there was non-availability of reserved community candidates

Sl. No.	Promotional category	Scale	Feeder Category	Scale
1.	Inspector Railway Protection Force	700—900	Inspector protection	470—750
2.	Chief Catering Inspector	700—900	Senior Catering Inspector	550—750
3.	Sr. Supervisor/Traffic Casting Inspector	700—900	Graduates from all Departments	
4.	Inspector of Works . . .	700—900	Inspector of Works Do.	{ 550—750 425—700
5.	Welfare Inspector	700—900	Welfare Inspector & Do.	{ 550—750 425—640
6.	Personnel Inspector . . .	700—900	Personnel Inspector & Do.	{ 550—750 425—640
7.	Superintendent/Drawing Office	700—900	Head Draftsman Senior Draftsman	{ 550—750 425—700
8.	Chief Design Asstt.	700—900	Design Assistant	550—750
9.	Asstt. Programmer . . .	650—950	Graduates from all Departments	{ 700—900 550—750
10.	Senior Catering Inspector	550—750	Catering Inspector	425— 640
11.	Chief Health Inspector . . .	550—750	Health Inspector Do.	425—640 330—560
12.	Senior Statistical Inspector	550—750	Asstt. Statistical Inspector	425—700
13.	Console Operator . . .	550—750	Machine Operator/Gr. I Machine Supervisor	{ 330—560 425—700
14.	Inspector of Works	550—750	Inspector of Works	425—700
15.	Personal Asstt./ Confidential Asstt.	550—900	Sr. Stenographer & Do.	{ 550—750 425—700
16.	Confidential Asstt. . . .	550—750	Sr. Stenographer	425—700
17.	Chief Clerk	550—750	Head Clerk Senior Clerk	{ 425—700 330—560
18.	Head Draftsman	550—750	Senior Draftsman	425—700
19.	Chargeman 'A'	550—750	Chargeman 'B'	425—700
20.	Chief Train Clerk	550—750	Head Train Clerk	425—700
21.	Power Controller	550—750	Driver/Spl. Driver 'A'	550—700
22.	Depot Store Keeper	550—750	Depot Store Keeper	455—700
23.	Nursing Sister	455—700	Staff Nurse	425—640
24.	Inspector, Protection Force	470—750	Sub-Inspector/RPF	330—560
25.	Commercial Inspector . . .	455—700	Commercial Inspector	425—640

1	2	3	4	5
26. Depot Store Keeper		455—700	Depot Store Keeper	425—700
27. SM/ASM		455—700	SM/ASM } Do. }	425—640 330—560
28. Section Controller		470—750	Guards, Station Master, Asstt. Yard Master } Do. }	425—640
29. Chageman 'B'		425—700	Station Master Highly skilled/Gr. I Mistry/Gr. I	330—560 380—560
30. Ward Keeper		425—700	Senior Clerk	330—560
31. Chemist		425—700	Asstt. Chemist	380—560
32. Asstt. Statistical Inspector		425—700	Senior Clerk	330—560
33. Chemical & Metallurgist		425—700	Junior Chemist & Metalurgist Asstt.	380—560
34. Senior Draftsman		425—700	Asstt. Draftsman Tracer	330—560
35. Senior Stenographer		425—700	Junior Stenographer	330—560
36. Depot Store Keeper		425—700	Senior Clerk	330—560
37. Train Examiner		425—700	Highly skilled/Gr. I } Mistry/Gr. I (C&W) }	380—560
38. Machine Supervisor		425—700	Machine Operator	330—560
39. Commercial Inspector		425—640	Commercial Clerk	330—560
40. Manager/Gr. I		425—640	Manager/Gr. II	330—560
41. Head Train Clerk		425—640	Senior Train Clerk	330—560
42. Health Inspector		425—640	Health Inspector	330—560
43. Head Commercial Clerk		425—640	Sr. Commercial Clerk	330—560
44. Deputy Yard Master		425—640	Asstt. Station Master	330—560
45. Personnel Inspector/Gr. III		425—640	Senior Clerk	330—560
46. Catering Inspector		425—640	Room Manager/Gr. I	425—640
47. Highly skilled/Gr. I		380—560	Highly skilled/Gr. II	330—480
48. Jr. Complaint Inspector		425—640	Senior Clerk	330—560
49. Manager/Gr. II		330—560	Asstt. Manager	260—400
50. Machine Operator		330—560	Machine Operator	260—400
51. Hindi Assistant		330—560	Staff in Class III with three } years service with requisite } qualification }	260—400
52. Senior Train Clerk		330—560	Train Clerk	260—400
53. Asstt. Draftsman		330—560	Tracer	260—430
54. Junior Stenographer		330—560	Typist with Stenography } Clerk with Stenography }	260—400
55. Asstt. Yard Master		330—560	Shunting Master Switchman Trains Clerk	330—480 260—400
56. Guard/'C'		330—560	Asstt. Guard/B.M.	225—308
57. Guard/'B'		330—560	Guard 'C'	330—530
58. Senior Typist		330—560	Typist	260—400
59. Highly skilled/Gr. II		330—480	Skilled	260—400
60. Head Cook		260—400	Senior Cook	225—308
61. Sr. Cook		225—308	Asstt. Cook	210—270
62. Ferro Typer		225—308	Ferro Typer Barco Room Attendant	210—270 210—270

APPENDIX III

(Vide para 4 of the Introduction)

Analysis of the Action Taken by the Government on the Recommendations contained in the Twentieth Report of the Committee

1.	Total number of recommendations]	21
2.	Recommendations which have been accepted by Government (<i>vide</i> recommendations at Sl. Nos. 2, 3, 4, 8, 9, 12, 14, 16 to 20)	
	Number	12
	Percentage to total	57·3
3.	Recommendations which the Committee do not desire to pursue in view of Government replies (<i>vide</i> Recommendation at Sl. No. 5)	
	Number	1
	Percentage to total	4·6
4.	Recommendations in respect of which final replies of Government have not been accepted by the Committee and which require reiteration (<i>vide</i> Recommendations at Sl. Nos. 1, 7, 13, 15 and 21)	
	Number	5
	Percentage to total	23·7
5.	Recommendations in respect of which final replies have not been received (<i>vide</i> Recommendations at Sl. Nos. 6, 10 and 11)	
	Number	3
	Percentage to total	14·4