

**COMMITTEE ON THE WELFARE
OF SCHEDULED CASTES AND
SCHEDULED TRIBES
(1986-87)**

(EIGHTH LOK SABHA)

TWENTY-THIRD REPORT

**MINISTRY OF RAILWAYS
(RAILWAY BOARD)**

**Reservations for, and Employment of, Scheduled
Castes and Scheduled Tribes in Western Railway.**



Presented to Lok Sabha on 27-4-1987
Laid in Rajya Sabha on 27-4-1987

**LOK SABHA SECRETARIAT
NEW DELHI**

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CORRIGENDA
TO the

23rd Report of the Committee on the Welfare of
Scheduled Castes and Scheduled Tribes (1986-87)
Ministry of Railways(Railway Board)

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

(1986-87)

Shri K. D. Sultanpuri—Chairman

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*Vice Shri Shantimoy Ghosh died on 31-10-1986.

INTRODUCTION

I, the Chairman, Committee on the Welfare of Scheduled Castes and Scheduled Tribes, having been authorised by the Committee to submit the Report on their behalf present this Twenty-third Report (Eighth Lok Sabha) on the Ministry of Railways (Railway Board)—Reservations for, and employment of, Scheduled Castes and Scheduled Tribes in Western Railway.

2. The Committee took the evidence of the representatives of the Ministry of Railways (Railway Board) and Western Railway on 26-11-86, 27-11-87 and 28-11-87. The Committee wish to express their thanks to the Officers of the Ministry of Railways (Railway Board) and Western Railway for placing before the Committee material and information the Committee wanted in connection with the examination of the subject.

3. The Report was considered and adopted by the Committee on the 16th April, 1987.

4. A summary of conclusions/recommendations contained in the Report is appended (Appendix—I).

NEW DELHI;
April 24, 1987

Vaisakha 4, 1909 (S).

K. D. SULTANPURI,
Chairman,

Committee on the Welfare of Scheduled
Castes and Scheduled Tribes.

CHAPTER I

A. Organisational Set-up

1.1 The Western Railway was set up as a Zonal Railway on 5th November, 1951. It functions under the overall administrative control of the General Manager who is assisted by two Additional General Managers and a number of senior Administrative grade officers in charge of their departments at the Headquarters. The Western Railway has 8 divisions which were set up in August, 1956 and are located as under:—

| Name of Division | Headquarter at |
|------------------------|----------------|
| 1. Bombay | Bombay Central |
| 2. Baroda | Baroda |
| 3. Ratlam | Ratlam |
| 4. Kota | Kota |
| 5. Jaipur | Jaipur |
| 6. Ajmer | Ajmer |
| 7. Bhavnagar | Bhavnagar Para |
| 8. Rajkot | Rajkot |

1.2 Eight workshops are also functioning under this Railway which are as under:—

| Name of Workshop | Headquarters at |
|---|--------------------------|
| 1. Parel (Bombay) | Lower Parel, (at Bombay) |
| 2. Ajmer | Ajmer |
| 3. Kota | Kota |
| 4. Dohad | Dohad |
| 5. Pratapnagar | Pratapnagar |
| 6. Bhavnagar | Bhavnagar Para |
| 7. Civil Engineering Workshop | Sabarmati |
| 8. Electrical Workshop | Mahalaxmi (Bombay) |

1.3 The workshop located at Parel, Ajmer and Kota are Mechanical Workshops and are under the Administrative control of Senior Administrative Level II officers.

1.4 The workshop located at Dohad is under the Administrative control of a junior Administrative Grade Officer. The workshops located at Bhavnagar and Pratapnagar are under the Administrative control rests with the Additional Chief Mechanical Engineer, Ajmer and Dy. Chief Mechanical Engineer (Loco) Dohad respectively. The Civil Engineering Workshop located at Sabarmati is under the Administrative control of a Deputy Chief Engineer. The Electric (Periodical over-Hauling) Workshop at Mahalaxmi (Bombay) is under the Administrative control of Dy. Chief Electrical Engineer (Periodical over-hauling).

B. Reservation Orders and Exemptions

1.5 In reply to a question as to when the Presidential orders regarding reservations for Scheduled Castes and Scheduled Tribes were first received by the Western Railway, the Committee have been informed that the Ministry of Home Affairs Resolution No. 42/21/49-NGS dated 13-9-1950 was received by the then BB & CI Railway (which formed the major part of Western Railway from 5-11-51) under Railway Board's letter No. E47CMI/49/3 dated 23-12-1950. During evidence the Member Staff, Ministry of Railways (Railway Board) stated that the first direction in this regard was received on 5-11-1951 and implementation thereof was started in December, 1951 on the whole Indian Railway system.

1.6 In reply to a question, the Committee was informed that the percentage of reservations and the date from which the same has been applied in the Western Railway in favour of Scheduled Castes and Scheduled Tribes in respect of:

- (i) Posts filled by direct recruitment;
- (ii) Posts filled by promotion; and
- (iii) Posts filled by deputation

are as under:

| | Scheduled Castes | Schedul- ed Tribes | Date from which res- ervation in- troduced onl y |
|--|---------------------|-----------------------|---|
| (i) Direct Recruitment | | | |
| (a) Recruitment on all India basis | 12½ % | 5 % | 5-11-1951 |
| Class III | 15 % | 7½ % | 25-3-1970 |
| (b) Recruitment on Regional basis | 11 % | 13 % | 22-4-1971 |
| Class III & IV. | 11 % | 14 % | 3-2-1974 |

(ii) *Promotions*(a) *Selection post*

SC

ST

Date When
reservation
introduced

Class III 12½% 5% 4-1-1957

15% 7½% 25-3-1970

Class II, Class I, Junior Scale and senior Scale 15% 7½% 20-7-1974

(b) *Seniority-cum-suitability;*

All classes 15% 7½% 27-11-1972

(iii) *Posts filled by Deputation :*

There is no reservation in posts filled by deputation but due consideration is given to Scheduled Castes|Scheduled Tribes employees while filling up these posts.

1.7 Asked to state the categories of posts in the Western Railway to which reservation orders do not apply and the reasons thereof, the Ministry of Railways have furnished the following information:

"The reservations do not apply for the following posts being ex-cadre tenure posts:

| Sl. No | Category | Scale Rs. (R) |
|--------|-------------------------------------|------------------|
| 1 | Vigilance Inspector | 425—640 |
| 2 | Do. | 550—750 |
| 3 | Do. | 700—900 |
| 4 | Transportation Instructor | 425—640 |
| 5 | Do. | 455—700 |
| 6 | Do. | 550—750 |
| 7 | Transportation Instructor | 700—900 |
| 8 | Goods Insstructors | 425—640 |
| 9 | Do. | 455—700 |
| 10 | Do. | 550—750 |
| 11 | Coaching Instructors | 330—560 |
| 12 | Do. | 425—640 |
| 13 | Do | 455—700 |

| Sl. No. | Category | Scale (R) |
|---------|----------------------------------|-----------|
| 14 | Telegraph Instructors | 330—480 |
| 15 | Do. | 425—640 |
| 16 | Statistical Account Instructor | 550—900 |
| | Do. | |
| 17 | Mechanical Instructor | 455—700 |
| 18 | Do. | 550—750 |
| 19 | Do. | 700—900 |
| 20 | Engg. Instructor | 550—750 |
| 21 | Statistical Instructor | 425—700 |
| 22 | Do. | 455—700 |
| 23 | Do. | 550—750 |
| 24 | Electrical Instructor | 550—750 |
| 25 | Do. | 700—900 |
| 26 | Hindi Instructor | 425—640 |
| 27 | Assistant Lecturer | 550—750 |
| 28 | Senior Lecturer | 700—900" |

The above mentioned posts have been exempted from the purview of reservation rules as these are tenure posts and are filled up by drafting employees from different departments and cadres. Due consideration is however given to deserving SC/ST candidates while filling up these posts.

1.8 As regards the number and percentage of Scheduled Castes and Scheduled Tribes in the aforesaid categories of posts, the Committee, in reply to a question, have been informed as under:

"The ex-cadre tenure posts on the Western Railway as on date are as follows:

| | | |
|-----|---------------------------------|-------|
| (1) | Total No. of posts | 68 |
| | Scheduled Castes | 4.6 % |
| | Scheduled Tribes | Nil |
| (2) | Lecturers : Total No. of posts | 23 |
| | Scheduled Castes | 1.4 % |
| | Scheduled Tribes | Nil |
| (3) | Vigilance & Enquiry Inspectors. | |
| | Total No. of posts | 23 |
| | Actually filled | 22 |
| | Scheduled Castes | 2.9 % |
| | Scheduled Tribes | Nil" |

1.9 When the Committee desired to know why the reservation rules had not been made applicable to certain categories of posts i.e. tenure posts e.g. vigilance inspectors, lecturers etc., the Member Staff, Railway Board replied during evidence as under:

"The reservation rules are contained in Brochure for reservation for Scheduled Castes and Scheduled Tribes published by the Deptt. of Personnel. In Chapter III it is clearly stated that with regard to deputation posts, those will be excluded from the rules. Reservations do not apply to vacancies filled by transfer or deputation."

1.10 In a written note subsequently furnished to the Committee it has been stated that the number of officers recommended for deputation by Western Railway to other departments including Foreign Assignment and the number of officers actually taken on deputation by other Departments was as under:—

| Year | Recommended | | | Actually Taken on deputation | | |
|------|-------------|----|----|------------------------------|----|----|
| | Total | SC | ST | Total | SC | ST |
| 1984 | 90 | 7 | 1 | 11 | — | — |
| 1985 | 111 | 6 | 2 | 11 | 1 | 1 |
| 1986 | 121 | 6 | 1 | 11 | 1 | — |

1.11 The Committee have been informed that there are twenty-eight categories of posts in the Western Railway to which reservation orders do not apply as these are tenure posts and are filled up by drafting employees from different departments and cadres. The Committee have further been informed that out of 68 posts of Instructors there are 4 posts for Scheduled Caste which is 6 per cent of the total posts. Out of 23 posts of Lecturers, there is only one post for Scheduled Caste which comes to 4 per cent. Similarly, out of 33 posts of Vigilance and Enquiry Inspectors only 22 have actually been filled and out of them, only 2 posts are for Scheduled Castes which comes to 9 per cent. As regards the share of Scheduled Tribes, it is nil in all these categories of posts.

1.12 The Committee are distressed to note that the Reservation Rules have not been made applicable to as many as 28 categories of posts in Western Railway including Instructors, lecturers and Vigilance Inspectors, being tenure posts. The Committee have been informed that according to instructions issued by Department of Personnel, reservations do not apply to vacancies filled by transfer or

deputation. The Committee see no reason why reservation orders should not apply to these posts. The Committee would like the Ministry of Railways (Railway Board) to review the whole policy of making reservation orders applicable in toto to all the posts in consultation with the Deptt. of Personnel and Administrative Reforms.

1.13 The Committee are shocked to learn that there are only six per cent posts for Scheduled Castes among Instructors, four per cent posts among Lecturers and nine per cent posts among Vigilance Inspectors in Western Railway. The picture is still gloomier in case of Scheduled Tribes who have no representation at all in any of these posts. The Committee cannot but conclude from this that the instructions issued by the Deptt. of Personnel and Administrative Reforms in their O.M. No. 36012/7/77 Est. (SCT) dated 21st January, 1978 which lays stress on the fair proportion of such posts being filled by employees belonging to Scheduled Castes and Scheduled Tribes have not been implemented by the Western Railway in the spirit behind them.

1.14 The Committee, therefore, recommend that while requesting other Departments to sponsor candidates and selecting persons therefrom for posts to be filled by deputation or transfer in the Railways, the instructions issued by the Department of Personnel and Administrative Reforms in this regard should be strictly followed in letter and spirit.

1.15 The Committee are constrained to note that in 1986, out of a total of 121 officers recommended for deputation from Western Railway to other Departments including Foreign Assignment, only 6 belong to Scheduled Caste and one to Scheduled Tribe. Similarly in 1985 out of 111 officers recommended, 6 belong to Scheduled Caste and 2 to Scheduled Tribe. The Committee cannot but reach inescapable conclusion from these figures that the instructions on the subject, which lay stress that whenever a Ministry/Department etc. proposes to depute the officers serving in or under them to posts in or under Ministry/Department etc., the adequate number of SC/ST employees should be considered along with other employees for such deputation, have not been implemented in letter and spirit.

1.16 The Committee need hardly stress the necessity of implementation of these instructions meticulously. The Committee recommend that the Western Railway should implement these instructions scrupulously and recommend more and more SC/ST for deputation to other Departments including Foreign Assignment.

C. Liaison Officer and Cell

1.17 The Ministry of Railways (Railway Board) in reply to a question have stated that the Additional Executive Director, Establishment(R) Department of Railways acts as the Liaison Officer for all the Zonal Railways for ensuring effective implementation of reservation orders. The Chief Personnel Officer in the Senior Administrative Grade, level I in the Scale of Rs. 2500—2700(R) functions as Liaison Officer in the Western Railway.

1.18 The Committee were informed that there is a Cell in the Railway Board and also in Western Railway to keep watch over matters pertaining to the reservation of SC/ST in the Zonal Railways.

1.19 When the Committee wanted to know about the strength of the Cell in the Railway Board and Western Railway and the number of SCs/STs in the Cell, the Member Staff, Railway Board stated during evidence as under:—

"I will first give the strength of the Cell in the Railway Board Office. There is one Additional Executive Director, Joint Director (2), Dy. Director (1), OSD (1), Section Officers (2), Inspectors (2), Assistants (4), Upper Division Clerks (3), Stenographer Grade 'D' (1), Lower Division Clerks (2), Total is 7 officers and 12 other staff.

In Western Railway there is one Senior Personnel Officer one Office Supdt., three Personnel Inspectors, one Head Clerk, one confidential Assistant, one senior Clerk and one record Clerk. Thus in total there are 10 persons. All officers are Scheduled Castes and one Joint Director, is Scheduled Tribe."

1.20 When asked about the functions of SC/ST Cell in the Railway Board and Western Railway, the Member staff, Railway Board stated:—

"The main objective of the Cells which are there in the Western Railway and also in the Board is to see that these percentages are reached as quickly as possible and in achieving this objective they see, because quite a lot of relaxations are permitted for various categories for selection and non-selection posts, whether those relaxations are being applied and whether various Divisions and workshops are in fact trying to fill up the vacancies if they have any doubts, they refer to the Board for clarifications."

1.21 In reply to a question the Committee have been informed that the Special Cell in the Ministry of Railways keeps a watch over the implementation of the reservation orders for Scheduled Castes and Scheduled Tribes on the Railways, by means of inspections conducted by the two Joint Directors also with their Inspectors of the various Railway Establishments and also by means of periodical reports showing the statistics in regard to the progress made in the intake of Scheduled Castes and Scheduled Tribes in Railway Services. Besides, the Joint Director during his visits of Railways gives necessary guidance/clarifications to the Reservation Cell on the Railway on the spot in the matter of implementation of the various reservation rules for the Scheduled Castes|Scheduled Tribes.

1.22 In reply to a question, the Committee were informed by the Secretary, Ministry of Railways (Railway Board) during evidence that all persons employed in the SC/ST Cell look after the interests of SCs/STs only and do no other work and the Cell has a separate room also.

1.23 The Cell in the Headquarters office functions under the direct control of the Liaison Officer. This Cell is headed by the Senior Personnel Officer (Reservation).

1.24 In reply to a question, the Committee were informed that Western Railway hold periodical meetings of the Liaison Officers at Zonal Headquarters to discuss problems relating to maintenance and observance of rosters for SC/ST. It was further stated that in 1984 and 1985 the meetings were held only once each year and in 1986 it was held twice.

1.25 In a note submitted by the Ministry of Railways (Railway Board), the Committee have been informed that the two Joint Directors of the Railway Board as well as Inspectors, Railway Board attached to SCT Cell visit various offices of the Western Railway to check up if the reservation rules have been properly implemented. It has been stated that normally two such checks in a year are required to be conducted on each Railway by the Joint Directors, Railway Board.

1.26 The Committee note that the Special Cell in the Ministry of Railways keeps a watch over the implementation of the Reservation orders for SCs/STs on the Railways by means of inspections conducted by the two Joint Directors alongwith the Inspectors of the various Railways establishments.

1.27 The Committee also note that the Western Railway hold periodical meetings of the Liaison Officers at the Zonal Headquarters to discuss problems relating to maintenance and observance of rosters for the Scheduled Caste/Scheduled Tribes.

1.28 The Committee are of the view that while designating Liaison Officers and their periodically inspecting the units and reporting the progress is a step in the right direction, what infact is needed is concerted action on the part of the Liaison Officers in Western Railway to ensure due compliance by the appointing authorities with the orders and instructions pertaining to the reservation of vacancies in favour of Scheduled Castes and Scheduled Tribes and other benefits admissible to them.

1.29 They should also ensure that anomalies and discrepancies which creep in the maintenance of rosters etc. are not allowed to stay for long but are detected and rectified quickly.

1.30 The Committee further desire that there should be frequent meetings of the liaison Officers at the Zonal Headquarters as well as Divisional Headquarters to exchange notes and sort out various problems relating to upkeep of rosters and matters pertaining to the welfare of Scheduled Castes/Scheduled Tribes.

1.31 As the Cell in the Railway Board has to look after a large number of Zonal Railway, the Committee desire that the present staff strength may be reviewed to ensure that the Cell is able to do justice to the enormous work involved in various Zonal railways. The Committee have a feeling that the staff strength of the Cell needs augmentation at various level and the cell should be headed by a Director instead of an Additional Director to give it more responsibility.

CHAPTER II

(1) Recruitment Procedure

2.1 In a note furnished to the Committee, the Ministry of Railways (Railway Board) have stated that the following procedure is followed for recruitment of staff in various categories of posts in the Western Railway.

(i) In class I service no direct recruitment is made at the Railway's level. In class II there is no element of direct recruitment.

(ii) Recruitment to class III is made through the agency of the Railway Recruitment Boards headquarters at Bombay, Ahmedabad and Ajmer. Indents are placed on the Railway Recruitment Board for recruitment in various categories, mentioning the number of Scheduled Castes/Scheduled Tribes candidates required in each category grade-wise. For the artisan categories and Teachers against the 25 per cent quota in class III, the recruitment is done by the Western Railway without going through Railway Recruitment Board. The recruitment is done in the similar way as is done by the Railway Recruitment Board. The Railway Recruitment Board publishes a consolidated employment Notice in various newspapers indicating the total vacancies and the number of vacancies reserved for Scheduled Castes and Scheduled Tribes. These employment Notices are invariably sent to various Scheduled Caste and Scheduled Tribes organisations in the areas served by the Railway Recruitment Boards. After receipt of the application selections are made by the Railway Recruitment Board by written test and interview. In respect of Scheduled Caste/Scheduled Tribe candidates, standards are relaxed to the extent necessary to get sufficient number of candidates to conform to the prescribed percentages.

(iii) Class IV—Recruitment to Class IV services is made by the Railway Administration at the Divisional and Workshop level.

2.2 In the case of Workshops, it has been stated that Employment Notice indicating the total number of vacancies and the number out of them reserved for Scheduled Castes and Scheduled Tribes is issued. Copies of the notification are invariably sent to the various recognised Scheduled Caste and Scheduled Tribes Associations. Wide publicity is given by exhibiting the notices outside the Railway officers. Selection is made by a Committee of three officers including one from the Reserved community and one non-official member.

2.3 On the Divisions, in accordance with the extant orders, recruitment is made by screening of casual labour|substitutes by a Screening Committee of three officers including one from the Reserved community. Reservation quotas for Scheduled Castes and Scheduled Tribes are strictly observed.

Provision exists for direct recruitment of Scheduled Castes and Scheduled Tribes, if the number recruited by screening the casual labour|substitutes falls short of the prescribed percentages.

2.4 In a note furnished to the Committee it has been stated that the Railway Recruitment Boards advertise the reserved posts along-with general ones through daily newspapers in English as well as in the concerned regional languages. Copy of the advertisement is also sent to the Employment Exchanges. In case of recruitment in Class IV categories copy of Employment Notices are exhibited on Notice Board of Division|Workshop|Unit and published in Gazette alongwith proforma of application form.

2.5 In reply to a question the Committee were informed that while notifying the vacancies, the Railway Recruitment Boards give exact number of vacancies reserved in favour of Scheduled Castes and Scheduled Tribes in the advertisement and also in the requisition sent to the concerned Employment Exchanges by the Division|Workshops.

2.6 It has been stated in a note that the reasons for rejection of any candidate for recruitment to class III posts are not given by Railway Recruitment Board to the candidates.

2.7 Under special circumstances, General Manager|Western Railway is empowered to recruit directly candidates against reserved quota.

2.8 As regards the role of Employment Exchanges in recruitment of technical posts, the Ministry of Railways (Railway Board) have stated in a note as under:—

“The role of the employment exchange is limited only to sponsor eligible candidates as and when they are asked to do so either by the Railways or by the Recruitment Board for the various categories of posts for which recruitments is proposed to be done either by the Railway or RRB.”

2.9 In a note submitted by the Ministry of Railways (Railway Board) the Committee have been informed that during the last three

recruitment years i.e. 1983, 1984 and 1985, no SC/ST candidate was appointed through sports quota. The portion of candidates appointed through sports quota is stated to be as under:—

| Year | Class III | | | Class IV | | |
|------------|-----------|----|----|----------|----|----|
| | Genl. | SC | ST | Genl. | SC | ST |
| 1983 . . . | 29 | | | 54 | | |
| 1984 . . . | 24 | | | 70 | | |
| 1985 . . . | 24 | | | 79 | | |

2.10 The Ministry of Railways (Railway Board) has furnished a statement showing the Recruitment Railway-wise (Western Railway) of Scheduled Castes and Scheduled Tribes and selection posts filled during the year ending 1.4.85 to 31.3.86 as follows:—

Name of the Railway: Western.

Statement showing the Railway-wise recruitment of SCs/STs during the year ending 1-4-85 to 31-3-86

| For the year ending | GROUP 'C' | | GROUP 'D' | |
|-------------------------------|-------------------------------|--------------------------|-------------------------------|--------------------------|
| | Total No. of vacancies filled | | Total No. of vacancies filled | |
| | Sche. Caste | Scheduled Tribe | Scheduled Caste | Scheduled Tribe |
| | Quota | No. of persons recruited | Quota | No. of persons recruited |
| 31-3-86 | 1408 | 329 | 229 | 538 |
| | | | 164 | 1305 |
| | | | 209 | 137 |
| | | | 581 | 162 |
| Name of the Railway : Western | | | | |

Statement showing Railway-wise selection posts filled during the year ending 1-4-85 to 31-3-86

| For the year ending | Within Group 'C' | | | | From Gr. 'D' to Gr. 'C' | | | |
|---------------------|-----------------------------|--------------|-------------------------|--------------|-------------------------|--------------|-------------------------|--------------|
| | from Group 'C' to Group 'D' | | No. of vacancies filled | | No. of vacancies filled | | No. of vacancies filled | |
| | Sch. Caste | Quota | Sch. Tribe | Quota | Sch. Caste | Quota | Sch. Tribe | Quota |
| | No. promoted | No. promoted | No. promoted | No. promoted | No. promoted | No. promoted | No. promoted | No. promoted |
| 31-3-86 | 66 | 12 | 10 | 5 | 4 | 2602 | 381 | 282 |
| | | | | | | 214 | 125 | 92 |
| | | | | | | 16 | 15 | 7 |
| | | | | | | 6 | | |

2.11 In reply to a question, the Committee have been informed that normally, the SC|ST candidates are called for interview on a separate date in separate block. However, where the number of candidates to be interviewed is less, SC|ST candidates are called on the same day alongwith others but they are interviewed in a separate batch ahead of others.

2.12 When the Committee desired to know whether there was any agreement between the Western Railway authority and the Employees Association, the Member staff, Ministry of Railways (Railway Board) stated during evidence that there is no such agreement. We have not entered into any agreement with the Union or Association.

2.13 In reply to a question whether the vacancies were notified over All India Radio and Television for giving wide publicity, the Member staff, Ministry of Railways (Railway Board) stated during evidence as under:—

“About using All India Radio, these instructions already exist and the Railways are following these instructions. We reiterate them from time to time. I think, ‘Doordarshan’ is not there. We will issue instructions that Doordarshan also should be utilised.”

2.14 When the Committee desired to know whether the Western Railway had any liaison with the Indian Technological Institutes and ITIs for the types of personnel required for the Railway Workshops, the Member staff, Ministry of Railways (Railway Board) stated as under:—

“This liaison is being maintained with the ITIs. Whenever we have any programme for recruitment of SC|ST candidates, we are sending our officials to the various areas; particularly in Western Railway, our inspectors and other officials working in that Division go to Ratlam tribal area and make special efforts to contact people and recruit them. That is how we have come to 7.1 percent in the last few years. Earlier it was hardly two percent.”

2.15 When the Committee enquired whether the Western Railway authorities visited the Campus of the IITs and ITIs to get the required candidates as per assurance given during the study tour of

the Committee, the Member Staff, Ministry of Railways (Railway Board) replied as under:—

“Copies of our notifications are sent to the principals of the Colleges and the technical training institutes. Sometimes our officers are also visiting them. There may be need to send them more often. We have to increase our efforts in that direction and we will do it.”

2.16 In a note submitted by the Ministry of Railways (Railway Board), the Committee have been informed that:—

“All candidates general as well as Scheduled Caste|Scheduled Tribe are given minimum 21 days notice for appearing in an interview and 4 months period for joining the post.”

2.17 When the Committee desired to know about the procedure followed for verifying the eligibility certificates of SC/ST candidates, the Members Staff, Ministry of (Railway Board) stated as under:—

“In this connection we have got a prescribed proforma which is filled for certification of the candidate's caste and the minimum person who can sign is Tehsildar of the area. In the case of a doubt that somebody is not giving the correct picture then a reference is made to the District Magistrate.”

2.18 In reply to a question whether in Western Railway any cases came to notice where candidates were appointed on the basis of false certificates, the Member Staff, Ministry of Railways (Railway Board) stated that there was no such case.

2.19 As regards the time lag between the date of advertisement in regard to posts which are not filled through the Railway Recruitment Board, the Committee have been informed in a note that the time taken for recruitment by the Railway for various categories ranges from 2 months to a year depending on the number of vacancies and mode of selection.

2.20-21 The Committee have been informed during evidence that the Western Railway authorities pay visits to the campus of the I.I.Ts and I.T.Is to recruit Scheduled Caste and Scheruled Tribe candidates.

2.22 The Committee trust that as per assurance given to them the Western Railway would send their officers to the tribal areas and the campus of the IITs and ITIs more frequently to get the required personnel for various workshops and thus wipe out the backlog of SC/ST employees.

2.23 The Committee note that the vacancies in Western Railway were not notified over Television for giving wide publicity. The Committee recommend that the service of Doordarshan should also be utilised for giving wider publicity to vacancies for technical posts as per the assurance given by the Secretary, Ministry of Railways (Railway Board) during evidence.

2.24 The Committee are distressed to note that during the financial year ending 1985-86, the number of Scheduled Caste and Scheduled Tribe candidates selected in recruitment and in the selection posts filled were far too short of the prescribed quota both in Group 'C' and Group 'D' posts. The Committee recommend that concerted efforts should be made to fill up the prescribed quota of Scheduled Castes and Scheduled Tribes by taking necessary steps immediately.

2.25 The Committee are unhappy to note that during the three recruitment years i.e. 1983, 1984 and 1985, no SC/ST candidate was appointed through the sports quota in Class III and IV posts. The Committee cannot but express their surprise and dismay that even in Class IV posts which are mainly filled by Scheduled Caste/Scheduled Tribe candidates, not a single SC/ST could qualify for appointment through the sports quota.

2.26 The Committee desire that the policy for recruitment through Sports quota should be reviewed forthwith and ways and means devised for inducting at least ten to fifteen per cent Scheduled Castes/Scheduled Tribes employees in the Western Railway through sports quota.

(ii) *Departmental Recruitment Committee/Selection Boards*

2.27. In a note submitted by the Ministry of Railways (Railway Board), the Committee have been informed that the Selection Board on the Railway for promotional selections comprise 3 members including one from the reserved community. However, the Selection by the Railway Recruitment Board are conducted by a Committee comprising 3 or 4 members including one belonging to Scheduled Castes/Scheduled Tribes and one from minority community.

2.28. In reply to a question whether at the time of recruitment/promotion, the Selection Committee consists of one SC/ST member, the General Manager, Western Railway stated that there was always one SC/ST member in the Selection Committees for promotion/recruitment.

2.29. When asked whether the Selection Committee of the Railways is a permanent one, the Serretary (Railway Board) stated as under:—

“Whenever selection is ordered, a particular Committee is appointed. We constitute Committees for both recruitment as well as selection for promotion.”

2.30. In reply to a query whether SC|ST member of the Interview Board was allowed to sit in the Interview Board meant for general candidates also, the witness stated that “the same Committee or the Interview Board interviews both the general as well as the reserved quota candidates. The same members sit in the Board.”

(iii) *Special powers of General Manager*

2.31. The Committee have been informed that the direct recruitment to class III services is made through Railway Recruitment Board.

2.32. Whenever Railway Recruitment Board express its inability to recommend adequate number of Scheduled Castes|Scheduled Tribes candidates, the Railway Recruitment Board advertise the posts again or advise the Western Railway to make recruitment directly. Under the Special circumstances, General Manager, Western Railway is empowered to recruit directly candidates against the reserved quota. The statement indicating the details of such selection conducted during the years, 1983 and 1984 and the number recruited as furnished to the Committee is as under. The time taken for such recruitment varies from 12 months to 15 months.

| Category | No. of candidates recommended during the Year | | | | No. of candidates allotted to Divisions/Units | | | | No. of candidates joined | | | |
|---------------------------|---|----|------|----|---|----|------|----|--------------------------|----|------|----|
| | 1983 | | 1984 | | 1983 | | 1984 | | 1983 | | 1984 | |
| | SC | ST | SC | ST | SC | ST | SC | ST | SC | ST | SC | ST |
| Apprentice Train Examiner | 7 | 1 | — | — | 7 | 1 | — | — | 2 | — | — | — |
| Apprentice Mechanic | 14 | — | 10 | 4 | 14 | — | 10 | 4 | 2 | — | 5 | — |
| Pharmacist | 2 | — | — | — | 2 | — | — | — | 2 | — | — | — |
| Stenographer | 2 | — | 2 | — | 2 | — | 2 | — | 2 | — | 2 | — |
| Staff Nurse | — | — | 1 | 1 | — | — | 1 | 1 | — | — | — | — |
| Teacher | 4 | 4 | — | — | 4 | 4 | — | — | 4 | 4 | — | — |
| Midwife | 1 | — | — | — | 1 | — | — | — | 1 | — | — | — |
| Typist | 2 | 2 | — | — | 2 | 2 | — | — | 2 | 2 | — | — |

2.33. In reply to a question, the Member Staff Ministry of Railways (Railway Board) stated during evidence that the General Manager of Western Railway used the special powers of recruitment five times during the last three years.

2.34 The Committee note that in case the Railway Recruitment Board is unable to recruit and recommend requisite number of Scheduled Castes and Scheduled Tribes against the indent placed by Western Railway for reserved vacancies for class III posts, the General Manager, Western Railway can exercise his special powers to make recruitment of Scheduled Castes and Scheduled Tribes from the open market to wipe out the shortfalls. The Committee are, however, concerned to note that the time taken for such recruitment varies from 12 months to 15 months which is too much.

2.35 The Committee recommend that the General Manager, Western Railway, should exercise his special powers for recruitment and set the process for selection of Scheduled Caste/Scheduled Tribe candidates in motion immediately after receipt of intimation from the Railway Recruitment Board about their inability to sponsor or recommend the requisite number of Scheduled Caste/Scheduled Tribe candidates to fill up the reserved vacancies so as to minimise the time lag in recruitment and safeguard the interests of Scheduled Caste/Scheduled Tribe persons as far as possible.

2.36 The Committee are surprised to note that in 1983 not a single Scheduled Tribe candidate was appointed in any of the five categories of posts viz. Apprentice, Mechanic, Pharmacist, Stenographer, Staff Nurse and Midwife and in 1984 not a single Scheduled Tribe was appointed in any of the six categories of posts viz. Apprentice, Pharmacist, Stenographer, Tracer, Midwife and Typist under the special powers of General Manager, Western Railway, in spite of a large shortfall of 1620 Scheduled Tribes in category 'C' posts under which all afore-mentioned posts fall. The Committee would like to be informed of the precise reasons for not appointing Scheduled Tribes for these posts under the Special Powers of General Manager. The Committee recommend that in future the General Manager should exercise his special powers liberally to make recruitment of Scheduled Castes/Scheduled Tribes from open market to wipe out the shortfalls.

2.37 The Committee also note that a large proportion of SCs/STs recommended for appointment under special powers of General Manager did not join Western Railway. The Committee would like the Western Railway authorities to find out the precise reasons therefor and inform the Committee accordingly. If the time taken

in completing the recruitment process is too long due to which the candidates who apply for the posts in Railways get employment in the meantime elsewhere, the Railway Ministry should look into this aspect in depth and take suitable remedial measures immediately and inform the Committee of the action taken.

(iv) *Recruitment of casual labour*

2.38. In a note submitted by the Ministry of Railways (Railway Board), the Committee have been informed that the total number of casual labourers engaged on the Western Railway and the number of Scheduled Castes and Scheduled Tribes amongst them as on 1-3-66 is as under:—

| Total | Scheduled Caste | Scheduled Tribe |
|-------|-----------------|-----------------|
| 21750 | 1804 | 1439 |

2.39. In a note furnished to the Committee it has been stated that while engaging casual labourers, the roster for Scheduled Caste| Scheduled Tribe is not maintained. However, the recruiting authority is required to ensure adequate intake of Scheduled Castes and Scheduled Tribes as per percentage prescribed i.e. 11 per cent and 14 per cent respectively so that there is no difficulty at the time of their regular employment according to the quota reserved for them.

2.40. The Committee have further been informed that casual labour on the open line on Railways are treated as temporary after continuous employment of 120 days. This entitles them to almost all the service benefits which a regular temporary employee gets such as time scale, leave, Railway passes/PTOs, medical facilities etc. After continuous employment of 180 days, casual labour on the project are granted consolidated monthly wages at the minimum of the relevant scale plus dearness allowance thereon and nine holidays in a year.

2.41. It has also been recently decided that project casual labour also should be treated as temporary after putting in continuous service of 360 days. This decision, would however, be implemented in phases over the next three years, the benefits being given immediately to those with longer periods of employment as casual labour.

2.42. Casual labour (open line as well as project) are considered for absorption in regular employment on the basis of their total service as casual labour subject to their possessing the requisite qualifications. To facilitate such absorption, at present virtually all vacancies in Class IV (with a few exceptions like compassionate

appointments and recruitment in Workshops) are filled by screening of casual labour and substitutes. On such absorption they are governed by the same conditions of service as admissible to other regular temporary employees. Half the service rendered by them as casual labour from the time they are treated as temporary is also reckoned towards retirement benefits.

2.43. When the Committee desired to know about the procedure for retrenchment of casual labour and whether the Western Railway and its various workshops had ever retrenched SC/ST casual labour, the witness explained during evidence as under:—

“Casual labour is engaged for certain projects. When the work in a particular project is completed, they stop working and when the next work comes, the same people, according to seniority, are taken. This procedure is rigidly followed.”

2.44. The Committee noted that after completion of 120 days, the Railways gave them the regular scale of pay without appointing them against regular vacancies. When asked why it was so, the Member Staff Railway Board stated:—

“This is related to a Supreme Court judgement where our aim is to give equal pay for equal work or same work. They get the same wages as regular employees. Even though vacancies are not available, they keep on getting all the benefits which the regular employees get.”

2.45. When asked about the mode of recruitment of casual labour particularly in Group ‘D’ services in Western Railway and its various workshops, the General Manager, Western Railway replied “we always have Committee of three people to go into the selection of these people. One of them is either Scheduled Caste or Scheduled Tribe.”

2.46. The representative of the Ministry of Railways (Railway Board) stated during evidence that the casual labourers are employed in civil engineering, electrical engineering, signal and telecommunication departments of the Western Railway. They are always in Group ‘D’.

2.47. When the Committee enquired after how many years of service, the Western Railway regularise the casual labourer, the witness clarified as follows:—

“There is no fixed period. But their pay scales are brought on par with the normal scale after 120 days of continuous working.”

2.48 The Committee note that in the matter of engagement of casual labour no roster is required to be maintained but at the time of making recruitment the concerned authorities are required to ensure adequate intake of Scheduled Castes and Scheduled Tribes as per percentage prescribed i.e. 11 per cent and 14 per cent respectively so that there is no difficulty at the time of their regular employment according to the quota reserved for them.

2.49 The Committee also note that recruitment to Class IV service is made by screening available casual labourers/substitutes in the Western Railway and if requisite number of Scheduled Caste and Scheduled Tribe casual labourers/substitutes is not available to fill the vacancies reserved for them, recruitment is made from the open market.

2.50 The Committee have been informed that as on 1-3-1985, on the Western Railway out of 21750 casual labourers, 1804 are Scheduled Castes i.e. 8.29 per cent and 1439 are Scheduled Tribes i.e. 6.61 per cent. It shows that at the time of engagement of casual labour proper care has not been taken to ensure adequate intake of Scheduled Castes and Scheduled Tribes as per percentage prescribed. The Committee therefore, recommend that in future earnest efforts should be made by Western Railway to engage at least 11 per cent Scheduled Caste and 14 per cent Scheduled Tribe casual labourers so that at the time of screening the casual labourers for filling Class IV posts against regular vacancies, there is no dearth of SC/ST candidates from amongst the casual labourers. The Committee also recommend that while regularising the casual labourers as Class IV staff, the shortfall in their intake should be made good by recruiting SC/ST candidates from the open market.

2.51 The Committee recommend that the authorities concerned should induct one Scheduled Caste/Scheduled Tribe officer of equivalent rank in the screening committee to safeguard the interests of Scheduled Castes and Scheduled Tribes.

B. Railway Recruitment Board

2.52 In reply to a question about the composition of the Railway Recruitment Board, the Ministry of Railways (Railway Board) have in a written note submitted to the Committee have stated that the Railway Recruitment Board is composed of (1) Chairman (2) Member Secretary and (3) Assistant Secretary.

2.53 There is one Member of reserved community appointed in each of the Railway Recruitment Boards at Ahmedabad and Ajmer. However, at present none of the Members at the Railway Recruitment Board, Bombay Central belongs to the reserved community.

2.54 When the Committee desired to know why it was so, the General Manager of the Western Railway stated that as per the existing rules there was no reservation in this and the persons were selected through UPSC.

2.55 In this regard the Committee have further been informed that the function of the Railway Recruitment Boards is to recruit Class III staff as per the indents placed by the Railway/Railways. The candidates from reserved communities are recommended against vacancies earmarked for them as per the indents placed by Western Railway who are maintaining the roster registers.

2.56 The Railway Recruitment Board is not competent to give relaxation in the minimum qualifications laid down for each category of posts. However, the Boards have full discretion to recommend Scheduled Caste/Scheduled Tribe candidates, who may obtain lower place in the merit list, without detriment to the minimum standards of efficiency in the Administration.

2.57 In reply to another question, the Committee have been informed that the time lag between the issue of advertisement by the Railway Recruitment Board and the final recruitment varies from about six months to one year. However, in non-technical popular categories where the number of candidates involved is large, time lag becomes more than a year.

2.58 When the Committee desired to know the reasons for unduly long time taken in recruitment of non-technical popular categories, the General Manager, Western Railway stated during evidence as under:—

“In the last few years, certain problems have been delaying the process of recruitment. We have appointed a Committee to suggest how the recruitment time can be

reduced. We hope to reduce this time after the report is made available to us."

2.59 In a note furnished to the Committee regarding role of Employment Exchanges in the matter of recruitment to various categories of posts in Railways, it has been stated that the role of employment exchanges is limited only to recommend suitable candidates as and when they are asked to do so, for recruitment to technical categories like artisans.

2.60 When the Committee asked why the employment exchanges do not recommend suitable candidates for non-technical categories, the General Manager of Western Railway clarified during evidence as under:—

"The Railways are only recruiting for posts like artisans. The non-technical posts are recruited by Railway Recruitment Board. In the case of Railway Recruitment Board both technical and non-technical people are recruited by them."

2.61 In a written note submitted to the Committee regarding sending appointment letters to SC/ST candidates it has been stated that the interview letters|appointment letters are sent to Schedule Caste|Scheduled Tribe candidates alongwith passes by registered posts by the Railway Recruitment Board as well as by the Railway. In case of local candidates interview|appointment letters are delivered to the persons concerned in case not received by dak on proper identification.

2.62 Ministry of Railways (Railway Board) have stated that following newspapers carry the advertisements from the Railway Recruitment Boards.

| Headquarter of Railway Recruitment Board | Name of English Newspapers | Name of Regional language Newspaper: |
|--|----------------------------|--------------------------------------|
| 1 | 2 | 3 |
| Bombay | 1. Indian Express | 1. Loksaatta (Marathi) |
| | 2. Nagpur Times | 2. Gujarat Samachar(Gujarati) |
| | 3. Employment News | 3. Nav Joyti (Hindi) |
| | | 4. Employment News (Hindi) |
| | | 5. Employment News (Urdu) |
| | | 6. Hindustan (Sindhi) |

| 1 | 2 | 3 |
|----------|--------------------|-----------------------------------|
| Ahmedabd | 1. Times of India | 1. Sandesh (Gujarati) |
| | 2. Indian Express | 2. Gujarat Samachar (Gujarati) |
| | 3. Employment News | 3. Saurashtra Samachar (Gujarati) |
| | | 4. Phool Chhab (Gujarati) |
| | | 5. Rozgar Samachar (Gujarati) |
| Ajmer | 1. Times | 1. Dainik Nav Jyoti (Hindi) |
| | 2. Employment News | 2. Rajasthan Patrika (Hindi) |
| | | 3. Nyaya (Hindi) |
| | | 4. Hindu (Urdu) |

2.63 The Committee have also been informed that the copies of advertisement for recruitment are sent to the Associations|Organisations of Scheduled Caste|Scheduled Tribes and also to the Members of the Parliamentary Committee on the Welfare of Scheduled Castes and Scheduled Tribes.

2.64 When the Committee asked whether the Railway Recruitment Board of Western Railway assigns any reason for rejecting SC/ST candidates, the Secretary, Railway Board stated during evidence that the system of advising anybody at the moment is not there under the rules.

When the Committee enquired whether the SC|ST candidates were informed of their pass|fail results, the witness informed the Committee that SC|ST candidates were informed of their results not officially but by some other methods.

2.65 The Committee note that recruitment for Class III posts including those reserved for Scheduled Castes and Scheduled Tribes for the Western Railway is made by the Railway Recruitment Boards (RRB). They also note that although RRB have no power to relax minimum qualifications prescribed for such posts, they have full discretion to recommend SC/ST candidates who may obtain lower place in the merit list without detriment to the minimum standards of efficiency in the Administration. The Committee recommend that the Railway Recruitment Board should exercise their discretion more often though judiciously, to improve the intake of SC/ST candidates in Class III posts, to the maximum extent possible.

2.66 The Committee are distressed to note that at present none of the members of Railway Recruitment Board, Bombay Central, belongs to the reserved community. The Committee recommend that atleast one SC/ST member should be appointed in each of the Railway Recruitment Boards of the Western Railway.

2.67 The Committee have been informed that the time lag between the issue of advertisement by the Railway Recruitment Board and the final recruitment varies from about six months to one year and in non-popular technical categories like Clerks and Stenographers etc. where the number of candidates involved is large, time lag is more than a year.

The Committee, therefore, recommend that Railway Recruitment Boards should (i) make recruitment to non-technical categories annually on a programme basis without waiting for actual indents from the Railway (ii) computerise recruitment work and (iii) augment the staff strength of the Railway Recruitment Boards with a view to reducing such time lag.

2.68 The Committee desire that the Railway Recruitment Board and other recruitment authorities in the Western Railway should inform the Employment Exchanges, the reasons for rejection of Scheduled Caste and Scheduled Tribe candidates sponsored by them to fill the reserved posts so as to enable them to gear up their own machinery to sponsor the right type of candidates in future.

2.69 The Committee further recommend that Railway Recruitment Boards, Western Railway should devise some suitable method to inform the SC/ST candidates the reasons for their rejection in interview so as to enable them to improve upon their performance and qualify in subsequent interview.

C. Concessions and Relaxations

2.70 In a note submitted by the Ministry of Railways (Railway Board) regarding the concessions/relaxations given to SC/ST, the Committee have been informed as follows:—

“As far as recruitment of Group ‘C’ staff is concerned, the following general concessions/relaxations are available for Scheduled Caste/Scheduled Tribe candidates:

- (a) No qualifying marks have been laid down in written examination at the stage of direct recruitment for candidates to be interviewed. Candidates to the extent of 2.5.

times the number of vacancies are called for interview. This formula is applied separately in the case of Scheduled Caste|Scheduled Tribe candidates. The Scheduled Caste|Scheduled Tribe candidates who may have secured less marks in the written examination as compared to those secured by general candidates, may be called for interview depending upon the number of vacancies reserved for them.

- (b) Cost of application form|Examination fee is exempted in the case of Scheduled Caste|Scheduled Tribe candidates.
- (c) Maximum age limit is relaxed by 5 years.
- (d) Free second class passes are issued during written test and interviews by Railway Recruitment Boards and the Railway Administration.
- (e) Scheduled Caste|Scheduled Tribe candidates for direct recruitment selected for a particular category, when declared medically unfit for that category, are considered for such other categories to which they are medically fit and where shortfall exists against Scheduled Caste/Scheduled Tribes quota.
- (f) The case of Scheduled Caste|Scheduled Tribe candidates who do not come out successful on completion of apprenticeship even after they are given repeat courses, one with stipend and another without stipend, are interviewed personally by the Chief Personnel Officer for exploring the possibility of finding alternate Group 'C' employment in categories where there may be shortfall in quota reserved for Scheduled Castes/Scheduled Tribes.
- (g) The practical experience specified in certain categories is reduced from five years to three years and three years to one year in the case of Scheduled Castes|Scheduled Tribes.

(h) **Rakshak and Sub-Inspector of Railway Protection Force** are allowed relaxation in physical standard as follows:—

| Category | Age | Caste | Height | Unexpanded chest | Weight |
|-----------------------|------------|---------|------------|------------------|--------|
| Rakshak | 18-30 Yrs. | SC | 160 CM | 76.2CM | 50Kg. |
| —do— | —do— | ST | 150 CM | —do— | 48Kg. |
| —do— | 18-25 yrs | OTH-ERS | 167.64 CM | 81.28CM | 50kg. |
| Sub-inspectors | 19-29 Yrs | SC | 160 CM | 76.2CM | 50kg. |
| —do— | 19-29 Yrs | ST | 150CM | —do— | 48kg. |
| —do— | 19-24 Yrs | OTH-ERS | 167.64 CM. | 81.28CM | 50kg. |

So far as promotion is concerned, the following concessions/relaxations are given to Scheduled Caste/Scheduled Tribes candidates:—

(A) *Selection*

- (i) *Non-Safety Categories:* In the selection for non-safety categories, if Scheduled Caste/Scheduled Tribe candidates secure 10 out of 35 marks in the written test, they are called for the viva-voce test as against 21 out of 35 marks by the general category candidates. If Scheduled Caste/Scheduled Tribe candidates secure 42.5 out of total marks of 85, i.e. excluding 15 marks for seniority, they are empanelled for promotion, This is, however, subject to their securing 25 marks out of 50 in professional ability. This concession is applicable while filling up vacancies reserved for Scheduled Caste/Scheduled Tribe employees. In case of general category employees, they have to secure 60 per cent marks both in professional ability as well as in aggregate.
- (b) In non-safety categories, best among the failed candidates are given ad-hoc promotion against reserved vacancies for giving in-service training for 6 months to bring them upto the requisite standard and thereafter on review of their performance if found fit, they are empanelled.
- (ii) *Safety Categories:*
 - (a) In case of Safety categories, no relaxation of marks is allowed for Scheduled Caste/Scheduled Tribe employees

for being empanelled. Marks earmarked for seniority however, are not taken into account in their cases.

(b) In the case of safety categories, pre-selection coaching is given to Scheduled Caste/Scheduled Tribe candidates to bring them upto the requisite standard.

(ii) For promotion from Group 'C' to Group 'B' if adequate number of Scheduled Caste/Scheduled Tribe employees are not available for consideration against reserved vacancies within the normal zone of 3 times, the zone of consideration may be extended to 5 times the number of vacancies and only the Scheduled Caste/Scheduled Tribe employees and not others satisfying the general conditions of eligibility and within the extended zone are considered.

(B) Non-Selection

(a) 10 per cent relaxation in marks is given to the SC/ST candidates in promotion to non-selection posts where safety aspect is not involved.

(b) In the case of trade tests, Scheduled Caste/Scheduled Tribe candidates who secure 30 marks out of 60 (36 out of 60 for others) in the practical test and 11 marks out of 40 (15 out of 40 for others) in the oral test are selected.

(c) If the seniormost Scheduled Caste/Scheduled Tribe candidates (s) fail in the test (including trade test) the next seniormost Scheduled Caste/Scheduled Tribe candidates are called for suitability tests in continuation upto six months. If still there is a shortfall of Scheduled Caste/Scheduled Tribe candidates as per 40 point roster, the best among the failed SC/ST candidates is promoted for six months on ad hoc basis for in-service training provided they had obtained, 20 marks out of 100 after which their cases are reviewed by the authority competent to approve the select list. If found fit, they are included in the select list.

2.72 The Committee are happy to note the various concessions/relaxations granted to Scheduled Castes and Scheduled Tribes while making recruitments to Class III services in the Western Railway. The Committee have no doubt that if the Western Railway authorities implement these concessions/relaxations both in letter and

spirit, a good number of Scheduled Caste and Scheduled Tribe candidates would be available for recruitment against the reserved vacancies in various categories. However, the Committee do not see any reason as to why no relaxation of marks is allowed for Scheduled Caste and Scheduled Tribe employees for being empanelled for posts in safety categories.

The Committee recommend that relaxation of marks should be allowed to SC/ST employees for being empanelled for the posts in safety categories also.

D. Maintenance of Rosters

2.73 In a note furnished to the Committee, the Ministry of Railways (Railway Board) have stated that rosters were being maintained for each category of posts, as per orders on the subject and inspected regularly.

2.74 When asked how it was ensured that the rosters were being maintained properly by the Divisional Offices and Workshops under the Western Railway, the Committee were informed as follows:—

“The rosters maintained by the Division/Workshops offices are being checked periodically by the senior Personnel Officer (Reservation) and his Inspectorial staff as well as the Officer on Special Duty (Estt.) (Reservation), Railway Board at Bombay and the Inspectors attached to him to ensure proper maintenance of these rosters. The discrepancies, found by the inspecting authorities in the maintenance of the rosters are immediately set right.”

2.75 In reply to a question relating to periodicity of inspections and the authority who inspects the rosters the Member Staff, Railway Board explained during evidence that the Chief Personnel Officer and Senior Personnel Officer of Western Railway (Head Quarters) inspect the rosters once or twice in a year. He further added) that there is continuous improvement during the last 10 to 15 years; had there been no rosters, there would have been no improvement.

2.76 In a subsequent note furnished to the Committee it has been stated that the discrepancies usually noticed in the roster register are as follows:—

- (1) They do not show the category and the scale of pay.
- (2) The year of recruitment is not entered in the register.

- (3) All the columns of the registers are not filled up.
- (4) The summary of vacancies filled up during the particular year and the short falls of the particular year are not brought out.
- (5) Against the column caste, instead of writing Scheduled Caste/Scheduled Tribe or neither, the religion of the candidate is found to be entered.
- (6) The concerned official did not sign the register at the appropriate place.

During the inspections, these discrepancies were pointed out to the concerned officials so that they did not recur.

2.77 The Committee have further been informed that periodical meetings of the Personnel Officers who are required to implement the orders of reservations for Scheduled Caste/Scheduled Tribe are held by Western Railway. Normally, two such meetings are held in every year by the Chief Liaison Officer.

2.78 The Committee note that the Western Railway authorities while inspecting Roster Registers maintained at various levels in that Railway had detected various discrepancies such as that they did not indicate the category of post and its scale of pay, the year of recruitment, summary of vacancies filled up during the year and the shortfalls of the year etc., the Personnel Officer did not sign the Register at appropriate place in the Roster Register.

The Committee need hardly stress that Rosters are the kingpins on which the whole system of implementation of reservation orders rests. The Rosters should therefore be properly maintained and their checking by the prescribed authorities at regular intervals should be ensured and certificates in token of checks made should also be recorded thereon. Discrepancies noticed during the inspection of rosters should be rectified immediately and brought to the notice of the head of Department. The Committee feel necessary guidelines/instructions should be issued for the benefit of those who are responsible for maintenance of rosters.

2.79 The Committee also recommend that the Liaison Officers and the staff working under him should be trained regarding the maintenance and inspection of rosters. If discrepancies are found during the inspection of rosters action should be taken against the officers responsible therefor.

E. Promotion

2.80 The Committee have been informed in a note furnished by the Ministry of Railways (Railway Board) as under:—

"Promotion to various categories of posts in Western Railway are made in the following manner:

- (i) By positive act of selection.
 - (ii) By seniority-cum-suitability.
 - (iii) By trade tests.
- (i) Where posts are filled by positive act of selection, candidates who are within the field of eligibility, are subjected to a written test wherever, such a test is prescribed. Those who qualify in the written tests have to appear for a viva-voce test before a selection Board consisting of three officers, including one from Reserved community. Scheduled Castes and Scheduled Tribe candidates are given the benefits of concessions admissible to them.

The reserved vacancies for Scheduled Castes and Scheduled Tribes are assessed and the promotion are made according to roster points.

- (ii) Where posts are filled in by seniority-cum-suitability the candidates are required to appear for written test, if such test is prescribed. In other cases, suitability of the eligible persons is adjudged on the basis of service record|confidential reports Scheduled Castes|Scheduled Tribes candidates are also placed in the select list on this basis and promoted to the extent of vacancies assessed as per roster points.
- (iii) Where posts are filled in by Trade Test the candidates are subjected to the prescribed practical test and those who pass in the practical test, have to appear for a viva-voce test. The Scheduled Caste and Scheduled Tribe candidates who are included in the select list, are promoted according to the roster points.

The various orders regarding reservation in promotion issued by the Department of Railways (Railway Board) from time to time are being implemented on this Railway. However, the High Court of Bombay and Jabalpur, Dist. Courts of Godhra and Junagadh and

Central Administrative Tribunal, Jodhpur have passed certain interim orders, imposing restrictions on promotions of Scheduled Caste employees in excess of 15% and to Scheduled Tribe employees in excess of 7½% of the cadre strength in certain categories of specified areas. These categories include Chargeman, Guards Ministerial staff etc. while the suits/writ petitions are being contested, the promotions of Scheduled Caste/Scheduled Tribe employees in such cases have been held in abeyance to avoid contempt of court's orders.

The normal zone of consideration for promotion from Group 'C' to Group 'B' and from Group 'B' to the lowest rung of Group 'A' is three times the number of vacancies in case of general candidates and 5 times the number of vacancies in respect of reserved community candidates if sufficient number of reserved community candidates are not available within the normal zone of consideration, viz. 3 times. In regard to promotion Group 'C' by way of selection, the normal zone of consideration is 3 times the number of vacancies for all, viz. Un-reserved/Scheduled Caste/Scheduled Tribes to be found in the next two grade below. However, in respect of posts falling in safety categories the zone of consideration is limited to the next below grade only for all.

As far as 'non-selection' posts are concerned 1:1 formula is followed i.e. staff equal to the number of vacancies is called for suitability/trade test from the next grade below and this applies to both, general as well as Scheduled Castes/Scheduled Tribes candidates."

2.81 In a written note submitted to the Committee regarding *ad-hoc* promotions made in Western Railway, it has been stated that 2792 *ad hoc* promotions were ordered during the last 3 years i.e. from 1983 to 1985, and the prescribed quota of reservation for Scheduled Castes and Scheduled Tribes was given therein.

2.82 Ministry of Railways (Railway Board) have furnished the following statement showing the number of persons promoted in Western Railway during each of the last three years in various categories of posts and the number and percentage of Scheduled Castes/Scheduled Tribes among them:

| Category | Designation of Posts | Total No. of employees promoted | Number of | | Percentage | | Shortfalls | | Percentage of | |
|-----------|----------------------|---------------------------------|-----------|-----|------------|-------|------------|-----|---------------|------|
| | | | SC | ST | SC | ST | SC | ST | SC | ST |
| | | | | | | | | | | |
| | 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 | 10 |
| 1983 | | | | | | | | | | |
| Class III | . | . | . | . | . | . | . | . | . | . |
| | | 6372 | 1010 | 546 | 15.85% | 8.56% | .. | .. | .. | .. |
| Class IV | . | . | . | . | . | . | .. | .. | .. | .. |
| | | 1695 | 1295 | 133 | 17.40% | 7.85% | .. | .. | .. | .. |
| 1984 | | | | | | | | | | |
| Class III | . | . | . | . | . | . | . | . | . | . |
| | | 9782 | 1254 | 530 | 12.81% | 5.41% | 213 | 97 | 2% | 1% |
| Class IV | . | . | . | . | . | . | . | . | . | . |
| | | 4050 | 448 | 229 | 11.6% | 5.63% | 159 | 75 | 3.9% | 1.8% |
| 1985 | | | | | | | | | | |
| Class III | . | . | . | . | . | . | . | . | . | . |
| | | 10442 | 1253 | 606 | 11.99% | 5.8% | 313 | 179 | 2.9% | 1.7% |
| Class IV | . | . | . | . | . | . | . | . | . | . |
| | | 3400 | 467 | 223 | 13.8% | 6.55% | 43 | 10 | 1.2% | 0.2% |

2.83 In reply to a question whether there was any time limit for promotion from category D to C, the General Manager, Western Railway stated during evidence that there was no time limit for promotion from category 'D' to 'C' and the employees get promotion as soon as the vacancies arise. 'D' category employees are 'Khal-lasis' and waterman.

2.84. When the Committee enquired whether there were some SC/ST employees who had qualifications and seniority but had been ignored and general candidates promoted, the witness clarified that the question of ignoring the seniority and qualifications of SC/ST employees did not arise. But if there was a case of corruption or a police case, then it was a different thing, otherwise the SC/ST employees were not refused promotion.

2.86 From the figures furnished to them, the Committee are perturbed to note that in 1984 and 1985 the percentage of Scheduled Caste employees promoted has decreased considerably as compared to year 1983, both in class III and class IV categories i.e. as against the percentage of 15.85 for class III and 17.40 for Class IV in 1983, it has come down to 12.81 and 11.6 in 1984 and 11.99 and 13.8 in 1985 respectively. Similarly among Scheduled Tribes the percentages have come down to 5.41 in class III and 5.65 in class IV in 1984 and 5.8 in class III and 6.55 in class IV in 1985 as against 8.56 and 7.85 respectively in 1983. Thus, there is staggering shortfall both in class III and IV categories in Western Railway.

The Committee, therefore, recommend that the policy for promotion should be reviewed and made liberal so that more promotional avenues are open for SC/ST employees in Western Railways particularly in class III and IV categories. Special efforts like pre-promotion coaching classes for SC/ST should also be made to wipe out the shortfall in class III and IV categories, as early as possible.

2.87 The Committee also suggest that if requisite number of Scheduled Caste and Scheduled Tribe candidates are not available.

for promotional vacancies, then the best among the failures should be promoted against the quota reserved for them, both in safety and non-safety categories for a period of six months on ad-hoc basis. If during this period their performance is found to be satisfactory, they may be regularised. Otherwise their services may be extended for a further period of six months to enable them to improve upon their performance.

F. De-Reservation

2.88 In a written note submitted to the Committee it has been stated that the following procedure is being followed by the Western Railway for de-reservation of vacancies reserved for Scheduled Castes and Scheduled Tribes:

"No reserved vacancy can be filled by persons belonging to 'other' community before the same is dereserved. Before reserving reserved vacancies it is ensured that all concessions/relaxations admissible in favour of Scheduled Castes/Scheduled Tribes have been applied. Prior approval of Department of Personnel and Training through Railway Board is necessary to dereserve vacancies in Group 'A' and Group 'B'. As regards, dereservation in nongazetted cadre, in the case of non-technical/non-operating categories in Group 'C' and 'D', no reserved vacancy is dereserved without the prior approval of the Railway Board /Department of Personnel and Training. In the case of Technical and operating categories in non-gazetted railway services, the General Manager, Western Railway has been empowered to de-reserve the reserved vacancies but an intimation to that effect is sent to the Railway Board in the proforma prescribed for the purpose.

The vacancies thus de-reserved are carried forward for three subsequent recruitment/selection years. In the third year of carried forward, Scheduled Tribe vacancies can be exchanged with Scheduled Caste candidates and vice-versa, before these are allowed to lapse."

2.89. The Committee have further been informed that the following checks are exercised by the Railway Board in the matter of dereservation of vacancies by the Railways:

- (i) Whether the proposal has been submitted in prescribed form.
- (ii) Whether the proposal has been approved by Liaison Officer/SPO/RP.
- (iii) Whether all the columns of the proforma have been filled up properly.
- (iv) The number of vacancies, the roster points and the mode of selection.
- (v) Whether or not SC candidates are available for consideration.
- (vi) In case of safety category posts, whether pre-selection coaching was given to Scheduled Caste/Scheduled Tribe candidates.
- (vii) If Scheduled Caste/Scheduled Tribe candidates are available, whether the Selection Committee included an officer belonging to Scheduled Caste/Scheduled Tribe community.
- (viii) Whether any representation has been received from the Scheduled Caste/Scheduled Tribe candidates in this regard.
- (ix) In case, it is 'Yes' for point (viii) above further scrutiny is made by calling the selection proceedings, marks obtained by Scheduled Caste/Scheduled Tribe candidates etc.

2.90 The Ministry of Railways (Railway Board) have stated in a subsequent note furnished to the Committee that the number of vacancies dereserved during the last three years are as under:—

| Year | SC | ST |
|--|-----|----|
| <i>In Safety Posts (Class III)</i> | | |
| 1983-84 | 79 | 62 |
| 1984-85 | 68 | 72 |
| 1985-86 | 116 | 87 |
| <i>In non-safety posts (Class III)</i> | | |
| 1983-84 | 56 | 70 |
| 1984-85 | 30 | 37 |
| 1985-86 | 29 | 45 |
| <i>In non-safety (Class IV Posts)</i> | | |
| 1983-84 | 2 | 2 |
| 1984-85 | 7 | 4 |

2.91 The Committee have been informed that special efforts made to avoid dereservation of vacancies are as follows:

“Sufficient intakes of Scheduled Caste/Scheduled Tribes are ensured by launching crash programmes whenever ordered by the Board or even otherwise. Other steps include:—

- (i) Pre-selection training is imparted to Scheduled Castes/Scheduled Tribes in safety categories.
- (ii) In-service training is given to the best amongst failed candidates in non-safety categories for a period of 6 months. At the end of the 6 months period if they are found fit, they are empanelled.
- (iii) When crash programme is ordered, the assistance of MPs/MLAs of the area covered on the Western Railway is taken so that the Railways requirement for Scheduled Caste/Scheduled Tribe is given wide publicity.

All possible relaxations/concessions are given to Scheduled Caste/Scheduled Tribe candidates in recruitment and promotions to fill up the reserved vacancies. Besides,

in non-safety category posts, the best among the failed Scheduled Caste/Scheduled Tribe candidates are promoted on trial for a period of six months against the promotional posts.

In case of recruitment, the unfilled reserved vacancies are re-advertised and if necessary, Employment Exchanges are also approached for sponsoring suitable Scheduled Caste/Scheduled Tribe candidates.

2.92 The Committee have been informed during evidence that de-reservation of posts was mostly in Group 'C'.

2.93 When the Committee pointed out contradiction between the figures of shortfall and de-reservation and asked the Railway authorities to reconcile it, the Additional Director Estt. (R) replied during evidence as under:—

"The shortfall is calculated in accordance with the roster. Even if the SC/ST quota is full, if the roster point is operative, for SCs and STs and it is not filled up, the shortfall occurs. Even if the roster is applicable, if a person is not available, dereservation has to be made."

2.94 The Committee are unhappy to note that in Western Railway a large number of vacancies have been dereserved during the last three years depriving employment to a large number of SC/ST. In safety posts (class III) in the year 1983-84, 79 vacancies of Scheduled Caste and 62 of Scheduled Tribe, in 1984-85, 68 vacancies of Scheduled Caste and 72 of Scheduled Tribe and in 1985-86, 116 vacancies of Scheduled Caste and 87 of Scheduled Tribe have been dereserved. In the case of non-safety posts (class III) also in 1983-84, 56 vacancies of Scheduled Caste and 70 of Scheduled Tribes, in 1984-85, 30 vacancies of Scheduled Castes and 37 of Scheduled Tribes, and in 1985-86, 29 vacancies of Scheduled Castes and 45 for Scheduled Tribes were dereserved.

The Committee are surprised to note that even in the case of non-safety (class IV) posts in 1983-84, 2 vacancies of Scheduled Castes and 2 of Scheduled Tribes; and in 1984-85, 7 vacancies of Scheduled Castes and 4 vacancies of Scheduled Tribes were dereserved. Thus, the Committee observe that quite a large number of vacancies have been dereserved in various grades during the last three years depriving employment to many a Scheduled Caste/Scheduled Tribe candidates.

The Committee are as a principle, opposed to dereservations. They, however, feel that dereservation should be resorted to only

when it becomes absolutely necessary and all efforts including special recruitment to locate suitable SC/ST candidates have failed.

G. Exchange of Reserved Vacancies

2.95 In a note furnished to the Committee, the Ministry of Railways (Railway Board) have stated that the exchange of vacancies reserved for Scheduled Castes by Scheduled Tribes and vice-versa if suitable Scheduled Caste and Scheduled Tribe candidates are not available for filling up the vacancies reserved for them respectively is permissible after carrying forward the reserved vacancies to 3 recruitment|selection years.

2.96 The Committee have been informed in a note that the number of Scheduled Castes appointed against the vacancies reserved for Scheduled Tribes and vice-versa in various categories during each of the last three years is as under:—

| Year | Scheduled Caste appointed against Scheduled Tribe | Scheduled Tribes appointed against Scheduled Caste |
|------|---|--|
| 1983 | 21 | .. |
| 1984 | | .. |
| 1985 | .. | .. |

2.97 The Committee note that in 1983, 21 Scheduled Castes were appointed against the carry forward reserved vacancies for Scheduled Tribes while during the last three years in 1983, 1984 and 1985, no Scheduled Tribe was appointed against the carried forward reserved vacancies for Scheduled Castes. The Committee also note that in 1984 and 1985 there was no exchange of carried forward reserved vacancies for Scheduled Castes and vice-versa.

The Committee feel that ordinarily vacancies reserved for Scheduled Tribes belonging to the respective communities only so that the need of Scheduled Tribes belonging to the respective communities only is that the need to fill in the vacancies reserved for Scheduled Castes by Scheduled Tribes and vice versa at the end of third year of the carry forward of vacancies is obviated. The Committee would, therefore, request that all possible efforts should be made by the Western Railway authorities to find Scheduled Caste and Scheduled Tribe candidates for the posts reserved for them. If, however, such candidates are not available to fill all the reserved posts, then the exchange of vacancies should be resorted to in the very first year or in the second year so that in the eventuality of not getting a suitable SC/ST candidate in the third year, the reserved vacancy may not lapse.

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| Portfolio | S | 1 | N |
| via basis | | | |

3.2 When asked by the Committee whether the reservation quotas of SCs/STs had been fulfilled in Western Railway, the Member Secretary, Railway Board stated during evidence as under:—

“No, the quotas have not been fulfilled. We have got the figures here. For instance, I will give you the figures for the Western Railway. Against a staff strength of about 202,000 which they have got, the number of Scheduled Castes is approximately rounded off to 31,000 which is about 15% of the total staff strength, and the strength of Scheduled Tribes is 14,400 which is about 7.1% of the total strength. We have got the break up of these percentages in respect of Groups A, B and C and D. Scheduled Castes are 15% in the overall but there may be some shortages in different categories. In the Scheduled Tribes the percentage is 7.1, so we are short by 0.4%. We have started a drive to see that these shortages are made good within the next few months. We are trying to promote the people and make good the shortages.”

3.3 The Committee desired to know the reasons for shortfalls in the employment of Scheduled Castes and Scheduled Tribes against their reserved quota and remedial measures taken in this regard. In a note submitted by the Ministry of Railways (Railway Board), the Committee have been informed that the responses from Scheduled Castes/Scheduled Tribe candidates in technical categories are very poor, in particular, where the qualification is technical degree or diploma from the recognised institutions. Apart from it often the Scheduled Tribes candidates do not move out to take up class IV post far away from their own places. Further due to various court decisions to restrict reservation to 15% for Scheduled Caste and 7½% for Scheduled Tribes, it has not been possible to take special steps like launching crash programme for recruitment of Scheduled Caste/Scheduled Tribe candidates against shortfall quota.

3.4 When the Committee desired to know during oral evidence what the Railway authorities meant by launching Crash Programme for SC/ST, the Member Staff, Ministry of Railways (Railway Board) stated as under:—

“If in any particular category we were very short, we will not only advertise, but we will send teams of people to recruit those categories of people. We issue particular orders how particular categories can be filled up.”

3.5 When asked by the Committee whether some efforts had been made to wipe out the shortfall and if so, what was the result of those efforts, the Additional Director Estt. (R) (Railway Board) stated during evidence as under:

"We are making these contacts only during the crash programme when we see that the backlog is not getting reduced. We make a special programme for special recruitment. Our inspectors visit the tribal areas. We do not make the selection in the tribal areas or in the campus itself. We obtain applications, then call the persons, interview them and if we find them suitable, we select them."

3.6 When the Committee desired to know during oral evidence whether the Western Railway had tried or attempted to give employment to the SC/ST people of the local area, the General Manager of the Western Railway replied as under:

"We may give employment to SC/ST people of that local area where they are staying to the extent of vacancies in that area."

3.7 As regards special recruitment for Scheduled Castes and Scheduled Tribes the Committee have been informed in a written note submitted by the Ministry of Railways. as under:—

"Special recruitment of Scheduled Caste/Scheduled Tribe candidates was made by the Western Railway during each of the last 3 years. The number of Scheduled Caste/Scheduled Tribe candidates recruited during these programmes for the years 1983-84 and 1985 are given in the table below:

| Year | Class III | | Class IV | |
|------|-----------------|-----------------|-----------------|-----------------|
| | Scheduled Caste | Scheduled Tribe | Scheduled Caste | Scheduled Tribe |
| 1983 | 135 | 98 | 157 | 251 |
| 1984 | 168 | 121 | 47 | 137 |
| 1985 | 64 | 54 | 108 | 119 |

However, no such recruitment has been reported by any of the Railway Recruitment Boards."

3.8 During evidence the Committee were informed that due to various court decisions, reservations for Scheduled Caste and Scheduled Tribe were restricted to 15% and 7½% respectively. No crash programme for recruitment of SC/ST candidates, could, therefore be launched against shortfall quota. On this, the Committee drew the attention of the Railway authorities to the Supreme Court's decision to effect that in any recruitment, the posts upto the extent of 50% may be filled up by SC/ST candidates to fill up the reservation quota. The Member Staff, Ministry of Railways (Railway Board) thereupon informed the Committee as under:—

"This ban on recruitment was there for all the recruitments, for the last two or three years, by the Ministry of Finance. Only special recruitment was done for the SC/ST candidates. This recruitment was for Group C & D. This is the reason that we were able to fill up Group D categories because we recruit the maximum number of people for this purpose. When we heard about this decision, we examined it. We faced some difficulties in the intermediate categories. In some categories we did it."

3.9 When the Committee enquired whether the lower court decision could over-rule the Supreme Court decision, the Member Staff, Ministry of Railways (Railway Board) clarified as under:

"That decision was relating to individual States and in regard to groups of people. Having examined it, we tried to give promotion to the maximum extent. In Group C compared to the others, two or three years ago we faced some difficulties. But we did not stop the promotions."

3.10 As regards the percentage of SC/ST employees in Personnel Branches of the Headquarters/Division offices etc. of Western Railway, the Member Staff Railway Board informed the Committee during evidence as under:—

"The position is: Personnel Officers — 17 S.C. officers. It is 20.1 percent and there are 5 officers belonging to ST. It is 6.1 percent. The total will come to 25.2 percent. In all, we have got 25.2 percent of SC/ST officers."

3.11 When the Committee pointed out that there was no shortage of SC/ST people and there should not have been any backlog,

the Member Staff Railway Board stated during evidence that they have made all the improvement in this regard and very little is left and assured to complete the shortages within six months.

3.12 When the Committee desired to know whether the Western Railway had any higher officers within class I and class II categories from amongst the Scheduled Castes and Scheduled Tribes, the Member Staff Railway Board replied as under:—

"In Group 'A', in 1974 such a number was 3.8%. Today the number is 10.5% for Scheduled Castes and for Scheduled Tribes it was 0.5 and today it is 2.58.

In Group 'B' officers we promote people from Group 'C'. There has been improvement in this regard. The percentage of Scheduled Castes in 1974, in Group 'B' was 4.6%. In 1985 the percentage has come to 14.8%. Percentage of Scheduled Tribes from 0.5% in 1974, has come to 3.27 in 1985. We are trying our best to make up the deficiency."

3.13 In reply to a question, the General Manager of Western Railway informed the Committee that the reservation quota in 'D' category was completed for the first time on 1-3-1986 but the position changed every year, as the number of employees increased every year.

3.14 The Committee note that the reservation quotas have not been fulfilled in the Western Railway, and there is shortfall in almost all categories of posts. In category 'B', shortfall is 0.5 per cent in the case of SCs and 3.7 per cent in the case of STs. In category 'C' shortfall is 1.6 per cent for SCs and 1.7 per cent for STs.

The Western Railway have assured the Committee during evidence that they have started a special drive to complete the shortages within six months. The Committee need hardly emphasise that there is imperative need to strictly follow the reservation orders so that all the reserved vacancies for SCs/STs are actually filled in by them. The Committee hope that the Western Railway would wipe out the shortfalls within six months as per their assurance given to the Committee. The Committee would also like to be apprised of the results achieved as a result of special drive launched by the Western Railway to wipe out the shortfalls.

The Committee note with unpleasant surprise that no special recruitment of SC/ST was made by any of the Western Railway Recruitment Boards during the last three years. The Committee

would like that the Railway Recruitment Boards of Western Railway should also make special recruitment of Scheduled Castes/Scheduled Tribes candidate to wipe out the shortfall briskly.

3.15 The Committee regret to note that due to various court decisions, reservation for Scheduled Castes and Scheduled Tribes in Western Railway were restricted to 15 per cent and 7½ per cent respectively and no crash programme could be launched for recruitment of SC/ST against the shortfall quota.

3.16 The Committee feel that SC/ST candidates have been subjected to great injustice and have been deprived of employment opportunities by such restriction as according to a Supreme Courts' decision fifty per cent posts can be filled up in any recruitment by SC/ST candidates against the reservation quota.

The Committee, therefore, recommend that if a number of reserved vacancies are not filled for a period of two years, special drive for recruitment, particularly in 'C' and 'D' categories, which are feeder cadres, should invariably be launched to fill up the backlog of reserved vacancies.

3.17 The Committee suggest that in the personnel Department there should be at least one or two Scheduled Caste/Scheduled Tribe higher level officers to instil greater confidence amongst SC/ST employees in Western Railway.

B. Institutional and In-service Training

3.18 In a note furnished by the Ministry of Railways (Railway Board) the Committee have been informed about the in-service training programme for Scheduled Caste/Scheduled Tribe employees in the Western Railway as under:

Safety Category Posts:

In accordance with Ministry of Railways (Railway Board's) instructions, Scheduled Caste/Scheduled Tribe candidates who are within the zone of consideration for selection to the post involving safety aspects are to be given suitable pre-selection coaching so that they may come out successfully in the selection. Accordingly, pre-selection coaching is being imparted to the eligible Scheduled Caste/Scheduled Tribe candidates on this Railway.

Non-safety category Posts:

In case of promotions of Scheduled Castes/Scheduled Tribes to the non-safety category posts, if the vacancies reserved for Sche-

Scheduled Caste/Scheduled Tribe candidates cannot be filled by Scheduled Caste/Scheduled Tribe candidates passed in the selections, suitability/trade tests, then to the extent of vacancies reserved for them, the best among the failed Scheduled Caste/Scheduled Tribe candidates are promoted on ad hoc basis for a period of six months on trial. During the said six months period, the Administration gives them all facilities for improving their knowledge and coming up to the requisite standard. At the end of six months period, a special report is obtained on the working of such candidates and if their performance is found satisfactory the promotions are ordered on regular basis.

3.19 When the Committee desired to know whether the Western Railway had started the training/pre-recruitment coaching programme for recruiting SC/STs, the Member Staff, Railway Board stated during evidence that such training was being imparted at lower levels so that the base can become strong.

3.20 The Committee desired to know the method adopted and facilities given to train SCs/STs. The representative of the Ministry of Railways (Railway Board) stated during evidence as follows:

"The selected SC/ST candidates are being given training in our Zonal training school at Udaipur on the Western Railway. There is another training institute in which other categories are being trained. The failed candidates are allowed to take repeat course for two chances: one chance with stipend and one more chance without stipend. In promotion categories training on the job is given to some people who are best out of the failed candidates. They are promoted on ad hoc basis and given in-service training."

3.21 In reply to a question, the Committee have been informed that such training has helped Scheduled Caste/Scheduled Tribe employees to improve their efficiency and chances for promotion.

3.22 When asked whether it was feasible to have special training centres for giving in-service training to SC/ST employees, the Committee were informed in the negative. It was further added that in-service training is given on the job in non-safety categories.

3.23 As regards the employees sent for training abroad, the Committee have been informed as follows:

"The total number of Scheduled Caste|Scheduled Tribe employees sent for training abroad is as under:

| Year | Total No. of Employees sent for training abroad | Scheduled Caste | Scheduled Tribe |
|------|---|-----------------|-----------------|
| 1983 | 9 | .. | .. |
| 1984 | 15 | 3 | .. |
| 1985 | 13 | 1 | .. |

3.24 In a note furnished to the Committee, the Ministry of Railways (Railway Board) has explained the reasons for sending a few SC|ST employees abroad for training as under:

"Nomination of Staff|Officers for training abroad is made taking into account the technical/professional qualifications, age, experience, post being held etc. Generally, training abroad is limited to Group A officers who have put in certain number of years of service in the Railways."

During evidence, Member Staff Ministry of Railways (Railway Board) clarified as below:—

"Abroad training is given to the officers at the highest level where, unfortunately, the percentage of SC&ST is less. At that level, there is no discrimination. Most of the training abroad is for Group 'A' officers and in that group there is a shortage of SC/ST people."

3.25 In reply to a question the Committee have been informed that deputation to Seminars|Conferences etc. depend on the qualifications, experience and the post being held by the Officer|Staff. The Committee have further been informed that the officers belonging to Scheduled Caste|Scheduled Tribe are also given opportunities for institutional training and for attending seminars|symposia and other conferences. The number of Scheduled Caste|Scheduled Tribe officers so deputed during the last 3 years is given below:

| Year | Total No. of Officers attended Institutional training/Seminar Symposia Conferences etc. | Scheduled Caste | Scheduled Tribe |
|------|---|-----------------|-----------------|
| 1983 | 214 | 19 | 4 |
| 1984 | 235 | 19 | 4 |
| 1985 | 284 | 18 | 6 |

3.26 The Committee regret to note that there are no special training centres for giving in-service training to SC/ST employees. The Committee feel that special training centres for giving in-service training especially for those Scheduled Caste/Scheduled Tribe employees who have been promoted under the scheme of "best among the failures" by lowering the standards should be initiated on a regular basis. The Committee believe that it will instil confidence among them and bring them upto the required standard of efficiency.

3.27. The Committee note that in 1983 out of 214 officers only 19 SCs and 4 STs; in 1984 out of 235 officers only 19 SCs and 4 STs and in 1985 out of 284 officers only 18 SCs and 6 STs were given opportunities for attending Institutional training/seminars symposia/conferences etc. The Committee feel that SC/ST officers have not been given due representation to avail of these opportunities. The Committee would like to emphasise and recommend that in future at least ten percent Scheduled Caste and five percent Scheduled Tribe out of the total number of officers selected should be allowed to avail of such opportunities for attending institutional training/seminars symposia etc. It will go a long way to instil a feeling of self-confidence among them and also to broaden their outlook.

C. Periodical Returns

3.28 When during oral evidence the Committee desired to know about the periodicity of Reports which the Western Railway is required to submit to the Railway Board in regard to the intake of SCs/STs and the date when the last statement was sent, the Member staff, Ministry of Railways (Railway Board) replied as under:

"The statement which are coming from the Railways, one of them is the total number of employees and number of Scheduled Castes and Scheduled Tribes for class I, II, III and IV. This is a yearly statement and it was last received from the Western Railway on 21-5-1986.

The second statement is about the total number of recruitments made for class III, IV category-wise and department-wise.

The third statement is about the total number of promotions made in Class III and IV categories category-wise and department-wise.

The fourth statement is for selection of posts for the financial year ended 31st March.

These are yearly statements and were received last on 21-5-86.

The next statement is half-yearly statement for Receipt and disposal of complaints from SC/ST employees. This was last received for the period ending 31-3-86.

The next statement is the statement of supersession of Scheduled Castes and Scheduled Tribes in promotion and non-selection posts. This is a quarterly statement and the last statement for 31st March, 1986 has been received in the Board Office."

3.29 When the Committee enquired whether these reports were analysed in the Railway Board and if so, what was the result of such analysis, the Member Staff, Ministry of Railways (Railway Board) clarified the position during evidence as under:

"These reports are analysed with regard to backlog, what is the arrear of Scheduled Castes and Scheduled Tribes to be promoted, or to be directly recruited from Railway Service Commission or Railway Recruitment Board direct or by Railways. After seeing the backlog and based on this, we have ordered only recently a special drive to clear the backlog within six months. This is the result of the analysis of backlog."

3.30. The Committee note that the Ministry of Railways (Railway Board) analyse on receipt from the Western Railway yearly statement showing the progress made in the intake of Scheduled Castes and Scheduled Tribes against vacancies reserved for them in recruitment and promotional categories and half yearly statement of Receipt and Disposal of Complaints from Scheduled Caste/Scheduled Tribe employees, quarterly statement of supersession of Scheduled Castes and Scheduled Tribes to promotion and non-selection posts. The Committee have further been informed that as a result of analysis Ministry of Railways (Railway Board) has ordered only recently a special drive to clear the back-log within six months. The Committee do hope that within six months all the backlog would be cleared. The Committee consider the proper compilation of returns and their timely submission to the Ministry of Railways (Railway Board) very important, as these returns are the only mechanism by which the proper implementation of the Reservation Orders in favour of Scheduled Castes and Scheduled Tribes can be watched. The Committee, therefore, emphasise that there should be no laxity in the proper compilation and timely submission of the returns by the Western Railway. The Committee also hope that the Ministry of Railways (Railway Board) will continue to make a thorough and analytical study of these statements and take prompt and effective measures to remove the deficiencies noticed for proper implementation of reservation orders.

CHAPTER IV

A. Redressal of Complaints/Grievances

4.1 In a note furnished by the Ministry of Railways (Railway Board) the Committee have been informed that a separate complaint register for Scheduled Caste and Scheduled Tribe employees is maintained in the Divisional Offices, Workshops and at the Stations. The complaints registered by the Scheduled Caste and Scheduled Tribe employees are investigated by the Welfare Inspectors. Similarly, a special cell headed by Senior Personnel Officer (Reservation) has been set up at the Headquarter Office and all the representations/complaints received from the employees belonging to the Scheduled Caste and Scheduled Tribe communities are looked into by him.

Officer on Special Duty, Establishment (R) Railway Board, posted at Bombay and his organisation also examine and help in redressal of the grievances of the Scheduled Caste/Scheduled Tribe employees.

4.2 In reply to a question the Member Staff, Ministry of Railways (Railway Board) informed the Committee during the course of oral evidence that during 1984-85, the Senior Personnel Officer and Chief Liaison Officer inspected 21 offices and the officer on special duty Bombay inspected 37 offices and found some complaints/irregularities regarding promotion, seniority and harassment but no major or serious complaint came to notice.

4.3 When the Committee desired to know the full details of the complaints regarding the grievances of SCs/STs, the Member Staff, Ministry of Railways (Railway Board) stated during evidence that during the period 1-4-85 to 31-3-86, 1184 complaints were received on Western Railway, out of which 972 were disposed of. Out of the complaints still pending, 39 are related to transfer, 150 about promotions and 23 about seniority.

4.4 In reply to a question the witness stated that no case against reservation policy in promotion for SC/ST employees of Western Railway was pending in Supreme Court. Five cases were pending in High Court and two cases in Central Administrative Tribunal. In all seven cases were pending in courts.

4.5 Asked about the disposal of grievances, the Committee has been informed in a note that out of 972 complaints received from

SC/ST Employees, which were disposed of during 1985-86, 388 were decided in favour of employees and 584 against.

4.6 In regard to the nature of complaints received from SC/ST employees, the Committee have been informed in a note that the complaints normally pertained to promotion, seniority, harassment by superiors, non-observation of rosters, transfers, allotment of quarters and of miscellaneous type.

4.7 The Committee are concerned to note that out of 1184 complaints received from SC/ST employees during a year (1-4-85 to 31-3-86) only 972 were disposed of. Further, out of these 972 only 388. i.e. 39.9 per cent complaints were decided in favour of SC/ST employees and 584 i.e. 60.1 per cent complaints were decided against SC/ST employees. This is a disturbing factor and needs to be looked into.

In the opinion of the Committee 212 cases pending disposal at the end of the year 1985-86 is on the high side and calls for gearing up of the whole machinery responsible for looking after the interests of SC/ST. The Committee further note that out of 212 cases, 150 relate to promotions and 23 about seniority. The Committee feel that since these cases have a bearing on the career and future prospects of the persons concerned, they should be decided without further delay as justice delayed is justice denied.

4.8 The Committee have been informed that "during 1984-85, the Senior Personnel Officer and Chief Reservation Officer inspected 21 offices and the officer in "Special Duty, Bombay, inspected 37 offices and found some complaints/irregularities regarding promotion, seniority and harassment but no major or serious complaint came to notice".

The Committee are perturbed to note that Western Railway do not consider complaints regarding promotion and seniority as serious complaints and treat them as of minor importance.

The Committee need hardly stress that all such complaints from Scheduled Caste and Scheduled Tribe employees particularly those having bearing on promotion and service prospect should be given due care and attention and should be processed and disposed of sympathetically within the shortest possible time to create confidence among SC/ST employees and to instil in them the feeling that their interests are looked after well.

4.9 The Committee further recommend that grievances Register should at least be checked quarterly by the Liaison Officer/Senior Personnel Officer and also by the Head of Division concerned during

the course of their inspection to ensure prompt disposal of complaints/representations received from SC/ST employees and quarterly reports submitted to the Headquarters of Western Railway and also to the Ministry of Railways (Railway Board) for their information.

B. Apprenticeship Training Scheme

4.10 In a note submitted by the Ministry of Railways (Railway Board) the Committee have been informed as under:

"The duration of training in each Branch varies from trade to trade and it is generally from two to four years. The training period for the different Trades are as under:

| Trades | Period of Training |
|---|--------------------|
| (A) Precision Machining Trades Group | |
| (a) Tool and Die Maker etc. | 4 years |
| (B) Instrument Trades Groups | |
| (1) Instrument Mechanic etc. | 3 years |
| (C) Refrigeration and Air Conditioning Trades Groups | |
| (1) Refrigeration & Air-Conditioned Mechanic etc. | 3 years |
| (D) Mechanics (Workshop) Trade Groups | |
| (1) Mechanic (Diesel) | 3 years |
| (2) Boiler Attendants etc. | 3 years |
| (E) Printing Trades Groups | |
| (1) Compositor Hand | 3 years |
| (2) Lino Operator | 3 years |
| (3) Monocaster etc. | 3 years |
| (4) Mono Operator | 3 years |

4.11 As regards reservation in Apprenticeship Training Scheme, the Committee have been informed that reservation for Scheduled Castes and Scheduled Tribes is provided as per the ratio provided in the apprenticeship Act.

4.12 In a written note submitted to the Committee it has been stated that the total number of apprentices taken under the Apprentices Act in the various branches during each of the last 3 years and

the number of Scheduled Caste/Scheduled Tribe among them is as under:

| Year | No. of Apprentices taken under Apprentices Act. | Scheduled Caste | Scheduled Tribe |
|------|---|-----------------|-----------------|
| 1983 | 145 | 16 | 17 |
| 1984 | 128 | 8 | 15 |
| 1985 | 96 | 20 | 9 |

4.13 On being asked by the Committee the reasons for taking only 8 Scheduled Caste Apprentices out of the total 128 in 1984, the Ministry of Railways (Railway Board) have stated in a written note furnished to the Committee as under:—

“Applications for imparting training under Apprentices Act are invited through local notifications. The number selected for training depends on the total number of applications. In 1984, 18 Scheduled Caste candidate were placed on the panel, only 8 joined training, others did not turn up.”

4.14 In a note submitted by the Ministry of Railways (Railway Board) the Committee have been informed that the apprentices, who have completed the training are offered appointment in the Railways. However, it has not been possible to absorb all the trainees. The number of trainees absorbed on Western Railway is indicated below:—

| Year | No. of trainees absorbed | Scheduled Caste | Scheduled Tribe |
|------|--------------------------|-----------------|-----------------|
| 1983 | 7 | 1 | .. |
| 1984 | 4 | 1 | .. |
| 1985 | .. | .. | .. |

4.15 When the Committee asked why no Scheduled Caste/Scheduled Tribe trainee was absorbed during the year 1985 and why no

Scheduled Tribe trainee was absorbed during the last three years, the Ministry of Railways (Railway Board) stated in a written note furnished to the Committee as under:—

"In 1985, no trainees have been absorbed including general candidates. As per the extant instructions, apprentices trained in the Apprentices Act are not required to be appointed in the Railway after completion of training. They have to apply along with others in response to notifications for employment when issued. Those who apply are considered along with others for employment."

4.16 The Committee are distressed to note that out of 16, 8 and 20 Scheduled Caste apprentices trained during 1983, 1984 and 1985 respectively, only 1 each was absorbed in Western Railway in 1983 and 1984 and none was absorbed in 1985. The position in case of Scheduled Tribe apprentices is all the more disappointing as out of 17, 15 and 9 Scheduled Tribes trained during 1983, 1984 and 1985, not a single Scheduled Tribe trainee was absorbed in Western Railway. The Committee desire that notifications for employment should be given wide publicity so that more and more Scheduled Caste/Scheduled Tribe apprentices trained under the Apprentices Act may apply for employment. The Committee hope that in future more SCs/STs would be taken and trained under the Apprenticeship Scheme. The Committee also recommend that all SC/ST trainees after their successful training should be absorbed in Western Railway. They should also be given preference over other candidates while making selection for the posts for which they apply.

C. Housing Facilities

4.17 In a note furnished to the Committee, the Ministry of Railways (Railway Board) have stated that 10 per cent of the quarters in Type I and Type II and 5 per cent in Type III and Type IV in non-essential categories only are reserved for Scheduled Caste/Scheduled Tribe employees, at stations where the number of quarters is 50 or more. In respect of quarters in essential categories, no reservation in the matter of allotment has been provided for Scheduled Caste/Scheduled Tribe candidates.

4.18 The Committee have been furnished with the following Statement showing the total number of quarters of each type and the number out of them allotted to Scheduled Castes and Scheduled

Tribes:

| Type | No. of Quarters | Scheduled Caste | Scheduled Tribe |
|------|-----------------|-----------------|-----------------|
| V | 25 | 5 | Nil |
| IV | 903 | 40 | 20 |
| III | 255 | 25 | 10 |
| II | 26727 | 755 | 580 |
| I | 46745 | 2052 | 1941 |

4.19 The Committee note that in respect of quarters in essential categories, no reservation in the matter of allotment has been provided for Scheduled Caste/Scheduled Tribe candidates. The Committee desire that in the allotment of quarters in essential categories SC/ST employees of this category should be given preference.

4.20 From the data furnished to the Committee, the Committee note that out of 26727 Type II quarters, only 755 quarters have been allotted to SCs and 580 to STs; and out of a total of 46745 type I quarters only 2052 have been allotted to SCs and 1941 to STs which come approximately to 5 per cent and 8 per cent, respectively. Thus, the prescribed reservation quota of 10 per cent for SC/ST in case of Type I and Type II quarters has not been fulfilled. The Committee desired that the shortfall in the allotment of Type I and II quarters should be made up and in future the prescribed percentage of reservation for SCs/STs in all allotment of quarters should be strictly adhered to.

D. Petty Contracts

4.21 In a note submitted to the Committee, the Ministry of Railways (Railway Board) have stated as follows:—

“The number of catering|vending contracts for stalls|trolleys on the Western Railway is 1543 out of which 133 catering/vending contracts are held by persons belonging to Scheduled Castes|Scheduled Tribes. As per procedure for awarding the contracts, the vacancies are advertised through the Press or by pasting Notice on the notice boards depending on the importance of the contracts and stations etc. A committee consisting of 3 Senior Scale Officers scrutinises the applications and contract is awarded to the person found suitable for the same having regard to his experience and financial stability etc.”

4.22 When asked about the criterion for selection of officers for constituting such a Committee, the Ministry of Railways (Railway Board) in a note furnished to the Committee have stated as under:—

“The Committee is constituted on each Zonal Railway and the Division by GM/CCS/DRM. Though no criterion is laid down, one of the Members of the Committee is always drawn from the Commercial Department who is responsible for administering the contract and the other two members are from two other departments.”

4.23 In a written note submitted to the Committee it has been stated that the aforesaid committee does not consist of any Scheduled Caste/Scheduled Tribe Officer. The Committee have also been informed that the normal period of petty vending|catering contracts is 5 years.

4.24 In a written note furnished to the Committee it has been stated that the contracts of Stalls/Trolleys of 1/2 unit each are reserved for Scheduled Caste/Scheduled Tribe persons and applications in such cases are called for exclusively from candidates belonging to Scheduled Caste/Scheduled Tribe only.

4.25 The Committee note that the number of catering/vending contracts for stall/trolleys on the Western Railway is 1543 out of which 133 catering/vending contracts are held by persons belonging to Scheduled Caste/Scheduled Tribes. The Committee feel that this cannot be considered a satisfactory position particularly when it is claimed that Contract of stalls/Trolleys of 1/2-unit each are reserved for Scheduled Caste/Scheduled Tribe persons and applications in such cases are called for exclusively from candidates belonging to Scheduled Caste/Scheduled Tribe only.

The Committee note that it has been provided in the ‘Brochure on Reservations for Scheduled Castes and Scheduled Tribes in Railway Services’ that at least 10 per cent of employees of vending and catering contractors should belong to Scheduled Castes Scheduled Tribes.

From the Statistics furnished to the Committee, they have an apprehension that even 10 per cent quota is not being observed. The Committee recommend that Western Railway authorities should implement the aforesaid orders meticulously in letter and spirit on the Western Railway.

APPENDIX I

(Vide Para 4 of Introduction)

Summary of Conclusions/recommendations contained in the Report

| Sl. N. | Reference to Para Number in the Report | Summary of conclusions/ Recommendations |
|--------|--|---|
| 1 | 2 | 3 |
| 1 | 1.11 & 1.12 | <p>The Committee have been informed that there are twenty-eight categories of posts in the Western Railway to which reservation orders do not apply as these are tenure posts and are filled up by drafting employees from different départements and cadres. The Committee have further been informed that out of 68 posts of Instructors there are 4 posts for Scheduled Caste which is 6 per cent of the total posts. Out of 23 posts of Lecturers, there is only one post for Scheduled Caste which comes to 4 per cent. Similarly, out of 33 posts of Vigilance and Enquiry Inspectors only 22 have actually been filled and out of them, only 2 posts are for Scheduled Castes which comes to 9 per cent. As regards the share of Scheduled Tribes, it is nil in all these categories of posts.</p> <p>The Committee are distressed to note that the Reservation Rules have not been made applicable to as many as 28 categories of posts in Western Railway including Instructors, Lecturers and Vigilance Inspectors, being tenure posts. The Committee have been informed that according to instructions issued by Department of Personnel, reservations do not apply to vacancies filled by transfer or deputation. The Committee see no reason why reservation orders should not apply</p> |

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| | | to these posts. The Committee would like the Ministry of Railways (Railway Board) to review the whole policy of making reservation orders applicable in toto to all the posts in consultation with the Department of Personnel and Administrative Reforms. |
| 2 | 1.13 & 1.14 | <p>The Committee are shocked to learn that there are only six per cent posts for Scheduled Castes among Instructors, four per cent posts among Lecturers and nine per cent posts among Vigilance Inspectors in Western Railway. The picture is still gloomier in case of Scheduled Tribes who have no representation at all in any of these posts. The Committee cannot but conclude from this that the instructions issued by the Department of Personnel and Administrative Reforms in their O.M. No. 36012/7/77 Est. (SCT) dated 21st January, 1978 which lays stress on the fair proportion of such posts being filled by employees belonging to Scheduled Castes and Scheduled Tribes have not been implemented by the Western Railway in the spirit behind them.</p> <p>The Committee, therefore, recommend that while requesting other Departments to sponsor candidates and selecting persons therefrom for posts to be filled by deputation or transfer in the Railways, the instructions issued by the Department of Personnel and Administrative Reforms in this regard should be strictly followed in letter and spirit.</p> |
| 3 | 1.15 & 1.16 | <p>The Committee are constrained to note that in 1986, out of a total of 121 officers recommended for deputation from Western Railway to other Departments including Foreign Assignment, only 6 belong to Scheduled Caste and one to Scheduled Tribe. Similarly in 1985 out of 111 officers recommended, 6 belong to Scheduled Caste and 2 to Scheduled Tribe. The Committee cannot but reach inescapable conclusion from</p> |

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| | | <p>these figures that the instructions on the subject, which lay stress that whenever a Ministry/Department etc. proposes to depute the officers serving in or under them to posts in or under Ministry/Department etc., the adequate number of SC/ST employees should be considered along with other employees for such deputation, have not been implemented in letter and spirit.</p> <p>The Committee need hardly stress the necessity of implementation of these instructions meticulously. The Committee recommend that the Western Railway should implement these instructions scrupulously and recommend more and more SC/ST for deputation to other Departments including Foreign Assignment.</p> |
| 4 | 1.26 to 1.30 | <p>The Committee note that the Special Cell in the Ministry of Railways keeps a watch over the implementation of the Reservation orders for SCs STs on the Railways by means of inspections conducted by the two Joint Directors along-with the Inspectors of the various Railway establishments.</p> <p>The Committee also note that the Western Railway hold periodical meetings of the Liaison Officers at the Zonal Headquarters to discuss problems relating to maintenance and observance of rosters for the Scheduled Castes Scheduled Tribes.</p> <p>The Committee are of the view that while designating Liaison Officers and their periodically inspecting the units and reporting the progress is a step in the right direction, what infact is needed is concerted action on the part of the Liaison Officers in Western Railway to ensure due compliance by the appointing authorities with the orders and instructions pertaining to the reservation of vacancies in favour</p> |

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of Scheduled Castes and Scheduled Tribes and other benefits admissible to them.

They should also ensure that anomalies and discrepancies which creep in the maintenance of rosters etc. are not allowed to stay for long but are detected and rectified quickly.

The Committee further desire that there should be frequent meetings of the Liaison Officers at the Zonal Headquarters as well as Divisional Headquarters to exchange notes and sort out various problems relating to upkeep of rosters and matters pertaining to the welfare of Scheduled Castes/Scheduled Tribes.

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1.31

As the Cell in the Railway Board has to look after a large number of Zonal Railway, the Committee desire that the present staff strength may be reviewed to ensure that the Cell is able to do justice to the enormous work involved in various Zonal Railways. The Committee have a feeling that the staff strength of the Cell needs augmentation at various level and the cell should be headed by a Director instead of an Additional Director to give it more responsibility.

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2.22

The Committee trust that as per assurance given to them the Western Railway would send their officers to the tribal areas and the campus of the IITs and ITIs more frequently to get the required personnel for various workshops and thus wipe out the backlog of SC/ST employees.

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2.23

The Committee note that the vacancies in Western Railway were not notified over Television for giving wide publicity. The Committee recommend that the service of Doordarshan should also be utilised for giving wider publicity to vacancies for technical posts as per the assurance given by the Secretary, Ministry of Railways (Railway Board) during evidence.

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| 8 | 2.24 | <p>The Committee are distressed to note that during the financial year ending 1985-86, the number of Scheduled Caste and Scheduled Tribe candidates selected in recruitment and in the selection posts filled were far too short of the prescribed quota both in Group 'C' and Group 'D' posts. The Committee recommend that concerted efforts should be made to fill up the prescribed quota of Scheduled Castes and Scheduled Tribes by taking necessary steps immediately.</p> |
| 9 | 2.25 & 2.26 | <p>The Committee are unhappy to note that during the three recruitment years i.e. 1983, 1984 and 1985, no SC ST candidate was appointed through the sports quota in Class III and IV posts. The Committee cannot but express their surprise and dismay that even in Class IV posts which are mainly filled by Scheduled Caste Scheduled Tribe candidates, not a single SC/ST could qualify for appointment through the sports quota.</p> <p>The Committee desire that the policy for recruitment through Sports quota should be reviewed forthwith and ways and means devised for inducting at least ten to fifteen per cent Scheduled Castes Scheduled Tribes employees in the Western Railway through sports quota.</p> |
| 10 | 2.34 & 2.35 | <p>The Committee note that in case the Railway Recruitment Board is unable to recruit and recommend requisite number of Scheduled Castes and Scheduled Tribes against the indent placed by Western Railway for reserved vacancies for class III posts, the General Manager, Western Railway can exercise his special powers to make recruitment of Scheduled Castes and Scheduled Tribes from the open market to wipe out the shortfalls. The Committee are, however, concerned to note that the time taken for such recruitment varies from 12 months to 25 months which is too much.</p> |

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The Committee recommend that the General Manager, Western Railway, should exercise his special powers for recruitment and set the process for selection of Scheduled Caste/Scheduled Tribes candidates in motion immediately after receipt of intimation from the Railway Recruitment Board about their inability to sponsor or recommend the requisite number of Scheduled Caste/Scheduled Tribe candidates to fill up the reserved vacancies so as to minimise the time lag recruitment and safeguard the interests of Scheduled Caste/Scheduled Tribe persons as far as possible.

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2.36

The Committee are surprised to note that in 1983 not a single Scheduled Tribe candidate was appointed in any of the five categories of posts viz. Apprentice, Mechanic, Pharmacist, Stenographer, Staff Nurse and Midwife and in 1984 not a single Scheduled Tribe was appointed in any of the six categories of posts viz. Apprentice, Pharmacist, Stenographer, Tracer, Midwife and Typist under the special powers of General Manager, Western Railway, in spite of a large shortfall of 1620 Scheduled Tribes in category 'C' posts under which all aforementioned posts fall. The Committee would like to be informed of the precise reasons for not appointing Scheduled Tribes for these posts under the Special Powers of General Manager. The Committee recommend that in future the General Manager should exercise his special powers liberally to make recruitment of Scheduled Castes/Scheduled Tribes from open market to wipe out the shortfalls.

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2.37

The Committee also note that a large proportion of SCs/STs recommended for appointment under special powers of General Manager did not join Western Railway. The Committee would like the Western Railway authorities to

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| | | find out the precise reasons therefor and inform the Committee accordingly. If the time taken in completing the recruitment process is too long due to which the candidates who apply for the posts in Railways get employment in the meantime elsewhere, the Railway Ministry should look into this aspect in depth and take suitable remedial measures immediately and inform the Committee of the action taken. |
| 13 | 2.48 to 2.50 | <p>The Committee note that in the matter of engagement of casual labour no roster is required to be maintained but at the time of making recruitment the concerned authorities are required to ensure adequate intake of Scheduled Castes and Scheduled Tribes as per percentage prescribed i.e. 11 per cent and 14 per cent respectively so that there is no difficulty at the time of their regular employment according to the quota reserved for them.</p> <p>The Committee also note that recruitment to Class IV service is made by screening available casual labourers/substitutes in the Western Railway and if requisite number of Scheduled Caste and Scheduled Tribe casual labourers/substitutes is not available to fill the vacancies reserved for them, recruitment is made from the open market.</p> <p>The Committee have been informed that as on 1-3-1986, on the Western Railway out of 21750 casual labourers, 1804 are Scheduled Castes i.e. 8.29 per cent and 1439 are Scheduled Tribes i.e. 6.61 per cent. It shows that at the time of engagement of casual labour proper care has not been taken to ensure adequate intake of Scheduled Castes and Scheduled Tribes as per percentage prescribed. The Committee therefore, recommend that in future earnest efforts should be made by Western Railway to engage at least 11 per cent Scheduled Caste and 14 per cent Scheduled Tribe casual labourers so that at the time of screening the casual labourers</p> |

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| | | for filling Class IV posts against regular vacancies, there is no dearth of SC/ST candidates from amongst the casual labourers. The Committee also recommend that while regularising the casual labourers as Class IV staff, the shortfall in their intake should be made good by recruiting SC/ST candidates from the open market. |
| 14 | 2.51 | The Committee that the authorities concerned should induct one Scheduled Caste/Scheduled Tribe officer of equivalent rank in the screening committee to safeguard the interests of Scheduled Castes and Scheduled Tribes. |
| 15 | 2.65 | The Committee note that recruitment for Class III posts including those reserved for Scheduled Castes and Scheduled Tribes for the Western Railway is made by the Railway Recruitment Boards (RRB). They also note that although RRB have no power to relax minimum qualifications prescribed for such posts, they have full discretion to recommend SC/ST candidates who may obtain lower place in the merit list without detriment to the minimum standards of efficiency in the Administration. The Committee recommend that the Railway Recruitment Boards should exercise their discretion more often though judiciously, to improve the intake of SC/ST candidates in Class III posts, to the maximum extent possible. |
| 16 | 2.66 | The Committee are distressed to note that at present none of the members of the Railway Recruitment Board, Bombay Central, belongs to the reserved community. The Committee recommend that atleast one SC/ST member should be appointed in each of the Railway Recruitment Boards of the Western Railway. |
| 17 | 2.67 | The Committee have been informed that the time lag between the issue of advertisement by the Railway Recruitment Board and the final |

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| | | recruitment varies from about six months to one year and in non-popular technical categories like Clerks and Stenographers etc. where the number of candidates involved is large, time lag is more than a year. |
| | | The Committee, therefore, recommend that Railway Recruitment Boards should (i) make recruitment to non-technical categories annually on a programme basis without waiting for actual indents from the Railway (ii) computerise recruitment work and (iii) augment the staff strength of the Railway Recruitment Boards with a view to reducing such time lag. |
| 18 | 2.68 & 2.69 | The Committee desire that the Railway Recruitment Board and other recruitment authorities in the Western Railway should inform the Employment Exchanges, the reasons, for rejection of Scheduled Caste and Scheduled Tribe candidates sponsored by them to fill the reserved posts so as to enable them to gear up their own machinery to sponsor the right type of candidates in future. |
| | | The Committee further recommend that Railway Recruitment Boards, Western Railway should devise some suitable method to inform the SC/ST candidates the reasons for their rejection in interview so as to enable them to improve upon their performance and qualify in subsequent interviews. |
| 19 | 2.72 | The Committee are happy to note the various concessions/relaxations granted to Scheduled Castes and Scheduled Tribes while making recruitments to Class III services in the Western Railway. The Committee have no doubt that if the Western Railway authorities implement these concessions/relaxations both in letter and spirit, a good number of Scheduled Caste and |

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Scheduled Tribe candidates would be available for recruitment against the reserved vacancies in various categories. However, the Committee do not see any reason as to why no relaxation of marks is allowed for Scheduled Caste and Scheduled Tribe employees for being empanelled for posts in safety categories.

The Committee recommend that relaxation of marks should be allowed to SC/ST employees for being empanelled for the posts in safety categories also.

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2.78

The Committee note that the Western Railway authorities while inspecting Roster Registers maintained at various levels in that Railway had detected various discrepancies such as that they did not indicate the category of post and its scale of pay, the year of recruitment, summary of vacancies filled up during the year and the short-falls of the year etc., the Personnel Officer did not sign the Register at appropriate place in the Roster Register.

The Committee need hardly stress that Rosters are the kingpins on which the whole system of implementation of reservation orders rests. The Rosters should therefore be properly maintained and their checking by the prescribed authorities at regular intervals should be ensured and certificates in token of checks made should also be recorded thereon. Discrepancies noticed during the inspection of rosters should be rectified immediately and brought to the notice of the head of Department. The Committee feel necessary guidelines/instructions should be issued for the benefit of those who are responsible for maintenance of rosters.

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2.79

The Committee also recommend that the Liaison Officers and the staff working under him

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| | | should be trained regarding the maintenance and inspection of rosters. If discrepancies are found during the inspection of rosters action should be taken against the officers responsible therefor. |
| | 2.85 | Deleted |
| 22 | 2.86 | <p>From the figures furnished to them, the Committee are perturbed to note that in 1984 and 1985 the percentage of Scheduled Caste employees promoted has decreased considerably as compared to year 1983, both in class III and class IV categories i.e. as against the percentage of 15.85 for class III and 17.40 for Class IV in 1983, it has come down to 12.81 and 11.6 in 1984 and 11.99 and 13.8 in 1985 respectively. Similarly among Scheduled Tribes the percentages have come down to 5.41 in class III and 5.65 in class IV in 1984 and 5.8 in class III and 6.55 in class IV in 1985 as against 8.56 and 7.85 respectively in 1983. Thus, there is staggering short-fall both in class III and IV categories in Western Railway.</p> <p>The Committee, therefore, recommend that the policy for promotion should be reviewed and made liberal so that more promotional avenues are open for SC ST employees in Western Railways particularly in class III and IV categories. Special efforts like pre-promotion coaching classes for SC ST should also be made to wipe out the shortfall in class III and IV categories, as early as possible.</p> |
| 23 | 2.87 | <p>The Committee also suggest that if requisite number of Scheduled Caste and Scheduled Tribe candidates are not available for promotional vacancies, then the best among the failures who have secured upto 5 per cent less than the required marks may be promoted against the quota reserved for them, both in safety and non-safety categories for a period of six months on <i>ad-hoc</i></p> |

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| | | <p>basis. If during this period their performance is found to be satisfactory, they may be regularised. Otherwise their services may be extended for a further period of six months to enable them to improve upon their performance.</p> |
| 24 | 2.94 | <p>The Committee are unhappy to note that in Western Railway a large number of vacancies have been dereserved during the last three years depriving employment to a large number of SC ST. In safety posts (class III) in the year 1983-84, 79 vacancies of Scheduled Caste and 62 of Scheduled Tribe, in 1984-85, 68 vacancies of Scheduled Caste and 72 of Scheduled Tribe and in 1985-86, 116 vacancies of Scheduled Caste and 87 of Scheduled Tribe have been dereserved. In the case of non-safety posts (class III) also in 1983-84, 56 vacancies of Scheduled Caste and 70 of Scheduled Tribes, in 1984-85, 30 vacancies of Scheduled Castes and 37 of Scheduled Tribes, and in 1985-86, 29 vacancies of Scheduled Castes and 45 for Scheduled Tribes were dereserved.</p> <p>The Committee are surprised to note that even in the case of non-safety (class IV) posts in 1983-84, 2 vacancies of Scheduled Castes and 2 of Scheduled Tribes; and in 1984-85, 7 vacancies of Scheduled Castes and 4 vacancies of Scheduled Tribes were dereserved. Thus, the Committee observe that quite a large number of vacancies have been dereserved in various grades during the last three years depriving employment to many a Scheduled Caste Scheduled Tribe candidates.</p> <p>The Committee are as a principle, opposed to dereservations. They, however, feel that dereservation should be resorted to only when it becomes absolutely necessary and all efforts including special recruitment to locate suitable SC ST candidates have failed.</p> |

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| 25 | 2.97 | <p>The Committee note that in 1983, 21 Scheduled Castes were appointed against the carry forward reserved vacancies for Scheduled Tribes while during the last three years in 1983, 1984 and 1985, no Scheduled Tribe was appointed against the carried forward reserved vacancies for Scheduled Castes. The Committee also note that in 1984 and 1985 there was no exchange of carried forward reserved vacancies for Scheduled Castes and <i>Vice-versa</i>.</p> <p>The Committee feel that ordinarily vacancies reserved for Scheduled Castes and Scheduled Tribes should be filled in by the candidates belonging to the respective communities only so that the need to fill in the vacancies reserved for Scheduled Castes by Scheduled Tribes and <i>vice versa</i> at the end of third year of the carry forward of vacancies is obviated. The Committee would, therefore, request that all possible efforts should be made by the Western Railway authorities to find Scheduled Caste and Scheduled Tribe candidates for the posts reserved for them. If, however, such candidates are not available to fill all the reserved posts, then the exchange of vacancies should be resorted to in the very first year or in the second year so that in the eventuality of not getting a suitable SC ST candidate in the third year, the reserved vacancy may not lapse.</p> |
| 26 | 3.14 | <p>The Committee note that the reservation quotas have not been fulfilled in the Western Railway, and there is shortfall in almost all categories of posts. In category 'B', shortfall is 0.5 per cent in the case of SCs and 3.7 per cent in the case of STs. In category 'C' shortfall is 1.6 per cent for SCs and 1.7 per cent for STs.</p> <p>The Western Railway have assured the Committee during evidence that they have started a</p> |

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special drive to complete the shortages within six months. The Committee need hardly emphasise that there is imperative need to strictly follow the reservation orders so that all the reserved vacancies for SCs|STs are actually filled in by them. The Committee hope that the Western Railway would wipe out the shortfalls within six months as per their assurance given to the Committee. The Committee would also like to be apprised of the results achieved as a result of special drive launched by the Western Railway to wipe out the shortfalls.

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3.14A

The Committee note with unpleasant surprise that no special recruitment of SC|ST was made by any of the Western Railway Recruitment Boards during the last three years. The Committee would like that the Railway Recruitment Boards of Western Railway should also make special recruitment of Scheduled Castes|Scheduled Tribes candidate to wipe out the shortfall briskly.

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3.16

The Committee regret to note that due to various court decisions, reservation for Scheduled Castes and Scheduled Tribes in Western Railway were restricted to 15 per cent and 7½ per cent respectively and no crash programme could be launched for recruitment of SC|ST against the shortfall quota.

The Committee feel that SC/ST candidates have been subjected to great injustice and have been deprived of employment opportunities by such restriction as according to a Supreme Courts' decision fifty per cent posts can be filled up in any recruitment by SC|ST candidates against the reservation quota.

The Committee, therefore, recommend that if a number of reserved vacancies are not filled for

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| | | a period of two years, special drive for recruitment, particularly in 'C' and 'D' categories, which are feeder cadres, should invariably be launched to fill up the backlog of reserved vacancies. |
| 29 | 3.17 | The Committee suggest that in the Personnel Department there should be at least one or two Scheduled Caste/Scheduled Tribe higher level officers to instil greater confidence amongst SC/ST employees in Western Railway. |
| 30 | 3.26 | The Committee regret to note that there are no special training centres for giving in-service training to SC/ST employees. The Committee feel that special training centres for giving in-service training especially for those Scheduled Caste/Scheduled Tribe employees who have been promoted under the scheme of "best among the failures" by lowering the standards should be initiated on a <i>regular basis</i> . The Committee believe that it will instil confidence among them and bring them upto the required standard of efficiency. |
| 31 | 3.27 | The Committee note that in 1983, out of 214 officers only 19 SCs and 4 STs; in 1984 out of 235 officers only 19 SCs and 4 STs and in 1985 out of 284 officers only 18 SCs and 6 STs were given opportunities for attending Institutional training/seminars/symposia/conferences etc. The Committee feel that SC/ST officers have not been given due representation to avail of these opportunities. The Committee would like to emphasise and recommend that in future at least ten per cent Scheduled Caste and five per cent Scheduled Tribe out of the total number of officers selected should be allowed to avail of such opportunities for attending institutional training/seminars/symposia etc. It will go a long way to instil a feeling of self-confidence among them and also to broaden their outlook. |

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| 32 | 3.30 | <p>The Committee note that the Ministry of Railways (Railway Board) analyse on receipt from the Western Railway yearly statements showing the progress made in the intake of Scheduled Castes and Scheduled Tribes against vacancies reserved for them in recruitment and promotional categories and half yearly statement of Receipt and Disposal of Complaints from Scheduled Caste Scheduled Tribe employees, quarterly, statement of supersession of Scheduled Castes and Scheduled Tribes to promotion and non-selection posts. The Committee have further been informed that as a result of analysis Ministry of Railways (Railway Board) has ordered only recently a special drive to clear the backlog within six months. The Committee do hope that within six months all the backlog would be cleared. The Committee consider the proper compilation of returns and their timely submission to the Ministry of Railways (Railway Board) very important, as these returns are the only mechanism by which the proper implementation of the Reservation Orders in favour of Scheduled Castes and Scheduled Tribes can be watched. The Committee, therefore, emphasise that there should be no laxity in the proper compilation and timely submission of the returns by the Western Railway. The Committee also hope that the Ministry of Railways (Railway Board) will continue to make a thorough and analytical study of these statements and take prompt and effective measures to remove the deficiencies noticed for proper implementation of reservation orders.</p> |
| 33 | 4.7 | <p>The Committee are concerned to note that out of 1184 complaints received from SC/ST employees during a year (1-4-85 to 31-3-86) only 972 were disposed of. Further, out of these 972 only</p> |

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388 i.e. 39.9 per cent complaints were decided in favour of SC/ST employees and 584 i.e. 60.1 per cent complaints were decided against SC/ST employees. This is a disturbing factor and needs to be looked into.

In the opinion of the Committee 212 cases pending disposal at the end of the year 1985-86 is on the high side and calls for gearing up of the whole machinery responsible for looking after the interests of SC/ST. The Committee further note that out of 212 cases, 150 relate to promotions and 23 about seniority. The Committee feel that since these cases have a bearing on the career and future prospects of the persons concerned, they should be decided without further delay as justice delayed is justice denied.

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4.8

The Committee have been informed that "during 1984-85, the Senior Personnel Officer and Chief Reservation Officer inspected 21 offices and the officer in Special Duty, Bombay, inspected 37 offices and found some complaints/irregularities regarding promotion, seniority and harassment but no major or serious complaint came to notice."

The Committee are perturbed to note that Western Railway do not consider complaints regarding promotion and seniority as serious complaints and treat them as of minor importance.

The Committee need hardly stress that all such complaints from Scheduled Caste and Scheduled Tribe employees particularly those having bearing on promotion and service prospect should be given due care and of attention and should be processed and disposed of sympathetically with-

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| | | in the shortest possible time to create confidence among SC/ST employees and to instil in them the feeling that their interests are looked after well. |
| 35 | 4.9 | The Committee further recommend that grievances Register should at least be checked quarterly by the Liaison Officer/Senior Personnel Officer and also by the Head of Division concerned during the course of their inspection to ensure prompt disposal of complaints/representations received from SC/ST employees and quarterly reports submitted to the Headquarters of Western Railway and also to the Ministry of Railways (Railway Board) for their information. |
| 36 | 4.16 | The Committee are distressed to note that out of 16, 8 and 20 Scheduled Caste apprentices trained during 1983, 1984 and 1985 respectively, only 1 each was absorbed in 1985. The position in case of Scheduled Tribe apprentices is all the more disappointing as out of 17, 15 and 9 Scheduled Tribes trained during 1983, 1984 and 1985, not a single Scheduled Tribe trainee was absorbed in Western Railway. The Committee desire that notifications for employment should be given wide publicity so that more and more Scheduled Caste/Scheduled Tribe apprentices may apply for employment under the Apprentices Act. The Committee hope that in future more Scheduled Castes/Scheduled Tribes would be taken and trained under the Apprenticeship Scheme. The Committee also recommend that all SC/ST trainees after their successful training should be absorbed in Western Railway. They should also be given preference over other candidates while making selection for the posts for which they apply. |

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| 37 | 4.19 | <p>The Committee note that in respect of quarters in essential categories, no reservation in the matter of allotment has been provided for Scheduled Caste/Scheduled Tribe candidates. The Committee desire that in the allotment of quarters in essential categories, SC/ST employees of this category should be given preference.</p> |
| 38 | 4.20 | <p>From the data furnished to the Committee, the Committee note that out of 26727 Type II quarters, only 755 quarters have been allotted to SCs and 580 to STs; and out of a total 46745 Type I quarters only 2052 have been allotted to SCs and 1941 to STs which come approximately to 5 per cent and 8 per cent respectively. Thus, the prescribed reservation quota of 10% for SC/ST in case of Type I and Type II quarters has not been fulfilled. The Committee desire that the shortfall in the allotment of Type I and II quarters should be made up and in future the prescribed percentage of reservation for SC/STs in allotment of quarters should be strictly adhered to.</p> |
| 39 | 4.25 | <p>The Committee note that the number of catering/vending contracts for stall/trolleys on the Western Railway is 1543 out of which 133 catering/vending contracts are held by persons belonging to Scheduled Caste/Scheduled Tribes. The Committee feel that this cannot be considered a satisfactory position particularly when it is claimed that Contract of stalls/Trolleys of 1/2-unit each are reserved for Scheduled Caste/Scheduled Tribe persons and applications in such cases are called for exclusively from candidates belonging to Scheduled Caste/Scheduled Tribe only.</p> |
| <p>The Committee note that it has been provided in the 'Brochure on Reservations for Scheduled</p> | | |

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Castes and Scheduled Tribes in Railway Services' that at least 10 percent of employees of vending and catering contractors should belong to Scheduled Castes and Scheduled Tribes.

From the statistics furnished to the Committee, they have an apprehension that even 10 per cent quota is not being observed. The Committee recommend that Western Railway authorities should implement the aforesaid orders meticulously in letter and spirit on the Western Railway.