

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

(1980-81)

(SEVENTH LOK SABHA)

FIFTH REPORT

**MINISTRY OF PETROLEUM, CHEMICALS AND
FERTILIZERS**

(DEPARTMENT OF PETROLEUM)

**Action Taken by Government on the recommenda-
tions contained in the Fortieth Report of the
Committee on the Welfare of Scheduled Castes and
Scheduled Tribes (Sixth Lok Sabha) on the Ministry
of Petroleum, Chemicals and Fertilizers (Department
of Petroleum)—Reservations for, and employment of,
Scheduled Castes and Scheduled Tribes in the Indian
Oil Corporation Limited (Refineries & Pipelines
Division).**

Presented to Lok Sabha on

Laid in Rajya Sabha on

7 Feb 1981

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CORREENDA
to the

Fifth Report of the Committee on the Welfare of Scheduled Castes and Scheduled Tribes (7th Lok Sabha).

<u>Page</u>	<u>Line</u>	<u>Correction</u>
10	13	For 'March, 1976subject.' Read 'ments gets defeated, if these statements are not submitted in time.'
12	2-3	For 'extenti' read 'extant'
13	31	For 'extenti' read 'extant'
15	29	For 'prescribed' read 'prescribed'
18	6	For 'ote' read 'note'
22	33	For 'superceding' read 'superseeding'
23	27	For 'misplaced' read 'misplaced'
28	8	For 'Corporation' read 'Corporation'
32	33	For 'of' read 'for'.

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24. Shri Bhagwan Din
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Secretariat

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

Shri P. C. Chowdhry, *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 Fifth Report (Seventh Lok Sabha) on Action Taken by Government on the recommendations contained in the Fortieth Report (Sixth Lok Sabha) on the Ministry of Petroleum, Chemicals and Fertilizers (Department of Petroleum)—Reservations for, and employment of, Scheduled Castes and Scheduled Tribes in the Indian Oil Corporation Limited (Refineries & Pipelines Division).

2. The draft Report was considered and adopted by the Committee on the Welfare of Scheduled Castes and Scheduled Tribes at their sitting held on the 11th December, 1980.

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

I. Report.

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

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

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

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

4. An analysis of the action taken by Government on the recommendations contained in the Fortieth Report (Sixth Lok Sabha) of the Committee is given in Appendix II. It would be observed therefrom that out of 33 recommendations made in the Report, 19 recommendations *i.e.* 57.61 per cent have been accepted by the Government; the Committee do not desire to pursue five recommendations *i.e.* 15.15 per cent of their recommendations in view of Government replies; 8 recommendations *i.e.* 24.24 per cent, in respect of which replies of Government have not been accepted by the Committee require reiteration; and for one recommendation *i.e.* 3 per cent, final reply of Government has not been received.

NEW DELHI;
January 14, 1981.

Pausa 24, 1902 (S).

R. R. BHOLE,
Chairman,

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

CHAPTER I

REPORT

In para 2.14 of their Fortieth Report the Committee had expressed their concern over an unduly long delay of four years in the issue of directive to the Indian Oil Corporation for the implementation of orders relating to reservations in promotion by selection issued by the Department of Personnel and Administrative Reforms in July, 1974 and late implementation of some of the important orders/instructions on reservations for Scheduled Castes and Scheduled Tribes and had felt that this delay deprived many a Scheduled Caste/Scheduled Tribe candidates of their due right of employment and promotion in the Indian Oil Corporation.

1.2. In their reply dated the 3rd November, 1979, the Ministry of Petroleum, Chemicals and Fertilizers (Department of Petroleum) have stated that the instructions of Department of Personnel and Administrative Reforms dated 20th July, 1974 relating to reservations in promotion by selection were circulated by the Bureau of Public Enterprises (BPE), Ministry of Finance under their Office Memorandum dated 19th October, 1974 to the administrative Ministries and Chief Executives of Public Enterprises including Indian Oil Corporation. It was mentioned in this Office Memorandum that the instructions of the Department of Personnel and Administrative Reforms were to be followed with immediate effect. It was further stated that these instructions when implemented would have the effect of superseding certain provisions of an earlier Presidential Directive and the consequential changes in the provisions of the Directive would be advised in due course. While the instructions of the Department of Personnel and Administrative Reforms on this subject were intimated by Bureau of Public Enterprises to Indian Oil Corporation, the Presidential Directive could not be amended pending receipt of draft of consequential changes from the Bureau of Public Enterprises.

1.3. The Committee are not satisfied with the reply of Government and feel that due to lack of proper coordination between the Ministry of Finance (Bureau of Public Enterprises) and the Ministry of Petroleum, Chemicals and Fertilizers (Department of Petroleum) the Presidential Directive was not amended in time with the result that the reservation orders relating to promotion by selection issued by the Department of Personnel and Administrative Reforms on 20th July, 1974 could not be implemented by the Indian Oil Corporation (Refineries and Pipelines Division) for four years i.e., until 1979. The Committee would like the

Indian Oil Corporation (Refineries and Pipelines Division) to calculate the backlog in the promotional posts from the date of issue of the instructions by the Department of Personnel and Administrative Reforms in this regard and take necessary steps to clear the backlog immediately.

1.4. In para 2.22 of their Report the Committee had suggested that as far as possible Liaison Officers might be nominated from amongst the Scheduled Caste and Scheduled Tribe Officers working in the Indian Oil Corporation (Refineries & Pipelines Division).

1.5. In their reply dated the 3rd November, 1979, the Ministry of Petroleum, Chemicals and Fertilizers (Department of Petroleum) have stated that all Officers are expected to implement the Government policy faithfully. Postings of officers are made depending on the availability and other considerations. The Liaison Officers, therefore, need not necessarily be from amongst the members of Scheduled Caste/Scheduled Tribe community.

1.6. The Committee are not satisfied with the reply of Government and reiterate their earlier recommendation that as far as possible Liaison Officers may be nominated from amongst the Scheduled Caste and Scheduled Tribe Officers working in the Organisation.

1.7. In para 2.32 of their Report the Committee had expressed their surprise that the file relating to the annual report for the year 1976 had been misplaced by the Department of Petroleum and the date of receipt of that report could not be furnished for the information of the Committee. The Committee had desired the Department of Petroleum to investigate the circumstances under which the file had been misplaced and fix the responsibility therefor.

1.8. In their reply dated the 3rd November, 1979, the Ministry of Petroleum, Chemicals and Fertilizers (Department of Petroleum) have stated that efforts to locate the file have not been successful. The circumstances under which the file has been misplaced have been looked into. It has, however, not been possible to fix responsibility therefor on any particular individual. The file can be reconstructed by obtaining copies of annual reports for 1976 from various undertakings, if required.

1.9. The Committee consider it a serious lapse on the part of the officer who was responsible for misplacing the file. They feel responsibility in this regard should have been fixed. They also deplore the carelessness of the Ministry of Petroleum, Chemicals and Fertilizers (Department of Petroleum) in the matter. The Ministry should have reconstructed the file without awaiting any directive from the Committee.

1.10. In para 3.11 of their Report the Committee had desired that as per assurance given by the Chairman, Indian Oil Corporation, while releasing advertisements for recruitment in the newspapers, the Indian Oil Corporation (Refineries and Pipelines Division) should invariably mention the various concessions/relaxations available to Scheduled Castes and Scheduled Tribes in all the advertisements even though they were exclusively for Scheduled Castes/Scheduled Tribes. The Committee had also desired that copies of all advertisement notices should also simultaneously be sent to the local Scheduled Caste and Scheduled Tribe M.Ps and M.L.As and also to the members of the Parliamentary and concerned State Legislature Committees on the Welfare of Scheduled Castes and Scheduled Tribes.

1.11. In their replies dated the 3rd November, 1979 and 7th April, 1980, the Ministry of Petroleum, Chemicals and Fertilizers (Department of Petroleum) have stated that henceforth, as desired by the Committee, it will be ensured that the concessions/relaxations available to Scheduled Caste/Scheduled Tribe candidates under the Presidential Directives are distinctly mentioned in the advertisements for recruitment even where the posts may be exclusively reserved for them. In so far as furnishing copies of all advertisements to the local Scheduled Caste/Scheduled Tribe M.Ps and M.L.As is concerned, it may be mentioned that direct recruitment vacancies reserved for Scheduled Castes/Scheduled Tribes are intimated to associations recognised by the Government for intimation of reserved vacancies. It is also notified to the Directors of Scheduled Castes/Scheduled Tribes Welfare. Besides this, these vacancies are announced by the All India Radio and also notified to the Employment Exchanges. These provisions have been found to be quite adequate from the point of wide publicity of the reserved vacancies; as such it is not considered necessary to send copies of such advertisements to local Scheduled Caste/Scheduled Tribe M.Ps and M.L.As inasmuch as that can create genuine misunderstanding and administrative difficulties. Under these circumstances, it will not be possible to implement the same recommendation.

1.12. The Committee do not agree with the Ministry's contention that it is administratively difficult to send copies of advertisements to the local Scheduled Caste/Scheduled Tribe MLAs and MPs, who are few in number. The Committee feel that such a course will help the local Scheduled Caste and Scheduled Tribe MLAs and MPs to sponsor the candidates belonging to Scheduled Caste/Scheduled Tribe communities. As such, the Committee reiterate their earlier recommendation.

1.13. In para 3.26 of their Report the Committee had suggested that in view of heavy shortfalls in the representation of Scheduled Castes and Scheduled Tribes in promotional posts, the date for determining the

length of service of three years as on 31st December of each year should not stand in the way of promotion of Scheduled Caste and Scheduled Tribe employees. The Committee also desired that the Ministry might examine whether some relaxation in the case of Scheduled Caste and Scheduled Tribe employees could be given in this regard and wanted that the result thereof should be communicated to them.

1.14. In their reply dated the 3rd November, 1979, the Ministry of Petroleum, Chemicals & Fertilizers (Department of Petroleum) have stated that the suggestion of the Committee has been examined but it is not possible to accept the same in view of the following considerations:

- (i) The eligibility period of three years to be reckoned as on 31st December of each year has been prescribed as per the agreement reached with the Indian Oil Officers' Association which is the representative body of all the officers of the Corporation. Any unilateral change in this regard will create many problems and have repercussions on the industrial relations situation.
- (ii) The confidential reports on the performance of the employees are recorded on calendar year basis. If, therefore, any change is made in the eligibility period by changing the date for determining the length of service in case of Scheduled Caste/Scheduled Tribe employees, it may not be possible to evaluate their performance for completed period of three years.
- (iii) There is already a concession available to Scheduled Caste/Scheduled Tribe employees within Group 'A' according to which in promotion by selection Scheduled Caste/Scheduled Tribe officers who are senior enough in the zone of consideration for promotion so as to be within the number of vacancies for which the select list has to be drawn up are to be promoted irrespective of their merit *vis-a-vis* general category candidates provided they are not unfit for promotion. This concession is adequate enough to take care of all departmental Scheduled Caste/Scheduled Tribe employees in Group 'A' posts and; therefore, any further relaxation outside the Presidential Directives to Scheduled Castes/Scheduled Tribe employees may lead to widespread resentment.

1.15. The Committee are not satisfied with the reasons advanced by the Government for not accepting the recommendation. In the opinion of the Committee, there should be no difficulty for the Indian Oil Corporation (Refineries and Pipelines Division) to give some relaxation in lengths of

service to Scheduled Caste/Tribe employees with a view to clear the heavy shortfalls in the representation of Scheduled Castes and Scheduled Tribes in promotional posts.

1.16. In para 5.14 of their Report the Committee had deplored that the Indian Oil Corporation (Refineries and Pipelines Division) had not so far provided any reservations for Scheduled Caste and Scheduled Tribe employees in the allotment of accommodation although the Bureau of Public Enterprises had suggested them in April, 1974 to reserve a percentage of accommodation for Scheduled Caste and Scheduled Tribe employees in their townships. The Committee had suggested, that at least 10 per cent reservation should be provided for Scheduled Caste and Scheduled Tribe employees in the allotment of Type I and Type II accommodation by the Indian Oil Corporation (Refineries & Pipelines Division) as was being followed by the Central Government for their employees in this regard.

1.17. In their reply dated the 3rd November, 1979, the Ministry of Petroleum, Chemicals and Fertilizers (Department of Petroleum) have stated that allotments of residential accommodation in Company townships are made with the concurrence of the House Allotment Committees, in which the representatives of workmen are also present. Therefore any change in the policy will have to have the agreement of the workers.

The suggestion from the Bureau of Public Enterprises was brought to the notice of workers' unions, but they did not agree to any reservation for any section of employees, since housing is a welfare facility and the principle of length of service is a rational one to follow.

Any unilateral modification to the policy may lead to industrial relation problems.

1.18. The Committee do not agree with the arguments advanced by the Department of Petroleum. They need hardly emphasise that the problems of Scheduled Castes and Scheduled Tribes have to be tackled on a separate footing keeping in view their socio-economic conditions. The Committee, therefore, reiterate their earlier recommendation that at least 10 per cent reservation should be provided for the employees belonging to these communities in the allotment of Types I & II accommodation by the Indian Oil Corporation (Refineries and Pipelines Division) as is being followed by the Central Government.

1.19. In para 5.15 of their Report the Committee had suggested that the condition of six years' service for eligibility to apply for house building loan should be reduced to at least four years in the case of Scheduled Caste and Scheduled Tribe employees so that the intending employees might not find any difficulty in building their own houses on this score.

1.20. In their reply dated the 3rd November, 1979, the Ministry of Petroleum, Chemicals and Fertilizers (Department of Petroleum) have stated that the recommendation of the Committee to reduce the eligibility period for house building loan from six years to four years in case of Scheduled Caste and Scheduled Tribe employees is likely to result in similar demand from other employees. If the eligibility period is reduced for Scheduled Caste and Scheduled Tribe employees, it will have to be made applicable to other employees as well, which would mean overall relaxation of the rules and heavy financial burden on the Corporation.

1.21. The Committee are not satisfied with the Government's reply. Looking to the socio-economic conditions of Scheduled Castes and Scheduled Tribes, the Committee feel it essential that in their case the condition of six years' service for eligibility to apply for house building loan should be reduced to four years to enable them to build their own houses.

1.22. In para 5.21 of their Report the Committee had desired that petty contracts upto a value of Rs. 10,000/- should only be allotted to Scheduled Caste and Scheduled Tribe persons, on nomination basis and, if necessary, the rules might be amended accordingly.

1.23. In their reply dated the 3rd November, 1979, the Ministry of Petroleum, Chemicals and Fertilizers (Department of Petroleum) have stated that the suggestion of the Committee has been examined but it has not been found possible to accept it because it will smack of discrimination.

1.24. The Committee do not accept the reply of Government. They feel that, as in the Railways petty catering/vending contracts upto a specified limit are being awarded to Scheduled Castes and Scheduled Tribes, the Indian Oil Corporation (Refineries and Pipelines Division), other things being equal, should also give preference to Scheduled Castes and Scheduled Tribes while awarding contracts upto the value of Rs. 10,000/-.

CHAPTER II

RECOMMENDATIONS/OBSERVATIONS WHICH HAVE BEEN ACCEPTED BY GOVERNMENT

Recommendation Sl. No. 1 (Para 1.10)

The Committee note that the Ministry of Petroleum, Chemicals and Fertilisers (Department of Petroleum) propose to hold half yearly meetings at the Joint Secretary's level to review the progress made by the Public Sector Undertakings under their administrative control in the speedy and vigorous implementation of the provisions contained in the Presidential Directives and instructions relating to reservations for Scheduled Castes and Scheduled Tribes issued by the Bureau of Public Enterprises from time to time. The Committee trust that this high-level Committee would not only review the progress made but also suggest concrete remedial measures wherever any deficiencies are noticed by them in the effective implementation of reservation orders.

Reply of Government

The recommendation made by the Committee has been noted. The first such meeting in respect of the Undertakings under the control of the Refineries Division of this Ministry was held on 13th June, 1979. During the meeting the implementation of the Presidential Directives in all the refinery undertakings was reviewed and various remedial measures were suggested for implementation. A copy of the minutes of that meeting is enclosed (Appendix I). Action in respect of the other undertakings under the control of this Ministry has already been initiated and meetings are to be held in due course.

[Ministry of Petroleum, Chemicals and Fertilizers (Department of Petroleum) O.M. No. R-37018/4/78-OR-I dated 3-11-1979]

Recommendation Sl. No. 2 (Para 1.11)

The Committee note that the Cell to look after the reservations for Scheduled Castes and Scheduled Tribes in the Undertakings presently located in the Indian Oil Corporation is now being set up in the Department of Petroleum. The Committee hope that the Cell would be manned with adequate staff exclusively attached to the Cell and the activities of

the Cell would be highlighted in the Annual Report of the Department of Petroleum as per instructions contained in the Department of Personnel and Administrative Reforms O.M. No. 36022/5/(i)/76 Estt. (SCT) dated the 28th May, 1976 in this regard.

Reply of Government

A cell under the Liaison Officer has been set up in the Department of Petroleum to ensure due compliance of the orders of reservation for Scheduled Castes and Scheduled Tribes issued from time to time. A note on the activities of the Cell would be included in the Annual Report of the Department.

[Ministry of Petroleum, Chemicals & Fertilizers (Department of Petroleum)
dated 3-11-1979]

Recommendation Sl. No. 5 (Para 2.15)

The Committee are surprised to note that the Indian Oil Corporation is not sure whether they have received all orders on the subject of reservation. The Committee, therefore, cannot but conclude that in the absence of proper listing of all the reservation orders in the Indian Oil Corporation how could they ensure proper implementation of reservation orders in its varied aspects. The Committee desire that a complete study may be undertaken in this regard and a Brochure may be compiled containing all the reservation orders, instructions etc. issued so far on the subject of reservation immediately for the information and implementation of all concerned.

Reply of Government

It has been checked that the Indian Oil Corporation have received all orders on the subject of reservation. The Indian Oil Corporation are being asked to prepare a booklet containing the Presidential Directives and other relevant instructions for the information and use of their executives who have to deal with establishment matters.

[Ministry of Petroleum, Chemicals & Fertilizers (Department of Petroleum)
O.M. No. R-37018/4/78-OR-I dated 3-11-1979]

Recommendation Sl. No. 6 (Para 2.21)

The Committee note that Heads of Personnel and Administration Department of the respective Refineries and Pipelines Units of the Refineries & Pipelines Division have been nominated as Liaison Officers in respect of Group 'B' and 'C' posts within their jurisdiction and the Chief Personnel Manager (Headquarters) has been nominated as Liaison

Officer for Group 'A' posts and in respect of Group 'B' and 'C' posts existing at the Headquarters, but no separate Cell has been set up under the Liaison Officers to deal exclusively with the matters relating to reservations for Scheduled Castes and Scheduled Tribes. The Committee consider it a serious lapse. The Committee hope that, as assured by the Chairman, Indian Oil Corporation, during evidence separate Cells would be set up at the Headquarters as well as in the Units of the Refineries & Pipelines Division under respective Liaison Officers. The Committee desire that the Cells should be provided with adequate staff to assist the Liaison Officers and to watch the implementation of reservation orders and other concessions admissible to Scheduled Caste and Scheduled Tribe employees and also to look into the grievances and complaints of Scheduled Caste and Scheduled Tribe employees.

Reply of Government

As recommended, a separate Cell with adequate staff which will include, whenever available, a Scheduled Caste/Scheduled Tribes officer under the Liaison Officer has been established at the Headquarters of Refineries and Pipelines Division and at each of the Refinery/Pipeline Units to deal exclusively with all matters connected with reservation orders and other concessions admissible to Scheduled Caste/Scheduled Tribes employees, including their grievances and complaints.

[Ministry of Petroleum, Chemicals & Fertilizers (Department of Petroleum)
O.M. No. R-37018/4/78-OR-I dated 3-11-1979]

Recommendation Sl. No. 8 (Para 2.23)

The Committee hope that the Liaison Officers nominated in the Refineries and Pipelines Division carry out the inspection of rosters annually, as per the proforma prescribed for the purpose. The Committee are, however, unhappy to observe that in the Inspection Report for the year 1977, the remarks of the Liaison Officer against Serial No. 9 are vague, viz., "Generally obtained in advance", and the report also does not seem to have been submitted to the Chief Executive as it does not bear his signature. The Committee feel that it is a serious lapse and desire that the remarks of the Liaison Officer should be specific so that a clear picture about the implementation of reservation orders may emerge and remedial measure taken wherever necessary. The inspection reports should also invariably be submitted to the Chief Executive bringing to his notice the defects, if any, noticed and remedial steps taken to avoid their recurrence.

Reply of Government

The recommendation has been noted for implementation in future.

[Ministry of Petroleum, Chemicals & Fertilizers (Department of Petroleum)
O.M. No. R-37018/4/78-OR-I dated 3-11-1979]

Recommendation Sl. No. 9 (Para 2.31)

The Committee are distressed to note that annual statement regarding representation of Scheduled Castes and Scheduled Tribes in the services of the Indian Oil Corporation (Refineries & Pipelines Division) for the year 1975 was received on the 15th April, 1976 in the Department of Petroleum although this should have been sent to them latest by the 1st March, 1976 as per the extent orders of Government on the subject. The Committee feel that the very purpose of submitting these annual statements, 1976 as per the extent orders of Government on the subject. The Committee would, therefore, emphasise that the Department of Petroleum should ensure that these statements are submitted by the Indian Oil Corporation (Refineries & Pipelines Division) in time. Failure to submit these statements in time should be regarded as a serious lapse on the part of the concerned officer.

Reply of Government

According to the instructions issued by the Bureau of Public Enterprises, the annual statement is to be sent by each Undertaking latest by 31st March. Indian Oil Corporation (Refineries & Pipelines Division) have been sending the annual statements in time. The letter forwarding the Annual Statement for 1975 bears the date 30th March, 1976 though it somehow reached the concerned section in the Ministry on the 15th April, 1976. Attention of all Chief Executives of Public Enterprises is however, being drawn to the need for sending this statement in time.

[Ministry of Petroleum, Chemicals & Fertilizers (Department of Petroleum)
O.M. No. R-37018/4/78-OR-I dated 3-11-1979]

Recommendation Sl. No. 13 (Para 3.12)

The Committee also suggest that with a view to giving wider publicity to reserved vacancies and exploring possibility of securing more candidates belonging to Scheduled Castes and Scheduled Tribes, the Indian Oil Corporation (Refineries & Pipelines Division) should intimate the reserved vacancies to the Director of Scheduled Caste/Scheduled Tribe Welfare/ Director of Social Welfare in the State/ Union Territory concerned as laid down in the Department of Personnel and Administrative Reforms O.M. No. 36034/2/78-Estt. (SCT), dated the 24th Feb., 1978.

Reply of Government

The recommendation has been noted. Henceforth, reserved vacancies will also be notified to the Director of Scheduled Caste/Scheduled Tribe Welfare or Director of Social Welfare in the State/Union Territory concerned.

[Ministry of Petroleum, Chemicals & Fertilizers (Department of Petroleum)
O.M. No. R-37018/4/78-OR-I dated 3-11-1979]

Recommendation Sl. No. 14 (Para 3.13)

The Committee further suggest that the vacancies reserved for Scheduled Castes and Scheduled Tribes should also be advertised through the medium of All India Radio as per instructions contained in the Department of Personnel and Administrative Reforms O.M. No. 36022/4/76-Estt. (SCT), dated the 7th August, 1976.

Reply of Government

The suggestion has been noted and will be implemented as per the procedure laid down in the Department of Personnel & Administrative Reforms' instructions referred to above.

[Ministry of Petroleum, Chemicals & Fertilizers (Department of Petroleum)
O.M. No. R-37018/4/78-OR-I dated 3-11-1979]

Recommendation Sl. No. 15 (Para 3.20)

The Committee note the various concessions/relaxations given to Scheduled Castes and Scheduled Tribes while making recruitments for different categories of posts in the Indian Oil Corporation (Refineries & Pipelines Division). The Committee hope that if concerted measures are taken by the Indian Oil Corporation (Refineries & Pipelines Division) to implement these concessions/relaxations both in letter and spirit, they expect the backlog in the representation of Scheduled Castes and Scheduled Tribes in its services could be wiped out in the shortest possible time.

Reply of Government

Noted.

[Ministry of Petroleum, Chemicals & Fertilizers (Department of Petroleum)
O.M. No. R-37018/4/79-OR-I dated 3-11-1979]

Recommendation Sl. No. 16 (Para 3.25)

The Committee are distressed to note that there is a big shortfall in the matter of promotion from Group 'B' to and within Group 'A' and from
3061 LS-2

Group 'C' to and within Group 'B' in the Indian Oil Corporation (Refineries & Pipelines Division). The Committee are of the view that unless extent orders on the subject are scrupulously followed in letter and spirit, liberal concessions and relaxations given to Scheduled Castes and Scheduled Tribe employees and their cases for promotion considered sympathetically, the situation is not likely to improve. The Committee, therefore, urge the Indian Oil Corporation (Refineries & Pipelines Division) to ensure that the orders on reservation in promotion issued from time to time by the Department of Personnel and Administrative Reforms/Bureau of Public Enterprises are rigidly followed and liberal concessions/relaxations given to Scheduled Caste and Scheduled Tribe employees at the time of promotion so that all the vacancies reserved for Scheduled Castes and Scheduled Tribes are actually filled in by them and the shortfalls are obliterated as early as possible.

Reply of Government

The Presidential Directives and Government instructions issued on this subject from time to time are being scrupulously followed.

[Ministry of Petroleum, Chemicals & Fertilizers (Department of Petroleum)
O.M. No. R-37018/4/78-OR-I dated 3-11-1979]

Recommendation Sl. No. 19 (Para 3.33)

The Committee need hardly emphasise the necessity of invariably including a Scheduled Caste or Scheduled Tribe officer in the various Recruitment/Selection Boards/Departmental Promotion Committees constituted by the Indian Oil Corporation (Refineries & Pipelines Division) so as to instil confidence in the Scheduled Caste and Scheduled Tribe employees. In case a Scheduled Caste/Tribe officer of the appropriate status is not available in the Indian Oil Corporation (Refineries & Pipelines Division), a Scheduled Caste/Tribe officer from the Marketing Division of Indian Oil Corporation or some other Public Sector Organisation or the Ministry of Petroleum, Chemicals & Fertilizers (Department of Petroleum) should invariably be associated with such Recruitment/Selection Boards/Departmental Promotion Committee.

Reply of Government

In this direction, the Bureau of Public Enterprises have already issued instructions *vide* O.M. No. 12/1/76-BPE(IC) dated 15-3-79 and 18-5-79 received through Ministry of Petroleum, Chemicals & Fertilizers' letters No. J-18012/13/78-Gen./SCT dated 26-3-79 and 13-6-79 respectively. The instructions contained in these circulars are being followed.

[Ministry of Petroleum, Chemicals & Fertilizers (Department of Petroleum)
O.M. No. R-37018/4/78-OR-I dated 3-11-1979]

Recommendation Sl. No. 20 (Para 3.42)

The Committee note that the prescribed rosters are being maintained by the Indian Oil Corporation (Refineries and Pipelines Division) in respect of recruitment and promotion of different categories of posts under them. During evidence, the Committee had the opportunity to inspect some of the rosters maintained by the Refineries and Pipelines Division. The Committee noticed that the postings had not been done properly in the rosters and these were also not being maintained properly. The Committee consider it a serious lapse. The Committee need hardly stress that rosters are the only mechanism through which a watch is kept in the proper placement of Scheduled Castes and Scheduled Tribes in services against the vacancies reserved for them. They feel that the proper maintenance of rosters would keep the authorities concerned informed of the representation of Scheduled Castes and Scheduled Tribes at various points in different posts and the shortfalls, if any, can be detected immediately. The Committee would therefore, stress that rosters should be properly maintained by the Refineries and Pipelines Division and these should be checked regularly by the competent authority and duly signed certificates of checks made therein. The discrepancies noticed during the inspection of rosters should be rectified immediately and also brought to the notice of the Head of the Department.

Reply of Government

Noted.

[Ministry of Petroleum, Chemicals & Fertilizers (Department of Petroleum)
O.M. No. R-37018/4/78-OR-I dated 3-11-1979]

Recommendation Sl. No. 21 (Para 3.55)

The Committee are distressed to note that a number of vacancies in Group 'A' have been dereserved by the Refineries and Pipelines Division during the years 1976, 1977 and 1978 without obtaining prior approval of the competent authority. This only shows that the Refineries and Pipelines Division of the Indian Oil Corporation has not cared to comply with the extant orders on the subject, and the Department of Petroleum have also not ensured the proper implementation of those orders through quarterly/annual returns and inspections, etc. The Committee would not like to go into the circumstances under which these vacancies have been dereserved at this stage but would stress that no vacancy reserved for Scheduled Castes or Scheduled Tribes should in future be dereserved as the Committee are basically opposed to the principle of dereservation.

Reply of Government

It will be ensured that henceforth the dereservation of reserved vacancies will not be made unless Scheduled Caste and Scheduled Tribe candidates are not available and without the prior approval of the competent authority as prescribed under the Presidential Directives.

[Ministry of Petroleum, Chemicals & Fertilizers (Department of Petroleum)
O.M. No. R-37018/4/78-OR-I dated 3-11-1979]

Recommendation Sl. No. 24 (Para 4.18)

The Committee are unhappy to note that out of 53 persons on deputation with the Refineries and Pipelines Division, there are only two Scheduled Castes and there is no Scheduled Tribe among them. The Committee stress that while selecting persons for posts to be filled in by deputation or transfer in the Refineries and Pipelines Division, a fair proportion of such posts should be filled in by employees belonging to Scheduled Castes and Scheduled Tribes in accordance with the instructions contained in the Department of Personnel and Administrative Reforms O.M. No. 36012/7/77-Estt. (SCT) dated the 21st January, 1978.

Reply of Government

In accordance with the instructions of the Department of Personnel and Administrative Reforms referred to in the above recommendation, whenever posts are required to be filled by obtaining the services of deputationists from Government Departments/Offices, it will be specifically mentioned by us that Scheduled Caste/Scheduled Tribe candidates, if available, must be sponsored for our consideration. Further, at the time of selection, these candidates will be adjudged on relaxed standards and given preference, if otherwise suitable.

[Ministry of Petroleum, Chemicals & Fertilizers (Department of Petroleum)
O.M. No. R-37018/4/78-OR-I dated 3-11-1979]

Recommendation Sl. No. 25 (Para 4.22)

The Committee note that casual labour is engaged in the Refineries and Pipelines Division only against short term leave vacancies occurring at short notice in respect of which advance planning is not possible. The Committee would, however, like to stress that from amongst the pending applications that are received by the Indian Oil Corporation (Refineries and Pipelines Division) from the local candidates, preference should be given to Scheduled Caste and Scheduled Tribe candidates. The Committee would also like to draw the attention of the Indian Oil Corporation (Refineries and Pipelines Division) to the instructions contained in the Department of

Personnel and Administrative Reforms O.M. No. 36021/9/76-Estt(SCT) dated the 10th February, 1977, wherein it has been laid down that the principle of reservations for Scheduled Castes and Scheduled Tribes should also apply to daily-rated staff and hope that those instructions would be meticulously followed.

Reply of Government

The Committee's recommendation will be kept in view while engaging daily-rated employees against short term vacancies.

[Ministry of Petroleum, Chemicals & Fertilizers (Department of Petroleum)
O.M. No. R-37018/4/78-OR-I dated 3-11-1979]

Recommendation Sl. No. 26 (Para 4.36)

The Committee regret to note from the information furnished by the Indian Oil Corporation (Refineries and Pipelines Division) that the number of Scheduled Caste and Scheduled Tribe employees among the total number of employees both in officers as well as non-officers categories who have been imparted in-company training during the last three years is quite insignificant. The Committee emphasise that more and more Scheduled Caste and Scheduled Tribe employees should be given in-company training and provided with adequate opportunities to attend to seminars/symposia/conferences and also deputed on assignments abroad to enable them to broaden their outlook and also to build up specialised knowledge.

Reply of Government

Noted.

[Ministry of Petroleum, Chemicals & Fertilizers (Department of Petroleum)
O.M. No. R-37018/4/78-OR-I dated 3-11-1979]

Recommendation Sl. No. 27 (Para 4.37)

The Committee also recommend that the Indian Oil Corporation (Refineries and Pipelines Division) should ensure that the Scheduled Caste and Scheduled Tribe candidates are invariably recruited as per their prescribed quota for training as Graduate Apprentice Engineers as well as Trade Apprentices.

Reply of Government

In recruitment of the Graduate Apprentice Engineers and Trade Apprentices, reservation for Scheduled Caste and Scheduled Tribe candidates is

already being made as per the prescribed quota/percentage. However, the recommendation made has been noted.

[Ministry of Petroleum, Chemicals & Fertilizers (Department of Petroleum)
O.M. No. R-37018/4/78-OR-I dated 3-11-1979]

Recommendation Sl. No. 28 (Para 5.4)

While noting the procedure adopted by the Indian Oil Corporation (Refineries and Pipelines Division) for the redressal of grievances of Scheduled Caste and Scheduled Tribe employees, the Committee feel that with a view to give quick attention to processing of complaints, separate complaints Registers for registering complaints/representations received from the Scheduled Caste and Scheduled Tribe employees should be maintained by the Cell under the Liaison Officer nominated in the various units of the Refineries and Pipelines Division of the Indian Oil Corporation. The Registers should be checked quarterly by the concerned Liaison Officers and also by the Heads of Units during the course of their inspection of the Offices under their control to ensure prompt disposal of complaints/representations received from the Scheduled Caste and Scheduled Tribe employees.

Reply of Government

Recommendation has been noted and the necessary instructions issued to the refinery/pipeline units.

[Ministry of Petroleum, Chemicals & Fertilizers (Department of Petroleum)
O.M. No. R-37018/4/78-OR-I dated 3-11-1979]

Recommendation Sl. No. 29 (Para 5.5)

The Committee also would like to stress that with a view to create confidence among the Scheduled Caste and Scheduled Tribe employees and to instil a feeling among them that their interests are well looked after, their complaints should be processed and disposed of judiciously with the least possible delay.

Reply of Government

Noted.

[Ministry of Petroleum, Chemicals & Fertilizers (Department of Petroleum)
O.M. No. R-37018/4/78-OR-I dated 3-11-1979]

CHAPTER III

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

Recommendation (Sl. No. 11, Para 2.33)

The Committee regret to note that only routine check is made of the annual returns submitted to the Department of Petroleum by Indian Oil Corporation (Refineries & Pipelines Division). The very purpose of submitting returns is defeated if they are not examined thoroughly. The Committee would expect that hereafter the annual statements on receipt by the Department of Petroleum, would be critically examined and analysed so that prompt and effective measures are taken to remove the deficiencies noticed.

Reply of Government

The Annual Statements give only the following statistical information:

1. Total number of employees in each group as on 1st January and the number and percentage of Scheduled Castes and Scheduled Tribes Employees in each group.
2. The number of reserved vacancies filled by members of Scheduled Castes and Scheduled Tribes during the year.

The statements could be subjected only to routine check as they did not highlight the detailed reasons for the shortfall or the special measures taken to improve the representation of Scheduled Caste/Scheduled Tribes in various groups.

To ensure a better examination of such reports, it has been decided that the Annual Report of each Company should contain a separate paragraph indicating action taken on various instructions relating to welfare measures for Scheduled Castes/Scheduled Tribes. These reports will be put up to the Board of Directors and this item will be considered when Ministry's representative is present. Thereafter, the Report will be forwarded to the BPE and this Department with the views of the Board there-

on. The new procedure will enable the Ministry to examine the annual statement critically.

[Ministry of Petroleum, Chemicals & Fertilizers (Department of Petroleum)
O.M. No. R-37018/4/78-OR-I dated 3-11-1979]

Recommendation (Sl. No. 18, Para 3.26-A)

The Committee note that different periods for qualifying service for promotion have been fixed in certain refineries on the basis of agreements with their employees' Union. The Committee feel that the matter should be examined both in the Ministry of Petroleum, Chemicals & Fertilizers and in the Indian Oil Corporation to see that a uniform policy is followed as regards qualifying service for promotion in all the refineries.

Reply of Government

The policy for qualifying service for promotion as two years is already followed uniformly at all the refinery units except at Gujarat Refinery in view of the existing agreement on promotion policy with the recognised workers' union. However, recommendation of the Committee will be kept in view whenever in future the Agreement with the Unions at Gujarat Refinery is reviewed.

[Ministry of Petroleum, Chemicals & Fertilizers (Department of Petroleum)
O.M. No. R-37018/4/78-OR-I dated 3-11-1979]

Comments of the Committee

The Committee desire that the agreement with the Employees' Union at Gujarat Refinery should be reviewed immediately, so that a uniform policy with regard to qualifying service for promotion is evolved for all the refinery units.

Recommendation (Sl. No. 22, Para 3.56)

The Committee also feel that ordinarily vacancies reserved for Scheduled Castes and Scheduled Tribes should be filled in by the candidates belonging to the respective communities only so that the need to fill in the vacancies reserved for Scheduled Castes and Scheduled Tribes and *vice versa* is obviated. The Committee would, therefore, suggest that all possible efforts should be made by the Indian Oil Corporation (Refineries and Pipelines Division) to find Scheduled Caste and Scheduled Tribe candidates for all the posts reserved for them. If, however, such candidates are not available to fill all the reserved vacancies, then the exchange of vacancies should be resorted to in the very first year.

Reply of Government

While noting the above recommendation, it may be observed that the suggestion made by the Committee for exchanging vacancies in the very first year whenever the reservations are required to be carried forward due to non-availability of suitable Schedule Caste or Scheduled Tribe candidates, may not be possible to be implemented except in case of promotions to and within Group 'B' and up to the lowest rung of Group 'A' where interchange of vacancies in terms of Presidential Directive can be made in the first year itself, in the absence of any such provision in the Presidential Directives. However, the recommendation has been sent to the Department of Personnel & Administrative Reforms for consideration.

[Ministry of Petroleum, Chemicals & Fertilizers (Department of Petroleum)
O.M. No. R-37018/4/78-OR-I dated 3-11-1979]

Further Reply of Government

The recommendation has since been examined in consultation with Department of Personnel and Administrative Reforms. The recommendation regarding exchange of *all* vacancies between Scheduled Castes/Scheduled Tribes in the very first year if Scheduled Caste/Scheduled Tribe candidates are not available cannot be accepted because it shuts out the possibility of getting Scheduled Caste/Scheduled Tribe candidates against the vacancies reserved for the particular community if they are carried forward for three subsequent recruitment years. The Scheduled Areas and Tribes Commission has also recommended against exchanging vacancies between Scheduled Castes and Scheduled Tribes in the first year itself. At present, in promotion by selection from Class III to Class II, within Class II and from Class II to the lowest rung of Class I, vacancies are already, even now, exchangeable in the first year itself. The other vacancies are exchangeable between Scheduled Castes and Scheduled Tribes in the third and final year of carry forward and if reserved community candidates are not available even through such exchange, the reserved vacancies lapse. This is considered to be fair and in the best interest of the candidates of both the reserved communities.

[Ministry of Petroleum, Chemicals & Fertilizers (Department of Petroleum)
O.M. No. R-37018/4/78-OR-I dated 7-4-1980]

Recommendation (Sl. No. 23, Para 4.14)

The Committee regret to note that the representation of Scheduled Castes and Scheduled Tribes in Group 'A' and Group 'C' posts in the various Units of the Refineries and Pipelines Division is much below the quota

prescribed for them. The Committee, however, note that as a remedial measure, the Refineries and Pipelines Division have now decided to reserve 50 per cent of the future vacancies for Scheduled Castes and Scheduled Tribes till the entire backlog is wiped out. Besides this, they also conduct recruitment exclusively for Scheduled Castes and Scheduled Tribes where their representation is below the prescribed quota. The Committee would like the Indian Oil Corporation (Refineries and Pipelines Division) to launch a time-bound programme so that the backlog in the representation of Scheduled Castes and Scheduled Tribes in different categories of posts is cleared expeditiously.

Reply of Government

Since the receipt of first Presidential Directive on 24th March, 1971, there has been a steady improvement in the representation of Scheduled Caste/Scheduled Tribe candidates. Further, with the special recruitment drives undertaken exclusively for Scheduled Caste/Scheduled Tribe candidates in the category of Engineer Trainees, it is hoped the shortfall in Group 'A' posts may be cleared in due course. As regards recruitment to posts in the staff category, the R&P Division has not only achieved the requisite representation of Scheduled Caste/Scheduled Tribe candidates (except a marginal shortfall in Group 'B') but also exceeded the prescribed quota in certain categories of Group 'C' posts. So far as promotion of Scheduled Caste/Scheduled Tribe candidates in these groups are concerned, there has been some shortfall which is mainly due to the non-availability of the candidates from these communities in the lower scales. But as reservations in recruitment has since been increased by 10 to 50 per cent in respect of categories where shortfall exist, it is expected that over a period of time sufficient number of Scheduled Caste/Scheduled Tribe candidates would be available for promotion to clear the backlog. However, it is not possible to forecast a specific date by which time the backlog would be cleared as it is entirely dependent upon the availability of candidates in the required number in the various disciplines from these communities.

[Ministry of Petroleum, Chemicals & Fertilizers (Department of Petroleum)
O.M. No. R-37018/4/78-OR-I dated 3-11-1979]

Comments of the Committee

The Committee stress that a time bound programme should be drawn up to clear the backlog in the non-technical posts and special recruitments should be held until the object is achieved.

Recommendation SL. No. 32 (Para 5.20)

The Committee note that, as per the rules, petty contracts are awarded on the basis of quotations from the existing agencies in the area known to be capable of undertaking such works. The Committee also note that in the Mathura Refinery Project, which is under construction, special preference is given to Labour Co-operative Societies formed by Scheduled Castes as also the land losers. The Committee suggest that, other things being equal, preference should be given to Scheduled Castes and Scheduled Tribes in the award of such contracts.

Reply of Government

The policy followed in case of Mathura Refinery Project will be extended to other refineries.

[Ministry of Petroleum, Chemicals & Fertilizers (Department of Petroleum)
O.M. No. R-37018/4/78-OR-I dated 3-11-1979]

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. 4 (Para 2.14)

The Committee are distressed to note that there was an unduly long delay of four years in the issue of directive to the Indian Oil Corporation for the implementation of orders relating to reservations in promotion by selection issued by the Department of Personnel and Administrative Reforms in July, 1974. The Committee further regret to note that some of the important orders/instructions on reservations for Scheduled Castes and Scheduled Tribes have only now come to the notice of the Refineries & Pipelines Division of the Corporation and they are obtaining details from the Ministry of Petroleum, Chemicals & Fertilizers (Department of Petroleum) for their implementation. The Committee desire that responsibility should be fixed and action taken against the defaulting officers for not communicating the said orders in time. The Committee feel that this delay has deprived many a Scheduled Caste/Scheduled Tribe candidates of their due right of employment and promotion in the Indian Oil Corporation. The Committee would urge that in future all orders/instructions issued by the Department of Personnel and Administrative Reforms/Bureau of Public Enterprises should immediately be communicated to the Corporation so that there is no delay on their part in adoption and implementation of Government orders.

Reply of Government

The instructions of Department of Personnel & Administrative Reforms dated 20-7-1974 relating to reservations in promotion by selection were circulated by the Bureau of Public Enterprises (BPE), Ministry of Finance under their O.M. dated 19-10-1974 to the administrative Ministries and Chief Executives of Public enterprises including IOC. It was mentioned in this O.M. that the instructions of the DP&AR were to be followed with immediate effect. It was further stated that these instructions when implemented would have the effect of superceding certain provisions of an earlier Presidential Directive and the consequential changes in the provisions of the Directive would be advised in due course. While the instructions of the Department of Personnel and Administrative Reforms on this subject

were intimated by BPE to IOC, the Presidential Directive could not be amended pending receipt of draft of consequential changes from the BPE.

[Ministry of Petroleum, Chemicals & Fertilizers (Department of Petroleum)
O.M. No. R-37018/4/78-OR-I dated 3-11-1979]

Comments of the Committee

Please see Chapter I, para 1.3.

Recommendation Sl. No. 7 (Para 2.22)

The Committee suggest that as far as possible Liaison Officers may be nominated from amongst the Scheduled Caste and Scheduled Tribe Officers working in the Indian Oil Corporation (Refineries & Pipelines Division).

Reply of Government

All Officers are expected to implement the Government Policy faithfully. Postings of Officers are made depending on the availability and other considerations. The Liaison Officers therefore need not necessarily be from amongst the members of Scheduled Caste/Scheduled Tribe community.

(Ministry of Petroleum, Chemicals & Fertilizers (Department of Petroleum)
O.M. No. R-37018/4/78-OR-I dated 3-11-1979]

Comments of the Committee

Please see Chapter 1, para 1.6.

Recommendation Sl. No. 10 (Para 2.32)

The Committee are surprised to note that the file relating to the annual report for the year 1976 has been misplaced by the Department of Petroleum and the date of receipt of that report cannot be furnished for the information of the Committee. The Committee would like the Department of Petroleum to investigate the circumstances under which the file has been misplaced and fix the responsibility therefor.

Reply of Government

Efforts to locate the file have not been successful. The circumstances under which the file has been misplaced have been looked into. It has, however, not been possible to fix responsibility therefor on any particular individual. The file can be reconstructed by obtaining copies of annual reports for 1976 from various undertakings, if required.

[Ministry of Petroleum, Chemicals & Fertilizers (Department of Petroleum)
O.M. No. R-37018/4/78-OR-I dated 3-11-1979]

Comments of the Committee

Please see Chapter I, para 1.9.

Recommendation Sl. No. 12 (Para 3.11)

The Committee note from an advertisement submitted by the Indian Oil Corporation (Refineries & Pipelines Division) that relaxations/concessions available to Scheduled Castes and Scheduled Tribes have not been mentioned therein. The Committee consider it a serious lapse and desire that it does not recur. The Committee trust that as per assurance given by the Chairman, Indian Oil Corporation, while releasing advertisements for recruitment in the newspapers, the Indian Oil Corporation (Refineries and Pipelines Division) would invariably mention the various concessions/relaxations available to Scheduled Castes and Scheduled Tribes in all the advertisements even though they are exclusively for Scheduled Castes/Scheduled Tribes. Copies of all advertisement notices should also simultaneously be sent to the local Scheduled Caste and Scheduled Tribe M.Ps and M.L.As and also to the members of the Parliamentary and State Committee on the Welfare of Scheduled Castes and Scheduled Tribes.

Reply of Government

Henceforth, as desired by the Committee it will be ensured that the concessions/relaxations available to Scheduled Caste/Scheduled Tribe candidates under the Presidential Directives are distinctly mentioned in the advertisements for recruitment even where the posts may be exclusively reserved for them.

Considering that the advertisements are not only published in leading newspapers with large circulation but are also sent to all the recognised Scheduled Caste/Scheduled Tribe Associations, and the Commissioner for Scheduled Caste/Scheduled Tribe, the suggestion made by the Committee for sending copies of advertisements individually to all the local M.Ps and M.L.As as well as to the Members of the Parliamentary and State Committee on the Welfare of Scheduled Caste/Scheduled Tribe may lead to administrative problems. However, the recommendation of the Committee has been sent to the Bureau of Public Enterprises and Department of Personnel & Administrative Reforms for consideration.

[Ministry of Petroleum, Chemicals & Fertilizers (Department of Petroleum)
O.M. No. R-37018/4/78-OR-I dated 3-11-1979]

Further Reply of Government

This recommendation has been examined in consultation with the Department of Personnel and Administrative Reforms. In so far as furnishing copies of all advertisements to the local Scheduled Caste/Scheduled

Tribe M.Ps and M.L.As is concerned, it may be mentioned that direct recruitment vacancies reserved for Scheduled Castes/Scheduled Tribes are intimated to associations recognised by the Government for intimation of reserved vacancies. It is also notified to the Directors of Schedule Caste/Scheduled Tribe Welfare. Besides this, these vacancies are announced by the All India Radio and also notified to the Employment Exchanges. These provisions have been found to be quite adequate from the point of wide publicity of the reserved vacancies; as such it is not considered necessary to send copies of such advertisements to local Scheduled Caste/Scheduled Tribe M.Ps and M.L.As in as much as that can create genuine misunderstanding and administrative difficulties. Under these circumstances, it will not be possible to implement the same recommendation.

[Ministry of Petroleum, Chemicals and Fertilizers (Department of Petroleum) O.M. No. R-38017/4/78-OR-1 dated 7-4-1980]

Comments of the Committee

Please see Chapter I, para 1.15.

Recommendation (Sl. No. 30, Para 5.14)

The Committee suggest that in view of heavy shortfalls in the representation of Scheduled Castes and Scheduled Tribes in promotional posts, the date for determining the length of service of three years as on 31st December of each year should not stand in the way of promotion of Scheduled Caste and Scheduled Tribe employees. The Ministry may examine whether some relaxation in the case of Scheduled Caste and Scheduled Tribe employees could be given in this regard and the result thereof may be communicated to the Committee.

Reply of Government

The suggestion of the Committee has been examined but it is not possible to accept the same in view of the following considerations:

- (i) The eligibility period of three years to be reckoned as on 31st December of each year has been prescribed as per the agreement reached with the Indian Oil Officers' Association which is the representative body of all the officers of the Corporation. Any unilateral change in this regard will create many problems and have repercussions on the industrial relations situation.
- (ii) The confidential reports on the performance of the employees are recorded on calendar year basis. If therefore any change is made in the eligibility period by changing the date for determining the length of service in case of Scheduled Caste/Scheduled Tribe employees, it may not be possible to evaluate their performance for completed period of three years.

- (iii) There is already a concession available to Scheduled Caste/Scheduled Tribe employees within Group 'A' according to which in promotion by selection Scheduled Caste/Scheduled Tribe officers who are senior enough in the zone of consideration for promotion so as to be within the number of vacancies for which the select list has to be drawn up are to be promoted irrespective of their merit *vis-à-vis* general category candidates provided they are not unfit for promotion. This concession is adequate enough to take care of all departmental Scheduled Caste/Scheduled Tribe employees in Group 'A' posts and therefore any further relaxation outside the Presidential Directives to Scheduled Caste/Scheduled Tribe employees may lead to widespread resentment.

[Ministry of Petroleum, Chemicals & Fertilizers (Department of Petroleum)
O.M. No. R-37018/4/78-OR-I dated 3-11-1979]

Comments of the Committee

Please see Chapter I, para 1.21.

Recommendation (Sl. No. 30, Para 5.14)

The Committee deplore that while the Indian Oil Corporation (Refineries & Pipelines Division) provides housing facilities to its employees, it has not so far provided any reservations for Scheduled Caste and Scheduled Tribe employees in the allotment of accommodation although the Bureau of Public Enterprises had suggested them in April, 1974 to reserve a percentage of accommodation for Scheduled Caste and Scheduled Tribe employees in their townships. The Committee suggest that at least 10 per cent reservation should be provided for Scheduled Caste and Scheduled Tribe employees in the allotment of Type I and Type II accommodation by the Indian Oil Corporation (Refineries & Pipelines Division) as is being followed by the Central Govt. for their employees in this regard.

Reply of Government

Allotments of residential accommodation in Company townships are made with the concurrence of the House Allotment Committees, in which the representatives of workmen are also present. Therefore any change in the policy will have to have the agreement of the workers.

The suggestion from the BPE was brought to the notice of workers' unions, but they did not agree to any reservation for any section of employees, since housing is a welfare facility and the principle of length of service is a rational one to follow.

Any unilateral modification to the policy may lead to industrial relation problems.

[Ministry of Petroleum, Chemicals & Fertilizers (Department of Petroleum)
O.M. No. R-37018/4/78-OR-I dated 3-11-1979]

Comments of the Committee

Please see Chapter I, para 1.18.

Recommendation (Sl. No. 31, Para 5.15)

The Committee also suggest that the condition of six years' service for eligibility to apply for house building loan should be reduced to at least four years in the case of Scheduled Caste and Scheduled Tribe employees so that the intending employees may not find any difficulty in building their own houses on this score.

Reply of Government

The recommendation of the Committee to reduce the eligibility period for House building loan from six years to four years in case of Scheduled Caste/Scheduled Tribe employees is likely to result in similar demand from other employees. If the eligibility period is reduced for Scheduled Caste/Scheduled Tribe employees, it will have to be made applicable to other employees as well, which would mean overall relaxation of the rules and heavy financial burden on the Corporation.

[Ministry of Petroleum, Chemicals & Fertilizers (Department of Petroleum)
O.M. No. R-38017/4/78-OR-I dated 3-11-1979]

Comments of the Committee

Please see Chapter I, para 1.21.

Recommendation Sl. No. 33 (Para 5.21)

The Committee also desire that petty contracts upto a value of Rs. 10,000/- should only be allotted to Scheduled Caste and Scheduled Tribe persons on nomination basis and, if necessary, the rules may be amended accordingly.

Reply of Government

The suggestion of the Committee has been examined but it has not been found possible to accept it because it will smack of discrimination.

[Ministry of Petroleum, Chemicals & Fertilizers (Department of Petroleum)
O.M. No. R-38017/4/78-OR-I dated 3-11-1979]

Comments of the Committee

Please see Chapter I, para 1.24.

CHAPTER V

RECOMMENDATIONS/OBSERVATIONS REGARDING WHICH FINAL REPLIES OF GOVERNMENT HAVE NOT BEEN RECEIVED

Recommendation Sl. No. 3 (Para 2.13)

The Committee note that reservations for Scheduled Castes and Scheduled Tribes in direct recruitment and in promotion were enforced in the Indian Oil Corporation (Refineries & Pipelines Division), with effect from 24-3-1971 *i.e.* the date of issue of the first Presidential Directive by the Ministry of Petroleum, Chemicals and Fertilizers (Department of Petroleum) to them. The Committee further note that whereas in the Refineries Wing, percentages of reservations for Scheduled Castes and Scheduled Tribes in direct recruitment to Group 'B' and 'C' posts have been fixed according to the proportion of population of these communities to the total population of the States in which the Refineries are situated, percentages of reservations for Scheduled Castes and Scheduled Tribes in posts filled by direct recruitment in Group 'B' and 'C' posts have been fixed at 15 per cent and 7½ per cent in the Pipelines Wing in view of the cross country set-up of the Pipelines. They are, however, referring the matter to the Ministry of Petroleum, Chemicals and Fertilizers (Department of Petroleum) for a decision. The Committee desire that a decision in the matter should be taken quickly so that interests of Scheduled Castes and Scheduled Tribes are not affected for want of clear directive in this regard. The Committee would also like to be apprised of the decision taken in the matter.

Reply of Government

As desired by the Committee, the matter regarding the introduction of all-India 40-point roster (15 per cent for Schedule Caste and 7½ per cent for Scheduled Tribe) in respect of recruitment to Group 'B' and 'C' posts in the Pipelines Wing was referred to the Ministry of PC&F (Department of Petroleum) in June, 1979. The Ministry in consultation with the Deptt. of Personnel & Administrative Reforms have advised IOC that rosters in respect of the regional recruitments done in different pipeline units should be maintained based on the average of total percentages of Scheduled Caste and Scheduled Tribe population in those States through which the pipeline pass. IOC in their reply have stated as follows:

"The above resultant percentages of reservation for Scheduled Caste and Scheduled Tribe would certainly be different from those

prescribed under the Presidential Directive and it is not known which points in the 100-point roster are to be reserved for Scheduled Caste and Scheduled Tribe separately. However, we are willing to implement the Ministry's suggestion if the revised rosters based on average percentages are issued by the Ministry in the form of Presidential Directive to avoid legal and administrative complications. In view of the above, we are taking up the matter with the Ministry separately."

[Ministry of Petroleum, Chemicals & Fertilizers (Department of Petroleum) O.M. No. R-38017/4/78-OR-I, dated 3-11-1979]

Comments of the Committee

The Committee are unhappy to note that a long time has been taken by the Ministry of Petroleum, Chemicals and Fertilizers (Department of Petroleum) and the I.O.C. (R&P Division) to sort out this issue. They hope efforts would be made to resolve the doubts raised by Indian Oil Corporation without any further loss of time.

NEW DELHI;

January 14, 1981/Pausa 24. 1902 (S)

R. R. BHOLE,

Chairman,

Committee on the Welfare of
Scheduled Castes & Scheduled Tribes.

APPENDIX I

(Vide page 7 of the Report)

Summary record of the meeting held on 13th June, 1979 on the implementation of Presidential Directives and instructions regarding reservation for Scheduled Castes and Scheduled Tribes •

Initiating the discussions Shri Narayanaswamy stressed the importance of reservation for SCs and STs in the various public sector undertakings. He recalled the review of the Parliamentary Committee on the Welfare of Scheduled Castes and Scheduled Tribes of the work done by the IOC (R&P Div.) in this regard. An assurance had been given by the Deptt. during this review that half yearly meetings at the Joint Secretary's level will be held in the Deptt. to review the progress made by the public sector undertakings under their administrative control in the speedy and vigorous implementation of the provisions contained in the Presidential Directives and the various instructions issued by the Bureau of Public Enterprises from time to time. He pointed out that the Committee in its report has expressed the hope that at these meetings not only the progress will be reviewed but concrete remedial measures, wherever deficiencies are noticed, will also be suggested for the effective implementation of reservation orders. In this context Shri Narayanaswamy pointed out that the booklet published by the Bureau of Public Enterprises fixes the responsibility on the Joint Secretary dealing with the undertaking and on the Liaison Officers of the undertakings for the effective implementation of the reservation orders. He stressed the importance of the Liaison Officers familiarising themselves with the various provisions of the Presidential Directives and instructions/guidelines issued by the Bureau of Public Enterprises from time to time. Shri Narayanaswamy added that the contact between the Ministry and the public sector undertakings in this aspect is limited to the submission by the letter of quarterly/annual reports to the Ministry. The detailed reasons for non-fulfilment of the quota are not given in the statements and the Ministry is not kept informed of the deficiencies, if any, noticed by the undertakings. He desired that the Liaison Officers should henceforth submit their detailed evaluation reports to the Ministry prior to the half-yearly meeting and added that the performance of the undertakings in the previous two quarters will be reviewed at these meetings with reference to their quarterly reports as also the evaluation reports to be submitted by the Liaison Officers.

2. Shri P. P. Gupta explained the concept of dereservation and invited the attention of the Liaison Officers to Minister's orders that no post should be dereserved without getting the prior approval of the Minister. He also stressed the need for sending the quarterly and annual statements promptly and filling the various columns without fail.

3. The performance of the various public sector undertakings in recruiting Scheduled Castes and Scheduled Tribes are reviewed in detail:

- (a) *Indian Oil Corporation Limited*: Out of the total recruitment of 1372 in all the categories put together the number of SCs recruited is 181 and STs 78. It was explained by the IOC representatives that the shortfall in representation of SCs/STs is mainly in Group A category against which only professionally qualified candidates are recruited. It was explained that professionally qualified candidates with acceptable standards of competence in fields like engineering of various disciplines, chartered/cost accountancy, personnel management, administration etc. are not generally available from the reserved communities in the open market even on the basis of relaxed standards. It was noted that IOC are taking steps like issuing advertisements for special recruitment, providing further relaxation in educational qualifications etc. with a view to improving the representation of candidates from reserved communities.
- (b) *Engineers India Limited*: As against a total number of 304 recruited during the year 1978, only 17 belonged to SC and 2 to ST. It was pointed out that the performance of EIL was very poor. Representatives of EIL pointed out that by applying relaxed standards they have been able to improve the intake of SC/ST candidates particularly in the category of Inspection Engineers, Power System Engineers, Programmers and Draughtsmen. In this connection a point was also made that when a SC/ST employee resigns from one undertaking to take up a job in another, the undertaking from where he resigns should be deemed to have not suffered a reduction in the level of reservation for SC/ST attained by it. A plea was also made that a consultancy organisation like EIL should be placed on a different footing with regard to reservation orders. It was pointed out to EIL that it will not be possible to make an exception in the case of EIL and that they will have to implement the orders faithfully. A point was also made that although copies of advertisements are sent to SC/ST organisa-

tions and DG of EE. They do not at all respond. Shri Narayanaswamy stated that if the Director General of Employment Exchanges does not respond the undertakings could bring it to the notice of Ministry so that the Ministry can take it up with the Labour Ministry.

It was noted that with a view to improve the representation of SC/ST candidates, EIL has decided to pick up 10 to 12 promising SC/ST under-graduate students annually and provide them with suitable aid while undergoing study. These students will be considered for suitable placement in EIL after satisfactory completion of their courses.

- (c) *Bharat Petroleum Corporation Limited*: The total number 567 candidates have been recruited by BPCL during 1978. Of this the number of SCs is 84 and the number of STs is 31. It was explained by the BPCL representative that the staff recruited during the year were mainly Engineers and Chartered Accountants. Although the posts had been advertised the response from SC/ST candidates was very poor. It was also pointed out by the BPCL representative that they had very few SC/ST employees on their pay roll before the take over of the Company by Government in January, 1976. The Presidential Directive was made applicable to this Company only in September 1976 and it is expected that the position will change materially in the coming years.
- (d) *Hindustan Petroleum Corpn. Limited*: Out of the total recruitment of 190 in the Visakh unit of the Company during the year 1978, eighty-one belong to SC and three to ST. The bulk of the recruitment was in Category 'C'. It was explained by the HPCL representative that in the case of management employees the response to advertisements as well as from Employment Exchanges has been very poor. It was noted that HPCL propose to approach the Director General of Employment Exchanges, New Delhi as well as the Commissioner of SCs and STs, New Delhi seeking their help in sponsoring suitable candidates for various managements positions. HPCL have also plans to issue separate advertisements exclusively for SC/ST candidates.
- (e) The reports of MRL, CRL and Labrizol India Ltd. were also considered at the meeting.

4. Some of points raised at the meeting on which clarifications will be obtained and furnished are given below:

- (i) Attention was invited to Shri P. P. Gupta's letter dated 4-8-1978 on point-to-point reservation. Suitable clarifications will be issued by the Ministry (Action: Shri P. P. Gupta).
- (ii) The question was raised whether approval of Minister is necessary even if dereservation is for promotional vacancies. This point will be examined by Ministry and suitable clarifications issued. (Action: Shri P. P. Gupta).
- (iii) Another point raised was whether selection should be at all India level or at the State level. This will also be examined and suitable clarifications issued by Ministry. (Action: Shri P. P. Gupta).
- (iv) A point was also raised whether copy of the advertisements should be sent to the Parliamentary Committee on the Welfare of Scheduled Castes and Scheduled Tribes. It was decided that BPE will be consulted in the matter. (Action: Shri P. P. Gupta).

5. Steps to increase the representation of Scheduled Castes and Scheduled Tribes in the various public sector undertakings:

After detailed discussions, it was decided that the following steps may be taken by the public sector undertakings to improve the representation of Scheduled Castes and Scheduled Tribes:

- (i) A separate cell may be set up immediately by the undertakings under the Liaison Officers to deal exclusively with matters relating to reservation. Adequate staff to assist the Liaison Officers and to look into the grievances and complaints of Scheduled Caste and Scheduled Tribe employees may also be provided. (Action: All Undertakings).
- (ii) The companies will identify the categories where the representation of Scheduled Caste and Scheduled Tribe employees is poor and take special steps like issuing advertisements for special recruitment etc. to improve the situation. In these advertisements the relaxations/concessions available to Scheduled Caste/Scheduled Tribe employees should be specifically mentioned. Copies of these advertisements should be sent to the recognised Scheduled Caste/Scheduled Tribe organisations and also to the

Director of Scheduled Caste/Scheduled Tribe Welfare, Director of Social Welfare in the State/Union Territory concerned etc. (Action: All Undertakings).

- (iii) The vacancies reserved for Scheduled Caste/Scheduled Tribe employees may be advertised through the medium of All India Radio as per instructions contained in the DPAR O.M. No. 36022/4/766-Estt(SCT), dated 7th August, 1976. (Action: All Undertakings).
- (iv) A Scheduled Caste and Scheduled Tribe Officer may be included in the various Recruitment Selection Boards and Departmental Promotion Committee constituted by the Companies. Where officers of suitable rank from these communities are not available the possibility of coopting an Officer of the appropriate rank from other public sector undertakings or the State Government may be considered. (Action: All Undertakings).
- (v) Liaison Officers should see that the prescribed rosters are being maintained in respect of recruitment and promotion of different categories of posts and that the postings are done properly in the rosters. These rosters should be checked regularly and critically by the Liaison Officers and duly signed certificates of checks should be made therein. (Action: All Undertakings).
- (vi) It should be ensured that prior approval of the competent authority is obtained before dereserving posts. (Action: All Undertakings).
- (vii) The Institute of Secretariat Training & Management is conducting special courses to acquaint people with the various orders/instructions regarding reservation. The Liaison Officers should themselves attend these courses and also depute other persons from their respective organisations to attend these courses. (Action: All Undertakings).
- (viii) A fair number of posts to be filled in by deputation or transfer should be earmarked for Scheduled Caste/Scheduled Tribe employees. (Action: All Undertakings).
- (ix) The undertakings should ensure that sufficient number of Scheduled Caste/Scheduled Tribe employees are given in-company

training and provided adequate opportunities to attend the seminars, symposia, conferences and also deputed on assignments abroad. (Action: All Undertakings).

- (x) EIL will prepare a note on the scholarship scheme for promising Scheduled Caste/Scheduled Tribe under-graduate students and send it to the Ministry. A copy each of this note will be sent to all the undertakings for considering whether this can be implemented by them also. (Action: EIL).

APPENDIX II

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

(Vide para 4 of Introduction)

I.	Total Number of recommendations	33
II.	Recommendations which have been accepted by Government (<i>vide</i> Recommendations Serial Nos. 2,5,6,7, 8, 9, 13, 14, 15, 16, 19, 20, 21, 24, 25, 26,27,28 and 29) :	
	Number	19
	Percentage to total	57.61
III.	Recommendations which the Committee do not desire to pursue in view of Government's replies (<i>vide</i> Recommendations Serial Nos. 11, 18, 22, 23 and 32) :	
	Number	5
	Percentage to total	15.15
IV.	Recommendation in respect of which replies of Government have not been accepted and which require reiteration (<i>vide</i> Recommendations Serial Nos. 4, 7,10,12, 17, 30, 31, and 33) :	
	Number	8
	Percentage to total	24.24
V.	Recommendations in respect of which final replies of Government have not been received (<i>vide</i> Recommendation at Serial No. 3) :	
	Number	1
	Percentage to total	3