

**COMMITTEE ON THE
WELFARE OF
SCHEDULED CASTES AND
SCHEDULED TRIBES
(1995-96)**

**(TENTH LOK SABHA)
SIXTY-FIFTH REPORT
MINISTRY OF HEALTH AND FAMILY WELFARE
(DEPARTMENT OF HEALTH)**

Reservation for and employment of Scheduled Castes and Scheduled Tribes
in Central Medical Institutes and Colleges including reservation for SCs and
STs in admission therein.



*Presented to Lok Sabha on 12.3.1996
Laid in Rajya Sabha on 12.3.1996*

**LOK SABHA SECRETARIAT
NEW DELHI**

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<u>Page</u>	<u>Para</u>	<u>Line</u>	<u>Correction</u>
2.		28	For <u>Rameshwar</u> Read <u>Kameshwar</u> .
5.	1.21	20	For <u>over</u> Read <u>form</u>
6.	1.22	3	For <u>was</u> Read <u>were</u>
14.	2.29	3 (from below)	For <u>is</u> Read <u>are</u>
20.	2.40	3 (from below)	Add before 'hamper' <u>so that it does not</u>
21.	2.47	7 & 8 (from above)	Add <u>brackets</u> starting from Dr. Suresh ending with others.
22.	2.49	9	For <u>institution</u> of Read <u>institutional</u>
23-24.	2.57		Delete para No. 2.57.
24.	2.60	4	For <u>SCs/STs</u> Read <u>SCs/STs</u> which
27.	2.65	For 1991(Table '15')	For <u>MIL 6.12.4</u> Read <u>1.3.16. and 8</u>
40.	2.124	Table 'A'	For <u>503</u> Read <u>5.3</u>
44.	3.5	13	Add the following words after <u>But:</u> <u>"the present Attorney General, in his opinion dated 31-3-1993, has misinterpreted the meaning not only of the relevant Articles of the Constitution but also of the three aforesaid Supreme Court judgements (vide p. 52)" the first letter of the next word "he" should be read He.</u>
48.	3.21	4	For 1980 Read 1990.
48.	3.22	12 & 13 (from below)	<u>Delete</u> the words <u>by the institute</u>
53.	3.44	Last	For <u>sets/posts</u> Read <u>seats/posts</u> .
63.	Appendix 1.22	10 & 22	For <u>was</u> Read <u>were</u> For <u>which</u> Read <u>with</u> .
66.	2.17	3	For <u>reservations</u> Read <u>reservation</u> .
66.	2.29	2	For <u>is</u> read <u>are</u> .
66.	2.29	last	Delete the word <u>above</u> at the beginning of the line.
68.	2.47	last three lines at bottom	Add brackets starting from Dr. Suresh..... and ending with others.
69.	2.47	3	For <u>keping</u> Read <u>keeping</u>

9. 2.49 3 & Delete after PGI
6 For institution of Read
institutional.
9. 2.53 Last For is Read was.
10. 2.55 21 For Courts Read Court's.
1. 2.57 To be deleted as the entire recommendation No. 22 (para 2.75) the same as recommendation No. 14 (para 2.40) on page 68.
2. 2.60 6 Add which after the SCs/SIs.
3. 2.66 7(from below) For not Read no
3. 2.81 First Add the word in JIPMER after the word that.

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**COMMITTEE ON THE WELFARE OF
SCHEDULED CASTES AND
SCHEDULED TRIBES
(1995-96)**

Shri Paras Ram Bhardwaj—Chairman

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1. Shri G.C. Malhotra — *Joint Secretary*
2. Shri Babu Ram — *Deputy Secretary*

INTRODUCTION

1. I, the Chairman, Committee on the Welfare of Scheduled Castes and Scheduled Tribes, having been authorised by the Committee to finalise and submit the Report on their behalf, present this Sixty-Fifth Report (Tenth Lok Sabha) on the Ministry of Health and Family Welfare—Reservation for and employment of Scheduled Castes and Scheduled Tribes in Central Medical Institutes and Colleges including reservation for SCs/STs in admission therein.

2. The Committee took evidence of the representatives of the Ministry of Health and Family Welfare and the representatives of Central Medical Institutes and Colleges on 8.9.1993 and 19.4.1995. The Committee wish to express their thanks to the officers of the Ministry of Welfare and Central Medical Institutes and Colleges 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 11 March, 1996.

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

NEW DELHI;
March, 1996

Phalguna, 1917 (S)

PARAS RAM BHARDWAJ,
*Chairman,
Committee on the Welfare of
Scheduled Castes and
Scheduled Tribes.*

CHAPTER I

ORGANISATIONAL MATTERS

1.1 Monitoring and Implementation of Reservation Orders by the Ministry of Health and Family Welfare (Department of Health).

1.2 The Committee have been informed that at present the following Central Medical Institutes and Colleges are under the control of or aided by the Ministry of Health and Family Welfare :

- (i) Jawaharlal Institute of Post Graduate Medical Education and Research, Pondicherry.**
- (ii) National Institute of Mental Health and Neuro Sciences, Bangalore.**
- (iii) All India Institute of Hygiene and Public Health, Calcutta.**
- (iv) All India Institute of Physical Medicine and Rehabilitation, Bombay.**
- (v) Central Institute of Psychiatry, Ranchi, Bihar.**
- (vi) Mahatma Gandhi Institute of Medical Sciences, Wardha.**
- (vii) All India Institute of Medical Sciences, New Delhi.**
- (viii) Post Graduate Institute of Medical Education and Research, Chandigarh.**
- (ix) Lady Hardinge Medical College, New Delhi.**

1.3 The Committee were informed that out of the above mentioned nine institutes/colleges, only Mahatma Gandhi Institute of Medical Sciences, Wardha was partly funded by the Central Government, partly by the Maharashtra State Government and partly by its own resources whereas all other institutes/colleges were fully funded by the Central Government.

1.4 During evidence when the Committee desired to know whether all the nine institutes/colleges mentioned above were following reservation policy in favour of SCs and STs in Post-Graduate Courses, the Secretary, Ministry of Health and Family Welfare replied that except the National Institute of Mental Health and Neuro Sciences, Bangalore and Lady Hardinge Medical College, New Delhi which are under the University of Bangalore and University of Delhi respectively, all other Medical Institutes/colleges under the control of or aided by the Ministry were following reservation policy in admissions to Post Graduate Courses. It was simultaneously stated that after the persuasion of the Ministry, NIMHANS had started giving reservation to SC/ST students in admissions to P.G.

courses from 1992 whereas LHMC, New Delhi was not able to implement the Ministry's direction that there should be full reservation as far as post-graduate courses are concerned because of a different policy being followed by the Delhi University.

1.5 When the Committee pointed out that if LHMC was controlled and hundred percent funded by the Ministry of Health and Family Welfare why couldn't the Ministry compel LHMC to give reservation to SC/ST students in P.G. courses, the representative replied that the admission policy of LHMC was framed, examination conducted and conditions of examination were laid down by Delhi University which was under the administrative control of the Ministry of Human Resource Development (Department of Education).

1.6 It was elaborated that the Ministry of Health and Family Welfare (Department of Health) had been taking up the matter with Delhi University with a view to making the latter follow the general guidelines of the UGC as well as the instructions of the Ministry so far as reservation in admission to P.G. courses were concerned. The Union Health Secretary addressed a D.O. letter on 7.11.1991 to the Education Secretary to do the needful. Copies of the letter were also addressed to the Secretary, University Grants Commission and Vice-Chancellor, Delhi University. In addition, the Department of Education addressed a letter dated 21.5.1992 to the Vice-Chancellor of Delhi University to strictly follow the reservation guidelines in respect of P.G. Courses.

1.7 During further evidence on 22.4.1994 the Chairman, UGC stated to the Committee:—

"We have been writing to Delhi University and other Universities asking them to implement the policy relating to SCST. We have also a number of meetings with them and tried to impress upon them that this has to be implemented. In fact, about 6 months ago we had a meeting with the Vice-Chancellors of Central Universities and again requested them to implement this".

1.8 When the Committee desired to know the views of the Vice-Chancellor, Delhi University in the meeting held with the Chairman, UGC, it was stated by the Chairman, UGC that he agreed in principle to provide reservation to SCST candidates in post-graduate courses in the medical colleges under Delhi University. But there is opposition in the Academic Council which is of the view that at certain levels they should go by merit. It was added that the Vice-Chancellor has to act in accordance with the decision of the authorities of the university which were vested in the Faculty, the Academic Council and the Executive Council.

1.9 When the Committee specifically desired to know whether the UGC had no power whatsoever to see that their directives were implemented, the Chairman, UGC replied that the Commission examined the legal position sometime ago whether giving grants to the Universities which did

not follow the UGC directives regarding implementation of reservation policy could be stopped. But the opinion and advice was given that there was no such provision in the UGC Act to stop grants.

1.10 The Committee enquired whether the Department of Education had any powers to give directions to the University. In reply the Secretary, Department of Education stated that giving directives to the University may not be really confined only to this one issue. The moment there is a power vested with the Government for giving directives to the University, it can touch many other spheres and might compromise the autonomous character of the universities. For preserving this autonomy of the universities, the Government in many cases, does not even directly interact with these Universities. Through constant persuasion and review the implementation of reservation policy in Universities is safeguarded.

1.11 To a specific query of the Committee during evidence as to whether other Medical Institutes/Colleges over whom the Central Government had no say were following the reservation policy, the representative replied that there were certain Universities and States where the reservation according to their expectation was not being done.

1.12 When the Committee wanted to be apprised of the measures taken by the Union Government to persuade the Universities/State Governments to adhere to the reservation policy in their respective Medical Institutes/Colleges, the Secretary, Ministry of Health and Family Welfare replied that the UGC had prepared very comprehensive guidelines about reservation which has been circulated to the Universities and all of them had been asked to follow the guidelines. On their part the Ministry has been writing to the State Governments requesting them to fully follow up reservation orders. Even the Health Minister has written to the Chief Ministers and the Health Secretary has written to the Chief Secretaries and the Vice-Chancellors requesting the State Governments and Universities to scrupulously adhere to the orders/instructions of the Union Government in matters of reservation for SCs and STs. The representative summed up:—

“We have been making all out efforts to see that reservation policy is followed all over the country”.

1.13 As regards the Organisational Set up in the Ministry of Health and Family Welfare (Department of Health) to monitor the implementation of reservation orders in the Central Medical Institutes/Colleges under the control of or aided by the Ministry, the Committee have been informed that the Ministry had nominated an officer of the rank of Joint Secretary to act as Liaison Officer to oversee matters pertaining to SCs and STs. An SCST Cell consisting of one Assistant, one LDC and one peon all of whom belong to SCST community has been set up in the Ministry under the direct control of the Liaison Officer.

1.14 The Committee have also been informed that the Liaison Officer appointed in the Ministry has been periodically inspecting various rosters maintained by the Establishment Sections in the Ministry/DGHS. In addition, rosters maintained by AIIMS, New Delhi and PGI, Chandigarh have also been inspected.

1.15 During evidence when the Committee desired to know the *modus operandi* of the Ministry to check rosters maintained by different institutes/colleges under its administrative control, it was replied that sometimes the Liaison Officer deputed somebody to examine the rosters of various organisations and sometimes he did it himself.

1.16 To a query of the Committee, it was replied that the person responsible for the inspection of rosters always gave his comments in the inspection report upon which suitable action has been taken by the Ministry. The Secretary, Ministry of Health and Family Welfare further clarified that sometimes he himself oversaw the inspection of rosters and wherever any discrepancy/shortcoming was found in the maintenance of rosters he asked the concerned authorities to rectify the same.

Medical Council of India

1.17 As regards the composition of the Medical Council of India the following information has been furnished to the Committee:

- (a) One member from each State other than a Union Territory to be nominated by the Central Government in consultation with the concerned State Government.
- (b) One Member from each University to be elected from amongst the Members of the Medical Faculty of the University by Members of the senate of the University or in case the University has no senate, by Members of the Court.
- (c) One Member from each State in which a State Medical Register is maintained to be elected from amongst themselves by persons enrolled on such Register who possess the medical qualifications included in the First or Second Schedule or in Part II of the Third Schedule.
- (d) Seven Members to be elected from amongst themselves by persons enrolled on any of the State Medical Registers who possess the Medical qualifications included in Part I of the Third Schedule.
- (e) Eight Members to be nominated by the Central Government.

1.18 During evidence when the Committee desired to know whether there was any provision in the Indian Medical Council Act to include SC/ST Members in the Medical Council of India and whether at present there was any person belonging to SC/ST Community in the Medical Council of India, the Secretary, Ministry of Health and Family Welfare replied that he was not able to say, as to whether there was any person belonging to SC/ST Community in the present Medical Council of India. He

simultaneously apprised the Committee that there was no provision in the Indian Medical Council Act for nominating anybody on the basis of reserved category to the Council.

1.19 When the Committee sought the opinion of the Ministry with regard to an amendment of the Act so that a provision could be incorporated for nominating persons belonging to SCST category to the Medical Council, the representative replied:

"The question of amending the Indian Medical Council Act had been considered by a Joint Select Committee of Parliament which gave its report in 1989. But the Joint Select Committee has not recommended any particular nomination of SCST members in the Council."

1.20 When the Committee further enquired whether the Government by passing a resolution, can consider nominating an SCST Member to the Council, the Secretary, Ministry of Health and Family Welfare replied:

"Some persons are nominated (to the Council) by the Government of India. In that category some reserved category candidates can be considered. We will consider that."

1.21 The Committee note that there has been a significant change in furnishing the present list of Institutes/Colleges under the control of or aided by the Central Government over a similar list provided to the Committee in 1982-83. The maintained institutes/colleges of the Central Universities and also those administered by the Union Territories have been dropped from the present list. This exclusion is obviously not justified because these institutions are under the control of and fully aided/funded by the Central Government.

1.22 The Committee are constrained to note that the Lady Hardinge Medical College which is under Delhi University and is fully funded by the Ministry of Health and Family Welfare is not providing reservation to SCs and STs in admission to Post-Graduate Courses despite being advised by the Deptt. of Health, Deptt. of Education and University Grants Commission to do so. When other Institutes/Colleges like Mahatma Gandhi Institute of Medical Sciences which is partly funded by the Central Government and National Institute of Mental Health and Neuro Sciences which is under the University of Bangalore are Providing reservation to SCs and STs in admission to Post-Graduate Courses, the Committee fail to understand what would have been the constraints on the part of Delhi University in doing so in the case of Lady Hardinge and other Medical Colleges.

In this connection, it is very relevant to refer to the statement given below made by the representative of Ministry of Health during evidence before the Committee of 1982-83, as recorded on Page 12 of its fortieth report presented to Lok Sabha on 29-4-83, it was stated as follows:—

"So far as the institutions which are under our direct control are concerned, we have no problem. They conform to what we want them

to do. The problem arises in regard to Universities which are being set up under the State Acts. As far as those universities are concerned, if the UGC Act was to be amended, that would help.

After all the UGC gives grants not only for Medical education but for the whole gamut of education. They can say that unless and until the reservation policy is adhered to in regard to all faculties under them, whether it is the faculty of medical education or technical education or legal education or what you have, they will not give the grant. If a provision like that was embodied in the UGC Act and if our concurrence is required, we will strongly support it. It is that Act which is a crucial Act. It is the University Grants Commission with a substantial amount of money at their disposal which is funding not only Central Universities but also other Universities."

1.23 The Committee also note that the Ministry of Health was agreeable during 1982-83 to offer its strong support for embodying a suitable provision in the UGC Act which is crucial in enforcement of the UGC directives, but no action appears to have been taken for the last thirteen years. The Committee very much deplore it and cannot accept the plea of the UGC's inability to take action. The Act should, therefore, be suitably amended without any further loss of time.

1.24 The Committee would also like to impress upon the Government to see that the so-called autonomy does not amount to autocracy in flouting the constitutional directives and the consequent Government policy regarding reservation. When the persuasive methods have failed so long, it is high time to take positive action.

1.25 The Committee note that the Liaison Officer appointed in the Ministry has been periodically inspecting various rosters maintained by the Establishment Sections in the Ministry/DGHS, AIIMS and PGIMER. They also note that the comments made by the inspecting authority in his inspection report are given due weightage by the Ministry and the Secretary himself sometimes oversees the inspection of rosters and rectifies mistakes wherever necessary. The Committee feel that it is a step in right direction and would like the Ministry to continue the procedure in future also. They recommend that the Liaison Officer in the Ministry should also periodically check the rosters maintained by rest of the Medical Institutes/Colleges which are either under the control of or aided by the Ministry of Health and Family Welfare so that any aberration in the maintenance of rosters is timely avoided. The SC/ST Cell should be expanded and strengthened for this purpose.

1.26 The Committee note that in the Indian Medical Council Act there is provision for nominating eight members to the Council by the Central Government. However, it does not contain any provision for nominating anybody belonging to SC/ST community to the Council. The Committee suggest that the Government should take early steps to include at least one

or two persons belonging to SC/ST community while nominating members to the Council, as promised by the Secretary of the Ministry during his evidence before the Committee.

CHAPTER II

RESERVATION IN SERVICES

A. All India Institute of Medical Sciences

2.1 The reservation policy as laid down by the Government in favour of SCs and STs is applicable for appointment in Direct Recruitment and in Promotions to all the groups of Secretarial, Technical and Teaching Posts. It has further been stated that recruitment in AIIMS for Group C and D posts is done at regional level whereas for Group B and A posts (including Faculty Posts) recruitment is done at All India basis. The reservation percentage fixed for SCs and STs in Direct Recruitment, where there is no element of written test, is 16.5% and 7.5% respectively. In promotion reservation has been fixed at 15% for SCs and 7.5% for STs.

2.2 When the Committee desired to know the categories of Secretarial, Technical and Teaching Posts which are exempted from the provision of reservation orders and the reasons therefor, it was stated that in Secretarial and Technical posts no category had been exempted from the purview of reservation orders whereas in teaching posts reservation was being done at entry level of Asstt. Professors. Other Posts viz., Associate Professors, Additional Professors and Professors are kept outside the purview of the reservation orders in terms of the Government of India, Deptt. of Personnel & A.R. O.M. No. 9/2/73-EST(SCT) dated 23.6.75 as these posts are meant for conducting research or organising, guiding and directing research classified as Scientific and Technical in terms of Cabinet Secretariat (Deptt. of Cabinet Affairs) O.M. No. 85/11/CF-61(i) dated 28.12.61.

2.3 During evidence it was elaborated that in 1972, the institute body of AIIMS had consciously decided that AIIMS being an institute of national importance and the work being of essential, technical and scientific in nature no reservation in faculty posts should be made applicable. Later on in 1983, the Governing Body of the Institute took a decision that the policies of Government with regard to reservation should apply to faculty posts also.

2.4 The representative of the Ministry further informed the Committee that, reservation was originally applied to the post of Lecturer which was the lowest faculty post at that time. Later on the post of Lecturer was abolished and the post of Assistant Professor was made the lowest post. The Director, after consulting the Staff Council, took the view that reservation orders should apply to Assistant Professors only and since then

reservation has been made applicable to the post of Asstt. Professor and not beyond that.

Recruitment policy and procedure

2.5 As regards the recruitment policy followed in the AIIMS, the Committee have been informed that the institute sends requisition to the Employment Exchanges for Group C and D posts to be filled by Direct Recruitment, Group B and A posts which include medical and non-medical faculties are filled by advertisement on All India basis. Post reserved for SCs and STs are indicated in the advertisement. It has further been stated that concession/relaxation as permissible under the rules, i.e., age relaxation, experience etc. are allowed to SC/ST candidates.

2.6 From a statement showing the number of vacancies filled in AIIMS during the year 1991 and the number of SCs and STs among them it has been observed that out of 196 vacancies filled in Group C posts 16 SCs and 14 SCs were given appointment whereas 70 SCs and 38 STs vacancies were carried forward.

2.7 During evidence when the Committee desired to know the reasons for carrying forward such a large number of vacancies reserved for SCs and STs in Group C posts, the representative submitted that those were technical posts in which sufficient number of candidates belonging to SC/ST category were not available. He gave an example of the posts of nurses, radiographers, physiotherapists, technical assistants etc. to which SC/ST candidates were not attracted. He specifically pointed out that 180 odd posts of nurses were lying vacant in AIIMS.

2.8 The Committee expressed its surprise over the fact that when thousands of nurses had registered their names in the Employment Exchanges, what would have been the difficulties on the part of AIIMS to recruit them in adequate number. In reply it was stated that the Employment Exchanges had been contacted frequently and the details in this regard would be furnished to the Committee later on.

2.9 During the post-evidence information, the Committee were informed that as on 1.3.92, there was a backlog of 188 posts of nurses in AIIMS. To fill up these posts efforts were made by sending requisitions repeatedly to Employment Exchange for nomination of candidates. After the Employment Exchange gave non-availability certificate the posts were advertised. Besides, the Ministry of Labour and various SC/ST organisations were requested to help and locate the candidates. A communication was also sent to the Health Secretaries of the States to locate SC/ST candidates for the reserved posts but there was no response.

2.10 The Committee were further informed that with a view to increasing the representation of nurses in various Central Medical Institutes/Colleges the feasibility of recruitment for all the organisations, under the Central Government situated in Delhi by a Central Agency was explored and a Committee in this regard was constituted for recruitment of nurses. But this effort also did not improve the situation subsequently.

2.11 In the supplementary information furnished to the Committee, it was stated that out of 188 vacancies of nurses in AIIMS 43 vacancies were filled thereby leaving the unfilled vacancies at 145.

Staff Strength, Shortfalls and Special Recruitment Drive

2.12 As regards the total staff strength in AIIMS in various categories of posts as on 1.1.92 and the number and percentage of SCs and STs amongst them was stated to be as under:—

Group of post	Total No. of employees	No. of employees		Percentage		Shortfall		%Shortfall	
		SC	ST	SC	ST	SC	ST	SC	ST
'A'	400	19	6	4.75	1.5	41	24	10	6
'B'	185	21	2	11.3	1.08	6	11	3	6
'C'	2787	374	83	13.4	1.08	44	126	1	5
'D'	1403	533	66	37.9	4.7	—	39	—	3

2.13 After analysing the above statements when the Committee desired to know the reasons for such a large number of shortfalls in the posts reserved for SCs and STs, especially in Group 'C', it was replied that the posts of staff nurses reserved for SC/ST candidates, as mentioned above, could not be filled up due to non-availability of such candidates. In Group D all the reserved posts have since been filled up and efforts are being made to fill up reserved posts in Group C under the Special Recruitment Drives.

2.14 As regards the efforts made by the Institute to locate SC/ST candidates against the reserved vacancies, the Committee were informed that posts reserved for SC/ST candidates were advertised in all leading newspapers in the country. Besides notifying the vacancies in the local Employment Exchange wide publicity was also given through T.V. and Radio.

2.15 To a specific query of the Committee as to the total number of Asstt. Professors (upto which reservation orders are at present applicable) appointed in AIIMS during the years 1991, 1992 and 1993 and the number

and percentage of SCs and STs amongst them, the following information was furnished.

Year	Total No. of vacancies advertised	Reserved		Carried forward from pre. year		Total		Filled in		Carried forward to next year	
		SC	ST	SC	ST	SC	ST	SC	ST	SC	ST
1991	36	6	2	4	5	10	7	7	—	3	7
1992	56	6	4	3	7	3	11	—	—	8	11
1993	15	3	—	9	11	12	11	11	3	—	8

2.16 The Committee are disappointed to note that during the year 1991 out of 196 vacancies filled in Group C posts in AIIMS only 16 SCs and 14 STs were given appointment whereas 70 SC and 30 ST vacancies were carried forward. The plea that non-availability and unwillingness of SC/ST candidates to join as nurses, radiographers, physiotherapists, technical assistants etc. has been a cause in accumulating shortfalls in Group C posts is hardly convincing to the Committee as has been proved by the fact that when AIIMS got into touch with the Employment Exchanges frequently besides taking other measures it was able to recruit 43 nurses. The Committee are also constrained to note that as on date there is still a backlog of 167 posts in Group C posts. It compels the Committee to come to the conclusion that there is a lack of effort somewhere on the part of AIIMS to recruit adequate number of SC/ST people in Group C category. They, therefore, recommend that besides contacting the Employment Exchanges regularly and requesting the Ministry of Labour and various SC/ST Associations periodically to help and locate suitable SC/ST candidates. AIIMS should continue launching Special Recruitment Drives vigorously till the backlog vacancies in Group C and other categories are completely wiped out.

2.17 The Committee are dissatisfied to note that out of 109 posts of Asstt. Professors filled during 1991, 1992 and 1993 in AIIMS only 18 and 3 persons belonging to SC and ST category respectively were given appointment whereas their corresponding numbers should have been 31 and 29 taking into consideration the posts reserved for them during these three years and posts carried forward from previous years. Moreover, there is no evidence to show that efforts were ever made by AIIMS to fill up the backlog vacancies in SC/ST category in Assistant Professors cadre. The Committee, therefore, strongly recommend that AIIMS should immediately launch Special Recruitment Drives with a long-term perspective in view so that adequate number of Assistant Professors belonging to SC/ST category are appointed to give them due representation in each Deptt./discipline. In the opinion of the Committee due representation of SC/ST persons in this category has to be fully made up keeping in view the fact that reservation has not so far been made applicable over and above the post of Asstt. Professors. The Committee find a clear contradiction in the position stated in respect of applying reservation to the faculty posts. It is clear that till 1983 there was no reservation at all in regard to faculty posts and in the

1983 resolution of the Governing Body of the Institute there is no stipulation to restrict the reservation to the lowest entry level faculty post only. In the opinion of the Committee, how can the Director go over the head of the Governing Body in making such restrictions.

2.18 The Committee also urge upon the Government to see that AIIMS also fall in line with the reservation policy as applicable to all teaching posts in view of this Governing Body Resolution of 1983.

Promotions

2.19 As regards the promotion policy followed in AIIMS in Secretarial, Technical and Teaching posts, the Committee have been informed that the promotion policy of the Institute is as per the recruitment rules laid down for various posts. It was further elaborated that prior to March, 1993 almost all the posts in Groups A, B, C & D were filled by direct recruitment. However, a cadre review committee was constituted which revised the various cadre of posts in the Institute and submitted its report wherein direct entry was provided at the lowest level of each cadre. In other words, above the entry level of each cadre all the posts were made promotional.

2.20 When the Committee wanted to know whether this Institutional policy would go against the interest of eligible SCST candidates from outside for selection to posts of Associate Professors, Addl. Professors, it was replied that the promotional policy adopted by the Institute would in no way jeopardise the prospects of reserved category candidates as those recruited as Asstt. Professors would get automatic promotions to the posts of Associate Professors/Addl. Professors subject to their fitness being adjudged by the appropriate body.

2.21 AIIMS has been adopting the following methods for promotion to higher posts:—

- (i) Seniority cum fitness: after completing the requisite number of years of service at the Institute.**
- (ii) Selection on the basis of Merit-cum-seniority after fulfilling the eligibility criteria.**
- (iii) By transfer from the Institute employees.**

2.22 When the Committee desired to know what concessions/relaxations were allowed to SCST employees while considering them for promotion it was replied that in promotions although the rules did not provide any concessions in experience, i.e., relaxation of eligibility in the years of services rendered, yet where no candidates were available in the zone of consideration against the reserved vacancies, the zone of consideration was extended to five time of the number of vacancies to cover the SCST candidates. On the recommendations of the Departmental Promotion Committee the SCST candidates are appointed against the reserved posts, even if they do not fulfil the eligibility service prescribed for the posts.

2.23 The number of employees promoted in AIIMS and the number and percentage of SCs and STs among them during 1989, 1990 and 1991 in the grades of Secretarial and Technical posts was stated to be as under:

Year	Group	No. of Employees promoted		No. of Employees promoted			
		Sectl.	Techl.	SC		ST	
				Sectl.	Techl.	Sectl.	Techl.
1989	A	—	—	—	—	—	—
	B	—	—	—	—	—	—
	C	—	52	—	13	—	3
	D	—	—	—	—	—	—
	Total	—	52	—	13	—	3
1990	A	—	—	—	—	—	—
	B	13	—	4	—	—	—
	C	—	28	—	8	—	3
	D	—	—	—	—	—	—
	Total	13	28	4	8	—	3
1991	A	—	—	—	—	—	—
	B	—	—	—	—	—	—
	C	—	51	—	9	—	4
	D	—	—	—	—	—	—
	Total	—	51	—	9	—	4

2.24 The same information with regard to teaching (faculty) posts is as under:—

Year	Group	No. of employees promoted	No. of employees promoted	
			SC	ST
1989	Faculty Group A	28	1	—
1990	Faculty Group A	42	2	—
1991	Faculty Group A	27	1	—

2.25 The Committee note with dismay that out of 97 employees promoted in the Group A faculty posts of AIIMS during the years 1989, 1990 and 1991, only 4 belonged to SC category and none to ST which belies the reply given to the Committee that the promotional policy adopted by the Institute does not hamper the promotional aspects of SC/ST employees in faculty posts. They are also surprised to note that when the Institute is following seniority-cum-fitness, i.e., completion of requisite number of years of service, as one of the methods for promoting its employees what would have been the cause for promoting such a dismal number of SC/ST employees in faculty posts. The Committee, therefore, recommend that AIIMS must find

out suitable means so that at least a sizeable SC/ST employees are given promotion in teaching posts. Suitable outside candidates should be made eligible for filling up the reserved vacancies at all levels by resorting to direct recruitment.

B. Post Graduate Institute of Medical Education and Research

2.26 The Committee have been informed that as per the provision contained in Regulation-32(2) of the PGIMER, Chandigarh Regulation 1967, the Director of the Institute shall in filling vacancies in posts and services, either by Direct Recruitment or by promotion, under the Institute, make such reservation in favour of candidates belonging to SCs and STs, as may be made by the Central Government from time to time in filling vacancies in posts and services under the Central Government. However, in respect of faculty posts reservation orders are applicable for appointment through direct recruitment only, because all the sanctioned faculty posts as and when fall vacant are filled through direct recruitment on All India basis by open selection. In other words, the reservation policy in favour of SCs and STs in PGIMER is applicable through direct recruitment as well as promotion in Secretarial and Technical posts whereas for teaching (faculty) posts reservation orders are applicable only for direct recruitment. But the SC/ST Employees Welfare Association of PGIMER, Chandigarh apprised the Committee that reservation in faculty posts were discontinued in the Institute in direct recruitment also.

2.27 During evidence when the Committee desired to know the reasons for discontinuing the reservation policy in respect of all categories of faculty posts, the representative replied that in 1983 a decision was taken by the Governing Body of PGIMER that the Government policy with regard to reservation should also be applied to faculty posts. Thereafter in 1984, a Committee, under the Chairmanship of the then Health Secretary was appointed which recommended that reservation should be applied to all the categories of teaching posts. The Governing Body of PGIMER approved and adopted the recommendation of the Committee and thus reservation was provided to SCs and STs at all levels of faculty posts in PGIMER.

2.28 It was stated that in 1990 this decision was stayed and in 1992 totally quashed by the Punjab and Haryana High Court which gave a verdict that there should be no reservation at any level of teaching posts. Therefore, reservation to SCs and STs in the posts of Professors, Additional Professors, Associate Professors and Asstt. Professors was followed till 1990. The Committee were further informed that a Special Leave Petition against the High Court judgement had been filed in the Supreme Court and it was pending adjudication.

2.29 From a perusal of the judgement of the Punjab and Haryana High Court, the Committee is aghast at the above statement in justification for discontinuing reservation in all levels of faculty posts in PGIMER since 1990. The question before the Court was about the advertisement for filling

up certain posts of Asstt. Professors reserved exclusively for members of the SCs and STs. The specific Court order by a single judge was "The impugned advertisement in so far as it relates to the posts of Asstt. Professors in the Specialities of Urology (Emergency), General Surgery (Renal-transplantation) and Paediatric Surgery (Neonatology) is quashed. The Institute shall, of course, be at liberty to advertise these posts without making any reservation". It does not contain any sweeping order that there should be no reservation at any level of faculty (teaching) posts. The decision of the Governing Body of 1983 was not at all a question before the Court. The said statement has, therefore, fully twisted the fact and is highly motivated to mislead the Committee.

2.30 The Committee find that PGIMER has not furnished clarifications in respect of certain questions/queries raised by the Committee. Moreover, the replies furnished to some of the questions are not only evasive but even astounding.

2.31 The Committee find that the obiter dicta of the Supreme Court judgement of 16th November, 1992 on the Govt. Memo. on the Mandal Commission Report are not applicable to the subject under examination. It has been clearly stated in this judgement that wherever reservation has already been provided in the Rules or orders the same shall continue in operation for a period of five years from the date of judgement to ensure the achievements of the objective of Article 16(4). It has been further added that if any authority thinks that for ensuring adequate representation of 'backward classes of citizens' in any service, class or category, it is necessary to provide for direct recruitment therein, it shall be open to it to do so. The Apex Court has also left it to the Government of India to consider and specify the service and posts to which the rule of reservation may not apply. Hence, no plea can be taken even of this judgement to scuttle or dilute the existing reservation rules and orders. The Health Ministry were asked to furnish their comments, if any, on this specific point but no reply was forthcoming.

Recruitment Policy and Recruitment Made

2.32 The recruitment policy as adopted by PGIMER for various categories of posts including teaching and faculty posts was stated to be as under:

Category of Posts	Method of Recruitment/Recruitment Policy
1	2
Teaching/Faculty Posts	Direct Recruitment by open competition on All India basis.
Group 'A' posts	Direct Recruitment by open selection on All India basis.

1	2
Group 'B' posts	(i) Direct recruitment by open selection on All India basis by advertisement. (ii) Promotion by selection as per recruitment rules of the Institute.
Group 'C' posts including Senior Residents	(i) Direct recruitment by open selection on local/regional basis by advertisement. (ii) Promotion by selection as per the recruitment rules of the Institute.

2.33 It has been stated that the vacant posts are advertised in the leading newspapers or notified to the Employment Exchange as the case may be. All the teaching posts are advertised/notified in the newspapers and after receipt of applications selection is made by the Standing Selection Committee of the Institute. Recommendations of the Selection Committee are considered by the Governing Body, it being the Appointing Authority in respect of teaching and other Group A posts.

2.34 The yearwise total recruitment made during 1989, 1990 and 1991 and the number and percentage of SCs and STs amongst them was stated to be as under:—

Post		Total No. of vacancies		No. of vacancies reserved for SCs			No. of vacancies reserved for STs			Number of candidates appointed		No. of reserved vacancies carried forward to next year	
Group	Grade	Occurred during the year	Actually filled during the year	G/F from pre. year	Re-served during the year	Total	Of from pre. year	Re-served during the year	Total	SC	ST	SC	ST
1	2	3	4	5	6	7	8	9	10	11	12	13	14
1989													
Teaching	A	42	14	—	11	11	—	6	6	3	1	—	—
Non-Teaching	A	3	—	—	13	13	—	—	—	—	—	—	—
Non-Teaching	B	10	1	—	11	11	—	—	—	1	—	—	—
Teaching (Senior Resident)	C	95	33	—	14	14	—	—	—	3	—	—	—
Secretarial	C	24	20	—	4	4	—	—	—	4	—	—	—
Technical and Misc.	C	37	38	10	9	19	—	—	—	16	—	3	—
Misc. Technical of Eng. Deptt. and others	C	92	92	26	11	42	—	—	—	21	—	10	—
Class IV	D	16	7	—	7	16	—	—	9	7	—	—	—

1	2	3	4	5	6	7	8	9	10	11	12	13	14
1990													
Teaching	A	48	12	—	10	10	—	5	5	3	—	—	—
Non-Teaching	A	3	—	—	3	3	—	—	—	—	—	—	—
Non-Teaching	B	11	3	—	11	11	—	—	—	3	—	—	—
Teaching	C	102	60	—	11	11	—	—	—	6	—	—	—
Secretarial	C	9	9	—	2	2	—	—	—	2	—	—	—
Technical	C	15	13	3	6	9	—	—	—	8	—	1	—
Misc. Technical	C	90	90	10	12	24	—	—	—	35	—	—	—
of Eng. Deptt. and others													
Class IV	D	32	23	—	9	18	—	—	—	9	—	—	—
1991													
Teaching	A	70	—	—	12	12	—	4	4	—	—	—	—
Non-Teaching	A	6	—	—	6	6	—	—	—	—	—	—	—
Non-Teaching	B	9	—	—	9	9	—	—	—	—	—	—	—
Teaching	C	109	66	—	16	16	—	—	—	8	—	—	—
Secretarial	C	7	7	—	2	2	—	—	—	2	—	—	—
Technical	C	18	12	1	5	6	—	—	—	2	—	4	—
Misc. Technical	C	91	91	—	11	14	—	—	—	15	—	—	—
of Eng. Deptt. and others													
Class IV	D	16	7	—	4	13	—	—	—	4	—	—	—

Ad hoc Appointment in Faculty Posts

2.36 As regards full particulars of adhoc appointments made at all levels of faculty posts in PGIMER, the Committee were informed that a large number of faculty posts were vacant which could not be filled up due to one or other reason. These unfilled posts were filled on adhoc basis to the minimum extent possible as was necessitated in the larger interest of patient care services at the Institute.

2.37 When the Committee desired to know whether the Estimates Committee (1988-89) in its 79th Report on AIIMS had advised against the practice of adhoc appointments in faculty posts and if so, what action had been taken to stop this practice, it was replied that since PGIMER was running a very busy hospital, adequate manpower was essential. But as a result of the stay orders of the Punjab and Haryana High Court no appointment could be made for a period of two years or more. Further, several faculty members had left on deputation to other institutions in India or abroad. Therefore, some of the vacancies were filled by adhoc appointments at the lowest level. However, these adhoc appointments were kept to the minimum to take care of essential patient care and teaching functions and represents only 25% of the total vacancies of the faculty posts in PGIMER.

2.38 Regarding the actual adhoc appointments made in PGIMER since 1984 in different categories of posts a detailed information was furnished to the Committee. It has been observed therefrom that since 1984 till 1993 out of a total number of 101 adhoc appointees in the faculty posts only 7 belong to SC community and 2 to ST community.

2.39 It has come to the notice of the Committee that general category persons have been allowed to work on ad hoc basis from 1 to 8 years at the AIIMS & PGIMER, Chandigarh and the experience gained during ad hoc periods is always considered for regular selection as a matter of policy.

2.40 The Committee are unhappy to note that although 101 ad hoc appointments were made in PGIMER in the faculty posts during the years 1984 to 1993 only 7 SCs and 2 STs were represented therein. The Committee also note with concern that the Central Medical Institutes like AIIMS and PGIMER have tried to evade proper implementation of the Government reservation policy by resorting to ad-hoc appointments of general candidates to fill up the reserved posts on the plea of non-Availability of suitable SC/ST candidates. This practice of ad-hoc appointments against reserved vacancies was adversely commented upon even by the Estimates Committee in its 79th Report of 1988-89 (Chapter V). This is a very clever ploy adopted by the authorities by which they deny appointments to SC/ST candidates and show in record the posts as vacant. Keeping in view the urgent need of patient care services as well as teaching functions in the Institute, the Committee recommend that adhoc appointments in faculty posts should be kept to the minimum extent possible

hamper the interest of SC/ST people in the long run. They also recommend that whenever adhoc appointments are made by AIIMS and PGIMER steps should be taken to see that persons belonging to SC/ST category are given due share.

Staff Strength, Shortfalls and Special Recruitment Drive

2.41 As regards the total staff strength in PGIMER and the number of SCs and STs amongst them as on 1992 was stated to be as under:

Category of posts	Total Number of employees	Number of Employees		Percentage		Shortfall		Percentage Shortfall	
		SC	ST	SC	ST	SC	ST	SC	ST
1992									
Group A	242	10	2	4.13	0.8	26	15	11.4	6.2
Group B	54	7	—	12.90	—	1	4	1.8	7.4
Group C	106	17	—	16.4	—	—	—	—	—
(Senior Residents)									

2.42 The position of faculty posts (Group A) category-wise as on 2.9.93 was stated to be as under:

Category/ Designation of Post	NUMBER OF POSTS								
				Filled			Vacant		
	Sanc-	Re-out	of	Total	Re-out	of	Total	Re-out	of
	tioned	served	3		served	5		served	5
	col.	col.	col.		Col.	Col.		Col.	Col.
	—	—	ST	—	—	—	—	—	ST
	SC	SC	SC	SC	SC	SC	SC	SC	SC
1	2	3	4	5	6	7	8	9	10
Professors	53	9	4	32	—	—	21	3	1
Additional Professors	34	5	3	20+60*	1	—	14		
Associate Professors	82	12	6	18+24*	7	1	18	12	6
Assistant Professors	130	20	10	47	3	1	45		
TOTAL	299	46	23	201	11	2	98	15	7

* Promotees under the Assessment Promotion Scheme.

2.43 After analysing the above statements when the Committee desired to know whether Special Recruitment Drives were undertaken to fill up the backlog vacancies, it was replied that as a result of the Special Recruitment Drives undertaken by PGIMER 21 nurses, one draftsman (Grade III) and four Tech. grade IV were given appointment.

2.44 In reply to a query of the Committee whether all the backlog vacancies had been cleared as a result of the Special Recruitment Drives, it

was replied that except for the following 13 backlog vacancies for which efforts were under process to fill up the same, all the other backlog vacancies had been cleared.

(i) Hospital Engineer (Civil)	— one post
(ii) Hospital Engineer (Planning)	— one post
(iii) Asstt. Engineer (Horticulture)	— one post
(iv) Asstt. Engineer (X-ray/clerical)	— one post
(v) Sr. Scale Stenographer	— one post
(vi) Jr. Technician (X-ray)	— four post
(vii) Social Worker	— one post
(viii) Museum Technician	— one post

2.45 When the Committee desired to know what efforts were made by PGIMER to fill up the aforesaid 13 vacancies, it was stated that further efforts were under process to wipe out the above mentioned backlog vacancies.

2.46 So far as backlog vacancies in Teaching posts were concerned the Committee were informed that there were 17 backlog vacancies in Teaching posts for which time and again advertisement was made but due to non-availability of SC/ST candidates, the posts could not be filled up. It was further elaborated that the posts had again been advertised *vide* Adv. No. 1/92(ESI.1) under special recruitment drive for SCs and STs.

2.47 It has come to the notice of the Committee that advertisements for recruitment to faculty posts are always vague and non-specific without mentioning the percentage of reservation and also the subject/discipline-wise breakup of reserved posts. This has created confusion and much concern among the qualified candidates of reserved category. Such vague types of advertisements have been declared bad in law in a Supreme Court judgement of 1990 Dr. Suresh Chandra Verma Vs. The Chancellor, Nagpur University and others. The practice of clubbing of posts together for all departments or specialities has been found to result in deliberately and intentionally keeping out fully eligible SC/ST candidates from certain important departments and even regular posting.

2.48 As per Government guidelines, when direct recruitment for the reserved and unreserved vacancies is to be made on any one occasion a single advertisement should be issued for such reserved and unreserved vacancies, specifying therein the vacancies for SCs/STs with clarification

about the carried forward vacancies also. But unauthorised procedure is still being adopted specially by the PGIMER Chandigarh by issuing separate advertisement for reserved vacancies to get them struck down by courts on the ground of cent percent reservation. This has actually happened in the Punjab and Haryana High Court during 1990-92.

2.49 Recently, it has come to the the notice of the Committee that another device is known to have been adopted by AIIMS, New Delhi and PGIMER, Chandigarh to restrict direct recruitment at the lowest and the highest levels of faculty with provision for institution of policy of cent-percent appointments by promotion at important levels thereby jeopardising the interests of eligible SC/ST candidates from outside for selection to such posts

Promotions

2.50 The Committee have been informed that the promotion policy followed in PGIMER is as per the recruitment procedure laid down in the Recruitment Rules under the PGI Act, Rules and Regulations. Promotions in teaching/faculty posts were made from 1st July of every year under the Assessment Promotion Scheme.

2.51 The method of promotions to various categories of posts other than faculty posts has been stated to be 'Selection' whereas promotion in teaching posts is by 'Seniority-cum-Fitness.'

2.52 Total No. of employees promoted, including the teaching staff, and the number and percentage of SCs and STs amongst them during the years 1989, 1990 and 1991 was stated to be as under:—

Year	Category	Number of Employees Promoted	Number and Percentage of	
			SC	ST
1	2	3	4	5
1989	Technical and other Misc. Technical staff/categories	8	2(53%)	—
1990	-do-	—	—	—
1991	-do-	—	—	—
1989	Secretarial	9	1(11%)	—
1990	-do-	1	1(100%)	—
1991	-do-	1	1(100%)	—
1989	Technical staff of Engineering Deptt.	14	5(35.11%)	—
1990	-do-	19	5(26.32%)	—
1991	-do-	14	6(42.86%)	—

1	2	3	4	5
1989	Teaching	4	1(25%)	—
1990	-do-	1	1(100%)	—
1991	-do-	—	—	—

2.53 The Committee are unhappy to note the number of SCs and STs given appointments in the various categories of teaching posts during the years 1989, 1990 and 1991 in PGIMER. For example, in the year 1989 out of a total number of 47 teaching posts filled in categories A & C, only 6 SCs and 1 ST were given appointment. Similarly, in 1990, 9 SCs and no ST were appointed out of 73 posts filled during that year in Group A and C. The position is no better in 1991.

2.54 The Committee note that reservations were stopped in all categories of teaching posts in PGIMER since 1991 due to a verdict of Punjab and Haryana High Court. They also note that a Special Leave Petition against the High Court ruling has been filed in the Supreme Court which is pending adjudication. The Committee would like to be apprised of the position as soon as the Apex Court delivers its judgement and the action taken thereafter by the Institute.

2.55 On the basis of the facts available, the Committee are of the view that there is a lack of effort on the part of Institute authorities in appointing the required number of persons belonging to SC/ST category in the Teaching posts even prior to the stay order for which there were huge backlog vacancies in the faculty posts in PGIMER. They, therefore, strongly recommend that PGIMER should take immediate action to wipe out the existing backlog vacancies at all levels of teaching posts without waiting for the Judgement of the Supreme Court on the pending case. This is essential in view of the time limit set in the same Apex Courts' verdict on the Mandal Case. For giving due representation to SC/ST candidates in each departments/disciplines the Institute should follow the guidelines given in the Supreme Court Judgement of 1990.

2.56 The Committee note that as on 1992 the representation of SCs and STs in Group A & B categories of Secretarial and Technical posts is far below the required percentage. They note that as a result of the Special Recruitment Drives undertaken by the Institute, 21 nurses were given appointment and the number of backlog vacancies in different categories have been reduced to 13 in Secretarial and Technical posts and further efforts are under process to completely wipe out these backlog vacancies. The Committee, however, would like to urge the PGIMER to pay special attention towards Group A category in Secretarial and Technical posts besides conducting Special Recruitment Drives for other categories as well to give better representation to SC/ST people in the services of the Institute.

2.57 The Committee are unhappy to note that although 101 adhoc appointments were made in PGIMER in the faculty posts during the years

1984 and 1993 only 7 SCs and 2 STs were represented therein. The Committee also note with concern that the Central Medical Institutes like AIIMS and PGIMER have tried to evade proper implementation of the Government reservation policy by resorting to ad hoc appointments of general candidates to fill up the reserved posts on the plea of non-availability of suitable SC/ST candidates. This practice of ad hoc appointments against reserved vacancies was adversely commented upon even by the Estimates Committee in its 79th Report of 1988-89(Chapter V). This is a very clever ploy adopted by the authorities by which they deny appointments to SC/ST candidates and show in record the posts as vacant. Keeping in view the urgent need of patient care services as well as teaching functions in the Institute, the Committee recommend that ad hoc appointments in faculty posts should be kept to the minimum extend possible so that it does not hamper the interest of SC/ST people in the long run. They also recommend that whenever adhoc appointments are made by PGIMER steps should be taken to see that persons belonging to SC/ST category are given due share.

2.58 The Committee are constrained to note that not a single ST was given promotion in either Secretarial or Technical or teaching category in PGIMER during the year 1989, 1990 and 1991 notwithstanding the fact that the total number of employees promoted in all these categories during the aforesaid years was too small. The Committee, therefore, recommend that PGIMER should take due care to see to it that employees belonging to ST category are given adequate representation whenever promotions are effected in various categories of posts.

2.59 The Committee is-alarmed at the unrelenting persistence with the clever practice and procedure of advertisements by keeping them vague and non-specific about the percentage of reservation and also the subject/discipline-wise breakup of reserved posts, in spite of a clear cut Supreme Court Judgement of 1990 declaring such a practice as bad per law. The Committee therefore, strongly recommend that all such devices be discontinued forthwith.

2.60 The information furnished in response to a number of other questions does not reveal any factual position of the recruitment of SCs and STs against reserved posts, and the reasons advanced for not filling up the vacancies are the same stereotype answer of non availability of SCs/STs is not at all convincing. The figures given for four broad groups of posts indicate an alarming position inspite of three Special Recruitment Drives. There should be a further meaningful break-up of the grouping of posts according to the nature of their duties or service and the corresponding figures furnished to the Committee. For example, department-wise figures of faculty posts at each level, and similar information regarding Junior and Senior Residents should have been made available to the Committee as requested.

C. Lady Harding Medical College (LHMC)

2.61 The Committee have been informed that Lady Harding Medical College is following the reservation policy as laid down by the Government of India for recruitment of SCs and STs in the services of the Institute. It has further been stated that recruitment to Group A and B posts is made through the Director-General of Health Services/Ministry of Health and Family Welfare whereas recruitment to Class III and IV posts is made at State level except for the posts which are filled through Staff Selection Committee. Percentage reserved in all the categories of posts for SCs and STs has been stated to be 15 and 7.5 respectively.

Recruitment Policy

2.62 The Committee have been informed that recruitment to various categories of posts in the college are made strictly according to the recruitment rules and Government Policy Concessions/Relaxations are also allowed to SC/ST candidates at the time of recruitment as prescribed by the Government of India.

2.63 It has also been stated that Group A & B posts are filled in LHMC by the Government and appropriate representation for SCs and STs is ensured. For Group C and D posts the college authorities make efforts to ensure that representation for SCs and STs are properly maintained.

Staff Strength, Shortfalls and Special Recruitment Drive

2.64 As regards the total staff strength of LHMC as on 1.1.92 and the number and percentage of SCs and STs amongst them the following statement was furnished to the Committee:

Category of posts	Total Number of employees	Number of Employees		Percentage		Shortfall		% age shortfall	
		SC	ST	SC	ST	SC	ST	SC	ST
1.1.1992									
Secretarial (Gr. C)	191	21	5	11	3	—	—	—	—
Technical (Gr. C)	442	50	5	28	2	—	—	—	—
Teaching (Gr. C)	124	8	1	—	—	—	—	—	—
Technical (Gr. D)	701	436	9	—	62	1.28	—	—	—
Teaching (Gr. A&B)	124	1	—	1.3	—	—	—	—	—

[illegible]

2.66 The Committee are highly dissatisfied to note that as on 1.1.1991, the representation of SCs and STs in Group A & B categories of services in LHMC was 4 and 1 respectively out of a total number of 123 employees. Similarly, as on 1.1.92 out of a total Number of 124 teaching staff in Group A & B categories the number of SCs and STs is one and nil respectively. Needless to mention the overall representation of STs in almost all the groups of Secretarial, Technical and Teaching Categories in LHMC is painstakingly marginal. The position is more deplorable when the Committee observe that during the years 1989, 1990 and 1991 only 26 STs were given appointment in LHMC in Group C posts of Secretarial, Technical and Teaching categories whereas 77 such posts reserved for them were carried forward. Even in the SC category 110 posts in Group C of Secretarial, Technical (including Group D) and Teaching services were carried forward although 149 such candidates were appointed during the aforesaid three years. From the aforesaid figures it is evident that neither the Ministry has ensured proper representation of SC/ST persons in Group A & B categories nor the college has been able to recruit the required number of such candidates in Group C and D categories. Complacency on the part of the College in recruiting adequate number of SCs and STs in Group C posts cannot be ruled out for the casual attempts made by the college in recruiting just five reserved candidates through Special Recruitment Drives during the years 1989, 1990 and 1991. The Committee can not help concluding that the plea of non-availability of adequate trained SC/ST manpower in Group C category is not good enough to conceal the lack of efforts on the part of LHMC in making Special Recruitments for Group C posts where there are large number of shortfalls. The Committee, therefore, urge upon the Departments of Health and Education to ensure that adequate number of persons belonging to SC/ST category are represented in Group A and B categories of Secretarial, Technical and Teaching services in LHMC. The Committee also recommend LHMC to undertake Special Recruitment Drives more frequently besides resorting to other methods, i.e., keeping in touch with the Employment Exchanges and various SC/ST Welfare Associations, advertising in regional, national dailies and Doordarshan etc. with a view to wiping out the backlog vacancies in Group C Secretarial, Technical and Teaching posts where there is no dearth of talented SC/ST candidates. The Committee desire the Departments especially the Department of Education to mould Delhi University to evolve a thorough and regular monitoring system for ensuring adequate representation of SCs and STs in all the categories of posts in LHMC on the line of Government Directives.

D. Jawaharlal Institute of Post Graduate Medical Education and Research (Jipmer)

Organisational Set up

2.67 The Committee were informed that Jawaharlal Institute of Post Graduate Medical Education and Research (JIPMER) Pondicherry is a Central Government Institute, a subordinate Office under the control of Directorate General of Health Services/Ministry of Health and Family Welfare. An Advisory-cum-Finance Committee was also constituted for getting the proposals concerning the Institute approved so as to refer the matter to the Government of India for sanction. It was stated that no SC/ST member was included in the Advisory-cum-Finance Committee. This Committee was constituted by Ministry of Health and Family Welfare, New Delhi.

Reservation in Services

2.68 The Committee were informed that 16% reservation for SC amongst candidate through local Employment Exchanges; 17.5% for SC and 7.5% for ST amongst candidates recruited at All India level were followed in the organisation.

2.69 As regards the recruitment policy of the Institute it was stated that in the case of recruitment for Secretarial, Technical and Group 'D' posts, the candidates were recruited through local Employment Exchange with 16% reservation for SC. In respect of Teaching personnel, candidates are recruited at All India level, taking into account reservation of 17.5% for SCs and 7.5% for STs. As regards the concessions/relaxations given to SC/ST candidates it was stated that age relaxation for 5 years to SCST candidates as per the directives of the Government were followed.

Staff Strength

2.70 As per the statement of Staff strength as on 1.1.94 furnished to the Committee, it was observed that there was low percentage of SC employees in Group 'A' (teaching category) and Group 'C' posts. It was stated that the initial recruitment in the Teaching Sub-cadre of the CGHS was at the level of Assistant Professors, filled 100% by direct recruitment through UPSC. Non availability of suitable candidates was the main reason for the low percentage of SCST candidates. The Committee were informed that no pre-recruitment training was given to SCST candidates by the medical institute.

2.71 During evidence the Committee pointed out that vacancies reserved for SCs/STs were not being filled up in Group 'A' and Group 'B' posts in JIPMER and no attempt is being made for filling up the same. In reply the representative stated that "We are making all attempts to fill up the vacancies".

2.72 When the Committee specifically enquired about the vacancy position in JIPMER which are existing since 1980 and onwards the representative elaborated during evidence as follows:

"So far as the vacancies are concerned, there is not a single case pending in the Ministry. All the cases are in the UPSC, either for holding interview or for holding a meeting of the DPC or for giving advertisement. The Department is very keenly aware of it but our hand in these matters is so limited that nothing can be done. We have invited applications from the eligible candidates so that we can do *ad hoc* postings but in this case also we have given instructions to take care of the Scheduled Castes and Scheduled Tribes. You are absolutely correct to say that still there are vacancies and they will persist."

2.73 The representative of the Ministry informed the Committee during evidence that in regard to Group A Officers, as on 1.1.1995, about 16 officers have joined on regular basis, out of that two are from SC category and two from ST category.

2.74 The Committee pointed out that, as far as Group C posts were concerned appointments were not made according to the roster and the Committee desired to know about the total strength of Group C employees and the number of SCs and STs among them. The representatives of the Ministry stated during evidence that "as on 1st January 1994 in Group 'C' altogether 1298 posts are in existence out of that 145 are from SC category and 19 are from ST category."

2.75 When the Committee asked a specific question regarding the problems in appointing sufficient number of SCST candidates in Group C, the representative said: "Sir, we are not getting candidates".

Promotion

2.76 As regards the method of promotion it has been stated that in accordance with the Recruitment rules, promotions were effected on selection or on Seniority-cum-fitness basis as the case may be. But generally most of the cases were considered on seniority-cum-fitness basis.

2.77 The Committee wanted to know about the concessions/relaxations allowed to SCST candidates while considering them for promotion. In reply, it was stated that irrespective of general seniority in all the categories, SCST candidates as per the roster system were being considered for promotion subject to fulfilment of minimum requirements as laid down in the rules.

2.78 The Committee were informed that no in-service training was imparted to SCST employees to achieve the required standard for the post to be promoted to.

2.79 According to the statement showing the total number of employees promoted in all categories of posts, i.e., 'A', 'B', 'C' and

'D' during the years 1991, 1992 and 1993 it was observed that there was shortfall of one SC candidate in Group 'B' and 13 SC candidates in Group 'C' posts during the year, 1993.

2.80 As regards the reasons for the shortfall, it was stated that in respect of Nursing sisters, 11 posts were reserved for SC candidates which could not be filled up by promotion from the feeder category of staff nurse as there was no eligible SC candidate from the feeder cadre. Similarly, in other cases also the candidates were either reluctant or disinterested to accept promotion for various reasons.

2.81 The Committee are unhappy to note that there is low percentage of SC employees in Group A (teaching category) and Group C posts. The Committee are surprised to observe that inspite of low percentage of SCST candidates in JIPMER the institution has not made any provision to impart any pre-recruitment training. The representative of the Ministry of Human Resource Development (Department of Education) was candid in suggesting that "We are making all attempts to fill up the vacancies and we are not getting candidates". "The low percentage of SCST candidates are attributed to non-availability of suitable candidates", but this is hardly convincing to the Committee. The Committee feel that, there is lack of seriousness on the part of the Ministry and JIPMER to recruit adequate number of SCST candidates to fill up backlog. The Committee strongly recommend that the reserved vacancies of SCs and STs may be filled up urgently in all categories of posts even by giving some further concessions to them. The Committee also recommend that if need be JIPMER should impart pre-recruitment training to SCST candidates so that their standard can be upgraded.

2.82 The Committee note that, promotions are effected on selection or on Seniority-cum-fitness basis in JIPMER. The Committee also note that no in-service training is imparted to SCST employees for promotion. The Committee are unhappy to note that there was shortfall of SCST candidates in Group 'B' and Group 'C' posts in 1993. The Committee have been informed that the shortfall of SCST candidates in promotion are due to non-availability of eligible candidates from the feeder cadre. The Committee recommend that at the time of promotion adequate representation should be given to SCST candidates while considering them for promotion.

E. National Institute of Mental Health and Neuro Sciences

Organisational Set up

2.83 The National Institute of Mental Health and Neuro Sciences is an autonomous organisation registered under the Societies Registration Act. It is funded by Central Government and Karnataka State Government on a sharing basis. The institute is established for the purpose of Service, Teaching and Research in various super specialities.

Recruitment

2.84 The Committee were informed that Reservation Policies were followed in respect of direct recruitment as well as promotion for Groups 'A', 'B', 'C' and 'D'. Group 'C' and 'D' posts were filled up through Employment Exchange as and when any post against quota of SCST falls vacant. Lists of candidates belonging to SCST would be invited from Employment Exchange in the ratio of 1:20 and all those candidates belonging to SCs/STs would be called for test/interview. Selection would be made on merit basis. They were given age relaxation and relaxation in marks secured in both written test as well as interview compared to general candidates. In respect of recruitment made under open competition on All India basis age relaxation was given and wherever possible relaxation in experience was also given depending upon the merits of SCST candidates.

Special Recruitment

2.85 The Committee were informed that Special Recruitment were undertaken during the year 1989 and 1990 and the following vacancies were filled. In 1989 one electrician (SC), 1 Junior Technician (SC), 1 LDC (SC) and 2 Group 'D' posts (ST) were selected and in 1990 one (ST) General Duty Medical Officer, One (SC) EEG Technician, Staff Nurses 6 SC and 3 (ST), potter 1 (ST) and Stenographer Grade-II one (SC) were selected.

Backlog

2.86 The Committee were informed that the following backlog vacancies were still existing in NIMHANS:—

- (1) Faculty posts 6 SC and 5 ST
- (2) Clinical Psychologist 1 ST
- (3) Psychiatric Social Worker 1 SCST
- (4) Stenographer Gr.-I 1 SCST

2.87 The Committee pointed out that in National Institute of Mental Health and Neuro Sciences, Bangalore Special recruitment drives were conducted during 1989, 1990, 1991, 1992 and 1993 to clear the backlog of reserved vacancies. Eleven backlog vacancies including nine Faculty posts remained unfilled even after launching the SDRs because of non-availability of candidates.

2.88 Asked to state what steps were taken to fill up these vacancies the representative stated during evidence that, "in 1993, appointments to three posts of the level of Assistant Professor were made out of which two have already joined one in psychiatry, the other in Neuro-Surgery. The third one was supposed to have joined in Neuro-Physiology but did not do so. We have now advertise the posts in the month of December. Depending upon the applications we receive, we will fill the positions, Sir."

Staff Strength and Shortfall

2.89 The statement of total staff Strength of NIMHANS was as follows:—

Group of Posts	Total No. of Employees	No. of		Percentage of		Shortfall		Percentage of shortfall	
		SC	ST	SC	ST	SC	ST	SC	ST
Group A (Lowest rung)	23	4	—	17.39	—	—	01	—	100
Group A others	101	06	—	5.94	—	08	05	60.4	100
Total	124	10	—	8.06	—	08	06	46.24	100
Group B	70	05	03	7.14	4.29	05	—	50	—
Group C	540	77	11	14.26	2.04	04	16	4.94	59.26
Group D	344	102	19	29.65	58.52	—	—	—	—
Group D (Sweepers)	79	60	03	75.95	3	—	—	—	—

2.90 It is observed from the above statement that in Group A posts the shortfall of ST was 100% and the shortfall in Group C posts for SCs and STs were 4.94% and 59.26% respectively.

Promotion

2.91 It was stated that Promotion Policy was followed in NIMHANS as per the Government of India Rules. The method of promotion was based on seniority-cum-fitness. The Committee were informed that promotions were given to SC/ST candidates as per C & R Rules subject to their fulfilment of the requirement of the posts.

2.92 As per the statement regarding total number of employees promoted during 1991, 1992 and 1993 it was observed that during 1992 in Group C posts out of 21 employees promoted the number of SCs and STs were 2 and 1 respectively; during 1993 out of 38 employees promoted the number of SCs were 5 and nobody was from ST category.

2.93 The Committee were informed that there was no In-service Training Programme in the Institute for any category of posts.

2.94 The Committee note that reservation policies are followed for SCs and STs in respect of direct recruitment as well as promotion for Group A, B, C and D posts in National Institute of Mental Health and Neuro Sciences. The Committee also note that there are still backlog vacancies in the Institute to the tune of 6 SCs and 5 STs for Faculty posts, 1 SC in clinical posts, 1 SC/ST for psychiatric social worker, 1 SC/ST for Stenographer despite the fact that repeated special recruit drives have been conducted in the years 1989 to 1993. Reacting to a question regarding overcoming of the backlog vacancies, the representative of the Institute

admitted during evidence that they were unable to do so. The Committee take a very serious view of the continuation of backlog vacancies. They desire that the backlog vacancies, reserved for SCs and STs may be filled up at the earliest if possible by giving further concessions to them.

2.95 The Committee observe that in Group 'A' posts the shortfall of ST is 100% and the shortfall in Group C posts for SCs and STs are 4.94% and 59.26% respectively. The Committee would like to suggest that special recruitment drives may be continued and simultaneously efforts should be made to send special recruitment teams to visit tribal areas of adjacent States to find out suitable ST candidates for appointment in the Institute.

2.96 The Committee note that during 1992 in Group C posts out of 21 employees promoted, the number of SCs and STs were 2 and 1 respectively and during 1993 out of 38 employees promoted the number of SCs were 5 and nobody was from ST category. The Committee also note that there is no In-service Training Programme in the Institute for any category of posts. The Committee recommend that keeping in view the low percentage of SC/ST employees promoted in NIMHANS the Institute should impart or provide training to them so that they could be found suitable for promotion to higher grades. The Committee also recommend that while giving promotion to employees adequate number of SCs and STs be taken in.

F. All India Institute of Physical Medicine and Rehabilitation Recruitment

2.97 The Committee were informed that reservation orders issued by Government of India from time to time were applicable at the All India Institute of Physical Medicine and Rehabilitation (AIIPMR). Asked to state the procedure followed by AIIPMR for recruitment of staff to various categories of posts, it was stated that the methods of selecting candidates depend on category of posts and their recruitment rules.

Staff Strength and shortfall

2.98 According to the statement of staff strength (Teaching) as on 1.1.1994, it was observed that in Group B out of 4 employees none of them was from SC/ST category. In Group C out of 12 employees one each belonged to SC and ST categories. As regards the staff strength in the non-teaching cadre the Committee were furnished the following statement:—

Group of posts	Total No. employees	No. of employees		Percentage		Shortfalls		% age to Short-falls	
		SCs	STs	SCs	STs	SCs	STs	SCs	STs
1	2	3	4	5	6	7	8	9	10
A (Lowest rang)	A 2	—	—	—	—	—	—	—	—
A (As a whole)	A 4	1	—	25%	—	—	—	—	—
B	21	1	—	4.71%	—	—	—	—	—
C	143	46	4	32.16%	2.79%	—	—	—	—

1	2	3	4	5	6	7	8	9	10
D	12	12	—	100%	—	—	—	—	—
D (Sweepers)	61	30	7	49.18%	11.47%	—	—	—	—

2.99 The Committee were informed that the reason for shortfall was due to non-availability of suitable candidates.

2.100 During evidence the Committee were informed that in Group 'D' (Sweepers) out of 73 employees 42 belonged to SC and 7 belonged to ST and the remaining were from non-SC/ST categories.

2.101 To a query whether the posts of sweepers were kept outside the purview of reservation The representative stated during evidence that "Cent per cent SC/ST candidates are not available for Group D Sweepers posts".

2.102 The Committee took a very serious view of the filling up of sweepers posts from non-SCST categories more so in Bombay where SC/ST people are very much available.

2.103 The Committee wanted to know about the concessions/relaxations allowed to SCST candidates in AIIPMR. In reply it was stated that age relaxation was given as per Government of India orders and educational qualification and experience was stated to be non-relaxable. The Committee wanted to know the reasons for not allowing SCST candidates any other concessions/relaxations other than age relaxation. In reply it was stated that the services offered at the Institute were of para-medical and medical nature and hence certain norms were to be followed. The candidates applying for para-medical or medical posts should have minimum qualification prescribed in Recruitment Rules. So far question of relaxation in respect of SCST candidates was not arisen as eligible candidates were available.

Promotion

2.104 The Committee were informed that the promotion policy followed in the AIIPMR was as per Government of India orders depending on recruitment rules. When the Committee wanted to know about the concessions/relaxations allowed to Scheduled Castes and Scheduled Tribes while considering them for promotion, it was stated that age relaxation was given as per Government of India orders, but educational qualifications/experience were not relaxable.

2.105 The Committee note that reservation orders issued by Government of India from time to time are applicable to AIIPMR. The Committee also note that as on 1.1.1994 in Group B posts (Teaching category) there were 4 employees and none of them from SCST categories and in Group C category out of 12 employees one each belonged to SC and ST categories. The Committee are perturbed to note that in non-teaching category Group C posts the percentage of ST was 2.79 and in Group D (Sweepers) category out of 73 employees 42 belonged to SC and 7 belonged to ST and the

remaining are from non-SCST category. The Committee take a very serious view of the fact that the post of sweepers which are kept out of the purview of reservation have been occupied by non-SCST categories. The Committee recommend that the backlog vacancies of post, both for teaching and non-teaching categories reserved for SCST should be filled up urgently. The Committee also recommend that in future all the recruitment of Group D (Sweepers) posts should be made for SCST categories only.

2.106 The Committee note that in AIIPMR only age relaxation is allowed to SCST Employees. The Committee are unhappy to note that so far as educational qualification and experience are concerned, they are not relaxable. The Committee also note that the candidates applying for para-medical or medical posts should have minimum qualifications prescribed in Recruitment Rules. So far, the SCST candidates were not allowed any relaxation of educational qualification and experience because of the fact that eligible candidates were available. The Committee take a very serious view of the contradictory statement of the Ministry. On one hand, it has been stated that the reason for shortfall is due to non-availability of suitable candidates and at the same time it has also been stated that eligible SCST candidates are available (in good number) because of which they are not allowed any concessions/relaxations. The Committee desire that in order to clear the backlog of SCST candidates both in recruitment as well as promotion they should be given relaxation not only in age but also in experience and qualifications and all out efforts should be made to recruit adequate number of SCST candidates.

G. All India Institute of Hygien and Public Health

2.107 The All India Institute of Hygiene and Public Health comes under the direct administrative control of the Government of India, Ministry of Health and Family Welfare, New Delhi and academically under the University of Calcutta, and it has an Advisory Committee. The Secretary to the Government of India, Ministry of Health and Family Welfare is the Chairman of the Committee.

Reservation in Service

2.108 The Committee were informed that AIHPH being a Central Government Institute, reservation policy of the Government of India was strictly followed for direct recruitment as well as promotions to all Secretarial and Technical posts.

2.109 When asked what were the categories of posts to which recruitments were made, it was stated that, recruitments were made for Group 'C' and 'D' categories only.

2.110 As regards the percentage of reservation given to Scheduled Castes and Scheduled Tribes the Committee were informed that, 15% for Scheduled Castes and 7½% for Scheduled Tribes were reserved for them.

Recruitment

2.111 The Committee were informed that the recruitment policy followed in AIIHPH was as per approved notified recruitment rules of the Institute. On being asked what exact procedure was followed by AIIHPH for recruitment of staff to various categories of posts it was stated, that recruitment for Group A, B and C posts are being made through UPSC, SSC and Employment Exchanges respectively. It was also stated that concessions/relaxations were being allowed to the SC/ST candidates at the time of recruitment as prescribed by the Government of India.

2.112 The Committee pointed out that from the statement of recruitment furnished to them for the years 1991 to 1993 the figures in respect of category A & B have not been indicated. In a post-evidence reply it was clarified that, records of the recruitment of Grade A and B were maintained by Ministry of Health and Family Welfare/Directorate General of Health Services (DGHS). However, in Group A the sanctioned posts were 63, out of which 42 were filled up, of which 5 were Scheduled Castes and 1 was Scheduled Tribe. In Group B the sanctioned strength were 53 out of which 26 were filled up, of which 5 were Scheduled Castes and nobody was from Scheduled Tribes.

Staff Strength

2.113 The Staff strength of AIIHPH was as under:

Group of posts	Total No. Employees	No. of Emp.		Percentage		Shortfall		Percentage of shortfalls	
		SCs	STs	SCs	STs	SCs	STs	SCs	STs
A	42	SC/ST point Roster is maintained by the DGHS/ Ministry of Health and Family Welfare.							
B	20								
C	338	104	16	30.76	4.73	—	9	2.77%	—
D	217	56	11	25.80	5.06	—	5	2.44%	—
D(Sweeper)	37	35	2	94.59	5.40	—	—	—	—

2.114 The Committee wanted to know about the reasons of the shortfalls in Group 'C' and 'D'. In reply it was stated that inspite of repeated requisitions to employment exchanges and open advertisements in newspapers the Scheduled Tribe candidates were not available.

Promotion

2.115 The statement showing the number of employees promoted in AIIHPH during the years 1991, 1992 and 1993 was as under:

Year	Category of posts	Total No. of Employees	No. of posts filled		Percentage		Shortfalls	
			SC	ST	SC	ST	SC	ST
1991	Gr. C Gr. D	9	4	—	44.45	—	—	1
1992	Gr. C Gr. D	9	2	—	22.23	—	—	1
1993	Gr. C Gr. D	10 2	1 1	1	10.00 50.00	— 50.00	— —	— —

2.116 The Committee wanted to know the exact promotion policy and methods followed by AIIHPH for promoting staff to various categories of posts. In reply it was stated that promotions were made as per recommendations of the DPC considering the seniority and fitness of the incumbents.

2.117 The Committee were informed that the promotion roster for faculty posts was maintained by DGHS. From the above statement it is observed that there was no representation of Scheduled Tribes in Group 'C' posts and the percentage of Scheduled Castes in Group 'C' during 1993 was much below the prescribed percentage. As regards the reasons for this shortage it was stated that, no SC/ST candidate was available in the feeder cadre for promotion.

2.118 The Committee note that reservation policy of the Government of India is followed for direct recruitment as well as for promotion to all Secretarial and Technical posts in AIIHPH. The Committee also note that the recruitment policy followed in AIIHPH is as per the approved notified recruitment rules of the Institute. The Committee were informed that the records of the recruitment of Grade A and B posts were maintained by the Ministry of Health and Family Welfare/Directorate General of Health Services. The Committee are dismayed to note that in Group A out of the sanctioned strength 63, only 42 were filled up of which 5 were SC and 1 ST. Similarly, in Group B posts also out of the sanctioned strength 53, only 26 were filled up of which 5 were SC and nobody from ST category. The Committee strongly recommend that sanctioned strength of Group A and B posts should be filled up urgently and the reservation quota for Scheduled Castes and Scheduled Tribes should strictly be followed as and when recruitments are made.

2.119 As per the statement of staff strength the Committee observe that the percentage of shortfall ST in Group C and D are 2.77 and 2.44

respectively. The Committee were informed that inspite of repeated requisitions to employment exchanges and advertisements in newspapers the ST candidates were not available. The Committee recommend that for recruitment of staff, posts reserved for SCs and STs should be advertised in daily newspapers both at national and at regional levels and the same may be telecast over Doordarshan and announced over AIR besides launching special recruitment drives.

2.120 The Committee note that in AIIPH promotions are made as per recommendations of the DPC considering the seniority and fitness of the incumbents. The Committee also note that during the years 1991, 1992 and 1993 no ST candidates were promoted in Group C category. The percentage of SCs in promotion to Group C is very insignificant. The Committee also note that the reason for the shortfall is due to non-availability of SC/ST candidates in feeder cadres. The Committee recommend that SC/ST candidates should be promoted by giving concessions/relaxations. The Committee further recommend that if requisite number of SC/ST candidates fulfilling even the relaxed standard are not available to fill up the vacancies reserved for them, the authorities should select for appointment the best among the SCs and STs fulfilling the minimum eligibility and they may be given in-service training after promotion.

H. Central Institute of Psychiatry (CIP)

Reservation in Services

2.121 The Committee were informed that the reservation policy in favour of SCs and STs was applicable for appointment both through direct recruitment as well as through promotion to all Secretarial, Technical and Teaching posts in Central Institute of Psychiatry (CIP).

Recruitment

2.122 As regards the recruitment policy followed in CIP the Committee were informed that for Group A and B posts recruitment was made through DGHS/Ministry of Health and Family Welfare. For Group 'B' Non-Technical posts recruitment was made through Staff Selection Commission, Allahabad and for Group 'C' Technical and all Group 'D' posts recruitment was done through Employment Exchanges. It was also stated that in case of non-availability of candidates from Employment Exchanges, candidates are sought through advertisements by Director of Advertising, New Delhi.

2.123 It was stated that age relaxation was given to SC/ST candidates as per rules.

Staff Strength

2.124 The statement of staff strength of CIP as on 1.1.1994 is as under:—

Group of posts	Total No. of employees		No. of employees		Percentage	
	(Sanctioned strength)	Existing strength	SCs	STs	SCs	STs
1	2	3	4	5	6	7
A. (Lowest Rung)	23	2	—	1	—	903
A. (As a whole)		6	—	2	—	33.33
B. Gazetted	7	2	—	—	—	—
B. Non-Gazetted	4	1	—	—	—	—
C.	318	161	18	77	11.18	47.83
D.	317	304	32	112	10.53	36.84
(Safaiwalas)	66	63	28	30	44.44	47.62
A. Teaching Staff	10	8	1	1	12.25	12.25

2.125 It was also stated that there was no shortfall in STs in Groups 'C' & 'D', most of the posts were filled by old incumbents prior to introduction of reservation system. There were some shortfall in SCs only.

2.126 When the Committee pointed out that the shortfall of SCs and STs in Group 'A', 'B', 'C' and 'D' posts were not indicated in the statement of Staff Strength it was stated in a post-evidence note that, in so far as shortfall in Group A and B posts was concerned, it was not possible to indicate shortfall or percentage of shortfall because the roster in respect of SCs and STs was not maintained institute-wise but was only maintained sub-cadre-wise. Thus, the percentage of reservation in respect of SCs and STs was calculated only with reference to Teaching Sub-cadre as a whole. Regarding the shortfall relating to Group 'C' and 'D' posts, it was stated that most of these posts were filled prior to implementation of reservation orders of the Government and after implementation orders were being followed strictly in this office and at present there was no shortfall to mention.

Backlog

2.127 The Committee were informed that there were some backlog vacancies lying in the Institute.

2.128 The Committee wanted to know what efforts were being made by the Institute to clear the backlog of vacancies. In reply it was stated that in order to clear the backlog vacancies, special recruitment drives were being undertaken by sending requisitions to the Local Employment Exchange. If the Employment Exchange fails to sponsor sufficient number of candidates

the vacancies would then be notified with all the approved Voluntary organisations, including SC/ST Cell, State Employment Exchanges and DAVP.

2.129 Elaborating this the representative stated during evidence as follows: "you will understand that in the case of nurses or Group C posts as on 1.1.1994 out of 318 sanctioned strength, we have filled up only 161 posts. That was because the post of additional nurses have been sanctioned six months ago. We have already advertised twice and selected a large number of people and wherever we could we are advertising again. I would like to say that among the filled up posts in Group C, 11.18 percent belonged to SCs and 43.83 percent belonged to STs. As far as Group D posts are concerned, I would like to bring to your kind attention that there is no shortfall of either SCs and STs. Out of 363 posts filled up, we have 60 SCs which makes it to 16.35 percent and 142 candidates of STs which makes it to 39.12%. There is no shortfall as far as STs in Group D are concerned. In Group C, 47 per cent is Scheduled Tribes and 11 percent is Scheduled Castes. So there is some shortfall as far as SC is concerned. We are trying to rectify it in the near future."

Promotion

2.130 The Committee were informed that all promotions were made in C.I.P. through Departmental Promotion Committee. It was also stated that concession/relaxation was allowed to SCs and STs within the prescribed rule of the Government. When asked to specify the concessions/relaxations being allowed to SCs and STs, it was replied that in case of promotion to the reserved posts, the SC/ST candidates are promoted to the posts by relaxing their seniority if they fulfil the requisite qualification as per Recruitment Rules of a particular post.

2.131 On being asked whether in-service training was imparted to SC/ST candidates in promotion it was stated that, in-service training was not in practice in C.I.P.

2.132 The Committee have been informed that there is no shortfall of SCs and STs in promotion in C.I.P.

2.133 The Committee note that in Central Institute of Psychiatry recruitment to Group A and B posts is made through Directorate General of Health Services/Ministry of Health and Family Welfare. For Group C non-technical posts recruitment is made through Staff Selection Commission, Allahabad and for Group C Technical and all Group D posts recruitment is done through Employment Exchange. The Committee note that there is no shortfall for STs in Group C and D posts. However, there are some shortfall for SCs only. The representative of CIP was candid in admitting during evidence that so far as SCs are concerned there is shortfall and we are trying to rectify it in the near future. The Committee would like to urge that sincere efforts be made by

the Ministry/Central Institute of Psychiatry to recruit adequate number of SC candidates particularly in Group C so that the backlog vacancies could be filled up.

2.134 The Committee note that all promotions in CIP are made through Departmental Promotion Committee. The Committee also note that concessions/relaxations are allowed to SCs and STs within the prescribed rules of the Government. The Committee are happy to note that there is no shortfall of SCs and STs in promotion in C.I.P. The Committee hope that this spirit may also be maintained in future also.

CHAPTER III

RESERVATIONS IN ADMISSIONS

A. All India Institute of Medical Sciences

3.1 The Committee have been informed that 15% and 7.5% of total seats for Post-Graduate Medical Courses at All India Institute of Medical Sciences are reserved for SCs and STs respectively. Similarly 15% seats are reserved for SCs and 7.5% for STs for undergraduate courses, viz. MBBS, B.Sc (Hons.) Human Biology, Para-Medical Courses and Nursing Courses. But Post-doctoral courses, i.e., DM/M.ch. which are considered as Super-Speciality Courses are exempted from reservation orders.

3.2 When the Committee desired to know the reasons for not providing any reservation in DM/M.ch. courses, it was replied that no reservation had been made in such courses in accordance with the Supreme Court Judgement of 1984 which was reiterated in 1988 and 1992. It was further stated that competent legal advice was taken in the matter and the Institute was advised that reservation was not permissible in DM/M.ch. courses according to the Judgement of the Supreme Court.

3.3. To a query of the Committee as to what exact legal advice was given to the Institute against providing reservations in DM/M.ch. courses and whether any reference was made to the appropriate authorities or approval of the Governing Body of the Institute was taken before banning reservations in DM/M.ch courses, it was replied that the matter was placed before the Governing Body of the Institute and it was decided that the views of the Attorney General, to whom the matter had been referred to by the Ministry, should be awaited before taking a final decision in the matter. The advice of the Attorney General had since been obtained which stated in reference to a SC judgement:—

“These words directing that super-specialities in medical education should be unreserved, open and free is fairly peremptory language. I am emboldened to say that the Supreme Court, by these words, intended that super-specialities should be free of all reservation”.

3.4 It was further stated that the views of the Deptt. of Personnel and Training and the Ministry of Welfare had also been obtained and the matter was under consideration in consultation with the Ministry of Law.

3.5 In regard to the question of correctness of otherwise of the judgement of the Punjab and Haryana High Court dated 16th January, 1992, the present Attorney General's very first observation is incorrect. He

says: "By these judgements, and orders of the Punjab and Haryana High Court, reservations for admissions to post-graduate studies in super-specialities in favour of SCs and STs have been quashed." There is actually no such sweeping order that reservation in admission to all super-speciality courses are abolished. The question was about filling up six posts in certain super-specialities advertised as reserved, and the Court quashed this advertisement to the extent it reserved the six posts, and directed the PGI to take expeditious steps to fill these advertised posts on merit basis. It is significant to note that the earlier Attorney General, by his opinion dated 20th July, 1992 has held that the view taken by the High Court on the basis of the decisions of the Supreme Court in Paradeep Jain, Jagdish Saran and Dr. Fazal Ghafoor cases, which related to reservations in super-specialities on the basis of residence or domicile, is erroneous. But he (the Present Attorney General) should know that the same Hon'ble Judge of the Apex Court has unequivocally blasted all his interpretations and opinion about reservation in admissions to post-graduate medical courses in specialities and super-specialities while delivering a recent judgement of the Apex Court in 1994 (Ajay Kumar and others Vs State of Bihar and others).

3.6 The Committee have been informed that for admission to various courses at AIIMS candidates are required to appear in the entrance/examination/test except to courses like B.Sc. (Hons.) Nursing and Nursing (post certificate) which are being made on the basis of marks obtained by the candidates in qualifying examination and personal assessment respectively. It has also been stated that for admission to all the courses eligibility criteria for SC and ST candidates have been kept lower than the criteria as laid down in respect of general category of candidates/students.

3.7 When the Committee desired to know what specific concessions/relaxations are given to SC/ST candidates for admission to different courses the following information was furnished:

Sl. No.	Name of the Course	Eligibility for General candidates	Eligibility for SC/ST candidates
1	2	3	4
1.	MD & MS	55% marks in MBBS	50% marks in aggregate.
2.	B.Sc. (Bio-Tech)	60% marks in aggregate.	60% marks in aggregate.
3.	MBBS	60% marks in 10+2 Scheme/Sr. School Certificate Exam.	50% marks in aggregate.
4.	B.Sc. (Human Bio)	60% marks in aggregate.	50% marks in aggregate.

1	2	3	4
5.	B.Sc. (Hons.) Paramedical Courses	50% marks of the total marks in aggregate.	45% marks in aggregate.
6.	B.Sc. (Hons.) Nursing	55% marks in aggregate.	50% marks in aggregate.
7.	B.Sc. Nursing Post-certificate	Past academic attainment in the Higher Secondary or Sr. Cambridge or Intermediate or an equivalent examination.	Same as for General.

3.8 After going through the above information, the Committee desired to know the reasons for not providing any concessions/relaxations to SC/ST candidates in admission to B.Sc. (Bio-Tech) and B.Sc. nursing post certificate courses. In reply it was stated that AIIMS was conducting M.Sc. (Bio-Technology) course and not B.Sc. (Bio-Tech.) courses. It was elaborated that the reasons for not making any provision of relaxations in the eligibility criteria to SC/ST candidates for admission to M.Sc. (Bio-Tech) and B.Sc. Nursing (Post certificate) courses was not available with the Institute and they were proposing to place the matter before the competent authority for consideration.

3.9 As regards the procedure followed by AIIMS for dereservation of seats, the Committee have been informed that when candidates under reserved categories are not available for admission to various courses the seats are filled in from general category candidates.

3.10 During evidence it was elaborated that if SC candidates were not available for the seats reserved for them, candidates belonging to ST category could be considered for those seats and *vice versa*. But when both SC and ST eligible candidates are not available for the seats reserved for them the seats are filled up from amongst the general candidates.

3.11 To a query of the Committee as to who was the final authority to decide the non-availability of SC/ST candidates for admission to different courses, it was stated that it was an established procedure that in case candidates under reserved categories for admission to various courses were not available then the seats were filled in by other candidates with the approval of the Director.

3.12 As regards the total number of students admitted to different courses in AIIMS during the year 1989, 1990 and 1991 and the number of SCs and STs amongst them, the following information was furnished to the Committee.

Year	Name of the Course	Total No. of Students admitted	Seats reserved for		Candidates admitted		Remarks
			SC	ST	SC	ST	
1	2	3	4	5	6	7	8
1989	M.B.B.S.	50	7	4	7	4	One seat reserved for SC candidate could not be filled in due to non-availability of SC candidate.
1990	M.B.B.S.	49	7	4	6	6	
1991	M.B.B.S.	50	7	4	7	4	
1989	B.Sc. (Hons.) Human Biology	25	3	2	5	1	Two seats reserved for SC candidates could not be filled due to non-availability of ST candidates. However, again against 3 seats reserved for SC candidates five students were admitted.
1990	B.Sc. (Hons.) Human Biology	18	3	2	5	—	
1991	B.Sc. (Hons.) Human Biology	25	3	2	3	2	
1989	B.Sc. (Hons.) Nursing	48	7	4	3	•	*The Seats reserved for Scheduled Caste and Tribe candidates could not be filled due to non-availability of candidates in respective categories.
1990	B.Sc. (Hons.) Nursing	49	7	4	•	•	
1991	B.Sc. (Hons.) Nursing	50	7	4	•	•	
1989	B.Sc. (Nursing) Post Certificate	11	1	2	•	2	•
1990	B.Sc. (Nursing) Post Certificate	15	1	2	1	•	
1991	B.Sc. (Nursing) Post Certificate	14	1	2	1	1*	
1989	B.Sc. (Hons.) Para-Medical Course Opthalmic, Medical Technology in Radiography and Speech & Hearing.	24	3	3	4	1*	
1990	-do-	17	3	3	4	•	
1991	-do-	19	3	3	6	•	

1	2	3	4	5	6	7	8
1989	MD/MS	125	18.75	9.37	18	0	In M.Sc.
1990	M.Sc.	14	2.1	1.05	—	—	Course the
1991	MD/MS	117	17.55	8.77	21	10	required per-
	M.Sc.	10	1.5	0.75	1	—	centage for
	MD/MS	129	19.35	9.67	19	9	SC/ST could
	M.Sc.	23	3.45	1.75	2	1	not be filled in
							because
							candidates for
							this course
							were not
							available.

3.14 After going through the above statement, when the Committee desired to know the reasons for which the seats reserved for SC/ST candidates in various courses could not be filled, it was stated that due to non-availability of these candidates seats reserved for them in their respective categories could not be filled although the Institute resorted to inter-change of seats between the two communities.

3.15 When the Committee desired to know the efforts made by the Institute to attract sufficient number of SC/ST candidates for admission to various courses it was replied that due publicity was given in all the leading newspapers and the prospectus issued for admission to various courses at the Institute clearly indicates the percentage of seats reserved for SC/ST candidates alongwith the relaxed criteria. It was added, if candidates belonging to SC/ST category did not join a course after due publicity and at times even after selection was done it was not possible to continue admission for them after the session had commenced.

3.16 When the Committee enquired during evidence whether AIIMS was maintaining any waiting list for SC/ST candidates it was stated that waiting list could remain effective for one month only from the date of commencement of each course. The representative of AIIMS elaborated:—

“For example, if it has to start from 1st August, then we can do it (take candidates from the waiting list) till 1st September. If on the 1st September any candidate leaves then we can not fill it from waiting list.”

3.17 The Secretary, Ministry of Health and Family Welfare added that there were certain courses which were not popular for which people might join and leave it after studying sometime in lieu of better opportunities somewhere else. In that case, if it was within the permissible limits and if somebody was there in the waiting list he/she might be admitted.

3.18 The Committee enquired when the SC/ST candidates with relaxed standard were admitted to different Medical Courses what efforts were made by AIIMS to bring these students at par with the general candidates.

In reply it was stated that when SC/ST candidates with relaxed standards were admitted to the various courses they were treated at par with other general candidates for purpose of teaching. However, if SC/ST candidates or any other weak students desired extra coaching the faculty of the Institute were always willing to coach them even after working hours.

B. Post Graduate Institute of Medical Education and Research

3.19 The Committee have been informed that admission to all the courses in PGIMER are made on all India basis through an entrance examination after issuing countrywide admission notices. Seats are reserved for candidates belonging to SC/ST category in accordance with the decision of the Governing Body of the Institute provided candidates fulfil the minimum admission eligibility prescribed by the Institute for the purpose.

3.20 At present 15% seats are reserved for SC candidates and 7.5% for ST candidates for admission to all the courses except DM/M.ch. courses.

3.21 When the Committee desired to know the reasons for which admissions to DM/M.ch. courses were kept outside the purview of reservation orders, it was stated that reservation for such courses was struck down by the Punjab and Haryana High Court in 1980.

3.22 The Committee enquired whether any efforts was made by PGIMER to get the matter reviewed by the Supreme Court for the benefit of SCs and STs. In reply it was stated that prior to 1990 the Institute used to reserve seats for SC and ST candidates in DM/M.ch. courses as well although the Supreme Court in 1988 had given verdict against reservation in admission to DM/M.ch. courses. But in 1990, subsequent to writ petition filed by some candidates, the Punjab and Haryana High Court stayed and then struck down reservations in admission to DM/M.ch. courses. However, a Special Leave Petition filed in the Supreme Court by the Institute is due for hearing.

3.23 As regards the procedure followed for making admission to various courses the Committee have been informed that entrance tests are held for selection and admission to different courses. It has further been stated that candidates belonging to SC/ST categories are granted relaxation of 5% marks in the entrance examinations.

3.24 During the course of evidence the Committee desired to know whether the case in the Supreme Court had been heard. In reply, the Secretary, Deptt. of Health submitted:

"It has been heard now. The Attorney General has been asked to appear.... Perhaps the Constitution Bench will again go into this question."

3.25 Regarding the total number of admissions made to higher studies in PGIMER during the year 1990, 1991 and 1992 and the number of SCs and STs amongst them, the following information was furnished to the Committee:

Name of Course	Total Admissions to Higher Studies	Total No. of seats for SC/ST reserved for admission to higher studies	Total No. of SC/ST candidates admitted
1990			
MD/MS	96	23	22
MDS	4	—	—
DM/M.ch.	23	8	5
M.Sc.	2	—	—
1991			
MD/MS	111	25	16
MDS	1	—	—
DM/M.ch.	28	—	—
M.Sc.	7	2	2
1992			
MD/MS	127	24	15
MDS	5	1	1
DM/M.ch.	24	—	—
M.Sc.	6	2	—

3.26 After going through the above statement the Committee desired to know the reasons of shortfalls of SC/ST candidates in admission to higher studies. In reply, it was stated that reservation in DM/M.ch. admissions had been stopped by court orders and M.Sc. admissions were made on sponsorship of State Government Undertakings and the category of candidates depended upon the nominations received from these Agencies.

It was further stated that as regards admission to MD/MS courses the position had improved considerably in 1993 and almost all the reserved category seats had been filled as shown below:—

	Seats Advertised		Seats Filled	
	General	SC/ST	General	SC/ST
January, 1993	58	13	56	12
July, 1993	47	13	43	13

3.27 As regards details of admissions made to various under-graduate courses in PGIMER during the years 1991, 1992 and 1993, the following information was furnished to the Committee.

Name of the Course	Year	Seats advertised		Seats filled	
		SC	ST	SC	ST
B.Sc. Medical Technology (Laboratory)	1991	11	4	11	4
	1992	11	4	11	4
B.Sc. Medical Technology	1993	11	4	10	4
B.Sc. Medical Technology (X-ray)	1991	8	2	8	2
	1992	8	2	7	Nil
	1993	8	2	8	2
B.Sc. (Audiology and Speech Therapy)	1991	4	2	4	2
	1992	4	2	4	1
	1993	4	2	4	Nil
Operation Theatre Asstt.	1991	8	2	4	2
	1992	8	2	7	2
	1993	8	2	7	2

C. Lady Hardinge Medical College (LHMC)

3.28 The Committee have been informed that Lady Hardinge Medical College was following the Government policy on reservation for SCs and STs for admission to undergraduate (MBBS) courses where 15% and 7.5% of total seats were reserved for SC and ST candidates respectively. But with regard to higher studies, i.e., Post-Graduate Degree/Diploma courses no reservation has been provided to SC/ST candidates. However, a weightage of 20 marks is given to them in the entrance examination leading to admission into Post-Graduate courses.

3.29 When the Committee desired to know the reasons for which no reservation has been provided to SC/ST candidates in admission to Post-Graduate courses, it was stated that Delhi University had not agreed to provide reservation to SC/ST candidates in Post-Graduate courses despite

being asked to do so by the Deptt. of the Hclath, Deptt. of Education and University Grants Commission.

3.30 Regarding the procedure followed for making admissions to various courses in LHMC the Committee have been informed that written test is held for admission to each course in LHMC and relaxation of 10% of marks is being given to SC/ST candidates for admission to undergraduate courses. It has been elaborated that the minimum marks prescribed under the regulations of the Medical Council of India for general category candidates for admission to MBBS course is 50% whereas for SC/ST candidates the eligibility is 40% marks in the qualifying examination and LHMC is following this regulation of the Medical Council of India.

3.31 The Committee have been informed that no dereservation of seats reserved for SC/ST candidates is done in LHMC. When the Committee desired to know who was the final authority to decide the non-availability of SC/ST candidates, it was stated that the Medical Courses Admission Committee of Delhi University was the final authority to decide non-availability of SC/ST candidates for fresh admissions, whereas the Board of Research Studies was the final authority for higher admissions.

3.32 To a query of the Committee regarding checks devised to ensure that SC/ST candidates are not denied admission to the college intentionally it was stated that the lists of admissions to various courses in LHMC are finalised by a Committee comprising 7/8 persons.

3.33 As regards total admissions made to undergraduate courses in LHMC during the years 1989-90, 1990-91 and 1991-92 and the number of SCs and STs amongst them the Committee have been informed that during these three years 130 seats each year were filled in undergraduate courses out of which 19 and 10 seats were given to SC and ST candidates respectively each year.

3.34 So far as admission to post-graduate course is concerned only one candidate belonging to the reserved category was given admission in LHMC during the aforesaid three years.

3.35 During evidence on 22.4.1994 the Principal LHMC apprised the Committee that as at the end of 1993 there were three candidates belonging to SC/ST community who were given admission to P.G. courses in LHMC.

3.36 The Committee are unhappy to note that no concessions /relaxations are provided by AIIMS to SC/ST candidates in admission to M.Sc. (Bio-Tech) and B.Sc. nursing post certificate course although certain concessions are allowed to them in other courses. They are surprised at the casual reply given by the Institute that reasons for not providing concessions/relaxations to SC/ST candidates in admission to the aforesaid courses is not available with the Institute and it is proposed to place the matter before the

competent authority for consideration. The Committee recommend that the concessions/relaxations, as has been allowed to various courses in AIIMS be also given to them for admissions to M.Sc. (Bio-Tech.) and B.Sc. Nursing post-certificate courses and the Committee informed of the same.

3.37 The Committee note that both the AIIMS and PGIMER provided reservation to SCST candidates for admission to DM/M.ch. courses upto the year 1990 but discontinued it thereafter on the plea of some court rulings. After a careful perusal of the present Attorney General's opinion regarding reservation in admission to such courses, the Committee find that the Attorney General has misinterpreted the meaning not only of the relevant Articles of the Constitution but also of the Supreme Court judgements referred to by him. This has been confirmed by the 1994 judgement of the Supreme Court on the specific issue. The Committee, therefore, strongly recommend that reservation should be restored for admission of SCST candidates to the super-speciality courses as before.

3.38 The Committee observe that the faculties in AIIMS are always willing to coach those SCST candidates who are admitted to the Institute on relaxed standards in order to bring them at par with other meritorious candidates. In the opinion of the Committee mere willingness would serve no purpose unless and until the Institute initiates concrete action in this regard. They, therefore, recommend that a concrete scheme be formulated and implemented for extra coaching to the SCST candidates admitted to different courses on relaxed standards not only to bring them at par with other candidates but also to take care of the larger interest of the country in the long run.

3.39 It has been explained that M.Sc. admissions are made on sponsorship of State Govts./Undertakings and the category of candidates depends upon the nominations received from State Govts./Govt. undertakings for admission to such courses. The Committee, recommend that the Institute should advise the State Govts./Govt. undertakings to give SCST candidates a fair share whenever names of candidates are sponsored for admission to M.Sc. courses.

3.40 The Committee deprecate the arbitrary decision taken by Delhi University for not providing any reservation to SCST candidates in admission to post graduate courses in Lady Hardinge Medical College. The position is deplorable as has been substantiated by the fact that only three candidates belonging to the reserved category have been admitted to the post graduate courses in LHMC during the years 1989-90, 1990-91, 1991-92 and 1992-93. In the opinion of the Committee the meagre representation of SCST candidates in admission to post-graduate courses is due to non-adherence to reservation policy of the Govt. notwithstanding the 20 grace marks as has been given to SCST candidates for admission.

3.41 The Committee note that in PGIMER prior to 1990 reservation was provided to SCST candidates in admission to DM/M. Tech course. But in

1990 subsequent to a ruling given by the Punjab and Haryana High Court reservation to these courses has been stopped. A special Leave petition has been filed in the Supreme Court against the High Court order.

3.42 The Committee also fail to understand when premier medical institutes like AIIMS and PGIMER are providing reservation to SCST candidates in admission to post-graduate courses what would have been the difficulties on the part of Delhi University in doing so in case of LHMC and other colleges. They, therefore, strongly urge upon the Delhi University to reconsider its policy and allow reservation to SCST candidates in admission to P.G. courses in all medical colleges without further delay.

3.43 The Committee note that a Committee comprising of seven/eight persons finalise the list of candidates for admission to different courses in LHMC to ensure that no injustice is done to SCST candidates in such admissions. The Committee desire that atleast one person belonging to SC/ST community be permanently included in the Committee so that the interest of SCST candidates for admission to different courses in LHMC is better protected.

3.44 The Committee note that the UGC Act does not permit the Commission to stop giving grants to the Universities which do not follow the reservation policy and guidelines. They are, however, dismayed at the UGC Chairman's view that the Delhi University Vice-Chancellor has to act in accordance with the decisions of the University authorities like its Academic Council, implying thereby that the constitutional mandate and Government policy of reservation can be ignored. The Committee also note that with a view to not compromising with the autonomous character of the Universities the Deptt. of Education is hesitant to issue directives to the Universities and wants to continue with persuasive methods. They agree that certain autonomy of the Universities requires to be upheld but certainly not at the cost of continuous violation of the constitutional mandate and Government policies. The Committee, therefore, urge upon the Government to take urgent steps to suitably amend the UGC Act, as agreed upon by the Health Ministry during 1982-83, and strongly recommend that the Education Ministry should exercise the Government power to give directions to Universities whenever they fail to comply with Government orders pertaining to reservation of sets/posts in favour of SCs and STs.

3.45 The Committee asked for a comprehensive report from the Education Ministry and the Vice-Chancellors of the three Central Universities of Delhi, Aligarh and Banaras about the reasons for not making reservation for SCs. and STs. in P.G. Courses in spite of comprehensive instructions and guidelines of the UGC and advice of the Education Ministry to them to strictly follow the reservation policy and guidelines in this regard. No such report has, however, been received by the Committee. They therefore, urge upon the Government to compile such a report and furnish to the Committee at a very early date.

D. Jawaharlal Institute of Post Graduate Medical Education and Research (JIPMER)

3.46 The Committee were informed that admissions are made in the Institute (JIPMER, Pondicherry) as per the policy laid down by the Government of India. The admissions to various courses are done by conducting All India Competitive Entrance Examination and certain seats are nominated by the Government of India. The percentage of reservation for SCs is 15 and for STs is 7½.

3.47 During evidence the Committee desired to know whether at the time of writing the examination the SC/ST candidates and the candidates belonging to general category were distinguished. In reply the representatives of the Ministry stated: "the Admission test is common but the merit lists of the candidates are prepared separately".

3.48 The details regarding the total number of students admitted during the year 1993 were as under:

Undergraduate Courses

Name of the course	Total no. of students admitted	Seats reserved for		Candidates admitted	
		SC	ST	SC	ST
M.B.B.S.	75	13	4	13	4
B.Sc. (MLT)	12	1	1	1	1
Post-Graduate Courses					
M.Sc. (Medical Bio-Chemistry)	6	1	Nil	1	Nil
Post-Graduate Degree (MD/MS & Diploma Courses)	70	11	5	11	5

3.49 As regards the relaxation provided to SC/ST students, the Committee were informed that for admission to MBBS Course and B.Sc.(MLT) Course, the general candidates should have obtained 50% of the marks in science subjects in the qualifying examination viz., Higher Secondary Examination whereas the percentage of marks is relaxed to 40 for SC/ST candidates. Likewise, in the Entrance Examination also the SC/ST candidates securing 40% of marks and above are qualified. When the Committee specifically desired to know whether the Institute provides concessions/relaxations to SC/ST candidates for admission to other courses

as well, it was stated that the selection for post-graduate Degree/Diploma courses was being made on the basis of merit in the common competitive entrance examination conducted by the Institute. No minimum marks have been fixed for the selection of candidates."

3.50 The Committee note that admission to various courses in Jawaharlal Institute of Post-Graduate Medical Education and Research (JIPMER) are done by conducting All India Competitive Entrance Examination and certain seats are nominated by the Government of India. The Committee also note that the percentage of reservation for SCs is 15 and for STs is 7½. The Committee note that admission test for general and SC/ST candidates are common but the merit lists of the candidates are prepared separately. The Committee also note that no minimum marks have been fixed for the selection of candidates. The Committee desire that while appearing at admission tests and interviews the SC/ST candidates be considered in relaxed standard and no minimum marks should also be fixed for selection of SC/ST candidates.

E. National Institute of Mental Health and Neuro Sciences

3.51 The Committee were informed that reservations were provided for SC/ST candidates as per the Government of India direction in NIMHANS. Twenty percent of the total Medical and non-medical courses and thirty percent of the Nursing Courses were reserved for SC/ST candidates.

3.52 It was stated that PG Medical Courses were exempted from the purview of SC/ST reservation based on the judgement of Hon'ble Supreme Court and as per the instructions of the Indian Medical Council.

3.53 The Details regarding the total number of students admitted and the number of SCs and STs among them during the year 1993-94 is as under :—

Name of the course	Total no. of students admitted	Seats reserved for		Candidates admitted	
		SC	ST	SC	ST
1	2	3	4	5	6
Medical					
DPM	15	—	—	2	1
MD	8	—	—	2	1
Non-Medical					
Ph.D. Clinical Psychology	4	—	—	—	—

1	2	3	4	5	6
Ph.D. in Neuro Physiology	2	—	—	—	—
M.Phil in Clinical Psychology	12	—	—	1	—
M.Phil in Psychiatric Social Work	12	—	—	3	—
M.Phil in Neuro- Physiology	2	—	—	—	—
M. Phil in Biophysics	2	—	—	—	—
M.Sc.in Psychiatry Nursing	6	—	—	—	—

3.54 The Committee were informed that no relaxation in standard is given to SC/ST students since the admission is for advanced studies.

3.55 The Committee note that reservations are provided to SC/ST candidates as per the Government of India directions in NIMHANS. The Committee also note that the P.G. Medical Courses are exempted from the purview of SC/ST reservation based on the judgement of Hon'ble Supreme Court and as per the instructions of the Indian Medical Council. The Committee are extremely unhappy to note that no relaxation in standard is given to SC/ST students since the admission is for advanced studies. The Committee strongly recommend that for continuation of further study of SC/ST students the guidelines provided in the 1994 Supreme Court judgement (on Civil Appeal No. 141 ARD 142 of 1994 dated 17.3.1994) should be followed by all concerned.

F. All India Institute of Physical Medicine and Rehabilitation

3.56 The Committee were informed that admissions are held in AIIPMR as per University norms. It was also stated that the percentage of reservation followed in fresh admission were 13% for Scheduled Castes and 7% for Scheduled Tribes.

3.57 On being asked whether any test — written or oral — was held before such admissions and if so, whether any relaxation in standard was allowed to SC and ST candidates, it was stated that no test was held but interviews were held for B.Sc. courses, and no relaxation of standard was stated to be allowed to SCs and STs. When the Committee desired to know why no relaxation in standard was given to SC/ST students for

admission to B.Sc. courses, in a post-evidence reply it was stated that "two letters have been sent to the University (Ref. No. Acad./180 dated 25th April, 1995 and Ref. No. Acad./428 dated 8th May, 1995) asking in writing the relaxation in standard given to SC/ST candidates. The reply is awaited and would be immediately despatched after being received."

3.58 As regards the details on admission of students to various courses during the year 1993-94, the Committee were furnished the following statement:-

Name of the Course	Total No. of students admitted	Seats reserved		Candidates Admitted	
		SC	ST	SC	ST
M.sc. Physiotherapy	4	1	—	1	—
M.sc. in occupational therapy	4	1	—	—	—
P.G. Diploma in Rehabilitation (Physiotherapy)	10	1	—	1	—
P.G. Diploma in Rehabilitation (Occupational Therapy)	10	1	—	—	—
B.sc. in (Prosthetic and Prothotic)	10	1	1	1	1

3.59 AS regards the non-admission of SC students the Committee were informed that no SC candidate had applied during that year.

3.60 The Committee note that the percentage of reservation followed in the All India Institute of Physical Medicine and Rehabilitation for fresh admission is 13 for SCs and 7 for STs. The Committee also note that no entrance test is held but interviews are held for B.Sc. course for fresh admission. The Committee are surprised to find that no relaxation in standard is allowed to SC and ST students, more so the fact that during the year 1993-94 in M.Sc. Occupational Therapy, P.G. Diploma in Rehabilitation (Physiotherapy) and P.G. Diploma in Rehabilitation (Occupational Therapy) there was no student from SC category. The reason for non inclusion of SC students on the ground that no SC candidate applied during that year is hardly convincing to the Committee. The Committee believe that as per the Government rules had concessions/relaxations been provided to SC/ST students many

more applications could have been received. The Committee, therefore recommend that SC/ST students should be given permissible relaxations/concessions in all courses for admission.

G. All India Institute of Hygiene and Public Health

3.61 As regards the admission policy followed in All India Institute of Hygiene and Public Health, the Committee were informed that applications were invited through All-India open advertisements in the leading newspapers. Selection of the candidates for different courses are done for the institute under the University of Calcutta by a Selection Committee appointed by the Vice-Chancellor of the University of Calcutta.

3.62 The Committee were also informed that 28% of seats are reserved for SC/ST candidates, 22% for SCs and 6% for STs in each course for fresh admissions as well as in higher studies. If sufficient number of candidates were not available the seats would be treated as unreserved.

3.63 As regards the details on the total number of students admitted and the number of SCs and STs among them during 1993 the Committee were furnished with the following statement.

For 1993-94

Sl. No.	Name of the Course	Total Seat	Total admitted	SC	ST
1.	DMCW	30	29	4	1
2.	MD(PSM)	7	7	1	1
3.	MVPH	10	6	—	—
4.	DIH	10	9	2	—
5.	Dip.-Diet	20	20	5	1
6.	DHE	30	27	4	—
7.	DHS	5	2	—	—
8.	ME(PH)	30	26	—	—
9.	DPH	60	50	12	5

3.64 From the above statement it has been observed that the prescribed percentage of seats reserved for SCs and STs have not been maintained in these courses.

3.65 When the Committee wanted to know what steps the Institute take to ensure availability of SC/ST students before getting the reserved seats treated as unreserved, the Ministry stated the following in a post evidence reply:—

“While selecting for admission in different courses the Institute always give preference to sponsored candidates nominated by Central/State Governments, Local Bodies, Union Territories etc. Every attempt was being made to fill up the SC/ST reservation quota at the time of selection. However, if SC/ST candidates are not

available, the same is filled up by unreserved candidates with the approval of Dean, Calcutta University, who is the Chairman of the Selection Committee.

3.66 Regarding the concessions/relaxations allowed to SC/ST candidates at the time of admission to different courses, it has been stated that prescribed reservations, i.e., 15% for SCs and 7.5% for STs are followed at the time of admission.

3.67 When the Committee enquired what specific concessions/relaxations are given to SC/ST candidates at the time of admission to different courses besides prescribed reservation of 15% for SCs and 7.5% for STs, the Ministry replied as follows, in a post-evidence note:—

“While selecting the candidates for different courses, desirable experience in cases of SC/ST candidates is relaxed, if they fulfil the minimum educational qualifications. Also where written and viva examination is being undertaken [such as MD(PSM)] relaxations are given to SC/ST candidates in viva examination and separate merit list for SC/ST is maintained”.

3.68 The Committee note that in All India Institute of Hygiene and Public Health, 22% for SC and 6% for ST seats are reserved in different courses. The Committee also note that the prescribed percentage of seats reserved for SCs and STs have not been filled up in all the courses. The Committee note that the Institute (AIHHPH) always give preference to sponsored candidates nominated by Central/State Governments, Local Bodies, Union Territories etc. The Committee further note that if SC/ST candidates are not available the same is filled up by unreserved candidates with the approval of Dean, Calcutta University who is the Chairman of the Selection Committee. The Committee recommend that all out efforts should be made to select adequate number of SC/ST students for various courses. The Committee also recommend that reserved seats meant for SC/ST students should not be filled up by the sponsored candidates and the record of both the categories of students should be maintained separately.

H. Central Institute of Psychiatry (CIP)

3.69 The Committee were informed that for admission to various courses in Central Institute of Psychiatry applications are invited through advertisements in almost all the leading newspapers, including Employment News.

3.70 As regards the percentage of reservation it was stated that 10% and 5% of seats were reserved for SC and ST candidates respectively during the years 1989 and 1990. From 1991 onwards 15% and 7½ % seats were reserved for SC and ST candidates respectively.

3.71 The Committee were informed that written examinations and interviews were held for selection of P.G. students. However, no written examination/interview were held for selection of candidates for Psychiatric nursing course (D.P.N.) as the number of applications were less than the

number of seats available. There was a Selection Committee, constituted by the Director General of Health Services, for selection of candidates. Relaxation in written and oral examination was given to SC/ST candidates.

3.72 The details regarding the total number of students admitted to different courses in CIP during the years 1991, 1992 and 1993 were as under:—

Year	Name of the course	Total No. of students admitted	Seats reserved for		Candidates admitted	
			SCs	STs	SCs	STs
1	2	3	4	5	6	7
1991	M.D.	4	15%	7½%	1	-
	D.P.M.	12	"	"	1	1
	M. Phil (M&SP)	9	"	"	-	-
	Ph.D.	2	"	"	-	-
	M. Phil (PSW)	-	"	"	-	-
	D.P.N.	6	"	"	1	3
1992	M.D.	4	"	"	1	-
	D.P.M.	12	"	"	1	-
	M.Phil (M&SP)	7	"	"	1	-
	Ph.D.	-	"	"	-	-
	M. Phil (PSW)	-	"	"	-	-
	D.P.N.	7	"	"	-	4
1993	M.D.	6	"	"	-	-
	D.P.M.	9	"	"	-	-
	M,Phil (M&SP)	8	"	"	1	-
	Ph.D.	2	"	"	-	-
	M. Phil (PSW)	3	"	"	-	-
	D.P.N.	3	"	"	-	2

The Committee were informed that the shortfall of SC/ST candidates in admission was due to non-availability of suitable candidates.

3.73 The Committee note that for admission to various courses in Central Institute of Psychiatry applications are invited through advertisements in all the leading newspapers and Employment News. The Committee note that written examinations and interviews are held for selection of P.G. students and no written examination/interview were held for selection of candidates for psychiatric nursing courses (D.P.N.). The Committee also note that relaxation in written and oral examination is provided to SC/ST students for admission. The Committee further note that during the year 1993 for the courses of Ph.D. and M.Phil (PSW) nobody was there from SC/ST category. For the courses of M.D., D.P.M. and D.P.N. the representation of SCs and STs were very poor. The Committee have been informed that the

shortfall in admission of SC/ST candidates is due to non-availability of suitable candidates. The Committee are of the view that being situated in the heart of tribal area (Ranchl), the C.I.P. should not have any problem in getting suitable SC/ST students for admission. They, therefore, recommend that sincere efforts should be made hereafter to fill up the SC/ST quota in admission to various courses.

APPENDIX

(Vide Para 4 of Introduction)

Summary of Conclusions/Recommendations contained in the Report

Sl. No.	Para No. in Report	Conclusions/Recommendations
1	2	3
1.	1.21	The Committee note that there has been a significant change in furnishing the present list of Institutes/Colleges under the control of or aided by the Central Government over a similar list provided to the Committee in 1982-83. The maintained institutes/colleges of the Central Universities and also those administered by the Union Territories have been dropped from the present list. This exclusion is obviously not justified because these institutions are under the control of and fully aided/funded by the Central Government.
2.	1.22	The Committee are constrained to note that the Lady Hardinge Medical College which is under Delhi University and is fully funded by the Ministry of Health and Family Welfare is not providing reservations to SCs and STs in admission to Post-Graduate Courses despite being advised by the Deptt. of Health, Deptt. of Education and University Grants Commission to do so. When other Institutes/Colleges like Mahatma Gandhi Institute of Medical Sciences which is partly funded by the Central Government and National Institute of Mental Health and Neuro Sciences which is under the University of Bangalore are providing reservations to SCs and STs in admission to Post-Graduate Courses, the Committee fail to understand what would have been the constraints on the part of Delhi University in doing so in the case of Lady Hardinge and other Medical Colleges.

In this connection it is very relevant to refer to the statement given below made by the representative of

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Ministry of Health during evidence before the Committee of 1982-83, as recorded on page 12 of its fortieth report presented in Lok Sabha on 29-4-83, it was stated as follows:—

“So far as the institutions which are under our direct control are concerned, we have no problem. They conform to what we want them to do. The problem arises in regard to Universities which are being set up under the State Acts. As far as those universities are concerned, if the UGC Act was to be amended, that would help.

After all the UGC gives grants not only for medical education but for the whole gamut of education. They can say that unless and until the reservation Policy is adhered to in regard to all faculties under them, whether it is the faculty of medical education or technical education or legal education or what you have, they will not give the grant. If a provision like that was embodied in the UGC Act and if our concurrence is required, we will strongly support it. It is that Act which is a crucial Act. It is the University Grants Commission which a substantial amount of money at their disposal which is funding not only Central Universities but also other Universities.”

3. 1.23

The Committee also note that the Ministry of Health was agreeable during 1982-83 to offer its strong support for embodying a suitable provision in the UGC Act which is crucial in enforcement of the UGC directives, but no action appears to have been taken for the last thirteen years. The Committee very much deplore it and cannot accept the plea of the UGC's inability to take action. The Act should, therefore, be suitably amended without any further loss of time.

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4.	1.24	The Committee would also like to impress upon the Government to see that the so-called autonomy does not amount to autocracy in flouting the constitutional directives and the consequent Government policy regarding reservation. When the persuasive methods have failed so long, it is high time to take positive action.
5.	1.25	The Committee note that the Liaison Officer appointed in the Ministry has been periodically inspecting various rosters maintained by the Establishment. Sections in the Ministry/DGHS, AIIMS and PGIMER. They also note that the comments made by the inspecting authority in his inspection report are given due weightage by the Ministry and the Secretary himself sometimes oversees the inspection of rosters and rectifies mistakes wherever necessary. The Committee feel that it is a step in right direction and would like the Ministry to continue the procedure in future also. They recommend that the Liaison Officer in the Ministry should also periodically check the rosters maintained by rest of the Medical Institutes/Colleges which are either under the control of or aided by the Ministry of Health and Family Welfare so that any aberration in the maintenance of rosters is timely avoided. The SC/ST Cell should be expanded and strengthened for this purpose.
6.	1.26	The Committee note that in the Indian Medical Council Act there is provision for nominating eight members to the Council by the Central Government. However, it does not contain any provision for nominating anybody belonging to SC/ST community to the Council. The Committee suggest that the Government should take early steps to include at least one or two persons belonging to SC/ST community while nominating members to the Council, as promised by the Secretary of the Ministry during his evidence before the Committee.
7.	2.16	The Committee are disappointed to note that during the year 1991 out of 196 vacancies filled in Group C posts in AIIMS only 16 SCs and 14 STs

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were given appointment whereas 70 SC and 30 ST vacancies were carried forward. The plea that non-availability and unwillingness of SC/ST candidates to join as nurses, radiographers, physiotherapists, technical assistants etc. has been a cause in accumulating shortfalls in Group C posts is hardly convincing to the Committee as has been proved by the fact that when AIIMS got into touch with the Employment Exchanges frequently besides taking other measures, it was able to recruit 43 nurses. The Committee are also constrained to note that as on date there is still a backlog of 167 posts in Group C posts. It compels the Committee to come to the conclusion that there is a lack of effort somewhere on the part of AIIMS to recruit adequate number of SC/ST people in Group C category. They, therefore, recommend that besides contacting the Employment Exchanges regularly and requesting the Ministry of Labour and various SC/ST Associations periodically to help and locate suitable SC/ST candidates, AIIMS should continue launching Special Recruitment Drives vigorously till the backlog vacancies in Group C and other categories are completely wiped out.

8. 2.17

The Committee are dissatisfied to note that out of 109 posts of Asstt. Professors filled during 1991, 1992 and 1993 in AIIMS only 18 and 3 persons belonging to SC and ST category respectively were given appointment whereas their corresponding numbers should have been 31 and 29 taking into consideration the posts reserved for them during these three years and posts carried forward from previous years. Moreover, there is no evidence to show that efforts were ever made by AIIMS to fill up the backlog vacancies in SCST category in Assistant Professors cadre. The Committee, therefore, strongly recommend that AIIMS should immediately launch Special Recruitment Drives with a long-term perspective in view so that adequate number of Assistant Professors belonging to SCST category are appointed to give them due representation in each Deptt./discipline. In the opinion of the Committee

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		<p>due representation of SCST persons in this category has to be fully made up keeping in view the fact that reservations has not so far been made applicable over and above the post of Asstt. Professors. The Committee find a clear contradiction in the position stated in respect of applying reservation to the faculty posts. It is clear that till 1983 there was no reservation at all in regard to faculty posts and in the 1983 resolution of the Governing Body of the institute there is no stipulation to restrict the reservation to the lowest entry level faculty post only. In the opinion of the Committee how can the Director go over the head of the Governing Body in making such restrictions.</p>
9.	2.18	<p>The Committee also urge upon the Government to see that AIIMS also fall in line with the reservation policy as applicable to all teaching posts in view of this Governing Body Resolution of 1983.</p>
10.	2.25	<p>The Committee note with dismay that out of 97 employees promoted in the Group A faculty posts of AIIMS during the years 1989, 1990 and 1991, only 4 belonged to SC category and none to ST which belies the reply given to the Committee that the promotional policy adopted by the Institute does not hamper the promotional aspects of SCST employees in faculty posts. They are also surprised to note that when the Institute is following seniority-cum-fitness, i.e., completion of requisite number of years of service, as one of the methods for promoting its employees what would have been the cause for promoting such a dismal number of SCST employees in faculty posts. The Committee, therefore, recommend that AIIMS must find out suitable means so that at least a sizeable SCST employees are given promotion in teaching posts. Suitable outside candidates should be made eligible for filling up the reserved vacancies at all levels by resorting to direct recruitment.</p>
11.	2.29	<p>From a perusal of the judgement of the Punjab and Haryana High Court, the Committee is aghast at the above statement in justification for discontinuing</p>

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		<p>reservation in all levels of faculty posts in PGIMER since 1990. The question before the court was about the advertisement for filling up certain posts of Asstt. Professors reserved exclusively for members of the S.Cs. and S.Ts. The specific court order by a single judge was "The impugned advertisement in so far as it relates to the posts of Asstt. Professors in the Specialities of Urology (Emergency), General Surgery (Renal-transplantation) and Paediatric Surgery (Neonatology) is quashed. The Institute shall of course be at liberty to advertise these posts without making any reservation". It does not contain any sweeping order that there should be no reservation at any level of faculty (teaching) posts. The decision of the Governing Body of 1983 was not at all a question before the court. The said statement has, therefore, fully twisted the fact and is highly motivated to mislead the Committee.</p>
12.	2.30	<p>The Committee find PGIMER has not furnished clarifications in respect of certain questions/queries raised by the Committee. Moreover, the replies furnished to some of the questions are not only evasive but even astounding.</p>
13.	2.31.	<p>The Committee find that the <i>obiter dicta</i> of the Supreme Court Judgement of 16th. November, 1992 on the Govt. Memo. on the Mandal Commission Report are not applicable to the subject under examination. It has been clearly stated in this judgement that wherever reservations have already been provided in the Rules or orders the same shall continue in operation for a period of five years from the date of judgement to ensure the achievements of the objective of Article 16(4). It has been further added that if any authority thinks that for ensuring adequate representation of 'backward classes of citizens' in any service, class or category, it is necessary to provide for direct recruitment therein, it shall be open to it to do so. The Apex Court has also left it to the Government of India to consider and specify the service and posts to which the rule of reservation may not apply. Hence, no plea can be</p>

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		<p>taken even of this judgement to scuttle or dilute the existing reservation rules and orders. The Health Ministry were asked to furnish their comments, if any, on this specific point but no reply was forthcoming.</p>
14.	2.40	<p>The Committee are unhappy to note that although 101 ad-hoc appointments were made in PGIMER in the faculty posts during the years 1984 to 1993 only 7 SCs and 2 STs were represented therein. The Committee also note with concern that the Central Medical Institutes like AIIMS and PGIMER have tried to evade proper implementation of the Government reservation policy by resorting to <i>ad-hoc</i> appointments of general candidates to fill up the reserved posts on the plea of non-availability of suitable SCST candidates. This practice of <i>ad-hoc</i> appointments against reserved vacancies was adversely commented upon even by the Estimates Committee in its 79th Report of 1988-89 (Chapter V). This is a very clever ploy adopted by the authorities by which they deny appointments to SC/ST candidates and show in record the posts as vacant. Keeping in view the urgent need of patient care services as well as teaching functions in the Institute, the Committee recommend that <i>ad-hoc</i> appointments in faculty posts should be kept to the minimum extent possible so that it does not hamper the interest of SCST people in the long run. They also recommend that whenever <i>ad-hoc</i> appointments are made by AIIMS and PGIMER steps should be taken to see that persons belonging to SCST category are given due share.</p>
15.	2.47	<p>It has come to the notice of the Committee that advertisements for recruitments to faculty posts are always vague and non-specific without mentioning the percentage of reservation and also the subject/disciplinewise breakup of reserved posts. This has created confusion and much concern among the qualified candidates of reserved category. Such vague types of advertisements have been declared bad in law in a Supreme Court Judgement of 1990 Dr. Suresh Chandra Verma Vs. The Chancellor, Nagpur University and others. The practice of clubbing of</p>

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		posts together for all departments or specialities has been found to result in deliberately and intentionally keeping out fully eligible SC/ST candidates from certain important departments and even regular posting.
16.	2.48	As per Government guidelines, when direct recruitment for the reserved and unreserved vacancies is to be made on any one occasion a single advertisement should be issued for such reserved and unreserved vacancies, specifying therein the vacancies for SCs/STs with clarification about the carried forward vacancies also. But unauthorized procedure is still being adopted specially by the PGIMER, Chandigarh by issuing separate advertisement for reserved vacancies to get them struck down by courts on the ground of cent percent reservations. This has actually happened in the Punjab and Haryana High Court during 1990-92.
17.	2.49	Recently, it has come to the notice of the Committee that another device is known to have been adopted by AIIMS, New Delhi and PGI, MER, Chandigarh to restrict direct recruitment at the lowest and the highest levels of faculty with provision for institution of policy of cent-percent appointments by promotion at important levels thereby jeopardising the interests of eligible SCST candidates from outside for selection to such posts.
18.	2.53	The Committee are unhappy to note the number of SCs and STs given appointments in the various categories of teaching posts during the years 1989, 1990 and 1991 in PGIMER. For example, in the year 1989 out of a total number of 47 teaching posts filled in categories A & C, only 6 SCs and 1 ST were given appointment. Similarly, in 1990, 9 SCs and no ST were appointed out of 73 posts filled during that year in Group A and C. The position is no better in 1991.
19.	2.54	The Committee note that reservations were stopped in all categories of teaching posts in PGIMER since 1991 due to a verdict of Punjab and

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		<p>Haryana High Court. They also note that a Special Leave Petition against the High Court ruling has been filed in the Supreme Court which is pending adjudication. The Committee would like to be apprised of the position as soon as the Apex Court delivers its judgement and the action taken thereafter by the Institute.</p>
20.	2.55	<p>On the basis of the facts available, the Committee are of the view that there is a lack of effort on the part of Institute authorities in appointing the required number of persons belonging to SC/ST category in the teaching posts even prior to the stay order for which there were huge backlog vacancies in the faculty posts in PGIMER. They, therefore, strongly recommend that PGIMER should take immediate action to wipe out the existing backlog vacancies at all levels of teaching posts without waiting for the judgement of the Supreme Court on the pending case. This is essential in view of the time limit set in the same Apex Courts' verdict on the Mandal Case. For giving due representation to SC/ST candidates in each department/discipline the Institute should follow the guidelines given in the Supreme Court Judgement of 1990.</p>
21.	2.56	<p>The Committee note that as on 1992 the representation of SCs and STs in Group A & B categories Secretarial and Technical posts is far below the required percentage. They note that as a result of the Special Recruitment Drives undertaken by the Institute, 21 nurses were given appointment and the number of backlog vacancies in different categories have been reduced to 13 in Secretarial and Technical posts and further efforts are under process to completely wipe out these backlog vacancies. The Committee, however, would like to urge the PGIMER to pay special attention towards Group A category in Secretarial and Technical posts besides conducting Special Recruitment Drives for the categories as well to give better representation to SC/ST people in the services of the Institute.</p>

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22.	2.57	<p>The Committee are unhappy to note that although 101 ad-hoc appointments were made in PGIMER in the faculty posts during the years 1984 to 1993 only 7 SCs and 2 STs were represented therein. The Committee also note with concern that the Central Medical Institutes like AIIMS and PGIMER have tried to evade proper implementation of the Government reservation policy by resorting to <i>ad-hoc</i> appointments of general candidates to fill up the reserved posts on the plea of non-availability of suitable SCST candidates. This practice of <i>ad-hoc</i> appointments against reserved vacancies was adversely commented upon even by the Estimates Committee in its 79th Report of 1988-89 (Chapter V). This is a very clever ploy adopted by the authorities by which they deny appointments to SC/ST candidates and show in record the posts as vacant. Keeping in view the urgent need of patient care services as well as teaching functions in the Institute, the Committee recommend that <i>ad-hoc</i> appointments in faculty posts should be kept to the minimum extend possible so that it does not hamper the interest of SCST people in the long run. They also recommend that whenever <i>ad-hoc</i> appointments are made by PGIMER steps should be taken to see that persons belonging SCST category are given due share.</p>
23.	2.58	<p>The Committee are constrained to note that not a single ST was given promotion in either Secretarial or Technical or Teaching category in PGIMER during the years 1989, 1990 and 1991 notwithstanding the fact that the total number of employees promoted in all these categories during the aforesaid years was too small. The Committee, therefore, recommend that PGIMER should take due care to see to it that employees belonging to ST category are given adequate representation whenever promotions are effected in various categories of posts.</p>
24.	2.59	<p>The Committee is alarmed at the unrelenting persistence with the clever practice and procedure of advertisements by keeping them vague and non-specific about the percentage of reservation and also</p>

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		the subject/discipline-wise breakup of reserved posts, inspite of a clear cut Supreme Court Judgement of 1990 declaring such a practice as bad as per law. The Committee, therefore, strongly recommend that all such devices be discontinued forthwith.
25.	2.60	The information furnished in response to a number of other questions does not reveal any factual position of the recruitment of SCs and STs against reserved posts, and the reasons advanced for not filling up the vacancies are the same stereotype answer of non-availability of SCs/STs is not at all convincing. The figures given for four broad groups of posts indicate an alarming position inspite of three Special Recruitment Drives. There should be a further meaningful break-up of the grouping of posts according to the nature of their duties or service and the corresponding figures furnished to the Committee. For example, department-wise figures of faculty posts at each level, and similar information regarding Junior and Senior Residents should have been made available to the Committee as requested.
26.	2.66	The Committee are highly dissatisfied to note that as on 1.1.1991, the representation of SCs and STs in Group A & B categories of services in LHMC was 4 and 1 respectively out of a total number of 123 employees. Similarly as on 1.1.92 out of a total number of 124 teaching staff in Group A & B categories the number of SCs and STs is one and nil respectively. Needless to mention the overall representation of STs in almost all the groups of Secretarial, Technical and Teaching categories in LHMC is painstakingly marginal. The position is more deplorable when the Committee observe that during the years 1989, 1990 and 1991 only 26 STs were given appointment in LHMC in Group C posts of Secretarial, Technical and Teaching categories whereas 77 such posts reserved for them were carried forward. Even in the SC category 110 posts in Group C of Secretarial, Technical (including Group D) and Teaching services were carried forward although 149 such candidates were appointed during the aforesaid

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		<p>three years. From the aforesaid figures it is evident that neither the Ministry has ensured proper representation of SC/ST persons in Group A & B categories nor the college has been able to recruit the required number of such candidates in Group C and D categories. Complacency on the part of the college in recruiting adequate number of SCs and STs in Group C posts cannot be ruled out for the casual attempts made by the college in recruiting just five reserved candidates through Special Recruitment Drives during the years 1989, 1990 and 1991. The Committee can not help concluding that the plea of non-availability of adequate trained SC/ST manpower in Group C category is not good enough to conceal the lack of efforts on the part of LHMC in making Special Recruitments for Group C posts where there are large number of shortfalls. The Committee, therefore, urge upon the Departments of Health and Education to ensure that adequate number of persons belonging to SC/ST category are represented in Group A and B categories of Secretarial, Technical and Teaching services in LHMC. The Committee also recommend LHMC to undertake Special Recruitment Drives more frequently besides resorting to other methods, i.e., keeping in touch with the Employment Exchange and various SC/ST Welfare Associations, advertising in regional, national dailies and Doordarshan etc. with a view to wiping out the backlog vacancies in Group C Secretarial, Technical and Teaching posts where there is not dearth of talented SC/ST candidates. The Committee desire the Departments especially the Department of Education to mould Delhi University to evolve a thorough and regular monitoring system for ensuring adequate representation of SCs and STs in all the categories of posts in LHMC on the line of Government Directives.</p>
27.	2.81	<p>The Committee are unhappy to note that there is low percentage of SC employees in Group A (teaching category) and Group C posts. The Committee are surprised to observe that inspite of low percentage of</p>

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		<p>SC/ST candidates in JIPMER the institution has not made any provision to impart any pre-recruitment training. The representative of the Ministry of Human Resource Development (Department of Education) was candid in suggesting that "We are making all attempts to fill up the vacancies and we are not getting candidates". The low percentage of SC/ST candidates are attributed to non-availability of suitable candidates but this is hardly convincing to the Committee. The Committee feel that, there is lack of seriousness on the part of the Ministry and JIPMER to recruit adequate number of SC/ST candidates to fill up backlog. The Committee strongly recommend that the reserved vacancies of SCs and STs may be filled up urgently in all categories of posts even by giving some further concessions to them. The Committee also recommend that if need be JIPMER should impart pre-recruitment training to SC/ST candidates so that their standard can be upgraded.</p>
28.	2.82	<p>The Committee note that, promotions are effected on selection or on Seniority-cum-fitness basis in JIPMER. The Committee also note that no in-service training is imparted to SC/ST employees for promotion. The Committee are unhappy to note that there was shortfall of SC/ST candidates in Group 'B' and Group 'C' posts in 1993. The Committee have been informed that the shortfall of SC/ST candidates in promotion are due to non-availability of eligible candidates from the feeder cadre. The Committee recommend that at the time of promotion adequate representation should be given to SC/ST candidates while considering them for promotion.</p>
29.	2.94	<p>The Committee note that reservation policies are followed for SCs and STs in respect of direct recruitment as well as promotion for Group A, B, C and D posts in National Institute of Mental Health and Neuro Sciences. The Committee also note that there are still backlog vacancies in the Institute to the tune of 6 SCs and 5 STs for Faculty posts. 1 SC in clinical posts, 1 SCST for psychiatric social worker,</p>

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		<p>1 SC/ST for Stenographer despite the fact that repeated special recruit drives have been conducted in the years 1989 to 1993. Reacting to a question regarding overcoming of the backlog vacancies, the representative of the Institute admitted during evidence that they were unable to do so. The Committee take a very serious view of the continuation of backlog vacancies. They desire that the backlog vacancies, reserved for SCs and STs may be filled up at the earliest if possible by giving further concessions to them.</p>
30.	2.95	<p>The Committee observe that in Group 'A' posts the shortfall of ST is 100% and the shortfall in Group C posts for SCs and STs are 4.94% and 59.26% respectively. The Committee would like to suggest that special recruitment drives may be continued and simultaneously efforts should be made to send special recruitment teams to visit tribal areas of adjacent States to find out suitable ST candidates for appointment in the Institute.</p>
31.	2.96	<p>The Committee note that during 1992 in Group C posts out of 21 employees promoted the number of SCs and STs were 2 and 1 respectively and during 1993 out of 38 employees promoted the number of SCs were 5 and nobody was from ST category. The Committee also note that there is no in-service Training Programme in the Institute for any category of posts. The Committee recommend that keeping in view the low percentage of SC/ST employees promoted in NIMHANS the Institute should impart or provide training to them so that they could be found suitable for promotion to higher grades. The Committee also recommend that while giving promotion to employees adequate number of SCs and STs be taken in.</p>
32.	2.105	<p>The Committee note that reservation orders issued by Government of India from time to time are applicable to AIIPMR. The Committee also note that as on 1.1.1994 in Group B posts (Teaching category) there were 4 employees and none of them from SC/ST categories and in Group C category out of</p>

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		<p>12 employees one each belonged to SC and ST categories. The Committee are perturbed to note that in non-teaching category Group C posts the percentage of ST was 2.79 and in Group D (Sweepers) category out of 73 employees 42 belong to SC and 7 belong to ST and the remaining are from non-SCST category. The Committee take a very serious view of the fact that the post of sweepers which are kept out of the perview of reservation have been occupied by non-SCST categories. The Committee recommend that the backlog vacancies of posts, both for teaching and non-teaching categories reserved for SCST should be filled up urgently. The Committee also recommend that in future all the recruitment of Group D (Sweepers) posts should be made from SC/ST categories only.</p>
33.	2.106	<p>The Committee note that in AIIPMR only age relaxation is allowed to SCST employees. The Committee are unhappy to note that so far as educational qualification and experience are concerned, they are not relaxable. The Committee also note that the candidates applying for para-medical or medical posts should have minimum qualifications prescribed in Recruitment Rules. So far the SCST candidates were not allowed any relaxation of educational qualification and experience because of the fact that eligible candidates were available. The Committee take a very serious view of the contradictory statement of the Ministry. On one hand it has been stated that the reason for shortfall is due to non-availability of suitable candidates and at the same time it has also been stated that eligible SCST candidates are available (in good number) because of which they are not allowed any concessions/relaxations. The Committee desire that in order to clear the backlog of SCST candidates both in recruitment as well as promotion they should be given relaxation not only in age but also in experience and qualifications and all out efforts should be made to recruit adequate number of SCST candidates.</p>
34.	2.118	<p>The Committee note that reservation policy of the Government of India is followed for direct</p>

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		<p>recruitment as well as for promotion to all Secretarial and Technical posts in AIIHPH. The Committee also note that the recruitment policy followed in AIIHPH is as per the approved notified recruitment rules of the Institute. The Committee were informed that the records of the recruitment of Garde A and B posts were maintained by the Ministry of Health and Family Welfare/Directorate General of Health Services. The Committee are dismayed to note that in Group A out of the sanctioned strength 63, only 42 were filled up of which 5 were SC and 1 ST. Similarly, in Group B posts also out of the sanctioned strength 53, only 26 were filled up of which 5 were SC and nobody from ST category. The Committee strongly recommend that sanctioned strength of Group A and B posts should be filled up urgently and the reservation quota for Scheduled Castes and Scheduled Tribed should strictly be followed as and when recruitments are made.</p>
35.	2.119	<p>As per the statement of staff strength the Committee observe that the percentage of shortfall of ST in Group C and D are 2.77 and 2.44 respectively.. The Committee were informed that inspite of repeated requisitions to employment exchanges and advertisements in newspapers the ST candidates were not available. The Committee recommend that for recruitment of staff, posts reserved for SCs and STs should be advertised in daily newspapers both at national and at regional levels and the same may be telecast over Doordarshan and announced over AIR besides launching special recruitment drives.</p>
36.	2.120	<p>The Committee note that in AIIHPH promotions are made as per recommendations of the DPC considering the seniority and fitness of the incumbents. The Committee also note that during the years 1991, 1992 and 1993 no ST candidates were promoted in Group C category. The percentage of SCs in promotion to Group C is very insignificant. The Committee also note that the reasons for the shortfall is due to non-availability of SC/ST candidates in feeder cadres. The Committee</p>

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		recommend that SC/ST candidates should be promoted by giving concessions/relaxations. The Committee further recommended that if requisite number of SC/ST candidates fulfilling even the relaxed standard are not available to fill up the vacancies reserved for them, the authorities should select for appointment the best among the SCs and STs fulfilling the minimum eligibility and they may be given in-service training after promotion.
37.	2.133	<p>The Committee note that in Central Institute of Psychiatry recruitment to Group A and B posts is made through Directorate General of Health Services/Ministry of Health and Family Welfare. For Group C non-technical posts recruitment is made through Staff Selection Commission, Allahabad and for Group C Technical and all Group D posts recruitment is done through Employment Exchange. The Committee note that there is no shortfall for STs in Group C and D posts. However, there are some shortfall for SCs only. The representative of CIP was candid in admitting during evidence that so far as SCs are concerned there is shortfall and we are trying to rectify it in the near future. The Committee would like to urge that sincere efforts be made by the Ministry/Central Institute of Psychiatry to recruit adequate number of SC candidates particularly in Group C so that the backlog vacancies could be filled up.</p>
38.	2.134	<p>The Committee note that all promotions in CIP are made through Departmental Promotion Committee. The Committee also note that concessions/relaxations are allowed to SCs and STs within the prescribed rules of the Government. The Committee are happy to note that there is no shortfall of SCs and STs in promotion in CIP. The Committee hope that this spirit may also be maintained in future also.</p>
39.	3.36	<p>The Committee are unhappy to note that no concessions/relaxations are provided by AIIMS to SC/ST candidates in admission to M.Sc. (Bio-Tech) and B.Sc. nursing post certificate course although certain concessions are allowed to them in other</p>

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		<p>courses. They are surprised at the casual reply given by the Institute that reasons for not providing concessions/relaxations to SC/ST candidates in admission to the aforesaid courses is not available with the Institute and it is proposed to place the matter before the competent authority for consideration. The Committee recommend that the concessions/relaxations, as has been allowed to various courses in AIIMS also be given to them for admissions to M.Sc. (Bio-Tech) and B.Sc. Nursing post-certificate courses and the Committee informed of the same.</p>
40.	3.37	<p>The Committee note that both the AIIMS and PGIMER provided reservation to SC/ST candidates for admission to DM./M.ch. courses upto the year 1990 but discontinued it thereafter on the plea of some court rulings. After a careful perusal of the present Attorney General's opinion regarding reservation in admission to such courses, the Committee find that the Attorney General has misinterpreted the meaning not only of the relevant Articles of the Constitution but also of the Supreme Court judgements referred to by him. This has been confirmed by the 1994 judgement of the Supreme Court on the specific issue. The Committee, therefore, strongly recommend that reservation should be restored for admission of SC/ST candidates to the super-speciality courses as before.</p>
41.	3.38	<p>The Committee observe that the faculties in AIIMS are always willing to coach those SC/ST candidates who are admitted to the Institute on relaxed standards in order to bring them at par with other meritorious candidates. In the opinion of the Committee mere willingness would serve no purpose unless and until the Institute initiates concrete action in this regard. They, therefore, recommend that a concrete scheme be formulated and implemented for extra coaching to the SC/ST candidates admitted to different courses on relaxed standards not only to bring them at par with other candidates but also to take care of the larger interest of the country in the long run.</p>

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42.	3.39	It has been explained that M.Sc. admissions are made on sponsorship of State Govts./Undertakings and the category of candidates depends upon the nominations received from State Govts./Govt. Undertakings for admission to such courses. The Committee, recommend that the Institute should advise the State Govts./Govt. Undertakings to give SC/ST candidates a fair share whenever names of candidates are sponsored for admission to M.Sc. courses.
43.	3.40	The Committee depreciate the arbitrary decision taken by Delhi University for not providing any reservation to SC/ST candidates in admission to post graduate courses in Lady Hardinge Medical College. The position is deplorable as has been substantiated by the fact that only three candidates belonging to the reserved category have been admitted to the post graduate courses in LHMC during the years 1989-90, 1990-91, 1991-92 and 1992-93. In the opinion of the Committee the meagre representation of SC/ST candidates in admission to post-graduate courses is due to non-adherence to reservation policy of the Government notwithstanding the 20 grace marks as has been given to SC/ST candidates for admission.
44.	3.41	The Committee note that in PGIMER prior to 1990 reservation was provided to SC/ST candidates in admission to DM/M.Tech course. But in 1990 subsequent to a ruling given by the Punjab and Haryana High Court reservation to these courses has been stopped. A special leave petition has been filed in the Supreme Court against the High Court order.
45.	3.42	The Committee also fail to understand when premier medical institutes like AIIMS and PGIMER are providing reservation to SC/ST candidates in admission to post-graduate courses what would have been the difficulties on the part of Delhi University in doing so in case of LHMC and other colleges. They, therefore, strongly urge upon the Delhi University to reconsider its policy and allow

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		reservation to SC/ST candidates in admission to P.G. courses in all medical colleges without further delay.
46.	3.43	The Committee note that a committee comprising of seven/eight persons finalise the list of candidates for admission to different courses in LHMC to ensure that no injustice is done to SC/ST candidates in such admissions. The Committee desire that atleast one person belonging to SC/ST community be permanently included in the Committee so that the interest of SC/ST candidates for admission to different courses in LHMC is better protected.
47.	3.44	The Committee note that the UGC Act does not permit the Commission to stop giving grants to the Universities which do not follow the reservation policy and guidelines. They are, however, dismayed at the UGC Chairman's view that the Delhi University Vice-Chancellor has to act in accordance with the decisions of the University authorities like its Academic Council, implying thereby that the constitutional mandate and Government policy of reservation can be ignored. The Committee also note that with a view to not compromising with the autonomous character of the Universities the Deptt. of Education is hesitant to issue directives to the Universities and wants to continue with persuasive methods. They agree that certain autonomy of the Universities requires to be upheld but certainly not at the cost of continuous violation of the constitutional mandate and Government policies. The Committee, therefore, urge upon the Government to take urgent steps to suitably amend the LUGC Act, as agreed upon by the Health Ministry during 1982-83, and strongly recommend that the Eudcation Ministry should exercise the Government power to give directions to Universities whenever they fail to comply with Government orders pertaining to reservation of seats/posts in favour of SCs and STs.
48.	3.45	The Committee asked for a comprehensive report from the Education Ministry and the Vice-Chancellors of the three Central Universities of Delhi, Aligarh and Banaras about the reasons for not

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		making reservations for SCs and STs. in P.G. Courses in spite of comprehensive instructions and guidelines of the UGC and advice of the Education Ministry to them to strictly follow the reservation policy and guidelines in this regard. No such report has, however, been received by the Committee. They therefore, urge upon the Government to compile such a report and furnish to the Committee at a very early date.
49.	3.50	The Committee note that admission to various courses in Jawaharlal Institute of Post-Graduate Medical Education and Research (JMIPER) are done by conducting All India Competitive Entrance Examination and certain seats are nominated by the Government of India. The Committee also note that the percentage of reservation for SCs is 15 and for STs is 7-1/2. The Committee note that admission test for general and SCST candidates are common but the merit lists of the candidates are prepared separately. The Committee also note that no minimum marks have been fixed for the selection of candidates. The Committee desire that while appearing at admission Tests and interviews the SC/ST candidates be considered in relaxed standard and no minimum marks should also be fixed for selection of SCST candidates.
50.	3.55	The Committee note that reservations are provided to SCST candidates as per the Government of India directions in NIMHANS. The Committee also note that the P.G. Medical Courses are exempted from the purview of SCST reservation based on the judgement of Hon'ble Supreme Court and as per the instructions of the Indian Medical Council. The Committee are extremely unhappy to note that no relaxation in standard is given to SCST students since the admission is for advanced studies. The Committee strongly recommend that for continuation of further study of SCST students the guidelines provided in the 1994 Supreme Court judgement (on Civil Appeal No. 141 ARD 142 of 1994 dated 17.3.1994) should be followed by all concerned.

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51.	3.60	<p>The Committee note that the percentage of reservation followed in the All India Institute of Physical Medicine and Rehabilitation for fresh admission is 13 for SCs and 7 for STs. The Committee also note that no entrance test is held but interviews are held for B.Sc. course for fresh admission. The Committee are surprised to find that no relaxation in standard is allowed to SC and ST students, more so the fact that during the year 1993-94 in M.Sc. Occupational Therapy, P.G. Diploma in Rehabilitation and P.G. Diploma in Rehabilitation (Occupational Therapy) there was no student from SC category. The reason for non-inclusion of SC students on the ground that no SC candidate applied during that year is hardly convincing to the Committee. The Committee believe that as per the Government rules had concessions/relaxations been provided to SCST students many more applications could have been received. The Committee, therefore, recommend that SCST students should be given permissible relaxations/concessions in all courses for admission.</p>
52.	3.68	<p>The Committee note that in All India Institute of Hygiene and Public Health, 22% for SC and 6% for ST seats are reserved in different courses. The Committee also note that the prescribed percentage of seats reserved for SCs and STs have not been filled up in all the courses. The Committee note that the Institute (AIHHPH) always give preference to sponsored candidates nominated by Central/State Governments, Local Bodies, Union Territories etc. The Committee further note that if SCST candidates are not available, the same is filled up by unreserved candidates with the approval of Dean, Calcutta University who is the Chairman of the Selection Committee. The Committee recommend that all out efforts should be made to select adequate number of SCST students for various courses. The Committee also recommend that reserved seats meant for SCST students should not be filled up by the sponsored candidates and the record of both the categories of students should be maintained separately.</p>

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53.	3.73	<p>The Committee note that for admission to various courses in Central Institute of Psychiatry applications are invited through advertisements in all the leading Newspapers and Employment News. The Committee note that written examinations and interviews are held for selection of P.G. students and no written examination/interview were held for selection of candidates for Psychiatric nursing courses (D.P.N.). The Committee also note that relaxation in written and oral examination is provided to SCST students for admission. The Committee further note that during the year 1993 for the courses of Ph.D. and M.Phil (PSW) nobody was there from SCST category. For the courses of M.D., D.P.M. and D.P.N. the representation of SCs and STs were very poor. The Committee have been informed that the shortfall in admission of SC/ST candidates is due to non-availability of suitable candidates. The Committee are of the view that being situated in the heart of tribal area (Ranchi), the C.I.P. should not have any problem in getting suitable SCST students for admission. They, therefore, recommend that sincere efforts should be made hereafter to fill up the SCST quota in admission to various courses.</p>