

13

**COMMITTEE ON WELFARE OF OTHER
BACKWARD CLASSES
(2018-19)**

(SIXTEENTH LOK SABHA)

MINISTRY OF HEALTH & FAMILY WELFARE

**‘Action Taken by the Government on the
Observations/Recommendations contained in the Third
Report (Sixteenth Lok Sabha) of the Committee on Welfare of
Other Backward Classes on “Review of reservation policy for
OBCs being implemented in medical institutions”.**

THIRTEENTH REPORT



सत्यमेव जयते

**LOK SABHA SECRETARIAT
NEW DELHI**

August, 2018/Shravana, 1940 (Saka)

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MINISTRY OF HEALTH & FAMILY WELFARE

Presented to Lok Sabha on 09.08.2018

Laid in Rajya Sabha on 09.08.2018



सत्यमेव जयते

LOK SABHA SECRETARIAT
NEW DELHI
August, 2018/Shravana, 1940 (Saka)

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COMPOSITION OF THE COMMITTEE ON WELFARE OF OBCs (2018-19)

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LOK SABHA

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1. Shri N.C. Gupta — Joint Secretary
2. Shri R R Kumar — Director
3. Shri A.S.K. Das — Deputy Secretary
4. Ms. Suvaiba Shaikh — Committee Assistant

INTRODUCTION

I, the Chairperson, Committee on Welfare of Other Backward Classes (2018-19) having been authorised by the Committee to present the Report on their behalf, present this Thirteenth Report on Action Taken by the Government on the Observations/Recommendations contained in the Third Report (Sixteenth Lok Sabha) of the Committee on Welfare of Other Backward Classes on “Review of reservation policy for OBCs being implemented in medical institutions” pertaining to the Ministry of Health and Family Welfare.

2. The Third Report was presented to Lok Sabha on 13th August 2015. The replies of the Government to all the recommendations contained in the Report were received on 9th April 2018

3. The replies of the Government were examined and the Draft Report was considered and adopted by the Committee at their sitting held on 7th August, 2018

4. An analysis of the Action Taken by the Government on the Observations/Recommendations contained in the Third Report (Sixteenth Lok Sabha) of the Committee is given in Appendix-II.

NEW DELHI;
7 August, 2018
16 Shrawana, 1940 (Saka)

GANESH SINGH,
Chairperson,
Committee on Welfare of OBCs

CHAPTER I

REPORT

This Report of the Committee on Welfare of Other Backward Classes deals with the action taken by the Government on the Observations/Recommendations contained in their Third Report (Sixteenth Lok Sabha) on “Review of reservation policy for OBCs being implemented in medical institutions” pertaining to the Ministry of Health and Family Welfare.

2. The Third Report of the Committee was presented to Lok Sabha on 13th August, 2015 and was laid on the Table of Rajya Sabha on the same day. The Report contained 8 Observations/Recommendations. Action taken notes in respect of all the Observations/Recommendations contained in the Report have been received from the Government. These have been examined and categorised as follows:

- i. Observations/Recommendations which have been accepted by the Government:
Recommendation Sl. Nos. 3,4,5,6 and 7.....
(Total - 05)
Chapter II
- ii. Observations/Recommendations which the Committee do not desire to pursue in view of the Government's replies:
Recommendation Sl. Nos. 8.....
(Total - 01)
Chapter III
- iii. Observations/Recommendations in respect of which replies of the Government have not been accepted by the Committee and which require reiteration: Recommendation Sl. Nos. 1 and 2
(Total - 02)
Chapter IV
- iv. Observations/Recommendations
in respect of which final replies of the Government are still awaited: Nil
(Total - Nil)
Chapter V

3. The Committee desire that Action Taken Notes on the Observations/Recommendations contained in Chapter I of the Report should be furnished to the Committee within three months of the presentation of this Report.

4. The Committee note that their Third Report was presented to Lok Sabha on 13th August, 2015 and was Laid on the Table of Rajya Sabha on the same day. The Ministry of Health and Family Welfare was supposed to furnish the action taken replies to the Observations/Recommendations of the Committee within three months of the presentation of the Report to the Parliament. However, the Committee are astonished to find that the action taken replies have been submitted by the Ministry only on 9th April, 2018. The Committee were informed in between that the action taken replies were getting late due to delay in collecting information from various Central Medical Institutions across the country. The Committee are, however, not convinced by the reasons extended by the Ministry towards delay in submission of the action taken replies. Rather they feel that the delay of more than two and half years in submission of action taken replies cannot be justified for whatsoever reasons and hope that the Ministry will take care in future to curb the avoidable delays in submitting replies to the Committee.

5. The Committee will now deal with the action taken by the Government on some of the Observations/Recommendations which need reiteration or comment in the succeeding paragraphs.

A. Implementation of OBC reservation policy in admission in Central Medical Institutes

Recommendation Sl. No. 1

6. The Committee had found in their Third Report that the implementation of reservation in favour of OBC students in admission is not up to the mark even after lapse of seven years of implementation of reservation orders. As per the limited data provided by the Ministry of Health and Family Welfare, the percentage of reservation given to OBC students in some of the courses in almost all the Medical Institutes viz. B.Sc. (MLT), M.Sc. (Nursing) and MPH courses in PG Institutes of Medical Education and Research; PG Degree and Diploma Courses in Dr. RML Hospital, New Delhi; PG Course in Maulana Azad Medical College, New Delhi and MD/MS/MDS and Diploma courses in University College of Medical Sciences, Delhi had been consistently much below than the stipulated requirement of 27 percent. Besides, in AIIMS, New Delhi, percentage of reservation given to OBC students in M. Sc., M. Biotechnology and M.Sc. (Nursing) was still below the requisite 27 percent mark. The Committee were informed that due to non-availability of suitable candidates, the requisite quota of 27 per cent could not be fulfilled. Expressing their strong displeasure over non-fulfillment of 27 percent reservation quota for OBC students, the Committee had observed that, apparently, the institutes/colleges did not make concerted efforts to attract OBC students in these courses. The Committee had, therefore, recommended that:-

- (i) The Ministry of Health & Family Welfare should explore the possibility and feasibility of providing free coaching and other incentives to OBC students like awarding scholarships in various courses to attract OBC students in medical institutions; and

- (ii) The Ministry of Health and Family Welfare should take up periodical reviews to ensure strict implementation of the Government Orders pertaining to reservation for OBC students in the Central Medical Institutions; and
- (iii) The Ministry of Health and Family Welfare should issue regular instructions to all the Central Medical Colleges to carry out awareness programmes for the courses where the target of 27% reservation for OBCs yet to achieved.

REPLY OF THE GOVERNMENT

7. The Ministry of Health and Family Welfare in their action taken replies has submitted as under:

“(i) Ministry of Social Justice and Empowerment is the Nodal Ministry. Hence, free coaching and incentives to the Scheduled Caste and OBC students may be handled by them as free coaching of Scheduled Tribes is looked after by the Ministry of Tribal Affairs. As Ministry of Health and Family Welfare is concerned with healthcare, it is not within our mandate.

(ii) Ministry of Health & FW is implementing proper OBC reservation policy in all recruitment/filling up of posts in the Central Medical institutions.

(iii) In respect of OBC Reservation in All India Quota, it is stated that 27% reservation for OBC Candidates is being done as per the Central Educational Institutes (Reservation in Admission) Act - 2006 issued by Ministry of Human Resource Development vide their O.M. No. 1-1/2005-UIA/ 847 dated 20th April 2008 and the target of 27% OBC reservation in Central Medical Institutions is already achieved.”

8. In their Original Report the Committee had recommended the Ministry to explore the possibility and feasibility of providing free coaching and other incentives to OBC

students like awarding scholarship in various courses to attract OBC students in medical institutions. The Ministry of Health & Family Welfare in their action taken replies has stated that the Ministry of Social Justice and Empowerment being the nodal Ministry may handle the issue of providing free coaching and incentives to the Scheduled Caste and OBC students as free coaching of Scheduled Tribes is looked after by the Ministry of Tribal Affairs. The Ministry of Health and Family Welfare has further stated that they are concerned with healthcare and it is not within their mandate.

The Committee feel that healthcare is the primary concern of the Ministry of Health and Family Welfare. At the same time, they feel that proper implementation of reservation policy for OBC students in admission is also the responsibility of the Ministry itself. The Committee had observed in their Third Report after scrutinizing the data provided by the Ministry that the implementation of reservation for OBC students in admission was not upto the mark and the percentage of reservation given to OBC students in some of the courses in almost all the Medical Institutes across the country had been consistently much below than the stipulated requirement of 27 percent. The Ministry had attributed this to non-availability of suitable candidates. The Committee are of the opinion that keeping the seats reserved for OBC students vacant in medical institutes is sheer wastage of Government resources which cannot be recuperated by future remedial exercises. The responsibility therefore, lies on the institutions and the Ministry itself to fill up the vacant seats reserved for OBC students by the suitable OBC candidates. In view of the foregoing, the Committee reiterate their recommendation for the Ministry of Health and Family Welfare to explore the possibility and feasibility of providing free coaching and other incentives to OBC students like awarding scholarship in various courses to attract OBC students in medical institutions.

9. The Committee in their Original Report had highlighted low representation of OBCs in medical Colleges/Institutes throughout the country and had recommended that the Ministry of Health & Family Welfare should take up periodical reviews to ensure

strict implementation of the Government Orders pertaining to reservation for OBC students in the Central Medical Institutions. The Ministry in their action taken reply has stated that it is implementing proper OBC reservation policy in all recruitment/filling up of posts in the Central Medical Institutions. The Committee feel that the Ministry has given a very routine and casual reply, which is somewhat misleading too. The Committee had raised the issue of reservation for OBC students in admissions and not with the recruitments in this particular recommendation. In their reply, the Ministry has talked about reservation in recruitment and filling up of posts in the Central Medical Institutions and has remained silent on the core issue of holding periodical reviews to ensure strict implementation of the Government Orders pertaining to reservation for OBC students in the Central Medical Institutions. As the Committee have noticed non-fulfillment of 27 percent reservation quota for OBC students in some of the courses in almost all the medical institutions, they desire the Ministry to deliver due care to the issue of ensuring proper implementation of OBC reservation policy in admissions and take up periodical reviews in order to strengthen the monitoring mechanism.

10. The very objective of granting reservation to OBC students in admission was to ensure fair opportunities to the backward section of the society in getting quality education, but the Committee find that improper implementation of the reservation policy for OBCs has failed to produce the desired result. With a view to ensure that benefits of reservation policy reach to the people in need of it, the Committee had recommended the Ministry of Health and Family Welfare to issue regular instructions to all the central medical colleges to carry out awareness programmes for the courses where the target of 27 percent reservation for OBCs was yet to be achieved. The Ministry of Health and Family Welfare in their action taken replies has conveyed that OBC Reservation in All India Quota is being implemented as per the Central Educational Institutes (Reservation in Admission) Act - 2006 issued by Ministry of Human Resource

Development vide their O.M. No. 1-1/2005-UIA/847 dated 20th April 2008 and the target of 27 percent OBC reservation in Central Medical Institutions is already achieved. In this connection, the Ministry has failed to provide requisite details regarding the same and substantiate their statement with the relevant data. Hence the reply given by the Ministry is nothing but a wild claim without any supporting facts and figures. The Committee on the contrary had found that in some of the medical institutions like PG Institute of Medical Education and Research; Dr. RML Hospital, New Delhi; AIIMS, New Delhi; All India Institute of Hygiene and Public Health, Kolkata and Maulana Azad Medical College, Delhi; the requisite 27 percent quota of reservation for OBC students had not been fulfilled in some of the courses. In view of the above, the Committee still feel the need for all the central medical colleges to carry out awareness programmes for the courses where the target of 27 percent reservation for OBCs are yet to be achieved. The Committee would like to be apprised of the action taken by the Ministry in this regard.

B. Reservation in faculty posts in Medical Institutes

Recommendation Sl. No. 2

11. The Committee in their Third Report had expressed their concern that despite repeated persuasion to furnish information regarding OBC faculty position in various Medical Institutions, the Ministry of Health and Family Welfare could not furnish the complete information regarding the recruitment in OBC category. The requisite data from most of the institutes were awaited and the information supplied was found to be grossly inadequate and scanty. The Committee had observed that even those Central Medical Institutes who had supplied the data were far from fulfilling the requisite percentage of reservation for OBC candidates in faculty recruitment. The joint data supplied by the LHMC, New Delhi; PGIMER and Dr. RML Hospital, New Delhi; VVMS and Safdarjung Hospital, New Delhi showed a shortfall of as many as 166 OBC vacancies in Teaching Sub-Cadre and that of 18 OBC vacancies in Public Health Sub-Cadre in 2015. The Committee

had taken serious view of such a casual and lackadaisical approach of both the Ministry as well as the medical institutes and had recommended that the Ministry of Health and Family Welfare should undertake periodical review of enforcement of OBC reservation policy in recruitment of faculty in all the central medical institutes. The Committee had also desired that the requisite information regarding year-wise recruitment in faculty posts and reservation given to OBCs therein may be supplied to Committee with respect to all the centrally aided /funded medical institutes, on priority basis.

REPLY OF THE GOVERNMENT

12. The Ministry of Health and Family Welfare in their action taken reply, have stated as under:

“Ministry of Health & Family Welfare maintains reservation roster for appointment in Teaching Sub-cadre in respect of all participating institutes under Central Government. No separate roster is maintained for any institute. The position with regard to Teaching Sub-cadre of Central Health Services as a whole is given below. The information given below is in respect to the following Institutes.

1. Govt. of NCT of Delhi
2. LHMC, New Delhi
3. Safdarjung Hospital (including CIO)
4. AIIH&PH, Kolkata
5. CIP, Ranchi
6. AllPMR, Mumbai
7. RML Hospital, New Delhi
8. Dte.GHS

S. No.	Caste	Year	Total Number of seats reserved for OBC candidates in faculty	Actual No. of OBC faculty recruited	Percentage of recruitment of OBC faculty w.r.t. backlog to total recruitments made during the year	Reason for backlog	Steps taken to fill up the backlog
1		01.01.2014	238	57	24%	The main reason for non-fulfillment of 27% quota has been lack of availability of suitable candidates.	Backlog vacancies taken into account while sending requisitions for filling up of posts.
2		01.01.2015	245	79	32%		
3		01.01.2016	330	124	38%		
4		01.01.2017	334	128	38%		
5		01.01.2018	370	133	36%		

13. The Committee in their Original Report had sought information regarding year-wise recruitment in faculty posts and reservation given to OBCs therein in respect of all the centrally aided/funded medical institutes on priority basis. The Committee are surprised to note that even after the lapse of two and half years of presentation of the Third Report of the Committee to the Parliament, the Ministry has furnished information regarding recruitment in Teaching Sub-cadre of Central Health Services in respect of eight medical institutes only. Even this information is not complete as it does not include the figures relating to total number of vacancies occurred and filled and also relating to shortfall/backlog OBC vacancies, year-wise. Further, the Ministry of Health and Family Welfare has stated in their reply that the reservation roster for appointment in Teaching Sub-cadre in respect of all participating institutes under Central Government is maintained by the Ministry itself and no separate roster is maintained for any institute. Against this backdrop, the Committee are unable to comprehend as to why the complete information regarding year-wise recruitment of

teaching staff and reservation given to OBC candidates therein was not provided in respect of all the central medical institutions by the Ministry. The Committee, therefore, reiterate that the requisite information regarding year-wise recruitment in faculty posts and reservation given to OBCs therein may be supplied to the Committee in respect of all the centrally aided/funded medical institutes, on priority basis.

14. Besides, the scrutiny of the data pertaining to the appointments made in Teaching Sub-cadre in eight medical institutions during the last five years reveals that the shortfall of OBC vacancies to the total recruitments made has been considerably high. As on 01.01.2016, out of 330 total number of seats reserved for OBC candidates in faculty, actual number of OBC faculty recruited was only 124 with 62 percent backlog to total OBC vacancies. Similarly as on 01.01.2017, out of 334 OBC vacancies only 128 OBC faculty were recruited and percentage backlog remained at 62 percent. As on 01.01.2018, only 133 OBC faculty out of 370 OBC vacancies were actually recruited and the backlog still remained considerably high at 64 percent.

The Committee express their concern that the backlog of faculty posts for OBCs in eight premier medical institutes of the country is still huge with the percentage of backlog OBC vacancies consistently hovering above 60 percent of the total OBC vacancies. The Ministry on its part has not elaborated on the steps taken/proposed to be taken to eliminate the backlog OBC vacancies. The Committee, therefore, reiterate that periodical review of enforcement of OBC reservation policy in recruitment of faculty in all central medical institutes be undertaken by the Ministry of Health and Family Welfare and the Committee be apprised of the action taken in this regard.

C. Recruitment of faculty in AIIMS Delhi

Recommendation Sl. No.4

15. The Committee in their Original Report had noted that with the clearance given by the Hon'ble Supreme Court for tentative appointment in accordance with the reservations policy, recruitment process for the posts of Assistant Professor/Lecturers in Nursing was initiated. However, the recruitment could not taken place and was delayed due to court cases and other reasons for long time. The process was again started in the year 2011. In the year 2011, 115 post of Assistant Professor/Lecturer in Nursing were advertised including 35 posts for OBCs and after completing the selection process, 5 OBC vacancies remained unfilled. In 2014, 148 vacancies of Assistant Professor/Lecturer in Nursing including 36 OBCs were again advertised. The Committee were informed that these OBC vacancies included the 5 backlog vacancies. However, 14 OBC vacancies again remained unfilled. 96 vacancies of Assistant Professor were again advertised in 2015 which included 35 vacancies reserved for OBCs. Out of 35 posts reserved for OBCs, 12 backlog vacancies of OBC from 2014 recruitment were included. The Committee were informed that two backlog vacancies of OBCs could not be advertised due to administrative reasons. The AIIMS could fill up only 24 OBC vacancies during the year leaving a total of 13 OBC vacancies as backlog. The Committee were given to understand that a special recruitment drive is planned to fill these backlog vacancies for OBCs. The Committee found that the whole process of recruitment in the post of Assistant Professor/Lecturer in Nursing has been lingered on for a long time for some reason or the other consequently obstructing the inclusion of OBC candidates in the fold of AIIMS faculty. The Committee had observed that the inordinate delay in the recruitment especially for the post of Assistant Professor/Lecturer in Nursing could have been avoided, had the Institute finalized the requisite roster for implementing the reservation policy in time and with full fidelity. Whatever issues had come in the way could have been resolved with administrative acumen and prudence expected from such a body. The

Committee were of the considered view that the lapse on the part of AIIMS administration had caused injustice to the bonafide candidates in general and the OBCs in particular. The Committee had recommended that the Ministry of Health & Family Welfare should make all out efforts to fill up all the backlog vacancies in faculty posts particularly in the grade of Assistant Professor/Lecturer in Nursing without further delay so that true representation of OBCs may be ensured in the faculty posts in AIIMS, Delhi.

16. The Ministry of Health and Family Welfare in their action taken reply stated as under:-

“The AIIMS New Delhi is making constant effort to fill up vacant faculty positions including backlog vacancies of OBCs after the finalization of Reservation Roster, AIIMS has made following recruitments form 2012 onwards wherein due reservation has been given to OBCs and backlog vacancies were included in these recruitments. Details are as below:

I year : 2012

	Total	OBC
Advertised	115	35
Filled	----	30
Remained Unfilled	----	05*

*Backlog Vacancies

II year : 2014

In the year 2014, recruitment was done for Professor's & Lecturer in Nursing. The details of total no. advertised along with seats advertised for OBC candidate backlog vacancies was as below:

	Total	OBC
Advertised	148	36**
Filled	----	22
Remained Unfilled	----	14

** 36 posts reserved for OBC also include 05 backlog vacancies of OBC of the year 2012.

(Ministry of Health and Family Welfare O.M. No.H-11016/10/2015-ME-II/W&PG dated 09-04-2018)

III year : 2015

In the year 2015, recruitment was done for Assistant professor was made. The details of total no. of posts advertised along with seats advertised for OBC candidate including backlog vacancies filled up in the year 2015 in the following manner:

	Total	OBC
Advertised	96	35**
Filled	----	24
Remained Unfilled	----	11

***out of 35 posts reserved for OBC, 12 were backlog vacancies of OBC form 2.014. 02 backlog vacancies of OBC could not be advertised due to administrative reasons. In this recruitment 11 OBC post could not be filled. Thus, after this recruitment there was a backlog of 13(11+2) seats in faculty of OBC category.

III year : 2016

118 posts of Assistant Professor were advertised. The details are as below:

	Total	OBC
Advertised	118	45**
Filled	----	30
Remained Unfilled	----	15

**** out of 45 posts reserved for OBCs, total number of 13 backlog vacancies of OBC was included (02 not advertised due to administrative reason from 2014 & 11 left unfilled in 2015). After this recruitment, 15 posts in OBC category could not be filled. Therefore, at present a total of 15 posts of OBC are backlog vacancies which will be included in the next recruitment.

It can be seen that regular appointments are being made. Backlog vacancies were included in all recruitments done after 2012.

As a result we have been able to appoint 106 OBC candidates to faculty position in last 4 years.

We are soon going to start recruitment for vacant faculty position and backlog of OBC vacancies will be included in this recruitment.”

17. From the replies given by the Ministry of Health and Family Welfare, the Committee still feel that the lapse on the part of AIIMS administration in ensuring timely recruitment on the post of Assistant Professor/Lecturer in Nursing has caused injustice to the bonafide candidates in general and the OBCs in particular. The Committee were assured earlier that special recruitment drive was planned to fill all the backlog vacancies for OBCs. But they have found that no concrete steps has been taken so far in this regard even when 15 OBC vacancies remained unfilled in the year 2016. Though, it has been claimed in the reply that 106 OBC candidates have been appointed to faculty position in the last four years, yet the Committee find that AIIMS, New Delhi has consistently failed in ensuring timely recruitment against OBC vacancies and there has been considerable number of backlog OBC vacancies every year since the commencement of the recruitment process for the post of Assistant Professor/Lecturer in Nursing in 2011. The Committee, therefore, desire that all out efforts be made to fill up all the backlog vacancies in faculty posts particularly in the grade of Assistant Professor/Lecturer in Nursing on priority basis and timely recruitment against all the OBC vacancies be ensured. The Ministry may also actively initiate special recruitment drive in this regard.

CHAPTER II

OBSERVATIONS/RECOMMENDATIONS WHICH HAVE BEEN ACCEPTED BY THE GOVERNMENT

Recommendation Sl. No. 3

Steps to be taken to fulfill the backlog in faculty recruitment

It is evident from the reply given by the Secretary, Ministry of Health & Family Welfare that the representation of OBCs in faculty posts in various Medical Institutions and Colleges is disproportionately low, ostensibly because of non-availability of suitable candidates. The Committee are constrained to note that despite virtual non representation of OBCs in faculty posts in most of the Medical Institutes/Colleges, the Ministry has not taken any concrete remedial steps to implement the directives of Government to provide reservation to the OBCs. The Committee desire that

- (i) the Ministry in consultation with various Medical Institutes/Colleges should evolve a mechanism to ensure that the faculty position in all Medical Institutes/Colleges are filled up in a time bound manner and the Committee apprised.
- (ii) the Ministry of Health and Family Welfare may advise the defaulting central medical institutes with huge backlog to conduct special recruitment drive to fill up the backlog OBC vacancies

Reply of the Government

- (i) The Ministry has constituted a high-power committee under the chairmanship of AS(H) to look into the problem of filling up the vacancies in all the medical colleges under the Ministry as well as other attached/subordinate/ autonomous organisations under the Ministry of Health and Family Welfare. OBC policies are being followed strictly.
- (ii) Ministry is following up regularly with every organization to ensure that there is no backlog of vacancies.

(Ministry of Health and Family Welfare O.M. No. H-11016/10/2015-ME-II/W&PG dated 09-04-2018)

Recommendation Sl. No. 4

Recruitment of faculty in AIIMS, Delhi

The Committee note that the All India Institute of Medical Sciences (AIIMS), Delhi had decided to follow reservation policy of the Government of India for OBCs with regard to faculty posts in 1994. With the clearance given by the Hon'ble Supreme Court for tentative appointment in accordance with the reservation policy, 173 posts of Assistant Professors/Lecturers in Nursing, (46 posts earmarked for OBCs) in various disciplines along with some other faculty post were advertised by AIIMS, Delhi in 2002 for making regular appointments with floating reservation for OBC. However, the recruitment could not take place and was delayed due to court cases and other reasons for long time. In the year 2011, 115 post of Assistant Professor/Lecturer in Nursing were advertised including 35 posts for OBCs and after completing the selection process, 5 OBC vacancies remained unfilled. In 2014, 148 vacancies of Assistant Professor/Lecturer in Nursing including 36 OBCs were again advertised. The Committee were informed that these OBC vacancies included the 5 backlog vacancies. However, 14 OBC vacancies again remained unfilled. 96 vacancies of Assistant Professor were again advertised in 2015 which included 35 vacancies reserved for OBCs. Out of 35 posts reserved for OBCs, 12 backlog vacancies of OBC from 2014 recruitment were included. The Committee have been informed that two backlog vacancies of OBCs could not be advertised due to administrative reasons. The AIIMS could fill up only 24 OBC vacancies during the year leaving a total of 13 OBC vacancies as backlog. The Committee have been given to understand that a special recruitment drive is planned to fill these backlog vacancies for OBCs. The Committee find that the whole process of recruitment in the post of Assistant Professor/Lecturer in Nursing has been lingered on for a long time for some reason or the other consequently obstructing the inclusion of OBC candidates in the fold of AIIMS faculty. The Committee are of considered view that the inordinate delay in the recruitment especially for the post of Assistant Professor/Lecturer in Nursing could have been avoided, had the Institute finalized the requisite roster for implementing the reservation policy in time and with full fidelity. Whatever issues had come in the way could have been resolved with administrative acumen and prudence expected from such a body. The Committee are of the considered view that the lapse on the part of AIIMS administration has caused injustice to the bonafide candidates in general and the OBCs in particular. The Committee recommend that the Ministry of Health & Family Welfare should make all out efforts to fill up all the backlog vacancies in faculty posts particularly in the grade of

Assistant Professor/Lecturer in Nursing without further delay so that true representation of OBCs may be ensured in the faculty posts in AIIMS, Delhi. The Committee may be apprised of the progress made in this regard in due course.

Reply of the Government

Brief status on the backlog vacancies of OBCs in respect of faculty posts the AIIMS. New Delhi is making constant effort to fill up vacant faculty positions including backlog vacancies of OBCs after the finalisation of Reservation Roster, AIIMS has made following recruitments from 2012 onwards wherein due reservation has been given to OBCs and backlog vacancies were included in these recruitments. Details are as below:

I year : 2012

	Total	OBC
Advertised	115	35
Filled	----	30
Remained Unfilled	----	05*

*Backlog Vacancies

II year : 2014

In the year 2014, recruitment was done for Assistant Professor's & Lecturer in Nursing. The details of total no. of posts advertised along with seats advertised for OBC candidate including backlog vacancies was as below:

	Total	OBC
Advertised	148	36**
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Remained Unfilled	----	14

** 36 posts reserved for OBC also include 05 backlog vacancies of OBC of the year 2012.

III year : 2015

In the year 2015, recruitment was done for Assistant professor was made. The details of total no. of posts advertised along with seats advertised for OBC candidate including backlog vacancies filled up in the year 2015 in the following manner:

	Total	OBC
Advertised	96	35**
Filled	----	24
Remained Unfilled	----	11

***out of 35 posts reserved for OBC, 12 were backlog vacancies of OBC form 2014. 02 backlog vacancies of OBC could not be advertised due to administrative reasons. In this recruitment 11 OBC post could not be filled. Thus, after this recruitment there was a backlog of 13(11+2) seats in faculty of OBC category.

III year : 2016

118 posts of Assistant Professor were advertised. The details are as below:

	Total	OBC
Advertised	118	45**
Filled	----	30
Remained Unfilled	----	15

**** out of 45 posts reserved for OBCs, total number of 13 backlog vacancies of OBC was included (02 not advertised due to administrative reason from 2014 & 11 left unfilled in 2015). After this recruitment, 15 posts in OBC category could not be filled. Therefore, at present a total of 15 posts of OBC are backlog vacancies which will be included in the next recruitment.

It can be seen that regular appointments are being made. Backlog vacancies were included in all recruitments done after 2012.

As a result we have been able to appoint 106 OBC candidates to faculty position in last 4 years.

We are soon going to start recruitment for vacant faculty position and backlog of OBC vacancies will be included in this recruitment.

(Ministry of Health and Family Welfare O.M. No.H-11016/10/2015-ME-II/W&PG dated 09-04-2018)

Comments of the Committee

(Please see Para No. 17 of Chapter I of the Report)

Recommendation Sl. No. 5

Funds allocation and utilization for upgradation of infrastructure in Medical Institutes

The Committee note that the Ministry of Health & Family Welfare had directed medical institutions under them in March, 2007 to increase seats by upgradation of infrastructure, creation of additional faculty and other posts, additional budget, etc. in order to implement the provisions of CEI (Reservation in Admission) Act, 2006. Funds were accordingly allocated to various medical institutes. On being asked by the Committee, the Ministry of Health & Family Welfare supplied information on funds allocation vis-a-vis utilisation with respect to only four medical institutes and most of the institutes have not supplied any information in this regard. With the data made available, the Committee find that even these medical institutes have furnished incomplete information. The scrutiny of the data reveals that one of the institutes namely, Maulana Azad Medical College, New Delhi has denied such a funding. The Committee are surprised to find that such a renowned medical institute located in Delhi has not been allocated any additional funds for upgrading infrastructure for implementation of the reservation policy for OBC students even though the policy came into effect eight years back. The Committee desire that the Ministry of Health & Family Welfare should look into the reasons for non allocation of additional funds to the Maulana Azad Medical College, New Delhi and enquire whether some other medical institutes are also left out in allocation of funds and take corrective steps. The Committee further recommend that the Ministry should ensure allocation of adequate funds to all the Centrally funded medical institutes to enable them to develop proper infrastructure for effective implementation of the reservation policy.

Reply of the Government

The Ministry of Health and Family Welfare has been making budgetary provisions based on the proposals received from the Institutions of higher learning through the concerned administrative divisions in the Ministry. The funds under 'Oversight Committee' are provided for creating additional infrastructure facilities in the Institutions of higher learning, viz. AIIMS, New Delhi; PGIMER Chandigarh; JIPMER Puducherry; NIMHANS, Bengaluru; LHMC & Smt. S.K. Hospital, New Delhi; Safdarjung Hospital & Vardhman Mahavir Medical College, New Delhi; LRS Institute of TB & Allied Sciences, New Delhi; Dr. RML PGIMER, New Delhi; All India Institute of Physical Medicine & Rehabilitation, Mumbai; National Institute of Health & Family Welfare, New Delhi; All India Institute of Hygiene & Public Health, Kolkata; Central Institute of

Psychiatry, Ranchi, etc. Financial assistance under this scheme is meant for absorbing 27% OBC quota in PG Courses under various institutions.

As regards observation of the Committee regarding non-allocation of funds to Maulana Azad Medical College, New Delhi, it is submitted that the Scheme envisages providing financial assistance to the Institutions of higher learning under the Central Government only. Since in Maulana Azad Medical College, Delhi is not under the administrative control of the Central Government, no financial assistance was provided to the College.

(Ministry of Health and Family Welfare O.M. No.H-11016/10/2015-ME-II/W&PG dated 09-04-2018)

Recommendation Sl. No. 6

Irregularities in AIIMS, Patna in faculty recruitment

The Committee's attention was drawn to the irregularities in the recruitment of faculty in AIIMS, Patna, where the norms for recruitment of faculty were blatantly violated by the administration of the AIIMS, Patna. The Committee took up the matter with the Ministry of Health & Family Welfare. It was informed by the Ministry that an Enquiry Committee was constituted in this regard. The Enquiry Committee submitted their Report wherein they established the irregularities in recruitments in faculty posts and pointed out large scale of irregularities in recruitment and flouting of reservation policy for SC/ST/OBC. In their report the Enquiry Committee also observed that the reservation roster were not implemented in letter and spirit. The Enquiry Committee has passed serious remarks against the Director, AIIMS, Patna making him responsible for deliberately flouting administrative as well as financial instructions of the Ministry. The Committee have been given to understand that based on the findings of the Inquiry Committee, departmental action has been initiated against the Director, AIIMS and ex-Administrative Officer, AIIMS, Patna by way of issue of major penalty charge sheet and the disciplinary proceedings are in progress. The Committee are, therefore, of the considered view that such irregularities in recruitments adversely affect the interest of OBCs and defeat the purpose of Government's reservation policy aimed at the upliftment of backward section of the society. Against this backdrop, the Committee recommend the Ministry of Health and Family Welfare to fix the responsibility and take immediate and appropriate action against the erring officers of AIIMS, Patna. The Committee may be apprised of the action taken in this regard without any delay. The Committee further recommend that review of all the six newly

established AIIMS should be done to ensure that they scrupulously adhere to rules and guidelines with regard to reservation and the Committee apprised within six months.

REPLY OF THE GOVERNMENT

It is informed that the Ministry took follow up action by way of termination of appointment of Dr. Raj Kumar Patro, Assistant Professor, AIIMS Bhubaneswar, cancellation of appointment of Dr. Mayank Singh, Assistant Professor, AIIMS Rishikesh and Dr. Shweta Aggarwal, Assistant Professor, AIIMS Raipur after finding out that their shortlisting was in contravention of the advertised eligibility conditions and not as a follow up of the Arya Committee Report.

2. It is further stated that disciplinary proceedings were initiated against Sh. Rajiv Narayan, the then Administrative Officer, AIIMS Patna (Section Officer, DGS&D) based on the recommendation of Parmar Committee.

3. The Arya Committee recommended the following:

- (i) Ineligible appointees in recruitment of faculty posts may be terminated; and
- (ii) Recruitment and selection process of faculty members as well as hiring of IT firm may be handed over to CBI for further investigation and necessary action.

4. As per recommendations of the Arya committee and on the directions of this Ministry, show cause notices were issued to ineligible appointees. Besides, relevant files of the documents regarding the recruitment and selection process of faculty members as well as of hiring of IT firm (M/s Net Excellence technologies) were handed over to CBI for further investigation and necessary action.

5. It may be relevant to state that CBI has closed the matter. Ministry advised all the AIIMS that in future recruitment, clear cut guidelines should be formulated for selection. Final marks of the candidate agreed to upon by the interview panel and signed by all the members of the panel should be without any overwriting and cutting. This was for strict compliance by the Institutes.

(Ministry of Health and Family Welfare O.M. No.H-11016/10/2015-ME-II/W&PG dated 09-04-2018)

Recommendation Sl. No. 7

Welfare Measures

The Committee note that various medical institutes like AIIMS, Delhi; Lady Harding Medical College, Delhi and others have taken a series of welfare measures for promoting the interests of students from OBC community which inter-alia include setting up of Students' Grievance Cell, periodical meetings with the Students' Union, provisions for scholarship and counselling, etc. The Lady Harding Medical College, New Delhi offers scholarships to all the students of weaker section including OBC students through LHMC Diamond Jubilee Foundation. The Committee are unaware whether similar welfare measures have been taken by other medical institutes/Colleges also, due to non availability of information. The Committee appreciate the welfare measures taken by AIIMS Delhi and Lady Harding Medical College and desire that the Ministry should issue guidelines to all Medical Colleges and institutions to take similar welfare measures for OBC students. The Committee also recommend that the provisions of anti-ragging regulations be implemented in all the medical colleges/institutes under the Central Government in letter and spirit and stern action taken for flouting the guidelines. Further, all complaints of discrimination and harassment, etc. of OBC students must be recorded properly and dealt with promptly.

REPLY OF THE GOVERNMENT

With an objective to root out ragging in all its forms from medical colleges/institutions in the country by prohibiting it by law, Medical Council of India with prior approval of the Central Government enacted Medical Council of India (Prevention and Prohibition of Ragging in Medical Colleges/Institutions) Regulations in 2009. In order to ascertain applicability of these regulations, these are amended from time to time. In the last amendment notified on 23-0g-2016, changes to these regulations were made in accordance with the regulations of University Grants Commission (UGC). It was aimed to ensure zero-tolerance for the menace of ragging, to broaden the definition of ragging and the scope and ambit of its application. It would also provide uniform approach to deal with incidences of ragging as the same changes have been brought by UGC as well.

(Ministry of Health and Family Welfare O.M. No.H-11016/10/2015-ME-II/W&PG dated 09-04-2018)

CHAPTER III

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

Recommendation Sl. No. 8

Creation of OBC Cell

With regard to creation of a separate OBC Cell and appointment of a separate Liaison Officer for OBCs, AIIMS, Delhi; the PGIMER, Dr. Ram Manohar Lohia Hospital, New Delhi; Lady Haring Medical College, New Delhi and VMMC & Safdarjung Hospital, New Delhi have appointed separate Liaison Officers to promote and protect the interest of OBC students. AIIMS, Delhi has reported about creation of separate OBC Cell and appointment of a separate Liaison Officer for looking into the affairs of OBCs. Regarding the grievance redressal mechanism, replies have been received from only two institutes, namely AIIMS, Delhi and Lady Harding Medical College, New Delhi. The replies furnished by the Ministry of Health & Family Welfare indicate that there is not much emphasis in the medical institutes to provide an effective grievance redressal mechanism for OBC students. Whatever arrangements have been reported by some of the medical institutes, the Committee feel that it is only a routine office procedure of placing grievances in the administrative set up of every organization. The Committee recommend that the Ministry of Health & Family Welfare should take initiative for creation of separate OBC Cell under the control of a Liaison Officer to look into the grievances of OBCs and to oversee the implementation of reservation policy for OBCs as well. The Ministry may issue such directives to all the Medical institutions under it.

Reply of the Government

Liaison Officer in the rank of Director has been designated in the Ministry to look into the grievances of OBCs and to oversee the implementation of reservation policy for OBCs. All the Medical Institutions under the Ministry have also designated Liaison Officers in their respective institutions.

(Ministry of Health and Family Welfare O.M. No. H-11016/10/2015-ME-II/W&PG dated 09-04-2018)

CHAPTER IV

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

Recommendation Sl. No. 1

Implementation of OBC reservation policy in admission in Central Medical Institutes

The Committee note that the Ministry of Health and Family Welfare is the nodal Ministry for implementation of reservation policy for OBCs in Central Medical Institutes across the country. The Committee were informed that the implementation of the Government order to award 27% reservation to OBC students in Medical Institutions got delayed due to delay in creation of additional number of seats for the purpose. In course of their examination, the Committee had sought information about representation given to OBC students in various Central Medical Institutions across the country. The Committee express their dismay that in spite of ample of time given to the Ministry of Health and Family Welfare the information provided by them with respect to medical institutes across the country was incomplete. The examination of the very limited data supplied by the Ministry reveals that the implementation of reservation in admission is not up to the mark even after lapse of seven years of implementation of reservation orders. As per the data provided by the Ministry of Health and Family Welfare, the percentage of reservation given to OBC students in some of the courses in almost all the Medical Institutes viz. B.Sc (MLT), M.Sc, M.Sc (Nursing) and MPH courses in PG Institutes of Medical Education and Research; PG Degree and Diploma courses in Dr. RML Hospital, New Delhi; PG Course in Maulana Azad Medical College, New Delhi and MD/MS/MDS and Diploma courses in University College of Medical Sciences, Delhi has been consistently much below than the stipulated requirement of 27%. Besides in All India Institute of Medical Sciences, New Delhi, percentage of reservation given to OBC students in MSc., M.Biotechnology and M.Sc. Nursing was still below the requisite 27%. The Committee were informed that due to non availability of suitable candidates, the requisite quota of 27% could not be fulfilled. Expressing their strong displeasure over non fulfillment of 27% reservation quota for OBC students the Committee feel that, apparently, the institutes/colleges did not make concerted efforts to attract OBC students in these courses. Carrying out some awareness programmes for OBC candidates seeking admission in various courses could have been one such step. The Committee recommend that:

(i) The Ministry of Health & Family Welfare should explore the possibility and feasibility of providing free coaching and other incentives to OBC students like awarding scholarships in various courses to attract OBC students in medical institutions; and

(ii) The Ministry of Health and Family Welfare should take up periodical reviews to ensure strict implementation of the Government Orders pertaining to reservation for OBC students in the Central Medical Institutions.

(iii) The Ministry of Health and Family Welfare should issue regular instructions to all the central medical colleges to carry out awareness programmes for the courses where the target of 27% reservation for OBCs is yet to be achieved.

Reply of the Government

(i) Ministry of Social Justice and Empowerment is the Nodal Ministry. Hence, free coaching and incentives to the Scheduled Caste and OBC students may be handled by them as free coaching of Scheduled Tribes is looked after by the Ministry of Tribal Affairs. As Ministry of Health and Family Welfare is concerned with healthcare, it is not within our mandate.

(ii) Ministry of Health & Family Welfare is implementing proper OBC reservation policy in all recruitment/filling up of posts in the Central Medical institutions.

(iii) In respect of OBC Reservation in All India Quota, it is stated that 27% reservation for OBC Candidates is being done as per the Central Educational Institutes (Reservation in Admission) Act - 2006 issued by Ministry of Human Resource Development vide their O.M. No. 1-1/2005-UIA/847 dated 20th April 2008 and the target of 27% OBC reservation in Central Medical Institutions is already achieved.

(Ministry of Health and Family Welfare O.M. No. H-11016/10/2015-ME-II/W&PG dated 09-04-2018)

Comments of the Committee

(Please see Para No. 8 of Chapter I of the Report)

Recommendation Sl. No. 2

Reservation in faculty posts in Medical Institutes

The Committee deprecate that despite repeated persuasion to furnish information regarding OBC faculty position in various Medical Institutions, the Ministry of Health & Family Welfare could not furnish the complete information regarding the recruitment in OBC category. The replies given by the Ministry indicates that data regarding reservation in faculty recruitment is still awaited from most of the institutes. This is indicative of the fact that the Ministry does not regularly monitor the enforcement of OBC reservation policy with regard to the recruitment of faculty in various Medical Institutes and Colleges. While scrutinizing the information submitted to the Committee with regard to percentage of faculty of OBC in various Medical Institutes, the Committee note that the information supplied is grossly inadequate and scanty. Even those central medical institutes who have supplied the data are far from fulfilling the requisite percentage of reservation to OBC candidates in faculty recruitment. The joint data supplied by the LHMC, New Delhi; PGIMER & Dr. RML Hospital, New Delhi; VVMS & Safdarjung Hospital, New Delhi shows a shortfall of as many as 166 OBC vacancies in Teaching Sub-Cadre and that of 18 OBC vacancies in Public Health Sub-Cadre in 2015. The Committee take serious view of such a casual and lackadaisical approach of both the Ministry as well as the medical institutes and recommend that the Ministry of Health & Family Welfare should undertake periodical review of enforcement of OBC reservation policy in recruitment of faculty in all the central medical institutes. The Committee also desire that the requisite information regarding year-wise recruitment in faculty posts and reservation given to OBCs therein may be supplied to Committee with respect to all the centrally aided/funded medical institutes, on priority basis.

Reply of the Government

Ministry of Health & Family Welfare maintains reservation roster for appointment in Teaching Sub-cadre in respect of all participating institutes under central Government. No separate roster is maintained for any institute. The position with regard to Teaching Sub-cadre of Central Health Services as a whole is given below. The information given below is in respect to the following Institutes.

1. Govt. of NCT of Delhi
2. LHMC, New Delhi
3. Safdarjung Hospital (including CIO)

4. AIH&PH, Kolkata
5. CIP, Ranchi
6. AIIPMR, Mumbai
7. RML HosPital, New Delhi
8. Dte.GHS

S. No.	Caste	Year	Total Number of seats reserved for OBC candidates in faculty	Actual No. of OBC faculty recruited	Percentage of recruitment of OBC faculty w.r.t. backlog to total recruitments made during the year	Reason for backlog	Steps taken to fill up the backlog
1		01.01.2014	238	57	24%	The main reason for non-fulfillment of 27% quota has been lack of availability of suitable candidates.	Backlog vacancies taken into account while sending requisitions for filling up of posts.
2		01.01.2015	245	79	32%		
3		01.01.2016	330	124	38%		
4		01.01.2017	334	128	38%		
5		01.01.2018	370	133	36%		

(Ministry of Health and Family Welfare O.M. No. H-11016/10/2015-ME-II/W&PG dated 09-04-2018)

Comments of the Committee

(Please see Para No. 13 of Chapter I of the Report)

CHAPTER V

**OBSERVATIONS/RECOMMENDATIONS IN RESPECT OF WHICH FINAL REPLIES OF THE
GOVERNMENT ARE STILL AWAITED**

-NIL-

**NEW DELHI;
7 August, 2018
16 Shrawana, 1940 (Saka)**

**GANESH SINGH,
Chairperson,
Committee on Welfare of OBCs**

COMMITTEE ON WELFARE OF OTHER BACKWARD CLASSES (2018-19)

MINUTES OF THE SEVENTH SITTING OF THE COMMITTEE ON WELFARE OF OTHER BACKWARD CLASSES (2018-19) HELD ON 7TH AUGUST, 2018 IN COMMITTEE ROOM No. 62, PARLIAMENT HOUSE, NEW DELHI

The Committee sat from 1500 hrs. to 1530 hrs.

PRESENT

SHRI GANESH SINGH- CHAIRPERSON

MEMBERS

LOK SABHA

2. Smt. Santosh Ahlawat
3. Dr. Swami Sakshi ji Maharaj
4. Dr. Banshilal Mahato
5. Dr. (Smt.) Pritam Gopinath Munde
6. Shri Rodmal Nagar
7. Shri Ram Mohan Naidu Kinjarapu
8. Shri Rajeev Satav
9. Shri Kanwar Singh Tanwar

RAJYA SABHA

10. Shri Husain Dalwai
11. Shri B.K. Hariprasad
12. Dr. Vikas Mahatme
13. Shri Vishambhar Prasad Nishad
14. Smt. Vijila Sathyananth
15. Shri Ram Nath Thakur
16. Smt. Chhaya Verma

SECRETARIAT

1. Shri R.R. Kumar - Director
2. Shri A.S.K. Das - Deputy Secretary
3. Smt. P. Jyoti - Under Secretary

2. At the outset, the Chairperson, welcomed the Members of the Committee to the sitting of the Committee. The Committee, thereafter, discussed in detail the following draft Reports:

- (i) Action Taken on Third Report “Review of reservation policy for OBCs being implemented in medical institutions” pertaining to the Ministry of Health and Family Welfare;
- (ii) Action Taken on Ninth Report “Measures undertaken to secure representation of OBCs in employment and for their Welfare in Oil and Natural Gas Corporation (ONGC)” pertaining to the Ministry of Petroleum and Natural Gas;
- (iii) Action Taken on Eleventh Report “Measures undertaken to secure representation of OBCs in employment and for their welfare in Food Corporation of India” pertaining to the Ministry of Consumer Affairs, Food and Public Distribution; and
- (iv) “Measures undertaken to secure representation of OBCs in employment and for their welfare in NTPC Ltd.” pertaining to the Ministry of Power.

3. The Committee adopted the aforesaid Draft Reports with minor modifications and authorized the Chairperson to present the Reports to Parliament.

The Committee then adjourned

APPENDIX II

ANALYSIS OF THE ACTION TAKEN BY THE GOVERNMENT ON THE OBSERVATIONS/RECOMMENDATIONS OF THE COMMITTEE ON WELFARE OF OTHER BACKWARD CLASSES CONTAINED IN THEIR THIRD REPORT (SIXTEENTH LOK SABHA)

(Refer Para 4 of Introduction)

(i)	Total No. of Observations/Recommendations:	8
(ii)	Observation/Recommendations of the Committee which have been accepted by the Government:	
	Recommendation Sl. Nos. 3,4, 5, 6 and 7	
		Total : 5 Percentage-62.5%
(iii)	Observations/Recommendations which the Committee do not desire to pursue in view of the replies received from the Government	
	Recommendation Sl. No. 8	
		Total : 1 Percentage-12.5%
(iv)	Observations/Recommendations in respect of which replies of the Government have not been accepted by the Committee and which require reiteration:	
	Recommendation Sl. Nos. 1 and 2	
		Total : 2 Percentage-25%
(v)	Observations/Recommendations in respect of which final replies of the Government are still awaited:	
	-Nil-	
		Total : Nil Percentage-0%