

COMMITTEE ON THE WELFARE OF  
SCHEDULED CASTES AND  
SCHEDULED TRIBES  
(2022-2023)

(SEVENTEENTH LOK SABHA)

SIXTEENTH REPORT

ON

MINISTRY OF HOME AFFAIRS

Action taken by the Government on the recommendations contained in the Fifth Report (Seventeenth 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 New Delhi Municipal Council (NDMC)".

Presented to Lok Sabha on 27.07.2022

Laid in Rajya Sabha on 27.07.2022



LOK SABHA SECRETARIAT  
NEW DELHI

27 July 2022 / 5 Sravana 1944 (Saka)

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**COMPOSITION OF THE COMMITTEE ON THE WELFARE OF SCHEDULED CASTES AND SCHEDULED TRIBES (2022-23)**

**Dr. (Prof.) Kirit Premjibhai Solanki - Chairperson**

**MEMBERS - LOK SABHA**

2. Shri Girish Chandra
3. Shri Santokh Singh Chaudhary
4. Shri Anil Firojiya
5. Shri Tapir Gao
6. Ms. Goddeti Madhavi
7. Smt. Pratima Mondal
8. Shri Ashok Mahadeorao Nete
9. Shri Vincent H. Pala
10. Shri Chhedi Paswan
11. Shri Prince Raj
12. Shri Andimuthu Raja
13. Shri Upendra Singh Rawat
14. Smt. Sandhya Ray
15. Shri Ajay Tamta
16. Shri Rebati Tripura
17. Shri Krupal Balaji Tumane
18. Shri Guman Singh Damor
19. Shri Rattan Lal Kataria
20. Shri Jagannath Sarkar

**MEMBERS - RAJYA SABHA**

21. Shri Abir Ranjan Biswas
22. Shri Shamsher Singh Dullo
23. Smt. Kanta Kardam
24. Shri Naranbhai J. Rathwa
25. Shri Ram Shakal
26. Dr. Sumer Singh Solanki
27. Shri K. Somaprasad
28. Shri Pradeep Tamta
29. Shri Kamakhya Prasad Tasa
30. Shri Ramkumar Verma

**SECRETARIAT**

1. Shri D.R. Shekhar - Joint Secretary
2. Shri P.C. Choulda - Director
3. Shri V.K. Shailon - Deputy Secretary
4. Ms. Pooja Kirthwal - Assistant Committee Officer

## 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 Sixteenth Report (Seventeenth Lok Sabha) on Action Taken by the Government on the recommendations/observations contained in the Fifth Report (Seventeenth Lok Sabha) on the subject "Reservation for and Employment of Scheduled Castes and Scheduled Tribes in New Delhi Municipal Council (NDMC)" pertaining to the Ministry of Home Affairs.

2. The draft Report was considered and adopted by the Committee at their sitting held on \_\_\_\_\_ (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 Fifth Report (Seventeenth Lok Sabha) of the Committee is given in Appendix-II.

New Delhi;  
27 July, 2022  
5 Sravana, 1944(Saka)

**DR. KIRIT P. 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 Tribes deals with the action taken by the Government on the recommendations contained in their Fifth Report (Seventeenth Lok Sabha) on "Reservation for and Employment of Scheduled Castes and Scheduled Tribes in New Delhi Municipal Council (NDMC)".

1.2 Fourth Report was presented to Lok Sabha and laid in Rajya Sabha on 20<sup>th</sup> September, 2020. It contained 15 recommendations/observations. Replies of the Government in respect of all these recommendations/observations have been examined and are categorised as under:-

(i) Recommendations/Observations which have been accepted by the Government (Sl. Nos. 2.4, 2.5, 2.7, 2.8 & 2.9).	<b>Total – 05</b> <b>Percentage – 33%</b>
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(ii) Recommendations/Observations which the Committee do not desire to pursue in the light of the replies received from the Government (Sl. Nos. 2.1, 2.6, 2.11 & 2.15).	<b>Total - 04</b> <b>Percentage – 27%</b>
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(iii) Recommendations/Observations in respect of which replies of the Government have not been accepted by the Committee and which require reiteration (Sl. Nos. 2.2, 2.3, 2.10, 2.12, 2.13, & 2.14).	<b>Total - 06</b> <b>Percentage – 40%</b>
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(iv) Recommendations/Observations in respect of which final replies of the Government have not been received (Sl. Nos. Nil).	<b>Total - Nil</b> <b>Percentage - 0</b>
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1.3 The Committee will now deal with the Action Taken by the Government on those recommendations which need reiteration or comments.

#### **Recommendation No. 2.2**

1.4 The Committee note that massive shortfall exists in both the direct recruitment and the promotion of SCs and STs in Group 'A', 'B', 'C' and 'D' categories of posts according to the statement furnished. There were 6857 total vacancies as on 31.08.2019 out of which SC vacancies were 312 and ST vacancies 259. As stated, the shortfall of SC/ST candidates in direct recruitment quota is due to non-nomination of adequate number of candidates by recruitment agency i.e. Delhi Subordinate Services Selection Board (DSSSB) against requisitions for category "B" and Category "C" posts and by UPSC

for category "A" posts. As regards shortfall in promotion cases, the reason is stated to be due to delay in filling up of vacant post by DSSSB with respect to direct recruitment post in the past and non-availability of eligible officers in the feeder grade in the promotion cases even after considering the officers/ officials in extended zone of consideration. The Committee are not satisfied with the reply of the Ministry that the shortfall in direct recruitment and promotion occurred due to the recruiting agencies nominating less number of reserved candidate against indent placed to them and non-availability of SC/ST candidates even in the extended zone of consideration respectively. The Committee are of the view that had a sincere efforts made by the Ministry there would have been sufficient number of reserved candidates against the indent placed and officers in the feeder grade for promotion cases. The Committee recommend that NDMC in conjunction with Delhi Subordinate Services Selection Board (DSSSB) should devise a effective detailed plan and make sincere efforts to overcome such backlog/ shortfall and the said backlog/ shortfall should be cleared within a time frame by Ministry of Home Affairs/ NDMC on priority. The Committee also recommend that the backlog posts in the direct recruitment quota may be filled up by advertising vacancies in a leading national daily newspaper with proper propaganda within three months from date of presentation of the report. The Committee may be apprised about the progress made in this regard. The Committee also desire that for filling up of all backlog vacancies relaxation in qualifying percentage and interview may also be provided, if need arises.

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

1.5 A meeting with Secretary, DSSSB was held by NDMC on 10.07.2020 to expedite the recruitment against the requisitions already sent/ being sent by NDMC.

(i) Subsequently, NDMC employees have also been imparted training by DSSSB for online submission of the requisition.

(ii) Another meeting with DSSSB held on 04.12.2020 to follow up the pending requisitions and discuss, inter alia, holding special recruitment drive for backlog vacancies.

(iii) Requisitions have been sent to DSSSB for holding special recruitment drive against the backlog SC/ST/OBC vacancies.

(iv) NDMC is also exploring possibilities to hold exams from agencies other than DSSSB, having examination centres all over India so that more candidates particularly those belonging to SC/ST community may appear and the vacancies be filled up quickly. In this regard, an Agendum was placed before the Council in its meeting held

on 21.05.2021. The Council has deferred the matter for further discussion.

(v) DPCs are being held regularly to fill up the backlog vacancies including those earmarked for SC/ST category.

(vi) DSSSB has declared results for the following posts:

Post	Category-wise vacancies	Recommended
Assistant Law Officer	UR-03, SC-01	UR-02, SC-01
Data Entry Operator	UR-10, OBC-04, SC-2	UR-09, OBC-04, SC-2
Section Officer (Horticulture)	UR-07, OBC-04, SC-02	UR-01
Jr. Engr. (Civil)	UR-04, OBC-27, ST-02	UR-03, OBC-23, ST-02

(vii) Following posts have been advertised by DSSSB/UPSC:

Post	Category-wise vacancies	Date of advertisement
JE (Electric)	UR-0, OBC-15, EWS-08, ST-08, SC-0	04.03.2021
Assist. Engr. (Electric)	UR-09, EWS-01, OBC-05, SC-02, ST-01	14.12.2020
Primary Teachers	UR-45, EWS-35, OBC-17, SC-16, ST-07	12.02.2021

1.6. During the Evidence, the Committee desired to be apprised regarding backlog figures of vacancies reserved for Scheduled Castes/Scheduled Tribes category-wise.

In response thereto, NDMC in written reply has furnished following details:

Year	Category of post	Total no. of vacancy occurred	No. of vacancy actually filled	No. of vacancies reserved for SCs			No. of SC candidate appointed	No. of vacancies reserved for STs			No. of ST candidate appointed	No. of vacancies carried forward	
				C/F from previous year	Reserved during the year	Total		C/F from previous year	Reserved during the year	Total		SCs	STs
2019	A	7	12	12	0	12	2	11	0	11	0	10	11
2020		7	2	10	3	13	0	11	0	11	0	13	11
2021		14	7	13	0	13	0	11	0	11	0	13	11
2019	B	121	63	141	7	148	22	73	1	74	2	126	72
2020		84	3	126	12	138	3	72	0	72	0	135	72
2021		94	18	135	0	135	1	72	0	72	0	134	72
2019	C	482	115	108	14	122	3	100	0	100	0	119	100
2020		187	14	119	9	128	0	100	2	102	0	128	102
2021		162	52	128	13	141	2	102	0	102	1	139	101

### Comments of the Committee

1.7 The Committee note that NDMC in their Action taken replies have stated that requisitions have been sent to DSSSB for holding Special Recruitment Drive against the backlog SC/ST/OBC vacancies. However, the said efforts on part of NDMC appear far from being fructified w.r.t to clearance of Backlog vacancies. As per the data furnished by NDMC in their post evidence replies it quite discernible the matter regarding backlog vacancies is far from being resolved. The Committee are alarmed to note that there are 36 SC and 33 ST backlog vacancies in Group A, 395 SC 216 ST 386 SC backlog vacancies in Group B and 303 ST backlog vacancies in Group C. The Committee are deeply concerned about the lackadaisical attitude of NDMC in the matter. It is disheartening to note the NDMC has not taken any efficacious and sincere efforts steps towards circumventing the issue of massive backlog that is existing in the organisation. A total of 1169 SC/ST lying vacant is a gross injustice towards the aspiring and eligible SC/ST candidates who are in need of livelihood. The Committee are further dismayed to note that NDMC has not devised any concrete strategy regarding the clearance of massive backlog even after elapse of more than a year of the presentation the report in the matter wherein the Committee had recommended impromptu action on the same. The Committee would like to reiterate that the Special Recruitment Drive be carried out immediately to clear the backlog. It is further recommended that NDMC should sent constant reminders to DSSSB in the matter to expedite the matter while impressing upon the need of carrying out Special Recruitment Drive urgently.

### Recommendation No. 2.3

1.8 The Committee also note that no special recruitment drive in Group "B", "C" and "D" had been made during the years 2014-2019. The Committee would like to know the reasons for not launching special recruitment drives during those years when there were vacancies for the SCs/ STs. The Committee are of the view that so long as there is insufficient intake of SC/ ST candidates in direct recruitment, the problem of backlog vacancies or the availability of SC/ ST candidates in the feeder grade for promotion would always arise and the Committee will receive stereotype reply, none of SCs/STs are eligible for promotion. The Committee therefore recommend that NDMC should launch Special Recruitment Drive to fill up all backlog vacancies of SCs and STs in different cadres and fill up them within three months from date of presentation of the



report.

### Reply of the Government

1.9 A meeting with Secretary, DSSSB was held by NDMC on 10.07.2020 to expedite the recruitment against the requisitions already sent/ being sent by NDMC.

(i) Subsequently, NDMC employees have also been imparted training by DSSSB for online submission of the requisition.

(ii) Another meeting with DSSSB held on 04.12.2020 to follow up the pending requisitions and discuss, inter alia, holding special recruitment drive for backlog vacancies.

(iii) Requisitions have been sent to DSSSB for holding special recruitment drive against the backlog SC/ST/OBC vacancies.

(iv) NDMC is also exploring possibilities to hold exams from agencies other than DSSSB, having examination centres all over India so that more candidates particularly those belonging to SC/ST community may appear and the vacancies be filled up quickly. In this regard, an Agendum was placed before the Council in its meeting held on 21.05.2021. The Council has deferred the matter for further discussion.

(v) DPCs are being held regularly to fill up the backlog vacancies including those earmarked for SC/ST category.

(vi) DSSSB has declared results for the following posts:

Post	Category-wise vacancies	Recommended
Assistant Law Officer	UR-03, SC-01	UR-02, SC-01
Data Entry Operator	UR-10, OBC-04, SC-2	UR-09, OBC-04, SC-2
Section Officer (Horticulture)	UR-07, OBC-04, SC-02	UR-01
Jr. Engr. (Civil)	UR-04, OBC-27, ST-02	UR-03, OBC-23, ST-02

(vii) Following posts have been advertised by DSSSB/UPSC:

Post	Category-wise vacancies	Date of advertisement
JE (Electric)	UR-0, OBC-15, EWS-08, ST-08, SC-0	04.03.2021
Assitt. Engr.(Electric)	UR-09, EWS-01, OBC-05, SC-02, ST-01	14.12.2020
Primary Teachers	UR-45, EWS-35, OBC-17, SC-16, ST-07	12.02.2021

### Comments of the Committee

1.10 The Committee are appalled at the insouciant attitude of NDMC towards clearance of backlog vacancies. Despite being recommended by the Committee that a concrete plan be worked out in conjunction with DSSSB the same is not evident as per the action taken replies submitted by NDMC. It is quite discernible that holding meetings with DSSSB and sending requisition to it for filling up backlog vacancies is not yielding desired results. DSSSB has only recommended handful of SC/ST candidates among various posts viz. 01 SC candidate for Assistant Law Officer, 02 SC candidate for Data Entry Operator, 02 SC candidate for Section Officer (Horticulture) and 02 ST candidate for Jr. Engr. (Civil). Equally dismal are the number of vacancies advertised by DSSSB during the year 2020 and 2021. For the post of JE (Electric), NIL SC and 08 ST vacancies were advertised, 02 SC and 01 ST vacancies were advertised for the post of Assitt. Eng. (Electric) and 16 SC and 17 ST vacancies were advertised for the post of Primary Teachers. The Committee would like to recommend that NDMC should send requisitions to DSSSB at par with the backlog vacancies existing in the NDMC among various categories of post. The Committee also feel that fresh requisitions should be forwarded to DSSSB on regular basis with repeated reminders for filling up of those vacancies. The Committee would also like to be apprised regarding the status of agendum regarding exploring the possibilities to holding exams from agencies other than DSSSB. It has also been informed that DPCs are being held regularly to fill up the backlog vacancies including those earmarked for SC/ST category, the Committee would like recommend that the said DPCs include SC/ST members also.

### Recommendation No. 2.10

1.11 The Committee, note that percentage of STs in the staff strength for all categories of posts is very low compared to other communities. Regarding the total number of direct recruitment made by NDMC during the years 2014 to 2019 in group A, B, C and D posts, reservation of ST category is insufficient. The Committee have been apprised that representation of STs in promotion is very less even in Group "C". The Committee note that no ST category has been notified for UT Delhi by Delhi Government. However, the ST applicants of neighbouring States recommended by Board, sometimes candidates have failed to join the post offered to them by NDMC. The

Committee feel that it is the bounden duty of the Ministry of Home Affairs/NDMC to ensure that the percentage of ST employees is maintained in all categories of posts on recruitment and promotion. The Committee therefore recommend that a workable solution should be found to resolve the problem of maintaining staff strength of ST at prescribed limit in Group A, B, C and D posts.

### Reply of the Government

1.12 A meeting with Secretary, DSSSB was held by NDMC on 10.07.2020 to expedite the recruitment against the requisitions already sent/ being sent by NDMC. Subsequently, NDMC employees have also been imparted training by DSSSB for online submission of the requisition.

Another meeting with Chairman, DSSSB at the level of Chairman, NDMC was held on 04.12.2020, as a follow up and to discuss, inter alia, for holding special recruitment drive. The observations and directions of the Hon'ble Committee were communicated to DSSSB during the meeting. After detailed discussion, among others, it has been decided that requisition will be sent by NDMC to DSSSB shortly to fill up the backlog vacancies of SC/ST in compliance of direction of the Committee.

Further, vide Office Order No. SO(E)/4518/SA-III/2020 dated 26.08.2020 **(Annexure-II)** a separate and dedicated Manpower Recruitment Cell has been created by NDMC to expeditiously process and monitor filling of all the vacancies including those earmarked for SC and ST candidates.

The NDMC has requested to UPSC for filling up the 18 posts (UR-09, EWS-01, OBC-05, SC-02 & ST-01) of Assistant Engineer (Electric) through direct recruitment made vide letter No. A-32013/8/2017-E(Estt.-I) dated 16.11.2020. The posts have been published in Employment News ([www.rojgarsamachar.gov.in](http://www.rojgarsamachar.gov.in)) dated 12-18 December 2020. **(Annexure-III).**

NDMC in its written reply has informed regarding the category wise sanctioned/working strength as on 15.12.2021 which is as follows:

S.No.	Category	Sanctioned Strength	Working Strength	Reservation required as per Roster Register		Person in position as per Roster Register		Vacant point as per Roster Register		%of SC	%of ST	No. of SC candidates recruited	No. of ST candidates recruited
				SC	ST	SC	ST	SC	ST				
1	A	409	127	36	20	18	6	19	14	14.17%	4.72%	2	0
2	B	1933	819	236	142	104	47	140	78	12.70%	5.74%	11	2
3	C (Including erstwhile 'D')	11977	5905	1617	803	1107	117	802	659	18.75%	1.98%	124	6

3	Safal Karamchhari	2017	1375	302	151	1370	0	1068 (excess)	151	99.64%	0.00%	0	0
Total=		16336	8226	2191	1116	2599	170	961	902	31.59%	2.07%	137	8

### Comments of the Committee

1.13 The Committee note that as on 15.12.2021, the percentage of SC and ST among various categories of working strength stands at 31.59% and 2.07% respectively. Although the percentage of SC among the working strength is appreciable, the low percentage of ST employees among various categories of posts still remains a matter of grave concern. It has been informed that a requisition was to be sent by NDMC to DSSSB to fill up the backlog vacancies of SC/ST in compliance of direction of the Committee. The Committee would like to be apprised regarding the progress made in the matter and definitive steps taken by NDMC to address the issue of lower representation of Scheduled Tribes among various categories of post. NDMC in their action taken replies have also mentioned about setting up of a separate and dedicated Manpower Recruitment Cell to expeditiously process and monitor filling of all the vacancies including those earmarked for SC and ST. The Committee may be informed about the details regarding the functioning of the cell and the progress made to achieve the mandated percentage of ST i.e., 7.5 % in NDMC. The details of effective steps taken by the cell to fill up 961 SC and 902 ST vacancies lying vacant among various categories of post may also be provided.

### Recommendation No. 2.12

1.14 The Committee find that many regular vacancies used to remain unfilled in past due to reluctance of Doctors recommended by UPSC to join services of NDMC and resignation after securing Post Graduate admissions or other reasons. NDMC made contractual appointment of GDMOs and Specialists for several years to tide over the shortage of Doctors in an endeavour to ensure delivery of satisfactory health care services to masses. However, due to genuine and persistent demand from the contractual Doctors for regularization of their contractual services, the New Delhi Municipal Council in their resolution No. 10 (H-03) passed on 20.06.2014 resolved to regularize the contractual services of the contractual Doctors by approaching the UPSC for amendment of the Recruitment Rules (RR) to provide for their induction in the manner regularized by Delhi Government for their contractual Doctors as a one-time measure. Regularization of contractual Doctors working in Delhi Government has been

done at the time of constitution of the Delhi Health Services Cadre by amending the clause of "initial constitution of service" in their recruitment rules. NDMC on lines of Delhi Government proposed to amend Rule 5 of RR by inserting clause 5 (3) to include contract Doctors in "initial constitution of service" but due to certain objections by UPSC, NDMC did not implement it till date. The Committee have been informed that Doctors are recruited through UPSC because they are Group 'A' employees. The need sometimes is so imminent that there is a pressure to hire Doctors on contract basis. Then they continue thereafter. The Committee feel that contract period is for only short duration and employing the Doctors for a long time defeats the very purpose of contractual employment.

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

1.15 This matter relates to all the 63 contractual doctors in NDMC irrespective of the category to which they belong. Out of these 63 doctors, only 05 are of SC category and nil of ST category. As such, there is no point of discrimination against the SC category contractual doctors as raised before the esteemed Committee through representations.

A consolidated case of all these doctors is being considered by NDMC in consultation with MHA and UPSC. As per Section 40 of NDMC Act, 1994, consultation with UPSC is mandatory for appointment against any category A post in NDMC except for the cases stated there under.

The Committee in a written questionnaire enquired regarding whether any guidelines have been mooted to be issued aimed at providing permanent jobs to the contractual Doctors. In response thereto it has been informed in a written reply that NDMC council vide Reso. no. 40(H0-11) dated 26.12.2020 has already approved the regularization of contractual doctors by inserting initial constitution in the existing / fresh / framed RRs on the analogy of RRS of Govt, of NCT of Delhi. Accordingly the case was taken up with Ministry of Home Affairs and UPSC. UPSC agreed on the proposal of NDMC with minor changes and directed to make the amendment in the initial clause of the RRs on the analogy of RRs of GNCTD. MHA has also agreed with the view of UPSC. Accordingly, RRs are being placed in Council meeting dated 28.11.2021 and thereafter they will be submitted to MHA / UPSC.

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

1.16 The Committee are pleased to note that NDMC has taken a positive step in the direction of regularizing of 63 contractual doctors by amending the RRs. It was informed that the RRs would be placed in the meeting on 28.11.2021 followed

by submission to MHA / UPSC. The Committee would like to be apprised of the chain of events that had elapsed thereafter and the final outcome in the matter. The Committee would like to be made aware of the details viz, date of regularization of 63 contractual doctors and strongly recommend that the benefits related to regular service would be garnered from the date of initial service i.e., contractual appointment or from a specific cut of date of regularization in order to maintain equality among the doctors who have already been working on regular basis.

#### **Recommendation No. 2.13**

1.17 The Committee have been informed that there are 63 Doctors who are to be regularized. They have sent a proposal to the Ministry, the Ministry has consulted the UPSC also as to how they can regularize them, whether through examination and what will be the pattern of examination. The Committee concur with the views expressed by Chairman, NDMC that contractual Doctors are now of above 40 years of age and perhaps may not be able to qualify the examination. The Committee are of the view that the Doctors who have been working on contract basis for many years have obviously passed MBBS or PG examination long back as such now it would be difficult for them to pass the further examination for regularization. The Committee, therefore, recommend that the Ministry in consultation with NDMC/UPSC should evolve a foolproof mechanism to regularize them without any examination in the Group "A" post in view of their essential profession qualification, experience and performance during Covid-19 Pandemic and for the sake of ensuring justice to all reserved and unreserved category of Doctors.

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

1.18 This matter relates to all the 63 contractual doctors in NDMC irrespective of the category to which they belong. Out of these 63 doctors, only 05 are of SC category and nil of ST category. As such, there is no point of discrimination against the SC category contractual doctors as raised before the esteemed Committee through representations.

A consolidated case of all these doctors is being considered by NDMC in consultation with MHA and UPSC. As per Section 40 of NDMC Act, 1994, consultation with UPSC is mandatory for appointment against any category A post in NDMC except for the cases stated thereunder.

In a written reply, NDMC has informed that at present none of the contractual doctors have been granted the benefit of 7<sup>th</sup> CPC. A Council resolution for grant of 7<sup>th</sup>

CPC had already been approved by the Council but could not implemented due to some anomalies while granting the same. Hence a fresh/corrigendum agenda is being prepared and will place in the Council again.

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

1.19 The Committee are disappointed to note that 63 contractual doctors are yet to receive the benefits of 7<sup>th</sup> CPC which had came into effect in 2016. It is rather despairing that the Contractual doctors who are already fighting a rigorous battle for their regularization are being deprived of legit financial benefits of Pay Commission which should have been rightfully disbursed to them owing to the service rendered by them to NDMC. The Committee in view of excellent work done by the doctors during the COVID period, would like to strongly recommend that NDMC should immediately release the benefits of 7<sup>th</sup> CPC to these doctors irrespective of the status of their regularization at the earliest. The Committee would also like to point out that the humane efforts may be put in by NDMC in making sure that the said benefits of 7<sup>th</sup> CPC may not be deferred till the date of their regularization. The Committee may be informed about the outcome of this process.

#### **Recommendation No. 2.14**

1.20 The Committee note that the Estate-I Department manages the built up units like shops/stalls/kiosks etc. These units are allotted through public e- auction. The concept of providing reservation in the matter of allotment of stalls, shops, kiosks was first introduced in NDMC in the year 1972. Thereafter, the policy was reviewed in the year 1994 and 2002. At present there is 15% reservation for Scheduled Castes and 7.5% for Scheduled Tribes in the process shops/stall/kiosks. The Committee also note that there was no auction held for allotment of shops/stall/kiosks to SCs/STs during the period from 2015-16 to February, 2019 and as a result thereof on allotment of Shops to Scheduled Castes/ Scheduled Tribes could also take place. The Committee would like to know the reasons for the laxity on the part of NDMC having not regular auctions for allotment of Kiosks and shops. The Committee urge the Department for allocation of shops/stall/kiosks etc. through e-auction in a time frame so that SC/ST category candidates could be benefitted and start their self employment. The Committee have been apprised that during last e-auction held on March, 2019, 23 shops were put on e-auction out of which 3 shops were reserved for SC category and 01 shop was reserved for ST category. However, only 01 shop could be allotted to SC category and no shop

could be allotted to ST category. The Committee may be apprised reasons therefore and corrective measures taken by the NDMC in this regard.

#### Reply of the Government

1.21 It is submitted that there was no laxity on the part of NDMC in holding regular auctions for all the allotments. It is submitted that the process of e- auction generally takes place only when a sizable number of shops/stalls/kiosks falls vacant from time to time. It is to be seen from the records that an auction took place on the year/2015. Thereafter, the next auction took place on 05.03.2019 & 06.03.2019. In between only 23 premises became available for e-auction. It is further submitted that reservation to the SCs and STs was provided in auction as per the policy of the Council.

Right now there is a proposal under consideration for allotment of 51 shops/kiosk/stall/Thara etc through the process of e-auction. As per the policy out of that 07 properties are reserved for SCs and 04 properties are reserved for STs. There have come some constraints because of the Pandemic named as COVID-19 and issues relating to reservation to persons with disabilities. The NDMC is examining the matter. A time frame will be set to complete the process.

The allotment of shops in particular category depends upon the no. of applications and active bidders above the minimum reserved price. It is noted from the records that out of 03 shops reserved for SCs and 01 shop reserved for ST, there were applications from two eligible candidates (SC) in the case of one premises only.

1.22 The Committee desired to be apprised regarding details of commercial shops/corners/huts allotted by NDMC so far, year and zone wise along with the number of commercial shops/corners/huts among these allotted to SC/ST year and zone/area wise. NDMC in their post evidence reply provide the following information in this regard:

Calendar Year	No. of Shops allotted/reserved for SC/ST Category
2016-17	No auction held
2017-18	No auction held
2018-19	No auction held
2019-20	03 SC + 01 ST (Out of 23 Units under public notice)
2020-21	Matter regarding e-auction of 53 units is under process; however as per prevailing policy there are 08 units reserved for SC and 04 units reserved to ST.



1.23 In a written questionnaire it was also enquired about the number of shops as on date which are due to be allocated to Scheduled Castes and Scheduled Tribes respectively. The Committee further desired to be intimated whether NDMC brings out the notification/advertisements for the bidding of the same and what is the expected period of time fixed for allotment of these shops. NDMC in their post evidence reply informed that Matter regarding e-auction of 53 units is under process; however as per prevailing policy there are 08 units reserved for SC and 04 units reserved to ST.

1.24 Further, after approval of Competent Authority, the same will be published in leading newspaper for wider publicity and also be uploaded on NDMC website ([www.ndmc.gov.in](http://www.ndmc.gov.in))

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

1.25 The Committee note that presently there is a proposal under consideration for allotment of 53 shops/kiosk/stall/Thara etc through the process of e-auction. The Committee desire to be apprised regarding the time frame set up by NDMC for carrying out the e auction for NDMC shops/kiosk/stall/Thara. The Committee note that out of 53 shops/kiosk/stall/Thara, 08 properties are reserved for SCs and 04 properties are reserved for STs. The Committee may also be informed whether any special efforts being made on part of NDMC for advertising and allotting the shops/kiosk/stall/Thara meant especially for SC/ST applicants so as to enable them to become financially independent and promote the development.

## CHAPTER – II

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

#### Recommendation No. 2.4

The Committee note that separate post-wise rosters are being maintained for promotion and in direct recruitment. However, the Liaison Officer checks the claims of each category i.e. SC and ST whenever any proposal for direct recruitment or promotion is initiated. It is reiterated that rosters is a very important document as far as the welfare and interest of SCs and STs are concerned. It is the only mechanism through which a watch is kept on the proper placement of SC/ ST employees in their respective cadres against the vacancies reserved for them. In fact, the whole system of implementation of reservation orders rest on maintenance of rosters. It foretells the time by which the SC/ST employees become eligible for their next promotion by their placement in the roster. The Committee, as such, are of the view that the officers concerned for the maintenance of rosters as well as Liaison Officers should be made accountable for any lapse in its proper maintenance. The Committee also recommend that roster prepared must be uploaded into intranet in order to maintain transparency in this regard.

#### Reply of the Government

2.2 13 Point and 200 point Rosters have been prepared and are being maintained as per standing instructions of DoPT on the issue. No recruitment process is undertaken without proper checking and authentication by the Liaison Officer.

Instructions are being issued to the department concerned to examine the recommendation of the Committee to upload the rosters on intranet for information of the municipal employees.

#### Recommendation No. 2.5

2.3 The Committee note from the data provided by NDMC that representation of SC/ ST employees, who attended the training seminars/ symposia/ conferences in foreign countries during the last 05 years, is not adequate. The Committee may be apprised the reasons and criteria followed for sponsoring the candidates for foreign training. The Committee are of the firm opinion that imparting training to SCs and STs not only enable them to acquire skills and aptitude but also help to widen their horizon and provide a momentum to their careers. Therefore, it is essential that SCs/ STs employees are regularly nominated for training abroad so that they can excel in their

jobs. The Committee, therefore, recommend that the Ministry should draw out a list of eligible SC/ ST candidates for training abroad even if require by adapting relaxed criteria for the training.

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

2.4 NDMC has been arranging training seminars/symposia/ conferences in foreign countries from time to time. While sponsoring officials for the above training, the officers/employees of the different Departments were considered on the basis of the subject/field related to the training. There is no specific criteria for deputing persons on foreign training. It was ensured that persons from SC/ST are nominated for the training. While considering a proposal for deputing persons for training abroad, nominations were finalised in consultation with concerned HODs and persons who have excelled in their work were considered. However, a total number of 25 employees from SC/ST category were nominated during the period 2014-2019 for the foreign training programmes.

Keeping in view the observations of the Hon'ble Committee NDMC shall ensure regular participation of employees from SC/ST category in foreign training programmes to develop their skill in their jobs even if it requires adopting relaxed criteria for training.

#### **Recommendation No. 2.7**

2.5 The Committee note that there are many groups of Employees Welfare Associations/SC/ST Employees Associations. However, informal meetings are held with the Management as and when requested by any groups of employees association to redress their grievances/complaints. The Committee, therefore, direct NDMC to unite various groups of SC/ST Employees Welfare Associations under one forum and recognize the majority group duly elected by their SCs and STs employees to serve them purposefully. The Committee also stress that as per DoPT guidelines periodical meetings should be held with the SC/ST Employees Welfare Association and recorded minutes of such meetings be circulated to them. On demand, they may also be allowed to examine the rosters of the employees as and when required to maintain transparency. The Committee also desire that a representative of SC/ST related matter takes place and their views must be given due weightage.

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

2.6 Efforts are being made to unite various group of SC/ST and to recognized majority groups through election by SC/ST employees.

As per the recommendation of the committee, Welfare Department is holding quarterly meeting with all employees Associations including that for the Welfare of

SC/ST. Last meeting was held on 14.07.2020. Next meeting will be held shortly. At present, there are no elected representatives in these Associations. NDMC has noted all observations/ recommendations of the Committee for action.

#### **Recommendation No.2.8**

2.7 The Committee note that complaint/grievance register is being maintained in SC/ST Cell of NDMC. All the complaints received are forwarded to the concerned Establishment Section for further necessary action and its disposal. The Committee are of view that since most of these complaints/grievances pertain to delay in promotion/time scale, pay fixation, regularization etc these issues need to be recoded properly, clearly indicating the date of receipt of the complaint, nature of each case and its disposal. The Committee also desire that a senior official may be deputed for monitoring the complaints periodically to ensure that all complaints/grievances of SC/ST officials are redressed properly.

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

2.8 There is a full fledged SC/ST Section in NDMC headed by Liaison Officer of the rank of Joint Director. Since July, 2020, two quarterly meetings have been conducted by the Liaison officer with SC/ST Welfare Associations in NDMC.

Proper complaints register has been maintained in Liaison Office. Since 2007 till date 120 representation/ complaints were received which were forwarded to the section/ Deptts. concerned for action and reply. Liaison Office sends reminders to these departments to dispose of the forwarded representations/ complaints

Instructions have been issued to all HoDs to ensure proper monitoring of disposal of the representations/ complaints received from SC or ST employees through Liaison Office or directly.

In addition, public hearing is given by Chairman, NDMC, Director(Personnel), Director(Welfare) and Director(Education) to all employees including those belonging to SC/ ST categories to redress their grievances.

#### **Recommendation No. 2.9**

2.9 The Committee note that NDMC has appointed a Liaison Officer who is Joint Director rank belonging to SC category and other supporting staff from general category. The Committee are of view that the Liaison Officer is link between the Management and the SC/ST employees of the organization whose main function is to ensure that directives on reservation of SCs and STs are implemented in letter and spirit. Therefore, it is important that Liaison Officer and his support staff should be

appointed from reserved communities, so that the SC/ST employees may discuss, send and represent their reservation related problem without fear in a candid way. The Committee would, therefore, like to impress upon the fact that formal training should also be provided to Liaison Officer so that they can discharge their duties earnestly and effectively. Moreover, SC/ST officer appointed as Liaison Officer may also give confidence to SC/ST employees and the Liaison Officer may in turn be able to do his job with more dedication and commitment. Therefore, the Committee are of the view that Liaison Officer should be allowed to work independently and without any interference from any side. The Liaison Officer should also not be overburdened with many assignments apart from his liaison duties. The Committee therefore desire that Liaison Officer should invariably conduct quarterly meeting with SC/ST Employees Welfare Association to protect the interest of SCs and STs effectively.

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

2.10 In NDMC the Liaison Officer (SC/ST) are deputed from SC or ST categories. NDMC has noted the recommendation of the Committee to impart training to the Liaison Officer and the employees posted in the SC/ST branch/section and posting of SC/ST employees in the Liaison Office/ SC/ST Cell.

Liaison Officer has informed that he is regularly conducting quarterly meeting with SC/ST Employees Welfare Association since July, 2020. There is no interference in the functioning of the Liaison officer from any corner and as such, he has full freedom to work independently.

## CHAPTER – III

### RECOMMENDATIONS/OBSERVATIONS WHICH THE COMMITTEE DO NOT DESIRE TO PURSUE IN THE LIGHT OF THE REPLIES RECEIVED FROM THE GOVERNMENT

#### Recommendation No. 2.1

The Committee note that there are 13 members in the Board of Council of NDMC, out of them 2 members should be from Scheduled Castes category. The Committee have been apprised during the evidence that there is no non-official member of SC community in the Council term 2019-2024 and as such there is one vacancy. The Committee are of the view that inadequate representation of SC member of the Board of Council would hamper the functioning of NDMC in-so-far as welfare of SC community is concerned. The Committee keeping in view of protecting interest of SC community strongly recommend that matter may be taken up at highest level to fill the vacancy without further delay.

#### Reply of the Government

3.2 It is informed that the all the 13 Members have since been appointed to the Council (04 non-official Members including 01 SC Member) and thus, the quorum has now been completed.

#### Recommendation No. 2.6

3.3 The Committee note that Casual/ contractual workers had been engaged by NDMC to meet the exigency of work. No reservation is followed at the time of their engagement. However, it may be ensured that the reservation policy is complied with fully at the time of their regularization. The Committee feel that engagement of casual workers/ contract labourers by NDMC without following proper guidelines of reservation for SCs/ STs is against the guidelines issued by the DoPT. DoPT O.M. No. 36036/3/2018-Estt. (Res.), dated 15th May, 2018 clearly mention that contract labours engaged for more than 45 days must be provided reservation. The Committee are of the view that NDMC should maintain data for the casual/contractual workers belonging to SC/ST category engaged by them and provide compliance report on scrupulously following DoPT guidelines in this regard. The Committee also desire that muster roll employees who have served for a long time in the NDMC should be considered for regularization in service.

### **Reply of the Government**

3.4 DoPT O.M. No. 36036/3/2018-Estt. (Res.), dated 15<sup>h</sup> May, 2018 have already been brought into the notice of all departments concerned in NDMC for compliance from time to time and latest vide Office Order dated 24.11.2020 (Annexure-I).

Further, vide Office Order dated 24.11.2020 these departments have been asked to submit category-wise quarterly report /information in respect of persons engaged as TMR to Manpower Cell (Personnel Deptt) for compilation.

As regards Committee's desire that muster roll employees who have served for a long time in the NDMC should be considered for regularization in service, the same will be considered taking into account various factors such as extant instructions, functional requirement and provisions of the relevant recruitment regulations etc.

### **Recommendation No.2.11**

3.5 The Committee observe that many tribal communities residing in Delhi are to be notified by the Delhi Government as Tribals. The Committee feel that it is a very peculiar issue and express their displeasure over the delay in the matter. The Committee, therefore, direct Ministry of Home Affairs to take up the matter before Delhi Government to notify the tribal communities, who are living, born and brought up in Delhi to enable them to avail of their constitutional benefits of reservation.

### **Reply of the Government**

3.6 In this regard, the Deptt. for the Welfare of SC/ST/OBC/Minorities, Govt. of NCT of Delhi has informed that the matter has been examined and submitted that:

- (i) The list of Scheduled Tribe is notified by Government of India by way of presidential order in terms of article 342 of the Constitution of India.
- (ii) In the Constitution (Scheduled Tribe) (Union Territory) order 1951, no list of Scheduled Tribe has been notified for Union Territory of Delhi.
- (iii) As per 2011 population Census, no Scheduled Tribe was found to be notified in respect of Delhi.
- (iv) In Delhi, reservation benefits in employment, education and welfare schemes are given to persons belonging to Scheduled Tribes on the basis of Scheduled Tribe Certificates (for persons migrated to Delhi from other states/UTs) issued by the Revenue Department, GNCTD.
- (v) At present, no demand or claim has been received for inclusion as Scheduled Tribe and as such no proposal is pending with Govt. of NCT of Delhi, for inclusion of any tribe in the list of Scheduled Tribes.

### **Recommendation No. 2.15**

3.7 The Committee are of the view that if adequate number of ST applicants are not available for open tender/auction, the remaining shops should be allotted to the applicants belonging to SC category and vice versa. The Committee feel that there is no dearth of Scheduled Caste/Scheduled Tribe people who are striving hard to get a shop/stall/kiosk in Delhi for initiating their self employment. The Committee also regret to point out that sincere efforts have not been made by NDMC to fill up reservation quota in regard to allotment of shops/stalls/kiosks. The Committee, therefore, recommend that keeping in view of socio-economic conditions of SCs and STs sincere efforts should be made by the NDMC in regard to allotment of shops kept reserved for them on reasonable price.

### **Reply of the Government**

3.8 The recommendations of the committee have been noted and they will be placed before the Competent Authority for consideration for a decision. It is stated that the policy for welfare of SCs/STs of Government on the issue as well as the policy of similarly situated authorities will also have to be taken into account.

The policy of giving the Stalls/Kiosks/Shops to the reserved categories on economic rent basis or by way of draw of lots was done away with by the Council in 1994 in accordance with the Policy of Delhi Government and this decision continued through the Council Resolution dated 11.10.2002 also. The reason is that while on one hand a local body being a part of state according to Article 12 of the constitution has to provide reservation to the socially deprived categories, on the other by virtue of Section 141 of NDMC Act, 1994 it can give its immovable properties to licensees on the basis of normal and fair competition only. Thus a midway has been found out where the reservation is provided for the respective categories, but they have to compete within themselves while bidding for immovable properties.



## CHAPTER – IV

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

#### Recommendation No. 2.2

The Committee note that massive shortfall exists in both the direct recruitment and the promotion of SCs and STs in Group 'A', 'B', 'C' and 'D' categories of posts according to the statement furnished. There were 6857 total vacancies as on 31.08.2019 out of which SC vacancies were 312 and ST vacancies 259. As stated, the shortfall of SC/ST candidates in direct recruitment quota is due to non-nomination of adequate number of candidates by recruitment agency i.e. Delhi Subordinate Services Selection Board (DSSSB) against requisitions for category "B" and Category "C" posts and by UPSC for category "A" posts. As regards shortfall in promotion cases, the reason is stated to be due to delay in filling up of vacant post by DSSSB with respect to direct recruitment post in the past and non-availability of eligible officers in the feeder grade in the promotion cases even after considering the officers/ officials in extended zone of consideration. The Committee are not satisfied with the reply of the Ministry that the shortfall in direct recruitment and promotion occurred due to the recruiting agencies nominating less number of reserved candidate against indent placed to them and non-availability of SC/ST candidates even in the extended zone of consideration respectively. The Committee are of the view that had a sincere efforts made by the Ministry there would have been sufficient number of reserved candidates against the indent placed and officers in the feeder grade for promotion cases. The Committee recommend that NDMC in conjunction with Delhi Subordinate Services Selection Board (DSSSB) should devise a effective detailed plan and make sincere efforts to overcome such backlog/ shortfall and the said backlog/ shortfall should be cleared within a time frame by Ministry of Home Affairs/ NDMC on priority. The Committee also recommend that the backlog posts in the direct recruitment quota may be filled up by advertising vacancies in a leading national daily newspaper with proper propaganda within three months from date of presentation of the report. The Committee may be apprised about the progress made in this regard. The Committee also desire that for filling up of all backlog vacancies relaxation in qualifying percentage and interview may also be provided, if need arises.

### Reply of the Government

4.2 A meeting with Secretary, DSSSB was held by NDMC on 10.07.2020 to expedite the recruitment against the requisitions already sent/ being sent by NDMC.

(i) Subsequently, NDMC employees have also been imparted training by DSSSB for online submission of the requisition.

(ii) Another meeting with DSSSB held on 04.12.2020 to follow up the pending requisitions and discuss, inter alia, holding special recruitment drive for backlog vacancies.

(iii) Requisitions have been sent to DSSSB for holding special recruitment drive against the backlog SC/ST/OBC vacancies.

(iv) NDMC is also exploring possibilities to hold exams from agencies other than DSSSB, having examination centers all over India so that more candidates particularly those belonging to SC/ST community may appear and the vacancies be filled up quickly. In this regard, an Agendum was placed before the Council in its meeting held on 21.05.2021. The Council has deferred the matter for further discussion.

(v) DPCs are being held regularly to fill up the backlog vacancies including those earmarked for SC/ST category.

(vi) DSSSB has declared results for the following posts:

Post	Category-wise vacancies	Recommended
Assistant Law Officer	UR-03, SC-01	UR-02, SC-01
Data Entry Operator	UR-10, OBC-04, SC-2	UR-09, OBC-04, SC-2
Section Officer (Horticulture)	UR-07, OBC-04, SC-02	UR-01
Jr. Engr. (Civil)	UR-04, OBC-27, ST-02	UR-03, OBC-23, ST-02

(vii) Following posts have been advertised by DSSSB/UPSC:

Post	Category-wise vacancies	Date of advertisement
JE (Electric)	UR-0, OBC-15, EWS-08, ST-08, SC-0	04.03.2021
Assitt. Engr.(Electric)	UR-09, EWS-01, OBC-05, SC-02, ST-01	14.12.2020
Primary Teachers	UR-45, EWS-35, OBC-17, SC-16, ST-07	12.02.2021

## Comments of the Committee

4.3 Please see Para No. 1.7 of Chapter I

### Recommendation No. 2.3

4.4 The Committee also note that no special recruitment drive in Group "B", "C" and "D" had been made during the years 2014-2019. The Committee would like to know the reasons for not launching special recruitment drives during those years when there were vacancies for the SCs/ STs. The Committee are of the view that so long as there is insufficient intake of SC/ ST candidates in direct recruitment, the problem of backlog vacancies or the availability of SC/ ST candidates in the feeder grade for promotion would always arise and the Committee will receive stereotype reply, none of SCs/STs are eligible for promotion. The Committee therefore recommend that NDMC should launch Special Recruitment Drive to fill up all backlog vacancies of SCs and STs in different cadres and fill up them within three months from date of presentation of the report.

### Reply of the Government

4.5 A meeting with Secretary, DSSSB was held by NDMC on 10.07.2020 to expedite the recruitment against the requisitions already sent/ being sent by NDMC.

(i) Subsequently, NDMC employees have also been imparted training by DSSSB for online submission of the requisition.

(ii) Another meeting with DSSSB held on 04.12.2020 to follow up the pending requisitions and discuss, inter alia, holding special recruitment drive for backlog vacancies.

(iii) Requisitions have been sent to DSSSB for holding special recruitment drive against the backlog SC/ST/OBC vacancies.

(iv) NDMC is also exploring possibilities to hold exams from agencies other than DSSSB, having examination centers all over India so that more candidates particularly those belonging to SC/ST community may appear and the vacancies be filled up quickly. In this regard, an Agendum was placed before the Council in its meeting held on 21.05.2021. The Council has deferred the matter for further discussion.

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Data Entry Operator	UR-10, OBC-04, SC-2	UR-09, OBC-04, SC-2
Section Officer (Horticulture)	UR-07, OBC-04, SC-02	UR-01
Jr. Engr. (Civil)	UR-04, OBC-27, ST-02	UR-03, OBC-23, ST-02

(vii) Following posts have been advertised by DSSSB/UPSC;

Post	Category-wise vacancies	Date of advertisement
JE (Electric)	UR-0, OBC-15, EWS-08, ST-08, SC-0	04.03.2021
Assitt. Engr. (Electric)	UR-09, EWS-01, OBC-05, SC-02, ST-01	14.12.2020
Primary Teachers	UR-45, EWS-35, OBC-17, SC-16, ST-07	12.02.2021

#### Comments of the Committee

4.6 Please see Para No. 1.10 of Chapter I

#### Recommendation No. 2.10

4.7 The Committee, note that percentage of STs in the staff strength for all categories of posts is very low compared to other communities. Regarding the total number of direct recruitment made by NDMC during the years 2014 to 2019 in group A, B, C and D posts, reservation of ST category is insufficient. The Committee have been apprised that representation of STs in promotion is very less even in Group "C". The Committee note that no ST category has been notified for UT Delhi by Delhi Government. However, the ST applicants of neighbouring States recommended by Board, sometimes have failed to join the post offered to them by NDMC. The Committee feel that it is the bounden duty of the Ministry of Home Affairs/NDMC to ensure that the percentage of ST employees is maintained in all categories of posts on recruitment and promotion. The Committee therefore recommend that a workable solution should be found to resolve the problem of maintaining staff strength of ST at prescribed limit in Group A, B, C and D posts.

#### Reply of the Government

4.8 A meeting with Secretary, DSSSB was held by NDMC on 10.07.2020 to expedite the recruitment against the requisitions already sent/ being sent by NDMC.

Subsequently, NDMC employees have also been imparted training by DSSSB for online submission of the requisition. :

Another meeting with Chairman, DSSSB at the level of Chairman, NDMC was held on 04.12.2020, as a follow up and to discuss, inter alia, for holding special recruitment drive. The observations and directions of the Hon'ble Committee were communicated to DSSSB during the meeting. After detailed discussion, among others, it has been decided that requisition will be sent by NDMC to DSSSB shortly to fill up the backlog vacancies of SC/ST in compliance of direction of the Committee.

Further, vide Office Order No. SO(E)/4518/SA-III/2020 dated 26.08.2020 **(Annexure-II)** a separate and dedicated Manpower Recruitment Cell has been created by NDMC to expeditiously process and monitor filling of all the vacancies including those earmarked for SC and ST candidates.

The NDMC has requested to UPSC for filling up the 18 posts (UR-09, EWS-01, OBC-05, SC-02 & ST-01) of Assistant Engineer (Electric) through direct recruitment made vide letter No. A-32013/8/2017-E(Estt.-I) dated 16.11.2020. The posts have been published in Employment News ([www.rojgarsamachar.gov.in](http://www.rojgarsamachar.gov.in)) dated 12-18 December 2020. **(Annexure-III)**

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

**4.9 Please see Para No. 1.13 of Chapter I**

#### **Recommendation No. 2.12**

4.10 The Committee find that many regular vacancies used to remain unfilled in past due to reluctance of Doctors recommended by UPSC to join services of NDMC and resignation after securing Post Graduate admissions or other reasons. NDMC made contractual appointment of GDMOs and Specialists for several years to tide over the shortage of Doctors in an endeavour to ensure delivery of satisfactory health care services to masses. However, due to genuine and persistent demand from the contractual Doctors for regularization of their contractual services, the New Delhi Municipal Council in their resolution No. 10 (H-03) passed on 20.06.2014 resolved to regularize the contractual services of the contractual Doctors by approaching the UPSC for amendment of the Recruitment Rules (RR) to provide for their induction in the manner regularized by Delhi Government for their contractual Doctors as a one-time measure. Regularization of contractual Doctors working in Delhi Government has been done at the time of constitution of the Delhi Health Services Cadre by amending the clause of "initial constitution of service" in their recruitment rules. NDMC on lines of

Delhi Government proposed to amend Rule 5 of RR by inserting clause 5 (3) to include contract Doctors in "initial constitution of service" but due to certain objections by UPSC, NDMC did not implement it till date. The Committee have been informed that Doctors are recruited through UPSC because they are Group 'A' employees. The need sometimes is so imminent that there is a pressure to hire Doctors on contract basis. Then they continue thereafter. The Committee feel that contract period is for only short duration and employing the Doctors for a long time defeats the very purpose of contractual employment.

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

4.11 This matter relates to all the 63 contractual doctors in NDMC irrespective of the category to which they belong. Out of these 63 doctors, only 05 are of SC category and nil of ST category. As such, there is no point of discrimination against the SC category contractual doctors as raised before the esteemed Committee through representations.

A consolidated case of all these doctors is being considered by NDMC in consultation with MHA and UPSC. As per Section 40 of NDMC Act, 1994, consultation with UPSC is mandatory for appointment against any category A post in NDMC except for the cases stated there under.

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

**4.12 Please see Para No. 1.16 of Chapter I**

#### **Recommendation No. 2.13**

4.13 The Committee have been informed that there are 63 Doctors who are to be regularized. They have sent a proposal to the Ministry, the Ministry has consulted the UPSC also as to how they can regularize them, whether through examination and what will be the pattern of examination. The Committee concur with the views expressed by Chairman, NDMC that contractual Doctors are now of above 40 years of age and perhaps may not be able to qualify the examination. The Committee are of the view that the Doctors who have been working on contract basis for many years have obviously passed MBBS or PG examination long back as such now it would be difficult for them to pass the further examination for regularization. The Committee, therefore, recommend that the Ministry in consultation with NDMC/UPSC should evolve a foolproof mechanism to regularize them without any examination in the Group "A" post in view of their essential profession qualification, experience and performance during Covid-19 Pandemic and for the sake of ensuring justice to all reserved and unreserved category of Doctors.

### **Reply of the Government**

4.14 This matter relates to all the 63 contractual doctors in NDMC irrespective of the category to which they belong. Out of these 63 doctors, only 05 are of SC category and nil of ST category. As such, there is no point of discrimination against the SC category contractual doctors as raised before the esteemed Committee through representations.

A consolidated case of all these doctors is being considered by NDMC in consultation with MHA and UPSC. As per Section 40 of NDMC Act, 1994, consultation with UPSC is mandatory for appointment against any category A post in NDMC except for the cases stated thereunder.

### **Comments of the Committee**

**Please see Para No. 1.19 of Chapter I**

### **Recommendation No. 2.14**

4.15 The Committee note that the Estate-I Department manages the built up units like shops/stalls/kiosks etc. These units are allotted through public e- auction. The concept of providing reservation in the matter of allotment of stalls, shops, kiosks was first introduced in NDMC in the year 1972. Thereafter, the policy was reviewed in the year 1994 and 2002. At present there is 15% reservation for Scheduled Castes and 7.5% for Scheduled Tribes in the process shops/stall/kiosks. The Committee also note that there was no auction held for allotment of shops/stall/kiosks to SCs/STs during the period from 2015-16 to February, 2019 and as a result thereof on allotment of Shops to Scheduled Castes/ Scheduled Tribes could also take place. The Committee would like to know the reasons for the laxity on the part of NDMC having not regular auctions for allotment of Kiosks and shops. The Committee urge the Department for allocation of shops/stall/kiosks etc. through e-auction in a time frame so that SC/ST category candidates could be benefitted and start their self employment. The Committee have been apprised that during last e-auction held on March, 2019, 23 shops were put on e-auction out of which 3 shops were reserved for SC category and 01 shop was reserved for ST category. However, only 01 shop could be allotted to SC category and no shop could be allotted to ST category. The Committee may be apprised reasons therefore and corrective measures taken by the NDMC in this regard.

### **Reply of the Government**

4.16 It is submitted that there was no laxity on the part of NDMC in holding regular auctions for all the allotments. It is submitted that the process of e- auction generally takes place only when a sizable number of shops/stalls/kiosks falls vacant from time to

time. It is to be seen from the records that an auction took place on the year/2015. Thereafter, the next auction took place on 05.03.2019 & 06.03.2019. In between only 23 premises became available for e-auction. It is further submitted that reservation to the SCs and STs was provided in auction as per the policy of the Council.

Right now there is a proposal under consideration for allotment of 51 shops/kiosk/stall/Thara etc through the process of e-auction. As per the policy out of that 07 properties are reserved for SCs and 04 properties are reserved for STs. There have come some constraints because of the Pandemic named as COVID-19 and issues relating to reservation to persons with disabilities. The NDMC is examining the matter. A time frame will be set to complete the process.

The allotment of shops in particular category depends upon the no. of applications and active bidders above the minimum reserved price. It is noted from the records that out of 03 shops reserved for SCs and 01 shop reserved for ST, there were applications from two eligible candidates (SC) in the case of one premises only.

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

**4.17 Please see Para No. 1.25 of Chapter I**



CHAPTER – V

RECOMMENDATIONS/OBSERVATIONS IN RESPECT OF WHICH FINAL REPLIES  
OF THE GOVERNMENT HAVE NOT BEEN RECEIVED

- Nil -

New Delhi  
27 July, 2022  
5 Shrawana 1943 (Saka)

DR. KIRIT P. SOLANKI  
Chairperson,  
Committee on the Welfare  
of Scheduled Castes and  
Scheduled Tribes.

No. SO(E)/865/SA-III/2020

Date: 24.11.2020

OFFICE ORDER

The undersigned is directed to refer to Para 2.6 of the report dated 22.09.2020 presented to Lok Sabha and laid in Rajya Sabha by Committee on the Welfare of Scheduled Castes and Scheduled Tribes as under:-

"Muster Roll Employees: The Committee note that Casual/ contractual workers had been engaged by NDMC to meet the exigency of work. No reservation is followed at the time of their engagement. However, it may be ensured that the reservation policy is complied with fully at the time of their regularization. The Committee feel that engagement of casual workers/ contract labourers by NDMC without following proper guidelines of reservation for SCs/ STs is against the guidelines issued by the DoPT. DoPT O.M. No. 36036/3/2018-Estt. (Res.), dated 15<sup>th</sup> May, 2018 clearly mention that contract labours engaged for more than 45 days must be provided reservation. The Committee are of the view that NDMC should maintain data for the casual/contractual workers belonging to SC/ST category engaged by them and provide compliance report on scrupulously following DoPT guidelines in this regard....."

2. In view of the above recommendations, all the concerned User departments in NDMC i.e. Medical Services, Medical Officer Health, Horticulture (South & North), Civil Engineering-I & II, Electric Engineering-I & II, Security, have been communicated these recommendations of the Committee vide UO No. SO(E)/813/SA-III/2020 dated 09.11.2020.

3. It has been decided that henceforth these User departments will send quarterly information in the following format to Manpower Recruitment Cell (MR Cell) under Personnel department in respect of the TMR engagements, if any made by the such department for a period of more than 45 days after duly taking into account the provisions stipulated in DoPT's OM No. 36036/3/2018-Estt. (Res.), dated 15<sup>th</sup> May, 2018 which enjoins for giving the stipulated reservation to SC & ST category persons for any casual/contractual engagement made for a period of more than 45 days:-

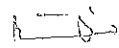
Report on engagement of TMR

Name of the Department \_\_\_\_\_

Report for the Quarter i.e. January - March/ April - June/ July - September/ October - December (Please tick relevant quarter)

Sr. No.	Date and duration of engagement	Total No. of engagements made	Category wise no. of persons engaged				Whether fresh engagement or extension of existing engagement	Whether DOPATs' OM dated 15.05.2018 followed.	Remarks, if any
			SC	ST	OBC	UR			

4. A copy of the said DOP&T's OM is enclosed for ready reference..

  
(R. P. Sati)  
Director (Personnel)

*o/c*

Copy to:-

- CRB* 1. Director (MS)
- 10* 2. MOH - *24/11*
- 13* 3. Director (Horticulture-South) *24/11/20*
- 13* 4. Director (Horticulture-North) *24/11/20*
- 16* 4. Chief Engineer (Civil Engineering-I) *24/11*
- 16* 5. Chief Engineer (Civil Engineering-II) *24/11*
- 17* 5. Chief Engineer (Electric Engineering-I) *24/11/20*
- 17* 6. Chief Engineer (Electric Engineering-II) *24/11/20*
- MF* 6. Chief Security Officer *24/11/20*
- 5* 7. Deputy Director (MR Cell) *24/11*

Copy for kind information to:-

- 3* 1. PS to Chairman, NDMC *[Signature]*
- 3* 2. PA to Secretary, NDMC *[Signature]*

AB  
Annexure II  
327

## National Recruitment Agency (NRA)

- NRA is a testing agency which would conduct the Common Eligibility Examination (CET) for non-gazetted Group B and C posts.
- Initially it will conduct the recruitment examinations for Railway Recruitment Boards (RRBs), Institute of Banking Personnel Selection (IBPS) and Staff Selection Commission (SSC) and would gradually expand its operations.
- National Recruitment Agency will be a Society registered under the Societies Registration Act, 1860.
- The NRA will be a specialist body bringing the state-of-the-art technology and best practices to the field of Central Government recruitment.
- However, the present recruitment agencies i.e, IBPS, RRB and SSC will remain in place.

Based on the screening done at the CET score level, **final selection for recruitment shall be made through separate specialised Tiers (II, III, etc.) of examination** which shall be conducted by these respective recruitment agencies.

## The Need

- As of now, aspirants have to take different exams face constraints in appearing in multiple examinations as they have to arrange for transportation and places to stay in places that are far away.

## Benefits

- Aspirants **do not have to apply and appear separately for multiple recruitment exams**. They will be able to apply once for a single or multiple recruitment exams in various departments and take the Common Eligibility Test (CET).
- Candidates who clear CET once, will be eligible to attempt for the second level exam thrice (once every year).
  - Currently, those who pass the PT and fail in Main exam (tier 2) have to again appear for the PT next year and start afresh. This way, CET will **save their time and energy and will also improve their quality** as they would devote their time for mains exam and not screening exam.

## Challenges

## Conclusion (way forward).....

- The NRA stands out as a unique model as it marks a paradigm shift in the recruitment process.

### Challenges of New Delhi Municipal Council (NDMC)

Section-42 of New Delhi Municipal Council Act, 1994 mandates that the direct recruitment of Group-B and Group-C post may be made by the Government through such agencies as may be prescribed for it. The Government is defined in the Act as "Government of National Capital Territory of Delhi". Thus, the recruitment to Group-B and C post can only be made through DSSSB, an agency of Government.

The provision of Section 42 have come into force on 27th November, 1997 and as such, thereafter any recruitment to group B or Group C posts has to be through DSSSB.

Annexure <sup>FLC</sup> - II

23/1

C-339653  
File No. A-4201/120/2020-Secy. Estt.  
NEW DELHI MUNICIPAL COUNCIL  
PALIKA KENDRA : NEW DELHI  
SECRETARY'S OFFICE

No. SOE/4510/5A-NM/20

Date: 28.01.2020

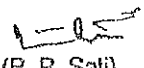
OFFICE ORDER

**Subject:** Creation of Separate Manpower Recruitment (MR) Cell for Direct Recruitments and Departmental Promotions of various Posts in New Delhi Municipal Council (NDMC) – reg.

With the approval of Competent Authority of NDMC, a separate Manpower Recruitment (MR) Cell for Direct Recruitments and Departmental Promotions of various post falling under Personnel Department in NDMC has been created with following terms and conditions:-

- (i) The MR Cell will be responsible for making, monitoring Direct Recruitment and Departmental Promotion of various posts in time bound manner.
- (ii) The Cell will Liaison with the Section concerned in NDMC for holding DPC in respect of promotion and Recruitment agencies for Direct Recruitment.
- (iii) Collection & compilation of various data relating to recruitment such as post wise and category wise on monthly basis.
- (iv) The Cell will work under the supervision of Director (Pers).
- (v) The Cell will be looked after by a separate Dy. Director /Jt. Director Officer.
- (vi) A Section Officer and Head Assistant will be provided to the Cell.
- (vii) The manpower will be provided by all Establishment Section concerned by transferring the Dealing Hand(s) concerned to the Cell.

2. This has the approval of Chairman, NDMC.


  
(R. P. Sati)  
Director (Personnel)

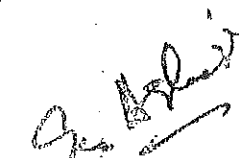
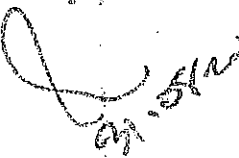
Copy to:-

1. Director (GA) to kindly identify a room for the decided M.R. Cell to accommodate 12-15 persons so that the Cell may get functional.
2. Director (IT) to kindly provide 12 computers and printers for the said purpose.
3. Jt. Director (Health), Jt. Director (Civil & A&H), Jt. Director (Estt.) and Dy. Director (Elect.) for n.a.
4. All Section Officer / Estt. - With the direction to relieve the Dealing Hand concerned from their Sections who are dealing with Recruitment and Roster concerned file viz panel file, rosters etc.

Copy for kind information:-

1. All HODs of NDMC
2. PS to Chairman, NDMC
3. PA to Secretary, NDMC

  
C No-339653  
27/01/2020

  
  
Dir (FF)  
JD (IT)

**COMMITTEE ON THE WELFARE OF SCHEDULED CASTES  
AND SCHEDULED TRIBES  
(2021-2022)**

**SEVENTEENTH LOK SABHA)**

**NINTH SITTING  
(26.11.2021)**

**MINUTES**

The Committee sat from 1500 hrs. to 1600 hrs. in the Committee Room C, Ground Floor, Parliament House Annexe, New Delhi-110001

**PRESENT**

Shri Kirit Premjibhai Solanki - Chairperson

**MEMBERS**

**LOK SABHA**

2. Shri Girish Chandra
3. Shri Chhedi Paswan
4. Shri Prince Raj
5. Shri Krupal Balaji Tumane
6. Shri Guman Singh Damor
7. Shri Rattan Lal Kataria
8. Shri Jagannath Sarkar

**MEMBERS - RAJYA SABHA**

9. Shri Shamsheer Singh Dullo
10. Smt. Kanta Kardam
11. Shri K. Somaprasad
12. Shri Ramkumar Verma

**SECRETARIAT**

1. Shri D.R. Shekhar, Joint Secretary
2. Shri P.C.Choulda, Director
3. Shri V.K.Shailon, Deputy Secretary

## MINISTRY OF HOME AFFAIRS

1. Dr. Vivek Joshi - Secretary (BM)
2. Shri Ashutosh Agnihotri - Joint Secretary (UT)

### NEW DELHI MUNICIPAL COUNCIL (NDMC)

1. Shri Dharmendra - Chairman
2. Ms. Isha Khosla - Secretary
3. Shri V.K.Gautam - Director

2. At the outset, the Chairperson welcomed all to the sitting of the Committee to take briefing of the representatives of the Ministry of Home Affairs (Department of Home) and New Delhi Municipal Corporation (NDMC) on the subject "Implementation of reservation policy for Scheduled Castes and Scheduled Tribes in contractual appointment/outsourced employees in Public Sector Undertaking (PSUs) Government Departments and Autonomous Bodies etc. and issue of confirmation of contractual Doctors with special reference to New Delhi Municipal Council (NDMC)". The Chairperson then outlined the agenda of the sitting. Thereafter the representatives briefly introduced themselves.

3. Important issues which were raised by the Committee and responded to by the Witnesses are as under :-

- i. Status of allotment of shops for SCs/STs,
- ii. Number of vacancies in all category of posts, post-wise and also total backlog vacancies of SC/ST and special recruitment drive to fill those,
- iii. Reasons for temporary filling of posts when the Corporation is authorised to directly recruit on various category of posts,
- iv. Relaxation given to SC/ST employees w.r.t promotions,
- v. Need for quarterly meeting with SC/ST Employees Welfare Associations and also sending the minutes of such quarterly sitting to the Committee Secretariat,



- vi. Cadre-wise strength of all groups and categories of post and the number of SC/ST in each cadre,
- vii. Appointment on contractual basis, number of contractual/outsourced workers and reservation policy for such workers,
- viii. Issue relating to appointment made in NDMC on fake SC/ST certificate,
- ix. Accommodation facilities to SC/ST Employees,
- x. Sixth Pay commission benefits to contractual Doctors,
- xi. Need for setting of time limit for the process of regularisation of contractual Doctors including 63 contractual Doctors under NDMC.

4. The Committee was concerned about the huge backlog of vacancies in various grades/posts and directed Ministry of Home Affairs and NDMC to fill these vacancies within specified time limit i.e. within 6 months.

5. Thereafter, the representatives of the Ministry of Home Affairs (Department of Home) and New Delhi Municipal Corporation responded to these queries one by one. On certain points on which the information was not readily available with the witnesses, the Chairperson directed the representatives concerned to submit the replies to the Secretariat within 15 days to the Secretariat.

(The witnesses then withdrew)

*The Committee sitting then adjourned.*

A Verbatim record of the proceedings has been kept.

APPENDIX -III

(Vide Para 4 of Introduction)

Analysis of action taken by the Government on the recommendations contained in the Fifth Report (Fifteenth Lok Sabha) of the Committee on the Welfare of Scheduled Castes and Scheduled Tribes.

1.	Total number of recommendations.....	15
2.	Recommendations/observations which have been accepted by the Government (vide recommendations at Sl. No. 2.4, 2.5, 2.7, 2.8 and 2.9).....	5
	Number Percentage to the total .....	33%
3.	Recommendations/observation which the Committee do not desire to pursue in view of the Government replies (vide recommendations at Sl. Nos. 2.1, 2.6, 2.11 and 2.15).....	4
	Number Percentage to the total.....	27%
4.	Recommendations/observations in respect of which replies of the Government have not been accepted by the Committee and which require reiteration (vide recommendations at Sl. Nos. 2.2, 2.3, 2.10, 2.12, 2.13 and 2.14.....	6
	Number Percentage to the total.....	40%
5.	Recommendations/observations in respect of which final replies of the Government have not been received .....	NIL