

COMMITTEE ON THE WELFARE OF
SCHEDULED CASTES AND
SCHEDULED TRIBES
(1987-88)

(EIGHTH LOK SABHA)

THIRTY-EIGHTH REPORT

MINISTRY OF HUMAN RESOURCE DEVELOPMENT
(DEPARTMENT OF EDUCATION)

RESERVATIONS FOR AND EMPLOYMENT OF SCHEDULED
CASTES AND SCHEDULED TRIBES IN UNIVERSITY GRANTS
COMMISSION AND CENTRAL UNIVERSITIES AND ADMISSION
AND OTHER FACILITIES PROVIDED TO THE SCHEDULED
CASTE AND SCHEDULED TRIBE STUDENTS.

Presented to Lok Sabha on 29.4.88

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LOK SABHA SECRETARIAT
NEW DELHI

April, 1988/Vaisakha, 1910 (Saka)

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COMMITTEE ON THE WELFARE OF SCHEDULED
CASTES AND SCHEDULED TRIBES
(1987-88)

Shri Ram Ratan Ram - Chairman

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1. Shri N.N. Mehra, Additional Secretary,
2. Shri D.M. Chanan, Deputy Secretary

@ceased to be Member of the Committee on his appointment as Deputy Minister w.e.f. 14.2.1988.

**ceased to be Member of the Committee on his appointment as Governor w.e.f. 16.2.1988.

*ceased to be Member of the Committee on his retirement from Rajya Sabha w.e.f. 2 April, 1988.

INTRODUCTION

I, the Chairman, Committee on the Welfare of Scheduled Castes and Scheduled Tribes, having been authorised by the Committee to submit the Report on their behalf, present this Thirty-eighth Report (Eighth Lok Sabha) on the Ministry of Human Resource Development (Department of Education) - Reservations for, and employment of Scheduled Castes and Scheduled Tribes in University Grants Commission and Central Universities and admission and other facilities provided to the Scheduled Caste and Scheduled Tribe students.

2. The Committee took evidence of the representatives of the Ministry of Human Resource Development (Department of Education), University Grants Commission and Central Universities on 21, 22 and 23 March, 1988. The Committee wish to express their thanks to the officers of the Ministry of Human Resource Development (Department of Education), University Grants Commission and Central Universities 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 26 April, 1988.

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

NEW DELHI;

April 26, 1988
Vaisakha 6, 1910(S).

Ram Ratan Ram
(RAM RATTAN RAM)
Chairman,
COMMITTEE ON THE WELFARE OF
SCHEDULED CASTES AND
SCHEDULED TRIBES.

I. RESERVATION IN SERVICES

CHAPTER I - ORGANISATION

A. ORGANISATIONAL SET UP OF UGC AND CENTRAL UNIVERSITIES

UNIVERSITY GRANTS COMMISSION

1.1 The University Grant Commission is a statutory body set up under the University Grants Commission Act, 1956. It is the general duty of the Commission to take, in consultation with the Universities or other bodies concerned, all such steps as it may think fit for the promotion and coordination of university education and for the determination and maintenance of standards of teaching, examination and research in universities.

Commission
The / which is a body corporate having perpetual succession consists of :

- (i) a Chairman ;
- (ii) a Vice Chairman; and
- (iii) ten other Members including two officers of the Central Government all to be appointed by the Central Government. The Chairman and the Vice-Chairman are whole-time salaried officers. In the discharge of its functions, the Commission is assisted by the Secretary and other officers and supporting staff.

1.2 The following nine Central Universities have been set up under Acts of Parliament :-

- (i) Aligarh Muslim University, Aligarh
- (ii) Banaras Hindu University, Varanasi
- (iii) Delhi University, Delhi
- (iv) Hyderabad University, Hyderabad
National
- (v) Indira Gandhi/Open University, New Delhi
- (vi) Jawaharlal Nehru University, New Delhi
- (vii) North Eastern Hill University, Shillong
- (viii) Pondicherry University, Pondicherry
- (ix) Visvabharati, Santiniketan

1.3 . The Acts of Central Universities provide that the President of India shall be the Visitor of the University. The appointment of Chancellor and Vice-Chancellor is made by the Visitor in accordance with the procedure prescribed in the Acts. Every new statute or addition to the statute or any amendment or repeal of a ^{statute} / requires the assent of the Visitor who may assent thereto or withhold assent or remit to the Executive Council for consideration. The various Acts empower the Visitor to nominate its nominees on the various authorities and Selection Committees of the universities. The Visitor has the right to cause an inspection or enquiry to be made and with reference to the result of such inspection or enquiry, address the management concerned his views thereon and such advice as he may please to offer upon the action to be taken thereon.

1.4 All Central Universities except ^{Indira} Gandhi National Open University have a provision for the office of Chancellor. The Acts provide that Chancellor shall preside at the convocation of the university and would have the power of nomination of members on some authorities of the University.

1.5 During the evidence, when the Committee asked whether any Member of the University Grants Commission belonged to any SC/ST community,

the Special Secretary, Ministry of Human Resource Development (Department of Education) informed the Committee as under :-

"Sir, at present there is nobody belonging to this category in the University Grants Commission."

When asked to state the reasons as to why there was no SC/ST member on the Commission, the witness stated as follows :

(incorporates "Actually, the University Grants Commission was set up under an Act of Parliament and the Act of the Parliament statutory provision in regard to the membership of this Commission. The Chairman and the Vice-Chairman are to be the permanent, full-time and salaried members. There are two members who are representatives of the Government of India - Education Secretary and the Finance Secretary. For the rest, there are 'a few' categories from whom members are chosen. The first category consists of those who have knowledge and experience in the field of agriculture, commerce, forestry or industry.

The second category belongs to those who are members of engineering or legal or medical profession. The third category consists of Vice-Chancellors or those who are educationists of repute. There is also a further category not less than 4 from among teachers of the Universities. So, these are the requirements for the composition of the University Grants Commission

1.6 The Committee enquired of the witness whether there was any statutory bar for inclusion of members belonging to SCs/STs in the Commission.

The witness continued that "nothing prevents the Government from appointing anybody."

1.7 Asked whether there had ever been an SC/ST member of the Commission, the witness replied :

"There are actually a number of them. The point is, this is not one of the criteria laid down that there must be somebody from the Scheduled Castes and Scheduled Tribes. But nothing prevents the Government from appointing somebody from the Scheduled Castes and Scheduled Tribes."

1.8 When asked whether the Ministry would appoint persons from the Scheduled Castes and Scheduled Tribes on the Commission only if it was provided in the Act, the witness submitted :

"There is substance in what you are saying, and I am not arguing a-gainst this, because it is justified."

The witness further submitted :

"We had Professor Mrinal Miri and he belonged to the tribal area and he was a Member of the University Grants Commission."

The witness further clarified :

"It is not like that. I have only said that so far, all these appointments are made on one ground. A person is judged on merits and not because of the consideration whether he belongs to this caste or that caste. But as I pointed out, there is no bar at all for appointment of SC/ST . The Government can appoint any one of these people and there is no question of prejudice or any kind of discrimination at all on this ground."

1.9 When asked whether any attempt had ever been made to find out some SCs/STs with qualifications better than those of general candidates for appointment on the Commission, the witness submitted :

"The processing is done by a number of officers. I can certainly say, some of them must have thought about it."

1.10 When asked whether any guidelines in this regard had been issued by Government, the witness stated :

"Actually, if you say that we should lay down the guidelines, if you make a recommendation, I am sure, the Government will be happy to follow the guidelines."

The witness added : among

"I would further say that / many names that we are suggesting, we are not specifically saying that because so and so belongs to SC & ST, we should favour this person. But some names who belong to Scheduled Castes and Scheduled Tribes have also appeared in our suggestions and recommendations. But truthfully, it is not a fact that because so and so belongs to Scheduled Castes or Scheduled Tribes we must have that person."

1.11 When asked whether any SC/ST had been a member of the UGC since its inception in 1956, the witness replied that "Mr. ^{Miri} ~~Mrinal~~ ^{M.} and Prof. ^{S.} ~~Santappa~~ were the Members of the Commission."

B. RESERVATIONS FOR SCs/STs IN DECISION
TAKING AUTHORITIES

1.12 It has been stated that "the Central Universities are governed by their respective Acts and statutes which specify the decision taking authorities in respect of various matters. The Acts of the Central Universities have generally a provision for the following authorities :

- (a) Court;
- (b) Executive Council;
- (c) Academic Council;
- (d) Finance Committee; and
- (e) Faculties."

1.13 When asked whether any reservations had been made for the persons belonging to SCs/STs for appointment in the decision making authorities of the Central Universities, the representative of the Ministry stated during evidence:-

"So far as these bodies are concerned, once again the answer that I am presenting before you will be the same kind of answer that I gave in regard to the University Grants Commission, which you found to be quite unsatisfactory. Once again, I would like to give an assurance in regard to the constitution of authorities. I must say very clearly and honestly that this consideration so and so belongs to SC/ST and therefore he should be appointed, I don't think that this consideration has been taken into account while nominating anybody on these bodies of the [redacted], the Executive Council, Academic Council and other bodies."

/of Central
Universities

that
Universities

1.14 When asked whether a person belonging to SCs/STs could not be appointed on the decision making bodies of the Central Universities even if he fulfilled all the qualifications, the witness replied :

"No. The point is there may be some Members belonging to SC/ST. But I would like to say that it is not because of this reason that they have been nominated."

1.15 The Committee enquired of the witness whether it was not essential that the members belonging to SC/ST communities might be there on these bodies in order to give guidelines regarding the implementation of the reservation policy and other benefits available to these communities in consonance with the spirit of the Constitutional provisions. The Vice-Chancellor of the JNU clarified as follows :-

On it "I would point out the instance of the Executive Council of the JNU which is the highest policy making body. There are two Scheduled Castes Members right now. This is the position."

The Registrar of the Hyderabad University supplemented as follows :

Ung "On this issue, I thought I will also make one or two legalistic point. In any operation, the nominatu authorities do take care to see that these classes are represented. I

come from the University of Hyderabad. At least, I know that one member belongs to the SC category. We are trying to make reservations for lecturers upto 22.5%. But the more important point is that the Executive Council, the Academic Council, the Financial and other nominated bodies do take care of that. The question is that Central Universities statutes do not provide for specific reservation. You were very right in pointing out that in the highest body of the nation which we constitute, the statute itself provide for compulsory reservation. This does occur though not perhaps in the same optimal intensity."

C. APPOINTMENT OF VICE-CHANCELLORS

1.16 It has been stated that :

"The Vice-Chancellor is the Chief executive and academic head of the University, and presides over the meetings of the Executive Council, Academic Council, Finance Committee, etc."

1.17 When the Committee wanted to know the number of Vice-Chancellors belonging to SCs/STs at present in the Central Universities, the representative of the Ministry of Human Resource Development stated that at present there was no SC/ST Vice-Chancellor in any Central University.

1.18 The Committee with deep regret and dismay note that at present no member of UGC, and none of the Vice-Chancellors of Central Universities and barring a few Universities like JNU and Hyderabad University, no member on the decision making bodies of other universities belongs to Scheduled Castes or Scheduled Tribes. The reason appears to be too narrow and legalistic view of the Ministry of Human Resource Development. The Ministry's contention that in absence of provisions in the relevant Acts they can do nothing in the matter is not at all appealing to the Committee.

Granting that there are no statutory provisions that persons belonging to Scheduled Castes/ Scheduled Tribes should be appointed on the UGC and the decision making bodies of the Central Universities and as Vice-Chancellor^s, the Committee do not appreciate the helplessness and indifference of the Ministry in not giving informal advice in these matters to the concerned authorities. It is all the more regrettable that the Ministry should look up to the Committee for making a recommendation in this regard. Had the Ministry been alive to the welfare of the SCs/STs, nothing could have stopped them from issuing the guidelines to the UGC and the Central Universities.

In the opinion of the Committee when without any statutory compulsion the JNU and Hyderabad University can find of their own suitable SC/ST persons to serve on the Executive Council, nothing should have prevented the other Central Universities to follow suit.

The Committee recommend that without diluting the autonomy of the Central Universities in the field of academics and the suitability standards regarding educational qualification, experience etc., the Ministry should frame guidelines to advise the University Grants Commission and the Central Universities that where SC/ST persons of comparable status and standard are available they should be appointed ~~on~~ the UGC, the decision making bodies of the Central Universities and as Vice-Chancellors, rather they should be preferred which will be truly in harmony with the spirit of the Constitutional provisions for the welfare of SCs/STs. The Committee will like to be apprised of the guidelines issued by the Ministry in this regard.

CHAPTER . II

A. IMPLEMENTATION OF RESERVATION ORDERS

2.1 According to the guidelines issued by the UGC for implementation by the Central Universities, the following reservations have been made for SC's/STs :-

15 per cent and 7.5 per cent of posts to be reserved for SCs/STs respectively in respect of non-teaching posts and upto the level of lecturers/assistant professors in respect of teaching posts.

2.2 It has been stated that the UGC and the Ministry have been impressing upon the universities from time to time to ensure that the UGC guidelines which are required to be accepted and adopted by appropriate university authorities are implemented in toto.

2.3 During the evidence, the Committee enquired of the representative of the Ministry of Human Resource Development as to which of the Central Universities had not implemented the UGC guidelines regarding reservations for SCs/STs. The witness replied that there were nine Central Universities out of which eight Universities had agreed to implement the guidelines issued by UGC. Only one University i.e. Aligarh Muslim University had still not agreed to implement the guidelines.

2.4 When asked whether the Banaras Hindu University was implementing the guidelines the witness replied that the Banaras Hindu University had already agreed to follow the guidelines.

2.5 The Committee pointed out to the witness that during the recent tour of a Study Group of the Committee to the Banaras Hindu University, they were informed that the Council had yet to decide whether the reservation orders would be applicable or not in the University. The Registrar of the Banaras Hindu University replied :-

"The position is that all the instructions or guidelines which are made available to the universities are placed before the appropriate authorities. There has not been any instance where they were received by universities and were not accepted. Therefore, we have accepted the reservation guidelines which have been received in the University. There may be minor delays in the implementation but the position is that all guidelines received are generally accepted by the Executive Council of the University. We were a little late and the information supplied by the University indicates that from 1978, there has been substantial progress in implementation of the instructions or guidelines which have been made available to the universities. There may, of course, be some lacunae in implementation."

2.6 When the Committee asked as to why Aligarh Muslim University had not agreed to implement the UGC guidelines regarding reservations for SCs/STs in services, the Vice-Chancellor, Aligarh Muslim University informed the Committee as under :-

"The Aligarh Muslim University has a special status because it was established about a hundred years ago by Sir Syed Ahmed Khan. In 1987 after a long agitation by Muslims over some provision of the Aligarh Muslim University Act, the Parliament amended the Act and the University is now defined as the educational institution of their choice established by the Muslims of India which originated as a Mohamadan Anglo Oriental College, Aligarh and which was subsequently incorporated as the Aligarh Muslim University. On the basis of this some of the Members of Court of Aligarh University are of the view that this is an institution of minorities. Legally, it is a questionable thing but it is being stated as an institution where the Muslim minorities get preference. We do not have any reservation policy for the Muslims, whether in the admission or otherwise. We have a system of education by which the Muslim students get a little edge over the others and probably the percentage of Muslims has been around 70 to 75 per cent and the remaining students are from unreserved category. Therefore, it is claimed that the University has a special status and from time to time whenever this Committee has made recommendations, the Academic Council has looked into it. In October, 1987 also this matter was placed before the Academic Council but the Academic Council deferred the decision because Mr. Shahabudin, who is an M.P. and Member of the Court and two others moved the resolution that there should be reservation for Muslims in the Aligarh Muslim University. I, therefore, appointed a Committee in which apart from those three persons who moved that resolution, I appointed two former Chief Justices and three Vice-Chancellors. As decided by the Court, the Committee is looking into the question of reservation of Muslims. When that Report comes, the matter will be placed again before the Academic Council and I think they will be able to take a decision."

Muslim

2.7 When asked whether there were other minority institutions also which were reluctant to implement the UGC guidelines regarding reservations for SCs/STs in services, the witness replied that so far as nine Central Universities were concerned there was no mention of any university being a minority institution in the rules and regulations.

The witness added :-

"Wherever tax payers' money is paid to any institution, no discrimination could be made except the reservation for Scheduled Castes and Scheduled Tribes. The only reservation according to our Constitution which is justified and asserted by the Supreme Court judgement also, is in regard to Scheduled Castes and Scheduled Tribes. Therefore, from the side of the Ministry, I do not think that any institution receiving grants from the exchequer can ever make a proposition that there will be reservation in favour of certain community other than the Scheduled Castes and Tribes. Even with regard to the ~~AMU~~ MU, it is clearly laid down in Section 8, which says :-

/the

"The university shall be open to all persons including the teachers and taught of either sex and of whatever race, religion, creed or class, provided that nothing in this section shall be deemed to prevent religious instructions being given in the manner prescribed to those who consented to receive it."

2.8 When asked about the special status of the Aligarh Muslim University vis-a-vis the provisions of the constitution and the judgement of the Supreme Court, the Vice-Chancellor, Aligarh Muslim University, submitted :-

"As Shri Joshi has pointed out, there is no discrimination. I will read out the special provision. Section 5(2) of the Act states the objective of the University as follows:-

- (a) To promote oriental and Islamic studies and to give instruction in Muslim theology and religion and to impart moral and physical training.
- (b) To promote the study of religious, civilisation, and culture of India.
- (c) To promote especially the educational, cultural advancement of the Muslims of India.

These are the three responsibilities placed on the University."

2.9 The Committee note that out of nine Central Universities barring Aligarh Muslim University all the Universities have adopted UGC guidelines regarding reservations for SCs/STs in services. However, as pointed out by the Registrar of Banaras Hindu University, there have been certain delays in the implementation of these guidelines. The Committee recommend that once the guidelines have been adopted for implementation, the universities should do their best to implement those expeditiously and in to-to so that the desired benefit accrues to SC/ST persons.

2.10 The Committee have been informed that the guidelines providing for reservations for SCs/STs were placed before the Academic Council of Aligarh Muslim University who deferred their decision in the matter because of the impending report of a Special Committee constituted to decide the question of providing of reservations for Muslims in the University. In this connection, the Committee would like to draw the attention of the Aligarh Muslim University Authorities that according to the secular scheme of the Constitution there cannot be any reservations in the Central Universities on the communal lines. This view has also been upheld by the Supreme Court. They recommend that while presenting their view-point to the Sub-Committee, the University Authorities ^{ies} should bring all these factors to the notice of the Committee. Meanwhile, the Committee recommend that the University Authorities may again approach the Academic Council for adoption of the UGC guidelines regarding reservations for SC/STs in the University Services. The Committee will like to be apprised of the decision of the Academic Council of the University.

**B. IMPLEMENTATION OF U.G.C. GUIDELINES BY
CENTRAL UNIVERSITIES**

2.11 It has been stated that :

"Central Universities are statutory bodies set up under the Acts of Parliament. Powers to take decisions on various matters concerning a university vests with the authorities of the universities as embodied in the respective Acts of Parliament. These acts do not contain any specific provisions which confer any powers on the Central Government or the University Grant Commission either to make any rules in respect of Central Universities or issue any direction to Central Universities. However, under the Pondicherry University Act, 1985, the visitor has been given powers to make new or additional statutes or amend or repeal the statutes during the period of three months immediately after the commencement of the Act. The Indira Gandhi National Open University Act, 1985 provides that the visitor may direct the University to make provisions in the statutes in respect of any matters specified by him and if the Board of Management is unable to implement such a direction within 60 days of its receipt, the visitor may after considering the reasons, if any, communicated by the Board of Management for its inabilities to comply with such direction, make or amend the statutes suitably.

University Grants Commission guidelines in respect of reservation for Scheduled Castes/ Scheduled Tribes are required to be accepted and adopted by the appropriate authorities of the universities for implementation."

2.12 During the evidence, when the Committee asked as to why provisions parallel to the Pondicherry University Act, 1985 and Indira Gandhi National Open University Act had so far not been incorporated in the other Acts so that the directives issued by the visitor became automatically applicable to the Universities, the Special Secretary,

Ministry of Human Resource Development replied

as under :-

"In the first place, Pondicherry University and Indira Gandhi University were established very recently. While making these Acts, we have learnt from experience and therefore, we incorporated this special power for the Visitor so that, the Visitor can himself initiate the statute. Now, whenever there is an opportunity to amend other Acts, we propose to do something of that kind. At the same time, I would also like to state that one of the important considerations with us, was the acceptance of the Central Universities of the policy regarding reservation in favour of SC/ST. Excepting AMU, all the universities have accepted the reservation policy. That imperative which was there in our mind to introduce some kind of amendment in the Acts of the universities was over. In any case, that kind of power in the hands of the Visitor, we think, is quite desirable, if not for this purpose, but for some other purposes also. Therefore, at the opportune moment, we will amend the Acts suitably. We are not going to amend the Universities Acts only for this purpose. But whenever there is an opportunity to amend the Act, we shall try to incorporate this provision."

2.13 Drawing attention to their recommendation contained in para No.7.9 of the Thirty-ninth Report (1982-83) that the University Grants Commission Act may be amended so that the guidelines issued by the UGC become automatically applicable to the Universities and the Action Taken note dated 21st September, 1983 of the Ministry that certain proposals to amend UGC Act to include inter-alia the provision in the Act to vest the Commission with the statutory powers to enforce compliance by Universities with their guidelines in the matter of reservations had been received and were under examination by the Ministry and that every effort would be made to expedite the same, the Committee enquired of the witness whether the University Grants Commission Act had been amended to this effect.

The witness replied :

"In 1982, when the then Education Secretary gave evidence before this Committee a commitment was made that UGC Act will be amended. I can tell you that at that time this proposal was very much on cards. I would also like to assure that this proposition has not been dropped.

At the same time, the following things happened. I am only trying to explain why it has not yet taken place. I am not trying to justify or to defend a particular delay. But I would like to explain to you what has happened thereafter.

At a given time in 1982-83, when this commitment was made, the Ministry of Education had a plan to make a comprehensive amendment of the UGC Act. It was felt that UGC should have wider powers and scope of its activities. Further, it was felt that teachers education programmes and National Council of Teachers Education should come under the purview of the UGC. It was proposed in the form of our draft rules that UGC should be made a kind of an over-all umbrella with certain Sub-Commissions with the greater scope of activities. This entire proposal was under consideration.

In the mean-time, there was the question of change in the policy on education. In 1985, a national debate was organised on a draft note which was prepared by the Government of India and it was circulated all over the country. Because of this national debate, this entire proposal remained unimplemented. In 1986, the national policy was formulated. In that policy, a very important proposal has been made that an apex body for higher education should be constituted.

It was no more than a proposal that the UGC should be made an overall umbrella. This proposal has been made with a view to have an apex body, a separate body and such a body should include the medical education, engineering education, legal education and all other aspects of education which are not at present covered under the existing umbrella of the Ministry of Education. All these should also come under the purview of that apex body. Now, we are in a position to examine our earlier proposition and the earlier draft in relation to the new proposal. Therefore, we require to review our earlier draft. It is because of this reason that there has been a delay in proposing an amendment to the University Grants Commission Act."

2.14 Pointing out to the witness that by delinking the proposal for the creation of Apex body for the entire field of education from the implementation of the reservations for SCs/STs in the services of the Universities and keeping in view the constitutional provisions for the welfare of SCs/STs, the Committee enquired of the witness whether an amendment confined to making the UGC directions in regard to reservations for SCs/STs automatically applicable to all the Central Universities could be made in the University Grants

Commission Act. The witness submitted

that ~~that~~ whatever ^{has been} said is, to my mind, both justified and correct and I agree with every word. I have already said that our Education Secretary had made a commitment in 1982 and there is no question of going back on that commitment. That commitment remains yet."

2.15 When asked whether a time-frame could be given to amend the University Grants Commission Act as suggested by the Committee, the witness replied that "we shall do it as soon as possible". Pointing out that the reply was vague, the Committee asked the witness to indicate the exact time-frame for the amendment of the Act. The witness replied:

"I am fully conscious of this commitment.... The obligatory part of the question has been brought into full force."

2.16 As regards the giving of the powers to the Visitor to frame statutes for all the Central Universities as had been done in the case of Pondicherry University and the Indira Gandhi Open National University, the Vice-Chancellor of JNU observed as follows :

"Government's view favouring amendment of the University Act has been already stated. With all humility, I would like to submit the view of the university or the academic view. I think, it will not be wise to give this power to the Visitor because if the university is to function as a university, then a certain degree of autonomy it must enjoy. I can assure you that all these things which are sought to be achieved are close to our heart. There is no conflict there. A University should be permitted to function as an autonomous body; otherwise you may as well write off the universities. The university will not be able to make any contribution to the knowledge and to the advancement of the country if they are treated like this. I think a certain kind of instability will be injected into the university system where the academics would not know what their functions actually are. Actually once that happens, I think the university will lose much of the use."

2.17 When the Committee pointed out that making provisions for the reservations for SCs/STs would not jeopardise the academic independence of the Universities, the witness submitted :-

3 "In trying to implement a very simple provision, taking recourse to a draconian measure is not a wise thing to do. It would be better if the existing policy is implemented and the new draconian measure is given a second thought."

2.18 The Committee reiterated their earlier opinion that their intention was that the UGC Act may be amended only to the extent of making the applicability of the UGC guidelines regarding the reservations for SCs/STs mandatory on the Universities and in no way to affect the autonomy of the Universities.

The Registrar, JNU responded as follows :

"I am grateful that you have made this point. Universities are meant to perform two functions one is the dissemination of knowledge and the other is the generation of knowledge. This can be done only in an atmosphere of freedom and self-governance. Once this is eroded, I don't think the universities will be able to discharge their basic functions. Therefore, I am very happy that you agreed with the suggestion that no such provision is contemplated."

2.19 The Special Secretary, Ministry of Human Resource Development summed up the position as under:

"In the light of the present understanding I would like to make an appeal to all the Vice-Chancellors that instead of having constitutional amendment the Vice-Chancellors can through ordinances implement all the rules relating to SC/ST as they are being implemented in the Government of India."

2.20 The Committee note that in spite of the assurance given by the then Ministry of Education in September, 1983, the University Grants Commission Act has not been amended so far to make the guidelines of the UGC in regard to the implementation of the reservation orders in the Central Universities applicable automatically. The reason for the delay has been stated to be that at the time of giving the assurance the Ministry had a plan to give wider powers to UGC and to expand the scope of its activities, the intention being to make UGC a kind of an overall umbrella with certain sub-commission with greater scope of activities. However, subsequently this question was linked with the formulation of the new education policy under which the decision has been taken to constitute another Apex Body for higher education. During the evidence, the Special Secretary, Ministry of Human Resource Development, assured the Committee that the decision to implement the earlier recommendation of the Committee has not been dropped. The Committee appreciate the apprehension of the Universities Authorities that the autonomy enjoyed by them in the field of academics should not be diluted by any means. Keeping all the factors in view, the Committee recommend that the University Grants Commission Act may be amended in a limited way to make only the ^{Commission's} guidelines regarding implementation of the reservation policy applicable automatically in all the Central Universities at the earliest which will be in harmony with the Constitutional provisions regarding the welfare of Scheduled Castes/Scheduled Tribes. In the alternative

the Central Universities should amend their statutes immediately agreeing to the implementation of the UGC guidelines in this regard ~~toward~~ off their apprehensions about the possibility of the dilution of the autonomy enjoyed by them in the field of generation and dissemination of knowledge.

CHAPTER -III

SC/ST CELLS AND LIAISON OFFICERS

A. LIAISON CELL IN THE MINISTRY

3.1 It has been stated that :

"A Cell was set up in the Bureau of University and Higher Education, Department of Education, in January 1977 to maintain liaison with the University Grants Commission and to oversee the implementation of the Central Government's policy of reservation for Scheduled Caste/ Scheduled Tribe candidates in the matter of admissions and appointments in Universities and Colleges."

3.2 During evidence when the Committee asked about the staffing pattern of the reservation Cell set up in the Department of Education, the Special Secretary, Ministry of Human Resource Development informed the Committee as follows :-

"The staffing pattern is that we have a Section Officer and a Steno attached to him. This Cell is looked after at the higher level by Under Secretary, Deputy Secretary and Joint Secretary. But the actual work of monitoring is assigned to a section officer who is aided by a stenographer."

3.3 When asked whether the officer regularly visited the UGC and the Headquarters of all the Central Universities to ensure the implementation of the reservation orders, the witness stated :

"I cannot say that he regularly visits. But he does get the information. If there is any problem, it comes to the notice of the higher authorities. As I said previously, sometimes at my own level, I take meetings of the concerned officers of the UGC or of the Vice-Chancellors."

3.4 In reply to the question as to whether the officer submitted any report to the Ministry, the witness stated :-

"He reports to the Under Secretary and the Deputy Secretary within the Ministry as to what actually is the position."

3.5 About the nature of the usual lacunae detected by the officer from the Ministry in the implementation of the reservation orders in the UGC and in the Central Universities during the last two years, the witness submitted :-

"One of the important problems which had come up is the fact that in the Delhi University, the problem was about filling posts. This was brought to my notice also during the last two years. Thereafter I had a meeting with the Vice-Chancellor or Pro-Vice-Chancellor, who is also present here. Ultimately the Delhi University agreed in principle to have the SC/ST reservation in regard to the posts of Lecturers. This is one of the examples I would like to cite."

3.6 On being asked by the Committee as to what action the Ministry was taking on the inspection reports submitted by the officer, the representative of the Ministry stated as follows :

"Usually, when we come to know that some problem is there, we discuss the problems with the concerned officers. I call some of them to my office. I go myself also to university concerned and speak to the people concerned. I try to see that the policy, which has been prescribed, is accepted."

3.7 Asked whether any work other than monitoring the implementation of reservation orders had been entrusted to the Cell, the witness replied that "Yes, some other work is also done by the Cell."

Proc.

P.15

21.3.38

3.8 The Committee note that the Cell set up in the Bureau of University and Higher Education in the Department of Education in January 1977 to maintain the liaison with the University Grants Commission and to oversee the implementation of Central Government's policy of reservation for SCs/STs in the matter of admissions and appointments in the Universities and Colleges is at present manned by a Section Officer and Steno attached to him. Keeping in view the enormity of the work entrusted to the Cell, the Committee recommend that the staff strength of the Cell should be suitably augmented to enable it to discharge its functions efficiently and promptly.

3.9 The Committee have been informed that the officer-in-charge of the Cell does not visit the Headquarters of the Universities regularly to oversee the implementation of the reservation policy. The Committee recommend that to have an effective feedback on the implementation of the reservation policy, the Officer-in-charge of the Cell should make it an annual feature to visit the headquarters of the Central Universities so that if there are any lacunae in the implementation of the policy, these are rectified at the very initial stage.

3.10 The Committee note that the Cell has been entrusted with work other than to monitor the implementation of the reservations for SCs/STs in services and admissions. In the Committee's view the additional work done by the staff of the Cell is at the cost of the monitoring of implementation of the reservation policy. They recommend that the Cell should not be entrusted with any work other than the implementation of the reservation policy.

in Central Universities

B. APPOINTMENT OF LIAISON OFFICER IN THE MINISTRY

3.11 The Committee have been informed through a written note that :

"No Liaison Officer has been appointed in the Ministry for ensuring compliance of reservation policy in University Grants Commission/ Central Universities."

3.12 During the evidence, when asked why no Liaison Officer had been appointed in the Ministry of Human Resource Development (Dept. of Education) in spite of Government instructions issued initially in April, 1968 and subsequently repeated in April, 1969, May, 1976 and October, 1979, the representative of the Ministry clarified the position as under :-

"I would like first of all to clarify and correct the proposition that we had given in our written answer. We have a liaison officer appointed right from the time the instructions had been received. The function of this liaison officer was not to look after the UGC and the universities because they are autonomous bodies. The important point is that we have a liaison officer as prescribed by the Ministry of Home Affairs all these years. His functions are exactly the functions which have been assigned by the Home Affairs viz., to look after the interests of the SC and ST in regard to the subordinate offices of the Ministry and other bodies which come directly under the control of the Ministry. I would like to say and reiterate that we have appointed liaison officer right from the time such instructions were received and the liaison officer is actually performing the task which has been assigned to him."

Ministry of

3.13 When asked whether the Liaison Officer was from SCs/STs or not, the witness stated that he did not belong to any SC/ST community and was in the rank of Deputy Secretary.

The witness further submitted :-

"As far as the UGC is concerned, there is a liaison officer in the UGC itself. It is not our Ministry's man sitting there. UGC has appointed a liaison officer. Similarly our universities have also got their liaison officers. All the Central Universities have got liaison officers."

3.14 Pointing out to the witness that the Committee had come across some Liaison Officers in certain organisations who did not know anything about the maintenance of rosters and the reservation policy, the Committee enquired whether any training was given to the Liaison Officers in the UGC and the Central Universities to make them ^{fully} conversant with the duties assigned to them.

The Registrar, Delhi University suggested:

"perhaps the Ministry and the UGC could hold a training programme for the Liaison Officers once a year so that they are kept abreast with the latest orders of the Government."

3.15 The Registrar of the JNU observed that the training could be arranged on the lines of the training given by ISTM of the Ministry of Home Affairs to Officers of the ^{rank of} Deputy Secretaries in which some of the Registrars of Universities had also participated.

3.16 The Committee have been informed that a Liaison Officer has been appointed right from the time the Government instructions were received by the Ministry of Human Resource Development. However, the functions of this Liaison Officer were not to look after the UGC and the Universities because they were considered to be autonomous bodies. The Committee consider it to be a lapse on the part of the Ministry which is the ^a nodal Ministry to ensure the implementation of reservation orders of the Government in the UGC and the Central Universities irrespective of their autonomous status. If the Committee were to accept the stance of the Ministry then there should not have been any need of the special cell in the Bureau of University and Higher Education of the Department of Education to maintain liaison with the UGC and to oversee the implementation of the Central Government's policy of reservations for SCs/ STs in Central Universities and colleges. The Committee recommend that the Liaison Officer in the Ministry should be assigned the duties of overseeing the implementation of reservation orders also by the UGC and the Central Universities.

3.17 The Committee have been informed that Liaison Officers have been appointed in the UGC and the Central Universities to look after the work relating to the implementation of the reservation policy of the Government. However, no training is imparted to the Liaison Officers to make them conversant with the duties assigned to them. The Committee recommend that regular training programmes for the Liaison Officers in the UGC and the Universities should be initiated by the Ministry so that they know clearly what their duties are and how the orders regarding reservations for SCs/STs are to be implemented.

C. SC/ST CELL IN UGC :

3.18 It has been stated :

"the University Grants Commission set up a Special Cell (SCT Cell) in January, 1979 with a view to watch the effective implementation of various orders for employment and programmes etc., relating to access of higher education to students belonging to Scheduled Caste and Scheduled Tribe communities."

3.19 One of the functions of the Cell is stated to be as follows :-

"To collect reports and information regarding Government of India orders on various aspects of education, training and employment of Scheduled Caste and Scheduled Tribe candidates, for evolving new policy or modifying existing policy by the Commission."

3.20 During evidence when the Committee asked whether the Commission was competent to modify the reservation policy of the Government, the representative of the Ministry of Human Resource Development clarified the position as under :-

" I must say that the statement which was given in our written reply is not absolutely accurate because it is very clear that the Commission has no competence to modify the reservation policy of the Government. What actually should have been written is 'new programmes or modifying the existing programmes of the Commission. The policy cannot be modified by the Commission at all Instead of policy, we should have used the word 'programme'.."

3.21 The Secretary University Grants Commission explained the position further as follows :-

"The reservation policies have to be fully implemented as have been enunciated by Govt. of India. There is no relaxation in that. Besides this, the Commission has time and again, instituted a number of additional programmes for the welfare of SC/ST students to implement the reservation policies and also to have some innovative schemes. UGC has also instituted 65 cells in 65 universities. We provide a substantial support to the universities in conducting these activities by providing adequate manpower. These Cells are supported on 100% basis and all through upto 1990. These cells are required to do not only collection of data on the implementation of reservation policies but also act as liaison office for the university as well as for the colleges affiliated to the university. The Central Cell at the UGC is required to collect massive data about the implementation of the reservation policies and few other components of Schedule forms 4C and 4U. These Schedules 4C and 4U are supposed to be given to us. But the responses on these Schedules is not 100%. The data that we analysed in 1984-85 and in 1985-86 is to the extent of only 30 to 40 per cent response so far received from the universities. The Commission, therefore, took note of this kind of not responding to the data base which we use, besides studying the implementation of reservation policy, also for further studying to examine the implementation of component which relates to appointment, reservation of seats in the hostels, awarding of scholarships. We have added one clause at the end of the sanction letter which reads as follows :-

1. The university/college shall take all possible measures to ensure effective implementation of policies of Government of India relating to SC/ST students and teachers in regard to the UGC programmes. In the case of non-teaching staff, the policies of the Central Government in respect of Central Universities, and of the State Government in respect of State/~~shall~~ shall be implemented. ~~So~~ So this becomes a clause added to the sanction letter. It is, therefore, presumed that when a university receives funds from the UGC, they necessarily would fulfil obligations as per our sanction letter."

3.22 The Committee note that in addition to the implementation of the reservation policy of the Government of India, the UGC has instituted a number of additional programmes for the welfare of SCs/STs. To monitor their implementation along with the implementation of the reservation orders the UGC has instituted 65 cells in 65 universities. The UGC is providing substantial aid to the universities in conducting these activities by providing adequate manpower. These cells are supported on 100 per cent basis and all through upto 1990. These cells are required not only to collect data on the implementation of reservation policy but also act as Liaison Officers for the Universities as well as for the colleges affiliated to the Universities. The Central Cell of the UGC is required to collect massive data about the implementation of reservation policy and other innovative schemes introduced by the UGC. However, the response has not been 100 per cent on the part of the universities so much so that the data analysed in 1984-85 and 1985-86 is to the extent of only 30 to 40 per cent of the entire data required. The Committee recommend that the UGC should take up the matter suitably with the concerned universities to impress upon them the need of providing 100 per cent data to the UGC Cell to enable it to monitor the implementation of the reservation policy and other schemes introduced by the UGC in a constructive manner so that these yield the desired results and the lacunae found in their implementation are rectified at the right time.

D. CELLS IN UNIVERSITIES

3.23. The Committee have been informed through a written note :-

"Cells have been set up in all the Central Universities excepting Indira Gandhi National Open University which was established only during 1985. The broad functions of these Cells are monitoring the implementation of reservation orders, maintenance and supply of statistical information and maintenance of rosters."

3.24 During the evidence, at the outset, the representative of the Ministry of Human Resource Development informed the Committee as follows :-

Proc- "First of all, I must say that the Indira Gandhi National Open University also has set up a Cell. This is our latest information. You may like to confirm it from the Vice-Chancellor of the University who is here."

3.25 When asked whether the monitoring done by the University Cell was placed before any higher authority, that might suggest corrective measures in case the implementation of the reservation orders was faulty and not in the true spirit, the Secretary, UGC replied as follows :

".....I would like to make one submission that we have obtained data base from the university sector. We have a list of 146 institutions of higher education, which include Agriculture Universities also. This data sheet reflects that the provisions as per the reservation policies are reflected in almost all cases. There are, however, some variations and to make them uniform the UGC will have to take assistance of the Government of India, and through them from the State Governments, and

impress upon them not to have variations and for study . . . as to why such variations exist. By and large, the statement shows that the reservation policy regarding the percentages for admissions, is already indicated."

3.26 Asked whether the University Cells were attending to any work other than monitoring of reservation orders, the witness replied :

"We have 65 such Cells created with 100% support from the UGC and these have been created to work as implementation machinery and for the planning, evaluation and monitoring and this calls upon them to see that the policy which has been spelt out, is fully implemented. These Cells also help universities in implementing special programmes for SC/ST. Suppose, there is a college which has enrolment of only 100 students and there are 35% of students belonging to SC/ST and when they come to us (UGC) for financial assistance, we do give them assistance, though as per UGC norm a general college should have 250 to 500 students enrolled. This means that we encourage such colleges with low enrolment to develop facilities for SC/ST. Similarly, in the case of hostels which general colleges undertake to build, financial assistance is given to the extent of 50% only by the UGC and the other 50% is supported by the management or the State Government. But colleges, in the case of SC/ST enrolment mentioned above, we provide support of 75%. There are also special feature programmes for SC/ST students. The UGC helps the SC/ST at the Universities by making available award of fellowship in the Universities fixed number at a given time. For award of fellowship for M.Phil, or Ph.D the UGC conducted examinations in 1984, 1985 and 1986 in 70 to 80 places in the country. The enrolment varied as low as 3475 to as large as 18500. The examinations were conducted by the UGC, spread over throughout the country. Here out of the total enrolment of the students who appeared success percentage for SC/ST group recorded was very low.

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We had reservations available to them in the total fellowship. But we found that it is not possible in them to reach this allotted target because the figures show very low percentage of SC/ST qualified ~~for~~ these examinations. The Cell advised that we must continue a separate programme for providing fellowships for M.Phil and Ph.D programme to them. Therefore, there was a backlog and since we did not fill up positions in 1984-85 and 1985-86, we took a decision in 1986-87 and we provided 150 fellowships at one time and because of the large number of applications available to us from those desirous candidates centrally, we were able to award 170 fellowships as against allotment of 150 fellowships. There is another scheme like teachers fellowships which are available to the teachers who are working in the Colleges already. Separate allotments have been made for the teachers of SC/ST and in 1983-84, we had given fellowships to 33 candidates, in 1984-85, 51 were given and in 1986-87, 47 were given the fellowships."

University Grants Commission has the Committee 3.27 The Secretary, informed that in the data collected by them for monitoring the implementation of the reservation orders although the provisions as per reservation policies are reflected in almost all cases yet there are some variations and to make them uniform UGC intend to take the assistance of the Union Government and through them of the State Governments and to impress upon them not to have variations and for study as to why such variations exist. The Committee recommend that the matter may be taken up with the Union Government and through them with the State Governments to eliminate the variations in the reservations for SCs/STs in the universities and colleges immediately. The Committee will like to be apprised of the steps taken by the Ministry of Human Resource Development in this regard.

3.28 The Committee note that on the advice of its Cells located in the universities and colleges affiliated thereto, the UGC continued a separate programme of providing fellowships for M.Phil and Ph.D programmes to SC/ST candidates. During the years 1984, 1985 and 1986 in the tests conducted by the UGC for the award of fellowships for M.Phil and Ph.D programmes the percentage of SC/ST candidates was too low with the result that there was ^a backlog in filling the seats reserved for

SCs/STs.

Subsequently, in the year 1986-87 the UGC reserved 150 fellowships for SCs/STs and against these 170 fellowships were awarded to SC/ST candidates. This in the opinion of the Committee is a positive step. The Committee recommend that the process started in 1986-87 of reserving a specified number of seats for SCs/STs in the award of fellowships should be made a regular feature. However, the number of fellowships reserved for SCs/STs, in the opinion of the Committee, requires to be reviewed for ^{an} ~~the~~ upward revision. The Committee will await the outcome of the review and the seats reserved for SCs/STs in the award of fellowships during the year 1987-88.

CHAPTER IV - RECRUITMENT AND PROMOTIONS

A. RECRUITMENT RULES

4.1 The Committee have been informed through written information furnished by the Ministry of Human Resource Development (Dept. of Education) as follows :-

"recruitment to the various posts in the University Grants Commission/Central Universities is made in accordance with the provisions contained in the relevant recruitment rules/ordinances. Appointment to posts by direct recruitment is made either by advertisement in the leading dailies on all India basis /or from amongst the candidates sponsored by the local Employment Exchange as the case may be."

4.2 As regards the advertisement of vacancies, the Committee have been informed :

"The posts to be filled by direct recruitment from among Scheduled Castes/Scheduled Tribes are generally advertised by the University Grants Commission/Central Universities, through the newspapers or Employment Exchange as the case may be. Relaxation in age, qualifications, etc. for Scheduled Caste/Scheduled Tribe candidates are also indicated. However, vacancies reserved for Scheduled Castes/Scheduled Tribes are not sent to All India Radio for announcement except in the case of Banaras Hindu University and Pondicherry University."

4.3 During evidence when the Committee asked the reason as to why all universities did not send the vacancies reserved for SCs/STs to All India Radio for announcement, the Special Secretary, Ministry of Human Resource Development clarified the position as follows :-

"As I pointed out myself, there are some special methods by which advertisements can be

released and All India Radio can also be used.
I request the V.Cs. to utilise this."

4.4 When asked whether the vacancies could be announced on to Doordarshan also, the witness stated as under :-

"The expense also has to be taken into account. Since it involves heavy charges, only commercials can afford this."

4.5 When the Committee suggested that copies of advertisements issued by UGC/Central Universities should also be uniformly sent to the SC/ST Associations, all the local MPs/MLAs and also to the Parliamentary Committee on the Welfare of Scheduled Castes and Scheduled Tribes, the witness submitted :-

"That can be done certainly."

4.6 When asked whether all the Central Universities did not have a uniformity in the recruitment rules/ordinances, the witness clarified the position as follows :-

"The answer to this question is that all of them do not have it at present. But UGC has appointed a Committee to rationalise the system and to arrive at a uniform pattern of recruitment rules."

4.7 The Committee have been informed that the vacancies reserved for Scheduled Castes/Scheduled Tribes are not sent to All India Radio for announcement except in the case of Banaras Hindu University and Pondicherry University. The Committee recommend that the practice of broadcasting the vacancies on AIR should be uniformly resorted to by all Central Universities as assured by the Special Secretary, Ministry of Human Resource Development during the evidence.

to fill posts
reserved for SCs/
STs

4.8 The Committee note that none of the Central Universities makes any announcement through the Doordarshan regarding the recruitments to be made. The reason for this is stated to be the exorbitant costs involved. The Committee recommend that UGC/Central Universities take up the matter suitably with the Doordarshan authorities to explore the possibility of telecasting their recruitment requirements through local programmes by Doordarshan more so because Doordarshan is likely to introduce 'Rozgar Samachar' in their local telecasts.

4.9 The Committee note that at present copies of the advertisements issued by the UGC/Central Universities are not sent to SC/ST Associations, all the local MPs, MLAs and also to the Parliamentary Committee on the Welfare of SCs/STs. The Committee recommend that copies of the advertisements should invariably be sent to SC/ST Associations, local MPs/MLAs and Parliamentary Committee as assured by the representative of the Ministry during evidence.

4.10 The Committee note that at present all the Central Universities do not have a uniformity in the recruitment rules/promotions but the UGC has appointed a Committee to rationalise the system and to arrive at a uniform pattern of recruitment rules/promotions.

The Committee recommend that the UGC should evolve as early as possible a uniform pattern of reservations in recruitments and promotions for all the Central Universities keeping in view the recommendations of the Committee appointed and the Government orders thereon by UGC and necessary guidelines be issued to all the Central Universities to strictly follow those.

**B. INCLUSION OF RESERVED VACANCIES IN
PRESS ADVERTISEMENTS**

4.11 It has been stated :

"The University Grants Commission and a few Central Universities i.e. Delhi University and Jawaharlal Nehru University specify in the advertisements or in the requisitions sent to the Employment Exchanges the exact number of posts reserved for Scheduled Castes/Scheduled Tribes. In the case of Banaras Hindu University, Hyderabad University, Visva Bharati University and Indira Gandhi National Open University, a clause is inserted in the advertisements indicating that reservation for Scheduled Castes/Scheduled Tribes exists as per rules. The exact number of posts reserved for Scheduled Castes and Scheduled Tribes is not specified in the advertisement by North Eastern Hill University, as majority of the posts are invariably filled by candidates belonging to Scheduled Castes and Scheduled Tribes. The number of posts reserved for Scheduled Castes and Scheduled Tribes is not specified in the advertisements by the Pondicherry University, Visva-Bharati and Aligarh Muslim University."

4.12 During the evidence, asked to state the reason as to why all universities did not indicate the number of reserved posts in the newspaper advertisements and in requisitions to employment exchanges to attract requisite number of suitable SC/ST candidates, the Special Secretary, Ministry of Human Resource Development, stated :-

p. 22/3

"Every university should put down the number of posts which are reserved for the Scheduled Castes and Scheduled Tribes. I will make an appeal to all the Vice-Chancellors to comply with this request."

4.13 The Committee suggested to the witness that the Ministry of Human Resource Development/UGC should bring out a comprehensive brochure on the lines of the one issued by the Bureau of Public Enterprises based on the Government directives regarding implementation of the reservation policy and the concessions/relaxations available to SCs/STs in recruitments/promotions etc. so that the authorities of the Central Universities knew as what the exact Government orders on reservation policy were and what was expected of the universities in its implementation.

The witness replied :-

"We will do that. This is a good suggestion."

4.14 The Committee note that the Central Universities do not indicate the number of posts reserved for SC/STs in the newspaper advertisements and in the requisitions to employment exchanges to attract sufficient number of suitable SC/ST candidates. The Committee recommend that all Central Universities should indicate the exact or approximate number of posts reserved for SCs/STs in Press advertisements/requisitions to employment exchanges so that more and more suitable SC/ST candidates feel interested to apply for the post reserved for them.

4.15 The Committee note that at present there is no comprehensive compilation of the Government orders on the contents and implementation of the reservation policy, the concessions/relaxations available to the SCs/STs in recruitments/promotions etc in Central Universities. The Committee recommend that such a publication on the lines of the one brought out by the Bureau of Public Enterprises should be brought out by the Ministry of Human Resource Development/UGC for the guidance of Central Universities so that the concerned authorities know what ~~steps~~ they have to take at various stages to comply with the ~~extant~~ orders. as assured by the representative of the Ministry during evidence.

**C. COMMUNICATION OF REASONS FOR REJECTION OF
SC/ST CANDIDATES TO EMPLOYMENT EXCHANGES**

4.16 According to the information furnished by the University Grants Commission/Central Universities the reasons for rejection of the Scheduled Caste and Scheduled Tribe candidates are not communicated to the Employment Exchanges since the Selection Committees do not indicate such reasons. Moreover, the appointing authorities are required to furnish/only the names of the selected candidates to the Employment Exchanges.

4.17 During the evidence, when the Committee pointed out that the Government guidelines about indicating the precise reasons of rejection of SC/ST candidates to the employment exchanges so as to facilitate the latter to sponsor right type of candidates belonging to these communities were mandatory and enquired

of reasons for not following them by the UGC/ Central Universities, the witness replied :

"This is a valid point. Certainly instructions exist and they should be followed. The only difficulty that some of the universities have expressed is that once a reason is given and known to the people, then there is a likelihood that the person concerned may be condemned for long years to come, even though in due course he may improve. The label which is applied on him and the reason given may continue to be applied on him for a long time. Sometimes it is felt that it may not be in the interests of the SC/ST candidates to get this kind of a label and ~~reason~~ in explicit terms from the Selection Committee."

18.18 The Committee note that University Grants Commission/Central Universities do not communicate the reasons of rejection of SC/ST candidates to the employment exchanges in spite of Government orders which are mandatory in nature. The Committee are not convinced by the argument of the representative of the Ministry of Human Resource Development that communication of the reasons to the Employment Exchanges will amount to putting a label against the person rejected and stand in the way of his getting employment subsequently. On the contrary the Committee feel that if the Employment Exchange is made aware of the deficiencies in general and any aspects which are taken into account for selection for recruitment in a particular institution, it will be no reflection on any individual candidate.

Rather, in the opinion of the Committee communication of reasons of rejection along with a list of candidates rejected will obviate the chances of names of rejected candidates being struck off of the rosters of exchanges. The Committee recommend that reasons of rejection of SCs/STs should invariably be communicated to the Employment Exchanges to enable them to sponsor right type of candidates in subsequent recruitments.

D. APPOINTMENT/INTERVIEW LETTERS

4.19 It has been stated that "generally, interview letters are sent under certificate of posting, while appointment letters are sent by registered post."

4.20 When asked about the reaction of the Government to the Committee's opinion that all interview letters should also be sent by registered post and not under the certificate of posting to ensure their delivery in time, the representative of the Ministry of Human Resource Development submitted :-

"This can be agreed to by everybody. We will send one copy of ordinary post, and the other by registered post."

4.21 The Committee note that in University Grants Commission/Central Universities interview letters are generally sent under certificate of posting while appointment letters are sent by registered post.

The Committee recommend that a copy of
also
interview letters should/be sent through
Registered Post to SCs/STs to ensure its safe
delivery as assured during evidence.

E. MINIMUM PERIOD OF NOTICE FOR INTERVIEW
AND JOINING

4.22 About the minimum period of notice given to the SC/ST candidates for appearing in an interview as well as for joining the assignment after selection, the Committee have been informed :

"Generally 10-20 days notice is given to all candidates called for interview. 30 days time is generally given to the selected candidates for joining the posts. Some of the Universities allow more time upto 4 months."

4.23 During the evidence, the Committee enquired of the witness whether 10 to 20 days notice was sufficient for all candidates including the SC/ST candidates to enable them to appear before the interview Board. The witness replied that "we will agree to the minimum of 20 days."

4.24 The Committee note that in University Grants Commission/Central Universities generally 10 to 20 days notice is given to all candidates including those belonging to SCs/STs for interview.

The Committee recommend that a minimum period of twenty days should be given to all candidates including SC/ST candidates for interview as agreed to during the evidence.

F. SEPARATE INTERVIEWS OF SC/ST CANDIDATES

4.25 It has been stated that "in the case of Banaras Hindu University, Hyderabad University, Indira Gandhi National Open University and Jawaharlal Nehru University, the SC/ST candidates are interviewed in separate blocks or dates. In the case of other universities, no separate interviews are held for SC/ST candidates. However, the Selection Committee is always aware of the fact of any candidate belonging to SC/ST, at the time of interview."

4.26 During the evidence, when the Committee enquired of reasons for non compliance of Government directives that the SC/ST candidates should always be interviewed in a different session on the same day or on a day other than the day on which general candidates are interviewed so that they are judged with relaxed standards vis-a-vis general candidates by all the Central Universities, the witness replied as under :-

"We will issue instructions that it should be done in two sittings. The first sitting should be for SCs and STs., not necessarily on the previous day; but the sittings should be different."

27. The Committee note that in the case of Banaras Hindu University, Hyderabad University, Indira Gandhi National Open University and Jawaharlal Nehru University, the SC/ST candidates are interviewed in separate blocks or dates.

However, in the case of other universities, no separate interviews were held for SC/ST candidates. The Committee recommend that the SC/ST candidates in the University Grants Commission and all the Central Universities should be interviewed on separate dates or in separate blocks on the same day

on which general candidates are interviewed as provided in Government directives so that the interviewing body is aware of the need for judging the SC/ST candidates by relaxed standards.

G. RECRUITMENT BOARDS/DEPARTMENTAL PROMOTION COMMITTEES

4.28 It has been stated :

"The Composition of Selection Committees/ Departmental Promotion Committees varies from post to post as provided in the relevant statutes/ordinances/recruitment rules.

In the case of University Grants Commission, Hyderabad University, Indira Gandhi National Open University, Jawaharlal Nehru University and North Eastern Hill University, one person belonging to SC/ST is included in the Selection Committees/D.P.Cs for appointment to non-teaching posts. There is, however, no such provision in the case of other universities."

4.29 During the evidence, when asked as to why the practice of including an SC/ST officer in Interview Boards/DPCs was not followed by all Central Universities. The witness submitted :-

"To some extent, this question had come up yesterday also. We gave an assurance that the UGC is going to issue guidelines in this respect and all the universities will uniformly follow these guidelines."

4.30 The Committee note that the practice of including one SC/ST officer in all the Recruitment Boards/DPCs is not uniformly followed by all the Central Universities. They recommend that the practice of including one SC/ST officer of comparable status be followed uniformly by all the Central Universities.

H. MAINTENANCE OF ROSTERS IN NON-TEACHING CATEGORIES

4.31 It has been stated that UGC, Delhi University, Hyderabad University and Visva Bharati are following the Government instructions on the maintenance of 40-point rosters for reservation of non-teaching posts for candidates belonging to SCs/STs. In the other Central Universities, promotions are generally made on the recommendations of Departmental Promotion Committee on the basis of merit-cum-seniority or seniority-cum-fitness.

4.32 During the evidence when the Committee asked as to why all the universities were not maintaining the 40-point rosters for filling the posts reserved for SCs/STs through promotions in non-teaching category posts, the representative of the Ministry of Human Resource Development replied :-

"We are going to make a special request to all the Vice-Chancellors that they should follow the 40-point roster system. I think they will agree."

4.33 In this regard, the ^{Vice-Chancellor,} ~~Pro~~ ^{1.} Indira Gandhi National Open University informed the Committee as follows :-

¹cur "So far as Indira Gandhi Open University and Pondicherry University are concerned, we have just come into existence. The question of following this particular system for promotion, etc. has not arisen so far. Anyway, we shall certainly frame rules of promotion as per the government policy of providing requisite reservation."

4.34 The Vice-Chancellor, Jawaharlal Nehru University informed the Committee that

"In JNU we are following the 40-point roster system meticulously. As for promotions, we are following procedures laid down according to Government of India rules only."

4.35 The representatives of Hyderabad University informed the Committee that in the Hyderabad University the system was being followed. The representative of Banaras Hindu University informed the Committee that 40-point roster was being followed in the University for direct recruitment.

4.36 The Committee note that barring a few universities none of the other universities maintain the 40-point roster for filling up vacancies reserved for SCs/STs through direct recruitment/promotions. In some of the universities 40-Point roster is maintained for filling up reserved vacancies through promotions only and some other universities maintain such a roster for filling up vacancies through direct recruitment only. The Committee recommend that all the Central Universities should maintain 40-point rosters for filling up vacancies reserved for SCs/STs through direct recruitment as well as through promotions.

I. RELAXATIONS IN PROMOTIONS IN NON-TEACHING CATEGORIES IN CENTRAL UNIVERSITIES.

4.37 In the preliminary material furnished to the Committee it has been stated that in JNU, in the case of departmental examinations, the relaxation of 5 per cent in qualifying marks is given in written tests. Relaxation of 5 per cent and 10 per cent ~~is~~ ^{was} allowed by the University in typewriting and shorthand tests respectively to SC/ST candidates.

4.38 During the evidence, the Committee enquired whether no university other than Jawaharlal Nehru University had provided any relaxations for SC/ST candidates in promotions even in non-teaching categories. The Secretary, University Grants Commission stated that the Commission would request all Central Universities to give relaxations for SC/ST candidates in promotions in non-teaching categories also.

4.39 As regards the relaxations provided to SC/ST candidates in promotions in JNU the Registrar, Jawaharlal Nehru University clarified:

"Relaxation to the SC & ST candidates are given in Typewriting and Shorthand. It is not five per cent relaxation. It is 5 words in Typewriting and 10 words in Shorthand."

4.40 About the University of Hyderabad, the Vice-Chancellor of that University informed the Committee as under :-

"We hold tests for SC and ST students and rank them in order of merit and issue a separate advertisement also. We hold departmental tests also."

4.41 Asked whether any relaxation in standards was given to Scheduled Caste and Scheduled Tribe employees, the witness stated :-

"What I mentioned yesterday was that we issue a circular to internal eligible candidates for the posts which have not been filled. We also issue a separate advertisement. The departmental candidates are permitted to appear in that test on the basis of their seniority."

The witness added :

"There was only one departmental test after I took charge, which was held as a separate test for SCs/STs from the general category."

The witness continued :-

"There was one separate departmental test for SCs and STs. By the time I took charge, there were 12 vacancies, and 7 vacancies for SCs and STs respectively. We issued a separate advertisement for them. I am talking of recruitment. For promotion, we never hold departmental tests. As far as the UGC guidelines are concerned, there has been no uniform promotion policy. They have now appointed a Committee to streamline the departmental promotion policy for all the posts."

4.42 About relaxations given to SC/ST candidates in Banaras Hindu University, the Registrar, BHU informed the Committee as follows :-

"In our case, in BHU, there is no departmental examination. The minimum waiting time for the general category is five years, and for SCs and STs it is three years. In the case of Stenographers, even if they are not fully qualified, we will give them one year's time to meet the relaxed requirements in Shorthand and Typewriting."

4.43 About the North Eastern Hill University, the representative of that University stated as under :-

"In our case, there is no need for relaxing the standard in Typewriting and Shorthand for promotions, because we automatically get the SC and ST candidates to the extent of between 50% and 60%."

4.44 On being asked about the mechanism the UGC envisaged to ensure that relaxations are provided by all the Central Universities in promotions for the SC/ST employees at least in non-teaching categories, the Secretary, UGC submitted :

"This point of not having uniformity in the implementation strategies or non-teaching staff in certain universities was brought out yesterday and it was decided and an assurance was given - that the UGC will now prepare guidelines for the uniformity in the various Central Universities. This point will also be built into the guidelines."

1.45 The Committee note that the Central Universities are not following the Government Orders regarding providing of relaxations to SC/ST employees in promotions in non-teaching categories. During the evidence, the Committee has been assured by the Secretary, UGC that a compilation containing all the Government Directives on the implementation ^{out} of reservation policy will be brought out by them for the guidance of Central Universities which will inter-alia include the Government orders regarding giving of relaxations to SC/ST employees in promotions. The Committee feel that the preparation of compilation will take some time. They recommend that in the meantime a circular may be issued to all the Central Universities by the UGC giving details of the Government orders regarding giving of relaxations to SC/ST employees through promotions to bring an immediate halt to the injustice done to SC/ST employees of these universities.

5.

RESERVATIONS IN CENTRAL UNIVERSITIES
IN TEACHING POSTS AND ADMISSION

4.46 According to the preliminary material furnished to the Committee whereas some of the Central Universities have provided reservations in the non-teaching category staff in direct recruitment yet no reservation has been made in promotions. Similarly, some of the universities have made reservations in the teaching category upto the level of lecturer only and not upto the level of Assistant Professor in direct recruitment as provided in UGC guidelines and other universities have not made any reservations in teaching category posts at all even in direct recruitment not to mention of in promotions.

It has further been stated :-

"There is no specific provision for reservation for Scheduled Castes/Scheduled Tribes in Statutes of the Universities. The University Grants Commission/Central Government guidelines issued to the Central Universities provide the following :-

1) ADMISSIONS:

- i) 15% of seats in all courses should be reserved for students belonging to Scheduled Castes. Similarly, 7½% seats should be reserved for students belonging to Scheduled Tribes.
- ii) Candidates belonging to both these categories should be given a relaxation of 5% marks from the minimum qualifying level prescribed, if any. If seats reserved for them still remain unfilled, further relaxation should be given in order of merit among such candidates, so that all the reserved seats are filled by candidates belonging to these categories."

4.47 During the evidence, asked to state the reasons given by the Central Universities for non-compliance of the guidelines issued by the UGC, the representative of the Ministry of Human Resource Development informed the Committee as under :

"What is applicable to Lecturer is also applicable to Assistant Professors."

4.48 The Committee enquired of the witness whether any special incentives were provided for SC/ST students to keep them in the academics so that after completing their studies they might be inducted into the teaching profession which would automatically result in the filling of the reserved vacancies in the cadre of Lecturers/Assistant Professors and admissions to various courses. The Special Secretary, Ministry of Human Resource Development submitted:

"We appreciate this suggestion. We will consider itI will myself recommend to the UGC to come forward with a new scheme which will benefit SC / ST students."

4.49 The Vice-Chancellor, JNU submitted as follows in this regard :

"Until the recruitment of percentage prescribed is filled up this may turn out to be counter-productive. A candidate is selected with 85% from the General List as happens in the JNU and a candidate is selected from the ST with lower percentage, but if you go further down, then the gap between the two will be big and it will be very difficult for them to pull together. The Committee should look into this question of reservation in a wider perspective because you cannot really rectify this mistake at the level of higher education. You cannot rectify the faults of fifteen years in one year. Therefore, at every stage of education, there should be incentives at the primary, secondary and BA levels and scholarships should be provided to SC/ST students so that more and more SC/ST candidates are drawn into the system of education and more and more

are able to go to the next stage. It also happens that after higher secondary, if an SC/ST boy or girl has done very well, he or she is absorbed into the market immediately. What is left for the Universities are the left overs. If the number of people who qualify in the higher secondary is much larger, then University can also get due share of the reasonably good, SC/ST candidates. Unless this happens, it will not be possible, even if admission is given, to help those students. It will create frustration on the part of all concerned and despite our efforts nothing positive will result."

4.50 The Secretary, University Grants Commission

explained :-

"There has been a scheme called Bursary Scheme and this operates to support scholarships beyond 12th class. This is linked up with the National Talent Search Examination. It was decided that the NCERT may hold the test at class 10 only. Earlier the cut off was at the 12th class. We agreed to ask from that list 115 candidates for awards to be given to SC and ST students who are screened through the NCERT common test and award them scholarships to proceed to 12+3. UGC itself will not be able to conduct the test at 12th class to identify those students of SC and ST for awarding scholarships. During 1983-89, some mechanism will be worked out and we will persuade NCERT to screen candidates for awarding scholarships on our behalf. We will see that a large number of SC and ST students pursue education beyond 12 for +3 stage. Further we are awarding fellowships for M.Phil and Ph.D. Degrees. The Commission would be very keen to provide additional input and components to strengthen it.

About the appointment at lecturers level with reservation policy, we also mentioned in 1976-78 that if a candidate does not work out to be suitable for appointment as a lecturer, he could be offered research associateship for upto three years. During this time, he could be trained enough to be selected as a lecturer."

4.51 The Pro-Vice-Chancellor, Delhi University

expressed his views in the matter as under :-

rate "Even at the higher secondary level, you are not able to retain a good student. Drop is very high. To provide them good and attractive incentives may enable a good student to prosecute his studies further and at the B.A. level, unless we give them effective incentive, we would not be able to get a good student. In order to retain a student in the academic pursuits, it is necessary for a good M.A. or M.Sc to be provided with better scholarships. But once they are in the Ph.D it will be possible for a number of posts to be filled in. Our idea is that this should be built into the programme itself and we can have All India posts. Within four or five years, you get a product who will be better qualified to compete with others. This is our suggestion so that the teaching posts are filled in by qualified competent persons."

4.52 The Committee suggested that special coaching may be imparted to SC/ST candidates for appointment as lecturers so that the reserved vacancies are filled in the teaching cadre. The witness replied that in 1972, the recommendations of the Sen Committee and in 1986 the recommendations of the Mehrotra Committee were considered by Government and revised pay scales were provided to the university teachers. According to 17 June, 1987 notification the qualifications for appointment to the post of lecturer had been lowered down from Ph.D. to M.A. degree and a sufficient number of SC/ST candidates with these qualifications would be available with the result that the reserved posts could easily be filled up.

4.53 The Committee enquired whether, in cases where SCs/STs were not available with the existing ~~relaxations~~ any further relaxations were given to them in the appointments to the lecturers grade. The witness replied that in such cases they were appointed as Research Associates and after giving them training for 2 to 3 years they were made eligible for appointment as ~~lecturers~~ ^{that}. The witness added after completing their training as Research Associates, SC/ST candidates were not automatically appointed as lecturers. They had to undergo the process of selection. The only fact was that they got 2 to 3 years time to acquire the requisite qualifications for appointment as ~~lecturers~~. The witness further clarified that this scheme was implemented in the States also.

4.54 As regards the giving of attractive incentives to the SC/ST students to remain in the academic field, the Special Secretary, Ministry of Human Resource Development repeated :-

"I personally feel that the suggestion made is so good that it deserves immediate consideration by the UGC. I will certainly take these propositions to the UGC."

4.55 The Committee note that at present the Central Universities are finding it difficult to fill the reserved posts of Lecturers as well as seats reserved in admissions to various courses in Central Universities because suitable candidates with requisite qualifications are not available from amongst these communities. The Committee recommend that suitable incentives in the form of scholarships of higher amounts should be provided to the SC/ST students right from secondary stage to attract them to the academics and to keep them in the line of learning instead of providing further relaxations in qualifications etc. In the opinion of the Committee such incentives have to be so high and attractive as to lure the SC/ST students into academics in the real sense.

• K. PROMOTION PROCEDURES FOR NON-TEACHING CATEGORIES

4.56 As regards the procedure followed for promotion of employees to various categories of posts in the UGC/Central Universities, the Ministry of Human Resource Development have informed the Committee through a written note as under :-

"Promotion to various categories of posts in the UGC/Central Universities is generally made on the recommendation of Departmental Promotion Committees in accordance with the provisions contained in the statutes/ordinances/recruitment rules on the basis of merit-cum-seniority or seniority-cum-fitness. Some of the universities have provisions for promotions through departmental competitive examinations or practical evaluation tests. The Indira Gandhi National Open University which started functioning only recently has not yet framed rules for promotions."

4.57 During evidence when the Committee enquired as to why Indira Gandhi National Open University had not yet framed rules of promotions and by what time the University was likely to frame rules for promotion of employees to various categories of posts, the representative of the Indira Gandhi National Open University explained the position as under :

"This University has come into existence recently. We are making direct recruitment to various posts. The question of promotion or making reservation for promotion has not arisen because normally a person should have put in 3-4 years of service before he can be promoted. We have been following the policy of reservation. So far as Group C posts are concerned, there was a backlog of 13 per cent or 13.4 per cent. We made special efforts and our shortfall has been reduced only to about 1 per cent. In the Board of Management, the decision Making Board, Ministry of Education, did take into account these things and they have appointed one member who is from the ST. So, we have been following the policy and we will follow it. When the

rules for promotion are framed, we will provide for various reservations and other things. In another 1½ years, we should be able to have an entire picture of various cadres; then we would be able to determine how many or what percentage should be by promotion, what percentage should be by direct recruitment and what percentage should be by deputation. So far as reservation for SC/ST is concerned, we will provide for when our promotion policy is framed."

4.58 The witness added that there have been no promotions in the University so far and "So there has been no question of discrimination."

The witness continued :

"The UGC and the Ministry of Education are fully aware that we have been following this policy of direct recruitment. In fact, we have filled the gap which was there in regard to direct recruitment. Certainly, we will follow the instructions. The question of instructions would arise only if we do not follow them, or fail to follow."

4.59 When asked whether the UGC guidelines have been received by the University, the witness submitted:

"So far as the Indira Gandhi National Open University is concerned, it is in a way, functioning as UGC for distant teaching education system, but we will certainly follow any advice or instructions which are issued by the UGC or the Ministry of Education in this behalf."

4.60 The representative of the Human Resource Development Ministry clarified the position further as follows:-

"The UGC has already issued directives to all the universities including the Indira Gandhi Open University. On July 22, 1987 under the signature of a Joint Secretary a letter has already been issued asking all the Vice-Chancellors to follow strictly the instructions and guidelines."

4.61 The Committee note that the Indira Gandhi National Open University has not yet framed the rules providing for reservations for SCs/STs in promotions as the University came into being recently. During the evidence, the Committee have been assured by the representative of the University that at the opportune time when promotions become due rules for reservations in promotions will be framed by the University and while framing the rules the guidelines issued by the UGC will be followed. Incidentally, the witness also informed the Committee that at the time of the framing of the rules the University will be able to determine the percentage of posts to be reserved for SCs/STs in promotions. The Committee do not agree with this assertion of the representative of the Indira Gandhi National Open University. In the opinion of the Committee it is not open to any authority to dilute the Government orders in regard to reservation policy. The Committee recommend that while framing rules for promotions, the Indira Gandhi National Open University should scrupulously follow the Government directives in this regard.

L. ELIGIBILITY CRITERIA FOR SC/ST EMPLOYEES FOR PROMOTIONS IN NON-TEACHING POSTS IN U.G.C.

4.62 In regard to the promotion made in non-teaching grades in UGC during 1984, 1985 and 1986 the following information has been furnished to the Committee :-

Year	Category of post	Number of persons promoted			Percentage of		
		General	SC	ST	TOTAL	SC	ST
1	2	3	4	5	6	7	8
<u>1984</u>	Group 'A'	3	-	-	3	-	-
	Group 'B'	28	2	-	30	6.6	-
	Group 'C'	-	-	-	-	-	-
	Group 'D'	6	2	1	9	22.2	11.1
<u>1985</u>	Group 'A'	6	-	1	7	-	14.3
	Group 'B'	-	-	-	-	-	-
	Group 'C'	70	11	2	83	13.2	2.4
	Group 'D'	-	-	-	-	-	-
<u>1986</u>	Group 'A'	-	-	-	-	-	-
	Group 'B'	-	-	-	-	-	-
	Group 'C'	-	1	-	1	100	-
	Group 'D'	1	1	1	3	33.3	33.3

4.63 The shortfall in promotions for reserved categories has been attributed to non-availability of eligible candidates belonging to SCs/STs.

4.64 During the evidence, when the Committee asked to explain the reasons for non-availability of SC/ST candidates for promotions, the witness replied as follows :-

"The reservation policy was adopted by the UGC for direct recruitment in 1970 and for promotions in 1972. The policy which is adopted in UGC for promotion is exactly the same as per reservation policy indicated, that is 15 per cent for Scheduled Castes and 7½ per cent for Scheduled Tribes. Incidentally, the promotions are based on the cadre recruitment rules of the UGC approved by the Government of India which provide eligibility of the candidates with five years of regular service. It was since 1972 we started applying the policy for promotion, but the number of persons already employed in UGC prior to 1970 were not according to the roster points as such eligible candidates are not available from the existing staff strength at roster points. Promotions are made from C to B wherever at the roster points SC/ST candidates are available, for promotion. In doing so the DPC examines the particulars of the employees and provides for such promotion at a roster points out of the eligible candidates. There is no case in which this has been rejected. Therefore, part of the questions where the training component has been indicated."

4.65 The Committee enquired whether any in-service training was given to SC/ST employees to make them eligible for promotions. The witness observed :

"It is not because of the efficiency and lack of training but it is due to application of Reservation Policy as late as in 1972 and therefore, the number of employees of SC/ST available for promotions are not enough in UGC. This position would stand corrected as we go on recruiting more and more SC/ST candidates according to the Reservation Policy at the direct recruitment stage. Then the whole pattern will change. Right now, the SC/ST employees are not on roll available for promotions and as such they were not promoted."

4.66 When asked whether the eligibility period could be reduced in favour of SC/ST employees, the witness submitted :-

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"This is the cadre recruitment/in respect of category of posts and this has been retained for all promotions. No single case has come across so far that due to lack of inservice training the promotion was not given."

4.67 To a suggestion of the Committee that the reduction in eligibility period for promotions for SC/ST employees will automatically result in an increased availability of the employees of these categories for promotion, the witness responded :

"Unless the UGC takes a view to reduce the requirement of the regular service period for eligibility, this question will be difficult to answer."

The witness further stated :-

"As per the procedure, the posts which are available for promotions at a given time, are considered by the DPC. As and when the SC/ST candidates are not available, the posts are treated as 'de-reserved', but the number is carried forward to the next year. Now this cycle continues. But to be very honest with you, the SC&ST employees are not available for 'promotions' because of implementing of Reservation Policy in 1970 and 1972. This position may remain bleak and it would only improve if we are able to get more SC/ST candidates under direct recruitment according to the Roster Points including the backlog. During the discussion, yesterday, it was pointed out by the Hon'ble Chairman that a request be made to the Staff Selection Commission to conduct a special direct recruitment/test exclusively for SC/ST candidates, so that this position improves in the subsequent years."

4.68 The Committee note that there is a huge shortfall in filling up of the vacancies reserved for SC/ST employees through promotions in the UGC which has been attributed to the non-availability of eligible SC/ST candidates for promotion. According to the Secretary, University Grants Commission this is because of the gap of two years in implementing the reservation orders in direct recruitment i.e. in 1970 and in promotions i.e. in 1972.

According to the existing eligibility criteria an employee becomes eligible for promotion after putting in a regular service of five years. The Committee are of the opinion that without curtailing the eligible period in the case of SC/ST employees, the UGC will never be in a position to make up the shortfalls in the filling of the reserved vacancies through promotions. This becomes all the more necessary because of the gap of two years in the implementation of the reservation policy in direct recruitment and promotions. The Committee recommend that the matter ^{may} be reviewed and the eligibility criteria for promotion for SC/ST employees be suitably lowered so that there is no shortfall in the filling of such vacancies. The Committee will like to be apprised of the decision taken in this regard.

DERESERVATION

DERESERVATION OF TEACHING POST

4.69 It has been stated that:-

"The University Grants Commission guidelines do not provide for carry forward of vacancies in the grade of lecturer in the Central Universities. In case suitable Scheduled Caste/Scheduled Tribe qualified candidates are not available for the reserved post of lecturer, the post is filled from the candidates belonging to general category."

4.70 Asked to explain as to why the UGC guidelines did not provide for carry forward of reserved vacancies in the grade of lecturer in the Central Universities, the Secretary, University Grants Commission replied as under:-

What "I have before me a resolution of the UGC of 1975. It reads: The Commission accepted in principle that reservation may be provided for SC/ST for recruitment to the post of Lecturers in the Universities and colleges and the mechanics of such reservation may be worked out.....

i) The Commission was of the view that in order that the teaching posts may not remain vacant for long periods, such reservations may not be operated on a roster system nor should the reserved posts be carried forward from year to year. This was the decision of the Commission in 1975 which was communicated to the Universities. The mechanism of operation was also spelt out subsequently on 10th September 1976. Now this is the position with regard to the reservation policy and its application to the teaching posts. There is no development in this regard beyond this point."

4.71 When the Committee suggested to the witness that the matter may be reviewed by the UGC again so that the practice of carry forward of posts reserved for SCs/STs is introduced in all the Central Universities, the witness replied:-

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"As I informed earlier, we have now constituted an Advisory Committee on the SC/ST welfare. I will put up this matter before this Committee. Then, I will take up the recommendation of the said Committee to the Committee of the Central University Vice-Chancellors. These recommendations then be considered by the Commission in the light of what we have discussed here today and whatever are the findings. Thereafter the whole matter can be reviewed by the Government of India, accordingly."

4.72 When the Committee pointed out that the carry forward did not mean that the post be kept vacant for long and that it simply meant that if an SC/ST candidate was not available to fill the reserved vacancy then the vacancy should be filled by a general category candidate. However it should be *carried* forward to the subsequent three years and efforts should be made to fill it along with the other vacancies that might arise, the witness replied:-

"The only submission I made before is about, what the Commission resolved in 1975. There is no roster system maintained with regard to teaching posts now."

4.73 Pointing out that out of 220 lecturers appointed in 1985, 1986 and 1987 in the Banaras Hindu University none of the appointees belonged to SCs/STs, the Committee enquired of the reasons therefor. The Registrar, Banaras Hindu University, submitted as follows:-

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"They have not come up to the expectations of the selection Committee. The guidelines issued in this regard clearly stipulate the minimum eligibility standard. There is no upper age limit as far as the teachers are concerned. Some relaxations for SCs & STs in age / standards are there in the non-teaching area. Qualifications for lecturers are uniform. UGC guidelines prescribed B+ and a uniform record. As such there is no relaxation as far as the qualifications are concerned. The Secretary, UGC has pointed out that this position may change now as UGC is not insisting on Ph.D. as a requirement. Therefore, we are hopeful that with the changed qualifications the position will improve."

4.74 When the Committee enquired of the witness whether the practice of exchanging the posts reserved for SCs/STs was being followed in the third year of the carry forward as provided in M.H. O.M.No.27/5/68-Extt.(SCTC), dated 25.3.70, the Special Secretary, Ministry of Human Resource Development stated that the Central Universities had been requested to follow the Government instructions in this regard.

4.75 The Committee regret to note that based on a resolution of the UGC adopted in 1975 the practice of carry forward of posts reserved for SCs/STs in the category of lecturer has not been followed in the Central Universities, on the plea that the teaching post may not remain vacant for long period. In the Committee's opinion carry forward of posts does not mean non-filling of such posts. It simply means that if ~~an~~ SC/ST candidate is not available in a particular recruitment the post may be filled by a general category candidate and in subsequent years the efforts should be made to fill up the carry forward vacancy along with other vacancies that may arise. The enormity of the injustice done to SCs/STs in the absence of the practice of carry forward ~~of~~ reserved posts can be gauged by the fact that out of 220 lecturers appointed in the Benaras Hindu University during the years 1984, 1985 and 1986 none belonged to SCs/STs. During the evidence when suggested that the matter requires a fresh look by the University Grants Commission, the Secretary of the Commission submitted that the matter will be placed before the Advisory Committee on the SC/ST welfare. After receiving its recommendations the matter will again be placed before the Committee of the Central Universities Vice-Chancellors. Based on the final outcome of these deliberations the matter will be reviewed by Government. The Committee consider this process as a protracted and time consuming one. They recommend that the practice of carry forward of posts reserved for SCs/STs in the category of lecturers should be introduced in all the Central Universities immediately as provided in the Government directives on the subject so that candidates belonging to SCs/STs get their due in appointments to the cadre of lecturers in the Central Universities.

DERESERVATION OF VACANCIES IN NON-TEACHING STAFF

4.76 In regard to the dereservation of vacancies in non-teaching staff it has been stated that in "Delhi University, Hyderabad University, Jawaharlal Nehru University and Visva-Bharati that if sufficient number of Scheduled Caste/Scheduled Tribe candidates fit for appointment against reserved vacancies are not available, the reserved vacancies are de-reserved on the pattern of the procedure followed by the Government but the reservations are carried forward to three recruitment years. The question of de-reservation in Indira Gandhi National Open University, North Eastern Hill University and Pondicherry University has not arisen. Banaras Hindu University has not de-reserved any post so far. In Aligarh Muslim University, if suitable qualified candidate from reserved category is not available, the post is filled from general category."

4.77 During the evidence, when the Committee asked at what level the decision to dereserve vacancies was taken, the Secretary, University Grants Commission replied:-

"It is clearly envisaged that it is the appointing authority who has to do this. The appointing authority is the Executive Council chaired by the Vice-Chancellor, possibly may be Registrar in some category."

4.78 To a suggestion of the Committee that the decision to dereserve a vacancy reserved for SCs/STs should be taken at a level higher than that of the appointing authority, the witness reacted:

"We will include this point also in the hand book of instructions that we would attempt to draft."

4.79 The Committee note that in the case of non-teaching posts reserved for SCs/STs, the decision to ~~reserve~~ such posts in case of non-availability of SC/ST candidates is taken at the level of appointing authority which is the Executive Council of the University and is chaired by the Vice-Chancellor and in case of certain categories by the Registrar. The Committee feel that when the Executive Council is chaired by the Vice-Chancellor it is quite appropriate that the dereservation decision is taken by it, the Vice-Chancellor being the Chief Executive of the University. However, in cases where the Executive Council is chaired by an officer other than the Vice-Chancellor, the decision to dereserve posts reserved for SC/ST should always be put up to the Vice-Chancellor and his orders taken thereon.

O. STAFF STRENGTH IN UNIVERSITY GRANTS COMMISSION

4.80 The staff strength in UGC as on 1.1.85, 1.1.86 and 1.1.87 has been given as follows:-

Category of post	Total No. of Employees	No. of SC/ST		Percentage of SC/ST		Shortfall of SC/ST		Percentage of Shortfall	
		SC	ST	SC	ST	SC	ST	SC	ST
<u>As on 1.1.85</u>									
A	69	5	2	7.2	2.9	5.3	3.2	7.8	4.6
B	80	6	-	7.5	-	6.0	6.0	7.5	7.5
C	437	42	11	9.6	2.5	22	21	5.4	5.0
D	102	40	9	39.2	8.5	-	-	-	-
<u>As on 1.1.86</u>									
A	73	4	3	5.4	4.1	7.0	2.5	9.6	3.4
B	85	-	9	-	10.5	12.7	-	15.8	-
C	326	44	10	13.5	3.0	4	14	1.5	4.5
D	183	38	9	20.7	4.9	-	4.5	-	2.6
<u>As on 1.1.87</u>									
A	76	7	3	9.2	3.9	4	2.5	5.8	3.6
B	83	7	-	8.4	-	5	6	6.6	7.5
C	384	43	13	11.2	3.4	14	15	3.8	4.1
D	103	42	7	40.7	6.7	-	-	-	0.8

4.81 During evidence, when asked about the difficulty in filling the up the reserved posts in UGC in all categories, the Secretary, University Grants Commission stated as under:-

"This reflects the total strength. The Government of India policy on reservation including the Roster system is applicable to UGC in toto. The policy of reservation was adopted in the UGC in 1970. This policy came into adoption at a stage when certain inherent strength of staff on the roll of UGC existed, which included the staff of SC/ST and General Category without any reservation policy prior to 1970. The staff strength and ratio then grew in two dimensions. One is the recruitment. Another is promotion. When it comes to promotion, entry point is LDC which through promotion goes up to the rank of Section Officer Category 'B'.

In promotion, exact Roster point system is observed and wherever the Roster indicates the post according to the reservation policy, these posts are given to SC/ST candidates. Staff strength existing before 1970 did not have enough SC/ST in significant number. Thus when it comes to promotion at Roster point, SC/ST candidate is not available. In recruitment, entry point is Category 'C' and selections are made in accordance with exact roster point system. Recruitment to category 'C' for LDC is made through Staff Selection Commission."

4.82. Asked about the reason for the decline in percentage of employees in group 'C' from 13.50% in 1986, to 11.20% in 1987, the representatives University Grants Commission submitted:

"The staff strength shows the recruitment also. At recruitment point, we have to recruit total number of people through Staff Selection Commission at Roster points. Staff Selection Commission is not able to provide a List of SC/ST candidates which could have been appointed in the Commission. Therefore, the figure actually shows 11.2%. But these figures have been carried forward. Posts don't lapse."

The witness added:-

"In this particular case, it seems reduction is due to a situation when the Staff Selection Commission provided the folders/dossiers of the selected candidates by them and later we had to terminate the services of a large number of LDCs and clerks etc. because it was found out that the dossiers which were provided to the UGC were fake. This matter was taken up by SSC and the ~~SSC~~ handed over this case to the CBI. The GC removed 39 category 'C' employees on the advice of the Staff Selection Commission.

About the shortfall in the number of SC&ST candidates, in Category 'C' it has mostly happened that the Staff Selection Commission is not able to forward names belonging to SC& ST. We have always given our requirements to them. But they are not able to provide us the candidates."

4.83 When the Committee suggested that the Staff Selection Commission should make a special recruitment, specially for SC & ST candidates in UGC, the representative of UGC stated:-

"We will appreciate that point. We will make a request to the SSC."

4.84 Asked when the UGC was going to make a request to SSC for making a special recruitment the witness replied:

"Immediately, even tomorrow, a letter can be sent if so decided,"

4.85 The Committee note that the percentage of SC/ST employees in the services of the University Grants Commission in all the categories is too low as compared to the quota fixed for them in the Government Directives. During the evidence, the Committee were informed that the entry point for the staff to join the services of the UGC was Category 'C' i.e. as LDCs. Thereafter the appointments to Category 'B' and 'A' are made through promotions. As the Staff Selection Commission has not been able to recommend requisite number of LDCs to the Commission for appointment the shortfall in posts reserved for SCs/STs is automatic in all the categories because whenever there are posts available in Category 'A' and 'B' the SC/ST Employees are not available in feeder cadres for promotion according to eligibility criteria laid down. However, the Secretary, UGC has assured the Committee that the UGC will make a request to Staff Selection Commission to hold a special recruitment of staff confined to SCs/STs only for the University Grants Commission. The Committee will await the outcome of the efforts made by the UGC to hold special recruitment of SCs/STs to wipe out the backlog in the reserved vacancies.

P. SPECIAL RECRUITMENT

4.86 From the material furnished by the Ministry of Human Resource Development the Committee observe that the representation of SCs/STs in teaching and non-teaching staff in the Central Universities is too meagre and low vis-a-vis the reservations provided for in the guidelines issued by the UGC. It has been stated that "no special recruitment exclusively for SCs/STs has been made by the Central Universities during the last three years."

4.87 During the evidence when the Committee wanted to know as to why no special recruitment was made by any Central University to wipe out the backlog in filling the posts reserved for SCs/STs, the Pro-Vice-Chancellor, Indira Gandhi National Open University informed the Committee as under:-

"So far as the Indira Gandhi National Open University as I mentioned earlier is concerned, in respect of Group 'C' and Group 'D' posts, we did not make special recruitment but we expedited the recruitment of SC/ST in the wake of general advertisement that we issued, and we have not only been able to reduce but also almost eliminate the backlog. So far as Group 'A' and Group 'B' are concerned, you will realise that there are difficulties in getting the people. But we are now trying to do it in their case also."

4.88 As regards the Hyderabad University the Vice-Chancellor of that University stated :-

"... we have cleared all the backlog. There were about 20 posts for which special recruitment has been made. I am talking about the direct recruitment of non-teaching staff."

4.89 As regards the teaching staff the witness observed:

"On the teaching staff side, I think we have got about five lecturers, but we are not getting the adequate number of SC/ST."

4.90 Regarding Pondicherry University, the representative of the University submitted:-

"There is no question of promotion in our University because this University started functioning only from 1986 beginning. In respect of recruitment, I have the figures with me. We have 37 Lecturers, of which six belong to SC. So, there is no shortfall in the case of SC..."

4.91 Asked about the position of STs, the witness replied that "there is no ST in Pondicherry."

4.92 When the Committee suggested that Pondicherry was a Central University and it could recruit STs from other parts of the country e.g. from Lakshadweep which was inhabited by STs only, the representative of the Pondicherry University replied as follows:-

"We will make up this backlog by taking people from other parts of the country. If ST candidates are available, we will take them. This we will implement as early as possible.

As regards the non-teaching staff, at the level of Assistant Registrar, we have one SC, that is, in Group 'A'. In respect of Group B, we tried to get one Section Officer, but we could not get a suitable person from any Central University."

4.93 The witness further clarified the position as follows:-

"We wanted to have one SC candidate but could not get any suitable candidate with experience. Our Vice-Chancellor is from the Education Department and is quite sympathetic to the SC/ST candidates. Over a period in future there will be recruitments to this post and will be made on permanent basis. About Stenographers, we have no person. We have one person belonging to this category in the case of Group-C cadre. Now, we have a

sanctioned strength of 75. We have now 13 people belonging to SC Community. So, there is no shortfall in this. In certain places we have exceeded the target because suitable candidates were available. In respect of peons, we have to reserve only for 8 persons. But as a matter of fact, 5 are working. So, all of them are in position and at other levels also we are trying to implement the Government guidelines.

or/

One more point is that the Executive Council and the Vice-Chancellor of the University have taken the decision that candidates belonging to SC and ST need not pay any fee either for application for recruitment for admissions to various posts and courses. They have been totally exempted. We have received appreciation from the SC/ST Association that Pondicherry University has been making very sincere effort and congratulated the authorities. The Union Territory of Pondicherry has recognised all State level Associations for SC/ST."

4.95 When the Committee suggested that the roster points should be carefully followed in the Pondicherry University, the Deputy Registrar of the University gave the following assurance :-

"Yes Sir, We will try to implement it more effectively and on my reaching Pondicherry by approaching the higher authorities in the University."

4.96 Summing up the position, the Special Secretary, Ministry of Human Resource Development assured the Committee as follows:-

"Actually, I would like to assure you that we are going to make a request to all of them that they should have the backlog cleared. Where there is a backlog, special recruitment should be made of SC/ST candidates."

4.97 The Committee note that there are huge shortfalls in filling up the vacancies reserved for SCs/STs in all the Central Universities and no special recruitments have been made by any of these Universities to clear it except a solitary instance where the Hyderabad University held a special recruitment for SCs/STs to clear a backlog of 20 vacancies in the non-teaching staff. The Shortfall has been attributed to non-availability of suitable persons belonging to SCs/STs. The Committee recommend that the Central Universities should hold special recruitments to clear the backlog in the vacancies reserved for SCs/STs both in teaching and non-teaching as assured by the Special Secretary, Ministry of Human Resource Development during the evidence.

4.98 The Committee have been informed that the backlog in the vacancies reserved for STs in the Pondicherry University could not be cleared because there are no STs in Union Territory of Pondicherry. The Committee recommend that the Pondicherry University being a Central University should recruit STs from other parts of the country like Lakshadweep which are predominantly in-habited by STs.

CHAPTER V - MISCELLANEOUS

A. COMPLAINTS/GRIEVANCES

5.1 The Committee have been informed that "no specific procedure has been laid down in the University Grants Commission and Central Universities for redressal of grievances of Scheduled Caste/Scheduled Tribe employees. However, an Advisory Committee consisting of senior teachers and staff including the Scheduled Caste/Scheduled Tribe employees has been set up by the Banaras Hindu University to look into the complaints/grievances of Scheduled Caste/Scheduled Tribe employees.

to look into the grievances of the non-teaching employees
In the Hyderabad University there is a Grievance Committee of the University. The Jawaharlal Nehru University have laid down procedure for redressal of personal complaints of all non-teaching employees. Delhi University has Grievance Committee for non-teaching employees which also takes care of grievances of SC/ST employees.

5.2 It has also been mentioned that "no separate complaint register is being ^{maintained} by the University

and Central Universities excepting Banaras Hindu University
Grant Commission and Jawaharlal Nehru University."

5.3 During the evidence, the Committee asked as to why no specific procedure had been laid down by the UGC/Central Universities for redressal of grievances of SC/ST employees, the Secretary,

University Grants Commission replied :

"There is no difficulty. We will see how it could be done. In UGC we have established a Cell, which is not called as grievances and complaints cell, but we call it as a representations and grievances cell. We need to examine the representations and every three months a meeting is taken by the Chairman; every month the Secretary and every week the Additional Secretary may take the meetings. We examine all the representations and complaints received within a week's time and this provides for all the kind of mechanism for redressal. We will get all the details and find out what should be done, and discuss them."

If received
to be

need

5.4 On being suggested by the Committee that the work relating to the redressal of the grievances of SC/ST employees may be assigned to SC/ST cells set up in the Universities, the witness readily agreed to the suggestion.

5.5 The Committee note that in some of the Central Universities there is no mechanism for the redressal of the grievances of the SC/ST employees which in their opinion is detrimental to the interests of the employees belonging to these communities. The Committee recommend that this work may be assigned to the SC/ST Cells set up in the Universities so that the grievances of the SC/ST employees are attended to promptly as assured by the Secretary, University Grants Commission during the evidence.

B. HOUSING FACILITIES

5.6 According to the Preliminary material only BHU, Hyderabad University and JNU have provided for reservations for SC/ST employees in allotment of residential accommodation. In regard to other Central Universities it is stated :

"No specific Housing facilities have been earmarked separately for Scheduled Caste/ Scheduled Tribe employees by other Central Universities."

5.7 During the evidence, the Committee asked as to why no reservation had been made in the allotment of residential accommodation for SCs/STs by the Central Universities. The Secretary, University Grants Commission stated as under :-

"We understand that there is 10 per cent reservation for allotment of residential accommodation for Scheduled Castes and Scheduled Tribes in respect of Central Government employees. We will request all the Central Universities to follow the Government policy in this regard also."

5.8

The Committee note that barring the Banaras Hindu University, Hyderabad University and Jawaharlal Nehru University, no other Central University ~~has~~ provided reservations for SC/ST employees in the allotment of residential accommodation. The Committee recommend ^{that} reservation for SC/ST employees in allotment of accommodation should be provided by all the Central Universities as per Government instructions as assured by the Secretary, UGC during the evidence.

II. ADMISSION AND OTHER FACILITIES PROVIDED TO SC/ST STUDENTS.

CHAPTER-VI

A. RESERVATION IN ADMISSIONS IN ALIGARH MUSLIM UNIVERSITY

6.1 It has been stated that all Central Universities excepting the Aligarh Muslim University have generally adopted the guidelines issued by the UGC in regard to the reservations for SC/ST students in admissions in all courses. Aligarh Muslim University provides for 5 per cent reservation of seats for SC/ST/Backward Classes candidates in all courses ~~except~~ MBBS, at the discretion of the Vice-Chancellor."

6.2 During the evidence, drawing attention to the recommendation contained in Para 10.36 of their Thirty-ninth Report (1982-83) wherein the Committee had recommended that the Aligarh Muslim University should fall in line with other universities and provide 15 per cent reservation for Scheduled Castes and 7½ per cent for Scheduled Tribes in all courses of study including the MBBS course and to the action taken note dated 21 September, 1983 wherein the Ministry had stated that the matter would be pursued with the University keeping in view special character of the University, the Committee enquired about the outcome of the efforts made to make Aligarh Muslim University fall in line with other Central Universities in the matter of providing of reservations for SC/ST students in admissions. The Vice-Chancellor, Aligarh Muslim University replied :

clarify that there is no reservation for anyone except 20 per cent nominations in courses other than medical in which the 20 per cent are distributed in the following manner :-

- (1) Scheduled Castes and Scheduled Tribes and Backward Classes;
- (2) Children of University employees;
- (3) Children of alumni;
- (4) Children of Government servants recently transferred to Aligarh;
- (5) Candidates belonging to district status;
- (6) Outstanding sportsmen and others
- (7) Physically Handicapped.

So the quota of 20 per cent ... is there at the disposal of the Vice-Chancellor and we follow this procedure and that is, we take the eligible candidates among the Scheduled Castes and ... Tribes and nominate them.

Whoever is eligible, we give a concession of five per cent. For example, if a general candidate gets 55 per cent, we will not take him in Science. On the other hand if a Scheduled Caste or Scheduled Tribe candidate gets 50 per cent marks, then the first nomination is done from this category. I do not know how the number of Scheduled Castes and Scheduled Tribes candidates applying in Aligarh is not as numerous as any other University. I was a Vice-Chancellor of Osmania University also. After we have nominated the Scheduled Castes and Scheduled Tribes candidates, we take the other categories also in which there is no other discrimination. Among sportsmen also, we insist on merits. We select those people who have represented at the national or international levels. For them we conduct a competitor and on the basis of which we nominate them. There is a Games Committee which recognises the names of the best talents.

Similarly for speakers also, we hold a competitive examination. There is no communal reservation, so far."

6.3 The witness further submitted that the earlier recommendation of the Committee will be taken up by the Academic Council along with the report of the Special Committee set up to decide whether seats should be reserved for muslim students in the university.

6.4 The Committee note that their earlier recommendation made in 1982-83 recommending 15 per cent reservation for Scheduled Caste students and 7½ per cent for Scheduled Tribe students in admission to all courses has not been implemented by the Aligarh Muslim University so far. During the evidence, the Vice-Chancellor of the University informed the Committee that the recommendation will be considered by the Academic Council of the University along with the report to ~~be~~ be submitted by a Special Committee ^{going into} the question of making reservations for Muslim students in admissions. The Committee feel that there is no common factor between the reservations for Scheduled Caste/Scheduled Tribe students and reservations for the Muslim students as the former are provided as a sequel to the Constitutional provisions regarding ^{the} welfare of Scheduled Castes and Scheduled Tribes. The Committee recommend that the question of providing reservation for SC/ST students in admissions to all courses should be delinked from the question of providing reservations for Muslim students and may be placed before the Academic Council of the University immediately for adoption.

B. RELAXATIONS FOR ADMISSION OF SC/ST STUDENTS IN JNU

6.5 It has been stated :

"Relaxation of eligibility requirement of securing between 45% and 60% marks in the prescribed qualifying examination is allowed by Jawaharlal Nehru University to candidates belonging to SCs/STs for admission for appearing in the entrance examinations for various programmes of study. Relaxation of 10% in minimum marks is given by JNU to SC/ST candidates in interview, wherever prescribed."

6.6 During the evidence, when the Committee asked whether the JNU was able to fill all the reserved seats on the basis of the existing relaxations provided to SC/ST students and if not whether there was any need for giving further relaxations to SC/ST candidates to fill all the reserved seats, the Vice-Chancellor of the Jawaharlal Nehru University stated as under :-

"I may give a brief introduction to our admission policy. The first point that I would like to make is that JNU is the only Central University, as far as I know, and only institution of higher learning which has been providing reservation at the M.Phil and Ph.D. level since the beginning.

The eligibility criterion for application for the general candidates is 45.60%, depending on the course. For SC/ST candidates, the eligibility criterion is just pass marks, i.e. 33% in the qualifying examination.

In some cases like M.Phil and some programmes of Master's Degree, we invite candidates for interview. They are called for interview on the basis of marks obtained in the written examination. In the case of the general candidates, the minimum marks out of 70 is 35 for M.Phil/Ph.D. and 25% for M.A. For SC/ST, we allow 25% for M.Phil/Ph.D. and only 15% for M.A. The general candidates

applying for M.Phil should have 40% marks in the test plus interview as minimum as against 35% for SC/ST. For the Masters and Undergraduate programmes, the general category candidate must have 30% marks as against 25% for SC/STs. Actually, we may admit students with 60% in the general category and SC/ST candidates may go to the rock bottom 35% in case of M.Phil/Ph.D and 25% in case of M.A. and Undergraduate Programmes. The difference is much bigger.

Our percentage of SC/ST admissions in JNU is perhaps according to my information, the highest among the Central Universities except North Eastern Hill University. In 1985-86 it was 10.73%. In 1986-87 it is 10.55% and in 1987-88, it is 10.55%. In many courses, all the eligible candidates are admitted. Going further down, the gap would be very wide and it would be very difficult to give any meaningful education. If we have to approach the whole question of providing opportunities to SC/ST, the total pool should be increased. Otherwise, we will get the left overs. We have already a problem in the induction of the faculty. Unless the pool increases at primary, secondary, higher secondary, graduation and at every stage, and incentives are provided in the sense that the scholarship amount is increased, the students cannot afford to go to the school or college. Rs.200/- may be good for a student who comes from a prosperous family but in case of a boy who has to depend entirely on this money, it is very inadequate. Such incentive should also be provided at the secondary and higher secondary education."

6.7 Asked whether any SC/ST academician was always nominated on the interview/selection committee as reiterated by the Committee in para 2.12 of their Forty-third Report(1983-84), the representative of the JNU replied as under :

"Whenever there are SC/ST faculty members in the Centre/School they are generally associated with admission interviews. In the Centres/School where there are no SC/ST faculty members, others are associated with it."

6.8 When the Committee suggested that if an SC/ST person fit for associating with the Interview Boards was not available in the faculty to which admission were made, then an SC/ST member from some other faculty should be included in the Interview Board, the witness replied :

"The Academic Council will say that they are ... inviting certain Members from outside and their own integrity is in question. We oversee the entire admission system and if there are complaints, we will look into them."

6.9 The Committee note that relaxations have been provided to SC/ST students for various courses in the Jawaharlal Nehru University. However, they have been informed that if an SC/ST member is not available in the faculty to which the admissions are made then members of the faculty other than from SCs/STs are included in the Interview Board. The Committee are not convinced by the argument that inclusion of an SC/ST member from faculties other is a reflection on the members of the faculty. The Committee recommend that in such circumstances an SC/ST member from a faculty other than the one to which admissions are to be made may invariably be included in the Interview Board if for nothing else at least to ensure that the SC/ST students seeking admission in the University are evaluated on the basis of relaxed standards.

C. ADMISSION IN TECHNICAL COURSES IN DELHI UNIVERSITY

6.10 It has been stated that "in Delhi University, upto a certain date decided by the University, if SCs/STs are not available then the seats are dereserved and filled up by the candidates of the general category."

6.11 During the evidence, when asked about the relaxations given to SC/ST students for admission to technical courses, the Pro-Vice-Chancellor, Delhi University stated :-

"As far as courses in technology are concerned we give relaxation upto 5 per cent."

6.12 When the Committee pointed out to the witness that the Medical Council of India had provided for relaxation to the extent of 10 per cent in the case of SC/ST candidates seeking admission to medical courses and enquired whether these relaxations were provided by the Delhi University, also the witness replied as follows :-

"We follow the instructions of the Medical Council of India in respect of admissions of SC/ST candidates to M.B.B.S. Course i.e. we give 10% relaxation in the minimum eligibility conditions prescribed for taking the entrance examination for the non-reserved category of candidates (Qualifying examination). The Scheduled Caste/Scheduled Tribe candidates are required to take the Entrance Examination prescribed by the University alongwith the candidates belonging to the non-reserved category. But the merit lists of Scheduled Caste /Scheduled Tribe candidates are drawn separately and the seats reserved for these

categories are filled up according to the number of seats available for each category. The seats reserved for Scheduled Castes and Scheduled Tribes categories are interchangeable, if necessary."

6.13 The Committee have further been informed through a written note as follows :-

"If the requisite number of Scheduled Caste/Scheduled Tribe candidates is not available by the last date fixed by the University for admission to each course, the remaining seats be de-reserved and filled from general category."

6.14 In regard to the number of seats de-reserved in various undergraduate and post graduate technical courses in the Delhi University during the last 3 years, the following written information has been furnished to the Committee subsequently :-

"Year	Total intake	Seats reserved for SC/ST	SC/ST students admitted	Seats de-reserved
1985-86	1382	264	211	53
1986-87	1403	269	201	68
1987-88	1278	263	204	59 "

6. 15 The Committee note that ten per cent concession in the qualifying examination is given to the SC/ST students seeking admission in medical courses in the Delhi University as per the relaxations provided by the Medical Council of India. In other technical courses a relaxation of 5 per cent is given in the qualifying examination. However, the Committee have been informed that in the year 1985-86, 53 seats, in the year 1986-87, 68 seats and in the year 1987-88 59 seats reserved for SCs/STs were de-reserved because of the peculiar admission practice that if the requisite number of SC/ST candidates is not available by the last date fixed by the University for admission to each course, the remaining seats are de-reserved and filled from general category. In the opinion of the Committee this peculiar procedure may not be in the knowledge of SC/ST candidates seeking admission to these courses and the seats reserved for them might have been de-reserved by default. It is possible that on the last day fixed for admissions, the SC/ST candidates may not be approaching the concerned institutes/colleges. The Committee recommend that this procedure needs a change either by extension of the time for

admissions in the case of SC/ST students or by issuing an advertisement in all the national and local newspapers making the position clear to the SC/ST candidates that it is in their interest to check with concerned institutes/colleges whether they have been given admission or not on the last date fixed for admissions so that the chances of dereservation of the reserved seats are minimised.

D. ADMISSION IN DELHI UNIVERSITY

6.16 It has been represented to the Committee that in Delhi University in 1987 the earlier practice of centrally registering SC/ST students for admission/ was discontinued and these students were asked to apply for admission in various colleges.

6.17 During the evidence, the Committee enquired about the rationale behind changing the well established practice of Central registration of SC/ST candidates seeking admissions followed by Delhi University prior to 1987. The Special Secretary, Ministry of Human Resource Development submitted :

"I have discussed this matter with them. They said, until now there was a Centralised pool. Delhi University used to distribute students to different colleges. There was a complaint that colleges do not have the freedom to choose from among the SC/ST candidates and sometimes some injustice has been done to very good students who would have got better colleges. So, what they have proposed to go to the colleges, apart from central pool, so that colleges can also have a kind of freedom to choose SC and ST students and students also have the chance to interact with the college authorities. If any hardship is found for the SC and ST students, the university authorities are prepared to switch over to the old system. The university has already appointed a Committee to look into this question so that it can be reviewed."

is that they have asked the students

6.18 When the Committee pointed out that the change in the procedure has caused a lot of inconvenience to the SC/ST students in seeking admissions to colleges, the Pro-Vice-Chancellor

of the Delhi University replied :-

"We have been following the old system but suggestion came from the students that they are not getting the college of their own choice. We have appointed a Committee to look into the matter whether we should revert back to the original system and centralisation should continue. Perhaps the Committee will be able to keep this in mind. Not a single student of SC/ST at any time in Delhi University has been refused admission."

The witness added :-

"We are giving them the freedom that if they want to approach the colleges they like, they are free to go to those colleges."

6.19 When the Committee suggested that the problem could be solved by taking their preference of Colleges at the time of Centrally registering the Scheduled Caste/Scheduled Tribe candidates, the witness responded

"Some Colleges had difficulties in admitting SC/ST students in the colleges of their choice. All care is taken by them for even those students who do not get the prescribed percentage of marks. Most probably, we will revert to the Centralised system."

6.20 The Committee note that the well established practice of central registration for SC/ST students seeking admissions in various courses in the Delhi University Colleges has been changed since 1987 and the students belonging to these communities are now required to apply to individual colleges. The Committee find this procedure that has proved to be very much inconvenient and cumbersome for the SC/ST students who have to run from pillar to post to seek admission in the university colleges. The Committee are not convinced by the plea of the authorities of the Delhi University that the switch over to the new procedure was to enable the SC/ST candidates to get admissions in the colleges of their choice. In the opinion of the Committee the problem can easily be solved by taking the preferences for colleges from the SC/ST students while centrally registering them and thereafter they can be nominated to colleges according to their preference. The Committee recommend that the Delhi University should revert to the practice followed prior to 1987 for centrally registering SC/ST candidates for admission to various courses in the Delhi University colleges.

E. ADMISSION IN HYDERABAD UNIVERSITY

6.21 It has been stated that a special advertisement is issued by Hyderabad University exclusively for the benefit of SC/ST candidates highlighting the reservations and concessions available to them.

6.22 During the evidence, when asked about the details of the special advertisement, the Vice-Chancellor, Hyderabad University replied :-

"On the suggestion of some of the Members of Parliament who are in our court, we issued a special advertisement for admission during 1987-88. We relaxed eligibility marks from 5% or more. The cut off point is a mere pass. We have given details about the university courses, hostel facilities. were 22.5% of the seats are reserved for them. Recently, we have dropped the viva-voce as part of the entrance test and there is only a written examination because of certain complaints about the viva-voce. The number of students admitted had gone up last year to 1,425 of whom, Scheduled Caste constituted 171. In terms of percentage, it comes to 12%, slightly higher than that of JNU. In respect of Scheduled Tribes, the percentage is 1.89%. We laid special emphasis on the facilities available for SC/ST students by putting out special advertisements. Those who missed the general advertisement must have noticed it and we got a very good response as a result of that."

6.23 Pointing out to the witness that when the number of SC/ST applicants was less than the number of seats reserved for them, the Committee enquired about the need to hold entrance examination for them. The representative of the Ministry of Human Resource Development submitted :-

"When the capacity is 'x' and the

admission sought is '-x', then there is no need for examination at all. We shall put up this point before the Vice-Chancellors Committee and we shall recommend to the Committee that this proposal should be accepted."

6.24 When asked whether such advertisements were issued for the benefit of SC/ST candidates seeking admissions in other Central Universities, the witness replied :-

"On this question, we do not have definite information but whatever information I could gather is that this kind of special advertisement is not generally issued by all the Universities."

6.25 The Committee suggested that on the basis of the experience gained by the Hyderabad University, the UGC should issue guidelines to all the Central Universities to issue such an advertisement for SC/ST candidates. The Special Secretary, Ministry of Human Resource Development replied :-

"We shall examine and put up the suggestion to the Vice-Chancellor's Committee."

6.26 The Committee note that even when the number of SC/ST applicants for admission is less than the number of seats reserved for them, a written entrance examination for them is held by some of the Central Universities. The Committee recommend that in a situation where the number of SC/ST applicants is less than the number of seats reserved for them, there is ^{hardly any} ~~admission of~~ need to hold any written test for the candidates belonging to these communities in any university.

6.27 The Committee note that for the admissions for 1987-88 the Hyderabad University issued a special advertisement giving details of the number of seats reserved for SC/ST^{students} and the concessions and relaxations available to them which helped the University to improve the percentage of SC/ST students in the admissions. To a suggestion of the Committee that such advertisements should also be issued by the other Central Universities, the Special Secretary, Ministry of Human Resource Development assured the Committee that the suggestion will be placed before the Vice-Chancellors Committee. The Committee recommend that instead of placing the matter before the Vice-Chancellors Committee it will be better if the UGC issued directions to all the Central Universities to make such advertisements in the newspapers which will go a long way to fill the seats reserved for SCs/STs in admissions.

F. HOSTEL FACILITIES FOR SC/ST STUDENTS

6.28 According to the UGC guidelines 15 per cent and 7½ per cent of the total seats available in hostels are to be reserved for SC/ST students respectively. The Committee have been informed :-

"According to the available information, 22½% of seats in hostels are reserved in Banaras Hindu University, Delhi University, Hyderabad University and Jawaharlal Nehru University and Visva-Bharati. In Visva-Bharati all SC/ST students seeking hostel facilities are accommodated. There is no reservation for SC/ST students in hostels in Aligarh Muslim University."

6.29 During the evidence, the Committee desired to know the reasons for not making any reservations for SC/ST students in hostel accommodation by the Aligarh Muslim University. The Vice-Chancellor of the University stated as follows :-

"We have 60 hostels and we admit everyone who wants to stay in the hostel except those who belong to Aligarh. Therefore, there is no need for reservation. Because of shortage of space, we have become an over crowded club. In the rooms meant for a single person, we have three persons more. There are two juniors in the front room and two seniors in the back room. Therefore, we admit everyone. There is no need for reservation."

6.30 When asked about the total number of students allotted hostel accommodation and the number of SCs/STs among them in the Aligarh Muslim University, the

witness replied as under :-

"About 7,000 to 8,000 students live in the hostel. It is just like a slum. Last year we had 46 students from SC and ST who were admitted and this year 64 students had been admitted. In the Diploma Engineering out of 64 nominations made, 20 are from SC and ST, and the percentage comes to 32.6. In the Engineering College, it is 11.5%. In the B.Lib. Science, it is 67.1% out of the nominations, because all of them were nominated.

Hostel accommodation is given to anyone to whatever category he belongs who wants hostel accommodation. We need another 2000 rooms for boys and another 1,000 rooms for girls."

6.31 The Committee have been informed through a note furnished to them subsequently that at present the total number of hostellers in Aligarh Muslim University is 8351 and the number of Scheduled Caste hostellers is 33 while there is no hosteller from Scheduled Tribe community in the of hostels/the University.

6.32 The Committee note that in Aligarh Muslim University during the admission in 1986, 46 SC/ST students were admitted and during the year 1987, 64 students belonging to these categories were admitted. In the opinion of the Committee there have been ~~right~~ / more SCs/STs admitted in the University during the earlier years who may still be on the rolls. However, they have been informed that out of 8351 students allotted hostel accommodation, the number of SCs is 33 only and there is no student allotted hostel accommodation from amongst the ST students. This meagre number of SC students allotted hostel accommodation raises a doubt in the mind of the Committee about the assertion of the Vice-Chancellor of the University that "hostel accommodation is given to whatever category he belongs who wants hostel accommodation." The Committee recommend that the Aligarh Muslim University should also fall in line with the other Central Universities and make a reservation of 15 per cent for SC students and 7½ per cent for ST students in allotment of hostel accommodation. If after giving the hostel accommodation to SC/ST students as per reservation quota there are any surplus seats which remain unfilled then these may be allotted to students belonging to general category.

Ram Ratan Ram

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Chairman,

New Delhi; Committee on the Welfare of Scheduled Castes and Scheduled Tribes

April 26, 1988

Vaisakha 6, 1910 (S).