

**COMMITTEE ON THE WELFARE OF
SCHEDULED CASTES AND
SCHEDULED TRIBES
(2017-2018)**

(SIXTEENTH LOK SABHA)

EIGHTEENTH REPORT

ON

**MINISTRY OF CONSUMER AFFAIRS, FOOD & PUBLIC DISTRIBUTION
(DEPARTMENT OF FOOD & PUBLIC DISTRIBUTION)**

**Reservation for and Employment of Scheduled Castes and Scheduled Tribes in
Food Corporation of India (FCI)**

Presented to Lok Sabha on 05.01.2018

Laid in Rajya Sabha on 05.01.2018



**LOK SABHA SECRETARIAT
NEW DELHI**

05 January, 2018/Pausa, 1939 (Saka)

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- I. Copy of DoPT Letter No. 36022/1/2007-Estt. (Res.), dated 20.03.2007.
- II. Copy of DoPT letter No. 36011/1/2012-Estt.(Res.) Dated 14.03.2016.
- III. Minutes of the sitting of the Committee on the Welfare of Scheduled Castes and Scheduled Tribes held on 27.09.2016.
- IV. Minutes of the sitting of the Committee on the Welfare of Scheduled Castes and Scheduled Tribes held on 25.01.2017.
- V. Minutes of the sitting of the Committee on the Welfare of Scheduled Castes and Scheduled Tribes held on 26.09.2017.
- VI. Minutes of the sitting of the Committee on the Welfare of Scheduled Castes and Scheduled Tribes held on 04.01.2018.

COMPOSITION OF THE COMMITTEE ON THE WELFARE OF SCHEDULED CASTES AND SCHEDULED TRIBES (2017-2018)

Dr. Kirit P. Solanki - Chairperson

MEMBERS - LOK SABHA

2. Shri Kanti Lal Bhuria
3. Shri P.K. Biju
4. Shri B.N. Chandrappa
5. Dr. (Smt.) Heena Vijaykumar Gavit
6. Dr. K. Gopal
7. Shri Rattan Lal Kataria
8. Smt. Pratima Mondal
9. Prof. Ajmeera Seeta Ram Naik
10. Shri Ram Charitra Nishad
11. Shri Ravindra Babu Pandula
12. Shri Kamlesh Paswan
13. Shri Ram Chandra Paswan
14. Shri Vishnu Dayal Ram
15. Smt. Rita Tarai
16. Shri Krupal Balaji Tumane
17. Shri Vikram Usendi
18. Shri Bhanu Pratap Singh Verma
19. Shri Chintaman Navasha Wanaga
20. Dr. Bhagirath Prasad

MEMBERS - RAJYA SABHA

21. Shri Shamsheer Singh Dullu
22. Shri D. Raja
23. Shri Amar Shankar Sable
24. Shri Veer Singh
25. Shri Tiruchi Siva
26. Smt. Wansuk Syiem
27. Shri Pradeep Tamta
28. Shri Dilip Kumar Tirkey
29. Mahant Shambhuprasadji Tundiya
30. Shri Ramkumar Verma

SECRETARIAT

- | | | |
|----------------------|---|------------------|
| 1. Shri N.C. Gupta | - | Joint Secretary |
| 2. Shri D.R. Shekhar | - | Director |
| 3. Shri V.K. Shailon | - | Deputy Secretary |
| 4. Shri Mukesh Kumar | - | Under Secretary |

INTRODUCTION

I, the Chairman, Committee on the Welfare of Scheduled Castes and Scheduled Tribes having been authorised by the Committee to finalise and submit the Report on their behalf, present this Eighteenth Report (Sixteenth Lok Sabha) on the Ministry of Consumer Affairs, Food & Public Distribution (Department of Food & Public Distribution) on the subject “Reservation for and Employment of Scheduled Castes and Scheduled Tribes in Food Corporation of India (FCI)”.

2. The Committee took evidence of the representatives of the Ministry of Consumer Affairs, Food & Public Distribution (Department of Food & Public Distribution) and those of Food Corporation of India (FCI) on 27.09.2016, 25.01.2017 & 26.09.2017.

3. The Report was considered and adopted by the Committee on 04.01.2018.

4. The Committee wish to express their thanks to the officers of the Ministry of Consumer Affairs, Food & Public Distribution (Department of Food & Public Distribution) for placing before the Committee, the material and information the Committee required in connection with the examination of the subject.

**New Delhi;
5th January, 2018
Pausa, 1939(Saka)**

**(DR. KIRIT PREMJBHAI SOLANKI)
Chairman
Committee on the Welfare of
Scheduled Castes and
Scheduled Tribes**

CHAPTER – I INTRODUCTORY

Organisational set-up

The Committee have been informed that the Food Corporation of India was set up in 1965 (01.01.1965) under the Food Corporations Act, 1964. Since its inception, FCI operates through a country-wide network of field offices with the Corporate Office at New Delhi, 5 Zonal Offices (North, South, East, West and North-East with their Headquarters at Noida, Chennai, Kolkata, Mumbai and Guwahati respectively), 24 Regional Office (almost co-terminus with each State), one Special Regional Office at Manipur, one Port Operations Office at Kandla and 162 District Offices.

Objectives of FCI

2. The objectives of the Corporation are to undertake the purchase, storage, movement, transport, distribution and sale of food grains and other food stuffs.

Board of Directors

3. The Committee have been informed that Chairman & Managing Director (CMD) is the organisational head and Chief Executive Officer of the Corporation, who is assisted by five Executive Directors at Zonal level and a team of 11 Executive Directors at Headquarters in discharge of his day to day functions. The five zones are headed by officers of the rank of Executive Directors who are equivalent to Executive Directors at the Headquarters.

4. As per Section 7 of the Food Corporations Act 1964, the Composition of the Board of Directors of FCI is as follows:-

- (i) Chairman & Managing Director, FCI (Chairman)
- (ii) Three Directors to represent respectively the Ministries of the Central Government dealing with (a) Food; (b) Finance; and (c) Co-operation

- (iii) The Managing Director of the Central Warehousing Corporation established under Section 3 of the Warehousing Corporations Act 1962 (58 of 1962)- ex-officio.
 - (iv) One Managing Director
 - (v) Six other Directors
5. Of the above, Directors are nominated only against category (v) as the rest are all by virtue of the post held.

6. When asked as to whether include any member on the Board of Directors in FCI belongs to SC/ST community, it was stated that the appointment of the Board of Directors of FCI are appointed under the Provisions of the Food Corporations Act and the Govt. of India/ Department of Public Enterprises (DPE) guidelines without any consideration to the caste status of the person. There is thus no explicit provision of having a representative of SC/ST on the Board. It is, therefore, not possible to provide the caste details of Board Members of FCI.

Reservation in services

7. When asked by the Committee about the backlog position for SCs/STs category-wise in FCI and the measures taken to fill up the backlog vacancies, the Committee have been informed that all unfilled vacancies including backlog/shortfall vacancies of SCs/STs which could not filled up in the previous recruitments were carried forward and advertised in the last direct recruitment taken up in 2015. The no. of vacancies advertised including the backlog/shortfall vacancies of SCs/STs and the position of filling the same is as under:-

(1)	(2)			(3)			(4)			(5)		
Category	No. of vacancies advertised			No. of candidates selected			No. of candidates joined (joining as on 31.08.2017)			Gap between advertised & filled up vacancies*		
	UR	SC	ST	UR	SC	ST	UR	SC	ST	UR	SC	ST
I	7	3	2	7	1	1	6	1	1	1	2	1
II	186	65	36	129	56	25	121	56	23	165	9	13
III	2963	865	412	2958	861	410	2727	828	397	236	37	15

*Joining is still in process.

8. Leftover vacancies after completion of the joining of selected candidates along with fresh vacancies that arose thereafter including SC/ST will be advertised in the next recruitment to be initiated shortly.

Promotion

9. The Committee have also been informed that in promotion, shortfall/backlog vacancy position of SCs/STs in the FCI as on 31.12.2015 and 31.12.2016 is placed below:-

Shortfall/Backlog as on 31.12.2015 & 31.12.2016

Category	Shortfall/Backlog vacancies as on 31.12.2015			No. of shortfall/backlog vacancies as on 31.12.2016		
	SC	ST	Total	SC	ST	Total
I	0	0	0	6	1	7
II	197	122	319	354	40	394
III	1473	661	2134	1866	730	2596

Reasons for increase in backlog/shortfall of SC/ST vacancies in Promotion

10. The Committee were informed that the instructions regarding SC/ST candidates appointed by promotion on their own merit and seniority and not owing to reservation or relaxation of qualifications will be adjusted against unreserved points issued by DoPT vide O.M. No.36012/45/2005-Estt.(Res.) dated 10.08.2010. Accordingly, substantial no. of SC/ST candidates got selected against unreserved vacancies. As a result, required no. of SC/ST candidates to promote against vacancies for SC/ST reservation quota were not available in the feeder cadre/zone of consideration/extended zone of consideration (where applicable) and thus remain unfilled and carried forward to the next year.

11. To illustrate the point, factual position of promotions in 2015 in respect of no. of candidates selected on their own merit other than reserved vacancies is submitted below:-

Category	SC/ST candidates promoted on their own merit		
	SC	ST	Total
II	143	59	202
III	496	202	698
Grand Total	639	261	900

12. As on 31.12.2016, the no. of SC/ST candidates who were promoted against reserved SC/ST posts and those promoted against unreserved posts is submitted below:-

No. of SCs/STs Promoted

Category	Against reserved vacancies			Against unreserved vacancies		
	SC	ST	Total	SC	ST	Total
I	74	37	111	140	88	228
II	331	297	628	355	335	690
III	551	422	973	983	438	1421
Total	956	756	1712	1478	861	2339

13. As a result thereof, even though there are unfilled backlog/shortfall vacancies of SC/ST in promotion for reasons indicated above, representation of SC/ST in the Corporation as on 31.12.2016 is above the desired 15% and 7.5% respectively.

14. Non-availability of candidates having minimum qualifying service for promotion even in the extended zone of consideration/feeder cadre. Reasons for non-availability of candidates with minimum qualifying service is due to ban on recruitment till 2009. It was only after 2011, bulk recruitment has been undertaken and consequently, in the coming years the issue of non-availability of candidates with qualifying service for promotion will be resolved.

15. It is further submitted that no vacancy reserved for SC/ST is filled by candidates other than with SC/ST in effecting promotion.

16. The Committee observed that the sanctioned strength is 42,038 and whereas the actual position is 23,770. When asked what efforts are being made to fill-up the rest of

the posts and number of SC/ST vacancies in these unfilled posts. The Committee have been informed that the gap of vacancies ($42,038 - 23,770 = 18,268$) between sanctioned strength and men-in-position as on 30.09.2016 consists of vacancies under direct recruitment and promotion quota. Further, the above also includes category-IV posts. Sanction for 5056 watch & ward Category-IV posts was received in 2016 and the recruitment for watch & ward posts is under process.

Details of unfilled vacancies under Direct Recruitment

17. Details of unfilled vacancies of SCs/STs in Cat. I, II & III under Direct Recruitment as on 31.12.2016 are as given below:-

(As on 31.12.2016)			
Category	Total No. of DR vacancies	SCs	STs
I	75	9	6
II	547	98	54
III	3081	651	207
Grand Total	3703	758	267

18. As regards filling up of unfilled vacancies under direct recruitment, it is submitted that the unfilled vacancies including those reserved for SCs/STs in the previous recruitment as given above along with fresh vacancies arising out due to retirement/resignation etc. are carried forward to the next recruitment process, to be initiated shortly.

19. To ensure filling up of all advertised vacancies including SC/STs, the following steps have been taken in the Corporation:-

- i) Operation of waiting list to fill up vacancies that remained unfilled due to non-joining of selected candidates.
- ii) Removal of the criteria of having eligible candidate at least 3 times the number of vacancies for calling for Interview in Category-I & II recruitment, by taking the issue with the Board of Directors in its meeting held on 22.02.2017, as per the assurance given to the Parliamentary Committee and making appropriate modification in the policy.

- iii) All remaining vacancies of direct recruitment quota along with fresh vacancies will be taken to the next advertisement to be undertaken shortly.

Details of unfilled vacancies under promotion

20. Details of unfilled vacancies of SCs/STs in Cat.I, II & III under Promotion quota as on 31.12.2016 are given as below:-

As on 31.12.2016)

Category	Total no. of PR vacancies	SC	ST
I	106	06	01
II	1542	354	40
III	9492	1866	730
Grand Total	11140	2226	771

21. In promotion, Department Promotion Committee meetings are held every year for all vacancies for all cadres. However, filling up of all vacancies depends upon the availability of eligible candidates in the feeder cadre.

22. Reasons for non-availability SC/ST candidates in promotion are summarized as below:-

- i) Most of the SC/ST candidates are promoted on their own merit against unreserved vacancies and thereafter, required no. of SC/ST candidates to promote against reserved vacancies are not available in the feeder cadre/zone of consideration/extended zone of consideration (where applicable). For illustration, no. of candidates selected on their own merit during 2015 promotion is submitted below:-

Category	SC/ST candidates promoted on their own merit		
	SC	ST	Total
II	143	59	202
III	496	202	698
Grand Total	639	261	900

- ii) Non-availability of candidates having minimum qualifying service for promotion even in the extended zone of consideration/feeder cadre. Reasons for non-availability of candidates with minimum qualifying service is due to ban on recruitment till 2009. It was only after 2011, bulk recruitment has been undertaken and consequently, in the coming years the issue of non-availability of candidates with qualifying service for promotion will be resolved.

23. When asked the reasons for not conducting the recruitment drives between the year 2001 and 2010, the Committee have been informed that the Govt. of India imposed ban on direct recruitment vide O.M No.16(1)/84-BPE dated 06.01.1984 and 22.09.1984. Accordingly, the direct recruitment in FCI was undertaken only with the specific approval of Govt. of India or under Special recruitment Drives as per the instructions of Govt. of India from time to time for filling up the unfilled backlog vacancies for SC/ST.

24. Thereafter, as per DoP&T O.M. dated 16.05.2001, there was restricted recruitment through Annual Direct Recruitment Plans under Optimization Scheme requiring the clearance of Screening Committee headed by the Secretary of Ministry/ Department in case of Annual Direct Recruitment Plans for vacancies in Group 'B' & 'C' and by the Cabinet Secretary in the case of Group 'A' Services. However, DoP&T vide O.M. dated 09.04.2009 discontinued the optimization scheme beyond 31.03.2009. During this period from 2001 to 2009, due to above restriction all the vacancies could not be filled up in full including SC/ST/OBC vacancies and only limited approved posts within 1% of total sanctioned strength of FCI could be filled up. However, as per GOI instructions, 02 Special Recruitment Drives were undertaken between the years 2001 to 2010 for filling up the backlog vacancies reserved for SC/ST. Details are given as under:-

S.R.D.	No. of vacancies advertised			No. of vacancies filled		
	SC	ST	Total	SC	ST	Total
2004-05	564	329	893	388	234	622
2008-09	107	61	168	86	42	128

25. The manpower in FCI was restructured by GOI in the year 2010 with the direction to fill up the post on need basis, in staggered manner. Since then, the recruitment is being undertaken regularly and unfilled vacancies are carried forward to the next recruitment as per the instructions in vogue.

26. The Committee have observed that out of the sanctioned posts, more than 21000 posts are promotional posts. When asked what is the procedure followed for promotion of employees to various categories of posts in FCI, the Committee have been informed that as per FCI (Staff) Regulations, 1971, the following procedure for promotion is being followed:-

- (i) Promotions are made subject to availability of vacancies & completion of requisite qualifying service in the feeder cadre.
- (ii) Promotions are made on the basis of seniority subject to fitness in respect of non-selection posts.
- (iii) In respect of selection posts, promotions are made on the basis of seniority subject meeting the benchmark as prescribed for the post.
- (iv) All promotions are considered by a Promotion Board duly constituted for this purpose and shall be regulated by the general instructions to be issued by the Board of Directors, in regard to the field of choice of candidates, the size of the panel and the validity of the panel.

27. Further, as per Regulation 11 of FCI (Staff) Regulations, 1971, reservation in appointment in the services of the Corporation is to be provided to Scheduled Castes & Scheduled Tribes as per the directions of the Govt. of India issued from time to time. Accordingly, all the relaxations/concessions as per Govt. directions are allowed to SC/ST employees in FCI so that reserved posts do not remain vacant. Details of concessions/relaxations provided to SC/ST employees in promotion are given below:-

- i) Reservation of 15% for SCs and 7.5% for ST employees for promotion in Category IV, III, II and up to lowest rung of Category I.
- ii) In case of promotion from Category III to Category II, within Category II and from Category II to lowest rung of Category I, if sufficient numbers of SC/ST candidates are not available within the normal zone of consideration for promotion, the zone of consideration is extended five times the number of vacancies to get sufficient SC/ST candidates to fill the reserved vacancies.

- iii) In case of promotion being made from Category I post to a Category I post carrying an ultimate salary of Rs. 58000/-(IDA) or less, SC/ST officers who are senior enough in the zone of consideration for promotions so as to be within the number of vacancies are included in the select list irrespective of Benchmark provided they are not considered unfit for promotion.
- iv) As regards, promotions in Category-III and IV posts, a separate list of eligible SC/ST candidates is drawn up for consideration against reserved posts. They are adjudged separately with regard to their fitness for promotion. The select list of officials in General category and those of SCs/STs are merged into a combined select list wherein the names of all officials are arranged in the order of their inter-se-seniority in the original seniority list of category from which promotion is made.
- v) A representative of SC/ST is always included in the Selection Committees constituted for promotion to all categories of posts/grades; where the reservation is applicable.

28. When asked as to whether SC/ST employees of FCI have been given concessions/relaxations while considering them for promotion, the Food Corporation of India in its written replies have stated that as per Regulation 11 of FCI (Staff) Regulations, 1971, reservation in appointment in the services of the Corporation is to be provided to Scheduled Castes & Scheduled Tribes as per the directions of the Govt. of India issued from time to time. Accordingly, all the relaxations/concessions as per Govt. directions are allowed to SC/ST employees in FCI so that reserved posts do not remain vacant. Details of concessions/ relaxations provided to SC/ST employees in promotion are given below:-

- i) Reservation of 15% for SCs and 7.5% for STs employees for promotion in Category IV, III, II and up to lowest rung of Category I.
- ii) In case of promotion from Category III to Category II, within Category II and from Category II to lowest rung of Category I, if sufficient numbers of SC/ST candidates are not available within the normal zone of consideration for promotion, the zone of consideration is extended five times the number of vacancies to get sufficient SC/ST candidates to fill the reserved vacancies.
- iii) In case of promotion being made from Category I post to a Category I post carrying an ultimate salary of Rs. 58000/-(IDA) or less, SC/ST officers who are senior enough in the zone of consideration for promotions so as to be within the number of vacancies are included in the select list irrespective of Benchmark provided they are not considered unfit for promotion.

- iv) As regards, promotions in Category-III and IV posts, a separate list of eligible SC/ST candidates is drawn up for consideration against reserved posts. They are adjudged separately with regard to their fitness for promotion. The select list of officials in General category and those of SCs/STs are merged into a combined select list wherein the names of all officials are arranged in the order of their inter-se-seniority in the original seniority list of category from which promotion is made.
- v) A representative of SC/ST is always included in the Selection Committees constituted for promotion to all categories of posts/grades; where the reservation is applicable.

29. On being asked whether any pre-promotion training is imparted to those SC/ST employees who are found below the required standard for promotion, the Committee have been informed that there is no provision for pre-promotional training to the officers and officials, as per FCI (Staff) Regulations, 1971.

30. The promotions are effected on the basis of seniority-cum-fitness subject to availability of vacancies as per the reservation roster/register. Fitness is determined as per grading in the ACRs for last 5 years or more in case of lowest rung of Cat.I i.e. AGM level post where reservation is applicable. In case, promotions to Cat.III to Cat.II, within Cat.III, Cat.IV to III & within Cat.IV, fitness is determined as per grading in the ACRs for last 3 years or more. No departmental test or examinations are conducted for promotion. Hence, no pre-promotional training is prescribed in FCI.

31. However, there is a national level training institute namely "Institute of Food Security" headed by a General Manager Level Officer with Zonal Training Institutes in each Zone to meet the training needs of the employees of the Organization. Training is an on-going process to upgrade the skills and knowledge of the employees in general and to equip them to meet the job requirements. Details of SC/ST employees who attended such training at FCI, IFS, Gurgaon during 2014-15, 2015-16 & 2016-17 are given as below:-

Year	Total no. of employees trained	No. of SCs	% of SCs	No. of STs	% of STs
2014-15	1277	252	19.73%	192	15.04%
2015-16	1750	374	21.37%	273	15.60%
2016-17	1202	266	22.12%	213	17.72%

32. The Committee have also been informed that all officers/officials dealing with reservation & rosters in the administrative branches were sent for special training on Reservation for SCs, STs & OBCs and maintenance of Reservation Rosters at Institute of Secretarial Training & Management (ISTM) under Department of Personnel & Training (DoPT). So far 30 officers/officials across FCI offices have been covered in the first batch and further batches are scheduled on 20th to 22nd November, 2017 and 27th to 29th November, 2017.

33. The Committee have been informed that FCI has advertised to fill-up of 640 Managers posts in different cadres all over India, out of which only 228 candidates were called for the interview. The Management has not considered a single SC/ST candidates in this recruitment, it has been stated that the FCI had advertised 460 (SC-36, ST-25) and 374 (SC-65, ST-36) vacancies in Category-II during 2013 & 2015 respectively (not the figures indicated in the question). The details of vacancies advertised and candidates selected in both the said recruitments are given as under:-

Recruitment Year	Vacancies advertised					Candidates selected				
	SC	ST	OBC	UR	Total	SC	ST	OBC	UR	Total
2013	36	25	132	267	460	6	3	72	147	228
2015	65	36	87	186	374	56	25	59	132	272

34. Thus, it is clear from above that FCI had conducted interviews for SC/ST candidates and 90 SC/ST candidates have been selected in said recruitments held during 2013 & 2015.

35. However, for the post of Manager (Accounts) against which 55 (SC-03, ST-06, 17-OBC, 29-UR) & 71 (SC-03, ST-08, 22 OBC, 38-UR) vacancies were advertised in

the year 2013 & 2015 respectively, none of the candidates, including SC/ST, could be called for Group Discussion/Interview as the sufficient number of candidates in the proportion required for calling for group discussion/interview had not qualified in the written examination i.e. the minimum three times the number of vacancies.

36. To address the above issue as committed to the Hon'ble Parliamentary Committee, the proposal for modification in the policy was taken up by the Board of Directors in its 380th meeting held on 22.02.2017 with the approval of BoD, it has now been decided that the total candidates to be called for group discussion/interview may normally be three times the number of advertised vacancies. However, where the number of candidates who have qualified written examination is less than three times the number of vacancies, then all the qualifying candidates may be called for group discussion/interview as the case may be.

37. In view of the above change in policy, the issue faced in the last recruitment may not be an obstacle for filling up the vacancies.

38. When asked as to whether any special recruitment drive is being proposed exclusively for SCs/STs out of 640 Manager posts by the Food Corporation of India (FCI), the Committee were informed that FCI is committed to fill up all vacancies reserved for SCs/STs. Time to time Special Recruitment Drives have been held for filling up the SC/ST vacancies in the years 1989-90, 1990-91 & 91-92, 1992-93, 93-94, 1994-95 & 95-96, 1996-97, 2004-05 and 2008-09. Direct recruitment is being undertaken regularly and all unfilled vacancies including reserved vacancies are being advertised and filled up. Vacancies that remain unfilled in the previous recruitment is carried over and advertised in the next recruitment year.

39. All previous unfilled direct recruitment vacancies (including SC/ST) were advertised in the year 2015, the joining against which is in progress. Vacancies that may remain unfilled would be advertised in the next recruitment process.

40. The Committee has also observed that FCI Management has not been following the reservation policy in Cat.I post as well as in the post of GM, DGM and AGM, the Food Corporation of India has stated that FCI follows Government of India policy on reservation wherein reservation is provided upto the lowest rung of the Category-I post which in case of FCI is the post of Assistant General Manager (AGM). As prescribed under the DOPT instructions, reservation in the case of promotions is not applicable for the following posts as the under mention posts fall above the lowest rung of Category-I posts:-

Sl. No.	Name of Post	Pay Scales (in Rs.)	
		CDA	IDA
i.	DGMs	15600-39100 GP 6600	24900-50500
ii.	GMs	37400-67000 GP 8700	32900-58000
iii.	CGMs	37400-67000 GP 8900	43200-66000
iv.	EDs	37400-67000 GP 10000	51300-73000

ED - Executive Director
 CGM - Chief General Manager
 GM - General Manager
 DGM - Deputy General Manager

41. However, in case of promotion being made from Category I post to a Category I post carrying an ultimate salary of Rs. 58000/-(IDA) or less, SC/ST officers who are senior enough in the zone of consideration for promotions so as to be within the number of vacancies are included in the select list irrespective of Benchmark provided they are not considered unfit for promotion.

42. The Committee has observed that FCI has not taken any action against the bogus community certificate holders who are still serving and getting promotion against

the SC/ST vacancies, the Committee have been informed that FCI has taken number of steps for verification of pending caste certificates with the State authorities concerned. Steps taken by FCI are as follows:-

- i) As per the GOI instructions, caste certificate of all direct recruitment appointees and other cases were sent for verification as per procedure.
- ii) However, 141 cases are pending with state government authorities concerned for verification.
- iii) In few instances where the caste certificates have been declared invalid, their services have been terminated, provided no stay has been granted by the Court or the Appellate Authority.
- iv) A circular has also been issued on 01.08.2017 directing all concerned not to post officers/officials whose caste certificate is pending verification from the authority concerned, to sensitive posts of personnel & vigilance division in order to pre-empt misuse of the position.
- v) FCI has taken the following steps to get the reports from the state government authorities concerned as submitted below:-
 - More than hundred letters written and many personal visits made to the office concerned.
 - D.O. letters have been sent to Chief Secretaries concerned by Secretary (Food & PD).
 - C&MD sent D.O. letters to Chief Secretaries concerned.
 - Letters sent to Secretaries to department concerned by ED(P), FCI.
 - Executive Directors of Zones and General Managers of Regional offices of FCI are regularly visiting the offices of states concerned for disposal of pending verification of caste/community cases from time to time.
 - Executive Director(South) (a Joint Secretary level officer) met personally with Principal Secretary, Adi Dravidar and Tribal Welfare Department, Govt. of Tamilnadu, Principal Secretary, Government of Tamil Nadu. The Principal Secretary, Govt. of Tamil Nadu informed that more than 2300 cases from various departments are pending before the State Level Scrutiny Committee. Further, since there are procedural requirements as per the Supreme Court judgement, the same takes time and they are unable to adhere to the timelines. However, he assured that he would expedite the process of verification and deliver the final verdict on the genuineness of the community claim of the pending cases from the FCI as quickly as possible.
 - Nodal officers have been nominated by FCI, South & West Zones to pursue the matter with State Government Authorities concerned.
 - ED(P), FCI personally met with the Principal Secretary, Govt. of Tamil Nadu, Adi Dravidar and Tribal Welfare Department to discuss in detail the status of the pending cases of SC/ST caste certificate verification in Tamilnadu.
 - General Managers concerned have been regularly pursuing with the District Magistrates for speedy disposal of caste verification cases.

43. As a result of the efforts made, 140 cases of caste verification are pending with the State authorities concerned.

44. On being asked as to whether any steps have been taken for speedy verification of caste certificate of SC/ST, the Committee were informed that as per DoPT instructions, Caste Certificates of freshly appointed candidates recruited on the basis of reservation, are sent for verification to the authorities concerned and their appointment is subject to validation of the same. In case of receipt of adverse report, their appointment is terminated.

45. As per DoPT instructions issued to the Chief Secretaries of all States/Union Territories vide letter No.36022/1/2007-Estt.(Res) dated 20.03.2007 (**Annexure-I**), the caste/community certificate is to be verified and reported to the appointing authority within one month of receipt of request from such authority. Such instructions have been reiterated by the DoPT vide letter No. 36011/1/2012-Estt.(Res.) dated 14.03.2016 (**Annexure-II**). However, the time taken by the district/state authorities is far behind the said instructions.

Steps taken by FCI for speedy verification of caste certificates of SC/ST

- More than hundred letters written and many personal visits made to the office concerned.
- D.O. letters have been sent to Chief Secretaries by Secretary (Food & PD).
- C&MD sent D.O. letters to Chief Secretaries concerned.
- Letters sent to Secretaries to department concerned by ED(P), FCI.
- Executive Directors of Zones and General Managers of Regional offices of FCI are regularly visiting the offices of states concerned for disposal of pending verification of caste/community cases from time to time.
- Executive Director(South) (a Joint Secretary level officer) met personally with Principal Secretary, AdiDravidar and Tribal Welfare Department, Govt. of Tamilnadu, Principal Secretary, Government of Tamil Nadu. The Principal

Secretary, Govt. of Tamil Nadu informed that more than 2300 cases from various departments are pending before the State Level Scrutiny Committee. Further, since there are procedural requirements as per the Supreme Court judgement, the same takes time and they are unable to adhere to the timelines. However, he assured that he would expedite the process of verification and deliver the final verdict on the genuineness of the community claim of the pending cases from the FCI as quickly as possible.

- Nodal officers have been nominated by FCI, South & West Zones to pursue the matter with State Government Authorities concerned.
- ED(P), FCI personally met with the Principal Secretary, Govt. of Tamil Nadu, Adi-Dravidar and Tribal Welfare Department to discuss in detail the status of the pending cases of SC/ST caste certificate verification in Tamilnadu.
- General Managers concerned have been regularly pursuing with the District Magistrates for speedy disposal of caste verification cases.

Revision of Seniority of SC/ST as per Somawat Committee report

46. The Committee has been apprised that Director, Somawat has visited South Zone to examine all records related to SC/ST reservation in Personnel Division and given report to the then Zonal Manager (South) to fill up the SC/ST backlog vacancies. The South Zone Management has revised the seniority of only ST employees to some extent and not revised the seniority of SC employees. The FCI has stated in his written reply that on behalf of National Commission for Scheduled Tribes, Dr. G.S. Somawat, the then Director, National Commission for Scheduled Tribes, Jaipur had carried out the inspection of Rosters maintained in FCI, South Zone as well as Regions under the Zone in 2007. The objective of Dr. G.S. Somawat Committee was to verify the backlog of ST vacancies worked out by the authorities of the South Zone. On examination, Dr. Somawat identified 66 ST posts which were exchanged with SCs due to non-availability of ST candidates between 1997 (i.e. introduction of post based roster) and 06.11.2003 (when the practice of exchange was banned) as per the then existing rules prevailing

before 06.11.2003. However, the said 66 posts were filled up with eligible ST candidates as per the recommendations of the Director, National Commission for Scheduled Tribes.

47. When asked as to whether percentage of reservation has been implemented as per the Govt. of India Brochure for each State with reference to their population of SC/ST in Direct Recruitment, the Committee have been informed that FCI follows Govt. of India/DoPT policy on Reservation and as per instructions, in Direct Recruitment to Category-I & II posts, 15% & 7.5% reservation is provided to SC/ST candidates. In case of direct recruitment to Category-III & IV posts, the percentage of reservation is provided to SCs/STs as communicated by DoPT based on the proportion of population of SCs/STs in the respective State/UT.

48. On being asked as to whether the private agencies have been engaged for recruitment of candidates in all cadres in Food Corporation of India, which is not strictly following the reservation policy of quota of respective State in the entry level post, the Food Corporation of India has submitted that the FCI had carried out its recruitment during 2011 & 2012 through SSC, a Central Government organization, for Category-III officials which are the major portion of overall strength of FCI. FCI tried to continue the recruitments through SSC. However, SSC declined to take up further recruitments of FCI. Hence, FCI appointed Recruitment Consultant Agency, through a process of open tender, for providing consultancy service for recruitment of personnel in various positions in FCI i.e. Category-I, II and III.

49. The FCI has also submitted that earmarking of vacancies reserved for SCs/STs is based on the Reservation Rosters/Registers maintained by FCI and the same is conveyed to the Recruitment Agency for undertaking recruitment. Recruitment Agency strictly followed the SC/ST vacancy position as communicated by FCI and FCI ensured

compliance to the above at the time of issue of offers of appointment to the selected candidates.

50. The Committee have been apprised that the FCI Management conducted the recruitment for the post of Cat.III in Depot/Accounts/General/Technical throughout the India. Especially in South Zone, Head Quarters Officers visited the ZO(S) and conducted document verification from 30.11.2015 to 12.12.2015, through CMC Agency, in which no SC/ST candidates were called for the document certification. The Food Corporation of India has submitted that the contention that no SC/ST candidates were called for the document verification in FCI, South Zone is not factually correct. In the category-III recruitment launched in 2015, FCI South Zone had advertised 214 SC/ST vacancies(163 SC and 51 ST Posts), required no. of candidates have been called for the document verification as per ratio fixed and 214 SC/ST candidates have been selected and 188 candidates have joined (144 SC and 44 ST) as on 31.08.2017 as submitted below:-

No. of vacancy advertised		No. of candidates selected		No. of candidates joined as on 31.08.2017*	
SC	ST	SC	ST	SC	ST
163	51	163	51	144	44

*joining is still under process.

51. When asked as to whether the rosters maintained at Head Office are shown to the Members of SC/ST Employees Welfare Association of the FCI, the Committee have been informed that Members of SC/ST Employees Welfare Association are free to see rosters maintained at Headquarters level. Further, specific instructions have also been issued to all Zones in FCI to simplify the inspection of Reservation Rosters/Registers for the members of SC/ST Associations in the respective Zone vide letter No.36(2)/SC-ST

Rep./LC-2013 dated 3/5.3.2014 and again vide D.O. letter No.37(2)/Meeting/LC/2014 dated 8.8.2014.

52. As regards, maintenance of rosters at Regional Offices of FCI, it is submitted that recasting of Reservation Rosters/Registers in FCI was done during 2012, 2013 & 2014 to ensure proper maintenance of same at all levels by the respective Appointing Authorities.

53. On being asked whether the rosters and establishment list of various category of posts in FCI are uploaded on the official website of FCI, the Committee have been apprised by the Food Corporation of India that there are no instructions for uploading the Rosters on the official website. Reservation Rosters/Registers maintained at various levels in the Corporation are prepared/updated at end of every year and yearly inspection of same is done by the respective Liaison Officer nominated at various levels viz. Hqrs./Zonal/Regional level. If any discrepancy is found in maintenance of these rosters, the same is brought to the notice of establishment Section concerned for rectification. As already submitted earlier, SC/ST Welfare Associations are at liberty to see the Roster Registers.

54. The Committee have noted that there is no full-fledged SC/ST Liaison Officers in FCI, Hqrs./Zone/Regions for verification of vacancy based rosters and post based rosters, the Committee have been informed that a SC/ST and OBC Liaison Officers have been nominated in FCI viz. Hqrs./Zonal/Regional level to redress the issues of SC/ST and OBC employees separately at all levels. Liaison Officers nominated for SC/STs belong to SC/STs category only. However, due to exigencies of work, these officers are given some other items of work also. These Liaison Officers are assisted by a team of officers/officials looking after the grievances of SC/STs. As per DoPT instructions issued vide O.M. dated 02.07.1997, switched over from Vacancy Based Rosters to Post Based Rosters in all Zones of FCI including South Zone.

55. When asked as to whether periodical meetings with the FCI SC/ST Employees Welfare Association are being held by the Management regularly, the Committee have been apprised that periodical meetings with the FCI SC/ST Employees Welfare Association are being held regularly at Headquarters level to redress the grievances of SC/ST. During 2014-15 (01.08.2014), 2015-16 (04.09.2015) & 2016-17 (03.03.2017), 03 such meetings were held at FCI, Headquarters. Similar meetings are also held at Zonal/Regional levels.

56. The Committee desired to know the current status in the matter of penalty order imposed against Shri P. Vadivel, All India General Secretary, FCI SCs & STs Employees Welfare Association (National Committee), Chennai, the Committee were informed that as per the information given by Zonal Office (South), Shri Vadivel was retired from the Service of Corporation on 31.05.2012 from Regional office, Chennai. His service gratuity of Rs.9,34,055/- was settled to him and pension papers submitted to RPFC, Chennai.

57. As regard to reinstate the Ex-labourers worked in Gonda Depot, Food Corporation of India, the FCI have furnished the comments in the matter as submitted below:

- (i) In Food Corporation of India (FCI), the depots are functioning under different labour systems namely Departmental, Direct Payment System (DPS), No Work No Pay (NWNP) and Contract Labour System to undertake the work of handling food grain bags.
- (ii) Contract Labour System was prevailing at Food Storage Depot (FSD) Gonda since inception. Handling and Transport Contractor (HTC) used to be appointed by FCI for the handling and transport operation at the depot. M/s R.K. Associate was appointed as regular contractor from 10.08.2006 to 09.08.2008 and extended till 10.11.2008. Thereafter M/s Vaibhav was appointed as contractor to work on day to day basis owing to the pendency of writ against appointment of regular contractor. M/s Vaibhav has worked at the FSD Gonda till the cessation of work in view of Government of India notification dated 23.04.2010.
- (iii) Ministry of Labour & Employment, Government of India vide Notification 947 (E), dated 23.04.2010 notified 60 depots of FCI in country, which prohibits the employment of contract labour in the work of loading, unloading, stacking, destacking, restacking, standardization, weighment, sweeping and cleaning in the godown and depots of the Food Corporation of India. Out of these 60 depots, 11 depots are in Uttar Pradesh Region, 07 owned depots namely Etawah, Gonda, Jhansi, Orrai, Banda, Mohoba, Roza and 4 hired depots namely Sultanpur,

Pratapgarh, Deoria and Farrukhabad were notified for the abolition of contract labour.

- (iv) Work at the Gonda depot through contract labour system was ceased from 19/07/2010. After cessation of work and till the induction of 'No Work No Pay' labourers at Food Storage Depot (FSD) Gonda, the work of the depot were carried through the DPS labours transferred from FSD Barabanki (Faizabad), whenever required.
- (v) A committee was constituted under Area Manager, Gonda as per FCI HQ guidelines to finalize the formalities of identifying labourers for regularisation. As per the norms fixed by FCI HQ, labourers were identified who had worked during the preceding 3 years from the date of notification/cessation of work. The District Offices were advised to obtain details of EPF remittance records of the contractor from the respective EPF Office to have an independent document supporting the list drawn by the Committee. The list was to be put to the notice board of the FCI Depot and District by giving three days notice for inviting objections from whom so ever it may concern.
- (vi) As per the direction given by the High Power Committee under General Manager (UP), all Area Managers were advised to display the list of workers as per the requirement assessed by the Committee for inviting objections. Accordingly, lists were displayed on the notice board of all depots and District offices. One representation was received from Shri Rajjan Singh Yadav which included name of Shri Ram Shankar. The same was disposed by Area Manager, Gonda.
- (vii) A similar process of regularization was followed by FCI in all regions. Several Union/individuals have challenged the induction before different High Courts. All these cases are inter-linked. Also, several labour unions have emerged claiming their set of workers to be inducted at FSD Gonda and have also filed several Court Cases/Industrial Dispute Cases before High Court and Labour forums. They are:

a)	Shri Ram Nath Singh	-	676 Workers
b)	Shri Ram Dhari Yadav	-	816 Workers
c)	Shri Rajjan Singh Yadav	-	450 Workers
d)	Shri Sadhu Chawhan	-	656 Workers
e)	Shri Ashok Kumar		347 Workers
f)	Shri J.P. Yadav	-	816 Workers
g)	Shri Sree Nath Yadav	-	676 Workers
h)	Shri Shiv Pujan Singh	-	598 Workers
i)	Shri Akbar Ahmed Idrisi	-	Number not specified
- (viii) Due to multiplicity of cases filed by different individuals/ Unions on the same issue, Hon'ble High Court, Allahabad, Lucknow Bench, while clubbing three Writ Petitions 8309 (MS)/2011 (Sandhu Chauhan Vs., FCI & Others), 7029 (MS)/2012 (Rajjan Singh Yadav Vs. FCI & Others) and 8839 (MS)/2012 (Ram Shankar Vs. FCI & Others) has ordered on 05.08.2013 as under:

"Accordingly we direct the Managing Director, FCI, New Delhi to constitute a High Level Committee to look into the matter with regard to alleged fake appointments made at Gonda or any other place and rights of 676 employees who are alleged to be enrolled with respondents but they are not being permitted to discharge their duties. The duly constituted committee will look into the matter and provide opportunity of hearing to the petitioners or to the representative during the course of enquiry to make their submission in writing as well as orally. The Committee shall also provide opportunity to any other affected persons.

The Committee, after holding due enquiry with regard to the petitioners, shall submit its report, expeditiously, say, within a period of four months from the date of its constitution. The Managing Director, FCI on the basis of report submitted by the Committee shall also record his own finding and pass speaking and reasoned order in accordance with law within one month from the date of receipt of report of Committee".

- (ix) In compliance of Court order, the High Level Committee under GM(UP) was constituted by FCI Hqr. Committee after giving opportunity to all the claimants for placing their claim and going through them and other records found no merit in their claims.

The representation/claim of Shri Rajjan Singh Yadav regarding 450 workers was also examined by the Committee, who found it had no merit. The Committee submitted its report to FCI, Hqr. the Managing Director of FCI passed the Speaking Order dated 5.2.2014, wherein and whereby he observed as follows:

"Whereas I have carefully examined the contents and the analysis made by the Committee in its report in respect of each representation/written submission of the claimants and I am of the considered view that Writ Petitioners and other alleged affected persons have failed to produce any cogent documentary evidence in support of their claims. Hence, no infirmity or perversity can be found in the findings of the High Level Committee headed by GM (UP). Accordingly, the matter stands disposed off".

- (x) Subsequently, the Speaking Order of the MD, FCI was challenged by in the three different Writ Petitions by three different Union/individuals in WP 2466/2014, 2545/2014 and 8151/2014 before the High Court Allahabad, Lucknow Bench. However, the Speaking Order dated 05.02.2014 of CMD, FCI was not stayed by the Hon'ble Court. All these three Writ Petitions are still pending without any negative observation of the Hon'ble Court on the process of regularisation adopted by FCI or on the Speaking Order dated 05.02.2014 of MD, FCI. As, the matter is sub-judice before the Hon'ble High Court Allahabad, Lucknow Bench, therefore, it would be appropriate to wait for the final decision of the Hon'ble Court in the above Writ Petitions. In addition, it is also informed that several cases in the matter were filed by Individuals/Union before the different Courts. Some cases are disposed/dismissed and some are pending. In none of the cases Hon'ble High Court has observed anything against the action taken by FCI.
- (xi) In regard to the representation dated 'Nil' of Shri Rajendra Prasad Gaur, President Bhartiya Janata Party, Anusuchit Janjaati Morcha, Uttar Pradesh r/o Jaipurva, Gandhi Nagar Basti, Uttar Pradesh forwarding therewith the representation of Shri

Ram Shankar S/o Shri Salik Ram, Village Devikheda, Post Uttranva, Lucknow, received through Parliamentary Committee on the Welfare of SCs/STs, it is stated that the Order dated 5.8.2013 of the Hon'ble High Court Allahabad, Lucknow Bench regarding FSD Gonda has been duly complied by the FCI as explained in para-ix above. Before, the issuance of Government of India Gazette Notification dated 23.4.2010, the work at FSD Gonda was undertaken through 'Contract Labour System'. No Work No Pay Labour System was not prevent at FSD Gonda from 2005 as stated by Shri Ram Shankar in his representation. Further, the Identity Card, which the claimant has stated in his representation was also unauthorised, which was also observed by the High Level Committee in its report. Also, it is wrong to allege that regularisation of workers at FSD Gonda is not done. Pursuance to the Government of India Gazette Notification dated 23.4.2010 and FCI Headquarters' instructions in vogue, 222 workers that fulfilled the criteria set by FCI Headquarter were regularised in FSD Gonda in 2011.

The entire issue/claim raised by Shri Ram Shankar has already been examined by the High Level Committee duly formed in compliance to the Hon'ble High Court of Allahabad, Lucknow Bench order dated 5.8.2013 and no merit was found in the claim.

Food Security

The Committee observed during the meeting that there are number of cases in the rural areas and particularly in the tribal areas where people are died due to starvation/malnutrition and sought clarification on the efficacious step taken/proposed to be taken are made by the Department of Food and Public Distribution/FCI to provide free grains/food items to the poor in order to save the life of such persons, the Ministry of Consumer Affairs, Food and Public Distribution (Department of Food & Public Distribution) have furnished the written replies as under:-

For food Security of the people, Govt. is implementing National Food Security Act, which provides for coverage of 75% of the rural population and 50% of the urban population for receiving highly subsidised foodgrains @ Rs.1/2/3 per kg. for coarse grains/wheat/rice. Corresponding to the All India Coverage, State/UTs wise coverage was determined by the Planning Commission. Within the coverage determined for each State/UTs, it is the responsibility of State/UTs administration to identify the eligible household as per the criteria evolved by them. The Act, however, provides that while implementing the provision of the Act of the scheme

for meeting specified entitlements, special focus should be given to the needs of the vulnerable groups, especially in remote areas and other areas which are difficult to access, hilly or tribal areas for ensuring their Food Security.

The Act is now being implemented in all the States/UTs, covering about 80 crores persons for receiving highly subsidised foodgrains.

CHAPTER-II

RECOMMENDATIONS/OBSERVATIONS

2.1 The Committee note that Liaison Officer has been overburden with additional responsibilities owing to exigencies of work. The Committee are of the view that SC/ST Liaison Officers at different Zonal/Regional Levels should be full fledged officers with no other additional responsibilities. This will help them to focus to redress the grievances of SC/ST employees and without diverting their attention to other issues. Hence, the Committee recommend that SC/ST liaison officers should be full time and should not be given any other work except pertaining to core issues of SCs/STs.

2.2 The Committee are extremely surprised to know that Food Corporation of India a large public sector undertaking and a consistent employer to the youth of the country does not consider it necessary to upload rosters and establishment list of various categories of posts on the official website in the age of digital India. When FCI is confident about their transparency for SC/ST reservation then the reasons for not uploading the aforesaid roster and establishment list on official websites are beyond the comprehension of the Committee. The Committee recommend that roster and establishment lists be made open to all employees to minimise the scope of grievances and adherence to transparency.

2.3 The Committee note that FCI undertakes recruitment for category I, II and III through a Recruitment Consultancy Agency which has been appointed by them through the process of open tender. Since the said Recruitment

Consultancy Agency is a private body, it is the obligatory duty of FCI to ensure that recruitment done through this agency are strictly as per the guidelines of Reservation Policy of the Govt. of India. The Committee strongly feel that for strict compliance of the Reservation Policy of Government of India, the process of recruitment should be dealt with by Govt. agency. Since FCI has submitted that all recruitments are carried out as per Govt. Guidelines.

2.4 The Committee further note that FCI follows GOI/DoPT policy on reservation as per instructions in direct recruitment to Category-I & II posts. In case of direct Recruitment to category –III & IV posts, the percentage of reservation is provided to SCs/STs as communicated by DoPT based on the proportion of SCs/STs in the respective State/UT. There are many states where the population of SCs is more as compared to other states like Punjab and Tamil Nadu and in a same manner in northeast States, the percentage of ST population is on higher side. The Committee strongly recommend that under no circumstances the percentage of reservation should be less than the mandatory 15% and 7.5% and in no way the demography of a particular state should be the cause of said reductions of prescribed percentage of reservation for the purpose if necessary SCs/STs from other State may be permitted to participate in direct recruitment to met the shortage if any in category III and IV posts in any state.

2.5 The Committee do understand that as per Govt. of India Policy, reservation in case of promotions is not applicable for the posts above the lowest rung of Category –I posts. This includes the post of Deputy General Manager(DGM), General Manager(GM), Chief General Manager(CGM), and the post of Executive Director(ED). By not including these higher position in the ambit of reservation, the Committee feel that Government has blocked all

avenues of reserved category employees from holding posts which require policy making and managerial skills. The Committee recommend that FCI under the constrained situation should chalk out a strategy to provide due representation in all categories of service and posts to SC/ST employees. For the purpose, if necessary, FCI may provide relaxation to SC and ST employees/officers as per DoPT guidelines so that reserved category employees may not be deprived to go the higher position like ED, Director and CMD of the Organisation.

2.6 The Committee note that there are 18,268 vacancies in FCI which include vacancies under direct recruitment and promotion quota. The unfilled vacancies under direct recruitment include those reserved for SCs/STs in the previous recruitment along with fresh vacancies arising out due to retirement/resignation etc. are carried forward to the next recruitment process, which are to be initiated shortly. In promotion, Department Promotion Committee meetings are held every year for all cadres. However, filling up of all vacancies depend upon the availability of eligible candidates in the feeder cadre. Most of the SC/ST candidates are promoted on their own merit against unreserved vacancies and thereafter, required no. of SC/ST candidates to promote against reserved vacancies are not available in the feeder cadre/zone of consideration/extended zone of consideration. The Committee feel that FCI should not carry backlog vacancies from one recruitment drive to another rather a special recruitment drive must be carried out so that all SC/ST vacancies can be filled up since 1997 revised roster. Also, in case of promotions even if SC/ST candidates get selected on their own merit there should be sufficient number of candidates who get promoted under reserved category. For this it is essential that all SC/ST vacancies are filled up by direct

recruitment as early as possible. Since, most vacancies remain unfilled hence sufficient number of candidates are not available for promotion. Hence, the Committee recommend that in place of not filling all reserved vacancies for a long time direct quota and promotion quota, both the said vacancies should be diverted from direct quota to promotional quota and vice versa to safeguard the interest of SC/ST employees.

2.7 The Committee note that the last special recruitment drive for filling up SC/ST backlog vacancies was undertaken in the year 2008-09. The Committee strongly feel that over a long period of time no special recruitment drives have been undertaken to clear the pile up of huge backlog of vacancies in all categories of posts reserved for SCs/STs. The Committee therefore strongly recommend that FCI should undertake a special recruitment drive within a period of three months so that SC/ST vacancies get filled up and are not carried forward years after year. The copy of the advertisement for filling the said backlog vacancies may also be forwarded to the Committee for perusal. The progress made in this regard may be informed to the Committee.

2.8 The Committee note that in the year 2013 and 2015 the post of Manager (Accounts) was advertised but no candidate including SC/ST could be called for Group Discussion/Interview as the sufficient number of candidates in the proportion required for calling for group discussion/interview had not qualified in the written examination i.e. the minimum three times the number of vacancies. The Committee are of the view that such strict recruitment rules will only lead to piling up of vacancies. Hence, the Committee recommend that such rules be suitably relaxed/amended so that vacancies get filled up at the earliest.

2.9 The Committee note that the complaint received from the Ex-employees of FCI Gonda Depot wherein 450 contract labours were terminated from the job since July, 2010 and in their place other people were appointed in the same depot. It seems that there were some irregularities committed during the replacement process of 450 contract labours. In this regard, Ex-employees of FCI Depot Gonda has approached to the High Court for justice. The High Court in its order said that a high powered committee be constituted to look into the matter with regard to alleged fake appointments made at Gonda Depot and other places. Accordingly in compliance to the Court orders, High Powered Committee was constituted by the FCI. According to FCI after giving opportunity to all the claimant for placing their claim and going through them and other records no merit was found in their claim. Subsequently said order of FCI was challenged by the three different petitioners/unions before High Court of Allahabad, Lucknow Bench.

2.10 From the above legal proceedings and observations of the High Powered Committee and the claimant, the Committee feel that High Powered Committee while looked into the matter and heard the claimant did not provide opportunities to be heard by each claimant i.e. casual labours/workers, hence they could not provide their valid record of enrollment with the contractor. Further, Committee observe that list was put up on notice board of the FCI Depot and Internet by giving three days notice for inviting objections, which was not sufficient time. The Committee are of the view that due to insufficient time given to the claimant to raise objections against the findings of the High Powered Committee and speaking order of FCI, so many workers/casual labours/employees could not raise their objections against the findings of the

High Powered Committee and with the result they were debarred to claim their legitimate rights to be enrolled again with the contractor.

2.11 The Committee, therefore, strongly recommend that in order to deliver justice to the casual labours/workers to be enrolled with contractor in Gonda Depot of FCI, matter may be enquired afresh by the High Powered Committee as directed by the High Court and after providing opportunity of being heard by each claimant workers/labours report may be submitted. Thereafter, matter may objectively decided and placed before Hon'ble High Court of Allahabad.

New Delhi;
5th January, 2018
Pausa, 1939(Saka)

(DR. KIRIT PREMJBHAI SOLANKI)
Chairman
Committee on the Welfare of
Scheduled Castes and
Scheduled Tribes

COMMITTEE ON THE WELFARE OF SCHEDULED CASTES

AND SCHEDULED TRIBES

(2016-2017)

(SIXTEENTH LOK SABHA)

EIGHTH SITTING

(27.09.2016)

MINUTES

The Committee sat from 1100 hrs. to 1330 hrs. in "Main Committee Room",
Ground, Parliament House Annexe, New Delhi

PRESENT

Shri Kirit Premjibhai Solanki - Chairperson

MEMBERS

LOK SABHA

2. Shri Ram Charitra Nishad
3. Shri R. Dhruvanarayana
4. Dr. (Smt.) Heena Vijay Gavit
5. Shri Rattan Lal Kataria
6. Shri Virendra Kumar
7. Smt. Sakuntala Laguri
8. Smt. Pratima Mandal
9. Dr. Ravindra Babu Pandula
10. Shri Ram Chandra Paswan
11. Shri Vishnu Dayal Ram
12. Shri Charanjeet Singh Rori
13. Shri Krupal Balaji Tumane
14. Shri Bhanu Pratap Singh Verma

RAJYA SABHA

15. Shri D. Raja
16. Shri Amar Shankar Sable
17. Shri Veer Singh
18. Shri Tiruchi Siva
19. Smt. Wansuk Syiem
20. Mahant Shambhuprasadji Tundiya
21. Shri Pradeep Tamta
22. Shri Ram Kumar Verma

- ## LIST OF WITNESSES

FOOD CORPORATION OF INDIA (FCI)

- The discussion was completed.

(The witnesses then withdrew)

5. **xxxxxx** **xxxxxx** **xxxxxx** **xxxxxx**

6. The discussion was completed.

(The witnesses then withdrew)

A verbatim record of the proceedings was kept.

7. The sitting of the Committee then adjourned.

CONFIDENTIAL

**COMMITTEE ON THE WELFARE OF SCHEDULED CASTES
AND SCHEDULED TRIBES
(2016-2017)**

(SIXTEENTH LOK SABHA)

FIFTEENTH SITTING

(25.01.2017)

MINUTES

The Committee sat from 1030 hrs. to 1215 hrs. in the Committee Room "D",
Ground, Parliament House Annexe, New Delhi

PRESENT

Shri Kirit Premjibhai Solanki - Chairperson

MEMBERS

LOK SABHA

2. Dr. (Smt.) Heena Vijay Gavit
3. Shri Rattan Lal Kataria
4. Smt. Sakuntala Laguri
5. Smt. Pratima Mandal
6. Prof. Seetaram Ajmeera Naik
7. Dr. Ravindra Babu Pandula
8. Shri Bhanu Pratap Singh Verma

RAJYA SABHA

9. Shri D. Raja
10. Shri Tiruchi Siva
11. Mahant Shambhuprasadji Tundiya
12. Shri Ram Kumar Verma

SECRETARIAT

1. Shri N.C. Gupta, Joint Secretary
2. Shri D.R. Shekhar, Director
3. Shri Vinay P. Barwa, Deputy Secretary

LIST OF WITNESSES

MINISTRY OF CONSUMER AFFAIRS, FOOD & PUBLIC DISTRIBUTION **(DEPTT. OF FOOD & PUBLIC DISTRIBUTION)**

- | | | | |
|----|-----------------------|---|-----------------|
| 1. | Ms. Preeti Sudan | - | Secretary |
| 2. | Shri Prashant Trivedi | - | Joint Secretary |

FOOD CORPORATION OF INDIA (FCI)

- | | | | |
|----|------------------------|---|--|
| 1. | Shri Yogendra Tripathi | - | Chairman and Managing Director |
| 2. | Smt. K. Damayanthi | - | Executive Director (Personnel) |
| 3. | Shri S.P. Kar | - | Executive Director (Procurement) |
| 4. | Shri R.D. Nazeem | - | Executive Director (South) |
| 5. | Shri Surinder Singh | - | Executive Director (West) |
| 6. | Smt. Ruchi Govil | - | General Manager
(Personnel Establishment) |

2. At the outset, the Chairperson welcomed the representatives of the Department of Food and Public Distribution and Food Corporation of India (FCI).

3. The Committee then discussed with the representatives of the Department of Food and Public Distribution and Food Corporation of India regarding further follow-up action taken by the Food Corporation of India on various issues pertaining to representation of SCs/STs in services and redressal of grievances of SC/ST employees of FCI discussed during study visit of the Committee to Jammu on 6th June, 2016 and the meeting held on 27.09.2016 at New Delhi.

4. The members raised certain issues and sought clarification thereon which were responded to by the representatives of Department of Food and Public Distribution and Food Corporation of India. On certain points on which the information were not readily available, the Committee directed the representatives of the Ministry to furnish the same to the Committee within 15 days.

5. The discussion was completed.

(The witnesses then withdrew)

A verbatim record of the proceedings was kept.

6. The sitting of the Committee then adjourned.

CONFIDENTIAL

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

(2017-2018)

(SIXTEENTH LOK SABHA)

TENTH SITTING

(26.09.2017)

MINUTES

The Committee sat from 1500 hrs. to 1645 hrs. in the Committee Room "C",
Ground Floor, Parliament House Annexe, New Delhi

PRESENT

Dr. Kirit Premjibhai Solanki - Chairperson

MEMBERS

LOK SABHA

2. Shri P.K. Biju
3. Dr. (Smt.) Heena Vijay Gavit
4. Shri Rattan Lal Kataria
5. Shri Ram Charitra Nishad
6. Dr. Ravindra Babu Pandula
7. Shri Ram Chandra Paswan
8. Shri Vishnu Dayal Ram
9. Smt. Rita Tarai
10. Shri Krupal Balaji Tumane
11. Shri Vikram Usendi
12. Shri Bhanu Pratap Singh Verma
13. Shri Chintaman Navasha Wanaga

RAJYA SABHA

14. Shri Shamsheer Singh Dullo
15. Shri D. Raja
16. Shri Amar Shankar Sable
17. Shri Veer Singh
18. Shri Tiruchi Siva
19. Shri Pradeep Tamta
20. Shri Ram Kumar Verma

SECRETARIAT

1. Shri D.R. Shekhar, Director
2. Shri Vinay P. Barwa, Deputy Secretary

LIST OF WITNESSES

MINISTRY OF CONSUMER AFFAIRS, FOOD & PUBLIC DISTRIBUTION
(DEPTT. OF FOOD & PUBLIC DISTRIBUTION)

- | | | | |
|----|-----------------------------|---|---------------------------------|
| 1. | Ms. Preeti Sudan | - | Secretary |
| 2. | Shri Ram Krishna Khandelwal | - | Joint Secretary (P&FCI) |
| 3. | Shri Subhasish Panda | - | Joint Secretary (Sugar & Admn.) |

FOOD CORPORATION OF INDIA (FCI)

- | | | | |
|-----|---------------------------|---|---|
| 1. | Shri Yogendra Tripathi | - | Chairman and Managing Director |
| 2. | Smt. K. Damayanthi | - | Executive Director (Personnel) |
| 3. | Shri S.P. Kar | - | Executive Director (Procurement) |
| 4. | Shri R.D. Nazeem | - | Executive Director (South) |
| 5. | Shri Surinder Singh | - | Executive Director (West) |
| 6. | Shri Karmvir Singh | - | Director |
| 7. | Shri Sanjay Kumar | - | Under Secretary |
| 8. | Smt. Ruchi Govil | - | General Manager (Personnel Establishment) |
| 9. | Shri D.K. Sethi | - | Deputy G.M. (CLO) |
| 10. | Shri Anand Masih Kerketta | - | Manager (Liaison Cell) |
| 11. | Shri Braj Bhushan Kumar | - | Assistant Grade-I |

2. At the outset, the Chairperson welcomed the Hon'ble Members of the Committee and thereafter summoned the representatives of ex-labourers of FCI, Gonda Depot were called for an informal meeting. The ex-labourers placed their grievances before the Committee regarding providing employment of about 450 contract labourers in FCI, Lucknow. The Committee also discussed representation received from the President, All India Federation of SC/ST Organisations regarding alleged whatsapp/facebook posted by the Executive Director (Personnel), LIC of India and desired to seek comments thereon.

3. Thereafter, the Committee held meeting with the representatives of the Department of Food and Public Distribution and Food Corporation of India on various issues pertaining to representation of SCs/STs in services and redressal of grievances of SC/ST employees of FCI which were discussed during the study visit of the Committee to Jammu on 6th June, 2016 and in subsequent meetings held on 27.09.2016 & 25.01.2017 at New Delhi.

4. The members raised certain issues and sought clarification thereon which were responded to by the representatives of Department of Food and Public Distribution and Food Corporation of India. On certain points on which the information were not readily available, the Committee directed the representatives of the Ministry to furnish the same to the Committee within 15 days.

5. The discussion was completed.

(The witnesses then withdrew)

A verbatim record of the proceedings was kept.

6. The sitting of the Committee then adjourned.

CONFIDENTIAL

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

(2017-2018)

(SIXTEENTH LOK SABHA)

FOURTEENTH SITTING

(04.01.2018)

MINUTES

The Committee sat from 0900 hrs. to 1045 hrs. in the Committee Room "C",
Ground Floor, Parliament House Annexe, New Delhi

PRESENT

Dr. Kirit Premjibhai Solanki - Chairperson

MEMBERS

LOK SABHA

2. Shri P.K. Biju
3. Dr. K. Gopal
4. Smt. Pratima Mondal
5. Prof. Ajmeera Seeta Ram Naik
6. Shri Ram Charitra Nishad
7. Dr. Ravindra Babu Pandula
8. Shri Vishnu Dayal Ram
9. Shri Krupal Balaji Tumane
10. Shri Vikram Usendi
11. Shri Bhanu Pratap Singh Verma
12. Shri Chintaman Navasha Wanaga
13. Dr. Bhagirath Prasad

RAJYA SABHA

14. Shri Shamsheer Singh Dullo
15. Shri Pradeep Tamta

SECRETARIAT

4. Shri N.C. Gupta, Joint Secretary
5. Shri D.R. Shekhar, Director
6. Shri V.K. Shailon, Deputy Secretary

2. At the outset, the Chairperson welcomed the Hon'ble Members of the Committee. The Committee then considered the draft report on the subject "Reservation for and Employment of Scheduled Castes and Scheduled Tribes in Food Corporation of India (FCI)" and adopted the same without any modifications. The Committee authorised the Chairperson to present the report to both the Houses of Parliament in the current session of the Parliament.

3. XXXXX XXXXX XXXXX XXXXX

4. XXXXX XXXXX XXXXX XXXXX

5. XXXXX XXXXX XXXXX XXXXX

6. The discussion was completed.

(The witnesses then withdrew)

A verbatim record of the proceedings was kept.

7. The sitting of the Committee then adjourned.