



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

**(SEVENTEENTH LOK SABHA)**

**MINISTRY OF EDUCATION**

[ACTION TAKEN BY THE GOVERNMENT ON THE OBSERVATIONS/RECOMMENDATIONS CONTAINED IN THEIR SIXTH REPORT (SEVENTEENTH LOK SABHA) ON "MEASURES UNDERTAKEN TO SECURE REPRESENTATION OF OBCs IN ADMISSION IN Ph.D. AND APPOINTMENT OF TEACHERS OF DELHI UNIVERSITY"]

**FOURTEENTH REPORT**



सत्यमेव जयते

**LOK SABHA SECRETARIAT  
NEW DELHI**

*August, 2021/ Shravana 1943 (Saka)*

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*Presented to Lok Sabha on .....*

*Laid in Rajya Sabha on .....*



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LOK SABHA SECRETARIAT  
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*August, 2021/ Shravana 1943 (Saka)*

C.O.OBC No.

Price : Rs

@2014 BY LOK SABHA SECRETARIAT

Published under Rule 382 of the Rules of Procedure and Conduct of Business in Lok Sabha (Fifteenth Edition) and printed by the General Manager, Government of India Press, Minto Road, New Delhi-110002.

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**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. Shri Pradan Baruah
20. Shri Chunni Lal Sahu

**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\**
30. *Vacant<sup>&</sup>*

\* Vacancy arose vice the retirement of Shri K.K. Ragesh, MP

<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. Smt. Neena Juneja - *Deputy Secretary*
4. Shri Vikas Kumar - *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 Fourteenth Report on Action Taken by the Government on the Observations/Recommendations contained in the Sixth Report (17<sup>th</sup> Lok Sabha) of the Committee on Welfare of OBCs on "Measures undertaken to secure representation of OBCs in admissions in Ph.D and appointment of teachers in Delhi University" pertaining to Ministry of Education.

2. The Sixth Report was presented to Hon'ble Speaker, Lok Sabha on 25<sup>th</sup> June, 2020, when the House was not in Session. The replies of the Government to all the Observations/Recommendations contained in the Report were received on 2<sup>nd</sup> March, 2021.

3. The replies of the Government were examined and the Draft Action Taken Report was considered and adopted by the Committee at their sitting held on 05<sup>th</sup> August, 2021.

4. The Sixth Report which was earlier presented to Hon'ble Speaker, Lok Sabha, was presented in Lok Sabha on 22<sup>nd</sup> July, 2021 and laid on the Table of Rajya Sabha on 23<sup>rd</sup> July, 2021.

5. An analysis of the Action Taken by the Government on the Observations/Recommendations contained in the Sixth Report (Seventeenth Lok Sabha) of the Committee is given in Appendix-II.

6. 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;

August, 2021

Shravana, 1943 (Saka)

RAJESH VERMA,

*Chairperson,*

*Committee on Welfare of OBCs.*

## 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 Sixth Report (Seventeenth Lok Sabha) on "Measures undertaken to secure representation of OBCs in admission in Ph.D. and appointment of teachers of Delhi University pertaining to the Ministry of Education."

2. The Sixth Report (Seventeenth Lok Sabha) of the Committee was presented to the Hon'ble Speaker, Lok Sabha under Direction 71A on 25<sup>th</sup> July, 2020. The Report was presented in Lok Sabha on 22 July, 2021 and was laid on the Table of Rajya Sabha on 23 July, 2021. The Report contained five Observations/Recommendations. Action Taken Notes in respect of all the Observations/Recommendations contained in the Report have been received from the Government. These have been examined and categorized as follows:

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

Recommendation Sl. Nos. 1, 2, 3, and 5.....  
(Total - 04)  
Chapter II

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

-NIL-  
(Total - 00)  
Chapter III

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

-NIL-  
(Total - 00)  
Chapter IV

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

Recommendation Sl.No.4  
(Total - 01)  
Chapter V

3. The Committee desire that Action Taken Notes on the Observations/Recommendations contained in Chapter-I and final reply on the recommendation contained in Chapter-V of the Report 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.

#### **Selection Committee/Separate Interview**

##### **Recommendation (Sl. No.4)**

5. The Committee in their Sixth Report (Seventeenth Lok Sabha) had recommended as under:

"The Committee note that as per DoPT OM No. 42011/2/2014-Estt. (Res) dated 13 February, 2014 it is mandatory to include one (1) member belonging to OBC category in the Selection Committee/ Board for making recruitment to 10 or more vacancies of any posts/ services. The OM further directs that where the number of vacancies against which selection is to be made is less than 10, no effort should be spared in finding an OBC officer amongst others for inclusion in such Committees/Boards. In this regard, the Committee are pleased to note that the University of Delhi has been largely adhering to the above stipulation during the last three years. However, the Committee also note that in one case, one seat reserved for OBCs could not be filled and it had to be ultimately re-advertised. It is pertinent to note here that there was no official member belonging to OBC category for the Selection Committee constituted for Department of Financial Studies in 2017. There was only one academician who represented SC/ST/OBC/Minority/Women/Persons with disability besides one expert member who belonged to the OBC category. The Committee are of the opinion that only one member in the Selection Committee should not have represented all the categories of person viz. SC, ST, OBC, Minority, Women, Person with disability together as it is apparently not possible for a single person to understand the nuances of different rules for different sets of disadvantaged people with sensitivity and empathy for a particular class. It is also discernible to the Committee that interests of the OBC candidates would be better served if OBC member in the Selection Committee is an insider rather than an Expert who is generally invited from outside. Accordingly, the Committee recommend that an OBC representative within the Faculty/Department/ University should be in the interview Board for serving the interests of the OBC candidates in a better way.

The Committee also note that the interviews for the candidates belonging to the reserved category were conducted before the interviews of the unreserved candidates

in Delhi University. The Committee find this practice to be discriminatory and biased against the OBC candidates in terms of assigning marks in the interview as against the unreserved category of candidates. It needs to be reiterated that a candidate belonging to the reserved category is always free to lay claim to an unreserved post on the basis of his merit. Accordingly, the Committee recommend that the discriminatory practice of holding separate interviews for OBC candidates should be done away with immediately in the University of Delhi.”

#### REPLY OF THE GOVERNMENT

6.The Ministry of Education in their action taken reply have stated:

“The DoPT O.M. under reference No. 42011/2/2014-Estt.(Res.) dt. 13.02.2014 was adopted by the University vide EC Resolution 18 dated 14.08.2014. The composition of Selection Committee accordingly stand changed and the following has been added in their composition: Where the Selection committee is constituted for making recruitment to 10 or more vacancies in any level of posts or services, it shall be mandatory to have one member belonging to SC/ST, one member belonging to OBC category and one member belonging to minority community in such Committees/Boards. Further, one of the Members of the Selection Committee/Board, whether from the general category or from the minority community or from the SC/ST/OBC community, should be a lady failing which a lady member should be co-opted on the Committee/Board. It may also be ensured that where the number of vacancies against which selection is to be made is less than ten, no effort should be spared in finding the SC/ST, OBC officer and the Minority Committee Officer and a lady officer, for inclusion in such Committees/ Boards.”

7.From the reply of the Ministry of Education, the Committee note that the DoPT OM No. 42011/2/2014-Estt. (Res.) dt. 13.02.2014 was adopted by Delhi University on 14.08.2014 thereby changing the composition of the Selection Committee. They further note the addition done in the same i.e. where the Selection committee is constituted for making recruitment to 10 or more vacancies in any level of posts or services, it shall be mandatory to have one member belonging to SC/ST, one member belonging to OBC category and one member belonging to minority community in such Committees/Boards. Further, one of the Members of the Selection Committee/Board, whether from the general category or from the minority community or from the

SC/ST/OBC community, should be a lady failing which a lady member should be co-opted on the Committee/Board. According to Ministry of Education, it may also be ensured that where the number of vacancies against which selection is to be made is less than ten, no effort should be spared in finding the SC/ST, OBC officer and the Minority Committee Officer and a lady officer, for inclusion in such Committees/Boards. Although the Committee observe that the University of Delhi largely adheres to the said stipulation, they note that the action taken reply of the Ministry is silent on Committee's query as to the reasons for no official OBC Member in the Selection Board for a post in Department of Financial Studies in 2017 since in this particular case, it is understood that the OBC Category expert was not from the Department. The Ministry should have clarified this point. Nonetheless the Committee desire to reiterate that an OBC representative within the Faculty/Department/ University should be in the Selection Committee/Board for serving the interests of the OBC candidates in a better way.

The Committee also note that Ministry has chosen to remain non-committal on the issue of stopping separate interviews in Delhi University for OBC candidates. While in their reply to recommendation No.4 of the 6<sup>th</sup> Report (17<sup>th</sup> Lok Sabha) of this Committee, reasons for conducting separate interview has been given by the University of Delhi, the Committee recall that the Hon'ble Supreme Court, in Civil Appeal No.7211-7212 of 2019 concerning appointment to the post of Assistant Professor in the Department of Education in the International Centre for Distance Education and Open Learning, Shimla, had *inter-alia* passed the following Order:

"We find that the process of conducting separate interviews for the posts of Assistant Professor under general category and OBC category is wholly illegal. Though, none of the parties have raised any dispute about it but since the same is inherently defective, we are constrained to observe so. Every person is a general category candidate. The benefit of reservation is conferred to Scheduled Castes, Scheduled Tribes and OBC category candidates or such other category as is permissible under law. It is a consistent view of this Court starting from *Indra Sawhney & Ors. v. Union of India & Ors.*<sup>6</sup> that if a reserved category candidate is in merit, he will occupy a general category seat. In *Indra Sawhney's* case, the Court held as under:

"811. In this connection it is well to remember that the 6 1992 Supp. (3) SCC 217 reservations under Article 16(4) do not operate like a communal reservation. It

may well happen that some members belonging to, say, Scheduled Castes, get selected in the open competition field on the basis of their own merit; they will not be counted against the quota reserved for Scheduled Castes; they will be treated as open competition candidates"

The Committee desire that the practice of holding separate interviews needs to be re-examined by the University of Delhi in this light. They desire to be apprised of the decision taken thereafter.

## CHAPTER II

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

#### Recommendation (Sl. No.1)

##### Low representation of OBCs

The Committee note that the University of Delhi is a premier University of the country established in 1922 as a unitary teaching and residential University with a strong commitment to excellence in teaching, research and social outreach. Beginning with three colleges and 750 students, it has grown as one of the largest Universities in India with 16 faculties, over 80 academic departments, an equal number of colleges and over seven lakh students. Today, the University is considered as a role-model and trend setter for other Universities in the country. It is therefore, expected that a reputed University like Delhi University should be committed towards the Constitutional ideals of ensuring empowerment and representation of socially backward people of the country.

However, the Committee are saddened to note that the University has done little to ensure due representation of Other Backward Castes (OBCs) among its teachers and thus failing on the national commitments for social justice. There are only 79 OBC teachers in Delhi University out of total sanctioned posts of 1706. Thus, the overall percentage comes out to be a meagre 4.63. It is evident that the University has faltered on an important goal for empowerment of OBCs as the gulf between present representation of 4.63% and the legally mandated 27% is a wide one which would require extraordinary efforts and commitment to fill. The situation appears to be even more worrisome when it comes to representation within grades as not a single OBC Associate Professor or Professor has been appointed in Delhi University against sanctioned posts of 174 and 67, respectively. If there is no representation of OBCs in Associate Professor/Professor category in a premier and trend setter University like Delhi University, the situation in other Universities and academic institutes throughout the country may well be surmised. The University has adduced that many of these OBC posts have been recast after the switch over of the Roster from Department as a unit to University as a Unit in 2013. While, the Committee understand that in any such exercise it is logical that some unreserved positions will become reserved but at the same time they cannot take it as a valid justification for not filling any OBC posts prior to 2013 or since then for the above posts of Associate Professor/Professor. Some OBC seats must have existed even before the recast happened. It is disconcerting for the Committee to note that no efforts were undertaken by the University to fill them and they were allowed to remain vacant for such a long period of time, thus adversely affecting the teaching careers of many budding OBC candidates. The Committee therefore, recommend that all the sanctioned posts for OBCs in the grades of Assistant Professor, Associate Professor and Professor should now be filled up by Delhi University in a stipulated time frame. Further, the monitoring for this exercise of filling vacant OBC posts should be done at the highest level of University Grants Commission and the Ministry of Human Resource Development itself. The Committee should be apprised about the progress made at the action taken stage.

## Reply of the Government

The University humbly submits that the reservation for OBC category has been implemented against the teaching posts as per the time line detailed below:

- The implementation of reservation of OBC in recruitment for Teaching positions at the level of Lecturer/Assistant Professor has been implemented with effect from 21.03.2007 in terms of Executive Council Resolution No. 187 dated 21.03.2007, in pursuance of letter received from UGC No. F.1-4/1994(SCT) dated 24.01.2007, which required the University to implement the Reservations Policy of the Govt. of India in respect of Other Backward Classes for filling up the Teaching Posts at the level of Lecturer with immediate effect.
- The reservation rosters for faculty positions were drawn in accordance with the model 200 point/13 point post-based reservation roster prescribed by the DoPT with department as a unit. The vacant posts were marked, advertised and appointments were made in accordance with these rosters.
- On receipt of directions from MHRD and UGC vide OM No. 12-60/2013-UI dated 25.06.2013 and letter No. F.1-15/2008 (SCT) dated 09.05.2013, the reservation roster was recast, as per guidelines laid down by the DoPT in this regard, while harmonizing the functional requirement of the University as an academic institution, in compliance to Executive Council Resolution No. 64 dated 28.09.2013, taking the University as a unit.
- It is pertinent to mention here that this recasting of reservation rosters from 'department as a unit' to 'the University as a unit', led to conversion of many erstwhile unreserved posts into reserved posts, resulting in creation of shortfall accordingly. Further, the University had also been ensuring that the posts advertised as reserved posts are filled by candidates of respective category only during the ensuing recruitment cycles.
- Subsequently The Central Educational Institutions (Reservation in Teachers' Cadre) Act, 2019, which envisaged introduction of reservation for SC, ST, OBC and EWS at all level and casting reservation rosters of teachers with university as a unit, was adopted by the University through its statutory bodies. Accordingly, the reservation rosters were recast incorporating reservation to all the referred categories mentioned above through a conjoint reading of the OMs & communications mentioned below and the relevant Executive Council Resolution of the University which prescribed the modalities of drawing post based rosters treating university as a unit.

For the reason stated above, there was no reservation for OBC at the level of Assistant Professor before 21.03.2007 and Associate Professor and Professor before July 2019. However, the appointments made subsequent to the implementation of the reservation of OBC, as per the timeline detailed above, are

strictly as per the reservation rosters for the respective levels. This is brought out as follows:

- In the year 2013, out of 70 appointments of Assistant Professors, 22 were from OBC category (31.4%).
- In the year 2015, out of 19 appointments of Assistant Professors, 04 were from OBC category (22%). The recruitment process continued only for two months. Percentage would have been more if recruitment could have continued further.
- In the year 2017, out of 145 appointments of faculty members, 39 were from OBC category (27%).
- In the year 2019, the University has initiated appointment of faculty positions for as many as 857 posts comprising of 263, 428, 166 posts of Assistant Professor, Associate Professor and Professor, respectively.
- The University has initiated the process of scheduling interviews since Oct 2020 and 44 appointments have been made till 31<sup>st</sup> December 2020. Out of which 13 are from OBC category (29.5%). The recruitment is continuing.

The above figures bring out the intended commitment of the University towards the goal of social justice.

A careful perusal of the 263 posts of Assistant Professor, 428 Associate Professor and 166 Professors advertised in 2019, shows that, when the University is able to fill up these vacancies, the percentage of incumbents on the reserved posts of OBC category will be close to the prescribed ratios.

[Ministry of Education-F.No.20-3/2020 CU-II  
dated 02.03.2021]

#### Recommendation (Sl. No.2)

#### Advertisements for filling vacant OBC seats

The Committee note that the Delhi University has advertised 166 posts of Professors vide Advertisement no. 280 dated 19.07.2019, 428 posts of Associate Professor vide Advertisement no. 279 dated 15.07.2019 and 263 posts of Assistant Professor vide Advertisement no. 278 dated 02.07.2019. The Committee have been informed that the University has advertised all the posts which were vacant at the time of advertisement. The Committee also note that the while the overall vacant posts have been dealt with adequately in the advertisements issued, closer scrutiny reveals a glaring gap in the numbers of OBC posts which were put for advertisement. There are 67 OBC posts for Professor which are currently lying vacant and against which only 45 OBC posts have been advertised. On the other hand only 20 UR vacancies for Professors were lying vacant and against it 56 UR posts have been advertised. Similarly, for the post of Associate Professors only 116 OBC vacancies have been advertised OBC posts are still 65 short of the vacant seats. This is notwithstanding, as informed by the University

that as per the new plotting on the Roster Register various posts have been recast and thus leading to creation of more number of reserved seats. The Committee therefore, desire that the number of vacancies in various faculty positions should be immediately reworked as per the Roster Register and amendments should be issued by Delhi University, accordingly.

### Reply of the Government

The University humbly submits that the reservation for OBC category has been implemented against the teaching posts as per the time line detailed in response to the preceding para and that there was no reservation for OBC at the level of Assistant Professor before 21.03.2007 and Associate Professor and Professor before July 2019. Therefore appointments made in the recruitment cycles preceding the current one were done as per the preceding reservation rosters, which did not have positions earmarked for OBC. Accordingly, in the current advertisement only the posts earmarked for OBC and lying vacant were advertised. This brought out as follows on the basis of analysis of the details available in the reservation rosters for Professor and Associate Professor:

- Out of 67 posts earmarked for OBC in the reservation rosters for Professor, all the 45 posts that were vacant have been advertised.
- Out of 174 posts earmarked for OBC in the reservation rosters for Associate Professor, all the 116 posts that were vacant have been advertised.

The other posts have been advertised following the same logic. Since no reservations were prescribed for OBC at the level of Associate Professor and Professor before the current advertisement, the posts occupied and filled as per the reservations applicable at the time of their recruitment could not be advertised.

The University has initiated the process of scheduling interviews since Oct 2020 and 44 appointments have been made so far. Out of which 13 are from OBC category (29.5%). The recruitment is continuing and as and when the University is able to fill up these vacancies, the percentage of incumbents on the reserved posts of OBC category will be close to the prescribed ratios.

[Ministry of Education F.No.20-3/2020 CU-II  
dated 02.03.2021]

### **Recommendation (Sl. No.3)**

#### **Contractual Staff**

The Committee note that the University of Delhi has engaged 221, 103 and 76 teachers on ad-hoc basis and 230,151 and 159 teachers on Guest basis in three academic year i.e. 2017-18, 2018-19 and 2019-20, respectively. It has also been revealed that at present 840 non-teaching staff in Junior clerical and support staff level are working on contractual basis. In this regard, the Committee would recommend that

Delhi University should ensure strict compliance of the Office Memorandum dated 15.05.2018 of the Department of Personnel and Training Government of India, regarding provision of reservation for Scheduled Castes/ Scheduled Tribes/ OBCs in temporary appointments for duration exceeding 45 days in respect of all the contractual appointments in the University. The Committee also recommend that there should be a separate Roster for temporary appointments for more than 45 days.

#### **Reply to the Government**

- The University of Delhi engages faculty on ad-hoc and Guest basis to mitigate the shortage of faculty in a deputation/ faculty due to long leave and/ or superannuation of permanent staff creating vacancies. It is pertinent to submit that these vacancies are identified from the roster of the respective cadre. Accordingly, the engagement of the persons against these vacancies is as per the category of the post vacant indicated by the roster.
- However, it is informed that the appointment on adhoc basis or guest basis is being done as per the reservation roster for the respective cadre.

[Ministry of Education F.No.20-3/2020 CU-II  
dated 02.03.2021]

#### **Recommendation (Sl. No.5)**

##### **Representation of OBCs in Ph.D. programme**

The Committee have been informed that the University of Delhi, in compliance with the provision of the Central Educational Institutions (CEIs) (Reservation in Admission) Act 2006, extends the benefits of reservation of 27% seats in admission in each course for candidates belonging to OBC (NCL) category. Further, OBC candidates are also being given certain relaxations/ concessions for admission to Ph.D. programme. The Committee note that the representation of OBCs in admission to Ph.D. programme for 2019 was 26.6% and for 2018, it was 27.6%. The Committee would appreciate the concerted efforts of the University which went on to increase the representation of OBC candidates over the years from a low of 15.6% in 2015 and 18% in 2016 to a high of 26.6% in 2019. However, the University was not in a position to offer any cogent reasons to account for the low percentage of OBC students in its Ph.D. programme in the past years. The Committee would not want the representation to go lower than the threshold level again. Therefore, they recommend that there should be an institutionalized system of checks and balances to ensure that OBCs continue to get due percentage in the Ph.D. programme in future.

Though the representation of OBCs in terms of percentage has gone up over the years, there has been a decline in the total number of seats offered for Ph.D. from 802 in 2018 to 591 in 2019. Low intake for Ph.D. programme does not augur well for the premier university's research programme and profile. While the Committee understand

that the overall Ph.D. seats depend on the intake capacity of each department which is subject to various factors, it should also be ensured that these seats are not allowed to plummet suddenly thus scuttling the fortunes of many potential research scholars. The Committee desire that Delhi University should not allow such a sharp fluctuation in the overall Ph.D. seats on year to year basis and it should accordingly work out the arrangement with each department separately to preclude such a possibility.

#### **Reply to the Government**

- To ensure that OBCs continue to get due percentage in the Ph.D. programme, the respective Departmental Research Committees will ensure that the reservation is implemented on the list of the selected candidates in letter and spirit as per the reservation provisions of the Government of India and the University.
- Such fluctuations are not a permanent feature of admissions in Ph.D. The fluctuations from year to year basis may arise from the available vacancies/seats, the number of vacancies/seats advertised, and the applicant pool during that year. Further, it is submitted that a Ph.D. candidate may occupy the Ph.D. seat for six and a half years as per Ordinance VI. Therefore, a faculty member cannot overshoot his/her allotted quota of Ph.D. seats, which is 8, 6, and 4 in respect of Professor, Associate Professor, and Assistant Professor respectively.

[Ministry of Education F.No.20-3/2020 CU-II  
dated 02.03.2021]

CHAPTER III

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

-NIL-

CHAPTER IV

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

-NIL-

## CHAPTER V

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

#### Selection Committee/Separate Interview

The Committee note that as per DoPT OM No. 42011/2/2014-Estt. (Res) dated 13 February, 2014 it is mandatory to include one (1) member belonging to OBC category in the Selection Committee/ Board for making recruitment to 10 or more vacancies of any posts/ services. The OM further directs that where the number of vacancies against which selection is to be made is less than 10, no effort should be spared in finding an OBC officer amongst others for inclusion in such Committees/Boards. In this regard, the Committee are pleased to note that the University of Delhi has been largely adhering to the above stipulation during the last three years. However, the Committee also note that in one case on seat reserved for OBCs could not be filled and it had to be ultimately re-advertised. It is pertinent to note here that there was no official member belonging to OBC category for the Selection Committee constituted for Department of Financial Studies in 2017. There was only one academician who represented SC/ST/OBC/Minority/Women/Persons with disability besides one expert member who belonged to the OBC category. The Committee are of the opinion that only one member in the Selection Committee should not have represented all the categories of person viz. SC, ST, OBC, Minority, Women, Person with disability together as it is apparently not possible for a single person to understand the nuances of different rules for different sets of disadvantaged people which sensitively and empathy for a particular class. It is also discernible to the Committee that interests of the OBC candidates would be better served if OBC member in the Selection Committee is an insider rather than an Expert who is generally invited from outside. Accordingly, the Committee recommends that an OBC representative within the Faculty/Department/ University should be in the interview Board for serving the interests of the OBC candidates in a better way.

The Committee also note that the interviews for the candidates belonging to the reserved category were conducted before the interviews of the unreserved candidates in Delhi University. The Committee find this practice to be discriminatory and biased against the OBC candidates in terms of assigning marks in the interview as against the unreserved category of candidates. It needs to be reiterated that a candidate belonging to the reserved category is always free to lay claim to an unreserved post of the basis of his merit. Accordingly, the Committee recommend that the discriminatory practice of holding separate interviews for OBC candidates should be done away with immediately in the University of Delhi.

### Reply of the Government

The DoPT O.M. under reference No. 42011/2122014-Estt.(Res.) dt. 13. Feb., 2014 was adopted by the University vide EC Resolution 18 dated 14.08.2014. The composition of Selection Committee accordingly stand changed and the following has been added in their composition:

Where the Selection committee is constituted for making recruitment to 10 or more vacancies in any level of posts or services, it shall be mandatory to have one member belonging to SC/ST, one member belonging to OBC category and one member belonging to minority community in such Committees/Boards, whether from the general category or from the minority community or from the SC/ST/OBC community should a lady failing which a lady member should be co-opted on the Committee/Board, it may also be ensured that where the number of vacancies against which selection is to be made is less than ten, no effort should be spared in finding the SC/St, OBC officer and the Minority for inclusion in such Committees/Boards.

[Ministry of Education F.No.20-3/2020 CU-II  
dated 02.03.2021]

NEW DELHI;

August, 2021

Shravana, 1943(Saka)

RAJESH VERMA,

*Chairperson,*

*Committee on Welfare of OBCs.*

APPENDIX I

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

MINUTES OF THE THIRD SITTING OF THE COMMITTEE ON WELFARE OF OTHER  
BACKWARD CLASSES (2021-22) HELD ON 05<sup>TH</sup> AUGUST, 2021 IN COMMITTEE  
ROOM NO. 3, PARLIAMENT HOUSE ANNEXE EXTN.- A BLOCK,  
NEW DELHI

The Committee sat from 1600 hrs to 1625 hrs.

PRESENT

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. Dr. Sanghamitra Maurya
10. Dr. Pritam Gopinath Munde
11. Shri Balak Nath
12. Shri Parbhatbhai Savabhai Patel
13. Shri Ram Shiromani
14. Shri Ashok Kumar Yadav
15. Shri Chunni Lal Sahu

*Rajya Sabha*

16. Smt. Geeta *alias* Chandraprabha
17. Shri T.K.S. Elangovan
18. Shri Narayana Koragappa
19. Dr. Banda Prakash

SECRETARIAT

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

2. At the outset, the Chairperson, welcomed the Members to the sitting of the Committee.

3. xxx                      xxx                      xxx                      xxx                      xxx\*                      The Committee, thereafter, considered the following draft Reports for adoption:

- I. Action Taken Report on the observations/ recommendations contained in the Third report (17<sup>th</sup> Lok Sabha) on "Measures undertaken to secure representation of OBCs in employment and for their welfare in Coal India Ltd. (CIL), Northern Coalfields Limited (NCL) and South Eastern Coalfields Limited (SECL)" pertaining to the Ministry of Coal.
- II. Action Taken Report on the observations/ recommendations contained in the Fourth report (17<sup>th</sup> Lok Sabha) on "Measures undertaken to secure representation of OBCs in employment in Rashtriya Chemicals & Fertilizers Limited (RCF)" pertaining to the Ministry of Chemicals & Fertilizers.
- III. Action Taken Report on the observations/ recommendations contained in the Sixth report (17<sup>th</sup> Lok Sabha) on "Measures undertaken to secure representation of OBCs in admission in Ph.D. and appointment of teachers of Delhi University" pertaining to the Ministry of Education.

4. The Committee adopted the aforesaid draft Reports after brief discussion without any modification and authorized the Chairperson to present the Reports to both the Houses of Parliament during ongoing session,

5. xxx                      xxx                      xxx                      xxx                      xxx

*The Committee then adjourned.*

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\*The Matters not related to the Report.

## APPENDIX II

### ANALYSIS OF THE ACTION TAKEN BY THE GOVERNMENT ON THE RECOMMENDATIONS / OBSERVATIONS OF THE COMMITTEE ON WELFARE OF OTHER BACKWARD CLASSES CONTAINED IN THEIR SIXTH REPORT (SEVENTEENTH LOK SABHA)

(Refer Para 5 of Introduction)

(i)	Total No. of Observations/Recommendations	5
(ii)	Observations/Recommendations which have been accepted by the Government:	
	Recommendation Sl. Nos.: 1,2,3, and 5	Total: 04 Percentage – 80%
(iii)	Observations/Recommendations which the Committee do not desire to pursue in view of the Government's replies:	
	Recommendation Sl. No.: NIL	Total: 0 Percentage-0%
(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.: NIL	Total: 0 Percentage –0%
(v)	Observations/Recommendations in respect of which final replies of the Government are still awaited :	
	Recommendation Sl. No.: 4	Total: 1 Percentage –20%