

(c) the decision taken by Government to meet their demands?

**The Minister of Labour and Rehabilitation (Shri Hathl):** (a) Yes, in respect of some demands.

(b) A copy of the agreement is laid on the Table of the House. [Placed in Library. See No. LT-1295/67].

(c) The remaining demands are under consideration of Government and the parties have agreed to abide by Government's decision in regard to them.

### **Apprenticeship Training**

**7527. Shri A. K. Kisku:**  
**Shri P. R. Thakur:**

Will the Minister of Labour and Rehabilitation be pleased to state:

(a) whether the participation in apprenticeship training is voluntary;

(b) whether the selection of apprentices is the responsibility of the sponsors the candidates or the sponsors of the programme;

(c) whether preference is normally given to persons who have already had the experience in industry, who have some knowledge of the trade or who have a close relative in it;

(d) if so, whether this restricts the apprenticeship opportunities for the Scheduled Castes and scheduled tribes;

(e) whether Government propose to adopt suitable measures or to issue clear directives on the pattern of the relevant provisions in the U.S. Civil Rights Act of 1964 in this regard; and

(f) whether it is proposed to adopt a specific regulation to the effect that those in control of covered apprenticeship or other training programmes will be required to keep appropriate

records, including a list of applicants and the order in which they applied, and to furnish a detailed description of the methods of selecting trainees or apprentices, as provided under the U.S. Civil Rights Act?

**The Minister of Labour and Rehabilitation (Shri Hathl):** (a) Apprenticeship training is a compulsory and statutory requirement in industries and trades specifically so notified under the Apprenticeship Act.

(b) to (d). Subject to requirement of the Act, employers are free to chose the apprentices. The apprenticeship opportunities to Scheduled Castes and Scheduled Tribes are thus not restricted.

(e) and (f). For laying down the standards of education and physical fitness, norms of training and standards to be achieved and also for the purpose of prescribing rules for the implementation of the Apprentices Act, there is a central tripartite advisory body called the Central Apprenticeship Council, in which employers, workers, experts and Governments, both State and Central, are represented.

Every employer is required to maintain records of the progress of training of each apprentice undergoing apprenticeship training in his establishment in the forms which are prescribed under the Rules made under the Act. As, however, the selection of the apprentices is the responsibility of the employer, no rules can be prescribed under the Act, for this purpose.

### **Staffing of Administrative Machinery**

**7528. Shri A. K. Kisku:**  
**Shri P. R. Thakur:**

Will the Minister of Home Affairs be pleased to state:

(a) whether it is a fact that the official representatives of the Government of India on the Fifth Committee

of the U.N. General Assembly have all along been pressing for the early implementation of the policy of equitable geographical representation for the backward nations on the ground that such balanced distribution of staff increases the efficiency and competence and have advocated that the policy should not only be extended to the higher level posts but should also be applied to promotions;

(b) whether it is also a fact that the provisions for equal employment opportunity in 1964 Civil Rights Act of the U.S.A. covers all levels of posts and also promotions; and

(c) the basis for the Government Resolution dated the 8th November, 1963 banning the full operation of the reservation orders for the Scheduled Castes and Scheduled Tribes in spite of the Supreme Court Judgment in that regard in Rangachari's case (Civil Appeal No. 341 of 1960)?

**The Deputy Minister in the Ministry of Home Affairs (Shri K. S. Ramaswamy):** (a) The Government of India have supported the principle of equitable geographical distribution of posts in the U.N. Secretariat which is enshrined in the Charter of the United Nations. In the context of the United Nations, there are no "backward nations".

(b) Relevant provisions regarding equal employment opportunities in the 1964 Civil Rights Act of U.S.A. are summarised below:

"It shall be the policy of the United States to insure equal employment opportunities for Federal employees without discrimination because of race, color, religion, sex or national origin and the President shall utilize his existing authority to effectuate this policy."

"Preferential treatment not to be granted on account of existing number of percentage in

balance nothing contained in this sub-chapter (i.e. on equal employment opportunities) shall be interpreted to require any employer, employment agency, labor organisation, or joint labour management committee subject to this chapter to grant preferential treatment to any individual or to any group because of the race, color, religion, sex or national origin of such individual or group on account of an imbalance which may exist with respect to the total number or percentage of persons of any race color, religion, sex or national origin employed by any employer, referred or classified for employment by any employment agency or labour organisation, admitted to membership or classified by any labour organisation, or admitted to, or employed in, any apprenticeship or other training programme, in comparison with the total number or percentage of persons of such race, color, religion, sex or national origin in any community, State, section or other area, or in the available workforce in any community, State, section or other area."

(c) The Government of India Resolution No. 1/10/61-Ests.(D) dated 8th November, 1963 (copy attached. [*Placed in Library. See No. LT-2396/67.*]) provides that, in Class II and IV services and grades to which there is no direct recruitment whatever, there will be reservations at the rate of 12½% for Scheduled Castes and 5% for Scheduled Tribes in promotions made (i) by selection or (ii) on the results of competitive examinations limited to departmental candidates satisfying the prescribed minimum standards. Further, there will be no reservation in Class I and II

appointments made by promotion, or in Class II and IV appointments made by promotion on the basis of seniority subject to fitness. This decision is based on considerations of safeguarding the interests of Scheduled Castes/Scheduled Tribes citizens under article 16(4) of the Constitution consistently with requirements for maintenance of efficiency of administration, as required under Article 335 of the Constitution. The Supreme Court judgment referred to only held that reservations for Scheduled Castes/Scheduled Tribes in services were not mandatory but were permissible and the decision regarding the quantum of reservation, the nature of posts where such reservation should be made or not has to be taken by Government exercising their discretion in terms of the provisions of article 335 of the Constitution.

#### Holidays in Extra Departmental Posts and Telegraph Employees

7529. Shri T. P. Shah:  
Shri Jagannath Rao Joshi:  
Shri Hukam Chand Kachwai:

Will the Minister of Communications be pleased to refer to the reply given to Starred Question No. 792 on the 26th June, 1967 and state:

(a) whether it is a fact that the national Holidays like 26th January, 15th August and 2nd October have long been declared by Government as "Paid Holidays for all categories of persons including persons working on daily wages;

(b) whether it is also a fact that Extra Departmental Employees of P & T Department are not entitled to such National Holidays; and

(c) if so, the reasons for this discrimination?

The Minister of State in the Departments of Parliamentary Affairs and Communications Shri I. K. Gujral):

(a) Yes, Sir.

(b) The Extra Departmental employees are not entitled to such National holidays.

(c) Extra Departmental employees perform duties on agency basis and their remuneration is fixed with reference to the total work performed (which generally is for one or two hours a day and does not exceed five hours in a day), time spent, distance traversed etc. They are not regular Civil Servants and do not work for 8 hours daily like other regular employees or daily wage workers and, therefore, paid 'National Holidays' are not granted to E. D. staff.

#### विश्वविद्यालयों की परीक्षा में बैठने वाले प्राइवेट विद्यार्थी

7530. श्री टी० पी० शाह :  
श्री जगन्नाथ राव जोशी :  
श्री हुकम चन्द कछवाय :

क्या शिक्षा मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या यह सच है कि कुछ विश्वविद्यालय बी० ए० तथा अन्य उच्च परीक्षाओं में विद्यार्थियों को प्राइवेट उम्मीदवार के रूप में बैठने की अनुमति देते हैं; और

(ख) यदि हाँ, तो ऐसे विश्वविद्यालयों के नाम क्या हैं और किन परीक्षाओं में क्रमशः लड़के और लड़कियों को बैठने की अनुमति है ?

शिक्षा मंत्री (डा० त्रिगुण सेन) : (क) और (ख). विवरण सभा पटल पर रखा गया है। [पुस्तकालय में रखा गया। बेल्जिये संख्या एल० टी०—1297/67]