

13

COMMITTEE ON WELFARE OF OTHER BACKWARD CLASSES  
(2021-22)

(SEVENTEENTH LOK SABHA)

[ACTION TAKEN BY THE GOVERNMENT ON THE OBSERVATIONS/RECOMMENDATIONS CONTAINED IN THEIR FOURTH REPORT (SEVENTEENTH LOK SABHA) ON "MEASURES UNDERTAKEN TO SECURE REPRESENTATION OF OBCs IN EMPLOYMENT AND FOR THEIR WELFARE IN RASHTRIYA CHEMICALS & FERTILIZERS LIMITED (RCF)]

MINISTRY OF CHEMICALS & FERTILIZERS

THIRTEENTH REPORT



सत्यमेव जयते

LOK SABHA SECRETARIAT  
NEW DELHI

August, 2021/ Sravana, 1943 (Saka)

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*Presented to Lok Sabha on \_\_. \_\_. 2021  
Laid in Rajya Sabha on \_\_. \_\_. 2021*



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LOK SABHA SECRETARIAT  
NEW DELHI  
*August, 2021/Sravana, 1943 (Saka)*

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COMPOSITION OF THE COMMITTEE ON WELFARE OF OBCs (2021-22)

SHRI RAJESH VERMA- CHAIRPERSON

MEMBERS  
LOK SABHA

2. Shri T.R. Baalu
3. Shri Sanjay Kumar Bandi
4. Shri Chandra Sekhar Bellana
5. Shri Ramesh Bidhuri
6. Ms. S. Jothimani
7. Shri Dileshwar Kamait
8. Smt. Raksha Nikhil Khadse
9. Shri Jyotirmay Singh Mahato
10. Dr. Sanghamitra Maurya
11. Shri Anubhav Mohanty
12. Dr. Pritam Gopinath Munde
13. Shri Balak Nath
14. Shri Ajay Nishad
15. Shri Parbhatbhai Savabhai Patel
16. Shri Ram Shiromani
17. Shri K. Sudhakaran
18. Shri Ashok Kumar Yadav
19. Shri Pradan Barau
20. Shri Chunni Lal Sahu

RAJYA SABHA

21. Smt. Geeta *alias* Chandraprabha
22. Shri T.K.S. Elangovan
23. Shri Narayana Koragappa
24. Shri Jaiprakash Nishad
25. Shri Vishambhar Prasad Nishad
26. Dr. Banda Prakash
27. Smt. Chhaya Verma
28. Shri Harnath Singh Yadav
29. *Vacant\**
30. *Vacant\**

\* Vacancy arose vice the retirement of Shri K.K. Ragesh, MP

\* Vice Shri B.L.Verma ceased to be a Member of the Committee consequent upon his induction in Council of Ministers on 07.07.2021

SECRETARIAT

1. Smt. Anita B. Panda - Joint Secretary
2. Shri Arvind Sharma - Director
3. Shri Khakhai Zou - Additional Director
4. Shri Hemant Kumar - Assistant Executive Officer

## INTRODUCTION

I, the Chairperson, Committee on Welfare of Other Backward Classes having been authorized 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 Fourth Report of the Committee (Seventeenth Lok Sabha) on "Measures Undertaken to Secure Representation Of OBCs in Employment and for their Welfare in Rashtriya Chemicals & Fertilizers Ltd.(RCF)" pertaining to the Ministry of Chemicals & Fertilizers.

2. The Fourth Report was presented to Hon'ble Speaker, Lok Sabha on 25 July, 2020, when the House was not in Session. The same was presented in Lok Sabha and laid on the Table of Rajya Sabha on 22 and 23 July, 2021, respectively. The replies of the Government to all the Observations/Recommendations contained in the Report were received on 15 October, 2020.

3. The replies of the Government were examined and the Draft Action Taken Report was considered and adopted by the Committee at their sitting held on 5 August, 2021.

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

5. For facility of reference and convenience, the observations and recommendations of the Committee have been printed in bold letters in Chapter-I of the Report.

NEW DELHI;  
09 August, 2021  
18 Sravana, 1943, (Saka)

RAJESH VERMA,  
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 Fourth Report (Seventeenth Lok Sabha) on "Measures undertaken to secure representation of OBCs in employment and for their welfare in Rashtriya Chemicals & Fertilizers Limited (RCF)".

2. The Fourth Report (Seventeenth Lok Sabha) of the Committee was presented to the Hon'ble Speaker, Lok Sabha under Direction 71A of the Directions by Speaker on 25 July, 2020. The Report contained Eight 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 categorized as follows:

i. Observations/Recommendations which have been accepted by the Government:  
Recommendation Sl. Nos.4,6,7 and 8.....

(Total - 4)  
Chapter II

ii. Observations/Recommendations which the Committee do not desire to pursue in view of the Government's replies:  
Recommendation Sl. 5.....

(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 Recommendations Sl. Nos. 1, 2, and 3 .....

(Total - 03)  
Chapter IV

iv. Observations/Recommendations in respect of which final replies of the Government are still awaited:

Recommendation -Nil-

(Total - Nil)  
Chapter V

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



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

#### Recommendation Sl. No.1

##### Representation of OBCs in top management

5. The Committee in their Fourth Report (Seventeenth Lok Sabha) had recommended as under:

"Rashtriya Chemicals & Fertilizers Limited (RCF) is a 'Mini-Ratna' PSU and a leading fertilizers and chemicals manufacturing company with about 75% of its equity being held by the Government of India. The Committee note that this company is a household name in rural India with brands "Ujjwala" (Urea) and "Suphala" (Complex Fertilisers) which carry a high brand equity. RCF has countrywide marketing network in all major States and besides fertilizer products it also produces large number of industrial chemicals that are important for the manufacture of dyes, solvents, leather, pharmaceuticals and a host of other industrial products.

The Committee observe that as per the present composition of its management body, there are three whole-time functional Directors besides the CMD, two Government Nominee Directors and three Independent Directors. However, the Committee have been informed that as on date none of the officials in the Management Board belong to the OBC category. Thus, there is no representation of OBCs in the top management of the company. The Committee understand that the appointments in the Board of Directors are being made directly by the Government. However, they would like to impress upon the administrative Ministry, i.e. the Ministry of Chemicals and Fertilizers to adhere to the DPE OM No. 2(15)/2011-GM dated 18 April, 2011 communicating the concern expressed by the Parliamentary Standing Committee on Industry that if persons from the Categories of SC, ST and OBC and Women category come forward with the criteria laid down for the appointment of non-official Directors on the Board of CPSEs, they should be given preference".

#### REPLY OF THE GOVERNMENT

6. The Ministry of Chemical and Fertilizers in their action taken reply have stated:

"The appointment related to Functional Directors in Fertilizer CPSEs is being done by Public Enterprise Selection Board (PESB), Department of Personnel and Training (DoPT). Further it may be mentioned that for each vacant post of Non-official Directors, a panel of 3 names (taken from Data Bank and recommendations of Hon'ble Minister) is being sent to DPE for placing the same before Search Committee and on the recommendation of Search Committee, the details of selected candidates are forwarded to DoPT for approval of ACC".

The Committee, in their original report, had observed that none of the officials in management board of RCF belonged to OBC category and they, therefore, had impressed upon the nodal Ministry i.e. the Ministry of Chemicals & Fertilizers to adhere to DPE OM dated 18 April, 2011 urging all Departments to give preference to persons from SC, ST, OBC category as well as women for the appointment as non-official directors in the Board of CPSEs, i.e. RCF in the present context. However, the Ministry in their reply have merely stated that the appointments related to functional Directors in Fertilizers CPSE are being done by PESB, DoPT from a panel of three names (Taken from Data Bank and Recommendations of Hon'ble Minister, prepared by the Ministry) which is sent to DPE's Search Committee and on the Recommendations of Search Committee, names of selected candidates are forwarded to DoPT. The Committee are not satisfied with the reply of the Ministry as they did not indicate any efforts made to adhere to DPE OM dated 18 April, 2011 while preparing said panel of three names. The Committee would like to be apprised if any such effort was made so far and reiterate their earlier recommendation that if a person from OBC category, who fulfills the eligibility criteria for appointment as non-official director comes forward in RCF, they should be given preference.

#### Recommendation Sl. No. 2

#### Representation of OBCs

7. The Committee in their Fourth Report (Seventeenth Lok Sabha) had recommended as under:

"The Committee note that as on 31 October, 2019 RCF has a total employee strength of 2956, out of which 411 belong to the OBC category. Thus, the representation of OBCs in RCF comes to an abysmal figure of 13.90%. This is approximately half of what the OBC Reservation Policy, which is in vogue for the last 25 years, mandates. The Committee are of considered view that RCF needs to introspect as to why it has fared so poorly in safeguarding the constitutional guarantees being extended to the people belonging to the Other Backward Classes. Further, the Committee notice a disturbing trend in the varied representation of OBCs across the hierarchy of posts/ levels in RCF. The representation of OBCs is only 12.52% in Group A while it is only 8.38% in Group B. The low representation of OBCs in Group B is particularly worrisome because these posts are generally filled through internal promotions. The Committee would like to express their anguish at the implied denial of promotions to OBC employees in Group 'B' Posts. It is only in Group C where OBCs manage to get noticeable representation with 23.07%, although much below than mandated 27%. The Committee therefore, recommend that RCF should clearly delineate the reasons for not ensuring the mandatory representation of OBCs, particularly in Group B and make a committed and verifiable plan to increase the representation of OBCs without any further delay".

#### REPLY OF THE GOVERNMENT

8. The Ministry of Chemical and Fertilizers in their action taken reply have stated:

"RCF has two parallel career advancement policies wherein at one hand employees are promoted from workers to officers by way of interview and on

the other hand worker have the option of Time Bound Placement Scheme (TBPS). Under this scheme workers do not accept promotion in officer category but their financial benefits are protected. This result in distortion of percentages though, the recruitments in the company are done at Group C level wherein the representation of OBCs has been maintained pursuant to intimation by DOPT in this regard.

The Group-wise status of employees as on 1<sup>st</sup> August 2020 is as follows:-

Group	Manpower	OBC employees	OBC %
A	1397	215	15.39
B	793	82	10.34
C	661	180	27.23
D	17	9	52.94

As seen above, the representation of OBC in Group-B has improved from 8.38% to 10.34% in the period of seven months.

Other factors affecting this percentage are superannuation, promotions based on criteria of seniority, employees opting for Time Bound Placement instead of promotions and higher attrition of employees belonging to OBC category due to opportunities in Oil and other lucrative Sector, etc.

However, there are no cases of denial of promotion in Group B, where mostly workers from senior most cadre are promoted to officers cadre. It is expected that the predetermined percentages can get regularized gradually over a period of time".

9. The Committee observed in their earlier report that only 13.9% i.e. 411 employees out of total of 2956 employees in RCF belong to OBC category which is approximately half of what the OBC Reservation Policy mandates. They had, therefore, recommended that RCF should clearly delineate the reasons for not ensuring the mandatory representation of OBCs, particularly in Group B and make a committed and verifiable plan to increase the representation of OBCs without any further delay. The Ministry in their reply have now furnished data indicating that the representation of OBCs in Group-A and Group-B posts has improved to 15.39% and 10.34%, respectively, as on 1<sup>st</sup> August, 2020 from the earlier figures of 12.52% for Group A and 8.38% for Group B. The Ministry have further sought to convince the Committee that the predetermined percentages can get regularized gradually over a period of time. The Committee feel that instead of waiting for an indefinite time period, it would be definitely better to make a concerted plan for adequate representation of OBC category in Group-A & Group-B posts thereby safeguarding the Constitutional guarantee of 27% representation extended to OBC category candidates in employment.

### Recommendation Sl. No. 3

#### Backlog and shortfall vacancies

11. The Committee in their Fourth Report (Seventeenth Lok Sabha) had recommended as under:

"The Committee note that there is an overall backlog of 12 positions (10 in Group A and 2 in Group B) at present in RCF. In this regard, the Committee have been informed that the company is making concerted efforts to fill up these vacancies by June, 2020. However, the Committee are perturbed to note the variance in numbers between the backlog position and overall representation of OBCs in the organization. This is evident from the fact that as on 31 October, 2019, total personnel strength of RCF was 2956 but total number of OBC personnel was only 411 (13.90%). Whereas as per the 27% quota meant for OBCs, total number of OBC personnel should have been 798. Thus, the Committee observe that there is a short-fall of 387 vacancies across the ranks whereas only 12 backlog vacancies are shown to exist in RCF. The Committee would like to discern that shortfall and backlog vacancies are not being calculated on a realistic basis in RCF and thus leading to inadequate representation of OBCs across the ranks. The Committee are of a considered view that this gap in representation of OBCs needs to be bridged immediately by recruiting more OBCs in each recruitment cycle. The Committee, therefore, strongly recommend that RCF should reassess the resultant shortfall vacancies, accordingly.

The Committee also desire that in order to ensure adequate representation of OBCs, RCF should scrupulously adhere to the DoPT OM No. 43011/4/2018- Estt.(Res.) dated 4 April, 2018 regarding application of own merit in Direct Recruitment for appointment of Other Backward Classes. It is to be reiterated that in direct recruitments to Central Government jobs and services, the reserve category candidates who are selected on the same standard as applied to general candidates should not be adjusted against reserved vacancies".

#### REPLY OF THE GOVERNMENT

12. The Ministry of Chemical and Fertilizers in their action taken reply have stated as under:

"RCF has informed that the provisions of DOPT OM No. 43011/4/2018 Estt.(Res.) dated 4<sup>th</sup> April, 2018 are scrupulously adhered. Advertisement for filling up backlog 10 positions of OBC in Group-A has been initiated. Advertisement was published in June 2020. Applications have been received. Further process could not be completed because of COVID-19 pandemic. The process shall be completed shortly as soon as the situation normalizes.

The backlog of 2 vacancies is in Group-C (erroneously printed as Group-B above) is also covered in the above referred advertisement and shall be filled up when the recruitment exercise is concluded".

13. The Committee have, *inter alia*, observed in their earlier report that there was a short-fall of 387 vacancies across the ranks whereas only 12 backlog vacancies were shown to exist in RCF. They have, therefore, strongly recommended that RCF should reassess the resultant shortfall vacancies and should scrupulously adhere to the DoPT OM No.43011/4/2018- Estt.(Res.) dated 4 April, 2018 regarding application of own merit in Direct Recruitment for appointment of Other Backward Classes. The Ministry in their Action Taken Reply have stated that the RCF scrupulously adhered to the provisions of DoPT OM dated 4 April, 2018. They have statedly initiated advertisement in June, 2020 for filling up 12 backlog positions of OBC in Groups A and C, but they could not complete the process due to Covid-19 pandemic and that it will be completed shortly as soon as the situation normalizes. The Committee appreciate the initiative taken and hope that the process of recruitment will be completed without further loss of time. However the Ministry have remained silent on the fact that despite fulfilling of 12 backlog vacancies, the overall shortage of 387 OBC Vacancies across the ranks in RCF as per 27% quota for them, will not be met. The Committee, therefore, reiterate that RCF should reassess the shortfall vacancies in RCF accordingly and bridge the gap in representation of OBCs immediately by recruiting more OBCs in each recruitment cycle.

## CHAPTER-II

### OBSERVATIONS/ RECOMMENDATIONS WHICH HAVE BEEN ACCEPTED BY THE GOVERNMENT

#### Recommendation Sl. No.4

##### Selection Board

- 2.1 The Committee in their Fourth Report (Seventeenth Lok Sabha) had recommended as under:

"The Committee note that as per DoPT OM No. 42011/2/2014-Estt. (Res) dated 13<sup>th</sup> February, 2014 it is mandatory to include one (1) member belonging to number of vacancies against which selection is to be made is less than 10, no effort should be spared in finding an OBC officer amongst others for inclusion in such Committees/Boards. In this regard, the Committee are pleased to note that RCF is adhering to the above mentioned guidelines and there has been one (1) OBC member in each of the three Selection Committees constituted in 2019. The Committee, however, find that the same OBC officer has been nominated to all the three Committees in this case. The Committee feel that in order to ensure full independence and impartiality, it is imperative that only one particular officer does not become a permanent fixture in all such Selection Committees. The Committee, therefore, recommend that a panel of OBC officers should be drawn and they should be represented in these Selection Committees on rotation basis.

The Committee note that OBC candidates in RCF are being interviewed on a separate date/time than rest of the General category candidates. The Committee find the practise to be discriminatory and also breeding ground for arbitrary rejections on the basis of low interview marks. It needs to be re-clarified that a candidate belonging to the reserved category is always free to lay claim to an unreserved post on the basis of his merit. Accordingly, the Committee recommend that the discriminatory practise of holding separate interviews for OBC candidates should be done away with immediately. The Committee also recommend that while preparing merit list for interviews, it should be ensured that all candidates (whether SC/ST or OBC securing marks at par or more than that of the last cut-off unreserved category candidate should also be called for interview".

#### REPLY OF THE GOVERNMENT

- 2.2 The Ministry of Chemicals & Fertilizers in their action taken reply have stated as under:

"RCF has informed that as recommended by the Committee a panel of OBC officers has been drawn and shall represent in the Selection Committee on rotation basis.

The observations of the committee with respect to separate interviews not to be conducted are noted by RCF and will be implemented henceforth. RCF are not conducting separate interviews for promotion. Only recruitment interviews are conducted separately."

(Ministry of Chemicals & Fertilizers OM No. 19055/07/2019-PSU (Vol-2) dated 15/10/2020)

## Recommendation Sl. No. 6

### OBC Employees's Association

2.3 The Committee in their Fourth Report (Seventeenth Lok Sabha) had recommended as under:

"The Committee are pleased to note that OBC Employees' Association in RCF has been formed in December, 2019 after persistent cajoling from the Committee. It is now the duty of the RCF to provide conducive and engaging atmosphere and enabling infrastructure so that OBC Employees' Association can carry out its work effectively. While holding informal discussions with various PSUs/ Government Companies during the Study Tour in January, 2020, the Committee learned about the difficulties being faced by some of the OBC Employees' Associations. The Committee opine that OBC Associations should be spared such hardships and roadblocks in their effective functioning. The Committee, therefore, recommend that RCF should make full efforts to popularize OBC Association among its OBC employees and to render it all possible assistance in order to help it take further roots in the organization".

### REPLY OF THE GOVERNMENT

2.4 The Ministry of Chemicals & Fertilizers in their action taken reply have stated as under:

"RCF has been providing conducive and engaging atmosphere, with a view to enable OBC Employees' Association to carry its work effectively. RCF has also provided office space and necessary infrastructure for smooth functioning of the Association. Steps taken to popularized the Association include giving fair representation from various departments and Units in the Association (i.e. Technical/Non- Technical Trombay /Thal Units), intimating all the concerned employees of formation of this Association, assisting the Association in planning of various schemes like healthy competition amongst their members, conducting awareness programs, training their members etc."

(Ministry of Chemicals & Fertilizers OM No. 19055/07/2019-PSU (Vol-2) dated 15/10/2020)

## Recommendation Sl. No.7

### Outsourcing/Engaging contractual employees.

2.5 The Committee in their Fourth Report (Seventeenth Lok Sabha) had recommended as under:

"The Committee note that RCF is outsourcing some of its non-core activities like conservancy, horticulture, town security service, canteen etc. However, the company could not reassure the Committee about the due representation of OBCs among contractual staff as it merely submitted that 'it has been observed that percentage of labour belonging to SC/ST/OBC in the outsourced activities are

generally on higher side although, there is no direct check of the company'. While the Committee understand that RCF cannot hold outsourcing companies accountable on these matters, it doesn't stop it from constructively engaging with them on the imperative of enlarging OBC representation. Moreover, payment of minimum wages as per the Minimum Wages Act and benefits of other social security schemes relating to health, education, insurance, provident fund facility, etc. should also be ensured to such employees engaged on outsourcing basis in RCF. The Committee would also urge the RCF to ensure strict compliance to Office Memorandum dated May 15, 2018 of the Department of Personnel and Training Government of India, regarding provision of reservation for Scheduled Castes / Scheduled Tribes/OBCs in temporary appointments for duration exceeding 45 days in respect of all the contractual appointments in the organization. In this respect the Committee also recommend that there should be a separate Roster for temporary appointments for more than 45 days."

### REPLY OF THE GOVERNMENT

- 2.6 The Ministry of Chemicals & Fertilizers in their action taken reply have stated as under:

The Committee's directive to ensure strict compliance to OM dated 15<sup>th</sup> May, 2018 of DOPT has been noted and will be ensured by RCF.

(Ministry of Chemicals & Fertilizers OM No. 19055/07/2019-PSU (Vol-2) dated 15/10/2020)

### Recommendation Sl. No.8

- 2.7 The Committee in their Fourth Report (Seventeenth Lok Sabha) had recommended as under:

"In this regard, the Committee would like to remind RCF that DoPT has been issuing various instructions/guidelines regarding reservations for SC, ST and OBCs in temporary appointments. The Committee would like to enumerate the following instructions/guidelines of DoPT which are made applicable to Central Public Sector Enterprises through Department of Public Enterprises, and expect that the same are strictly adhered to:

#### *Reservation in Posts of Industrial Workers*

The industrial establishments of the Government of India and the posts and grades in such establishments, whether these have been classified as Group A, B, C and D or not, are covered by the scheme of reservation for Scheduled Castes, Scheduled Tribes and Other Backward Classes. [O.M.No.8/7/1974Estt.(SCT) dated 22/08/1975]

#### *Reservation in Temporary Appointment*

There shall be reservation for SC/ST/OBC class candidates in all temporary appointments, which are to last for 45 days or more. [O.M.No.36036/3/2018 - ESTT. (Res.) dated 15.05.2018]

#### *Reservation in Work-Charged Posts*



The principle of reservation for Scheduled Castes, Scheduled Tribes and Other Backward Classes should generally be suitably applied to the extent possible, to work-charged posts also except those required for emergencies like flood relief-work, accident restoration and relief etc. The percentages of reservation in such appointments may correspond to what is applicable to Group C and Group D posts.[O.M. No.36021/9/1976-Estt.(SCT) dated 10/02/1977]

#### *Reservation in Voluntary Agencies*

The Ministries/Departments should insist as a pre-condition to the sanction of grants-in-aid from Central Government to a non-Government organizations/voluntary agency etc. that it shall provide reservation -to the extent of 15% to SCs, 7.5% to STS and 27% to OBCs in case of direct recruitment on all India basis in case of direct recruitment to posts normally attracting candidates from a locality or region where:

- (a) The recipient body employs more than 20 persons on a regular basis and at least 50 percent of its recurring expenditure is met from grants-in-aid from the Central Government; and
- (b) The body is a registered society or a cooperative institution and is in receipt of a general purpose annual grants-in-aid of 2 lakh and above from the Consolidated Fund of India.

A clause providing for reservations in the services under the voluntary agencies should be included in the terms and conditions under which such voluntary agencies /organizations etc. are given grants-in-aid by Government, somewhat on the following lines: (Name of Organization/ Agency etc.) agrees to make reservations for Scheduled Castes, Scheduled Tribes and Other Backward Classes in the posts/services under its control on the lines indicated by the Government of India.

While sanctioning grants-in-aid to various voluntary agencies the progress made by such agencies in employing Scheduled Caste, Scheduled Tribe and Other Backward Class candidates in their services should be kept in view by the administrative Ministries/Departments. The voluntary agencies etc. should be informed that the progress in respect to the employment by them of Scheduled Castes, Scheduled Tribes and OBCs in the services under them would be taken into account by Government while sanctioning future grants-in-aid to them. [O.M. No. 27/12/73-Estt. SCT) dated 7.10.1974.

#### **REPLY OF THE GOVERNMENT**

2.8 The Ministry of Chemicals & Fertilizers in their action taken reply have stated as under:

The above provisions are noted and ensured by RCF. However, there are no voluntary agencies in the Department of Fertilizers.

(Ministry of Chemicals & Fertilizers OM No. 19055/07/2019-PSU (Vol-2) dated 15/10/2020)

## CHAPTER-III

### OBSERVATIONS/ RECOMMENDATIONS WHICH THE COMMITTEE DO NOT DESIRE TO PRUSUE IN THE LIGHT OF THE REPLIES RECEIVED FROM THE GOVERNMENT

#### Recommendation Sl. No.5

##### Training facilities for OBCs

- 3.1 The Committee in their Fourth Report (Seventeenth Lok Sabha) had recommended as under:

"The Committee note that RCF is catering to the training needs of all of its employees including OBC employees through full-fledged Technical Training Institute at Trombay and Thal and Management Development Centre in Mumbai. The company also conducts training on various agriculture related topics for the farming community including those from OBCs through its Farmers' Training Institute at Nagpur and Thal. The Committee opine that in view of the country-wide marketing outreach and goodwill of the company, farmers' welfare can be promoted through equitable partnerships with various farmers' groups, NGOs etc. The Committee understand that majority of the agrarian castes in India belong to the Other Backward Classes and hence such partnerships in the field of training will go a long way in ensuring welfare and empowerment of OBCs. The Committee therefore, recommend that RCF should open more such farmers' training Institutes in other parts of India and thus contribute to twin national goals of rural development and farmers' welfare, including those belonging to OBCs.

The Committee, however, are unhappy to note that RCF has not been providing pre-recruitment and pre-promotion training to OBC candidates and OBC employees. OBCs belong to the vulnerable section of society and pre-recruitment training is a limited aid to alleviate this handicap of the candidates. Similarly, pre-promotion training to OBC employees is must for their seamless career progression and for adding Human Resource Value to the organization. Otherwise, the Committee have observed in a number of cases that the representation of OBCs keep on dwindling as one goes up in the hierarchy. Therefore, the Committee strongly desire that pre-recruitment and pre-promotion training should begin, to be provided by RCF and the blueprint of the plan should be shared with the Committee at the action taken stage."

#### REPLY OF THE GOVERNMENT

- 3.2 The Ministry of Chemicals & Fertilizers in their action taken reply have stated as under:

RCF has informed that assuggested by the committee, pre-recruitment training of OBCs has been undertaken during the current recruitment exercise at the local level. Also, for outstation candidates a well-designed training session has been uploaded on RCF Website for the benefits of all candidates including OBCs.

Pre-promotion training shall be provided to all the eligible candidates including OBCs hereafter.

The committee has recommended that RCF should open more Farmer's Training Institute in other parts of India, which may not be feasible due to infrastructural and financial constraints. However, farmers from all over the country are availing the training facilities at Nagpur and Thal Unit, Alibag and RCF is bearing their cost of transportations, lodging and boarding.

(Ministry of Chemicals & Fertilizers OM No. 19055/07/2019-PSU (Vol-2) dated 15/10/2020)

## 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

##### Representation of OBCs in top management

4.1 The Committee in their Fourth Report (Seventeenth Lok Sabha) had recommended as under:

"Rashtriya Chemicals & Fertilizers Limited (RCF) is a 'Mini-Ratna' PSU and a leading fertilizers and chemicals manufacturing company with about 75% of its equity being held by the Government of India. The Committee note that this company is a household name in rural India with brands "Ujjwala" (Urea) and "Suphala" (Complex Fertilisers) which carry a high brand equity. RCF has countrywide marketing network in all major States and besides fertilizer products it also produces large number of industrial chemicals that are important for the manufacture of dyes, solvents, leather, pharmaceuticals and a host of other industrial products.

The Committee observe that as per the present composition of its management body, there are three whole-time functional Directors besides the CMD, two Government Nominee Directors and three Independent Directors. However, the Committee have been informed that as on date none of the officials in the Management Board belong to the OBC category. Thus, there is no representation of OBCs in the top management of the company. The Committee understand that the appointments in the Board of Directors are being made directly by the Government. However, they would like to impress upon the administrative Ministry, i.e. the Ministry of Chemicals and Fertilizers to adhere to the DPE OM No. 2(15)/2011-GM dated 18 April, 2011 communicating the concern expressed by the Parliamentary Standing Committee on Industry that if persons from the Categories of SC, ST and OBC and Women category come forward with the criteria laid down for the appointment of non-official Directors on the Board of CPSEs, they should be given preference".

#### REPLY OF THE GOVERNMENT

4.2 The Ministry of Chemical and Fertilizers in their action taken reply have stated:

"The appointment related to Functional Directors in Fertilizer CPSEs is being done by Public Enterprise Selection Board (PESB), Department of Personnel and Training (DoPT). Further it may be mentioned that for each vacant post of Non-official Directors, a panel of 3 names (taken from Data Bank and recommendations of Hon'ble Minister) is being sent to DPE for placing the same before Search Committee and on the recommendation of Search Committee, the details of selected candidates are forwarded to DoPT for approval of ACC".  
(Ministry of Chemicals & Fertilizers OM No. 19055/07/2019-PSU (Vol-2) dated 15/10/2020)

Comments of the Committee

(Please see para 7 of Chapter 1 of the Report)

## Recommendation Sl. No. 2

### Representation of OBCs

- 4.3 The Committee in their Fourth Report (Seventeenth Lok Sabha) had recommended as under:

"The Committee note that as on 31 October, 2019 RCF has a total employee strength of 2956, out of which 411 belong to the OBC category. Thus, the representation of OBCs in RCF comes to an abysmal figure of 13.90%. This is approximately half of what the OBC Reservation Policy, which is in vogue for the last 25 years, mandates. The Committee are of considered view that RCF needs to introspect as to why it has fared so poorly in safeguarding the constitutional guarantees being extended to the people belonging to the Other Backward Classes. Further, the Committee notice a disturbing trend in the varied representation of OBCs across the hierarchy of posts/ levels in RCF. The representation of OBCs is only 12.52% in Group A while it is only 8.38% in Group B. The low representation of OBCs in Group B is particularly worrisome because these posts are generally filled through internal promotions. The Committee would like to express their anguish at the implied denial of promotions to OBC employees in Group 'B' Posts. It is only in Group C where OBCs manage to get noticeable representation with 23.07%, although much below than mandated 27%. The Committee therefore, recommend that RCF should clearly delineate the reasons for not ensuring the mandatory representation of OBCs, particularly in Group B and make a committed and verifiable plan to increase the representation of OBCs without any further delay".

### REPLY OF THE GOVERNMENT

- 4.4 The Ministry of Chemical and Fertilizers in their action taken reply have stated:

"RCF has two parallel career advancement policies wherein at one hand employees are promoted from workers to officers by way of interview and on the other hand worker have the option of Time Bound Placement Scheme (TBPS). Under this scheme workers do not accept promotion in officer category but their financial benefits are protected. This result in distortion of percentages though, the recruitments in the company are done at Group C level wherein the representation of OBCs has been maintained pursuant to intimation by DOPT in this regard.

The Group-wise status of employees as on 1<sup>st</sup> August 2020 is as follows:-

Group	Manpower	OBC employees	OBC %
A	1397	215	15.39
B	793	82	10.34
C	661	180	27.23
D	17	9	52.94

As seen above, the representation of OBC in Group-B has improved from 8.38% to 10.34% in the period of seven months.

Other factors affecting this percentage are superannuation, promotions based on criteria of seniority, employees opting for Time Bound Placement instead of promotions and higher attrition of employees belonging to OBC category due to

opportunities in Oil and other lucrative Sector, etc.

However, there are no cases of denial of promotion in Group B, where mostly workers from senior most cadre are promoted to officers cadre. It is expected that the predetermined percentages can get regularized gradually over a period of time".

(Ministry of Chemicals & Fertilizers OM No. 19055/07/2019-PSU (Vol-2) dated 15/10/2020)

Comments of the Committee

(Please see para 10 of Chapter 1 of the Report)

### Recommendation Sl. No. 3

#### Backlog and shortfall vacancies

- 4.5 The Committee in their Fourth Report (Seventeenth Lok Sabha) had recommended as under:

"The Committee note that there is an overall backlog of 12 positions (10 in Group A and 2 in Group B) at present in RCF. In this regard, the Committee have been informed that the company is making concerted efforts to fill up these vacancies by June, 2020. However, the Committee are perturbed to note the variance in numbers between the backlog position and overall representation of OBCs in the organization. This is evident from the fact that as on 31 October, 2019, total personnel strength of RCF was 2956 but total number of OBC personnel was only 411 (13.90%). Whereas as per the 27% quota meant for OBCs, total number of OBC personnel should have been 798. Thus, the Committee observe that there is a short-fall of 387 vacancies across the ranks whereas only 12 backlog vacancies are shown to exist in RCF. The Committee would like to discern that shortfall and backlog vacancies are not being calculated on a realistic basis in RCF and thus leading to inadequate representation of OBCs across the ranks. The Committee are of a considered view that this gap in representation of OBCs needs to be bridged immediately by recruiting more OBCs in each recruitment cycle. The Committee, therefore, strongly recommend that RCF should reassess the resultant shortfall vacancies, accordingly.

The Committee also desire that in order to ensure adequate representation of OBCs, RCF should scrupulously adhere to the DoPT OM No. 43011/4/2018-Estt.(Res.) dated 4 April, 2018 regarding application of own merit in Direct Recruitment for appointment of Other Backward Classes. It is to be reiterated that in direct recruitments to Central Government jobs and services, the reserve category candidates who are selected on the same standard as applied to general candidates should not be adjusted against reserved vacancies".

#### REPLY OF THE GOVERNMENT

- 4.6 The Ministry of Chemical and Fertilizers in their action taken reply have stated as under:

"RCF has informed that the provisions of DOPT OM No. 43011/4/2018 Estt.(Res.) dated 4<sup>th</sup> April, 2018 are scrupulously adhered. Advertisement for filling up backlog 10 positions of OBC in Group-A has been initiated. Advertisement was

published in June 2020. Applications have been received. Further process could not be completed because of COVID-19 pandemic. The process shall be completed shortly as soon as the situation normalizes.

The backlog of 2 vacancies is in Group-C (erroneously printed as Group-B above) is also covered in the above referred advertisement and shall be filled up when the recruitment exercise is concluded".

(Ministry of Chemicals & Fertilizers OM No. 19055/07/2019-PSU (Vol-2) dated 15/10/2020

Comments of the Committee

(Please see para 13 of Chapter 1 of the Report)

CHAPTER-V

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

- NIL -

NEW DELHI;  
9 August, 2021  
18 Sravana, 1943 (Saka)

RAJESH VERMA,  
Chairperson,  
Committee on Welfare of OBCs.



APPENDIX I

COMMITTEE ON WELFARE OF OTHER BACKWARD CLASSES  
(2021-22)

MINUTES OF THE THIRD SITTING OF THE COMMITTEE ON WELFARE OF OTHER  
BACKWARD CLASSES (2021-22) HELD ON 05<sup>TH</sup> AUGUST, 2021 IN COMMITTEE  
ROOM NO. 3, PARLIAMENT HOUSE ANNEXE EXTN.- A BLOCK,  
NEW DELHI

The Committee sat from 1600 hrs to 1625 hrs.

PRESENT

Shri Rajesh Verma - *Chairperson*

MEMBERS

*Lok Sabha*

2. Shri T.R. Baalu
3. Shri Sanjay Kumar Bandi
4. Shri Chandra Sekhar Bellana
5. Shri Ramesh Bidhuri
6. Ms. S. Jothimani
7. Shri Dileshwar Kamait
8. Smt. Raksha Nikhil Khadse
9. Dr. Sanghamitra Maurya
10. Dr. Pritam Gopinath Munde
11. Shri Balak Nath
12. Shri Parbhatbhai Savabhai Patel
13. Shri Ram Shiromani
14. Shri Ashok Kumar Yadav
15. Shri Chunni Lal Sahu

*Rajya Sabha*

16. Smt. Geeta *alias* Chandraprabha
17. Shri T.K.S. Elangovan
18. Shri Narayana Koragappa
19. Dr. Banda Prakash

SECRETARIAT

1. Smt. Anita B. Panda — *Joint Secretary*
2. Shri Arvind Sharma — *Director*
3. Shri Khakhai Zou — *Additional Director*
4. Smt. Neena Juneja — *Deputy Secretary*

2. At the outset, the Chairperson, welcomed the Members to the sitting of the Committee.

3. xxx            xxx            xxx            xxx            xxx\*    The Committee, thereafter, considered the following draft Reports for adoption:

- I. Action Taken Report on the observations/ recommendations contained in the Third report (17<sup>th</sup> Lok Sabha) on "Measures undertaken to secure representation of OBCs in employment and for their welfare in Coal India Ltd. (CIL), Northern Coalfields Limited (NCL) and South Eastern Coalfields Limited (SECL)" pertaining to the Ministry of Coal.
- II. Action Taken Report on the observations/ recommendations contained in the Fourth report (17<sup>th</sup> Lok Sabha) on "Measures undertaken to secure representation of OBCs in employment in Rashtriya Chemicals & Fertilizers Limited (RCF)" pertaining to the Ministry of Chemicals & Fertilizers.
- III. Action Taken Report on the observations/ recommendations contained in the Sixth report (17<sup>th</sup> Lok Sabha) on "Measures undertaken to secure representation of OBCs in admission in Ph.D. and appointment of teachers of Delhi University" pertaining to the Ministry of Education.

4. The Committee adopted the aforesaid draft Reports after brief discussion without any modification and authorized the Chairperson to present the Reports to both the Houses of Parliament during ongoing session.

5. xxx            xxx            xxx            xxx            xxx

*The Committee then adjourned.*

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\*The Matters not related to the report.

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 FOURTH REPORT

(Refer Para 4 of Introduction)

(i)	Total No. of Observations/Recommendations:	8
(ii)	Observations/Recommendations of the Committee which have been accepted by the Government:	
	Recommendation Sl. Nos. 4, 6, 7 & 8	Total: 4
		Percentage 50.00%
(iii)	Observations/Recommendations which the Committee do not desire to pursue in view of the replies received from the Government:	
	Recommendation Sl. No. 5	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, 2, & 3	Total: 3
		Percentage 36.5%
(v)	Observations/Recommendations in respect of which final replies of the Government are still awaited:	
	Recommendation No. NIL	Total: 0
		Percentage 0.00%