

**COMMITTEE ON THE WELFARE OF
SCHEDULED CASTES AND
SCHEDULED TRIBES
(2018-2019)**

(SIXTEENTH LOK SABHA)

TWENTY SEVENTH REPORT

ON

MINISTRY OF HOUSING AND URBAN AFFAIRS

**Action taken by the Government on the recommendations contained in the
Fifteenth Report (Sixteenth Lok Sabha) of the Committee on the Welfare
of Scheduled Castes and Scheduled Tribes on the subject
"Reservation for and employment of Scheduled Castes and Scheduled
Tribes in Delhi Metro Rail Corporation (DMRC)".**

Presented to Lok Sabha on 10.08.2018

Laid in Rajya Sabha on 10.08.2018



LOK SABHA SECRETARIAT

NEW DELHI

10 August, 2018/ 19 Sravana, 1939 (Saka)

**COMPOSITION OF THE COMMITTEE ON THE WELFARE OF SCHEDULED
CASTES AND SCHEDULED TRIBES (2018-2019)**

Dr. Kirit P. Solanki - Chairperson

MEMBERS - LOK SABHA

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3. Dr. Pandula Ravindra Babu
4. Shri Kantilal Bhuria
5. Shri Parayamparambil Kuttappan Biju
6. Shri B.N. Chandrappa
7. Dr. Heena Vijaykumar Gavit
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10. Shri Faggan Singh Kulaste
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12. Smt. Pratima Mondal
13. Dr. (Prof.) Ajmeera Seetaram Naik
14. Shri Ram Charitra Nishad
15. Shri Ramchandra Paswan
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18. Shri Krupal Balaji Tumane
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SECRETARIAT

- | | | | |
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| 1. | Shri N.C. Gupta, | - | Additional Secretary |
| 2. | Shri D.R. Shekhar | - | Director |
| 3. | Shri V.K. Shailon | - | Deputy Secretary |
| 4. | Shri Mukesh Kumar | - | Under Secretary |

INTRODUCTION

I, the Chairperson, Committee on the Welfare of Scheduled Castes and Scheduled Tribes having been authorised by the Committee to finalise and submit the Report on their behalf, present this Twenty-seventh Report (Sixteenth Lok Sabha) on Action Taken by the Government on the recommendations contained in their Fifteenth Report (Sixteenth Lok Sabha) on the Ministry of Housing and Urban Development regarding "Reservation for Scheduled Castes and Scheduled Tribes in Delhi Metro Rail Corporation (DMRC)".

2. The draft Report was considered and adopted by the Committee on 09.08.2018 (Appendix-I).
3. The Report has been divided into the following chapters:-
 - I Report
 - II Recommendations/Observations which have been accepted by the Government.
 - III Recommendations/Observations which the Committee do not desire to pursue in view of replies of the Government.
 - IV Recommendations /Observations in respect of which replies of the Government have not been accepted by the Committee and which require reiteration.
 - V Recommendations / Observations in respect of which final replies of the Government have not been received.
4. An analysis of the Action Taken by the Government on the recommendations contained in the Thirty-fifth Report (Fifteenth Lok Sabha) of the Committee is given in Appendix-II.

NEW DELHI
10 August, 2018
19 Sravana, 1939 (Saka)

(KIRIT PREMJBHAI SOLANKI)
Chairperson
Committee on the Welfare
of Scheduled Castes and
Scheduled Tribes.

CHAPTER I

REPORT

This Report of the Committee on the Welfare of Scheduled Castes and Scheduled deals with the action taken by the Government on the recommendations contained in their Fifteenth Report (Sixteenth Lok Sabha) pertaining to the Ministry of Housing and Urban Affairs regarding "Reservation for and Employment of Scheduled Castes and Scheduled Tribes in Delhi Metro Rail Corporation (DMRC).

1.2 The Fifteenth Report was presented to Lok Sabha on the 4th January, 2018. It contained 22 recommendations/observations have been examined and may be categorised as under:-

- (i) Recommendations/Observations which have been accepted by Government (Sl. No. 2, 3, 16, 17).
- (ii) Recommendations/Observations which the Committee do not desire to pursue in view of the replies of the Government (Sl. Nos.4, 6, 8, 9, 10, 11, 12, 13, 15, 18, 20, 21).
- (iii) Recommendations/Observations in respect of which replies of the Government have not been accepted by the Committee and which require reiteration (Sl. Nos. 1, 5, 7, 14, 19, 22).
- (iv) Recommendations/Observations in respect of which final replies of the Government have not been received (NIL).

1.3 The Committee will now deal with the Action Taken by the Government on those recommendations which need reiteration or comments.

Recommendation (Sl. No. 1 Para No. 1.10)

1.4 The Committee take a serious note for non-availability of even a single member from SC/ST communities on the Board of DMRC consisting of 17 members. The Committee strongly feel that no sincere efforts have been made by the Government either to appoint functional Director or nominee Director from SC/ST community. The Committee, therefore, as recommended earlier from time to time again strongly

recommend that Government should chalk out a clear cut policy to appoint at least one Director from SC/ST community in the Board. The Committee, also recommend that in view of the constitutional mandate of socio-economic justice, the Government must provide representation of SC and ST through reservation in Board of Directors in the company or atleast by appointing a Director in the Board through nomination by the Government of India or State Government as the case may be. The Committee may be apprised about the progress made by the Government in this regard.

Reply of the Government

1.5 Delhi Metro Rail Corporation Ltd. (DMRC) has informed that there is no bar in appointment of members of the SC/ST community on the Board of DMRC and they are as much eligible to be considered for such appointment, as others. However, apart from the fact that all the seven posts of the functional Directors are single post cadre, for which no reservation is applicable. DMRC has also mentioned that there is no guideline prescribing reservation of post of Directors for SC/ST community in the Board and as such, it would not be feasible to provide reservation for SC/ST community in the Board of Directors of DMRC. It may be added, that it is only incidental that there is no member of the SC/ST community in the Board of Directors of DMRC.

1.6 The recommendation of the committee is related to the recruitment/promotion of SCs and STs in the DMRC. In this regard, it is mentioned that DMRC is a 50:50 joint venture company of the Central Government and Government of National Capital Territory of Delhi. Therefore, it is not a Central Public Sector Enterprise. It is a company registered under the Companies Act, 1956. All the decisions regarding recruitment procedure, promotion, training of employees are taken by the Company as per the extant guidelines, rules, laws etc.

1.7 The Functional Directors are appointed by the Board of DMRC. The nominated Directors are appointed on ex-officio basis, based on the relevance of official assignment of the officer to the metro projects/urban transport projects.

Comments of the Committee

1.8 The Committee feel that the Government is not serious to the observation and recommendation made by the Committee from time to time in regard to reviewing of policy on appointments to the Board/Management level posts in all the PSUs including Delhi Metro Rail Corporation (DMRC). The Committee feel that in place of giving excuses for the appointment of SC/ST candidates to the Board level position, DMRC should take up the matter with the DoPT and also make genuine efforts to ensure their representation in the same.

Recommendation (Sl. No. 5 Para No. 2.16)

1.9 The Committee note that all the vacancies are notified on DMRC website and also widely advertised in National and Local Newspapers. However, the services of All India Radio/Doordarshan are not being utilised for this purpose. Also vacancies are not being notified through Employment Exchanges as the recruitment is on an all India basis and not limited to regional recruitment. Further DMRC has its own Guidelines in respect of recruitment which is in line of Government of India guidelines and hence the rules of NCT, if any would not be relevant for DMRC purpose. The Committee also note that DMRC has not been sending the copies of advertisement to the recognised All India Association of SCs and STs so far. The Committee recommend that advertisement/publicity for reserved vacancies and post especially not requiring high technical qualification may also be advertised through All India Radio and Doordarshan for the benefit of person residency in to remote and rural areas. The committee, keeping in view that share capital of the DMRC are held in 50:50 ratio by the Centre and State, desire that vacancies may also be notified through Employment Exchange and copies of advertisement also be send to recognised All India Association of SCs/STs for wider publicity in future.

Reply of the Government

1.10 DMRC has informed that the current recruitments which have been launched, i.e. Special Recruitment Drive of SC/ST category candidates and open market recruitment drive on 27th January, 2018, have been notified in DMRC website and also widely advertised in national and local newspapers as well as, in the Employment News (all editions).

1.11 As recommended by the Committee, DMRC has furnished following information:-

- (i) The services of All India Radio and Doordarshan have been utilized for wide publicity of the recruitments. (Appendix-III)
- (ii) Copies of advertisements have also been sent to the National Commission for SC, the National Commission for ST and the Liaison Officer for SC/ST matters in DMRC. (Appendix-IV)
- (iii) The Director, Lok Sabha Secretariat, dealing with the Committee matters, has also been intimated of the said launch of the recruitment drive. (Appendix-V)
- (iv) As regards notifying vacancies through Employment Exchange, it may be mentioned that recruitment in DMRC is on All India basis and not limited to one region. Hence, notification through Employment Exchange was not found feasible as availing the services of the local Employment Exchange could invite charge of regional bias in the matter.

Comments of the Committee

1.12 The Committee are not satisfied with the action taken on the matter and the plea that recruitment in DMRC is on All India basis and not limited to one region, hence, notification through Employment Exchange was not found feasible as availing the services of the local Employment Exchange could invite charge of regional bias in the matter. The Committee therefore, reiterate their

earlier recommendation on the said matter and would like to be apprised about the outcome of vacancies advertised for recruitment in DMRC.

Recommendation (Sl. No. 7 Para No. 2.39)

1.13 The Committee are not satisfied with the stereotype reply of DMRC that SC/ST candidates are not available at entry level and in promotion even after meeting the relaxed standard. The Committee feel that there is some lacuna in advertisement of vacancies or grading of SC/ST in APAR otherwise there is no dearth of talent of SC/ST candidates in the present scenario. The Committee, therefore, recommend the Ministry to assess the recruitment and promotion policy of DMRC for SCs and STs and suggest remedial/corrective measures to meet this shortfall at entry as well as promotion level.

Reply of the Government

1.14 DMRC has informed that the recruitment and promotion policies in DMRC are derived from the instructions of the Government of India, including those regarding reservation of SC/ST candidates/employees. As such, the policies are in order. Accrual of backlog of backlog vacancies are incidental to the processes of recruitment and promotions and are duly accounted for in the next cycles/drives.

1.15 It is mentioned that the recommendation of the Committee is related to the recruitment/promotion of SCs and STs in the DMRC. In this regard, it is mentioned that DMRC is a 50:50 joint venture company of the Central Government and Government of National Capital Territory of Delhi. Therefore, it is not a Central Public Sector Enterprise. It is a company registered under the Companies Act, 1956. All the decisions regarding recruitment procedure, promotion, training of employees are taken by the Company as per the extant guidelines, rules, laws, etc. The Ministry does not interfere in the recruitment procedure of DMRC. However, the Ministry has advised DMRC to put up its policy for the assessment of the Board.

Comments of the Committee

1.16 The Committee are surprised to note the indifferent attitude of the Government for their recommendation on the said issue. The Government instead of taking recommendation of the Committee seriously, simply stated that the Ministry do not interfere in the recruitment procedure of DMRC. The Committee, therefore, reiterate their earlier recommendation and hope that Government will do its best efforts to ensure that all the vacancies and backlog of SCs and STs is filled without any further delay.

Recommendation (Sl. No. 12 Para No. 3.17)

1.17 The Committee note with concern that during the years 2014-2017, total number of 36 employees sent for training abroad out of which only one SC and no ST was sent for training abroad. This shows the casual attitude of DMRC for equal treatment for their employees belong to SCs/STs.

Reply of the Government

1.18 DMRC has informed that sending employees abroad is incidental to the work as these trainings are work specific and therefore there is no bias against the SC/ST employees.

Comments of the Committee

1.19 The Committee are not satisfied with the reply of DMRC and recommend that whenever delegation/employees are sent for training in abroad, there must be representation of SCs and STs in order to have more and more experience in work and in general. The Committee therefore desire that DMRC should prepare a training programmes in such a way that SCs and STs can also be accommodated in foreign training programmes for their skill exposure and over all developments.

Recommendation (Sl. No. 22 Para No. 4.25)

1.20 The Committee further note that under the rehabilitation policy all the persons affected at the time of undertaking project work by DMRC in different places all over

Delhi and adjoining States were given adequate compensation as per prescribed formula and procedure and compensation has been given to all including SC/ST if any. There is no scheme for providing jobs under DMRC for such people who are displaced. The Committee also note that DMRC does not maintain records of project affected persons on caste-wise category basis. The Committee are therefore, concerned that no specific measures have been initiated by DMRC for upliftment of SC/ST people at any point of time since inception. The Committee feel that the DMRC is avoiding its social responsibilities for upliftment of the down trodden section of the society. The Committee strongly recommend that DMRC must maintain record of projects wherein such SC/ST persons have been affected and DMRC may consider assistance to such SC/ST families including option to provide employment to them on priority basis.

Reply of the Government

1.21 DMRC has informed that the acquisition of land for Phase-I and Phase-II of DMRC projects, were done by the concerned State Governments and not by DMRC. Rehabilitation and resettlement of Project Affected Persons (PAPs) is being done by DMRC as per the policy laid down by the Government of National Capital Territory of Delhi. The recommendations are not in tune with such policy.

Comments of the Committee

1.22 The Committee take a serious note to observe the reply of the Government that the recommendation are not in tune with such policy as rehabilitation and resettlement of Project Affected Persons (PAPs) is being done by DMRC as per the policy laid down by the Government of National Capital Territory of Delhi. The Committee feel that the Government should have taken up the matter with State Government of National Capital Territory of Delhi for change in the policy laid down in this regard to protect the interest of SCs/STs and other people also who have been displaced due to their land acquired by the Government for DMRC projects. Hence, the recommendation made by the

Committee must be implemented by the DMRC with due seriousness instead of escaping themselves in the name of policy laid down by the Government of NCT of Delhi. The Committee may be apprised about the effective steps taken by the Government in this regard.

CHAPTER II

Recommendations/observations which have been accepted by the Government.

Recommendation (Sl. No. 2 Para No. 2.8)

2.1 The Committee note that currently recruitment process is going on for 3428 vacancies in DMRC and is expected to be completed by December, 2017. The backlog vacancies of 100 SC and 143 ST have been included in the ongoing recruitment drive. The Committee are given to understand that backlog vacancies on completion of the ongoing recruitment process, plus balance (4-SC and 2-ST) would be assessed and a Special Recruitment Drive shall be launched, which is tentatively expected to be completed by December, 2018. The Committee take a serious note of the fact that preparation of roster in DMRC in proper format was completed/prepared in June, 2015 with the result they could not ascertain the exact number of backlog vacancies in SC/ST in promotion as well as in direct recruitment. The Committee do not approve the manner in which after following a long recruitment process involving several stages still showing backlog vacancies in DMRC as on 2017.

Reply of the Government

2.2 DMRC has intimated that the recruitment process for a total number of 3428 vacancies has since been completed by publication of the last panel of Customer Relations Assistant (CRA), on 21.09.2017. An assessment has since been made of the backlog vacancies on completion of the recruitment process including carry forward from previous recruitments (4-SC and 2-ST) and a special recruitment drive for SC/ST category candidates has been launched on 27th January, 2018 for a total of 88 vacancies. It is tentatively expected that the process shall be completed by December, 2018. A copy of the advertisement is enclosed as Appendix-I. The filling

up of posts on the basis of the recruitment, which has since been finalized is underway. Any backlog remaining shall be further assessed and carried over to next recruitment drive. The rosters framed by DMRC in the year 2015 have been plotted taking into account the previous recruitments and as such the backlog vacancies have been properly accounted for.

Recommendation (Sl. No. 3 Para No. 2.9)

2.3 The Committee therefore, recommend that team consisting of DoPT officer must check the roster prepared by DMRC and report to the Committee whether it is in conformity with the DoPT guidelines. The Committee also hope that as stated by DMRC they will fulfill the all backlog vacancies by December, 2018. The Committee may be apprised the progress made in this regard.

Reply of the Government

2.4 As recommended by the Committee, DMRC has informed that they have taken up the matter with DoPT, who have intimated that the Liaison Officer of DMRC shall ensure the enforcement of orders of reservation in posts and services and verify the roster (Appendix-II). Further, as already stated the carried over backlog vacancies of the previous recruitments have been assessed and a special recruitment drive for recruitment of SC/ST candidates has been launched on 27th January, 2018 for a total of 88 posts. Any backlog vacancies remaining thereafter shall be accounted for in the next recruitment drive.

Recommendation (Sl. No. 16 Para No. 3.24)

2.5 The Committee note that DMRC has given compassionate appointment to 10 candidate since inception of which one candidate belong to SC category and one candidate to ST category. The Committee feel that lenient view should be taken on the SC/ST candidates and priority be given to them for compassionate ground appointment.

Reply of the Government

2.6 DMRC has informed that the Committee's sentiments are fully appreciated and a lenient view is taken while considering cases for appointment, on compassionate ground.

Recommendation (Sl. No. 17 Para No. 4.6)

2.7 The Committee are surprised to note that no reservation for SCs/STs employees for allotment of DMRC quarters has been made which is against the policy of the Government. The Committee recommend that mandatory reservation in residential accommodations should be made for SC/ST employees in DMRC as prevailed in other Government Departments so that the SC/ST employees do not suffer in this regard.

Reply of the Government

2.8 As recommended by the Committee, DMRC informed that they have decided to reserve 10% in type II and 5% in type III and IV type residential accommodation for SC/ST employees. A notification issued by DMRC in this regard is enclosed as Appendix VII.

CHEPTER III

Recommendations/Observations in respect of which the Committee do not desire to pursue in the view of the replies of the Government.

Recommendation (Sl. No. 4 Para No. 2.10)

3.1 The Committee are also of the view that the DMRC should make all efforts to bridge the existing shortfall and recruit SC/ST candidates in every feeder grade through Special Recruitment Drive (SRD) for SCs and STs so as to check the recurrence of backlog vacancies/shortfall year after year.

Reply of the Government

3.2 DMRC has informed that as already stated above, the carried over backlog vacancies of the previous recruitments have been assessed and a special recruitment drive for recruitment of SC/ST candidates has been launched on 27th January, 2018 for a total of 88 posts. Any backlog vacancies remaining thereafter shall be accounted for in next recruitment drive.

Recommendation (Sl. No. 6 Para No. 2.38)

3.3 The Committee are not satisfied with the reasons adduced by DMRC that shortfall in promotion in ST candidates has been stated as shortfall at the entry level itself. The Committee further note that the negligible shortfall of SC candidate is on account of non-availability of employees meeting the relaxed standard of performance (APAR) for SC compared to general candidates in promotion.

Reply of the Government

3.4 DMRC has informed that the recruitment and promotion policies in DMRC are derived from the instructions of the Government of India including those regarding reservation for SC/ST candidates/employees. Accrual of backlog vacancies are incidental to the processes of recruitment and promotion and are duly accounted for, in the next cycles/drives.

Recommendation (Sl. No. 8 Para No. 2.40)

3.5 The Committee also note that in order to enable a level playing fields for SC/ST candidates in promotion. pre-promotion training is imparted, whenever examinations are held. Also for such categories where reservation rules are applicable, the promotion are not subject to availability of vacancies and are granted in a time bound manner and norms of promotion are relaxed in respect of SC/ST candidates. The Committee would like to impress upon Ministry of Urban Development that, if they still are not able to find the eligible candidates in the feeder cadre, the promotion backlog vacancies may be diverted temporarily to the direct recruitment quota by conducting departmental exam to fillup backlog in time bound manner. In the subsequent year(s) when reserved vacancies in the direct recruitment quota becomes available they may be diverted to the promotion quota to make up the vacancies diverted earlier and filled from SC/ST candidates in feeder cadre who might by now have become eligible for promotion. The exchange of vacancies in this manner will ensure that structure and composition of the cadre remain unaffected over a period.

Reply of the Government

3.6 DMRC has informed that promotions in DMRC and in all such categories where rules of reservation are applicable i.e. up to the lowest rung of executive cadre are mostly time bound and are not subject to the vagaries of vacancies. In the process, vacancies accrue in the entry level grades which are then filled up through the next recruitment process. As such, the system is already in place.

3.7 It is mentioned that the recommendation of the Committee is related to the recruitment/promotion of Scheduled Castes and Scheduled Tribes in the DMRC. In this regard, it is mentioned that DMRC is a 50:50 joint venture company of the Central Government and Government of National Capital Territory of Delhi. Therefore, it is not a Central Public Sector Enterprises. It is a company registered under the Companies Act, 1956. All the decisions regarding recruitment procedure, promotion, training of employees are taken by the Company as per the extant guidelines, rules, laws etc.

Recommendation (Sl. No. 9 Para No. 3.4)

3.8 The Committee came to know that the last roster was checked by the Liaison Officer in 2016 and by the National Commission for Scheduled Castes team which visited the DMRC headquarters in 2016 to check the rosters, which were presented before them. As stated, no discrepancies have come to their notice. However, the Committee would like to know whether strict scheduled are followed with regard to inspection of rosters regularly. The Committee recommended that officials responsible for maintaining of rosters should be imparted proper training so that the chances of any lacunae are obviated and policy of reservation may be implemented properly.

Reply of the Government

3.9 DMRC has informed that instructions have been issued to the Liaison Officer of DMRC to ensure inspection of reservation of rosters maintained in DMRC on an annual basis, to ensure proper implementation of the reservation orders (Appendix VI). Training have been provided from time to time to the concerned officials, dealing with reservation and the process shall be continued.

Recommendation (Sl. No. 10 Para No. 3.9)

3.10 The Committee take a serious note that Liaison Officer apart from carrying out work relating to SCs/STs have been assigned technical/administration work also. The Committee are of the view that the Liaison Officer is a key figure in an organisation and is responsible for ensuring implementation of reservation policies of the Government. The Committee strongly observed that burdening the Liaison Officer with additional responsibilities may dilute the whole purpose of appointment as Liaison Officer. The Committee strongly recommend that since the Liaison Officer is appointed to ensure due compliance of orders and instructions pertaining to reservations of vacancies in favour of SCs/STs, he should not be overburdened with

other official work otherwise, the Liaison Officer will not be able to do justice to his main functions i.e. to look after the welfare of SCs/STs employees in the organisation.

Reply of the Government

3.11 DMRC has submitted that the Liaison Officer is assisted by the Reservation Cell and the work assigned both for liaison of SC/ST matters and other work (technical/administrative), is within manageable limit of the officer and he has not expressed any inconvenience with regard to manageability of his work. For ease of discharge of his duties as Liaison Officer, he has been provided office space in Metro Bhawan of DMRC and has ready access to records and documents.

Recommendation (Sl. No. 11 Para No. 3.12)

3.12 As regard regarding pre-recruitment training for SC/ST candidates, the Committee strongly recommend that the DMRC in the first instance should set up the centres for imparting pre-recruitment training to SC/ST candidates in Delhi/NCR and explore the feasibility to set up centres in other major cities covering all the parts of the country.

Reply of the Government

3.13 In keeping with the Committee's recommendation, it has been decided by DMRC that starting with recruitment launched in January, 2018, candidates belonging to SC/ST categories shall be provided with online model to prepare for the recruitment examinations. As regards training centers, it may be mentioned that since candidates hail from the length and breadth of the country, hence, setting up of training centers all over the country would be a tall task. Besides, to start with by limiting to Delhi/NCR would not be in order as it would invite charge of regional bias.

Recommendation (Sl. No. 12 Para No. 3.17)

3.14 The Committee note with concern that during the years 2014-2017, total number of 36 employees sent for training abroad out of which only one SC and no ST was sent for training abroad. This shows the casual attitude of DMRC for equal treatment for their employees belong to SCs/STs.

Reply of the Government

3.15 DMRC has informed that sending employees abroad is incidental to the work as these trainings are work specific and therefore there is no bias against the SC/ST employees.

Comments of the Committee

Please see Para No.1.19 of Chapter I.

Recommendation (Sl. No. 13 Para No. 3.18)

3.16 The Committee are given to understand that nomination of the officials for training abroad is made on the basis of their job profile relevance of work handled or working of new technology oriented special projects where no SC/ST were assigned duty, due to which no SC/ST could go a training abroad. The Committee, therefore, would like to know the criteria for engaging only specific category not SC/ST in such special projects without prejudice to SC/ST.

Reply of the Government

3.17 DMRC has informed that DMRC is an equal opportunity employer and does not discriminate on the basis of caste, class, sex and religion. It would not be correct to state that no SC/ST employees have been assigned duty in new technology associated projects, resulting in such employees being debarred from training abroad. Deployment of employees for work is not based on any caste/category criteria and no discrimination is made on this account. It is, unequivocally, stated that no discrimination has ever been caused to SC/ST employees on account of their caste/category status.

Recommendation (Sl. No. 15 Para No. 3.23)

3.18 As regards the appointment on the basis of false certificate, the Committee understand that caste certificates of the candidates are invariably verified with the authorities concerned at his entry level itself. The Committee therefore, desire to know the present status of pending cases of false certificate, if any.

Reply of the Government

3.19 DMRC has informed that caste certificates are being verified and no case of submission of false caste certificate has come to their notice.

Recommendation (SI. No. 18 Para No. 4.7)

3.20 The Committee also note that beside the staff quarters, DMRC has provided attractive lease facilities to all the employees. Most of them are in occupation of lease accommodations. The Committee, therefore, would like to have data of needy SC/ST employees left out without accommodations under the lease facilities provided by DMRC.

Reply of the Government

3.21 DMRC has informed that the lease facility extended, is for all employees of DMRC who do not avail of DMRC accommodation. Hence, the question of any SC/ST employees being left out without accommodation under the lease facility provided by DMRC, do not arise.

Recommendation (SI. No. 20 Para No. 4.18)

3.22 The Committee recommend that instead of assigning the Safai work to the contractor, the DMRC should prefer a cooperative society or organisation of Safai Karamis only. These cooperative societies will engage SC/ST people only for safai work. This act not only save SC/ST people from exploitation from non SC/ST contractor who make profit by exploiting these people but also safeguard the interest of these communities by engaging 100% people from SCs/STs. The Committee recommend that the DMRC may mention in its advertisement that it should be from the cooperative society of SC/ST people only.

Reply of the Government

3.23 DMRC has informed that cleaning contracts in DMRC are of specialized nature and do not involve exclusively 'safai' works. Specialized machineries, equipments, chemicals and consumables are used in the stations, trains and depots of DMRC, etc. for mechanized cleaning and housekeeping works. The agency is required to deploy

trained manpower for operation and maintenance of machinery and equipments and use specified chemicals and consumables, so as to achieve desired levels of cleanliness and hygiene. As such, it would not be possible to limit it to cooperative societies, who however, would be eligible to quote against the tenders for such works.

Recommendation (SI. No. 21 Para No. 4.24)

3.24 The Committee note that DMRC is not profit making organisation and has not adopted any village or town for its socio-economic development and CSR activities are not binding to DMRC.

Reply of the Government

3.25 No action is called for.

CHAPTER IV

Recommendations/observations in respect of which replies of the Government have not been accepted by the Committee and which require reiteration.

Recommendation (Sl. No. 1 Para No. 1.10)

4.1 The Committee take a serious note for non-availability of even a single member from SC/ST communities on the Board of DMRC consisting of 17 members. The Committee strongly feel that no sincere efforts have been made by the Government either to appoint functional Director or nominee Director from SC/ST community. The Committee, therefore, as recommended earlier from time to time again strongly recommend that Government should chalk out a clear cut policy to appoint at least one Director from SC/ST community in the Board. The Committee, also recommend that in view of the constitutional mandate of socio-economic justice, the Government must provide representation of SC and ST through reservation in Board of Directors in the company or atleast by appointing a Director in the Board through nomination by the Government of India or State Government as the case may be. The Committee may be apprised about the progress made by the Government in this regard.

Reply of the Government

4.2 Delhi Metro Rail Corporation Ltd. (DMRC) has informed that there is no bar in appointment of members of the SC/ST community on the Board of DMRC and they are as much eligible to be considered for such appointment, as others. However, apart from the fact that all the seven posts of the functional Directors are single post cadre, for which no reservation is applicable. DMRC has also mentioned that there is no guideline prescribing reservation of post of Directors for SC/ST community in the Board and as such, it would not be feasible to provide reservation for SC/ST community in the Board of Directors of DMRC. It may be added, that it is only incidental that there is no member of the SC/ST community in the Board of Directors of DMRC.

4.3 The recommendation of the committee is related to the recruitment/promotion of SCs and STs in the DMRC. In this regard, it is mentioned that DMRC is a 50:50 joint

venture company of the Central Government and Government of National Capital Territory of Delhi. Therefore, it is not a Central Public Sector Enterprise. It is a company registered under the Companies Act, 1956. All the decisions regarding recruitment procedure, promotion, training of employees are taken by the Company as per the extant guidelines, rules, laws etc.

4.5 The Functional Directors are appointed by the Board of DMRC. The nominated Directors are appointed on ex-officio basis, based on the relevance of official assignment of the officer to the metro projects/urban transport projects.

Recommendation (Sl. No. 5 Para No. 2.16)

4.6 The Committee note that all the vacancies are notified on DMRC website and also widely advertised in National and Local Newspapers. However, the services of All India Radio/Doordarshan are not being utilised for this purpose. Also vacancies are not being notified through Employment Exchanges as the recruitment is on an all India basis and not limited to regional recruitment. Further DMRC has its own Guidelines in respect of recruitment which is in line of Government of India guidelines and hence the rules of NCT, if any would not be relevant for DMRC purpose. The Committee also note that DMRC has not been sending the copies of advertisement to the recognised All India Association of SCs and STs so far. The Committee recommend that advertisement/publicity for reserved vacancies and post especially not requiring high technical qualification may also be advertised through All India Radio and Doordarshan for the benefit of person residency in to remote and rural areas. The committee, keeping in view that share capital of the DMRC are held in 50:50 ratio by the Centre and State, desire that vacancies may also be notified through Employment Exchange and copies of advertisement also be send to recognised All India Association of SCs/STs for wider publicity in future.

Reply of the Government

4.7 DMRC has informed that the current recruitments which have been launched, i.e. Special Recruitment Drive of SC/ST category candidates and open market

recruitment drive on 27th January, 2018, have been notified in DMRC website and also widely advertised in national and local newspapers as well as, in the Employment News (all editions).

4.8 As recommended by the Committee, DMRC has furnished following information:-

- (i) The services of All India Radio and Doordarshan have been utilized for wide publicity of the recruitments. (Appendix-III)
- (ii) Copies of advertisements have also been sent to the National Commission for SC, the National Commission for ST and the Liaison Officer for SC/ST matters in DMRC. (Appendix-IV)
- (iii) The Director, Lok Sabha Secretariat, dealing with the Committee matters, has also been intimated of the said launch of the recruitment drive. (Annexure-V)
- (iv) As regards notifying vacancies through Empowerment Exchange, it may be mentioned that recruitment in DMRC is on All India basis and not limited to one region. Hence, notification through Employment Exchange was not found feasible as availing the services of the local Employment Exchange could invite charge of regional basis in the matter.

Comments of the Committee

Please see Para No. 1.12 of Chapter I.

Recommendation (Sl. No. 7 Para No. 2.39)

4.9 The Committee are not satisfied with the stereotype reply of DMRC that SC/ST candidates are not available at entry level and in promotion even after meeting the relaxed standard. The Committee feel that there is some lacuna in advertisement of vacancies or grading of SC/ST in APAR otherwise there is no dearth of talent of SC/ST candidates in the present scenario. The Committee, therefore, recommend the Ministry to assess the recruitment and promotion policy of DMRC for SCs and STs and

suggest remedial/corrective measures to meet this shortfall at entry as well as promotion level.

Reply of the Government

4.10 DMRC has informed that the recruitment and promotion policies in DMRC are derived from the instructions of the Government of India, including those regarding reservation for SC/ST candidates/employees. As such the policies are in order. Accrual of backlog vacancies are incidental to the processes of recruitment and promotions and are duly accounted for in the next cycles/drives.

4.11 It is mentioned that the recommendation of the Committee is related to the recruitment/promotion of Scheduled Castes and Scheduled Tribes in the DMRC. In this regard, it is mentioned that DMRC is a 50:50 joint venture company of the Central Government and Government of National Capital Territory of Delhi. Therefore, it is not a Central Public Sector Enterprise. It is a company registered under the Companies Act, 1956. All the decisions regarding recruitment procedure, promotion, training of employees are taken by the Company as per the extant guidelines, rules, laws, etc. The Ministry does not interfere in the recruitment procedure of DMRC. However, the Ministry has advised DMRC to put up its policy for the assessment of the Board.

Comments of the Committee

Please see Para No. 1.16 of Chapter I.

Recommendation (Sl. No. 14 Para No. 3.19)

4.12 The Committee are, therefore, not satisfied with the reply given by the DMRC about not sending SC/ST candidates for training abroad. The committee in view of forgoing earnestly recommend the Ministry of Urban Development to enquire into the matter and submit report to the Committee to ensure that SC/ST officials in DMRC are not deprived of their legitimate right of getting exposure in abroad and enriching their knowledge and technical skill for the benefits of their organisation. The Committee would like to be informed about the progress made in this regard.

Reply of the Government

4.13 DMRC has intimated that no discrimination has ever been caused to SC/ST employees on account of their caste/category status and deployment of employees for work is not based on any caste/category criteria.

4.14 It is mentioned that the recommendation of the Committee is related to the recruitment/promotion of Scheduled Castes and Scheduled Tribes in DMRC. In this regard, it is mentioned that DMRC is a 50:50 joint venture company of the Central Government and Government of National Capital Territory of Delhi. Therefore, it is not a Central Public Sector Enterprise. It is a company registered under the Companies Act, 1956. All the decisions regarding recruitment procedure, promotion, training of employees are taken by the Company as per the extant guidelines, rules, laws, etc.

Recommendation (Sl. No. 19 Para No. 4.14)

4.15 The Committee are dismayed to note that the DMRC hires various firms/companies for setting up of infrastructure and execution of various projects on contract/tender basis without following reservation policy for SC/ST in DMRC. The Committee note that the National/Global Contracts are being awarded generally based on open tender system without ceiling fixed for any SC/ST. However, as per the direction of the National Commission of Scheduled Castes, it is being mentioned in the contract conditions that at least 15% staff stipulated in the manpower deployment contract, should belong to SC category. In furtherance of NCSC the Committee desire the Ministry to make sure that contractors involved in outsourcing may be made obligatory to provide reservation to SC/ST candidates as per norms fixed by the Government.

Reply of the Government

4.16 The contract conditions provide that at least 15% staff stipulated in the manpower deployment contract should belong to SC category. This is being implemented as informed by DMRC.

Recommendation (Sl. No. 22 Para No. 4.25)

4.17 The Committee further note that under the rehabilitation policy all the persons affected at the time of undertaking project work by DMRC in different places all over Delhi and adjoining States were given adequate compensation as per prescribed formula and procedure and compensation has been given to all including SC/ST if any. There is no scheme for providing jobs under DMRC for such people who are displaced. The Committee also note that DMRC does not maintain records of project affected persons on caste-wise category basis. The Committee are therefore, concerned that no specific measures have been initiated by DMRC for upliftment of SC/ST people at any point of time since inception. The Committee feel that the DMRC is avoiding its social responsibilities for upliftment of the down trodden section of the society. The Committee strongly recommend that DMRC must maintain record of projects wherein such SC/ST persons have been affected and DMRC may consider assistance to such SC/ST families including option to provide employment to them on priority basis.

Reply of the Government

4.18 DMRC has informed that the acquisition of land for Phase-I and Phase-II of DMRC projects, were done by the concerned State Governments and not by DMRC. Rehabilitation and resettlement of Project Affected Persons (PAPs) is being done by DMRC as per the policy laid down by the Government of National Capital Territory of Delhi. The recommendations, are not in tune with such policy.

CHAPTER V

Recommendations/observations in respect of which final replies of the Government have not been received.

-NIL

NEW DELHI
10 August, 2018
19 Sravana, 1940 (Saka)

(KIRIT PREMJBHAI SOLANKI)
Chairperson
Committee on the Welfare
of Scheduled Castes and
Scheduled Tribes.

APPENDIX II

ANALYSIS OF ACTION TAKEN BY THE GOVERNMENT ON THE RECOMMENDATIONS CONTAINED IN THE FIFTEENTH REPORT (SIXTEENTH LOK SABHA) OF THE COMMITTEE ON THE WELFARE OF SCHEDULED CASTES AND SCHEDULED TRIBES.

1.	Total number of recommendations	22
2.	Recommendations/observations which have been accepted by the Government: (Nil)	
		Total: 04 Percentage: 18%
3.	Recommendations/observations which the Committee do not desire to pursue in view of the replies of the Government:	
		Total: 12 Percentage: 55%
4.	Recommendations/observations in respect of which replies of the Government have not been accepted by the Committee and which require reiteration:	
		Total: 06 Percentage: 27%
5.	Recommendations/observations in respect of which final replies of the Government have not been received: (Nil)	
		Total: 00 Percentage: 0%