

COMMITTEE ON THE WELFARE OF SCHEDULED CASTES AND SCHEDULED TRIBES (1991-92)

(TENTH LOK SABHA)

FIRST REPORT

MINISTRY OF RAILWAYS

(RAILWAY BOARD)

Action Taken by Government on the recommendations contained in the Fourth Report of the Committee on the Welfare of Scheduled Castes and Scheduled Tribes (Ninth Lok Sabha) on the Ministry of Railways (Railway Board) — Reservations for and employment of Scheduled Castes and Scheduled Tribes in Indian Railway Construction Company Limited.



Presented to Lok Sabha on _____

Laid in Rajya Sabha on _____

**LOK SABHA SECRETARIAT
NEW DELHI**

October, 1991 / Kartika, 1913 (S)

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COMMITTEE ON THE WELFARE OF SCHEDULED CASTES AND
SCHEDULED TRIBES (1991-92)

Shri K. Pradhani — *Chairman*

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Lok Sabha

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Secretariat

1. Shri S.C. Gupta — *Joint Secretary*
2. Shri R.K. Chatterjee — *Deputy Secretary*

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 First Report (Tenth Lok Sabha) on Action Taken by Government on the recommendations contained in the Fourth Report (Ninth Lok Sabha) on the Ministry of Railways (Railway Board) — Reservations for and employment of Scheduled Castes and Scheduled Tribes in Indian Railway Construction Company Limited.

2. The Report was considered and adopted by the Committee on 11 October, 1991.

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

I Report.

II Recommendations/Observations which have been accepted by Government.

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

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

4. An analysis of the action taken by Government on the recommendations contained in the Fourth Report of the Committee is given in Appendix. It would be observed therefrom that out of 18 recommendations made in the Report 15 recommendations *i.e.* 83.3 per cent have been accepted by Government; the Committee do not desire to pursue one recommendation *i.e.* 5.6 per cent of their recommendations in view of Government's replies; and 2 recommendations *i.e.* 11.1 per cent in respect of which replies of Government have not been accepted by the Committee, require reiteration.

NEW DELHI;
November 12, 1991

11 Kartika, 1913 (Saka)

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

CHAPTER I

REPORT

1.1 This Report of the Committee on the Welfare of Scheduled Castes and Scheduled Tribes deals with the action taken by Government on the recommendations contained in the Fourth Report (Ninth Lok Sabha) of the Committee on reservations for and employment of Scheduled Castes and Scheduled Tribes in Indian Railway Construction Company Limited.

1.2 The Fourth Report was presented to Lok Sabha on 11 March, 1991. It contained 18 recommendations. Replies of the Government in respect of these recommendations have been examined and may be categorised as under:—

- (i) Recommendations and observations which have been accepted by the Government — Sl. Nos. 2, 3, 4, 5, 6, 8, 9, 10, 12, 13, 14, 15, 16, 17 and 18.
- (ii) Recommendation and observation which the Committee do not desire to pursue in the light of the replies received from Government — Sl. No. 7.
- (iii) Recommendations and observations replies to which have not been accepted by the Committee and which require reiteration — Sl. Nos. 1 and 11.
- (iv) Recommendations and observations in respect of which final replies have not been received — Nil.

1.3 The Committee will now deal with the action taken by the Government on some of their recommendations.

A. Board of Directors

(Recommendation Sl. No. 1)

1.4 In paragraphs 1.15 and 1.16 of their Fourth Report (Ninth Lok Sabha) the Committee observed that keeping in view the need to provide adequate representation to the Scheduled Castes and Scheduled Tribes in all walks of life as per provisions of the Constitution and also to take care of the interest of SC/ST employees of the undertakings/institutions, there was need for inclusion of one SC/ST member on the Board of all Public Sector Undertakings. They desired the Government to take an early decision in this regard and consider feasibility of nominating one SC/ST part-time Director on the Board. The Committee also urged upon the Railway Board to suggest the name of atleast one eligible SC/ST candidate to Public Enterprises Selection Board for selection as Director on the Board of IRCON.

1.5 In their reply the Government have stated that if any eligible railway SC/ST officer applied for the post of Director, he would be duly considered. As regards appointment of SC/ST candidate as one of the part-time Directors on the Board of Directors, it has been stated that part-time Directors are nominated by virtue of the posts they hold and was, therefore, not possible to appoint those members amongst SC/ST officers unless they held that position.

1.6 The Committee consider the reply of Government as evasive. They reiterate their earlier recommendation that at least one eligible SC/ST candidate should be appointed on the Board of Directors of IRCON.

*B. Maintenance of Roster by IRCON
(Recommendation Sl.No. 6)*

1.7 In para 2.26 of their Report the Committee had observed that in spite of the reservation orders being in force for nearly two decades, discrepancies have been detected in the maintenance of Rosters by IRCON. They recommended that periodical training in the matters relating to maintenance of Rosters and follow up of reservation orders should be imparted to the staff/officers assigned with these tasks to ensure implementation of reservation orders issued by the Department of Personnel and Training and Bureau of Public Enterprises from time to time and also to get rectified discrepancy crept in, if any, immediately on detection.

1.8 The Ministry of Railways (Railway Board) in their reply have stated that the dealing Office Supdt. had already received training on reservations for SCs/STs in the Seminars conducted by various Organisations and would again be sent for such training whenever required. The reservations orders issued by the Department of Personnel and Training and BPE have already been implemented to the extent possible and any discrepancies that creep in were rectified whenever these came to notice.

1.9 The Committee would like to emphasise that such training should be imparted to other members of staff and officers dealing with reservations on regular basis to obviate any aberration in the maintenance of Rosters.

*C. Special Recruitment Drive
(Recommendation Sl.No. 11)*

1.10 In para 3.24 of their Fourth Report, the Committee found that despite resorting to Special Recruitment Drive by IRCON in 1989-90 to clear the backlog vacancies they were not able to recruit SC/ST candidates in certain categories such as Chartered Accountants, Engineers in Electronics Department etc. Besides, some selected SC/ST persons in Group 'B' and 'C' services who were given offers of appointment did not join the services. The Committee recommended that management of IRCON should make all-out efforts to clear the entire backlog vacancies within one year.

1.11 In their action taken reply, the Ministry of Railways (Railway Board) have stated that still there is a shortfall in the categories like

Chartered Accountant, Computer Programmer and Asstt. Manager (Electronics). which could not be filled due to non-availability of SC/ST candidates or due to non-joining of the candidates to whom offer of appointment has been sent. Another recruitment drive has been launched by the IRCON and advertisement issued in May, 1991 exclusively for the candidates of SC/ST communities for clearing the backlog vacancies.

1.12 The Committee trust that all out efforts would be made by the management of IRCON to clear the entire backlog of vacancies reserved for SCs/STs within the stipulated period.

CHAPTER II

RECOMMENDATIONS THAT HAVE BEEN ACCEPTED BY GOVERNMENT

Recommendations (Sl.No. 2 Para 2.19, 2.20 & 2.21)

2.19 The Committee note that a separate Cell exists in the Ministry of Railways (Railway Board) to look after the interests of SC/ST employees of Railways as also to ensure proper implementation of the Government policy for the Welfare and representation of SCs/STs in the Railways. They, however regret to note that SC/ST Cell at the Board level exercises no control over IRCON or other Public Undertakings under the control of the Ministry of Railways on the plea that they are directly governed by BPE in establishment matters. The Cell oversee the reservation of SCs/STs in IRCON through various returns furnished by the Company and never inspected the organisation or its records with a view to ensuring implementation of reservation order in the Undertakings.

2.20 During evidence when the Chairman, Railway Board was asked to explain how the BPE was responsible for compliance with reservation orders in IRCON, he admitted that it was lapse on the part of Ministry of Railways and being the administrative Ministry, it was the responsibility of the Railway Board to ensure implementation of the reservation orders in IRCON and said, "we will take it up with pleasure." He also admitted during evidence that the Cell in the Board has to be made more active and greater attention needs to be paid to IRCON.

2.21 The Committee consider this a serious lapse on the part of the Ministry of Railways (Railway Board) and recommend that as assured by the Chairman, Railway Board, during the evidence, the Cell at Board level should undertake periodical inspection of IRCON and its establishment records to ensure proper implementation of reservation orders, maintenance of rosters and application of other welfare measures for the upliftment of SCs/STs and to issue corrective guidelines where necessary.

Reply of Government

Necessary instructions have already been issued to the Public Sector Undertakings vide Railway Board's Office order No.91/O&M/70 dated 31.1.91, a copy of which is enclosed for information.

: COPY :

**Government of India
Ministry of Railways
(Railway Board)**

OFFICE ORDER NO. 5 OF 1991

It has been decided that Reservation Cell functioning under Executive Director Establishment (Res.) will henceforth monitor implementation of all directives/orders of the Government on Reservation policy in respect of SC/ST employees working in IRCON, RITES and other Public Sector Undertakings/Organisations under the Ministry of Railways. They would also undertake inspections of these organisations for checking the Roster Register maintained by them.

2. All cases relating to recruitment and promotion policy in the Public Sector Undertakings and other organisations under the Ministry of Railways, handled by the respective Nodal Directorates, should be shown to EDE (Res) before issue of final orders.

sd/-

(T.K.Balasubramanian)

Jt. Secretary, Railway Board.

No.91/O&M/70

Dated 31.1.91.

To,

All Officers & Branches in Board's Office.

8(Acc) and O&M with 10 spares each.

Copy to:

1. The Managing Director, RITES, New Delhi.
2. The Managing Director, IRCON, New Delhi.
3. The Managing Director, IRFC, New Delhi.
4. The Executive Director, CRIS, New Delhi.
5. EDT(M), Railway Board, New Delhi.
6. ED(C&IS), Railway Board, New Delhi.

(Ministry of Railway's O.M. No. 90E(SCTI)/80/2 dated 8.8.1991)

Recommendation (SI.No. 3 Para 2.22)

2.22 The Committee hardly need emphasise that the Ministry of Railways (Railway Board) being the administrative Ministry of IRCON should ensure that the Liaison Officer of the Railway Board conducts periodical inspection of establishment matters of IRCON including checking of its rosters maintained for recruitment and promotion of staff in that organisation.

Reply of Government

Necessary instructions have already been issued to the Public Sector Undertakings vide Railway Board's Office order No. 91/O&M/70 dated 31.1.91, a copy of which is enclosed for information.

: COPY :

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(T.K. Balasubramanian)
Jt.Secretary, Railway Board.

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4. The Executive Director, CRIS, New Delhi.
5. EDT(M), Railway Board, New Delhi.
6. ED(C&IS), Railway Board, New Delhi.

[Ministry of Railway's O.M.No. 90E(SCTI)/80/2 dated 8.8.1991.]

Recommendations Sl. No. 4, Para 2.23, 2.24

2.23 The Committee note that considering the size of the Company and total strength of SC/ST employees in IRCON, no separate SC/ST Cell was set up in Indian Railway Construction Company Ltd. The General Manager (Personnel) who is responsible for recruitment and promotions etc in the Company has been designated as Liaison Officer for SCs/STs in IRCON.

2.24 The Committee regret to note that even though there are instructions from the Government of India that there should be a separate SC/ST Cell under the control of Liaison Officer, the IRCON has not yet created a separate Cell. The Committee recommend that a separate SC/ST Cell with requisite number of staff may be set up in the Corporate Office of IRCON whose functions will mainly be to aid and assist the Liaison Officer to discharge his duties effectively in so far as implementation of reservation orders in IRCON is concerned.

Reply of Government

As recommended by the Committee, IRCON have set up a separate Cell comprising of one office Supdt. and one Typist to aid and assist the Liaison officer to discharge his duties effectively for the implementation of reservation orders in IRCON.

[Ministry of Railway's O.M.No. 90E(SCTI)/80/2 dated 8-8-91]

Recommendation Sl. No. 5, Para 2.25

2.25 There are clear instructions from Government that 100 point rosters should be drawn up for deciding vacancies of SCs/STs in Group 'C' and 'D' and for making recruitment against these vacancies in Group 'C' and 'D' in all the states of India excepting the Union Territories where 40 point rosters are followed. To their surprise the Committee find that only 40 point rosters are being maintained by IRCON for recruitment of all categories of staff including recruitments made for Group 'C' and 'D' categories of staff for posting in Projects located in different states and recruitment for it is made only in Delhi Office. They find no reason why for the purpose of recruitment in Group 'C' and 'D' categories of posts in Projects spread over a number of states in India and abroad, recruitment should not be made on regional basis and the prescribed reservation

percentage for SC/ST of that region followed. The Committee desire the management of IRCON to follow the hundred point roster for recruitment of staff in Group 'C' and 'D' posts for manning its project in different regions.

Reply of Government

All appointments including appointments in Group C & D, are made from the Corporate Office of IRCON located at Delhi. No recruitment is made by any project exclusively except on Casual basis and the staff is utilised as per their requirement. The model 100 point roster, prescribed by the Deptt. of Personnel & Training is for different states. Union Territories have prescribed only 40 point rosters for Delhi as applicable to recruitment on All India basis. 40 point roster is, therefore, correctly being followed by IRCON.

However, 100 point roster will be followed in future as and when any recruitment is made by any Project Office.

[Ministry of Railway's O.M.No. 90E(SCTI)/80/2 dated 8.8.91]

Recommendation (Sl. No. 6, Para 2.26)

2.26 The Committee further observed that inspite of the reservation orders being in force for nearly two decades, discrepancies have been detected in the maintenance of rosters by IRCON. This may be due to the fact that the persons responsible for maintenance of rosters are not properly trained for the job. They recommend that periodical training in the matters relating to maintenance of rosters and follow up of reservation orders should be imparted to the staff/officers to be assigned with these tasks. They would like to impress upon the management of IRCON that they should ensure implementation of reservation orders issued by the Department of Personnel & Training and Bureau of Public Enterprises from time to time and any discrepancy crept in should be rectified immediately on detection.

Reply of Government

Office Supdt. dealing with different reservations for SC/ST posts had already training in the Seminars conducted by various Organisations. He will again be sent for such training whenever required.

The reservation orders issued by the Department of Personnel & Training and BPE have already been implemented to the extent possible and any discrepancies that creep in are rectified whenever these come to notice.

[Ministry of Railway's O.M.No. 90E(SCTI)/80/2 dated 8.8.91]

Comments of the Committee

The Committee would like to emphasise that such training should be imparted to other members of staff and officers dealing with reserva-

tions on regular basis to obviate any aberration in the maintenance of rosters.

Recommendations (Sl. No. 8, Para 3.20, 3.21)

3.20 The Committee learn that IRCON makes direct recruitment in Group A, B and C services after advertising the posts in the leading newspapers on all-India basis and for recruitment in Group 'C' upto certain scale (non-technical) and D posts indents are placed with Delhi Employment Exchange requesting the Exchange to send suitable candidates for these posts. IRCON gives certain relaxation to SC/ST candidates at the time of recruitment such as age relaxation by five years and 10% relaxation in qualifying marks both in written test and in interview. In addition relaxation in experience and lower percentage of marks in qualifications are also given to SC/ST candidates.

3.21 The Committee recommend that SC/ST candidates should be interviewed separately under relaxed standard irrespective of number of SC/ST candidates appearing for a particular interview as provided in Government instructions. They also desire that suitable mechanism be devised to ensure that interview/appointment letters reach the selected SC/ST candidates on time.

Reply of Government

Already the SC/ST candidates are interviewed on separate dates where the number of candidates are sizeable. Where the number of candidates is a few only, they are clubbed with others. In future even when the number is small the SC/ST will be interviewed in separate blocks. The interview letters and appointment letters are now being issued by Registered Post which would ensure that these letters reach the SC/ST candidates in time.

[Ministry of Railway's O.M. No. 90E(SCTI)/80/2 dated 8.8.91]

Recommendation (Sl. No. 9, Para 3.22)

3.22 The Committee observe that for recruitment in Group 'C' and 'D' posts, management of IRCON indicate the minimum qualification, age etc. to the Delhi Regional Employment Exchange to avoid rejection of the candidates. While this is a step in the right direction, the Committee further desire that the reasons for rejection of SC/ST candidates sponsored by Employment Exchange should be communicated to the Employment Exchange which in turn will help the Employment Exchange to nominate suitable candidates in the subsequent interviews.

Reply of Government

At present we have been advising the Employment Exchanges about the rejection of SC/ST candidates sponsored by them. In future the reasons for such rejection will also be communicated to the Employment Exchanges.

[Ministry of Railway's O.M.No. 90E(SCTI)/80/2 dated 8.8.91]

Recommendation (Sl. No. 10, Para 3.23)

3.23 The Committee find that some vacancies reserved for SCs/STs in Group 'B' and 'C' categories of services have been allowed to lapse till 1988. There is no evidence to show that special efforts were made to recruit suitable SC/ST candidates against these vacancies. They desire action be taken to restore the desired representation of SCs/STs in the services of IRCON.

Reply of Government

So far no reserved vacancy has lapsed except one SC vacancy of Chartered Accountant which occurred in 1980. This vacancy was carried forward to the next three recruitment years viz. 1983, 1985 and 1987. The other reserved vacancies which could not be filled were carried forward to the next recruitment years and did not lapse. These backlog vacancies were filled up during the Recruitment Drive in 1983, 1989 and 1990.

[Ministry of Railway's O.M No. 90E(SCTI)/80/2 dated 8.8.91]

Recommendations (Sl. No. 12, Para 3.36 & 3.37)

3.36 The Committee regret to note negligible representation of SC/ST in promotions made by the Company. Out of 96 persons promoted in Group 'A' during the last three years, only 4 were SCs and 2 STs. In Group 'B' out of a total number of six persons promoted, none belonged to SC/ST. Similarly, in Group 'C' out of a total number of 197 persons promoted, there were 23 SCs and 5 STs. One of the reasons attributed for the low representation in promotion of SC/ST candidates is non-availability of SC/ST employees in the feeder cadre.

3.37 The Committee note that there are shortages in the feeder cadre, especially in Group 'A' and 'B' services as main entry in the initial period set up of IRCON was through deputation and there were very few SC/ST officers on deputation. They desire that in order to increase the representation of SC/ST in various groups the existing SC/ST employees who may fall short of the requisite experience and other service conditions, may be considered for giving promotion to the next higher grade by enlarging the zone of consideration and also by giving them pre-promotion training as well as further relaxation in qualifying marks in departmental competitive examinations. Finally, if necessary, the management should go in for direct recruitment of SC/ST candidates against various posts lying vacant due to non-availability of suitable SC/ST candidates.

Reply of Government

The Committee's recommendations, that the existing SC/ST employees who may fall short of the requisite experience and other service conditions, may be given promotion to the next higher grade by enlarging the zone of consideration and also by giving them pre-promotion training as well as further relaxation in qualifying marks in departmental competitive exami-

nations, has been noted. The relaxation in qualifying marks in departmental competitive examinations is also granted to SC/ST candidates to the extent of 10%.

Action will be taken to resort to direct recruitment of SC/ST in the recruitment grade against the various posts (not filled as per roster) due to non-availability of SC/ST candidates for promotion.

[Ministry of Railway's O.M.No. 90E(SCTI)/80/2 dated 8.8.91]

Recommendations (Sl. No. 13, Para 3.47 & 3.48)

3.47 The Committee find that out of 206 persons taken on deputation in Group A,B,C and D services of IRCON, 197 persons belong to Railways, 9 persons belong to other departments and out of these deputationists only 16 persons belong to SC and one belong to ST. During evidence the Chairman, Railway Board and the Managing Director, IRCON, informed the Committee that particular type of job contracts which IRCON undertake, requires technical expertise which is available in Railways only and for this reason most of the persons have been taken on deputation from Railways. He, however, admitted that while inviting volunteers from various departments of Railways, no mention was made that the organisation needs the services of SC/ST candidates as well.

3.48 The Committee recommend that in future, at the time of taking persons on deputation from Railways it must be made abundantly clear that vacancies against SC/ST candidates will be filled up by SC/ST candidates only and accordingly applications are to be invited from volunteers belonging to SC/ST communities from different departments of Railways. They hope that the management of IRCON will follow this meticulously as assured by Chairman, Railway Board during evidence and Committee informed of the steps taken in this direction.

Reply of Government

Necessary instructions have since been issued by the Chairman Railway Board to General Managers of Zonal Railways and Production Units to take positive steps to encourage the deputation of SC/ST Officers and to forward their names freely to the Ministry of Railways. A copy of D.O. letter No. 90 E (SCTI)/80/2 dated 8.2.91 is enclosed. Railway Board have started asking Railways on all circulars about deputation to send the names of eligible SC/ST volunteers also.

Copy :

**CHAIRMAN, RAILWAY BOARD
&
EX-OFFICIO PRINCIPAL SECRETARY
GOVERNMENT OF INDIA
MINISTRY OF RAILWAYS**

R.D. KITSON

D. O. No. 90-E(SCT)I/80/2

February 8, 1991.

General Managers

All Indian Railways by name.

*SUB:—Deputation of SC/ST officers/staff in Public Sector Enterprises—
Discussions in the Parliamentary Committee on the Welfare of
SCs/STs on 27-11-90*

During the course of discussions in the Parliamentary Committee on the Welfare of Scheduled Castes and Scheduled Tribes, while the Committee was examining implementation of the reservation policy in IRCON, the Ministry of Railways came in for criticism for the poor representation of SC/ST Officers/Staff on deputation with IRCON and other public sector undertakings. I have been given to understand that very few reserved community members opt for deputation. This could be due to inadequate publicity being given, particularly to SC/ST officers/staff at the time of calling for volunteers. This aspect must be taken care of and in addition, other positive steps taken to encourage the deputation of SC/ST officers and their names freely forwarded to the Ministry of Railways for further consideration.

2. I am certain that with an enthusiastic approach, the situation of inadequate representation would change soon.

Yours sincerely,

Sd/-

(R.D. KITSON)

[Ministry of Railway's O.M. No. 90E(SCTI)/80/2 dated 8.8.1991]

Recommendations (Sl. No. 14, Para 3.49)

3.49 The Committee find that practically no ST volunteers responded to the circulars issued by the Railway Board for selection against vacancies occurred in different groups of services in IRCON. The Committee have every doubt whether the circular inviting volunteers reached all the eligible ST candidates working in different zones of Railways in different parts of the country. The Committee would like the management of IRCON and of the Railway Board to ensure that circulars inviting volunteers for working in IRCON reaches the eligible ST candidates working in different sectors of Railways.

[Reply of Government]

Necessary instructions have since been issued by the Chairman, Railway Board, to all General Managers of Zonal Railways and Production Units to take positive steps to encourage the deputation of SC/ST Officers and to forward their names freely to the Ministry of Railways. A copy of D.O. Letter No. 90E(SCT)I/80/2 dated

8.2.91 is enclosed. Railway Board have started asking Railways on all circulars about deputation to send the names of eligible SC/ST volunteers also.

COPY

CHAIRMAN, RAILWAY BOARD
&
EX-OFFICIO PRINCIPAL SECRETARY
GOVERNMENT OF INDIA
MINISTRY OF RAILWAYS

R.D. KITSON

D.O.No. 90-E(SCTI)/80/2

February 8, 1991.

General Managers

All Indian Railways by name.

SUBJECT:—Deputation of SC/ST officers/staff in Public Sector Enterprises —Discussions in the Parliamentary Committee on the Welfare of SCs/STs on 27.11.90.

During the course of discussions in the Parliamentary Committee on the Welfare of Scheduled Castes and Scheduled Tribes, while the Committee was examining implementation of the reservation policy in IRCON, the Ministry of Railways came in for criticism for the poor representation of SC/ST Officers/Staff on deputation with IRCON and other public sector undertakings. I have been given to understand that very few reserved community members opt for deputation. This could be due to inadequate publicity being given, particularly to SC/ST officers/staff at the time of calling for volunteers. This aspect must be taken care of and in addition, other positive steps taken to encourage the deputation of SC/ST officers and their names freely forwarded to the Ministry of Railways for further consideration.

2. I am certain that with an enthusiastic approach, the situation of inadequate representation would change soon.

Yours sincerely,

Sd/-

(R.D.KITSON)

[Ministry of Railway's O.M.No, 90-E(SCTI)/80/2, dated 8.8.1991]

Recommendations (Sl. No. 15, Paras 3.50 & 3.51)

3.50 While it is accepted that the nature of expertise required by IRCON for completing various job contracts available in Railways only, it cannot be said that for performing duties in Group 'B', 'C' & 'D' services such persons are not available in other Departments. As a matter of fact there is no evidence to show that the management of IRCON has ever made any

effort to recruit suitable persons from any other departments of the Government.

3.51 The Committee recommend that the management of IRCON should explore the possibility of finding suitable candidates in different groups of services for taking persons on deputation in IRCON from other Departments as well, including Public Sector Undertakings of the Government, especially to fill the vacancies of SC/ST candidates required by IRCON.

Reply of Government

IRCON being a Railway Undertaking, deals mainly in Railway works, and, therefore, persons on deputation are required generally through the Railways, who have specialised in Railway working. Recently IRCON have diversified to Road Construction also and accordingly some persons have been taken on deputation from other than Railways also. In future also, the persons will be taken on deputation from the Railways and other Departments/Public Sector Undertakings and the demand for SC/ST will be specially kept in view while placing the indents.

[Ministry of Railways O.M. No. 90E(SCTI)/80/2 dated 8.8.91.]

Recommendations (Sl. No. 16, Paras 4.7 & 4.8)

4.7 The Committee note that out of 43 Officers posted on foreign projects during 1987-88, two are Scheduled Castes and one is Scheduled Tribe; in 1988-89 out of 50 officers posted abroad, three were SCs and none belonged to ST; and during 1989-90 out of 82 persons posted abroad, only two were SCs and none from ST. They also find that as on 30-6-90 out of 116 persons on foreign projects, only 17 persons belonged to SC and one belonged to ST. Some of the reasons given for not posting SC/ST employees/Officers abroad are lack of interest on the part of Officer for such posting, non-availability of suitable SC/ST candidates etc.

4.8 While there may be some initial difficulty in finding suitable SC/ST candidates in certain specialised jobs, the Committee are not convinced with the reply of Ministry of Railways that SC/ST candidates are not interested in foreign posting or suitable SC/ST candidates are not available for such jobs. In the opinion of the Committee, posting abroad on foreign projects is always an attractive proposition and as such for boosting the morale of SC/ST employees they ought to be considered for foreign assignments and sent abroad. The Committee desire that all-out efforts should be made by IRCON and Railway Board to find suitable SC/ST candidates for working on different projects abroad.

Reply of Government

Necessary instructions have since been issued to the Railways etc. vide Ministry of Railway's letter No.90/E(O)II/35/8 dated 15.4.1991, a copy of which is enclosed for information.

COPY

**Government of India
Ministry of Railways
Railway Board.**

No. 90/E(0)II/35/8

Dated 15.4.91.

**Managing Directors,
IRCON/RITES/CONCOR/IRFC**

**CMD/Konkon Railway Corporation,
Room No. 101, Rail Bhavan,
New Delhi.**

SUBJECT:-*Recommendations of Parliamentary Committee on the Welfare of SCs and STs.*

The Parliamentary Committee on the welfare of SCs and STs during oral evidence of IRCON, has observed that very few officers belonging to SCs and STs were working in foreign projects of IRCON during 1987-88. The reasons advanced for such low representation of SC/ST officers were lack of interest and non-availability of SC/ST candidates.

While appreciating the above initial difficulty the Committee has desired that efforts should be made to find out suitable SC/ST Officers for working on different projects abroad. Further, selected SC/ST candidates may be given requisite training, if necessary, to make them suitable for undertaking particular project. This is particularly more relevant for ST candidates.

Arrangements may, therefore, be made to implement the recommendations of the Parliamentary Committee in accordance with the Government guidelines.

sd/-

(S.C. Sehgal)

Jt. Secy.(E)/Railway Board

[Ministry of Railway's O.M.No. 90E(SCTI)/80/2 dated 8.8.1991]

Recommendations (Sl.No.17 Para 4.9)

4.9 Further, if necessary, selected SC/ST candidates be given requisite training to make them suitable for undertaking a particular job abroad. This is more true in the case of Scheduled Tribes whose representation in IRCON is practically negligible. The Committee would like to be apprised of the steps taken by the Ministry of Railways to meet this social obligation.

Reply of Government

Necessary instructions have since been issued to the Railways etc. vide Ministry of Railway's letter No.90/E(0)II/35/8 dated 15.4.1991, a copy of which is enclosed for information.

COPY

Government of India
Ministry of Railways
Railway Board.

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While appreciating the above initial difficulty the Committee has desired that efforts should be made to find out suitable SC/ST Officers for working on different projects abroad. Further, selected SC/ST candidates may be given requisite training, if necessary, to make them suitable for undertaking particular project. This is particularly more relevant for ST candidates.

Arrangements may, therefore, be made to implement the recommendations of the Parliamentary Committee in accordance with the Government guidelines.

sd/-
(S.C. Sehgal)
Jt. Secy. (E)/Railway Board

[Ministry of Railway's O.M.No. 90E(SCTI)/80/2 dated 8.8.1991]

Recommendation (Sl.No. 18 Para 4.13)

4.13 The Committee regret to observe that Annual Reports of IRCON does not contain any information on representation of SCs/STs in the services of IRCON or any information regarding welfare measures taken by the management for upliftment or advancement of SC/ST employees of IRCON. They recommend that the requisite information should invariably be furnished in the subsequent editions of Annual Reports of IRCON by incorporating a suitable para/section in it.

Reply of Government

As desired by the Committee, requisite information regarding Welfare measures taken by the Management for upliftment or advancement of SC/ST employees and their representation in each group of service will be indicated in a Para of IRCON's Annual Reports in future.

[Ministry of Railway's O.M.No. 90E(SCTI)/80/2 dated 8.8.91]

CHAPTER III

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

Recommendation (SL. No. 7 Para 3.5)

The Committee are distressed to find very low representation of SCs/STs among the employees of IRCON. Of the total number of employees, the representation of SCs/STs was only 3.3% in Group 'A', 9.5% in Group 'B', 14.5% in Group 'C' and 27.5% in Group 'D'. The main reason for it is that over the years a large number of persons who were taken on deputation initially have been absorbed and the management failed to protect the interests of SCs/STs while taking persons on deputation and absorbing them in the service of the Company. Thus out of 177 persons absorbed in various categories of posts, there were only 3 SCs and 2 STs employees. The Committee could not get any satisfactory explanation in this regard. They would stress the need for following up the reservation policy of Government in letter and spirit by the Company and to ensure representation of SC/STs in various categories of posts as per Government instructions. The Committee would like to be informed of the steps taken in this regard and the outcome thereof.

Reply of Government

As per Government orders for representation of SC/ST for various categories of posts, such reservations had been made in the case of direct recruitment and promotions. There is no reservation on the deputations and the shortfall in the SC/ST is mainly due to non-availability of persons, who came on deputation and subsequently got absorbed in the Company.

Necessary instructions have since been issued by the Chairman, Railway Board to General Managers of Zonal Railways and Production Units to take positive steps to encourage the deputation of SC/ST Officers and to forward their names freely to the Ministry of Railways. A copy of D.O. letter No. 90 E(SCT) I/80/2 dated 08.02.91 is enclosed. Railway Board

have started asking Railways on all circulars about deputation to send the names of eligible SC/ST volunteers also.

COPY:

CHAIRMAN, RAILWAY BOARD
&
EX-OFFICIO PRINCIPAL SECRETARY
GOVERNMENT OF INDIA
MINISTRY OF RAILWAYS

R.D. KITSON

D.O. No. 90-E (SCT) 1/80/2

February 8, 1991.

General Managers

All Indian Railways by name.

SUB—Deputation of SC/ST officers/staff to Public Sector Undertakings—Discussions in the Parliamentary Committee on the Welfare of SCs/STs on 27.11.90.

During the course of discussions in the Parliamentary Committee on the Welfare of Scheduled Castes and Scheduled Tribes, while the Committee was examining implementation of the reservation policy in IRCON, the Ministry of Railways came in for criticism for the poor representation of SC/ST Officers/Staff on deputation with IRCON and other public sector undertakings. I have been given to understand that very few reserved community members opt for deputation. This could be due to inadequate publicity being given, particularly to SC/ST officers/staff at the time of calling for volunteers. This aspect must be taken care of and in addition, other positive steps taken to encourage the deputation of SC/ST officers and their names freely forwarded to the Ministry of Railways for further consideration.

2. I am certain that with an enthusiastic approach, the situation of inadequate representation would change soon.

Yours sincerely,
sd/-

(R.D. KITSON)

[Ministry of Railway's O.M. No. 90E (SCT)1/80/2 dated 8.8.91]

CHAPTER IV

RECOMMENDATIONS IN RESPECT OF WHICH REPLIES OF GOVERNMENT HAVE NOT BEEN ACCEPTED BY THE COMMITTEE

Recommendations (Sl. No. 1 Para 1.15 & 1.16)

1.15 The Committee note that none of the persons in the Board of Directors of IRCON belong to Scheduled Castes/Scheduled Tribes. They were informed that candidates for appointment as Directors on the Board of Public Sector Undertakings are selected by the Public Enterprises Selection Board. However, in the event of any vacancy arising in the Board of IRCON, the Management of IRCON/Railway Board can suggest the names of eligible candidates to Public Enterprises Selection Board for consideration. Besides, the Railway Board nominates two part-time Directors on the Board of IRCON to oversee its working.

1.16 Keeping in view the need to provide adequate representation to the Scheduled Castes/Scheduled Tribes in all walks of life as per provisions of the Constitution and also to take care of the interests of Scheduled Caste/Scheduled Tribe employees of Undertaking/Institutions the Committee in their various Reports have been recommending for inclusion of one Scheduled Caste/Scheduled Tribe member on the Board of Directors of all Public Sector Undertakings. They, however, regret to note that it has not yet been implemented by the Government. The Committee recommend that early decision should be taken in this regard. They would also urge upon the Railway Board to suggest the name of at least one eligible Scheduled Caste/Scheduled Tribe candidate to Public Enterprises Selection Board for selection as Director on the Board of IRCON as assured by the Chairman, Railway Board during evidence.

Reply of Government

Full time Directors are appointed from amongst Officers who meet the job specification/requirements laid down for the post.

Anticipated vacancies are circulated all over the Railways calling for volunteers from amongst the officers who meet job specifications/requirements. Out of the volunteers, Railway Board short lists eligible Officers and this is forwarded to PESB.

The PESB holds selection and recommends a panel. From the panel, appointment is made with the approval of ACC (Appointments Committee of Cabinet).

In future, if any eligible SC/ST officer applies, his candidature will be duly considered.

Part-time Directors are nominated by virtue of the posts they hold and it will, therefore, not be possible to appoint those from amongst SC/ST officers, unless they hold that position.

[Ministry of Railway's O.M.No. 90E(SCTI)/80/2 dated 8.8.1991]

Comments of the Committee

Please see Chapter 1, Para 1.6.

Recommendations (S.No. 11 Para 3.24)

3.24 During evidence the Managing Director of IRCON informed the Committee that a Special Recruitment Drive was launched in 1989-90 to clear the backlog vacancies but they have not been able to recruit SC/ST candidates in certain categories such as Chartered Accountants, Engineers in Electronics Department etc. Besides, some SC/ST persons who have been selected and offers of appointment sent for certain posts in Group 'B' and 'C' services have not yet joined the services. The Committee are of the view that timely action should have been taken to fill up the reserved vacancies instead of waiting for directive from the Government to undertake Special Recruitment to clear backlog vacancies. They recommend that as assured by the Chairman, Railway Board, the management of IRCON should make all-out efforts to clear the entire backlog vacancies within one year.

Reply of Government

At present, there is a shortfall in the categories like Chartered Accountant, Computer Programmer and Asstt. Manager (Electronics) which could not be filled due to non-availability of SC/ST candidates due to non-joining of the candidates to whom offer of appointment had been sent. Another Recruitment Drive has been launched by IRCON and advertisement issued in May-1991 exclusively for candidates of SC/ST communities for clearing the backlog vacancies.

Details of progress of posts filled through Special Recruitment Drive of May-91:—

Sl. No.	Category of post	No. of posts			Status
		SC	ST	Total	
1.	Engineer (Civil)	8	7	15	Applications received from SC/ST candidates have been scrutinised. Selection will be held shortly.
2.	Asstt. Manager (Electronics)	—	1	1	No application from ST candidates received.

Sl. No.	Category of post	No. of posts			Status
		SC	ST	Total	
3.	Chartered Accountant	2	1	3	No applications from SC/ST candidates received.
4.	Computer Programmer	1	—	1	Selection will be held on 08.08.91. No candidate appeared for interview.
5.	Jr. Foreman (Mech.)	—	1	1	Selection will be held on 19.8.91.
6.	Jr. Foreman (Elect.)	—	1	1	Offer of appointment sent to the selected candidate by Registered A/D post to join duty by 23.8.91.
7.	Jr. Stenographer	—	1	1	Offer of appointment sent to the selected candidate by Registered A/D post to join duty by 23.8.91.

[Ministry of Railway's O.M. No. 90E (SCT I/80/2 dated 8.8.91)]

Comments of the Committee
Please see Chapter 1, Para 1.12

APENDIX I

Conclusions and Recommendations

Sl. No.	Para No.	Ministry/ Department/ Organisation concerned.	Conclusions/ Recommendations
1	2	3	4
1	1.6	Ministry of Railways (Railway Board)	The Committee consider the reply of Government evasive. They reiterate their earlier recommendation that at least one eligible SC/ST candidate should be appointed on the Board of Directors of IRCON.
2.	1.9	Indian Railway Construction Company Limited.	The Committee would like to emphasise that such training should be imparted to other members of staff and officers dealing with reservations on regular basis to obviate any aberration in the maintenance of Rosters
3.	1.12	Indian Railway Construction Company Limited.	The Committee trust that all out efforts would be made by the management of IRCON to clear the entire backlog of vacancies reserved for SCs/STs within the stipulated period.

APPENDIX II

(Vide Para 4 of the Introduction)

Analysis of the Action Taken by Government of the Recommendation contained in the Fourth Report of the Committee

1.	Total number of Recommendations	18
2.	Recommendations/Observations which have been accepted by the Government (vide recommendations at Sl. No. 2, 3, 4, 5, 6, 8, 9, 10, 12, 13, 14, 15, 16, 17 and 18).	
	Number	15
	Percentage of Total	83.3
3.	Recommendations/Observations which the Committee do not desire to pursue in view of the Government's replies (vide recommendations at Sl. No. 7).	
	Number	1
	Percentage of Total	5.6
4.	Recommendations/Observations in respect of which replies of the Government have not been accepted by the Committee and require reiteration (vide recommendations at Sl. Nos. 1 & 11).	
	Number	2
	Percentage of Total	11.1

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