

**No. R-5/Steel-5/Service/2007/RU-II**

**Proceedings of the Sitting on 24.09.2008 of the Secretary, Ministry of Steel and the Director (P),VSP with Shri Maurice Kujur, Hon'ble Vice-Chairman.**

**A list of the officials present in the Sitting is at the Annexure.**

**ISSUE:**

Reservation in Promotion from Junior Officer (JO) to Assistant Executives (EO) in VSP, Visakhapatnam.

**Background:**

A complaint dated 29.08.07 was received in the Commission from Shri R. Adrasta Rao, General Secretary of VSP SC&ST Employees Welfare Association. It was stated that reservation is not provided on promotion from JO to AE. As per the Association, the lowest rung of Group 'A' is Assistant Executive (AE) and Junior Officer (JO) is a non-Executive (i.e. non-Group 'A') post. Whereas the stand of the management of VSP is that prior to 1995, Assistant Executive (AE) used to be the lowest rung of Group 'A'; however, due to the introduction of Junior Officer (JO) grade w.e.f. 01.04.1995 as per the recommendations of Justice Mohan Committee, the JO grade became the lowest of the Executive scales and was, accordingly grouped as belonging to Group 'A'. The matter was taken up with the Secretary, Ministry of Steel vide letter dated 30.08.07. No reply received from the MoS inspite of the reminder dated 07.09.2007. Meanwhile, the office bearers of SC/ST Welfare Association (VSP) met the Hon'ble Chairperson and Secretary, NCST to explain their grievance. In pursuance of the discussion held, it was decided to call Director (Personnel) and Liaison Officer of VSP to

Commission to discuss the issue. Accordingly, Shri Y. Balaji, DGM (P) and Shri Sudhir W.Tete, DCM (P) & L.O. attended a meeting at the Commission on 05.10.07 to discuss this case with the Secretary, NCST. During the discussion, it was advised by the Commission to VSP that the post of Assistant Executive in the scale of pay of Rs.8600 -14600 in the EO grade should be declared the lowest rung of the Group 'A' to enable ST candidates to obtain the benefit of 7.5% reservation in terms of the reservation policy of the Govt. which allows, inter-alia, reservation for SCs and STs only up to the lowest rung of Group 'A', and the post of Junior Officer in the scale of pay of Rs.6500-11350 should be declared as Group 'B' (Gazetted) (on the lines of the post of Section Officer in the GOI which is a Gazatted Group 'B' post) without any change in their duties and powers given to them at present. It was brought to the notice of VSP that the post which has been declared as the lowest rung of Group'A' in GOI is in the scale of Pay of Rs.8000-13500 and therefore, it was essential that on the similar lines, the post of Assistant Executive, EO, in the scale of Pay of Rs.8600-14600 in VSP is declared the lowest rung of Group'A'. The post of JO in the changed scenario will be the executive post in Group 'B' and the post of AE will be the executive post in the lowest rung of Group 'A'.

VSP in their ATR dated 05.11.07 stated that JO post was introduced on the recommendations of the Justice Mohan Committee which was set up by the Central Government to recommend pay scales for the Public Sector Enterprises. The post was the lowest of the Executive Scales and was accordingly, grouped as belonging to Group 'A'. Further, as emphasized by VSP, while an officer in

the Govt. may be in Group 'B', in the Industry all officers are categorized as belonging to Group 'A' and officers of VSP should not be an exception.

Recently, Ministry of Steel has intimated that SAIL, a Navaratna PSU under Ministry of Steel does not have same pay scales as per the model pay scales of Department of Public Enterprises (DPE). In the last wage revision, effective from 01.01.1997, DPE had given flexibility to such Public Sector Enterprises to create intermediate pay scales as per the requirements of the concerned PSEs.

**Analysis:**

It is understood that as per DPE guidelines Pay Scales can be inserted by PSU's, but the critical Pay scales demarking the levels as Executives and non-Executives can't be tampered with.

**DISCUSSION**

VSP officials explained that Junior Officer (JO) grade was introduced in 1995 to meet the aspirations of their employees regarding promotion to the Executive post. The post was introduced with the consent of the Unions and the Associations.

VSP officers could not reply satisfactorily to a query from the Commission and the Ministry of Steel regarding relaxation/reservation provided to ST candidates at the time of promotion from non-executive grade to executive grade i.e. Junior Officer. The Commission explained that as per the present policy of the Govt., reservation is applicable to ST candidates at the time of promotion at every stage up to the lowest rung of Group 'A'. The Commission also explained

that at the time of promotion to Junior Officer, reservation/relaxation should be made available to ST candidates which was agreed by the VSP officers and officers of the MoS.

Commission also asked the position of following points from the VSP Officers :

- i) Separate merit scholarship to ward of VSP, ST employees.
- ii) Priority for employment to wards of employees of VSP.
- iii) Free computer education to wards of ST employees.
- iv) Reservation to ST candidates in apprenticeship.

It was explained by the VSP officials that :

- i) Separate merit scholarship to wards of VSP ST employees has already been approved and orders will be issued shortly.
- ii) Priority for employment to wards of employees of VSP cannot be given as per the Supreme Court decision and they have to compete as per the merit.
- iii) MoS officers advised VSP that free computer education can be imparted to ST students under CSR scheme.
- iv) VSP officers informed that reservation to ST candidates is already provided under the apprenticeship scheme; in case of any problem, it will be resolved.

## **RECOMMENDATIONS**

The Commission recommended that :

- i) Reservation/relaxation to candidates belonging to ST category be given in the case of promotion from the post of Junior Officer to the post of Assistant Executive as per the extant guidelines/instructions of the GOI. Alternatively, the post of Junior Officer should be considered a Group 'B' post.
- ii) Orders for separate merit scholarship to wards of ST employees should be issued immediately.
- iii) Arrangement to provide free computer education to ST students should be made on Priority basis.
- iv) VSP should ensure reservation to ST candidates under apprenticeship scheme.

An Action Taken Report on the recommendations of the Commission should be submitted by the VSP within 30 days.

## ANNEXURE

The following were present in the sitting on 24.09.2008 :

### **NCST**

1. Shri Maurice Kujur, Hon'ble V.Chairman .....In Chair
2. Shri Aditya Mishra, Jt. Secretary
3. Shri Vinod Aggarwal, Director
4. Shri K.C. Behera, PS to VC

### **Ministry of Steel**

1. Shri Elias G., Jt. Secretary
2. Ms. Indrani Kaushal, Dy. Secretary

### **Vishakhapatnam Steel Plant**

1. Shri Y. Manohar, Director(Personnel)
2. Shri Y. Balaji, DGM(P)
3. Shri Sudhir W. Tete, DCM(P) & LO SC/ST Cell
4. Shri H. M. Sehgal, AGM(L)

### **Petitioners**

1. Shri Bhukya Sankar, President, DITU
2. Shri G. Pydi Raju, President, VSP SC/ST Association
3. Shri Joseph Kujur, Secretary, VSP SC/ST Association
4. Shri B.M.K. Naik, V.P., INTUC