



**COMMITTEE ON WELFARE OF OTHER  
BACKWARD CLASSES (2021-22)**

**(SEVENTEENTH LOK SABHA)**

**MINISTRY OF POWER**

**[Action Taken by the Government on the Observations/Recommendations  
contained in the First Report (Seventeenth Lok Sabha) on “Measures  
undertaken to secure representation of OBCs in employment and for their  
welfare in NHPC Ltd]**

**NINTH REPORT**



सत्यमेव जयते

**LOK SABHA SECRETARIAT  
NEW DELHI**

*August, 2021/ Sravana 1943 (Saka)*

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*Presented to Lok Sabha on 04.08.2021*

*Laid in Rajya Sabha on 04.08.2021*



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*August, 2021/ Sravana 1943 (Saka)*

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## CONTENTS

	PAGE
COMPOSITION OF THE COMMITTEE (2021-22).....(i)	
INTRODUCTION .....(iii)	

PAGE

### PART-I

#### Narration Analysis

CHAPTER I	Report.....	1
CHAPTER II	Observations/Recommendations which have been accepted by the Government .....	4
CHAPTER III	Observations/Recommendations which the Committee do not desire to pursue in views of the Government's replies.....	5
CHAPTER IV	Observations/Recommendations in respect of which replies of the Government have not been accepted by the Committee and which require reiteration .....	13
CHAPTER V	Observations/Recommendations in respect of which final replies of the Government are still awaited .....	15

### APPENDICES

I.	Minutes of the Sitting of the Committee held on 13.07.2021.....	60
II.	Analysis of the Action Taken by the Government on Observations/Recommendations of the Committee on Welfare of Other Backward Classes contained in their First Report (Seventeenth Lok Sabha).....	63

**COMPOSITION OF THE COMMITTEE ON WELFARE OF OBCs (2021-22)**

**SHRI RAJESH VERMA- CHAIRPERSON**

**MEMBERS**

**LOK SABHA**

2. Shri T.R. Baalu
3. Shri Sanjay Kumar Bandi
4. Shri Chandra Sekhar Bellana
5. Shri Ramesh Bidhuri
6. Ms. S. Jothimani
7. Shri Dileshwar Kamait
8. Smt. Raksha Nikhil Khadse
9. Shri Jyotirmay Singh Mahato
10. Dr. Sanghamitra Maurya
11. Shri Anubhav Mohanty
12. Dr. Pritam Gopinath Munde
13. Shri Balak Nath
14. Shri Ajay Nishad
15. Shri Parbhatbhai Savabhai Patel
16. Shri Ram Shiromani
17. Shri K. Sudhakaran
18. Shri Ashok Kumar Yadav
19. *Vacant<sup>§</sup>*
20. *Vacant<sup>%</sup>*

**RAJYA SABHA**

21. Smt. Geeta *alias* Chandraprabha
22. Shri T.K.S. Elangovan
23. Shri Narayana Koragappa
24. Shri Jaiprakash Nishad
25. Shri Vishambhar Prasad Nishad
26. Dr. Banda Prakash
27. Smt. Chhaya Verma
28. Shri Harnath Singh Yadav
29. *Vacant<sup>\*</sup>*
30. *Vacant<sup>&</sup>*

<sup>§</sup> Vice Shri Sanjay Seth resigned from the membership of the Committee.

<sup>\*</sup> Vacancy arose vice the retirement of Shri K.K. Ragesh, MP

<sup>%</sup> Vice Shri Kapil Moreshwar Patil ceased to be a Member of the Committee consequent upon his induction in Council of Ministers on 07.07.2021

<sup>&</sup> Vice Shri B.L.Verma ceased to be a Member of the Committee consequent upon his induction in Council of Ministers on 07.07.2021

SECRETARIAT

1. Smt Anita B. Panda - Joint Secretary
2. Shri Arvind Sharma - Director
3. Ms. Suvaiba Shaikh - Assistant Executive Officer

## **INTRODUCTION**

I, the Chairperson, Committee on Welfare of Other Backward Classes (2021-22) having been authorised by the Committee to present the Report on their behalf, present this Ninth Report on Action Taken by the Government on the observations/recommendations contained in the First Report (17<sup>th</sup> Lok Sabha) of the Committee on Welfare of OBCs on “Measures undertaken to secure representation of OBCs in employment and for their welfare in NHPC Ltd.” pertaining to Ministry of Power.

2. The First Report was laid on the Table of Rajya Sabha on 12.12.2019 and presented to Lok Sabha on 12.12.2019. The replies of the Government to all the Observations/Recommendations contained in the Report were received on 17.06.2020.

3. The replies of the Government were examined and the draft Report was considered and adopted by the Committee at their sitting held on 13.07.2021.

4. An analysis of the action taken by the Government on the Observations/Recommendations contained in the First Report (Seventeenth Lok Sabha) of the Committee is given in Appendix-II

5. For facility of reference and convenience, the observations and recommendations of the Committee have been printed in bold letters in Chapter- I of the Report.

**NEW DELHI;  
28 August, 2021  
6 Sravana, 1943(Saka)**

**RAJESH VERMA,  
Chairperson,  
Committee on Welfare of Other Backward Classes**

## CHAPTER I REPORT

This Report of the Committee on Welfare of Other Backward Classes deals with the action taken by the Government on the Observations/Recommendations contained in their First Report (Seventeenth Lok Sabha) on "Measures undertaken to secure representation of OBCs in employment and for their welfare in NHPC Ltd." pertaining to the Ministry of Power.

2. The Report contained Fourteen Observations/Recommendations. Action Taken Replies in respect of all the Observations/Recommendations contained in the Report have been received from the Government. These have been examined and categorised as follows:

i. Observations/ Recommendations which have been accepted by the Government:

Recommendation Sl. Nos. 3, 4, 5, 7, 8, 9, 10, 12, 13 and 14

(Total -10)  
Chapter II

ii. Observations/Recommendations which the Committee do not desire to pursue in view of the Government's replies:

Recommendation Sl. Nos. 6

(Total -1)  
Chapter III

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

Recommendation Sl. No. 1 and 2

(Total - 2)  
Chapter IV

iv. Observations/Recommendations in respect of which final replies of the Government are still awaited:

Recommendation Sl. No. 11

(Total - 01)  
Chapter V

**3. The Committee desire that Final Action Taken Notes on the Observations/Recommendations contained in Chapter I of the Report and Replies to Observations/Recommendations contained in Chapter V should be furnished to the Committee within three months of the presentation of this Report.**

4. The Committee will now deal with the action taken by the Government on some of the Observations/Recommendations which need reiteration or merit comment in the succeeding paragraphs.

## **Representation of OBCs in the top management**

### **Recommendation Sl. No. 1**

5. The Committee in their First Report (2019-20) had recommended as under:-

“NHPC a Mini Ratna Category-I Enterprise of the Govt. of India, has been incorporated since the year 1975 with an objective to plan, promote and organize an integrated and efficient development of hydroelectric power in all aspects. The company has also promoted some subsidiaries / associate companies in Madhya Pradesh, Jammu & Kashmir, Manipur and Uttar Pradesh. While examining the subject concerning representation in employment and welfare of OBCs in the company, the Committee observe that as per present composition of its Board of Directors, there are five whole-time Functional Directors, one Government Nominee Director and five Independent Directors. However, as on date, the Board does not have any member belonging to OBC category. While the Committee are aware that Directors in PSUs are appointed by the Government of India, they desire that the Ministry of Power should comply with the DPE OM No. 2(18)/2011-GM dated 18 April, 2011 and should endeavour to appoint at least one Director belonging to OBC category in the Board of NHPC.”

### **Reply of the Government**

6. The Ministry of Power in their action taken reply have stated as under:

“The whole-time Functional Directors on the Board of CPSE are recommended by PESB after taking interview of the eligible shortlisted candidates. The short-listing are done by PESB from the candidates applied against the advertised post of a CPSE and ACC is the final approving authority of the recommended candidates. Further, the Govt. nominated directors are ex-officio post and hence there is no control of the Ministry. The Proposals for appointment of non-official Directors on the Boards of CPSEs are initiated by the concerned Administrative Ministries / Departments. But the selection of non-official Directors is made by the Search Committee under the DPE. The Committee selects the candidates from among the data bank maintained by it. The DPE has laid down criteria for the candidates to be appointed as non-official Directors which does not include criteria of

caste. Since initial recommendation for appointment of the candidate is made by the Search Committee under the DPE, preference to SC, ST and OBC category of the candidate can be accorded at recommendation stage only”.

**7. The Committee in their Original Report had noted that the NHPC Ltd did not have any member belonging to OBC category in the Board of Directors of the company. The Committee had accordingly desired that the Ministry of Power in compliance with the DPE OM No. 2(18)/2011-GM dated 18 April, 2011 should endeavour to appoint at least one Director belonging to OBC category in the Board of NHPC Ltd. instead of proactively taking up the matter with the Department of Public Enterprises, the Ministry has informed the Committee that whole time Functional Directors are recommended by PESB and the Government nominated Directors are ex-officio post over which the Ministry of Power has no control. The Procedure of appointment of Board of Directors as informed by the Ministry is known to the Committee and they also understand that there cannot be reservation for OBCs at Board level posts. At the same time, the Committee feel that at least a broader consultative exercise for effecting social inclusion should not be precluded at this stage and , therefore, they recommend that the Ministry of Power should hold consultation with DPE/PESB about Committee’s concerns regarding representation of OBCs in the Board of Directors.**

**According to DPE OM No. 2(18)/2011-GM dated 18 April, 2011, the proposal for appointment of non-official Directors on Boards of CPSEs are initiated by the concerned Administrative Ministry. It *inter-alia* empowers the administrative Ministry to address the concerns of fair representation of OBCs in the Board of Directors by giving preference to OBC candidates if they are found to be eligible and fulfil the laid down criteria for selection. The Committee therefore, strongly reiterate their earlier recommendation that the Ministry of Power in strict compliance with the said OM should take actionable steps for appointing candidates from OBC category at the Board of Directors in NHPC Ltd.**

#### **Training facilities for OBC employees**

##### **Recommendation Sl. No. 2**

**8. The Committee in their First Report (2019-20) had recommended as under:-**

“The Committee are pleased to note that in the area of Human Resource Development, NHPC Ltd. has organized competency and capacity building programmes in some of its core areas which has helped the Company to provide 20,744 man-days training to its employees during the year 2018-19. The Committee appreciate that through sponsorship

of various training programme in premier institutions of India viz. IIMs and IITs etc., NHPC aims to enhance the skills of their employees for achieving higher productivity and efficiency in the organization. The Committee desire that while selecting the employees for sponsorship in various training/skill development programmes, due consideration would be given to OBCs employees in accordance with DOP&T guidelines No. 3 (ii) & (iii) as enumerated in their OM No. 36038/1(i)/2013 - ESTT 21 (Res) dated 21.06.2013. They desire to be furnished with the details of training programmes conducted so far and number of OBC candidates included therein.”

### **Reply of the Government**

9. The Ministry of Power in their action taken reply have stated as under:

“Details of training programmes conducted so far and number of OBC candidates included therein is as under:

Sl. No.	Year	Total No of Training Programmes	Total no of participants imparted Training	OBC Participants	
				Total	%
1	2013-14	118	2307	355	15
2	2014-15	177	3578	119	3
3	2015-16	109	2378	530	22
4	2016-17	154	2937	606	21
5	2017-18	105	2356	498	21
6	2018-19	188	3300	693	21
7	2019-20*	323	1473	230	16

*\*Note: The data is taken up to 31.10.2019 only*

**10. The Committee in their original Report had desired that while selecting the employees for sponsorship in various training/skill development programmes due consideration must be given to OBC employees in accordance with DOPT Guidelines No. 3 (ii) & (iii) as enumerated in their OM No. 36038/1(i)/2013-ESTT(Res) dated 21.06.2013. While appreciating the increase in percentage participation of OBC employees from 15% and 3% in 2013-14 and 2014-15 respectively to 21% from 2016-17 to 2018-19, the Committee find that percentage participation of OBC employees in various training Programme is still below the level of their representations in services. Therefore, the Committee reiterate their earlier recommendation and desire that while selecting the employees for sponsorship in various training/skill development programmes of the company due consideration should be given to OBC employees and concrete steps**

should be taken to increase the participation/representation of OBC employees in such training/skill development programmes. The Committee would also like to be apprised of the break-up of different training/skill development programme undertaken and programme-wise number of OBC candidates imparted training.

## Grievance Redressal

### Recommendation Sl. No. 9

11. The Committee in their First Report (2019-20) had recommended as under:-

“The Committee observe that NHPC Ltd. has devised a multi-level grievance mechanism called “NHPC Grievance Procedure” to redress the grievances of employees including the OBC Employees. They further note that the Grievance Redressal Authority holds monthly meeting with all employees including OBC employees for redressal of their grievances in regular manner and opportunity for personal hearing is also afforded depending upon the nature of grievance. NHPC Ltd. has reportedly received very few complaints from OBC employees during the last 5 years. While appreciating the availability of an additional channel available to OBC employees for redressal of their grievances, the Committee recommend that OBC Cell of the NHPC Ltd. may be further strengthened by deputing adequate support staff and similar OBC Cell may be set up at project/regional level. They also desire that regular interactions/meetings between the management, Liaison Officers, Head of the OBC Cell and the OBC Employees Association be further encouraged to enhance productivity and improve working conditions.”

### Reply of the Government

12. The Ministry of Power in their action taken reply have stated as under:

“Presently OBC Cell is functioning smoothly having posted strength of 05 executives under direct control of Liaison Officer. However, if need arises in future, additional manpower shall be posted. Regular interaction with Management, OBC Cell and OBC Welfare Association is being conducted to enhance productivity and improve working conditions”.

**13. With a view to encourage productivity and for better working conditions for OBCs, the Committee had recommended that regular interactions/meetings between the Management, Liaison Officers, Head of OBC Cell and the OBC Employees' Association be held. The Committee had also emphasized on the need to strengthen the OBC Cell of NHPC Ltd. by deputing adequate support staff while also setting up such Cells at project/regional level. In its action taken reply, the Ministry has assured the Committee**

that for ensuring smooth functioning of the OBC Cell, additional manpower shall be posted, if need arises in future. The Committee would like to commend the Ministry for committing itself to take the action in this regard in the right direction. Since the grievance redress mechanism of an organization is the gauge to measure its efficiency and effectiveness as it provides important feedback on the working of the administration, the Committee again urge the Ministry that OBC Cells at the project/regional level of NHPC Ltd should be set up immediately, if not done till now.

#### **Outsourcing of Services / Jobs**

#### **Recommendation Sl. No. 12**

14. The Committee in their First Report (2019-20) had recommended as under:-

“The Committee note that NHPC Ltd. has been outsourcing certain non-core activities viz. Security, R&M works of Roads, sweeping, Gardening, Maintenance of Guest Houses/Office Building, etc. to contractors who, in turn, engage contract labourers to execute the work as per requirement. During the oral evidence, Committee were informed that NHPC Ltd. do not have any clause in the contract regarding representation of OBCs. At the same time, the Committee were assured that NHPC Ltd. ensures that Contractors who engage contract labourers, adhere to all applicable Govt. guidelines and they further assured that NHPC Ltd. will implement all the laid down provisions. In this connection, the Committee would like to remind the NHPC that DOP&T has been issuing instructions/guidelines regarding reservations for SC, ST and OBCs in temporary appointments. The Committee would like to enumerate the following instructions/guidelines of DOP&T which are made applicable to Central Public Sector Enterprises through Department of Public Enterprises, and expect that the same are strictly adhered to:

The industrial establishments of the Government of India and the posts and grades in such establishments, whether these have been classified as group A, B, C and D or not, are covered by the scheme of reservation for Scheduled Castes, Scheduled Tribes and Other Backward Classes.[O.M.No.8/7/1974-Estt.(SCT) dated 22/08/1975]”

## Reply of the Government

15. The Ministry of Power in their action taken reply have *inter alia* stated as under:

“Reservation has been provided to OBC/SC/ST categories in NHPC as per Govt. guidelines in recruitment on regular posts”.

**16. In their original Report, the Committee had recommended that NHPC Ltd. should adhere to the instructions/guidelines given by DOPT for making temporary appointments. The Committee are anguished to note that Ministry of Power has not addressed the core issue of temporary employees (outsourced services/jobs) raised by them. While observing that the Ministry has failed to elaborate on any concrete steps to ensure strict adherence to DoPT guidelines in outsourcing of services/jobs in NHPC Ltd., the Committee desire that Ministry of Power should devise a definitive mechanism to ensure that instructions/guidelines of DoPT being applicable to Central Public Sector Enterprises are strictly adhered to while engaging man-power in non-core activities of NHPC Ltd.**

## CHAPTER – II

### OBSERVATIONS/RECOMMENDATIONS WHICH HAVE BEEN ACCEPTED BY THE GOVERNMENT

#### Recommendation (Sl. No. 3) of the Committee

##### Representation of OBCs in NHPC

2.1 The Committee in their First Report (2019-20) had recommended as under:-

“The Committee note that since reservation orders for OBCs came in to force on September 8, 1993, NHPC Limited has recruited total 1184 OBC employees out of total 4351 employees in Group 'A' and 'B'. The Committee find that as on 01.08.2019 out of total 6513 employees in NHPC, 912 are from OBC category i.e. in Group 'A'-608 (21%), Group 'B' - 150 (21%), Group 'C'-12 (6%) and Group 'D' 42 (5%). The Committee are deeply concerned to find that the negligible representation of OBCs in Group 'C' and 'D' category of posts in NHPC. The reasons cited by NHPC regarding for non-recruitment of employees in Group 'C' and Group 'D' are acquisition of excess manpower from Brahmaputra Board etc. less requirement of manpower having completed most of the projects and very high O&M expenses beyond CERC limit. This does not justify the current scenario as out of total 6513 employees, more employees i.e. 3663 are in Group 'A' & 'B' which are in higher salary bracket and only 2850 are in Group 'C' and 'D'. The Committee understand that now the NHPC is assessing future requirement of manpower for its Teesta-VI project and few other projects too. They therefore urge the Government to complete it fast and desire that NHPC should make concerted efforts to adhere to the stipulation of 27% reservation for OBC employees in all Groups in general and Groups 'C' and 'D' in particular, in all its forthcoming recruitment drives.”

#### Reply of the Government

2.2 The Ministry of Power in their action taken reply have stated as under:

“Recommendations of the Hon'ble Committee has been noted and efforts shall be made in all forthcoming recruitment drives to increase the representation of OBCs to stipulated 27% reservation in all Groups in general and Groups 'C' and 'D' in particular.”

(Ministry of Power O.M. No 5/1/2020-NHPC date 17<sup>th</sup> June, 2020)

## **Recommendation (Sl. No. 4) of the Committee**

### **Backlog Vacancies and Special Recruitment Drive**

2.3 The Committee in their First Report (2019-20) had recommended as under:-

“The Committee find that between 1999 and 2014 a large number of backlog vacancies in Group 'A' & 'B' had accumulated, which came down to 5 each in Group 'A' and 'B' in 2018. The Committee desire that unfilled backlog vacancies may be filled up on priority basis. As regards the shortfall of overall manpower, the Committee were informed that on 02.07.1997 while switching over to Post Based Roster, there was shortfall of 321 posts in Group 'A', 329 in Group 'B' and 2440 in Group 'C' and 'D'. The Committee further note that as a result of Special Recruitment Drive in 2015 and 2016, while 100 posts were filled up in Group 'A', only 6 posts were filled up in Group 'B' and no post was filled in Group 'C' and 'D' due to already existing huge manpower. They also find that during the last 3 years, NHPC has not conducted any recruitment as a consequence thereof there is still shortfall in all Group of posts and particularly in Group 'C' and 'D'. As near 40 years have passed since NHPC inherited excess manpower, the Committee are of the firm view that most of those employees have since retired. In this connection, the Committee desire to refer to the DOP&T OM No. 36038/1(i)/2013 dated 21.06.2013 which had directed all Ministries/Departments that in order to enhance the employability of reserved category candidates, concerted efforts be made to fill up the backlog vacancies at the earliest and the status be maintained at the highest level. The Committee therefore recommend that whenever fresh recruitment is conducted, shortfall of OBCs in Group 'C' and 'D' in NHPC may be identified and filled up now in order to minimize the huge gap between total number of posts reserved for OBCs and total number of OBC employees in position, and the same may be monitored at the highest level in the Ministry of Power.”

### **Reply of the Government**

2.4 The Ministry of Power in their action taken reply have stated as under:

“Recommendations of the Hon'ble Committee has been noted and all efforts shall be made to fill the Backlog vacancies and to increase the representation of OBCs in all Groups in general and Groups 'C' and 'D' in particular.”

(Ministry of Power O.M. No 5/1/2020-NHPC date 17<sup>th</sup> June, 2020)

### **Recommendation (Sl. No. 5) of the Committee**

2.5 The Committee in their First Report (2019-20) had recommended as under:-

“The Committee also would like to emphasise that the practice of conducting separate job interviews of candidates belonging to General and OBC categories needs to be re-examined in the light of a recent Supreme Court judgment terming the process as "illegal". The Committee desire the Ministry to provide a detailed note on the matter.”

### **Reply of the Government**

2.6 The Ministry of Power in their action taken reply have stated as under:

“In the light of a recent Supreme Court judgment and direction of the Hon'ble Committee, it is assured that no separate interview shall be conducted for OBC categories in future recruitment drives.”

(Ministry of Power O.M. No 5/1/2020-NHPC date 17<sup>th</sup> June, 2020)

### **Recommendation (Sl. No. 7) of the Committee**

#### **Monitoring Mechanism for implementation of Reservation Policy**

2.7 The Committee in their First Report (2019-20) had recommended as under:-

“The Committee are happy to note that the monitoring mechanism put in place by NHPC such as maintenance of Post-based, discipline-wise, grade-wise recruitment and promotion rosters, setting up of an OBC Cell, nomination of Liaison Officers from the OBC category, periodical inspections of reservation rosters carried out by Liaison Officers of Ministry of Power and NHPC Limited etc. to ensure that the reservation policy for Other Backward Classes are implemented properly etc. The Committee had interacted with the representatives of OBC Employees' Welfare Association of NHPC during their Study Visit to Gangtok on 23 June, 2018, wherein the Association raised certain issues relating to less representation of OBCs in recruitment, requirement of pre-recruitment training, welfare schemes under CSR etc. Hence, the Committee recommend the NHPC to hold regular consultations with OBC Employees' Welfare Association located at all the NHPC project areas, particularly in far flung areas of North Eastern region, and take appropriate measures for redressal of their grievances.”

### **Reply of the Government**

2.8 The Ministry of Power in their action taken reply have stated as under:

“In NHPC the overall work environment does not allow any harassment or discrimination of any kind. NHPC Management holds regular meeting with “NHPC OBC Employees’ Welfare Association” which is a representative body of OBC employees posted at Corporate Office as well as Projects/ Power Stations and working for redressal of their grievances.”

(Ministry of Power O.M. No 5/1/2020-NHPC date 17<sup>th</sup> June, 2020)

### **Recommendation (Sl. No. 8) of the Committee**

#### **Liaison Officer for OBCs**

2.9 The Committee in their First Report (2019-20) had recommended as under:-

“The Committee note that Liaison Officers for OBC employees have been nominated at Corporate level as well as at regional/project level for enforcement of the reservation policy and other welfare measures. They also note an OBC Cell is functional under the direct control of Liaison Officer along with a few support staff. The Committee would like to emphasize that all the Liaison Officers nominated by the NHPC at Corporate level and regional/project level should belong to OBC category to enable the OBC employees to come forward with their grievances and complaints, if any, without any hesitation.”

### **Reply of the Government**

2.10 The Ministry of Power in their action taken reply have stated as under:

“All the Liaison Officers nominated at Corporate level as well as at Project level belongs to OBC category to enable the OBC employees to come forward with their grievances and complaints, if any, without any hesitation.”

(Ministry of Power O.M. No 5/1/2020-NHPC date 17<sup>th</sup> June, 2020)

## **Recommendation (Sl. No. 9) of the Committee**

### **Grievance Redressal**

2.11 The Committee in their First Report (2019-20) had recommended as under:-

“The Committee observe that NHPC has devised a multi-level grievance mechanism called “NHPC Grievance Procedure” to redress the grievances of employees including the OBC Employees. They further note that the Grievance Redressal Authority holds monthly meeting with all employees including OBC employees for redressal of their grievances in regular manner and opportunity for personal hearing is also afforded depending upon the nature of grievance.

NHPC has reportedly received very few complaints from OBC employees during the last 5 years. While appreciating the availability of an additional channel available to OBC employees for redressal of their grievances, the Committee recommend that OBC Cell of the NHPC may be further strengthened by deputing adequate support staff and similar OBC Cell may be set up at project/regional level. They also desire that regular interactions/meetings between the management, Liaison Officers, Head of the OBC Cell and the OBC Employees Association be further encouraged to enhance productivity and improve working conditions.”

### **Reply of the Government**

2.12 The Ministry of Power in their action taken reply have stated as under:

“Presently OBC Cell is functioning smoothly having posted strength of 05 executives under direct control of Liaison Officer. However, if need arises in future, additional manpower shall be posted. Regular interaction with Management, OBC Cell and OBC Welfare Association is being conducted to enhance productivity and improve working conditions.”

(Ministry of Power O.M. No 5/1/2020-NHPC date 17<sup>th</sup> June, 2020)

### **Comments of the Committee**

(Please see para 13 of Chapter I of the Report)

## **Recommendation (Sl. No. 10) of the Committee**

### **Better Awareness of available job opportunities**

2.13 The Committee in their First Report (2019-20) had recommended as under:-

“The Committee note that number of posts reserved for OBCs are clearly indicated in the advertisement for direct recruitment and the same are published in leading National / local newspapers, Employment News and uploaded on NHPC website, Website of Ministry of Power, Local Area Network and Notice Board. The Committee would however desire that the copies of advertisement should also be sent to Welfare Associations and Organizations of Other Backward Classes for better awareness of the available opportunity.”

### **Reply of the Government**

2.14 The Ministry of Power in their action taken reply have stated as under:

“Recruitment advertisements are published on NHPC website and displayed on Local Area Network/ Notice Board and the same is easily accessible to all. The recommendations of the Hon’ble Committee have been noted and henceforth, copy of the advertisements shall be given to OBC Welfare Associations.”

(Ministry of Power O.M. No 5/1/2020-NHPC date 17<sup>th</sup> June, 2020)

## **Recommendation (Sl. No. 12) of the Committee**

### **Outsourcing of Services / Jobs**

2.15 The Committee in their First Report (2019-20) had recommended as under:-

“The Committee note that NHPC has been outsourcing certain non-core activities viz. Security, R&M works of Roads, sweeping, Gardening, Maintenance of Guest Houses/Office Building, etc. to contractors who, in turn, engage contract labourers to execute the work as per requirement. During the oral evidence, Committee were informed that NHPC do not have any clause in the contract regarding representation of OBCs. At the same time, the Committee were assured that NHPC ensures that Contractors who engage contract labourers, adhere to all applicable Govt. guidelines and they further assured that NHPC will implement all the laid down provisions. In this connection, the Committee would like to remind the NHPC that DOP&T has been issuing

instructions/guidelines regarding reservations for SC, ST and OBCs in temporary appointments. The Committee would like to enumerate the following instructions/guidelines of DOP&T which are made applicable to Central Public Sector Enterprises through Department of Public Enterprises, and expect that the same are strictly adhered to:

### **Reservation in Posts of Industrial Workers**

The industrial establishments of the Government of India and the posts and grades in such establishments, whether these have been classified as group A, B, C and D or not, are covered by the scheme of reservation for Scheduled Castes, Scheduled Tribes and Other Backward Classes.[O.M.No.8/7/1974-Estt.(SCT) dated 22/08/1975]"

#### **Reply of the Government**

2.16 The Ministry of Power in their action taken reply have stated as under:

“Reservation has been provided to OBC/SC/ST categories in NHPC as per Govt. guidelines in recruitment on regular posts.”

(Ministry of Power O.M. No 5/1/2020-NHPC date 17<sup>th</sup> June, 2020)

#### **Comments of the Committee**

(Please see para 16 of Chapter I of the Report)

### **Reservation in Temporary Appointment**

2.17 The Committee in their First Report (2019-20) had recommended as under:-

“There shall be reservation for SC/ST/OBC class candidates in all temporary appointments, which are to last for 45 days or more. [O.M.No.36036/3/2018 - ESTT. (Res.) dated 15.05.2018.”

#### **Reply of the Government**

2.18 The Ministry of Power in their action taken reply have stated as under:

“No temporary appointments lasting 45 or more days is being made in NHPC.”

(Ministry of Power O.M. No 5/1/2020-NHPC date 17<sup>th</sup> June, 2020)

## **Reservation in Work-Charged Posts**

2.19 The Committee in their First Report (2019-20) had recommended as under:-

“The principle of reservation for Scheduled Castes, Scheduled Tribes and Other Backward Classes should generally be suitably applied to the extent possible, to work-charged posts also except those required for emergencies like flood relief work, accident restoration and relief etc. The percentages of reservation in such appointments may correspond to what is applicable to Group C and Group D posts. [O.M.No.36021/9/1976-Estt.(SCT) dated 10/02/1977]”

### **Reply of the Government**

2.20 The Ministry of Power in their action taken reply have stated as under:

“No person has been engaged on Work-Charged basis in NHPC.”

(Ministry of Power O.M. No 5/1/2020-NHPC date 17<sup>th</sup> June, 2020)

## **Reservation in Appointments of Casual Workers to Regular Posts**

2.21 The Committee in their First Report (2019-20) had recommended as under:-

“Appointment of casual workers against regular posts will be a case of direct recruitment. Hence all statutory requirements relating to filling up of posts by direct recruitment should be followed while regularizing the services of casual workers. General orders relating to reservation for persons belonging to SCs, STs and OBCs will be applicable in cases relating to regularization of casual workers. Vacancies meant for these categories of persons should be filled up by casual workers of respective reserved categories and the balance, if any, may be filled up by outsiders belonging to these categories, who are not casual workers. Casual workers, who do not belong to the 16 reserved categories, can be appointed against unreserved vacancies only.[O.M.No.49014/12/1988-Estt(C)dated 22/08/1988]

The Committee further recommend that separate rosters should be prepared for regular and temporary appointment for OBCs in NHPC.”

## Reply of the Government

2.22 The Ministry of Power in their action taken reply have stated as under:

“No Casual Workers are appointed in NHPC and there is no policy for regularization of casual worker to regular posts.”

(Ministry of Power O.M. No 5/1/2020-NHPC date 17<sup>th</sup> June, 2020)

## Reservation in Voluntary Agencies

2.23 The Committee in their First Report (2019-20) had recommended as under:-

“The Ministries/Departments should insist as a pre-condition to the sanction of grants-in-aid from Central Government to a non-Government organizations/ voluntary agency etc. that it shall provide reservation to the extent of 15% to SCs, 7.5% to STs and 27% to OBCs in case of direct recruitment on all India basis in case of direct recruitment to posts normally attracting candidates from a locality; or region where:

- (a) The recipient body employs more than 20 persons on a regular basis and at least 50 percent of its recurring expenditure is met from grants-in-aid from the Central Government; and
- (b) The body is a registered society or a cooperative institution and is in receipt of a general purpose annual grants-in-aid of Rs. 2lakh and above from the Consolidated Fund of India.

A clause providing for reservations in the services under the voluntary agencies should be included in the terms and conditions under which such voluntary agencies /organizations etc. are given grants-in-aid by Government, somewhat on the following lines: “.....(Name of Organization/Agency etc.) agrees to make reservations for Scheduled Castes, Scheduled Tribes and Other Backward Classes in the posts / services under its control on the lines indicated by the Government of India.

While sanctioning grants-in-aid to various voluntary agencies the progress made by such agencies in employing Scheduled Caste, Scheduled Tribe and Other Backward

Class candidates in their services should-be kept in view by the administrative Ministries/Departments. The voluntary agencies etc. should be informed that the progress in respect to the employment by them of Scheduled Castes, Scheduled Tribes and OBCs in the services under them would be taken into account by Government while sanctioning future grants-in-aid to them.[O.M.No.27/12/73-Estt.SCT) dated7/10/1974]”

### **Reply of the Government**

2.24 The Ministry of Power in their action taken reply have stated as under:

“No grants-in-aid has been sanctioned to NGO/ voluntary agencies under CSR. However, recommendations of the Hon’ble Committees have been noted for compliance.”

(Ministry of Power O.M. No 5/1/2020-NHPC date 17<sup>th</sup> June, 2020)

### **Recommendation (Sl. No. 13) of the Committee**

2.25 The Committee in their First Report (2019-20) had recommended as under:-

“The Committee observe that NHPC ensures that conditions pertaining to rate of minimum wages, timely payment of wages, EPF, ESI for medical benefits etc. are included in the Conditions of Contract as a part of the Tender conditions. The Committee also take note of the fact that the wages are being paid according to the provisions of the Payment of Wages Act, 1936 / Minimum Wages Act, 1948 as per rate notified by the appropriate Government for different category of workers from time to time and a condition to this effect is specified in the contract as a safeguard against exploitation of contract worker on account of underpayment and taking work beyond prescribed working hours. As the new Code on Wages has since been notified, the Committee desire that the provisions therein for different category of workers from time to time are strictly adhered to by NHPC.”

### **Reply of the Government**

2.26 The Ministry of Power in their action taken reply have stated as under:

“NHPC always adheres to the various guidelines issued by the Government from time to time. Recommendations of the Hon’ble Committees regarding New Code on Wages have been noted for compliance.”

(Ministry of Power O.M. No 5/1/2020-NHPC date 17<sup>th</sup> June, 2020)

**Recommendation (Sl. No. 14) of the Committee**

2.27 The Committee in their First Report (2019-20) had recommended as under:-

“The Committee are glad to note that in NHPC the wage payment to the contract workers are being paid through bank crediting and appropriate certification by the representative of ECI of the work as well as relevant documents in this regard is ensured. The Committee feel that such measures would ensure transparency and reduce the role of intermediaries and hence must be adhered to.”

**Reply of the Government**

2.28 The Ministry of Power in their action taken reply have stated as under:

“NHPC always strives to attend highest level of transparency in all its functions and the same shall be maintained in future also.”

(Ministry of Power O.M. No 5/1/2020-NHPC date 17<sup>th</sup> June, 2020)

## CHAPTER III

### OBSERVATIONS/RECOMMENDATIONS WHICH THE COMMITTEE DO NOT DESIRE TO PURSUE IN VIEW OF THE GOVERNMENT'S REPLIES

#### Recommendation (Sl. No. 6) of the Committee

3.1 The Committee in their First Report (2019-20) had recommended as under:-

“In the considered view of the Committee, the Ministry of Power and NHPC should follow the orders of the Hon'ble Courts in similar cases in letter and spirit. The Committee further desire that in order to protect the constitutional rights of OBC candidates, merit list should be prepared in such a manner that OBC candidates securing marks equal to or more to the marks of final cut off list prepared for General category candidates should also be called for interview by preparing a combined list. The Committee also recommend that the OBC candidates selected by fulfilling the criteria fixed for the general candidates should be adjusted against unreserved vacancies.”

#### Reply of the Government

3.2 The Ministry of Power in their action taken reply have stated as under:

“Separate merit list of unreserved vacancies is prepared which include general candidates along with OBC/SC/ST candidates who secure equal marks or more marks than last cut off marks of general candidates. OBC/SC/ST candidates who are selected on their own merits on same standards as prescribed for general candidates and not availing any relaxation are not adjusted against the reserved vacancies.”

(Ministry of Power O.M. No 5/1/2020-NHPC date 17<sup>th</sup> June, 2020)

## CHAPTER IV

### OBSERVATIONS/RECOMMENDATIONS IN RESPECT OF WHICH REPLIES OF THE GOVERNMENT HAVE NOT BEEN ACCEPTED BY THE COMMITTEE AND WHICH REQUIRE REITERATION

#### Recommendation (Sl. No. 1) of the Committee

4.1 The Committee in their First Report (2019-20) had recommended as under:-

“NHPC a Mini Ratna Category-I Enterprise of the Govt. of India, has been incorporated since the year 1975 with an objective to plan, promote and organize an integrated and efficient development of hydroelectric power in all aspects. The company has also promoted some subsidiaries / associate companies in Madhya Pradesh, Jammu & Kashmir, Manipur and Uttar Pradesh. While examining the subject concerning representation in employment and welfare of OBCs in the company, the Committee observe that as per present composition of its Board of Directors, there are five whole-time Functional Directors, one Government Nominee Director and five Independent Directors. However, as on date, the Board does not have any member belonging to OBC category. While the Committee are aware that Directors in PSUs are appointed by the Government of India, they desire that the Ministry of Power should comply with the DPE OM No. 2(18)/2011-GM dated 18 April, 2011 and should endeavor to appoint at least one Director belonging to OBC category in the Board of NHPC.”

#### Reply of the Government

4.2 The Ministry of Power in their action taken reply have stated as under:

“The whole-time Functional Directors on the Board of CPSE are recommended by PESB after taking interview of the eligible shortlisted candidates. The shortlisting are done by PESB from the candidates applied against the advertised post of a CPSE and ACC is the final approving authority of the recommended candidates. Further, the Govt. nominated directors are ex-officio post and hence there is no control of the Ministry. The Proposals for appointment of non-official Directors on the Boards of CPSEs are initiated by the concerned Administrative Ministries / Departments. But the selection of non-official Directors is made by the Search Committee under the DPE. The Committee selects the candidates from among the data bank maintained by it. The DPE has laid down criteria for the candidates to be appointed as non-official Directors which does not include

criteria of caste. Since initial recommendation for appointment of the candidate is made by the Search Committee under the DPE, preference to SC, ST and OBC category of the candidate can be accorded at recommendation stage only.”

(Ministry of Power O.M. No 5/1/2020-NHPC date 17<sup>th</sup> June, 2020)

Comments of the Committee

(Please see para 7 of Chapter I of the Report)

### **Recommendation (Sl. No. 2) of the Committee**

4.3 The Committee in their First Report (2019-20) had recommended as under:-

“The Committee are pleased to note that in the area of Human Resource Development, NHPC has organized competency and capacity building programmes in some of its core areas which has helped the Company to provide 20,744 man-days training to its employees during the year 2018-19. The Committee appreciate that through sponsorship of various training programme in premier institutions of India viz. IIMs and IITs etc., NHPC aims to enhance the skills of their employees for achieving higher productivity and efficiency in the organization. The Committee desire that while selecting the employees for sponsorship in various training/skill development programmes, due consideration would be given to OBCs employees in accordance with DOP&T guidelines No. 3 (ii) & (iii) as enumerated in their OM No. 36038/1(i)/2013 – ESTT(Res) dated 21.06.2013. They desire to be furnished with the details of training programmes conducted so far and number of OBC candidates included therein.”

### **Reply of the Government**

4.4 The Ministry of Power in their action taken reply have stated as under:

“Details of training programmes conducted so far and number of OBC candidates included therein is as under:

Sl. No.	Year	Total No of Training Programmes	Total no of participants imparted Training	OBC Participants	
				Total	%
1	2013-14	118	2307	355	15
2	2014-15	177	3578	119	3
3	2015-16	109	2378	530	22
4	2016-17	154	2937	606	21

5	2017-18	105	2356	498	21
6	2018-19	188	3300	693	21
7	2019-20*	323	1473	230	16

*\*Note: The data is taken up to 31.10.2019 only*

(Ministry of Power O.M. No 5/1/2020-NHPC date 17<sup>th</sup> June, 2020)

**Comments of the Committee**

(Please see para 10 of Chapter I of the Report)

## CHAPTER V

### OBSERVATIONS/RECOMMENDATIONS IN RESPECT OF WHICH FINAL REPLIES OF THE GOVERNMENT ARE STILL AWAITED

#### Recommendation (Sl. No. 11) of the Committee

#### Corporate Social Responsibilities

5.1 The Committee in their First Report (2019-20) had recommended as under:-

“The Committee note that NHPC undertakes CSR activities as per the guidelines issued by Ministry of Corporate Affairs and Department of Public Enterprises (DPE). During the evidence, the representatives of the NHPC affirmed that their projects are located in backward regions and they are all situated in hilly and inaccessible areas where majority of the inhabitants belong to SCs, STs and OBCs categories. The Committee, however, observe that NHPC has not chalked out any scheme under CSR specifically for the welfare of Other Backward Classes. The Committee strongly recommend that since projects of NHPC are located in backward and hilly areas, NHPC may allocate a portion of CSR fund on the same for the general welfare of socially and educationally backward classes.”

#### Reply of the Government

5.2 The Ministry of Power in their action taken reply have stated as under:

“Projects of NHPC are located in backward regions / hilly terrains, by virtue of its location, the majority of the population in and around the project area belongs to OBC/SC/ST community as such majority of the beneficiary under CSR belongs to socially and educationally backward classes. In the light of the recommendations of the Hon’ble Committee exclusive CSR scheme for general welfare of socially and educationally backward classes is under consideration.”

(Ministry of Power O.M. No 5/1/2020-NHPC date 17<sup>th</sup> June, 2020)

**NEW DELHI;**  
**28 August, 2021**  
**6 Sravana, 1943(Saka)**

**RAJESH VERMA,**  
**Chairperson,**  
**Committee on Welfare of Other Backward Classes**

**COMMITTEE ON WELFARE OF OTHER BACKWARD CLASSES  
(2021-22)**

**MINUTES OF THE SECOND SITTING OF THE COMMITTEE ON WELFARE OF OTHER BACKWARD CLASSES (2021-22) HELD ON 13<sup>TH</sup> JULY, 2021 IN COMMITTEE ROOM D, PARLIAMENT HOUSE ANNEXE, NEW DELHI**

The Committee sat from 1130 hrs. to 1335 hrs. The sitting of the Committee was held in three parts. In the first part, the Committee considered three draft Action Taken Reports for adoption. In the second part, the representatives of Ministry of Personnel, Public Grievances and Pensions (Department of Personnel and Training) briefed the Committee on the subject "Measures undertaken to secure representation of OBCs in employment and for their welfare in various Departments/Organisations/Institutions". In the third part, the representatives of Ministry of Finance (Department of Financial Services) briefed the Committee on the subject "Measures undertaken to secure representation of OBCs in employment and for their welfare in Public Sector Banks/Financial Institutions/Insurance Companies/other Departments."

PRESENT

**SHRI RAJESH VERMA - CHAIRPERSON**

MEMBERS

LOK SABHA

2. Shri T.R. Baalu
3. Shri Chandra Sekhar Bellana
4. Shri Dileshwar Kamait
5. Dr. Sanghamitra Maurya
6. Shri Balak Nath

RAJYA SABHA

7. Smt. Geeta *alias* Chandraprabha
8. Shri Jaiprakash Nishad
9. Shri Vishambhar Prasad Nishad
10. Dr. Banda Prakash
11. Smt. Chhaya Verma
12. Shri Harnath Singh Yadav

**SECRETARIAT**

- |                        |   |                     |
|------------------------|---|---------------------|
| 1. Smt. Anita B. Panda | — | Joint Secretary     |
| 2. Shri Arvind Sharma  | — | Director            |
| 3. Shri Khakhai Zou    | — | Additional Director |
| 4. Smt. Neena Juneja   | — | Deputy Secretary    |

FIRST PART

2. At the outset, the Chairperson, welcomed the Members to the sitting of the Committee. The Committee, thereafter, considered the following draft Reports for adoption:

- I. Action Taken Report on the observations/recommendations contained in the First Report (17<sup>th</sup> Lok Sabha) of the Committee on Welfare of OBCs on “Measures undertaken to secure representation of OBCs in employment and for their welfare in NHPC Ltd.” pertaining to Ministry of Power.
- II. Action Taken Report on the observations/recommendations contained in the Fifth Report (17<sup>th</sup> Lok Sabha) of the Committee on Welfare of OBCs on “Measures undertaken to secure representation of OBCs in employment and for their welfare in NFL” pertaining to Ministry of Chemicals and Fertilizers.
- III. Action Taken Report on the observations/recommendations contained in the Second Report (17<sup>th</sup> Lok Sabha) of the Committee on Welfare of OBCs on “Measures undertaken to secure representation of OBCs in admissions and employment in Kendriya Vidyalayas/Navodaya Vidyalayas and Sainik Schools/Rashtriya Military Schools” pertaining to Ministry of Education.

3. The Committee adopted the aforesaid draft Reports without any modification and authorized the Chairperson to present the Reports to both the Houses of Parliament.

#### **SECOND PART**

4.     xxx                 xxx                 xxx                 xxx                 xxx\*

#### **THIRD PART**

5.     xxx                 xxx                 xxx                 xxx                 xxx\*

A copy of verbatim proceedings of the sitting has been kept.

*The Committee then adjourned.*

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\*The Matters not related to the report.

**Analysis of the action taken by the Government  
on the recommendations / observations of the Committee on Welfare  
of Other Backward Classes contained in their First Report  
(Seventeenth Lok Sabha)  
(Refer Para 4 of Introduction)**

(i)	Total No. of Recommendations/Observations	14
(ii)	Recommendations/Observations of the Committee which have been accepted by the Government:  Recommendation Sl. Nos. 3, 4, 5, 7, 8, 9, 10, 12, 13 and 14	Total: 10 Percentage – 71.42%
(iii)	Recommendations/Observations which the Committee do not desire to pursue in the light of the replies received from the Government:  Recommendation Sl. No. 6	Total: 1 Percentage-7.14%
(iv)	Recommendations/Observations in respect of which the replies of the Government have not been accepted by the Committee and which require reiteration:  Recommendation Sl. Nos. 1 and 2	Total: 2 Percentage – 14.28%
(v)	Recommendations/Observations in respect of which final replies of the Government are still awaited :  Recommendation Sl. No. 11	Total: 1 Percentage – 7.14%