

No. 5/14/2012-SCT(B)/Welfare
Ministry of Finance
Department of Financial Services
(Welfare Section)

3rd Floor, Jeevan Deep Building,
Parliament Street, New Delhi
Dated: 1st March, 2013.

To

All CEOs of Public Sector Banks, FIs and PSICs,
CGM, HR, RBI
CEO, IBA


Subject: Minutes of meeting held on 5.11.2012 in the Department of Financial Services
with the representatives of SC/ST/OBC Employees Welfare Associations.

Sir,

I am directed to forward herewith a copy of minutes of the meeting held in DFS
on 5.11.2012 with the representatives of the SC/ST/OBC Employees Welfare
Associations in PSBs/FIs/PSICs and RRBs, on the issues relating to implementation of
reservation policy for SC/ST/OBC in PSBs/FIs/PSICs.

2. It is requested to take necessary action on the issues pertaining to you and
inform this Ministry of the action taken in the matter within a month of receipt of this
letter.

Yours faithfully,


(J.S. Phaugat)
Under Secretary(Wel)

Copy also for information to:

1. AS(FS), JS(AB), DS(Wel), DFS.
2. All participant representatives of SC/ST/OBC Employees Welfare Associations in
PSBs/FIs/PSICs/RRBs, for information.

**Minutes of meeting held on 5.11.2012 in DFS with the representatives of
SC/ST/OBC Employees Welfare Associations.**

A list of participants is attached.

2. Welcoming the participants, Director(SCT) and Chief Liasion Officer(CLO), DFS said that the purpose of calling this meeting of the representatives of SC/ST/OBC Welfare Associations was to enlighten the Deptt. of Financial Services (DFS) about the problems relating to the implementation of the reservation policy and grievances of the reserved category employees in PSBs/FIs/PSICs. He further explained that DOP&T is entrusted with the task of framing policies, rules and regulations for SC/ST/OBC employees while the role of DFS is limited to ensure proper implemetation of these policies. Participants were also advised to limit their discussions to implementation part of policies pertaining to the reserved categories of employees and welfare issues pertaining to these category of employees. It was further advised to the representatives that they may not try to insist discussion of policy issues as it is not the domain of DFS. Director(SCT) also requested representatives to maintain due decorum and highest regard to the Chair. Representatives were also advised that discussions would further be restricted to issues as contained in the Agenda Note. However, after discussion is over on agenda items, any relevant issues may further be discussed with the permission of Chair.

3. After taking permission of the Chair, the representatives of the Associations presented bouquet to the Chairperson, Shri Sunil Soni, Additional Secretary.

4. The Chairperson welcomed the representatives of SC/ST/OBC Welfare Associations and expressed that keeping in view the lack of appropriate space in the Conference Room, the DFS was constrained to restrict the invitation to one representative of each Welfare Association only. The Chairperson also reiterated that though discussion will be restricted to the implementation part of Govt. of India policies and further subject to agenda items, however, if any issue falls beyond the jurisdiction of DFS, it would be ensured that same is taken up with DOP&T appropriately for logical conclusion. He also advised Associations that on certain issues which fall purely under the domain of DOP&T, Associations may like to take up the same with the DOP&T directly. Otherwise, certain matters which Associations would require, may be taken up with DOP&T by this Deptt. also.

Agenda No. 1: Confirmation of the minutes of the meeting dated 27th July, 2011.

On the advice of he Chairperson, to start discussions, Director(SCT) and CLO read out the first agenda item. Thereafter, agenda-wise discussion was held. Director(SCT) read out the Action Taken Report (ATR) of the last meeting held in DFS on 27.7.2011. After discussios ATR was confirmed.



Agenda No. 2: Fulfillment of backlog vacancies of SCs/STs/OBCs categories by launching the special recruitment drive.

The issue regarding backlog vacancies was thoroughly discussed. At the outset, the Chairperson informed the participants that Banks have already been directed by DFS to complete filling up of all backlog, if any, by the end of current financial year through the ongoing recruitment process. The Chairperson further observed that DFS has already reviewed the status of backlog vacancies and submitted report to the Parliamentary Committee on the Welfare of SCs/STs.

It was pointed out by one representative that some banks and Insurance Companies have not completed the back log till date. Bank of India was mentioned specifically in this regard. CLO clarified that as per information provided by the PSBs/PSICs there is no back log of 2008 in the Bank of India. Banks have assured to complete this back log by the end of current FY through the ongoing recruitment process. One representative observed that in GIC no recruitment has taken place since 1995 and back log is still pending unfilled. The Chairperson observed that the Company can not be forced to create vacancies. It is for Board of Directors to decide. It is, however, necessary on the part of all institutions, including GIC, that back log as on 1.11.2008 may not remain pending.

One representative observed that back log should have been completed before switching over to post based roster system, because due to reduction in cadre structure, back log is suppressed. The Chairperson observed that this needs to be checked from DOP&T's point of view.

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Agenda No. 3: Implementation of rule of reservation in officers' cadre (Scale-II to VII).

On the issue of 'implementation of rule of reservation' in officers cadres (Scale-II to VII), the Chairperson observed that this issue is subjudice before the Hon'ble Supreme Court. Some representatives advised that five banks who have filed SLP against the judgement of Hon'ble Madras High Court may withdraw their SLPs. They further suggested that instead of Banks, court cases may be taken up at Ministry level. The Chairperson clarified that there is no point for interference by DFS into this legal issue, particularly when the matter is already under examination in DOP&T. He further clarified that though the matter has been raised by various staff associations, however, as the stay order of the Supreme Court have already been issued in the matter, it could not be permissible for the Department to issue any directives in this regard. He therefore, advised the participant not to insist any further discussion on this issue.



Agenda No. 4: Safeguards against supersession in promotions.

Participants stated that the select lists are not provided to the Associations. Some participants suggested that ACRs of officers falling under Zone of Consideration may be provided to the individuals to enable them to make appeal, if required. The Chairperson observed that as a matter of principle, ACRs may not be kept confidential and banks may consider providing the same to individuals. As regards, select lists, the Chairperson observed that in his view, the Select Lists should be put on Bank's website under open domain.

It was also suggested that all SC/ST candidates falling under Zone of Consideration(ZOC), who are otherwise fit, may be kept in the select list. However, if there are any deficiencies, officer concerned may be put on special training to remove that deficiency. Some participants observed that ZOC is being maintained on the basis of people applying and not on the basis of select list. The Chairperson agreed that these issues may be examined in DFS.

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Some participants demanded that one member of Welfare Association may be associated with the recruitment process to safeguard the interest of SC/ST candidates. Some participants advised that LO may be associated with the Selection Committee.

The Chairperson clarified that as per DOP&T's guidelines, each Selection Committee consists at least one representative from SC/ST community and it is his duty to safeguard the interest of SC/ST candidates. In case he considers that rules are not being followed while preparing the select list and ZOC etc, he has every right to record his disagreement note and recommend to strike down the select list placed before the Selection Committee. Thus, if there is any dispute on the ZOC, it may be taken up by the SC/ST member on the Selection Committee. The Chairperson further observed that role of LO has already been prescribed by the DOP&T.

Some representatives mentioned that SC/ST candidates, though have secured good marks in written part, they are given low marks in interviews, perhaps, on the ground that they will be selected with low scores being from reserved category. In many cases they failed and thus superseded by their juniors in general category. The Chairperson advised the representatives to send specific details of such supersession, if any, so that the same may be taken up with concerned bank on issue based.

Some representatives advised that vacancy based system should come again. The Chairperson advised that this being a policy issue effecting Govt. employees as a whole in all the sectors, it is for the DOP&T to decide.

Representatives from Associations in Insurance Sector observed that Insurance Companies are changing their recruitment rules again and again without consulting



the Association representatives, which is negatively affecting the prospectus of SC/SC employees. Various via-routes, such as fast track system, campus selection and lateral entry systems have been introduced to bypass the reservation for SC/ST candidates. They demanded that existing SC/ST employees may be given chance under fast track and lateral entry systems also. Some participants alleged that due to management bias, generally less marks are given to SC/ST candidates in interview, therefore, the interview system needs to be done away with. The Chairperson observed that Insurance Companies enjoy autonomous status in the matter of the HR policies, however, wherever, these policies affect prospects of SC/ST candidates, every action of Companies should ensure that the same is in consonance with the DOP&T's guidelines.

Representative of United Bank of India(UBI) SC/ST Welfare Association observed that about 600 Drivers were selected in UBI insisting 5 years experience in order to forego SC/ST reservation. The Chairperson observed that despite the minimum standards prescribed for the post of drivers, reservation policy needs to be followed strictly. He further observed that such position will have to be confirmed from UBI.

It was further told that in some cases, qualification standards are not lowered for SC/ST candidates. The Chairperson observed that perhaps, educational standards should not be relaxed, however, lower marks standard may be fixed for them in comparison to the general candidates.

Some representatives suggested that recruitment of sub-staff and clerical cadre may be done at Regional Level by applying reservation criteria applicable to that particular zone and regional language may be given due consideration. The Chairperson observed that suggestion of examinations in recognised regional language is well taken.

Concluding the discussion, the Chairperson clarified that even a single case of supersession should be reported by the banks to the specified appropriate authority.

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Agenda No. 5: Fake Caste Certificates.

As regards 'long pending verification of bogus caste certificates' the Chairperson clarified that there are two sets of problems, (i) where the caste-certificate is false or (ii) where the holder is having the certificate on misrepresentation of facts. The Chairperson observed that there are certain time-consuming procedures under which cases of fake caste certificates are required to undergo verification. However, the Chairperson observed that if any specific cases are brought to the notice of this Deptt., where there is inordinate delay in verification, the same may be taken up with concerned banks to expedite the same from the Scrutiny Committee. He further observed that in specific cases, if necessary, DOP&T may also be requested to advise State Govts. to get the verification process expedited.



The Chairperson suggested that the other way out may be that candidate may be permitted to join only after verification of genuineness of the holder of the case certificate and not the genuineness of the case certificate only. He further observed that who are permitted to join service provisionally subject to verification of caste certificate, provisional joining may not go for long. He further observed that such cases may be kept like sealed cover for further promotion till the genuineness is certified by the concerned authorities. However, the concerned officer may be told clearly that as his caste certificate is under examination, he would not be considered for further promotion. Chairperson advised that this point may be taken up with DOP&T.

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Agenda No. 6: Compassionate appointment to the dependent of the deceased SC/ST/OBC employees:

The Chairperson observed that as per DOP&T's guidelines, compassionate appointments may go up to 5% of fresh vacancies. However, in terms of Supreme Court's judgements, instead of compassionate appointment, banks are giving monetary benefits to the dependents of deceased employee. He felt that it is not advisable that both, compassionate appointment and monetary benefits may be given and that it needs to be decided on case to case basis. However, this is a bilateral issue negotiated with the recognised Unions in Banks/FIs/PSIC etc. And it is not an issue specific to any caste. He further observed that it will however, be seen that monetary benefits given in such cases are appropriate and financial criteria fixed may be applicable to all employees equally. It was agreed that it needs to be ensured that no discrimination is made in these cases on the ground of caste.

Agenda No. 7: Role of Chief Liason Officer and Checking of Rosters.

Some representatives enquired about the role of Liason Officers (LOs) in Banks etc. and observed that LOs are not aware of their duties. They further observed that LOs do not keep in touch with Welfare Associations; that they have become a tool of management working under the CGM(HR); and therefore, in their view, LO system has failed. Some participants suggested that LOs of appropriate seniority may be appointed and not designated and should report to CMD directly.

The Chairperson advised Associations to suggest some guidelines for LOs which can be used by LOs, just something as hand-book type. He further suggested that that these draft guidelines may be sent to DFS so as to enable it to update the same and put them on DFS's website.

Some representatives raised the issue of non-inspection of rosters by the CLO in DFS. They observed that even CLO in DFS failed to complete his duties. He did not check any roster during the current year. Some representatives suggested that while inspecting the rosters, CLO may also inspect the corectness of backlog vacancies.



The Chairperson assured that the Deptt. has drawn up a comprehensive inspection schedule and have decided to initiate a special drive to complete the inspection of all cases pending more than two years before 31st March, 2013. He further observed that while inspecting the rosters, position of backlog vacancies will be checked specifically by the roster checking team of this Deptt.

Some representatives suggested that Associations may be allowed to check the reservation rosters. The Chairperson clarified that this is a policy issue.

Some one suggested that training workshops may be organised for all concerned who handle reservation rosters. The Chairperson agreed to advise banks to organise special training programmes/workshops on this issue.

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Agenda No. 8: Pre-recruitment/Pre-promotion training, posting/training at foreign locations for SC/ST/OBC candidates in PSBs/FIs/PSICs.

As regards 'pre-recruitment/pre-promotion and foreign training', some participants observed that pre-promotion training is not provided appropriately; training programmes organised with poor infrastructure facilities; are of sub-standard; and conducted with back-dated material by the untrained staff. Further, people from far-away places are forced to participate at one location for training. It was suggested that training may be given at the nearest places under suitable training environment and with updated training material. Further, it was felt that training should complete one week or 10 days before the examination.

The Chairperson observed if some specific examples are given, DFS would take up such cases with the concerned banks. It was also felt that banks may be advised that training centres may not be at a central place but may be as far as possible to the nearest centre and that training period may be atleast for 10 days. It was also felt that if required, Banks may hire trained faculty from outside/other banks.

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Agenda No. 9: Harassment/victimization of SC/ST/OBCs in PSBs/FIs/PSICs:

As regards alleged 'harassment of SC/ST employees in banks', the representatives of Associations demanded that they may be authorised to interfere into transfer matters to stop unnecessary harassment of SC/ST officers in the matter of transfer/posting, or posting in far away places/non-family places. Some participants alleged that some times suitable postings are extended to general candidates on the ground of age etc. and SC/ST candidates are offered posting/transfer in far away polace. They demanded that an advisory letter may be sent by DFS to all organisations sugesting suitably.



The Chairperson observed that it was a management as well as IR issue which is covered under bilateral negotiations. The Chairperson, however, agreed that policy should be transparent and rational so as to reduce the chances of misuse. He also observed that sometimes, it becomes a matter of preception. As regards alleged social discrimination of SC/ST category officers in the matter of postings, the Chairperson asked the representatives to send specific instances of such discrimination to the DFS for taking up the same with the concerned organisations. He however, agreed that the transfer policy may be put by the banks on their concerned websites.

As regards the allegation about bias of Vigilance Officers in Insurance Companies against SC/ST Officers, the Chairperson assured that if any specific instances of harassment of SC/ST officers in disciplinary cases are brought to the notice of the DFS, they will be taken up at appropriate levels. On the demand of Associations that DFS may address an advisory letter to all organisations, the Chairperson observed that it may not be advisable to address a letter at higher level to CMDs on vague allegations. However, in case Associations come up with some specific verifiable allegations, DFS may consider the issue.

Agenda No. 10. Problem of SC/ST/OBC employees in Grameen Banks.

As regards problems of SC/ST/OBC officers in Grameen Banks, participants observed that recruitment in RRBs may be at regional level applying reservation quota earmarked for SC/STs for the concerned region. The Chairperson observed that existing system needs to be checked. He was of the opinion that perhaps RRBs are not in position to conduct separate exams at their own level, and therefore, as exams are conducted on all India basis, all India percentage quota is made applicable. However, this issue may be got examined by the concerned Division in DFS.

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Participants further alleged that that selection is not made on the basis of DOP&T's guidelines. The principle of Seniority cum Fitness/Seniority cum Merit is followed which is not as per DOP&T's guidelines. The Chairperson observed that if some specific cases are brought to notice where DOP&T's guidelines are not followed, the same may be taken up with concerned RRBs.

Agenda No. 11. Conversion of Part-Time Sweepers (PTS) as Full Time (FTS).

Participants alleged that several banks and Insurance Companies have not converted PTS to FTS. The Chairperson observed that as per present report, most of the banks are following the DOP&T's guidelines as communicated to them by DFS. However, he suggested that if any specific instance is brought to the notice of this Deptt. , the same may be taken up by DFS at appropriate level.



Some participants alleged that some institutions are still taking PTS, and suggested that the Chairperson DFS may advise all concerned not to resort to any further employment on part-time basis. On the objection of Associations for outsourcing cleaning/sweeping jobs, the Chairperson advised that Associations may not insist continuation for a policy under which ST communities are forced to accept the very same job. He questioned as to why this category people should always be employed only for cleaning/sweeping. He further observed that it requires change of mindset of Association leaders.

On the suggestion that while considering the Leave Gap Arrangement employees as regular, their age may be decided at the time of their initial appointment and not as on date of vacancy, the Chairperson observed that Institutions are required to follow DOP&T's guidelines in this regard.

Agenda No. 12: Quarterly Meetings.

On the issue of 'Quarterly meetings' with SC/ST Welfare Associations, participants insisted that meetings should be chaired by the CMD. The Chairperson observed that every issue may not be of the level of CMD. However, to the extent possible, issues segregated important from the policy point of view which require attention of the CMD, may be discussed in the meeting at CMD level.

As regards allegation that quarterly meetings are not held regularly, the Chairperson asked Association members to inform where such meetings are not being held regularly. He further observed that it is imperative that banks/FIs/PSICs should follow the DOP&T's guidelines in this regard.

On the suggestion that meetings with associations may be held on half yearly basis, it was observed that it depends on the importance of the agenda suggested, otherwise one meeting was considered sufficient.

Agenda No. 13: Exemption of 2-3 office bearers of Welfare Associations from transfer/posting.

As regards not transferring the Office Bearers of Associations, the Chairperson observed that first of all, concept of Officer Bearers needs to be defined. Some one suggested that Chief Executives (at least Gnl. Secretary and President) may be included, the Chairperson observed that there is a law to regulate Union matters, whereas, there is no law as such for Welfare Associations. The Chairperson agreed that, however, this issue may be decided on the basis of DOP&T's guidelines/policy.

When attention of the Chairperson was brought towards the decision in the last meeting dtd. 27.7.2011 that at least 2-3 office bearers may be exempted from transfer, the Chairperson observed that we are not going by the decisions, if any taken in 2006 or 2011 meetings. There are big cities where transfer in the same city may not be taken as local transfer. This point needs to be further examined.



However, as informed by the banks, they are giving due weightage to office bearers of Associations in transfers matters.

Agenda No. 14: Office Space/other facilities to the Welfare Associations.

On the demand of Associations for office space to Welfare Associations, the Chairperson observed that, perhaps all banks have either earmarked some office space or facility of reimbursement of rental to the recognised association. He further observed that though this is essentially a management issue of PSBs/PSICs etc, but as DFS wants solution to this problem he advised the Associations to send their specific proposals if they have not been given space at central level, highlighting the need to provide office space at Central/Regional level etc..

As regards allegation that Check off system is not applied in all Institutions while giving recognition to the Welfare Association, the Chairperson advised that the issue of criteria to judge the majority may be sorted out by Associations with the concerned managements at organisational levels.

On the demand of extending leave etc. facilities to Welfare Associations, the Chairperson clarified that Associations can not be equated with Unions.

Agenda No. 15. Appointment of SC/ST/OBC members in Boards of Directors of the PSBs/FIs/PSICs.

On the issue of reservation of SC/ST officers on the Board of the Banks, the Chairperson observed that this issue has been recommended by the Parliamentary Committee. However, this is being examined by the DOP&T, it need not be examined in DFS separately.

Agenda No. 16. Any other issues with the permission of the Chairman.

Some other issues were also raised by the participants with the permission of the Chair. As regards proposal of Associations for their meeting with IBA and DOP&T, the Chairperson observed that IBA is an independent Association of Banks not under administrative control of DFS. However, Associations are free to meet DOP&T officials.

On the suggestion that SC/ST officers may be given appropriate representation while framing policies pertaining to SC/ST officers, and that instead of 200 point roster, 100 point roster may be applicable, the Chairperson observed that DOP&T is the nodal Ministry for deciding policy issues pertaining to welfare aspects of SC/ST employees in Govt. services and also reservation matters. On the suggestion that SC/ST officers



should be represented in the Business Development Committees, the Chairperson advised that this being a commercial decision not based on caste, it would not be appropriate for DFS to interfere in to matter.

6. The Chairperson thanked the participants and assured that DFS will do its best to implement the reservation policy and welfare of SC/ST/OBC as per the extant policies. He advised representatives to send their comments/suggestions to Director(SCT) on his email.

7. The Meeting ended with vote of thanks to the Chair.

