

Report on

- (1) Status of Backwardness of Scheduled Castes (SC) and Scheduled Tribes (ST) in Bihar
- (2) Inadequate Representation of SCs and STs in Staffing of Government Services; and
- (3) Overall Administrative Efficiency of Government Machinery in the light of Reservations in Government Services in Bihar

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SC & ST Welfare Department
Government of Bihar

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Executive Summary

This report has been prepared by the Department of SC & ST Welfare, Govt. of Bihar, pursuant to letter no. 125 dt. 22/06/12 of the General Administration Department, Government of Bihar and with reference to the Civil Writ Jurisdiction Case No.5649 of 2008 in the High Court of judicature at Patna and the Letters Patent Appeal No.1225 of 2011 in Civil Writ Jurisdiction Case No. 5649 of 2008 (with Interlocutory Application No. 5968 of 2011 and Interlocutory Application No. 5969 of 2011 in Letters Patent Appeal No.1225 of 2011), with the intent to determine

- ❖ the relative level of backwardness of the Scheduled Castes and Scheduled Tribes in Bihar,
- ❖ inadequacy of their representation in various government services, including Engineering Service(s), and
- ❖ the impact if any, of SC/ST quotas in promotions on the overall administrative efficiency of government machinery.

Reservations have been envisaged in the Constitution of India as an affirmative action/intervention to deal with historical societal marginalization of Scheduled Castes and Scheduled Tribes in India. Initially, the Supreme Court in its judgment dated 16.11.1992 in the case of Indra Sawhney had held reservation in promotion as unconstitutional but allowed its continuation for five years from the date of judgment as a special case. The 77th amendment to the Constitution was made in 1995 before expiry of five year, which enabled the Government to continue reservation for SCs and STs in promotion.

Another important amendment to the constitution is the 85th amendment, which provides for reservation to the SCs and the STs in promotion with consequential seniority and the instructions issued by the Government for such reservation in Central Government services are continuing till date. Many state governments referred these amendments for designing schemes for reservation in case of promotion for SC/ST along with consequential seniority. In many cases, however, policies related to reservation in promotions were challenged through several writ

petitions as being unconstitutional. All these cases were clubbed together and heard by the Supreme Court in **M. NagarajVs UOI &Ors.** The Supreme Court, while ruling that the 77th& 85th Constitutional amendments were constitutionally valid, further ruled that these are enabling provisions and states will have to make out a case for providing reservations in promotion based on quantifiable data and satisfy the court that such reservation became necessary on account of inadequacy of representation of SCs/STs in a particular class or classes of posts without affecting the general efficiency of service as mandated under article 335 of the Constitution.

The Supreme Court thus ruled that if a State Government (or for that matter Central Government) wants to provide reservation to SCs and STs in promotion, along with consequential seniority, a case will have to be made out satisfying the three conditions:

- collecting of quantifiable data showing backwardness of the class and inadequacy of representation of that class in public employment;
- ensuring compliance with Article 335 which says that while making reservation, due consideration is to be given to maintenance of efficiency of administration; and
- ensuring that the reservation provision does not cross the ceiling of 50% and does not obliterate the creamy layer and that the reservation does not extend indefinitely.

In keeping with the directive of Hon'ble High Court of Patna and the decisions of Supreme Court of India, the Government of Bihar has sought to determine the relative level of backwardness of the SCs and STs in Bihar, inadequacy of their representation in various government services, including Engineering Service(s), and the impact if any, of SC/ST quotas in promotions on the overall administrative efficiency of government machinery. Among other sources, this report is partly based on the analysis of data made available by various departments of government of Bihar. Responses of various departments of Government of Bihar to purposive questionnaires have also been taken into account, particularly with regard to representation of SC/ST staff and the impacts of reservation on overall

administrative efficiency. In addition, relevant data drawn from various Census of India publications (2001), National Sample Surveys and various other prominent publications have also been used in this report.

Based on the analysis of available data and the responses of the concerned departments, this report shows how persistent social backwardness and relatively disadvantaged economic status added with limited educational achievements have hindered the pace of SC/ST communities' development in comparison to other social groups in Bihar. This could be seen in available data, which exposes that even after six decades of independence these communities are compelled to live and work in extremely difficult conditions. Over 90 percent of the total SC and ST population live in villages. Two thirds of SCs and STs in Bihar are poor and 71 percent of them are non-literate. Only 4 percent SC and ST in the state could manage to study up to graduation and above level. 83% of the sanitation workers hail from Dom, Mehtar and Bhangji communities.

This socio-economic status and limited educational qualification is reflected in SC and ST communities' space in government jobs. There is a visible concentration of SCs and STs in fourth grade jobs and a striking under-representation at senior positions in the Government of Bihar. Representation of SC and ST communities is very negligible in senior positions and in some departments there is no SC and/or ST personnel at senior positions at all. These facts clearly indicate that reservation in promotions is needed for ensuring their representation in government services. The report underscores the visible, though inadequate, improvement in the quality of life of SCs and STs due to policies of affirmative action. In fact, representation of staff under reserved SC/ST quotas is less than 5% across most services having sufficient promotional positions. Only 321 SC candidates and 113 ST candidates were recommended by BPSC for promotions as against 410 and 138 vacancies for these categories respectively.

Considering the consistent growth of the state of Bihar and various government departments' perception regarding impact of reservation on efficiency, it can be

safely argued that reservation in promotions has had noadverse impact on the efficiency of government departments. Most of the revenue-earning departments of Bihar, including the Departments of Commercial Taxes; Excise and Prohibition; Transport and Registration, have been performing well, despite extending reservations to members of SC and ST communities in various levels and various posts of these departments. Bihar's Compounded Annual Growth Rate of revenue during the years 2006 – 2012 has been around 25.6%. **The Infant Mortality Rate** (IMR) for Bihar decreased from 61 in 2005 to 48 in 2010 while Bihar recorded a sharp drop in **Maternal Mortality Rate**(MMR) from 371 in 2001-03 (SRS 01-03) to 261 in 2007-08 (SRS 07-08). The percentage of **institutional deliveries** has also increased from just 4 percent in 2006-07 to 51% percent in 2011-12. Bihar has also successfully implemented the Polio Eradication Programme. In 2011-12, the average number of patients visiting government hospitals in a month was 8404, compared to 1819 in 2006 (ref. Diagram 4.3).

The **decadal increase in literacy rate** in Bihar is the highest among all the states in India. According to the Economic Survey of Bihar (2012), the literacy rate in Bihar increased from 47.0 percent in 2001 to 63.8 percent in 2011, implying an increase of 16.8 percent during the decade. Needless to add that these achievements have been made possible by the tireless efforts of teachers, principals, Block Education Extension Officers, District Superintendents of Education, education workers, education inspectors and administrators who comprise not only of general category staff but also SC and ST officers and staff as well.

The annual growth rate of collection of taxes by the Department of Commercial Taxes in Bihar over the last three decades has been strikingly consistent, registering growth rates in excess of 10% in 19 out of the last 27 years (ref. **Annex. X**). In the year 2011-12, the revenue collection of the Transport Department of Government of Bihar stood at Rs. 557.48 crores, a leap of 722% from the annual collection of Rs. 67.81 crores in 1990-91 and ahead by 25% vis-à-vis the previous year's collection. In the last six and half years, 30676 km of rural roads have been constructed by the Rural Works Department. While 1728 habitation of SCs and STs have been

connected with link roads, as many as 5633 SC/ST habitations still remain to be provided with link roads. This spectacular achievement has been result of sincere efforts and hard work of engineers, officers and staff of Rural Works Department which include 2 Chief Engineers (both SC), 26 Superintending Engineers (9 SC) and 126 Executive Engineers (26 SC & 1 ST) among others.

In the process of assessment of overall administrative efficiency of government services, various departments were requested to report on the number of instances wherein departmental actions had to be initiated, promotions had to be withheld or any adverse reports were received against staff from SC/ST background for administrative inefficiency, or special training programmes had to be organized to enhance the efficiency of SC/ST staff. Analysis of reports received from some of the departments makes it amply clear that there has been absolutely no issue with regard to the efficiency of SC/ST staff. Thus, neither any evidence nor any experience of detrimental impact of reservations in promotions on the efficiency of government departments at various levels, positions or cadres was found during the analysis of data provided by various governmental departments. In fact, as Justice O. Chinnappa Reddy noted in his remark on reservation in K. C. Vasanth Kumar vs State of Karnataka [1985 (Supp.) SCC 714 at 738-740] that there is no statistical evidence of reservations' adverse impact on overall administrative efficiency of the government machinery. Justice Reddy notes:

“There is neither statistical basis nor expert evidence to support these assumptions that efficiency will necessarily be impaired if reservation exceeds 50 per cent, if reservation is carried forward or if reservation is extended to promotional posts. Arguments are advanced and opinions are expressed entirely on an ad hoc presumptive basis. The age long contempt with which the 'superior' or 'forward' castes have treated the 'inferior' or 'backward' casts is now transforming and crystallizing itself into an unfair prejudice, conscious and sub-conscious, ever since the 'inferior' casts and classes started claiming their legitimate share of the cake, which naturally means, for the 'superior' castes parting with a bit of it.”

Chapter 1

Background

"A representative government is better than an efficient government... It is your claim to equality, which hurts them. They want to maintain the status quo. If you continue to accept your lowly status ungrudgingly; continue to remain dirty, filthy, backward, ignorant, poor and disunited; they will allow you to live in peace. The moment you start to raise your level, the conflict starts... Those arguing against reservation must understand that 50 years of affirmative action is nothing as compared to 3000 years of subjugation. Those crying foul over merit know very well that there is not enough fruit in the garden hence those who are already in want to keep out those who are already out. Those responsible for implementing the policy of Reservation must undoubtedly understand that 'Reservation is neither a policy matter, a political gimmick, nor a matter of Charity'. It is a constitutional obligation."

- Dr. BhimRaoAmbedkar

Background

This report is being submitted to General Administrative Department (GAD), Government of Bihar pursuant to letter no. 125 dt. 22/06/12 of the GAD and with reference to the Civil Writ Jurisdiction Case No.5649 of 2008 in the High Court of judicature at Patna and the Letters Patent Appeal No.1225 of 2011 in Civil Writ Jurisdiction Case No. 5649 of 2008 (with Interlocutory Application No. 5968 of 2011 and Interlocutory Application No. 5969 of 2011 in Letters Patent Appeal No.1225 of 2011) and orders of Hon`ble Supreme Court.

A Brief on Reservation in Promotions:

Reservation was made available to Scheduled Castes (SCs) and Scheduled Tribes (STs) in promotions since long. The Supreme Court in its judgment dated 16.11.1992 in the case of Indra Sawhney had held reservation in promotion as unconstitutional but allowed its continuation for five years from the date of judgment as a special case. The 77th amendment to the Constitution was made in 1995 before expiry of five year, which enabled the Government to continue reservation for SCs and STs in promotion. Through this amendment Article 16 (4A) was added in the constitution as read below:

“(4A) nothing in this article shall prevent the State from making any provision for reservation in matters of promotion to any class or classes of posts in the services under the State in favour of the Scheduled Castes and Scheduled Tribes which, in the opinion of the State, are not adequately represented in the services under the State.”

The Supreme Court in the matter of UOI v/s. Virpal Singh Chauhan and in some other cases had held on 10.10.1995 that if an SC/ST candidate is promoted earlier than his senior general candidate, by virtue of rule of reservation roster, and the senior general candidate is promoted later to the said higher grade, the general candidate shall regain his seniority over such earlier promoted SC/ST candidate. The Department of Personnel and Training issued Office memorandum No. 20011/1/96-Estt (D) dated 30.1.1997 to implement the above referred judgment.

To remove the adverse effect of the judgment in Virpal’s case, in the year 2001, the 85th Amendment was made to the Constitution. The amendment modified clause (4A) of the Constitution so as to give benefit of seniority to SC/ST candidate promoted by reservation. The modified clause (4A) of article 16 reads, as under: -

“Nothing in this article shall prevent the State from making any provision for reservation in matters of promotion, with consequential seniority, to any class of classes of posts in the services under the State in favour of the Scheduled castes and

Scheduled Tribes which, in the opinion of the State, are not adequately represented in the services under the State.”

After 85th amendment, the Department of Personnel and Training issued OM No. 20011/1/2001-Estt. (D) Dated 21.1.2002 which provides that the members of Scheduled Caste and Scheduled Tribe communities would get the benefit of reservation in promotion with consequential seniority. Thus, the Constitution provides for reservation to the Scheduled Castes and the Scheduled Tribes in promotion with consequential seniority and **the instructions issued by the Government for such reservation in Central Government services are continuing till date.**

Reservation in promotions challenged in many States:

Based upon these Constitutional amendments, many State Governments came out with their schemes for reservation in case of promotion for SCs/STs along with consequential seniority. Many of these orders were challenged as being unconstitutional through several writ petitions. All these cases were clubbed together and heard by the Supreme Court in **M. Nagaraj Vs UOI & Ors.** The Supreme Court, while ruling that the 77th & 85th Constitutional amendments were constitutionally valid, further ruled that these are enabling provisions and states will have to make out a case for providing reservations in promotion based on quantifiable data and satisfy the court that such reservation became necessary on account of inadequacy of representation of SCs/STs in a particular class or classes of posts without affecting the general efficiency of service as mandated under article 335 of the Constitution.

Key conditions laid down in M. Nagaraj Case:

The Supreme Court thus ruled that the Article 16 (4A) is constitutionally valid but it is only an enabling provision. If a State Government (or for that matter Central Government) wants to provide reservation to SCs and STs in promotion, along with

consequential seniority, a case will have to be made out satisfying the following conditions:-

- (a) Collecting of quantifiable data showing backwardness of the class and inadequacy of representation of that class in public employment.
- (b) Ensuring compliance with Article 335 which says that while making reservation, due consideration is to be given to maintenance of efficiency of administration.
- (c) Ensuring that the reservation provision does not cross the ceiling of 50% and does not obliterate the creamy layer and that the reservation does not extend indefinitely.

Status of reservation for SCs and STs in promotion in Central Government services:

As such, the Central Government has not made any change consequent to M. Nagaraj case, in its policy regarding reservation in promotion along with consequential seniority to SC/ST, which was continuing since 2002. Accordingly, reservation to SCs/STs in promotion, along with consequential seniority, **is available in Central Government services in the same manner as it was available prior to the judgment in M. Nagaraj case.**

Reservation for SCs and STs in promotion in State Services:

Relying on the decision of the Supreme Court in M. Nagaraj case, the Rajasthan High Court set aside the scheme of reservation in promotion in the State of Rajasthan. This was challenged by the State Government before Supreme Court, who, in its judgment dated 7.12.2010 in the matter of Suraj Bhan Meena Vs. State of Rajasthan upheld the decision of High Court. Similarly, recently the Supreme Court has upheld the decision of Allahabad high court in the matter of U.P. Power Corporation Ltd. Vs. Rajesh Kumar &Ors. whereby it has set aside the scheme of Government of UP for

reservation in promotion on the grounds that the scheme has not fulfilled the conditions lay down in the case of M. Nagaraj.

Methodology

In keeping with the directive of Hon'ble High Court of Patna and the decisions of Supreme Court of India, the Government of Bihar has sought to determine the relative level of backwardness of the Scheduled Castes and Scheduled Tribes in Bihar, inadequacy of their representation in various government services, including Engineering Service(s), and the impact if any, of SC/ST quotas in promotions on the overall administrative efficiency of government machinery.

Among many other sources of data, this report has examined data made available by the General Administration Department of Bihar with respect to the actual number of employees and the actual number of SC/ST employees in position during July 2012 in various positions of promotion in different departments of Government of Bihar. Responses of various departments of Government of Bihar to purposive questionnaires have also been taken into account, particularly with regard to representation of SC/ST staff and the impacts of reservation, if any on overall administrative efficiency of the government machinery.

In addition, relevant data drawn from various Census of India publications (2001), National Sample Surveys and various other prominent publications have also been used in this report. Accordingly, the Chapters of this report separately examine the relative level of backwardness of the Scheduled Castes and Scheduled Tribes in Bihar, their representation in various government services, including Engineering Service(s), and the impact of SC/ST quotas in promotions on the administrative efficiency of various services are enclosed herewith.

Chapter 2

Status of Backwardness of Scheduled Castes and Scheduled Tribes in Bihar

2.1. A demographic overview of SCs and STs in Bihar

2.1.1 As per Census 2001, the population of Scheduled Castes (SC) and Scheduled Tribes (ST) of Bihar stands at 13,048,608 and 758,351 respectively, constituting 15.7 % and 0.9 % of the total population (82,998,509) of the State. The growth of SC and ST populations during the decade of 1991-2001 was estimated at 30.7 % and 32.4 %, which is higher than the rate of growth of total population (28.6 percent). Both the Scheduled Castes and Scheduled Tribes are predominantly rural; with 93.3 and 94.6 per cent of them residing in rural areas respectively. **Annex. I and II** present an overview of the population of various SCs and STs residing in Bihar.

2.1.2 As many as twenty-three (23) castes constituted the category of Scheduled Castes in Bihar, as per Census 2001. Prominent SCs in the descending order of population size are Chamar, Dusadh, Musahar, Pasi, Dhobi and Bhuiya. The six most populous SCs constitute 93.2 % of the total SC population of the State. The overall sex ratio of the SC population in Bihar is 923 per 1000 males, which is marginally higher than the sex ratio of Bihar (919).

2.1.3 As many as 29 Scheduled Tribes were enumerated during the census of 2001. Prominent STs in the descending order of population size are Santhal, Oraon, Kharwar, Gond and Munda, which together constitute 86.8% of the total ST population of the State. The overall sex ratio of the ST population in Bihar is 929 females per 1000 males, which is higher than the sex ratio of Bihar (919).

2.1.4 Among the 38 districts of Bihar, Gaya has the highest proportion of SCs (29.6 per cent) population in the district, followed by Nawada, Aurangabad, Kaimur,

Vaishali and Nalanda. Kishanganj district has the lowest proportion of the SC population (6.6 per cent).

2.1.5 Katihar district has the highest proportion of STs (5.9 per cent) followed by Jamui (4.8 per cent), Banka (4.7 per cent) and Purnia (4.4 per cent). Sheohar district has the lowest proportion of the STs (0.01 per cent).

The following sections of the report seek to highlight the persistent backwardness of Scheduled Castes and Scheduled Tribes residing in Bihar in terms of their relative social status, economic conditions and educational achievements.

2.2. Relative social status of SCs and STs in Bihar

2.2.1 A study undertaken by Praxis and *Nidan* in Patna (*'The Legacy of Stench'* – 2011) confirms the fact that even in 2011; all most all *safaikaramcharis* hail from Scheduled Castes. **As many as 82.54% of all sanitation workers hail from Dom, Mehtar, Basfor or Bhangji communities.** An additional 10.26% worker comprise of various other scheduled castes, including a significant 6% hailing from *Musahar* caste. While only 5.38% of workers belong to other backward classes (mostly *Mallahs*), about 1.57% workers are Muslims. This statistics clearly brings out the social biases persisting for ages in the society towards the Scheduled Castes.

2.2.2 A common societal notion related to inter-community harmony and co-existence relates to exchange of *Roti* and *Beti* between households of different social identity, which is believed to overcome the caste factor. Many experts consider inter-caste marriage alliances as one of the best ways for society to ultimately reach to a level of casteless society, as many developed societies are, where all individuals would be treated equally and no individual would be discriminated against on the basis of caste. However Indian society, Bihar society included, is not showing any sign of such maturity. Generally all marriage alliances and social interactions in India are caste based even in

21st century. These practices are all the more blatant and socially acceptable in rural India/Bihar. Frequently we come across

2.2.3 The continued practice of caste-based social interactions and caste based discrimination of SCs/STs is reflected most glaringly in the matrimonial advertisements published in the daily newspapers of Bihar. **Annex. III** presents a snippet from the matrimonial columns published in the Hindustan Times, a prominent nation daily published from Patna, dated Sunday, July 15, 2012, in which as many as 174 advertisements have invited matrimonial alliances from their own communities or sub-communities. Similarly, as many as 74 caste-based matrimonial advertisements were published in the daily *Prabhat Khabar*, **with not a single advertisement seeking ‘caste no bar’ alliances.** Lakhs of such advertisements are routinely published not only in thousands of Newspapers and Magazines published all over India but also on internet! Bihar is no exception.

2.2.4 To promote social harmony, the Government of Bihar implements a scheme aimed at promotion of inter-caste marriages in the state, entailing an award of Rs. 25,000/- to citizens marrying out of caste. However, response to this scheme is not very encouraging. According to a report of Department of Social Welfare, Government of Bihar compiled on the basis of data available from 15 district, in last three years, only 47 cases of inter-caste marriages involving an SC/ST person have come to light, which points at the high premium attached to the caste factor in social customs and indicates negative bias of the society towards SCs as far as marriage alliances are concern. What is surprising is that even cash reward of Rs. 25,000 is also not attractive enough for the society to extend matrimonial alliances with SCs!

2.3. Relative economic status of SCs and STs in Bihar

2.3.1 The policy of reservations was conceptualized mainly in view of the historically deep-rooted social discriminations faced by Scheduled Castes and Scheduled Tribes in the Indian society. The main motive behind extending reservations to SCs and STs was the recognition of the unequal ability of persons from even higher strata within the SCs and STs to compete with the upper castes, on account of cumulative disadvantages acquired over a lifetime due to differences in their social status.

2.3.2 According to the latest poverty estimates for 2011-12 prepared by the Planning Commission, Scheduled Tribes (47.4 per cent) suffer the highest level of poverty among social groups in rural areas, followed by Scheduled Castes (42.3 per cent) and Other Backward Castes (31.9 per cent) as against 33.8 per cent for all classes. This indicates that even as compared to OBCs, the SCs and STs are poorer by more than 10% and 15% point respectively. In rural Bihar and Chhattisgarh, nearly two-third of the SCs and the STs are poor where as in States like Manipur, Orissa and Uttar Pradesh it is more than 50 per cent.

2.3.3 According to the Agricultural Census of 2005-06, the concentration of marginal holdings in Bihar is very high in the case of Scheduled Castes (95%) and Scheduled Tribes (88%). The following table indicates that only 117 out of 17.23 lakh holdings of SCs and 529 out of 1.91 lakh holdings of STs have more than 5 hectares of land! Also, 79.3% of all individual and joint holdings of SCs are concentrated within only 3.98% of the total area enclosed by the individual and joint holdings of all social groups. Similarly, 64% of all holdings of Scheduled Tribes are concentrated within only 0.37% of the total area enclosed by the holdings of all social groups. Table 2.4 presents the distribution of total individual and joint holdings of Scheduled Castes and Scheduled Tribes in Bihar and the cumulative land area enclosed by the holdings at different levels of aggregation.

Table 2.4 – Land holding by Scheduled Castes and Scheduled Tribes in Bihar					
S. No.	Size of holdings (in hectares)	Total no. of holdings	Cumulative percentage of holdings	Area (in '00 hectares)	Cumulative percentage of Area out of the area enclosed by holdings of all social groups (i.e. 62055 hectares)
Scheduled Castes					
1	Below 0.5	1367079	79.3377%	2475	3.9884%
2	0.5 – 1.0	266905	94.8273%	1706	6.7376%
3	1.0 – 2.0	73319	99.0824%	907	8.1992%
4	2.0 – 3.0	11352	99.7412%	263	8.6230%
5	3.0 – 4.0	3775	99.9602%	126	8.8260%
6	4.0 – 5.0	568	99.9932%	24	8.8647%
7	5.0 – 7.5	87	99.9983%	6	8.8744%
8	7.5 – 10.0	21	99.9995%	2	8.8776%
9	10.0 – 20.0	6	99.9998%	1	8.8792%
10	20 and above	3	100.0000%	1	8.8808%
11	All classes	1723115		5512	
Scheduled Tribes					
1	Below 0.5	122337	64.1960%	231	0.3723%
2	0.5 – 1.0	44885	87.7493%	310	0.8718%
3	1.0 – 2.0	15816	96.0487%	209	1.2086%
4	2.0 – 3.0	4297	98.3035%	97	1.3649%
5	3.0 – 4.0	1748	99.2208%	61	1.4632%
6	4.0 – 5.0	956	99.7224%	43	1.5325%
7	5.0 – 7.5	356	99.9092%	21	1.5664%
8	7.5 – 10.0	78	99.9501%	6	1.5760%
9	10.0 – 20.0	95	100.0000%	16	1.6018%
10	20 and above	0	100.0000%	0	1.6018%
11	All classes	190568		995	

Source: Agricultural Census 2005-06, Government of India

2.3.4 Other sample studies conducted in Bihar confirm the trend. According to a study of disparities in distribution of land in Bihar (*'Landlessness and Social Justice'*, published by Praxis – Institute for Participatory Practices, based on a Land Mapping project carried out in Bihar in 2009 in the districts of Gaya, Jamui, Nawada, Patna and West Champaran), the proportion of marginal landholders is highest amongst Scheduled Tribes and Scheduled Castes (95.1% and 92.6% respectively) amongst all communities.

While the average land holding per household is a dismal 1.13 acres across the whole area of study, the same for Scheduled Tribes and Scheduled Castes is only 0.65 acres and 0.72 acres respectively. Amongst the other backward classes, Muslims and socially advanced castes the average land holding per family is 1.16, 2.02 and 2.13 acres respectively. The concentration of families facing **near-absolute landlessness is highest amongst the Scheduled Castes (53.5%) whereas the same for the Scheduled Tribes is 47.98%.**

2.3.5 Despite limited ownership of land, nearly 77.6 per cent SCs and 62.5 per cent of STs in Bihar are agriculture-workers, as per Census 2001. Only 7.9% SC workers fall in the category of cultivators (ref. Table 2.5).

Table 2.5 - Distribution (%) of Workers in Various Economic Categories				
Distribution of workers →	Cultivators (%)	Agricultural laborers (%)	Household workers (%)	Other workers (%)
Scheduled Castes	7.9	77.6	3.3	11.2
Scheduled Tribes	21.3	62.5	4.0	12.2

Source: Census of India, 2001

2.3.6 Various studies undertaken by National Sample Survey Organization point at extremely limited degrees of land ownership among Scheduled Castes and Scheduled Tribes in Bihar. According to the 61st round of National Sample Survey [Report No. 516(61/10/2), 'Employment and Unemployment Situation Among Social Groups in India, 2004-05'], the proportion of households possessing land of size 4.01 hectares or more was the maximum for 'others' category of households (6 per cent), followed by the OBC (4 per cent), ST (about 3 per cent) and SC households (1 per cent). The same study also revealed that the proportion of households cultivating larger holdings of size 4.01 hectares and above was the highest among 'others' category of households (about 5 per cent), followed by the OBCs (about 3 per cent), the STs (2 per cent) and the SCs (1 per cent).

2.3.7 If the above paragraphs highlight the dismal ownership of agriculture land, this paragraph establishes that large number of *Mahadalit* families don't have land even for construction of a hut! According to a survey conducted by Department of Revenue and Land Reforms, Government of Bihar as many as 2,10,437 *Mahadalit* families have been identified as families not having even homestead land. Even this report is not complete; as such a fresh survey is being carried out to include the left out *Mahadalit* families. As such this number is likely to further go up. This scenario points at an extremely high prevalence of landlessness amongst *Mahadalit* families in particular and SCs in general in Bihar. Specific particulars of the targets to this effect till July 30, 2010 have been presented in **Annex. IV**

2.3.8 According to a report of the Department of Labour Resources, Govt. of Bihar (ref. letter no. 5/ *ShramStha.* 3-21/2007 - 2156), nearly 26.08 per cent of bonded labourers (60 out of 230) supported for rehabilitation during 2011-12 hail from Scheduled Castes, which indicates a disproportionately greater incidence of economic hardships on SCs. The report also points at a disproportionately high incidence of child labour and instances of violation of minimum wages among Scheduled Castes.

2.3.9 The economically weak status of large sections of people belonging to Scheduled Castes and Scheduled Tribes is reflected also in the quality of houses inhabited by them, as per Census 2001. Table 2.6 presents a distribution of SC/ST households by the condition of houses occupied by them, which indicates that one in every five or six households of Scheduled Castes, and one in ten households of Scheduled Tribes live in houses of dilapidated quality. Only about a fourth of all SC and ST households live in houses of good quality.

Table 2.6 - Distribution of SC/ST households by condition of census houses					
S. No.	Quality of house →	Total	Good	Livable	Dilapidated
Scheduled Castes	Total	2486327	587622 (23.6%)	1429460 (57.5%)	469245 (18.9%)
	Rural	2323925	532131 (22.9%)	1350892 (58.1%)	440902 (19%)
	Urban	162402	55491 (34.2%)	78568 (48.4%)	28343 (17.4%)
Scheduled Tribes	Total	201541	52387 (26%)	129000 (64%)	20154 (10%)
	Rural	184961	44760 (24.2%)	121716 (65.8%)	18485 (10%)
	Urban	16580	7627 (46%)	7284 (43.9%)	1669 (10.1%)

Source: Census 2001

2.3.10 The backwardness of SCs and STs in terms of their social and economic status reflects clearly in several vital indicators related to health. According to third edition of National Family Health Survey report on the relative levels of achievement of Millennium Development Goals in India, critical indicators reflecting on the early childhood mortality rates in India point at a much higher vulnerability of Scheduled Castes and Scheduled Tribes children compared to other social groups (ref. Table 2.7). The vulnerability seems most acute in the case of Scheduled Castes and Scheduled Tribes in terms of neo-natal mortality rate, infant mortality rate and under-5 mortality rate.

Table 2.7 –Early Childhood Mortality Rates by Socio-Economic Background			
Caste/ Tribe	Neo-natal mortality rate	Infant mortality rate	Under-5 mortality rate
Scheduled Caste	46	66	88
Scheduled Tribe	40	62	96
Other Backward Caste	38	56	73
Other	35	49	59
All	39	57	74

Source: National Family Health Survey -3.

2.4. Educational backwardness of SCs and STs in Bihar

2.4.1 Literacy among the Scheduled Castes and Scheduled Tribes of Bihar is dismally low. The overall literacy rate of SCs and STs is 28.5 per cent and 28.2 per cent respectively as per the census of 2001. While the literacy rate of SC/ST male is about 20% lower than over all male literacy rate of Bihar, SC/ST female literacy rate is all the more unfavourable – it is less than half for both SC (15.6%) and ST (15.5 %) female as compared to 33.1% over all female literacy rate in the state. Male literates among SCs and STs constitute 40.2 per cent and 39.8 per cent respectively, as compared to over all male literacy rate of 59.7%. The overall literacy rate of the state is 47 per cent, with male literacy and female literacy amounting to 59.7% and 33.1% respectively. **Annex. V** presents the distribution of literacy rates across all districts of Bihar, for SCs, STs and all social groups.

2.4.2 Within Scheduled Castes, some groups account for extremely low literacy rates. For instance, *Musahars* have an overall literacy rate of only 9%, while females among *Musahars* account for a literacy level of only 3.9%. About half a dozen castes included in *mahadalit* have female literacy rate of less than 5%. **Annex. VI** lists the gender-disaggregated literacy rates for various Scheduled Castes in Bihar. Among STs, the *Santhals* have a relatively low literacy level at 23.2% and a female literacy rate of 11.4%.

2.4.3 Among the literates, 39.7 per cent of SCs in Bihar are either without any educational level or have attained education below primary level (ref. Table 2.8). The proportion of literates who have attained education up to primary and middle levels constitute 28.4 per cent & 13.1 per cent respectively. Only 15.1 per cent SC literates are educated up to matric/ secondary/higher secondary etc. The table below reflects that only 3.6% of SCs are able to become Graduates & above level while only 0.1 are able to achieve non-technical & technical diplomas!

Table 2.8– Levels of Education among major SCs& STs							
	Literate without educational level (%)	Below Primary (%)	Educational levels attained				
			Primary (%)	Middle (%)	Metric/HS/Intermediate (%)	Tech- Non Tech diploma (%)	Graduate (%)
SCs	6.6	31.1	28.4	13.1	15.1	0.1	3.6
STs	5.8	31.3	28.2	14.4	16.3	0.2	3.8

Source: Census of India, 2001

2.4.4 Similarly, among ST literates in Bihar, 37 per cent are either without any educational level or have attained education below primary level. The proportion of literates who have attained education up to primary and middle levels constitute 28.2 per cent & 14.4 per cent respectively. As many as 16.3 per cent ST literates are educated up to metric/ secondary/higher secondary etc. Graduates & above are 3.8 per cent while non-technical & technical diploma holders constitute a meager 0.2 per cent only.

2.4.5 The latest Economic Survey published by the Government of Bihar, points at a high drop-out rate among students from SC and ST communities (ref. Table 2.9) at primary, upper-primary and secondary levels of schooling. It is evident that the dropout rates of SC & ST Children are relatively higher in the higher classes. It is also evident from the table that only about 19 SC and 35 ST students out of 100 students enrolled in class I are able to reach Class – X in the year 2009-10, indicating very high dropout rate. Only half of the SC students enrolled in class I are able to go beyond class V during same period. However this figure for STs for the year 2009-10 is 89 which seem satisfactory.

Table 2.9 - Dropout Rates at Primary, Upper Primary and Secondary Levels									
Year	Primary (I - V)			Upper Primary (I - VIII)			Secondary (I - X)		
	Girls	Boys	Total	Girls	Boys	Total	Girls	Boys	Total
Scheduled Castes									
2004-05	56.1	54.6	55.2	82.7	80.2	81.1	90.8	89.1	89.5
2005-06	59.4	56.2	57.4	79.9	78.2	78.8	92.7	89.1	90.4
2006-07	51.2	51.6	51.5	77.8	72.8	72.8	86.7	85.4	85.9

2007-08	51.0	53.3	52.4	70.3	71.8	71.2	86.0	83.0	84.1
2008-09	49.5	50.5	50.1	69.4	70.5	70.1	83.2	82.8	83.0
2009-10	49.7	50.9	50.4	69.8	72.7	71.6	80.7	81.4	81.1
Scheduled Tribes									
2004-05	30.2	34.8	33.4	74.2	77.2	76.2	86.5	90.6	89.3
2005-06	39.4	41.3	40.6	72.6	75.3	74.4	83.3	85.8	85.0
2006-07	32.4	35.7	34.5	61.6	79.8	66.9	81.9	83.8	83.0
2007-08	25.6	35.1	31.6	57.2	67.8	64.3	82.2	82.8	82.6
2008-09	29.2	30.9	30.3	55.8	65.0	61.9	75.9	79.6	78.4
2009-10	15.6	8.1	10.9	20.1	11.9	14.8	62.1	66.4	65.0

Source: Department of Education, Government of Bihar 2012

2.4.6 With regard to access to higher education as well, the Scheduled Castes and Scheduled Tribes have been in disadvantageous position. According to an article authored by ShriYogendraYadav of the Centre for the Study of Developing Societies (published in the Times of India, July 7, 2012: ref. **Annex. VII**), access to higher education for all the disadvantaged social groups is substantially below national average: the participation of women (23.2%) and OBCs (26.2%) as a whole was marginally below the national average. The figure was substantially lower for SC (17.3%) and villagers (18.7%) and even lower for Muslims (16.1%) and STs (14.2%).

2.4.7 According to a recent report of Bihar School Examination Board, the pass percentage in Class 10 board examinations among SCs and STs consistently falls short of the same in the case of students from other social groups (ref. Table 2.10). The data highlights that about 60% of SC students were able to pass class-X exam during 2004-05 to 2009-10, as against about 70% pass percentage for the state.

Categories	Gender	2004-05	2005-06	2006-07	2007-08	2008-09	2009-10
SC	Boys	62.3	63.7	66.3	56.3	57.9	61.53
	Girls	59.6	62.2	64.1	52.9	52.05	55.97
	Total	61.3	63.3	65.6	55.2	56	59.64
ST	Boys	47.8	65.9	58.7	55.1	65.94	63.53

	Girls	68.7	57.2	76.3	56.2	54.25	9.77
	Total	55.6	62.5	65.2	55.6	61.74	21.15
OBC	Boys	67.6	71.7	71.6	65.2	67.5	77.36
	Girls	69	70.2	71.1	60.9	65.68	65.62
	Total	68.1	71.2	71.4	63.7	66.82	72.55
Others	Boys	70.5	73.9	72.9	66.4	67.18	73.28
	Girls	71.7	74.7	73.6	65.5	66.99	68.3
	Total	70.9	74.2	73.2	66	67.11	71.08
Total	Boys	68.2	71.8	71.5	64.7	64.98	62.95
	Girls	69.5	71.4	71.7	62.1	66.34	74.04
	Total	68.6	71.7	71.6	63.7	65.83	69.36

Source: Bihar School Examination Board, 2012

2.4.8 The relatively limited educational achievement of students from Scheduled Castes and Scheduled Tribes is also evident in the proportion of SC and ST students passing in first division. As per a report of Bihar School Education Board (ref. Table 2.11), in 2008, while about 10.5% of total enrolled students were able to secure 1st division, only about 5.5% SC and about 8% ST students were able to do so. While in 2011 33% of the total students secured 1st Division while only 22.5 % SC and 24.5 % ST students could secure first division.

Year	Total enrolled	SC	ST	Total 1 st Div.	SC 1 st Div.	ST 1 st Div.
2008	508331	45905	6830	53881	2567	563
2009	582788	52290	6468	220398	14104	1832
2010	595328	57677	8059	255629	17796	2841
2011	702064	68701	8131	236686	15489	1997

Source: Bihar School Examination Board, 2012

2.5. CONCLUSION:

The facts and data examined in this chapter sufficiently prove that caste based discrimination still persist in the society of Bihar. The SCs and STs are economically far behind than other social groups and all important indicators of educational achievements are unfavourable in case of SCs & STs vis a vis other social groups.

Though policies of affirmative action pursued in Bihar have played a significant role in enhancing the quality of life of Scheduled Castes and Scheduled Tribes. However, there seems a pressing need for continuation of reservations for the socially disadvantaged SCs and STs, as any withdrawal of state's support may result in reversal of their pace of development. The following are key pointers to this effect:

2.5.1 The literacy rate of Scheduled Castes in Bihar has grown from 5.9% in 1961 to 28.5% in 2001. Similarly, female literacy among SCs has grown from 0.92% in 1961 to 15.6% in 2001. However, compared to the overall literacy level of the State (47% overall; female literacy rate 33%), the literacy rates of SC and ST communities continue to be grossly limited actually it is less than half!

2.5.2 The representation of Scheduled Castes and Scheduled Tribes in institutions of local self-governance of Bihar is to the tune of 16.3% and 0.77% respectively, at various levels (corresponding to 22,448 SC members and 1063 ST members – as per the PRI elections of 2006). Such representation was possible solely due to provision of reservations to SCs and STs to all posts of PRIs, including single posts.

2.5.3 The Legislative Assembly of Bihar has as many as 39 and 2 members from Scheduled Castes and Scheduled Tribes respectively. Bihar also has 7 Members of Parliament hailing from Scheduled Castes. While all six SC members of Lok Sabha were elected from constituencies reserved for Scheduled Castes, 38 of the 39 SC MLAs were elected from constituencies reserved for SCs.

It seems much of the educational, professional and economic achievements of Scheduled caste and Scheduled Tribe communities are largely due to affirmative action. In the interest of equal opportunities for all sections of society and inclusive development, there seems a greater need for continuation of reservations in promotion in favour of members of SC & ST communities, till they reach a stage of social, economic and educational parity with other sections of society.

Chapter 3

Observations on

Inadequacy of Representation of Scheduled Castes and Scheduled Tribes in Various Government Services

- 3.1 The Government of Bihar has been extending reservations to members of Scheduled Caste and Scheduled Tribe communities in the staffing of various Departments at various levels for several decades. It has been observed that such reservations play a critical role in ensuring representation of Scheduled Castes and Scheduled Tribes in government services, as the proportion of SC& ST employees recruited without the backing of reservations is very low. Over all, the degrees of representation of staff under reserved SC/ST quotas are limited to less than 5% across most services having sufficient promotional positions for considering within the sample of analysis in spite of the fact that reservation in promotion is in place. Class IV employees have a relatively greater proportion of SC/ST employees, though the representation of SCs and STs to posts at higher levels is not commensurate with their share in the population of the state.
- 3.2 This section of the report presents observations with regard to representation of Scheduled Castes and Scheduled Tribes in various promotional level posts (excluding basic grade) in public employment under government of Bihar.
- 3.3 The observations in this Chapter are based on a report compiled by the General Administration Department, Government of Bihar during the period July 2012, with respect to proportion of SC/ST staff in place in promotional grades (excluding basic grade). These data have been captured on a clean slate basis.(ref. **Annex. VIII**). The data needs to be interpreted keeping in mind the fact that reservation in promotion is in place in Bihar for last many decades. In the following analysis of relative representation of SCs and STs in promotional grades, only those pieces of data have been considered where the working strength of positions (and not sanctioned strength) is significant enough for

drawing meaningful conclusion about proportion of representation to staff from SC/ST categories. For instance, in the Department of Public Health Engineering, there is only 1 Chief Engineer (Mechanical) and only 1 Superintending Engineer (Mechanical), both of who happen to belong to Scheduled Castes. Considering such data would give a distorted picture of SC/ST representation in public employment under government of Bihar, hence, such a data cannot be considered as representative.

3.3.1 Table 3.1 shows the status of employees in Department of Tourism. It is noted that there is absolutely no representation of Scheduled Castes and Scheduled Tribes in the promotional grades and there is not a single SC/ST person officiating as Tourist Information Officer or Assistant Tourist Information Officer in Bihar. This status is in spite of the fact that reservation is in place at the entry level and at all promotional levels.

S. No.	Designation	Sanctioned Total Strength	Posted Strength (All)	Posted SC Employees with %	Posted against SC Quota	Posted ST Employees with %	Posted against ST Quota
1	Tourist Information Officer	8	4	00 (0%)	00(0%)	00(0%)	00(0%)
2	Assistant Tourist Information Officer	13	2	00(0%)	00(0%)	00(0%)	00(0%)
3	Swagatak	17	3	00(0 %)	00(0%)	00(0%)	00(0%)

3.3.2 The post of circle officer is very critical in the land revenue administration. In the Department of Revenue and Land Reforms, the proportion of Circle Officers or Officers of equivalent grade filled out of SC quota is a meager 3.57%, while the same related to ST quota is only 1.07%. Table 3.2 depicts the status of employees in revenue department.

Table 3.2 Status of SC/ST and Other Employees in Department of Revenue & Land Reforms

S. No.	Designation	Sanctioned Total Strength	Posted Strength (All)	Posted SC Employees with %	Posted against SC Quota	Posted ST Employees with %	Posted against ST Quota
1	Circle Office and Equivalent	801	559	35 (6%)	20(3.57%)	6(1.07%)	6(1.07%)
2	Circle Inspector and Equivalent	886	180	24(13.33%)	24(13.33%)	4(22%)	4(22%)
3	RajasvaKaram chari	8463	4529	661(14.59 %)	661(14.59%)	45(0.99%)	45(0.99%)
4	UDC	23	18	3 (16.6%)	3(16.6%)	0(0%)	0(0%)

Many Circle officers have come on deputation from other departments. Only 6 % of the posts have been filled by employees belonging to the SC Category and 1.07 % belonging to the ST category. The representation situation however improves, but still remains less than proportional as one goes down the hierarchy. It is also important to note that the representation is more at lower levels and low at higher level justifying the need for reservation in promotion.

3.3.3 Table 3.3 depicts the status of employees in Department of Science and Technology. There is not a single Professor, Associate Professor or Principal recruited out of the SC/ST quota, and the proportion of Assistant Professor and Lecturers belonging to Scheduled Castes is only 2.98% (2 out of 71) and 5% (4 out of 80) respectively. There is no staff in these positions from the ST category.

Table 3.3 Status of SC/ST and Other Employees in Dept. of Science & Technology

S. No.	Designation	Sanctioned Total Strength	Posted Strength (All)	Posted SC Employees with %	Posted against SC Quota	Posted ST Employees with %	Posted against ST Quota
1	Education Cadre	9	6	0 (0%)	0(0%)	0(0%)	0(0%)
2	Professor	53	2	0(0%)	0(0%)	0(0%)	0(0%)
3	Associate Professor	95	18	0(0 %)	0(0%)	0(0%)	0(0%)
4	Assistant Professor	351	71	2(2.98%)	0(0%)	0(0%)	0(0%)
5	Principal	14	1	0(0%)	0(0%)	0(0%)	0(0%)
6	Lecturer	345	80	4(5%)	0(0%)	0(0%)	0(0%)

The post of Principal, Assistant Professor, Associate Professor and Professor are promotional cadre posts. The representation even at the level of Assistant Professor

is very low justifying the need to continue with the provision of reservation in promotion.

3.3.4 Table 3.4 represents the status of employees in the Department of Industry. It is noted that not a single General Manager or Deputy Director has been promoted against SC/ST quota. However three persons have got promotion on the basis of their seniority. There is adequate representation at the level of Joint Director (1 post), Executive Manager (6 posts) and project manager (11 posts). The post of General Manager is a critical post in the Department of Industries as the persons at this level are positioned as in charge officers at the District Industries Centre. Low representation of scheduled castes and schedules tribes at this level is a matter of concern.

S. No.	Designation	Sanctioned Total Strength	Posted Strength (All)	Posted SC Employees with %	Posted against SC Quota	Posted ST Employees with %	Posted against ST Quota
1	Joint Director	7	1	1 (100%)	0(0%)	0(0%)	0(0%)
2	General Manager/ Dy. Director	47	16	3(18.75%)	0(0%)	2(12.5%)	2(12.5%)
3	Executive Manager	81	33	6(18.18 %)	6(18.18%)	1(3.03%)	1(3.03%)
4	Project Manager	68	61	11 (18.03%)	11(18.03%)	1(1.63%)	1(1.63%)

3.3.5 In the Department of Water Resources, (Table 3.5) the situation is somewhat different from the other departments. The posts of Chief Engineer and Superintending Engineer are well represented in proportion to the number of person posted. This has been because of the fact that some have got promotion as a result of the seniority and some have got promoted as a result of reservation in promotion. For example out of 16 Chief Engineers (Civil) only 3 have got promoted against SC quota. The rest have got promoted as a result of their seniority in the department. The same status is true with respect of Superintending Engineer (Civil) where 20 have got posted against the SC quota while 12 have got posted against seniority.

This favourable situation is not bound to continue for long as the representation among the SC and ST at the entry level of Assistant Engineers is low. If reservation in promotion is not in place the situation is bound to become adverse with the representation at the level of Executive Engineers and above going down below the prescribed limit.

In the Mechanical Division the situation is worse. There is not a single Executive Engineer (Mechanical) which is a promotional post belonging to Scheduled Castes or Scheduled Tribes. Only one Assistant Engineer (Mechanical) has been recruited under SC quota, amounting to 1.02% of representation out of a workforce of 98 people. No representation can be seen under ST quota.

S. No.	Designation	Sanctioned Total Strength	Posted Strength (All)	Posted SC Employees with %	Posted against SC Quota	Posted ST Employees with %	Posted against ST Quota
1	Chief Engineer (Civil)	20	16	16 (100%)	3(81.25%)	0(0%)	0(0%)
2	Supdt. Engineer (Civil)	126	86	32(37.20 %)	20(23.25%)	2(13.95 %)	1(1.16%)
3	Executive Engineer (Civil)	423	385	67(17.40 %)	61(15.84%)	4(1.03%)	4(1.03%)
4	Assistant Engineer (Civil)	718	538	84(15.61%)	84(15.61%)	7(1.30%)	7(1.30%)
5	Chief Engineer (Mechanical)	3	3	3 (100%)	1(33%)	0(0%)	0(0%)
6	Superintending Engineer (Mechanical)	16	13	3(23.07%)	2(15.38%)	0(0%)	0(0%)
7	Executive Engineer (Mechanical)	61	50	0(0%)	0(0%)	0(0%)	0(0%)
8	Assistant Engineer (Mechanical)	248	98	1(1.02%)	1(1.02%)	0(0%)	0(0%)

3.3.6 In the Department of Home (Police), (Table 3.6) representation of SC officer for the position of Senior DSP amounts to only 2.7%. There is no representation under ST quota. The SC quota relating to the position of Assistant Prosecution Officer has been utilized only to the tune of 9.24%, representing only 28 SC Assistant Prosecution Officers out of total of 303. However there seems sufficient representation of SC/ST in the services/levels where actual numbers are insignificant i.e. in Bihar Probation Service (1 out of 5), Sub divisional

Prosecution officer (5 out of 21), district prosecution officer (3 out of 16) and inspector (1 out of 9). In the cadre of sub-inspectors though the representation is sufficient, only 4 out of 13 officers have got the benefit of quota while rest have come on the basis of their seniority.

S. No.	Designation	Sanctioned Total Strength	Posted Strength (All)	Posted SC Employees with %	Posted against SC Quota	Posted ST Employees with %	Posted against ST Quota
1	Addl. Supdt. Of Police	39	35	6(16%)	6(16%)	0(0%)	0(0%)
2	Sr. Dy.S.P.	74	36	1(2.7%)	1(2.7%)	0(0%)	0(0%)
3	Dy.S.P. (Basic grade)	474	343	49(14.28%)	49(14.28%)	1(0.29%)	1(0.29%)
4	Bihar Probation Service	5	5	1(16.61%)	0(0%)	0(0%)	0(0%)
5	Director	1	1	0(0%)	0(0%)	0(0%)	0(0%)
6	Asst. Director	1	0	0(0%)	0(0%)	0(0%)	0(0%)
7	Dist. Military Welfare Officer	13	0	0(0%)	0(0%)	0(0%)	0(0%)
8	Asst. Dist. Military Officer	1	0	0(0%)	0(0%)	0(0%)	0(0%)
9	Asst. Prosecution Officer	647	303	28(9.24%)	28(57.75%)	7(2.31%)	7(2.31%)
10	Sub-Division Prosecution Officer	57	21	5(23.80%)	5(148.80%)	0(0%)	0(0%)
11	District Prosecution Officer	39	18	3(16.66%)	1(34.72%)	1(16.66%)	1(55.55%)
12	Divisional Prosecution Officer	10	2				
13	Inspector	10	9	1(14%)	0(0%)	4(40%)	3(60%)
14	Sub-Inspector	62	47	13(20.96%)	4(6.96%)	6(10%)	0(0%)

3.3.7 In the Department of Finance, (Table 3.7) representation under SC and ST quota amounts to only 1.25% and 0% respectively. There are only two Senior Auditor among 160 Senior Auditors (Class II) working in the Department. The officers at serial no. 1, 3, 4 and 5 of the table have been able to get promotion due to quota. Had there been no quota, perhaps the officers from SC category would not have got such fair representation.

S. No.	Designation	Sanctioned Total Strength	Posted Strength (All)	Posted SC Employees with %	Posted against SC Quota	Posted ST Employees with %	Posted against ST Quota
1	Asst. O.S.D., 1 st Level	21	18	3 (16.66%)	3 (16.66%)	0 (0%)	0 (0%)
2	Sr. Auditor Class-II, 1 st Level	144	160	2 (1.25%)	1 (1.25%)	0 (0%)	0 (0%)
3	Sr. Auditor, Class-I, 1 st Level	49	23	5 (21.73%)	5 (21.73%)	0 (0%)	0 (0%)
4	Dy. Controller Accounts	23	19	7 (36.84%)	7 (36.84%)	0 (0%)	0 (0%)
5	Controller Accounts 4 th and Last Level	7	3	3 (100%)	3 (100%)	0 (0%)	0 (0%)

3.3.8 In the Department of Public Health and Engineering (Table 3.8), representation under reserved SC and ST quotas for the position of Assistant Engineer (Civil) is only 16.66% and 2.77% respectively. It is noted that all the positions of the Chief Engineer (Mechanical)/A, Superintending Engineers (Mechanical)/A, Asst. Engineer (mech.)/B, Supd. Engi. (civil.)/A, Ex. Eng (civil) and Asst. Eng. (civil)/B have been filled against SC quota under the policy of reservation in promotion. Needless to add that had there been no policy of reservation in promotion, the situation would have been entirely different.

S.no	Designation	Sanctioned Total Strength	Posted Strength (All)	Posted SC Employees with %	Posted against SC Quota	Posted ST Employees with %	Posted against ST Quota
1	Chief Engineer (Mechanical)/A	1	1	1 (100%)	1 (100%)	0 (0%)	0 (0%)
2	Superintending Engineer (Mech.)/A	4	1	1 (100%)	1 (100%)	0 (0%)	0 (0%)
3	Executive Engineer (Mech./A)	12	10	2 (20%)	1 (10%)	0 (0%)	0 (0%)
4	Asst. Engineer (Mech.)/B	14	5	2 (40%)	2 (40%)	1 (20%)	1 (20%)
5	Chief Engineer (Civil)/A	7	5	0 (0%)	0 (0%)	0 (0%)	0 (0%)
6	Supdt. Engineer (Civil)/A	29	20	4 (20%)	4 (20%)	1 (5%)	1 (5%)
7	Executive Engineer (Civil)	79	77	12 (15.58%)	12 (15.58%)	2 (59%)	1 (2.29%)
8	Asst. Engineer (Civil)/B	90	36	6 (16.66%)	6 (16.66%)	3 (3.33%)	1 (2.77%)

3.3.9 In the Department of Cooperatives (Table 3.9), only 8.94% representation has been accorded under SC quota for the position of Senior Audit Officer. Only 0.81% Officers belongs to the ST category out of 123 such Officers in the

Department. In spite of reservation in promotion the representation of SC/ST officers against the post mentioned at serial no. 1, 5 and 10 is less than the stipulated percentage. For the post mentioned at serial no. 1, 2, 5, 10 and 11, all the officers who have been able to rise to their respective level have able to achieve that due to policy of reservation in promotion.

Table 3.9 Status of SC/ST and Other Employees in Department of Co-operative							
S. No.	Designation	Sanctioned Total Strength	Posted Strength (All)	Posted SC Employees with %	Posted against SC Quota	Posted ST Employees with %	Posted against ST Quota
1	District Cooperative Officer & Asst. Registrar Cooperative/ B	Cadre/ Non Cadre 105/22	68	9 (13.23%)	9 (13.23%)	1 (1.47%)	1 (1.47%)
2	Dy. Registrar/A	Cadre/ Non Cadre 9/22	18	4(22.2%)	4 (22.2%)	0 (0%)	0 (0%)
3	Jt. Registrar/A	Cadre/ Non Cadre 11/5	0	0 (0%)	0 (0%)	0 (0%)	0 (0%)
4	Addl. Registrar/A	1	0	0 (0%)	0 (0%)	0 (0%)	0 (0%)
5	Dist. Audit Officer, Co-op.	27	13	2 (15.39%)	2 (15.39%)	0 (0%)	0 (0%)
6	Dy. Chief Auditor, Co-op/A	8	0	0 (0%)	0 (0%)	0 (0%)	0 (0%)
7	Jt. Registrar (Audit)/A	8	0	0 (0%)	0 (0%)	0 (0%)	0 (0%)
8	Addl. Registrar (Audit) A	1(Non Cadre)	0	0 (0%)	0 (0%)	0 (0%)	0 (0%)
9	Auditor	419	0	0 (0%)	0 (0%)	0 (0%)	0 (0%)
10	Sr. Audit Officer	209	123	11 (8.94%)	11 (8.94%)	1 (0.81%)	1 (0.81%)
11	Sub-Div. Audit Officer	81	48	11 (22.92%)	11 (22.92%)	0 (0%)	0 (0%)

3.3.10 In the Department of Food and Consumer Protection (Table 3.10), representations under reserved SC and ST quotas amount to only 15% and 1% respectively, in the case of Block Supply Officers/ Marketing Officers. With regard to Assistant District Supply Officers and Assistant Rationing Officers, these proportions are limited to 16% and 0% respectively.

Table 3.10 Status of SC/ST and Other Employees in Department of Food & Consumer Protection.							
S. No.	Designation	Sanctioned Total Strength	Posted Strength (All)	Posted SC Employees with %	Posted against SC Quota	Posted ST Employees with %	Posted against ST Quota
1	Block Supply Officer/ Marketing Officer	316	239	36(15%)	36(15%)	2(1%)	2(1%)
2	Addl. Asst. District Supply Officer/ Asst. Rationing Officer	101	18	5(27%)	3(16%)	0(0%)	0(0%)

3.3.11 In the Department of Commercial Taxes (Table 3.11), the workforces of 16 Joint Commissioners, 38 Deputy Commissioners and 109 Assistant Commissioners have only 6%, 16% and 16% representation under SC quota respectively. The same under ST quota is only 0%, 0% and 1% respectively.

Out of 5 Addl. Commissioners, one is from SC category, who has been promoted on merit. While out of 16 joint Commissioners there is only one from SC category. 6 out of 7 Dy. Commissioners and 17 out of 18 Asst. Commissioners have been able to get promotion due to reservation in promotion policy, indicating that had there been no quota, only one Dy. Commissioner and one Asst. Commissioner could have been promoted on the basis of merit.

Status of SC/ST and Other Employees in Department of Commercial Taxes							
S. No.	Designation	Sanctioned Total Strength	Posted Strength (All)	Posted SC Employees with %	Posted against SC Quota	Posted ST Employees with %	Posted against ST Quota
1	Addl. Commissioner	5	1	1(100%)	0(0%)	0(0%)	0(0%)
2	Jt. Commissioner	23	16	1(6%)	1(6%)	0(0%)	0(0%)
3	Dy. Commissioner	54	38	7(18%)	6(16%)	0(0%)	0(0%)
4	Asst. Commissioner	147	109	18(16.5%)	17(16%)	2(1.08%)	1(1%)

3.3.12 In the Department of Health (Table 3.12), only 6.4% of staff in a workforce of 108 people (i.e. 7 SC staff as against the SC quota of 39 persons) is represented under the reserved SC quota in the position of Deputy Superintendent or equivalent, while the ST quota has not been filled at all. In the Medical Education cadre, representation under SC and ST quotas is only 13.1% and 0.86% respectively for the position of Professor; 11.2% and 0.86% for the position of Associate Professors; and 7% and 1.77% for the position of Assistant Professor. However, representation under SC quota has been around 38% for the position of Civil Surgeon or equivalent, while 2% of representation is on account of ST quota. Nearly 6.4% and 18% of representation for the

position of Deputy Superintendent (or equivalent) and Additional Director (or equivalent) are under SC quota.

It may be noted that all the SC and ST officers in all the cadres mentioned against sr. no. 1 to 6 have been promoted against their respective quota. Had there been no reservation in promotion, perhaps there would not have been any representation of SC/ST officers.

Table 3.12 Status of SC/ST and Other Employees in Department of Health							
S.no	Designation	Sanctioned Total Strength	Posted Strength (All)	Posted SC Employees with %	Posted against SC Quota	Posted ST Employees with %	Posted against ST Quota
1	Medical Education Cadre Professor	257	115	15(13.1%)	15(13.1%)	1(0.86%)	1(0.86%)
2	Medical Education Cadre Associate Professor	432	134	15(11.2%)	15(11.2%)	1(0.74%)	1(0.86%)
3	Medical Education Cadre Asst. Professor	677	226	16(7%)	16(7%)	4(1.77%)	4(1.77%)
4	Bihar Health Service Cadre Civil Surgeon and Equivalent post	96	91	35(38%)	35(38%)	2(2%)	2(2%)
5	Bihar Health Service Cadre Dy. Supdt. and Equivalent post	240	108	7 (6.4%)	7(6.4%)	0(0%)	0(0%)
6	Bihar Health Service Cadre Addl. Director & equivalent post	25	22	4(18%)	4(18%)	1(0%)	0(0%)

3.3.13 Indira Gandhi Institute of Medical Sciences,(IGIMS) Patna(Table 3.13) is an autonomous super speciality medical college and a centre of excellence in Bihar. The staffing pattern of this institute reveals an extremely low representation of scheduled castes and scheduled tribes teaching staff.

Status of SC/ST and Other Employees in Indira Gandhi Institute of Medical Sciences, Patna							
S. No.	Designation	Sanctioned Total Strength	Posted Strength (All)	Posted SC Employees with %	Posted against SC Quota	Posted ST Employees with %	Posted against ST Quota
1	Asst. Professor Basic	144	38	7(18.42%)	7(18.42%)	0	0
2	Associate Professor (Prom.)	35	8	0	0	0	0
3	Addl. Professor(Prom.)	11	8	1(12.5%)	1(12.5%)	0	0
4	Professor (Prom.)	35	11	0	0	0	0

The important revelations are as under:

- The entry level post in the institute is that of Assistant Professor and there are a total of 144 sanctioned posts. There are 36 different departments, and, 19 departments have less than 4 sanctioned posts. It is important to note here that as per the roster points the first representation to a candidate belonging to the SC comes only at roster point 4. It is also noteworthy that there is a personal promotion scheme which the institute follows, under which a person appointed on the post of assistant professor carries the post & reservation status on spending requisite time at that level. **This implies that the 19 departments will never have a representation from the SCs at the levels of Associate Professor, Additional Professor and Professor which are promotional posts.**
- Presently there are only 7 working Assistant Professors belonging to the SC. No SC/ST officer is working on the post of Associate Professor and Professor. One of the Additional Professors belongs to the ST. This implies that for an appreciable time to come there is going to be virtually no representation from the SCs on the post of either the Additional Professor or the Professor.
- In case of promotion to the post of Associate Professor there are a total of 35 posts in 28 departments. None of the department has more than 3

posts. The study of roster points for promotions would indicate that none of the presently working 7 SC Assistant Professors would get benefit of reservation as the first roster point reserved for the SC in promotion would come after the roster point 3.

- The analysis highlights that neither SCs/STs had due representation in past nor there seems to be a scope for them to climb the ladder in future.
- The representation of scheduled castes is as low as 0,1 and 0 respectively in case of Associate Professors, Additional Professors and Professor Level.

Above analysis of implementation of reservation policy clearly indicates that even after decades of affirmative action, the representation of SCs and STs in premier institutes such as IGIMS continues to abysmally low. Still worst, it would continue to be negligible for many more decades.

3.3.14 In the Department of SC& ST Welfare (Table 3.14), there is no representation of SC/ST staff for the position of Deputy Director, (Welfare). However one Principal of department run Residential schools is from SC category. There are 3 DWOs belonging to SC category and 1 belonging to ST category out of total of 17 DWOs. However they have been promoted giving advantage of reservation in promotion policy.

S.no	Designation	Sanctioned Total Strength	Posted Strength (All)	Posted SC Employees with %	Posted against SC Quota	Posted ST Employees with %	Posted against ST Quota
1	Dy. Director Welfare	9	0	0	0	0	0
2	District Welfare Officer	38	17	3(17.6%)	3(17.6%)	1(5.88%)	1(5.88%)
3	Sub-Div. Welfare Officer	63	2	0	0	0	0
4	Headmaster	55	1	1(1.9%)	1(1.9%)	0	0

3.3.15 In the Department of Energy (Table 3.15) 3 out of 4 Asst. Electrical Engineer and 1 out of 4 Electrical Ex.Engineer are from SC category. However they all have risen in the hierarchy due to reservation in promotion policy.

Table 3.15 Status of SC/ST and Other Employees in Department of Energy							
S.no	Designation	Sanctioned Total Strength	Posted Strength (All)	Posted SC Employees with %	Posted against SC Quota	Posted ST Employees with %	Posted against ST Quota
1	Chief Electrical Engineer	2	2	1 (50%)	1 (50%)	0 (0%)	0 (0%)
2	Electrical Supdt. Engineer	4	0	0 (0%)	0 (0%)	0 (0%)	0 (0%)
3	Electrical Executive Engineer	6	4	1 (25%)	1 (25%)	1 (25%)	1 (25%)
4	Asst. Electrical Engineer	17	4	3 (75%)	3 (75%)	0 (0%)	0 (0%)

3.3.16 In the Department of Agriculture (Table 3.16), the SC and ST quota has been filled to the tune of 7.42% and 0.7% respectively for the position of Block Agricultural Officer. It is heartening to observe that as many as 90 BAOs belonging to SC category have been promoted on the basis of their seniority while 53 have been promoted against quota. Similarly for the post mentioned against sr. no. 2 of the table below, 17 out of 26 officers have got benefit of reservation in promotion policy, while just 9 officers have been able to get promoted on the basis their seniority. This indicates a clear need to continue the reservation in promotion policy if the government wants to ensure fair representation of SC/ST officers in promotional posts.

The SC quotas relating to the positions of Statistical Assistant, Inspector (Weights and Measures), Plant Conservation Supervisor, Horticulture Officer and Horticulture Inspector have remained under-utilized. There is no representation under ST quota for any of these positions.

Table 3.16 Status of SC/ST and Other Employees in Department of Agriculture							
S. No.	Designation	Sanctioned Total Strength	Posted Strength (All)	Posted SC Employees with %	Posted against SC Quota	Posted ST Employees with %	Posted against ST Quota
1	Category-1 Soil	68	39	15	15	1	1
2	Category-2 Soil	442	265	26	17	0	0
3	Category-2 Engg.	4	2	1	1	0	0
4	Category-2 Engg. Class-II	42	10	0	0	1	1

5	Category-3 Chemical Class-I	0	0	0	0	0	0
6	Category-3 Chemical Class-II	28	14	2	2	0	0
7	Category-5 Plant Protection Class-I	6	4	0	0	0	0
8	Category-5 Plant Protection Class-II	34	22	2	2	0	0
9	Category-7 Horticulture	5	2	0	0	0	0
10	Category-7 Horticulture Class-II	25	22	1	1	0	0
11	Block Agriculture Officer	1459	714	143	53	5	5
12	Plant Protection Supervisor	340	41	2(5%)	2(33%)	0	0
13	Inspector (Wt. & Measurement)	93	40	1(5%)	1(33%)	0	0

3.3.17 Out of 144 Bihar Stenographer Service officers, not a single stenographer is from SC or ST category under GAD. The following table highlight that 4 out of 7 Special Secretaries, 24 out of 48 Under Secretaries, 2 Dy. Secretaries, and 8 out of 14 Principal Private Secretaries have been promoted on their own merit/seniority. While all 6 addl. Secretaries, all 11 Jt. Secretaries, all 21 addl. Collectors, all 41 Dy. Secretaries and all 82 Section officers have been promoted as per reservation in promotion policy. Obviously without reservation in promotion policy these officers would not have been able to get promotion.

S. No.	Designation	Sanctioned Total Strength	Posted Strength (All)	Posted SC Employees with %	Posted against SC Quota	Posted ST Employees with %	Posted against ST Quota
1	Special Secretary (BAS)	24	22	7(32%)	3(14%)	0	0
2	Addl. Secretary (BAS)	48	21	6(28%)	6(28%)	0	0
3	Jt. Secretary (BAS)	131	92	11(12%)	11(12%)	0	0
4	Addl. Collector (BAS)	169	122	21(17%)	21(17%)	2(1%)	2(1%)
5	Dy. Secretary (BAS)	176	262	41(16%)	41(16%)	3(1%)	3(1%)
6	Section Officer (BSS)	754	464	82(18%)	82(18%)	5(1%)	5(1%)
7	Under Secretary (BSS)	173	103	48(46%)	24(23%)	3(3%)	2(2%)
8	Dy. Secretary (BSS)	40	7	5(71%)	3(43%)	0	0

9	Director (Jt. Secretary Level)	5	1	1(100%)	1(100%)	0	0
10	Principal Pvt. Secretary (Bihar Steno Service)	69	51	14(27.45%)	8(15.68%)	0	0
11	Private Secy. (Bihar Steno Service)	153	113	14(12.38%)	14(12.38%)	0	0

3.4 *It is clearly evident from the data presented in Section 3.3 and its subsections (from 3.3.1 to 3.3.17) that inspite of providing reservations in promotions to Scheduled Castes and Scheduled Tribes for several decades in Bihar, the actual representation of SCs and STs in the promotional grades has been nowhere near their share in the population of the state – not to speak of 50% upper limit fixed by the Hon`ble Supreme court.*

3.5 *It may be pertinent to examine Columns 6 and 9 of Annex. VIII, which clearly indicates that had it not been for the reservation in promotion, representation of SC/ST staff in promotions in various government services would have been close to zero in all most all the positions/grades.*

3.6 The Table below (Ref. Table3.18)compiles the particulars of promotions given to officers hailing from Scheduled Castes and Scheduled Tribes in various positions within Bihar Administrative Service, as per a letter no. 1668 dt 27th July 2012 of General Administration Department of Govt. of Bihar.

Table 3.18 –Promotions in various positions of Bihar Administrative Service				
Category	Total no. of promotions	SC	ST	Remarks
Special Secretary or equivalent	61	12 (19.7%)	0 (0.0%)	Since April 1, 2010 till date
Additional Secretary or equivalent	122	24 (19.7%)	1 (0.82%)	From 2004, till date
Joint Secretary or equivalent	793	104 (13.1%)	47 (5.93%)	From 1979, till date
Additional Commissioner or equivalent	1253	177 (14.1%)	58 (4.63%)	From 1990, till date
Deputy Secretary or equivalent	1486	191 (12.8%)	78 (5.25%)	From 1991, till date

Source: General Administration Department, Government of Bihar 2012

The Table indicates the scope of greater absorption of SC officers in the ranks of Deputy Secretaries, Additional Commissioners and Joint Secretaries, and ST officers in the ranks of Additional Secretaries or Special Secretaries, where the degree of representation falls short of the respective shares of SC and ST populations of Bihar.

- 3.7 According to a report of Bihar Public Service Commission, only 321 SC candidates and 113 ST candidates were recommended for promotions as against 410 and 138 vacancies for these categories respectively (ref. Table 3.19). This indicates that officers from SC/ST categories have not been accorded due representation in promotions, and reinforces the need of reservations in promotional positions.

Table 3.19—Officers recommended for promotion by Departmental Promotions Committee								
Year	Number of Posts				Number of Recommended Officers			
	SC	ST	Unreserved	Total	SC	ST	Unreserved	Total
2007-08	129	39	2024	2192	108	21	2024	2153
2008-09	85	09	838	932	57	05	705	767
2009-10	75	09	1109	1193	75	09	1109	1193
2010-11	49	79	1520	1648	47	76	1485	1608
2011-12	72	02	406	479	34	02	343	379
Total	410	138	5896	6444	321	113	5666	6100

Source: Bihar Public Service Commission 2012

- 3.8 As evident in this Chapter, the under-representation of Scheduled Castes and Scheduled Tribes in various government services, despite provision of reservations in promotions, necessitates continuation of the SC/ST quotas in promotions. Had there been no SC quota or ST quota in government services

and reservation in promotion representation of SCs and STs in government services would have been very low.

3.9 While there are good indications that reservation policy is working, it is difficult to ignore certain realities that detract from this success. The SC/ST representation in Class I and II posts, even after over 60 years, still fall short of the reservation quota. Further because reservation apply to only current vacancies and the average service career is around 30 years, it will take long before the SC/ST representation equal the percentage of positions reserved.

3.10 From the above analysis it is evident that there are compelling reasons to give reservations in promotion to SC/ST employees. The hon'ble court in its order has stated that the reservation provision should not cross the ceiling limit of 50%. It is evident from the above analysis that if the entire data of a cadre/department/service is taken into consideration the provision of reservation in promotion does not exceed the ceiling limit of 50%. Therefore whenever an objective analysis of the policy of reservation in promotion for SC/ST is done, as to whether provisions of reservation exceeds the ceiling of 50% or not, the data cannot be considered post wise but the holistic representation of SC/ST in a particular cadre/department/service has to be taken into consideration.

3.11 The data analyzed in this chapter gives ample indications that in spite of reservation in promotion policy being followed in Bihar since last many decades, the representation of SC/ST officers in most of departments, at most levels and in most cadres is not commensurate with the proportion of SC/ST population. So much so that in many technical posts/cadres, the representation is very low. It could safely be presumed that for many years to come, even with reservation in promotion policy in place, the representation of SC/ST officers is unlikely to reach to the level of their proportion in population.

Chapter 4

Observations vis-à-vis

Overall Administrative Efficiency of Government Machinery

In the Light of Reservations in Government Services in Bihar

Reservations have been extended to Scheduled Castes and Scheduled Tribes in promotions for several decades in Bihar and much of the current levels of representation of Scheduled Castes and Scheduled Tribes in various government services are primarily result of that policy. As of today, there are varying proportions of SC/ST staff in various groups of services. While Class IV employees of Govt. of Bihar have a relatively greater proportion of staff from SC/ ST background, the representation of Scheduled Castes and Scheduled Tribes in higher classes isn't commensurate with their share in the population of the state.

Before the impact of reservation in promotion on over all administrative machinery is examined, it would be relevant here to quote Justice O. Chinnappa Reddy (Ref. **Annex IX** for the entire set of observations). Here's what Justice Reddy recorded in *K.C. Vasanth kumar vs State of Karnataka* [1985 (Supp.) SCC 714 at 738-740]:

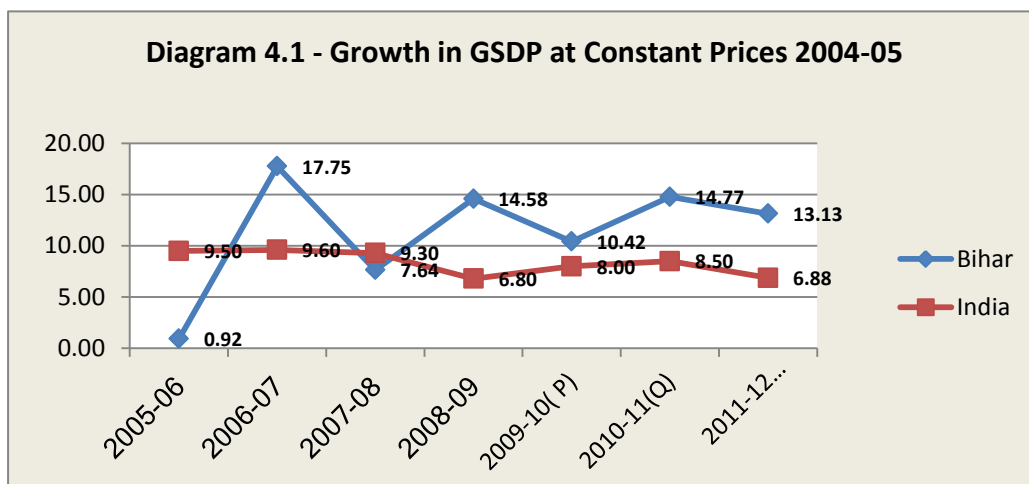
"Efficiency is very much on the lips of the privileged whenever reservation is mentioned... The underlying assumption that those belonging to the upper castes and classes, who are appointed to the non-reserved posts will, because of their presumed merit, 'naturally' perform better than those who have been appointed to the reserved posts and that the clear stream of efficiency will be polluted by the infiltration of the latter into the sacred precincts is a vicious assumption, typical of the superior approach of the elitist classes."

"There is neither statistical basis nor expert evidence to support these assumptions that efficiency will necessarily be impaired if reservation exceeds 50 per cent, if reservation is carried forward or if reservation is extended to promotional posts. Arguments are advanced and opinions are expressed entirely on an ad hoc presumptive basis. The age long contempt with which the 'superior' or 'forward' castes have treated the 'inferior' or 'backward' casts is now transforming and

crystallising itself into an unfair prejudice, conscious and sub-conscious, ever since the 'inferior' castes and classes started claiming their legitimate share of the cake, which naturally means, for the 'superior' castes parting with a bit of it."

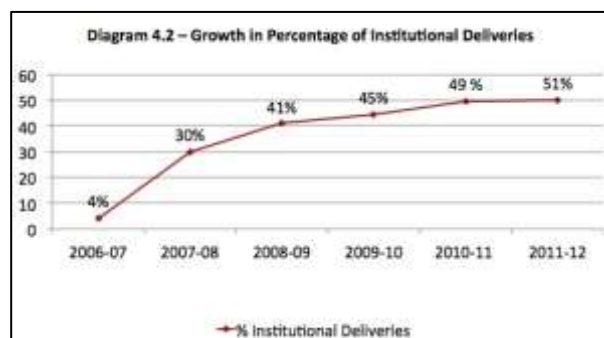
It may be understood that any assessment of impact of reservation in promotion need to be done in the light of above views expressed by hon`ble Justice Reddy. It is in the light of this background, that the following paras attempt to examine as to whether there have been any adverse impacts of promotion in reservation on overall administrative efficiency of the government machinery in Bihar. The following are key pointers to this effect:

4.1 **Bihar has consistently registered high rates of growth in Gross State Domestic Product(GSDP)** for the last several years (ref. Diagram 4.1), according to Economic Survey of Bihar (2012). During the past 5 years, the GSDP of Bihar at

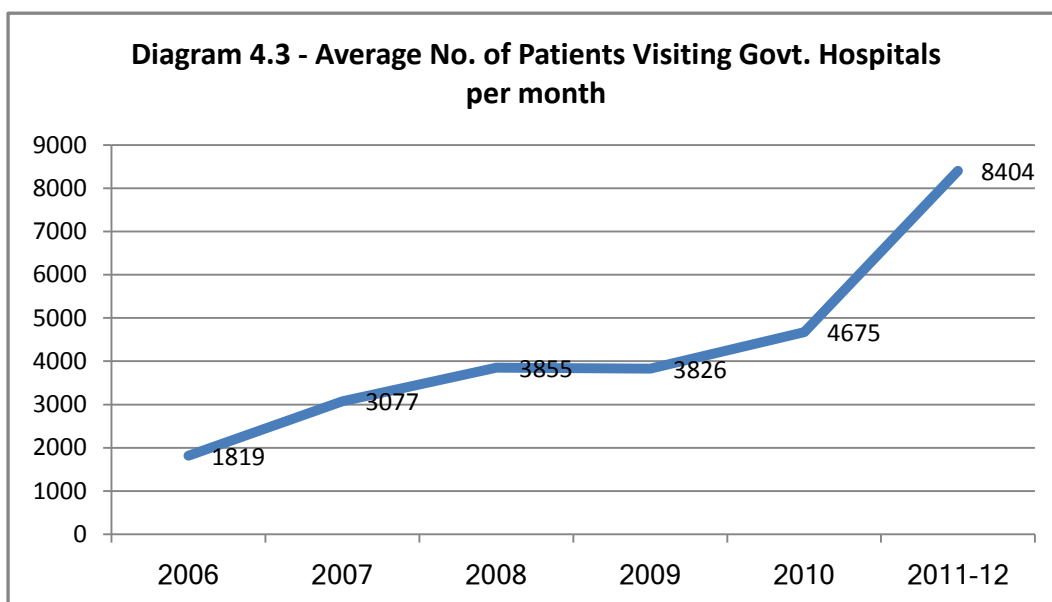


current prices has increased at an annual rate of 21 percent.

4.2 **The Infant Mortality Rate (IMR)** for Bihar decreased from 61 in 2005 to 48 in 2010. Along with a drop in IMR, Bihar has also recorded a sharp drop in **Maternal Mortality Rate(MMR)** from 371 in 2001-03(SRS 01-03) to 261 in 2007-08 (SRS 07-08). The percentage of **institutional deliveries** has also increased from just 4 percent in 2006-07 to 51%



percent in 2011-12. The improvement in **immunization** was even higher at 66.8 percent in 2010(FRDS 2012) compared to a mere 11 percent (NFHS II) of fully immunized children in 1998-99. Bihar has also successfully implemented the Polio Eradication Programme. While 113 cases of polio were detected in 2009, not a single case has been identified since September 2010. Improvement in the functioning of health care system in Bihar is also indicated by the **monthly average number of patients visiting government hospitals**. In 2011-12, the average number of patients visiting government hospitals in a month was 8404, compared to 1819 in 2006 (ref. Diagram 4.3). Needless to mention that both para-medical and medical staff in Bihar include general as well as SC and ST



technicians, nurses, compounders, health workers, Doctors and health administrators (Source: SHS, Bihar).

4.3 The **decadal increase in literacy rate** in Bihar is the highest among all the states in India. According to the Economic Survey of Bihar (2012), the literacy rate in Bihar increased from 47.0 percent in 2001 to 63.8 percent in 2011, implying an increase of 16.8 percent during the decade. During 2002-03 to 2009-10, total enrolment in elementary classes increased at an annual rate of 8.2 percent. Bihar has been able to considerably reduce its gender disparity in literacy rates. In 2001, the male and female literacy rates in Bihar were 60.3 percent and 33.6 percent respectively, showing a difference of 26.7 percent. In 2011, however,

the gender-wise literacy rates were 73.4 percent (male) and 53.3 percent (female), implying a reduced gender disparity of 20.1 percent.

Needless to add that these achievements have been made possible by the tireless efforts of teachers, principals, Block Education Extension Officers, District Superintendents of Education, education workers, education inspectors and administrators who comprise not only of general category staff but also SC and ST officers and staff as well.

4.4 According to the Economic Survey of Bihar (2012) Bihar State Bridge Corporation Limited has completed 801 bridges at a cost of Rs. 2118.75 crore between 2007-08 and 2011-12. Similarly, between 2006-07 and 2009-10, a total of 13705.18 km of rural roads have been constructed in the state. Here again it may be mentioned that the Corporation include officers, engineers, overseers and administrative staff from SC and ST categories.

4.5 Most of the revenue-earning departments of Bihar, including the Departments of Commercial Taxes; Excise and Prohibition; transport and Registration, have been performing well, despite extending reservations to members of SC and ST communities in various levels and various posts of these departments. Table 4.1 points at a steady growth rate of tax revenues over the last six years, as per the Economic Survey of Government of Bihar, 2012. Overall, the CAGR of revenue during the years 2006 – 2012 has been around 25.6%.

Sources of Revenue	Percentage Growth over Previous Year						CAGR (2006-12)
	2006-07	2007-08	2008-09	2009-10	2010-11	2011-12 BE	
Taxes on Sales, Trade etc.	20	22	19	27	19	43	25.6
Taxes on Goods and Passengers	28	20	36	26	24	-3	19.9
State Excise	20	38	29	59	41	18	36.2
Stamp and Registration Fees	-10	44	9	39	10	46	28.6
Taxes on Vehicles	-40	51	9	16	32	18	24.3
Land Revenue	36	10	24	22	12	-10	10.8
Other Taxes and Duties on Commodities and Services	-15	9	0	58	12	-15	10.1

Total	13	26	21	31	22	27	25.6
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Source: Economic Survey, Government of Bihar 2012

4.6 The annual growth rate of collection of taxes by the Department of Commercial Taxes in Bihar over the last three decades has been strikingly consistent, registering growth rates in excess of 10% in 19 out of the last 27 years (ref. **Annex. X**). In 22 out of the last 27 years, targets were achieved to the tune of 90% or more. As a matter of fact, the rate of growth of tax collection in the last six years has been consistently higher than 20%, peaking with a growth rate of 26.52% in 2011-12. Here again the tax collection machinery includes officers from SC/ST category.

4.7 In the year 2011-12, the revenue collection of the Transport Department of Government of Bihar stood at Rs. 557.48 crores, a leap of 722% from the annual collection of Rs. 67.81 crores in 1990-91 and ahead by 25% vis-à-vis the previous year's collection. The transport Department too includes SC and ST staff in its workforce at various levels.

4.8 In the last six and half years, 30676 km of rural roads have been constructed by the Rural Works Department. As per a letter of the Department (No. 12309/ dated 25 July 2012), while 1728 habitation of SCs and STs have been connected with link roads, as many as 5633 SC/ST habitations still remain to be provided with link roads. This spectacular achievement has been result of sincere efforts and hard work of engineers, officers and staff of Rural Works Department which include 2 Chief Engineers (both SC), 26 Superintending Engineers (9 SC) and 126 Executive Engineers (26 SC & 1 ST) among others.

4.9 In the process of assessment of overall administrative efficiency of government services, various departments were requested to report on the number of instances wherein departmental actions had to be initiated, promotions had to be withheld or any adverse reports were received against staff from SC/ST background for administrative inefficiency, or special training programmes had

to be organized to enhance the efficiency of SC/ST staff. Analysis of reports received from some of the departments (ref. examples of responses received from some of the Departments in **Annex. XI**) amply makes it clear that there has been absolutely no issue with regard to the efficiency of SC/ST staff.

4.10 Department of Registration, Excise and Prohibition has reported that

- No SC/ST Officer who have been promoted on SC/ST quota have been demoted in the department.
- Promotion of any SC/ST officer has never been withheld on the ground of proven administrative inefficiency.
- No adverse remarks have been made against SC/ST officers promoted on SC/ST quota. and
- The department has not felt any need to provide special training to officers promoted on SC/ST quota.

4.11 The following response was obtained from the Department of Environment and Forests:

- The promotion of no SC/ST officer of Indian Forest Service has been withheld due to administrative inefficiency. Similarly, the promotion of no SC/ST officer for Bihar Forest Service had to be blocked.
- No negative feedback has been received about SC/ST officers promoted with the backing of reservations, regarding their efficiency/administrative capabilities;
- No adverse noting are registered in the ACR/PAR of SC/ST officers promoted in Bihar Forest Service;
- The Department has never conducted any training programmes for SC/ST officers in IFS/BFS.

4.12 According to General Administration Department:

- There are no reports of demotion of any officer.
- The promotion of no SC/ST officer has been withheld due to administrative inefficiency.
- There are no negative reports about SC/ST officers promoted with the backing of reservations, regarding their efficiency/administrative capabilities.

4.13 More or less similar responses have been received from Departments of Finance, Labour Resources, and Agriculture, Water Resources, Environment & Forest etc indicating no instances of departmental action against SC/ST staff on the grounds of administrative inefficiency. No department has reported that any SC/ST officer has been punished for proven administrative inefficiency. Though asked specifically, no department has ever felt the need to organize special training programmes to increase the administrative efficiency of the SC/ST officers promoted under the reservation in promotion policy.

If the facts, figures and various indicators in above paragraphs are considered parameters to judge the adverse impact, if any, of the reservation in promotion, we can safely conclude that despite existence of the SC/ST quota in promotions in government departments, the administrative efficiency of various departments of government of Bihar doesn't seem to have been affected at all. There is ample evidence pointing at satisfactory growth and improvements in various sectors of development such as revenue collection, key health and educational indicators, infrastructure development, etc. in Bihar, concurrent to pursuit of affirmative action policies.

*The aforesaid indicators of growth clearly point at the feasibility of a high growth scenario coupled with pursuit of policies of affirmative action. Government departments that have been registering satisfactory performance have all been inclusive of members of SC and ST communities in their staffing at various levels and positions. **While the performance of these departments cannot be solely attributed***

to the SC/ST section of the workforce, these departments have not reported any specific measures initiated on grounds of incompetence or inefficiency against SC/ST staff. Also, never has a need been felt for government employees belonging to SC/ST background to be provided with any special training to perform their stipulated jobs at par with staff from other social backgrounds, which indicates their equally valuable contribution to departmental efficiency.

Therefore, it seems that in spite of providing reservations to appointments and promotions, the overall administrative efficiency of government departments has not been compromised.

Chapter 5

Synthesis and Conclusions

Reservations were envisaged in the Constitution of India as an affirmative action intervention to deal with historical societal marginalization of Scheduled Castes and Scheduled Tribes in India, with the intent of enabling them to counter societal marginalization with the backing of law to secure their legitimate share in well-being opportunities at various levels.

Given the unabated subjugation and backwardness of Scheduled Castes and Scheduled Tribes in contemporary societies in Bihar, as outlined in Chapter 2, there seems a pressing need for continuation of reservations in all opportunities created by the State, including promotions in services under the stipulated SC/ST quotas. Also, the current levels of representation of SCs and STs are grossly limited in the promotional grades of most departments from where comparable data was available (ref. Chapter 3) and due mainly to the SC/ST quota.

The performance of various Government departments in Bihar discussed in Chapter 4 clearly indicates that the provision of reservations to promotional grades of various departments has had no adverse effect on the overall administrative efficiency of the departments.

The Hon'ble Supreme Court has viewed Article 16 (4A) as constitutionally valid and requires State Governments (or for that matter Central Government) to satisfy the following conditions for providing reservation to SCs and STs in promotion, along with consequential seniority:-

- (a) Collecting of quantifiable data showing backwardness of the class.
- (b) Inadequacy of representation of that class in public employment.

- (c) Ensuring compliance with Article 335 which says that while making reservation, due consideration is to be given to maintenance of efficiency of administration.

Accordingly, on the basis of quantifiable data available and collected from different departments on a clean slate and other sources on the aforesaid conditions, it is found that all these conditions are being met in proposing continuing reservations in promotions for Scheduled Castes and Scheduled Tribes.

Analysis of quantifiable data obtained from various credible sources has led to the following conclusions:

- (i) There is persistent social backwardness of SC and ST communities (which get manifested in the form of unabated social discrimination, prevalence of atrocities, and caste-based patterns of accessibility of key resources, inter alia; ref. Chapter 2),
- (ii) SCs and STs have a relatively disadvantaged economic status compared to other social groups (manifested in terms of higher incidence of poverty, landlessness and poor quality of housing, inter alia; ref. Chapter 2),
- (iii) SCs and STs have many genuine constraints in pursuing higher studies especially in technical streams. Their relatively limited educational achievements are reflected in low levels of literacy, higher drop-out rates and lower performance in matriculation examinations, inter alia; (ref. Chapter 2),
- (iv) There is perceptible, though inadequate, improvement in the quality of life of SC and ST communities due to policies of affirmative action (ref. Chapter 2),

- (v) There is under-representation of Scheduled Castes and Scheduled Tribes in most of the promotional grades, at all most all levels and in all most all services of Government of Bihar. It is also evident that the present level of representation of SC/ST is mainly the result of reservation in promotion policy being followed in Bihar for last many decades. It would not be an exaggeration to presume that in absence of any such policy the representation of SC/ST would be far less than the desired level of representation and would adversely impact the morale of the SC/ST employees (ref. Chapter 3); and
- (vi) Chapter 4 very clearly elaborates that the SC/ST employees promoted on SC/ST quota are no less efficient than their general category counterparts. The reports from various departments of Government of Bihar have not shown any evidence of lower administrative efficiency of SC/ST employees promoted under the reservation in promotion policy. The report clearly highlight that there is no evidences of any detrimental impact of reservations in promotions on the efficiency of government departments at various levels, positions or cadres (ref. Chapter 4),
- (vii) Difficulties experienced by various departments in collecting and furnishing disaggregated data relating to SCs/STs necessitates mandatory collection and submission of such data on regular basis with respect to relevant indicators to the SC& ST Welfare Department, Government of Bihar, so that such data can be examined, analysed and used to make policies for the welfare and development of SCs/STs.
- (viii) The process of compilation of this report also suggests the need for substantial strengthening and capacity building of the SC&ST Welfare Department so that the department is able to collect relevant data on regular basis from various departments and agencies, could compile, examine and analyse such data and use the same for policy making for the welfare and development of SCs/STs. The department will also be

able to furnish relevant data in a timely manner, by way of creation of dedicated data centres and appointment of subject matter specialists.

Accordingly, there seems to be a strong need to continue reservations in promotion to SC/ST members of different government departments with protected seniority and treat the vacancies meant for reserved category candidates as a separate class of vacancies as is envisaged under Article 16(4-A) and Article 16 (4-B) of the Constitution. It seems it would be essential imperative in concurrence with principles of equality and social justice embodied in the constitution of India.

It would be befitting to conclude this report with reiterating this observation of Dr. Bhim Rao Ambedkar.

“Those responsible for implementing the policy of Reservation must undoubtedly understand that ‘Reservation is neither a policy matter, a political gimmick, nor a matter of Charity’. It is a constitutional obligation.”

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Annex. I – Population of Scheduled Castes in Bihar

S. No.	Scheduled Castes in Bihar	Population in Bihar	Share in Bihar's SC population (%)
1	Bantar	101223	0.78%
2	Bauri	2096	0.02%
3	Bhogta	12659	0.10%
4	Bhuiya	568403	4.36%
5	Bhumij#	2333	0.02%
6	Chaupal	100111	0.77%
7	Chamar	4090070	31.34%
8	Dabgar	3590	0.03%
9	Dhobi	647491	4.96%
10	Dom	155383	1.19%
11	Dusadh	4029411	30.88%
12	Ghasi	674	0.01%
13	Halalkhor	3960	0.03%
14	Hari/Mehtar	181748	1.39%
15	Kanjar	1620	0.01%
16	Kurariyar	6567	0.05%
17	Lalbegi	809	0.01%
18	Musahar	2112136	16.19%
19	Nat	38615	0.30%
20	Pan	3653	0.03%
21	Pasi	711389	5.45%
22	Rajwar	213795	1.64%
23	Turi	33638	0.26%
Total		13048608	

Bhumij was later dropped from the list of SCs in Bihar, leaving only 22 castes in the list of Scheduled Castes

Annex. II – Population of Scheduled Tribes in Bihar

S. No.	Scheduled Tribes in Bihar	Population in Bihar	Share in Bihar's ST population (%)
1	Asur	181	0.02%
2	Baiga	274	0.04%
3	Banjara	2328	0.31%
4	Bathudia	348	0.05%
5	Bedia	2572	0.34%
6	Birhore	406	0.05%
7	Chero	8975	1.18%
8	Chick Baraik	707	0.09%
9	Gond	51792	6.83%
10	Gorat	940	0.12%
11	Ho	3418	0.45%
12	Karmali	368	0.05%
13	Kharia	1501	0.20%
14	Kharwar	100735	13.28%
15	Kisan	12287	1.62%
16	Kora	10942	1.44%
17	Korwa	709	0.09%
18	Khond	1319	0.17%
19	Lohara	13993	1.85%
20	Mahli	4380	0.58%
21	Malpaharia	4631	0.61%
22	Munda	17754	2.34%
23	Oraon	120362	15.87%
24	Parhaiya	2429	0.27%
25	Santhal	367612	41.52%
26	Binjhia	43	0.00%
27	Brijia	17	0.00%
28	Sauriapaharia	585	0.07%
29	Savar	420	0.05%
--	Generic tribes	26323	2.97%
Total (Census 2001)		758351	
30	Tharu (as per DM's report)*	127094	
Total		885445	

* Tharus were accorded the status of ST in 2003

Annex. IV – Identification of landless *Mahadalit* families for provision of homestead land

S. No.	Name of district	No. of families identified for provision of homestead land through settlement of <i>Gairmajarua</i> Aam land	No. of families identified for provision of <i>parcha</i> under BPPHT Act	No. of families identified for provision of homestead land by purchase of <i>Raiyat</i> land	No. of families identified for provision of homestead land through settlement of <i>Gairmajarua</i> Malik land
1	Patna	746	328	236	1877
2	Nalanda	6414	46	1072	2656
3	Bhojpur	0	531	531	531
4	Buxar	408	304	637	190
5	Kaimur	1528	216	397	859
6	Rohtas	1624	266	1778	886
7	Gaya	6072	600	6975	7584
8	Jahanabad	1547	69	49	1103
9	Arwal	248	97	559	261
10	Aurangabad	1191	24	112	1380
11	Nawada	862	138	980	1514
12	Bhagalpur	1244	288	944	690
13	Banka	150	419	80	595
14	Muzaffarpur	47	244	3390	18
15	Sitamarhi	111	1104	1427	1280
16	Vaishali	02	5704	879	598
17	E. Champaran	1098	994	4411	1004
18	W. Champaran	1206	2059	4061	3348
19	Sheohar	585	2522	307	353
20	Saran	16	54	235	63
21	Siwan	43	177	187	365
22	Gopalganj	288	305	85	803
23	Darbhanga	1093	759	1618	1354
24	Madhubani	709	253	2431	356
25	Samastipur	190	210	1931	154
26	Munger	610	1053	194	895
27	Begusarai	221	998	2539	915
28	Khagaria	240	1190	1934	710
29	Lakhisarai	1866	82	2441	345
30	Sheikhpura	164	0	106	414
31	Jamui	1277	360	1267	360
32	Saharsa	40	4027	5597	2500
33	Madhepura	507	432	4655	4076
34	Supaul	2016	1000	940	1768
35	Purnea	850	958	3480	1572
36	Kishanganj	522	353	498	165
37	Katihar	378	804	10672	284
38	Araria	234	4825	2338	4707
Total		36350	33479	70189	48322

Source: Dept. of Revenue and Land Reforms, Government of Bihar, July 2012

Annex. V - Literacy Rates of different social groups in districts of Bihar

Sl. No.	Name of District	Literacy rate in percentage												Rural Female Literacy Rate
		All communities			SC			ST			Minority (Muslim)			
		Male	Female	Total	Male	Female	Total	Male	Female	Total	Male	Female	Total	
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15
1	Araria	46.4	22.4	35.0	27.6	9.4	18.9	33.1	10.1	21.9	36.6	17.8	27.6	20.4
2	Arwal	70.1	39.4	55.3	46.5	17.4	32.6	46.0	16.6	32.4	72.1	53.1	63.3	37.9
3	Aurangabad	71.1	41.9	57.0	49.9	20.3	35.7	61.3	36.2	49.7	77.3	59.6	68.5	39.9
4	Banka	55.3	28.7	42.7	39.7	14.1	27.6	33.3	10.5	22.2	49.2	24.4	37.4	27.9
5	Begusarai	59.1	35.6	48.0	42.8	18.8	31.4	87.0	68.9	78.6	52.4	33.3	43.3	34.0
6	Bhagalpur	59.2	38.1	49.5	44.7	20.7	33.7	48.5	24.1	37.2	52.6	35.9	44.7	32.1
7	Bhojpur	74.3	41.8	59.0	55.3	20.7	39.1	63.4	27.2	46.7	74.1	50.2	62.6	38.5
8	Buxar	71.9	39.9	56.8	55.6	17.6	37.9	58.6	27.6	44.6	71.5	43.7	58.3	37.5
9	Darbhanga	56.7	30.8	44.3	35.5	12.8	24.7	58.1	38.5	49.5	55.4	36.1	46.0	27.6
10	East Champaran	49.3	24.3	37.5	30.3	9.7	20.6	48.9	18.1	34.3	48.5	26.8	38.1	22.0
11	Gaya	63.3	36.7	50.4	36.8	15.0	26.3	60.5	36.8	49.1	72.4	54.7	63.7	31.8
12	Gopalganj	63.0	32.2	47.5	46.7	17.3	32.1	53.0	23.8	37.8	64.6	37.7	50.8	31.0
13	Jamui	57.1	26.3	42.4	35.4	12.8	24.5	39.5	13.0	26.7	58.2	37.1	45.5	23.9
14	Jehanabad	70.1	39.4	55.3	46.5	17.4	32.6	46.0	16.6	32.4	72.1	53.1	63.3	37.9
15	Kaimur	69.7	38.8	55.1	56.6	22.2	40.5	54.7	20.4	38.6	72.2	43.8	58.6	37.9
16	Katihar	45.3	23.8	35.1	36.5	15.2	26.3	35.3	12.5	24.2	35.4	17.6	26.8	19.7
17	Khagaria	51.8	29.3	41.3	33.6	13.6	24.2	58.2	31.2	46.7	44.8	27.2	36.6	27.3
18	Kishanganj	42.7	18.6	31.1	40.0	15.5	28.2	22.6	7.5	15.3	37.7	15.7	27.0	15.4
19	Lakhisarai	60.7	34.0	48.0	37.8	14.8	26.8	20.2	4.9	12.9	54.6	35.8	45.5	31.2
20	Madhepura	48.8	22.1	36.1	25.9	7.7	17.1	47.5	19.8	33.6	37.0	15.8	26.8	20.6
21	Madhubani	56.8	26.2	42.0	33.8	9.7	22.2	48.1	22.3	35.8	42.8	23.0	35.1	25.4
22	Munger	69.9	47.4	59.5	54.1	29.3	42.6	52.0	21.8	37.3	66.8	50.5	59.5	39.3
23	Muzzafarpur	59.1	35.8	48.0	39.0	17.9	28.9	63.7	36.2	50.4	56.4	37.3	47.0	32.1
24	Nalanda	66.4	38.6	53.2	42.0	15.4	29.4	39.3	18.2	29.8	69.8	56.8	63.5	35.0
25	Nawada	60.6	32.2	46.8	32.9	11.1	22.4	27.5	12.7	20.5	66.3	48.6	57.7	29.7
26	Patna (Rural)	64.5	36.6	51.4	43.8	17.2	31.3	17.1	12.3	15.7	69.9	52.7	61.7	36.6
27	Patna (Urban)	84.7	70.2	78.1	68.6	46.0	58.3	89.2	76.2	83.4	77.7	67.2	72.8	0.0
28	Purnea	45.6	23.4	35.1	26.6	9.7	18.5	36.3	11.9	24.5	35.4	15.6	25.9	19.6
29	Rohtas	75.3	45.7	61.3	57.0	23.7	41.3	42.1	16.2	30.0	73.2	49.8	62.1	42.9
30	Saharsa	51.7	25.3	39.1	27.4	8.9	18.5	34.4	13.9	24.5	47.6	26.3	37.3	22.1
31	Samastipur	57.6	31.7	45.1	35.7	13.6	25.1	17.1	46.1	22.0	56.2	36.6	46.6	30.3
32	Saran	67.3	35.8	51.8	48.8	17.5	33.6	64.6	31.7	48.5	64.9	37.3	51.0	34.0
33	Sheikhpura	61.9	33.9	48.6	36.3	12.7	25.2	59.2	29.8	45.6	71.1	54.5	63.1	30.9
34	Shehar	45.3	23.9	35.3	24.4	8.3	16.9	60.0	16.7	38.8	38.4	23.7	31.3	23.6
35	Sitamarhi	49.4	26.1	38.5	31.8	11.1	22.1	42.8	18.1	31.4	41.7	23.4	32.9	24.3
36	Siwan	67.3	36.9	51.6	51.3	20.3	35.6	60.0	28.7	44.0	67.8	42.5	55.1	35.6
37	Supaul	52.4	20.8	37.3	30.8	7.5	19.6	41.1	12.0	26.9	44.6	19.0	32.2	19.3
38	Vaishali	63.2	36.6	50.5	40.8	16.8	29.4	37.4	21.8	29.9	66.3	43.6	54.0	35.2
39	West Champaran	51.1	25.2	38.9	33.1	10.3	22.3	35.2	12.1	24.1	53.7	32.1	43.4	25.2

Source: Census, 2001

Annex. VI – Literacy Rates of Various Scheduled Castes in Bihar

S. No.	Scheduled Castes in Bihar	Literacy Rates (%)		
		Female	Male	Total
1	Bantar	3.7	20.4	12.4
2	Bauri	7.8	35.2	22.1
3	Bhogta	4.5	21.9	13.6
4	Bhuiya	2.8	14.5	8.9
5	Bhumij#	11.9	34.6	24.2
6	Chaupal	6.4	29	18.8
7	Chamar	7.1	35.3	21.8
8	Dabgar	13.2	42.8	29.2
9	Dhobi	14.2	48.2	32.3
10	Dom	7.4	26.3	17.4
11	Dusadh	8.4	35.7	22.9
12	Ghasi	13.9	36.6	25.4
13	Halalkhor	12.4	39.2	26.2
14	Hari/Mehtar	13.4	38.7	26.9
15	Kanjar	4.5	15.1	10.7
16	Kurariyar	8.8	30.2	19.5
17	Lalbegi	12.2	30.6	21.7
18	Musahar	1.3	7.7	4.6
19	Nat	6.2	20.6	13.8
20	Pan	19.1	47.7	33.9
21	Pasi	12.9	44.5	29.6
22	Rajwar	5.2	29.6	18
23	Turi	6.5	28.6	17.9
Total		7.1	30.6	19.5

Source: Bihar MahadalitVikas Mission

Bhumij was later dropped from the list of SCs in Bihar, leaving only 22 castes in the list of Scheduled Castes

Breaking The Glass Ceiling

Higher education in India should not perpetuate inequality of opportunity

Vogendra Yadav



It's admission time again. Charming images of freshers entering the campus and glossy advertisements of the universities we had never heard before hide the harsh reality of educational inequality from school to higher education. Extensive coverage of rising entrance and entrance tests draw our attention to individual merit and luck. We tend to forget the overwhelming role of 'social luck' defined by the accident of birth. As and when we pay attention to the equality of opportunity, Merida's overwhelming coverage of admission season makes the harsh reality of inherited group inequalities. Reservation got some attention. Recently a times report about 1,400 students' get admission under the scheduled caste category, only two habit students could secure admission under general category. The figures also showed that if there was no reservation for the OBCs, the ITs would have had only 17% students from this social group that comprises around 65% population of the country. Official statistics did not reveal how many upper caste Hindu students make it to the ITs, but a simple look at the enrolment calculation shows that despite reservations, their share is anywhere between two or three times their share in population.



Learning can't be monopolised only by the privileged

“We tend to forget the overwhelming role of 'social luck' defined by the accident of birth. As and when we pay attention to inequality of opportunity, the focus is on economic condition”

all the disadvantaged social groups is substantially below the national average, the percentage of women (23.2%) and OBCs (23.2%) as a national was marginally below the national average. The figures were substantially lower for SC (17.2%) and STs (18.7%) and even lower for Muslims (14.2 %). The scheduled tribe factor is of course the economic condition. Among the lowest two quintiles of income distribution, religion, class, locality and region, not to speak of disability are some of the principal dimensions of educational inequality in our country. A quick look at Gross Attendance Ratio (GAR) for age group 18-22 years in the 6th round of National Sample Survey (2009-10) brings it out. GAR is measured as percentage of students who report attending a higher educational institution to the total population in age group 18-22 years. The overall GAR of the country in 2009-10 was 27.7%. In other words of the 1,000 youth in the age group of 18 to 22, only 277 reported attending any higher educational institution. Access to higher education for

the GAR was as low as 14.1% and 9.3%. As for the disabled, we can only guess that their situation is perhaps worse than any other category for there are no official statistics on the number of disabled who manage to enter higher education. We do not have comparable data for subgroups such as the lower OBC, extremely depressed caste communities such as those engaged in sanitation or particularly vulnerable tribal groups, or non-tribe DNT communities, but the non-official evidence suggests that their condition is much worse than that of the larger category to which they belong. Census figures show many communities like Muslims in Bihar, several nomadic communities and several low caste have barely one graduate in the adult population of 1,000. At 86.6% the GAR among Hindu 'general' category is twice as high as among SCs and STs. We can expect the 'caste census' to yield clearer information on this. The situation is compounded when an individual lies at the intersection of more than one axis of inequality. While the overall GAR for women stands at 23.2%, it is much worse for rural women (13.4%) and shockingly low for rural women belonging to the poorest income decile (3.8%). For men the GAR was 21.8%, for urban men 48.7%, and for urban males in the richest income decile it was well over 100%.

We cannot expect that expansion of higher education will automatically reduce inequality. Over the years, the access to higher education has improved for all social groups but their relative disparities have not reduced substantially. While rapid expansion of private educational institutions

has helped to meet the acute need for increasing the capacity. It has also accentuated inequalities by reducing the scope of state action in favour of disadvantaged social groups. The entry of disadvantaged social groups has shifted the site of deepest inequity of social inequality from the lower end of higher education to its upper end.

How then does one address these stark inequalities in higher education? Experience of the past suggests three lessons. First, instead of just talking about inequalities, we need to pay careful attention to the various dimensions of inequalities and how they interact with one another. This would mean targeting subgroups such as screening and nominating communities on the one hand and identifying groups that lie at the intersection of many inequalities, on the other.

Second, talk about equity must be backed by resources. In particular there is a need for a quantum jump in the volume, range and nature of student support measures like scholarship, stipend, assistantship and loans for disadvantaged students. Third, reservations should be supplemented by a range of smart equity designs such as a multi-dimensional index of disadvantage for students and a diversity index for institutions.

If these steps are not taken soon equity might quickly drop from our higher educational policy menu of "Expansion, Equity and Excellence".

The writer is a senior fellow at the Centre for the Study of Developing Societies.

Annex.-VIII

विहित प्रपत्र

प्रतिनिधित्व संबंधी आँकड़े

क्र० सं०	विभाग/ कार्यालय का नाम	पद / पद समूह का कोटि	कुल स्वीकृत बल	कुल कार्यरत बल	अनुसूचित जाति के कार्यरत कर्मियों की कुल संख्या एवं प्रतिशत	अनुसूचित जाति के कोटे के विरुद्ध कार्यरत कर्मियों की संख्या एवं प्रतिशत	अनुसूचित जाति के कोटे के विरुद्ध कार्यरत कर्मियों की संख्या एवं प्रतिशत	अनुसूचित जनजाति के कोटे के विरुद्ध कार्यरत कर्मियों की संख्या एवं प्रतिशत	वरीयता के विरुद्ध कार्यरत अनुसूचित जाति के कर्मियों की संख्या एवं प्रतिशत	अनुसूचित जनजाति के कोटे के विरुद्ध कार्यरत कर्मियों की संख्या एवं प्रतिशत	वरीयता के विरुद्ध कार्यरत अनुसूचित जनजाति के कर्मियों की संख्या एवं प्रतिशत	अभ्युक्ति
	1	2	3	4	5	6	7	8	9	10	11	
1	मंत्रिमंडल सचिवालय विभाग	पद / पद समूह का कोटि लिपिक सेवा (उच्च वर्गीय लिपिक) / समूह-ग राजभाषा सहायक श्रेणी-02 समूह-ग राजभाषा पदाधिकारी	48	18	1 5 %	1 5 %	00	00	00	00	00	
2	राजस्व एवं भूमि सुधार विभाग	अवल अधिकारी एवं संपकक्ष ग्रेड	801	559	35 6.25 %	20 3.57 %	00	06 1.07%	06 1.07%	00	00	अवल निरीक्षक संयम से स्थापन रूप से अवल अधिकारी के पद पर पदस्थापित किये गये कर्मियों की संख्या 20 है तथा वाह्य सेवा के पर्यवेक्षकीय

3	विज्ञान एवं प्राविधिकी विभाग	अचल निरीक्षक एवं समकक्ष ग्रेड	886	180	24	24	24	4	4	00	00	सम्बन्ध से स्थानापन्न रूप से अचल अधिकारी के पद पर पदस्थापित कर्मियों की सूचना उपलब्ध नहीं है अतः सही सूचना कठिना 5 में अंकित करना संभव नहीं हो रहा है।	
		हलका राजस्व कर्मचारी	8463	4529	661.	661.	45	45	00	00	00		00
		उच्च वर्गीय लिपिक सचिवालय	23	18	3.	3.	00	00	00	00	00		00
		शैक्षणिक संवर्ग	9	6	00	00	00	00	00	00	00		00
		बिहार सचिवालय लिपिकीय सेवा प्रोफेसर	9	8	1	1	00	00	00	00	00		00
		साह प्राध्यापक	53	2	00	00	00	00	00	00	00		00
		सहायक प्राध्यापक	95	18	00	00	00	00	00	00	00		00
		प्रचार्य	351	71	2	2	00	00	00	00	00		00
		व्याख्याता	14	01	00	00	00	00	00	00	00		00
		कर्मशाला अधिकृत	345	80	4	4	00	00	00	00	00		00
		15	01	00	00	00	00	00	00	00	00		

		अनुदेशक	150	23	00	00	00	00	00	00	00	00	00
		कर्मप्रमुख	14	6	00	00	00	00	00	00	00	00	00
		प्रधान लिपिक सह लेखापाल	12	1	00	00	00	00	00	00	00	00	00
		पर्यटक सूचना पदाधिकारी	8	4	00	00	00	00	00	00	00	00	00
		सहायक पर्यटक सूचना अधिकारी	13	2	00	00	00	00	00	00	00	00	00
		स्वागतक	17	3	00	00	00	00	00	00	00	00	00
		टंकक लिपिक	8	7	00	00	00	00	00	00	00	00	00
4		पर्यटन विभाग											
5		योजना एवं विकास विभाग											
		उच्च वर्गीय लिपिक	11	3	1	33%	1	33%	00	00	00	00	00
		बिहार अवर योजना पदाधिकारी	47	33	3	9%	3	9%	00	00	1	3%	00
		वाहन चालक समूह-घ	4	2	00	00	00	00	00	00	00	00	00
		निम्नवर्गीय कोटि	10	1	00	00	00	00	00	00	00	00	00
		आदेशपाल	06	00	00	00	00	00	00	00	00	00	00
7		विधि विभाग											
		उच्च वर्गीय लिपिक	07	06	00	00	00	00	00	00	00	00	00
8		लघु जल	02	01	00	00	00	00	00	00	00	00	00
		लेखा पदाधिकारी											

	संसाधन विभाग	लेखापाल	33	05	1 20 %	1 20%	00	00	00	00
		प्रधान लिपिक	78	08	04 50%	1 12.5 %	3 37.5%	00	00	00
		उच्च वर्गीय लिपिक	04	04	00	00	00	00	00	00
		वरीय शोध सहायक	03	02	00	00	00	00	00	00
		कार्य निरीक्षक	32	24	1 4.16%	1 4.16%	00	00	00	00
9	ग्रामीण विकास विभाग	आरक्षण कोटि के प्रोन्नति का संवर्गीय पद वर्तमान में नहीं है।								
10	नगरानी विभाग	आरक्षण कोटि के प्रोन्नति का संवर्गीय पद वर्तमान में नहीं है।								
11	संसदीय कार्य विभाग	आरक्षण कोटि के प्रोन्नति का संवर्गीय पद वर्तमान में नहीं है।								
12	गन्ना उद्योग विभाग	आरक्षण कोटि के प्रोन्नति का संवर्गीय पद वर्तमान में नहीं है।								
13	समाज कल्याण विभाग	आरक्षण कोटि के प्रोन्नति का संवर्गीय पद वर्तमान में नहीं है।								
14	सामान्य प्रशासन विभाग	विशेष सचिव (बि0प्र0सेवा)	24	22	7 32 %	3 14 %	4 18 %	00	00	00
		अपर सचिव (बि0प्र0सेवा)	48	21	6 28 %	6 28 %	00	00	00	00

	संयुक्त सचिव (बि0प्र0सेवा)	131	92	11 12 %	11 12 %	11 12 %	00	00	00	00	00	00	
	अपर समाहर्ता (बि0प्र0सेवा)	169	122	21 17 %	21 17 %	21 17 %	00	2 1 %	2 1 %	00	00	00	
	उप सचिव (बि0प्र0सेवा)	176	262	41 16 %	41 16 %	41 16 %	00	3 1 %	3 1 %	00	00	00	
	प्रधान आप्त सचिव (बि0आशुलिपिक सेवा)	69	51	14 27.45 %	14 27.45 %	8 15.68 %	6 11.76 %	0	0	0	0	0	
	आप्त सचिव (बि0आशुलिपिक सेवा)	153	113	14 12.38 %	14 12.38 %	14 12.38 %	0	0	0	0	0	0	
	निजी सहायक (बि0आशुलिपिक सेवा)	198	144	0	0	0	0	0	0	0	0	0	
	सहायक (उच्च वर्गीय लिपिक से प्रोन्नति द्वारा) (बि0स0से0)	273	196	47 24 %	47 24 %	37 19 %	10 5 %	1 0.5 %	1 0.5 %	00	00	0	
	प्रशाखा पदाधिकारी (बि0स0से0)	754	464	82 18 %	82 18 %	82 18 %	0	5 1 %	5 1 %	0	0	0	
	अवर सचिव (बि0स0से0)	173	103	48 46 %	48 46 %	24 23 %	24 23 %	3 3 %	2 2 %	00	00	1 1 %	
	उप सचिव (बि0स0से0)	40	7	5 71 %	5 71 %	3 43 %	2 29 %	0	0	0	0	0	
	निदेशक (संयुक्त सचिव स्तर) (बि0स0से0)	5	1	1 100 %	1 100 %	1 100 %	0	0	0	0	0	0	
	संयुक्त निदेशक	7	1	1 100 %	1 100 %	00	1, 100 %	00	00	00	00	00	
	महाप्रबंधक / उपनिदेशक	47	16	03, 18.75 %	03, 18.75 %	00	3, 18.75 %	2, 12.5 %	00	00	2, 12.5 %	2, 12.5 %	
15	कार्यकारी प्रबंधन	81	33	6, 18.18 %	6, 18.18 %	6, 18.18 %	00	1, 3.03 %	1, 3.03 %	00	1, 3.03 %	1, 3.03 %	00

			68	61	11, 18.03 %	11, 18.03 %	00	1, 1.63 %	1, 1.63 %	00
16	लोक स्वास्थ्य अभियंत्रण विभाग	परियोजन प्रबंधन								
		मुख्य अभियंता (यांत्रिक) / "क"	1	1	1 100 %	1 100 %	00	00	00	00
		अधीक्षण अभियंता (यांत्रिक) / "क"	4	1	1 100 %	1 100 %	00	00	00	00
		कार्यपालक अभियंता (यांत्रिक) / "क"	12	10	2 20 %	1 10 %	1 10 %	00	00	00
		सहायक अभियंता (यांत्रिक) / "ख"	14	5	2 40 %	2 40 %	00	1 20 %	1 20 %	00
		मुख्य अभियंता (असैनिक) / "क"	7	5	00	00	00	00	00	00
		अधीक्षण अभियंता (असैनिक) "क"	29	20	4 20 %	4 20 %	00	1 05 %	1 05 %	00
		कार्यपालक अभियंता (असैनिक) / "क"	79	77	12 15.58%	12 15.58%	00	02 59%	1 2.29%	1 2.29%
		सहायक अभियंता (असैनिक) / "ख"	90	36	6 16.66 %	6 16.66 %	00	3 3.33 %	1 2.77 %	2 5.55 %
		17	जल संसाधन विभाग	सांख्यिकी पदाधिकारी	2	2	00	00	00	00
प्रारूपक	11			1	1 100 %	1 100 %	00	00	00	00
वरीय प्रारूपक	5			4	2 50 %	1 25 %	1 25 %	00	00	00
मुख्य अभियंता (असैनिक)	20			16	16 100 %	03 18.77 %	13 81.25 %	00	00	00
अधीक्षण अभियंता (असैनिक)	126			86	32 37.20 %	20 23.25 %	12 13.95 %	2 2.32 %	1 1.16 %	1 1.16 %

	कार्यपालक अभियंता (असैनिक)	423	385	67 17.40 %	61 15.84 %	6 1.55 %	4 1.03 %	4 1.03 %	00
	सहायक अभियंता (असैनिक)	718	538	84 15.61 %	84 15.61 %	00	7 1.30 %	7 1.30 %	00
	मुख्य अभियंता (यांत्रिक)	3	3	3 100 %	1 33 %	2 67 %	00	00	00
	अधीक्षण अभियंता (यांत्रिक)	16	13	3 23.07 %	2 15.38 %	1 9.69 %	00	00	00
	कार्यपालक अभियंता (यांत्रिक)	61	50	00	00	00	00	00	00
	सहायक अभियंता (यांत्रिक)	248	98	1 1.02 %	1 1.02 %	00	00	00	00
	प्रधान सहायक	37	16	9 56%	6 38 %	3 19 %	00	00	00
	प्रधान लिपिक	316	85	27 32 %	24 28 %	03 04 %	00	00	00
	प्रारूपकार कोटि	134	14	01 7%	01 7%	00	00	00	00
	वरीय लेखा लिपिक	246	91	07 08%	07 08%	00	00	00	00
	उच्च वर्गीय लिपिक	4	3	00	00	00	00	00	00
18	कला, संस्कृति एवं युवा विभाग	17	3	1 33 %	1 33 %	00	00	00	00
19	गृह (आरक्षी) विभाग	9	8	2 25 %	1 12.5 %	1 12.5 %	1 12.5 %	00	1 12.5 %
	अपर पुलिस अधीक्षक	39	35	6 16 %	6 16 %	00	00	00	00

	वरीय पुलिस उपाधीक्षक	74	36	1 2.7 %	1 2.7 %	00	00	00	00	00	
20	शिक्षा विभाग	आरक्षण कोटि के प्रोन्नति का संवर्गीय पद वर्तमान में नहीं है।									
21	खान एवं मुतत्व विभाग	अपर निदेशक / "क"	01	01	1 100 %	1 100 %	00	00	00	00	00
		उप निदेशक / "क"	08	01	00	00	00	00	00	00	00
		सहायक निदेशक / "क"	11	07	00	00	00	00	00	00	00
		खोशियो पदाओ / "ख"	25	17	04 24 %	04 24 %	00	00	00	00	00
		प्रधान लिपिक / "ख"	23	02	2 100 %	2 100 %	00	00	00	00	00
22	वित्त विभाग	उच्च वर्गीय लिपिक प्रथम स्तर	49	43	3 6.97 %	3 6.97 %	00	1 2.32 %	1 2.32 %	00	00
		राओओ कार्योपदाओ प्रथम स्तर	21	18	3 16.66 %	3 16.66 %	00	00	00	00	00
		वरीय अंकेक्षण वर्ग-2 प्रथम स्तर	144	160	2 1.25 %	1 1.25 %	00	00	00	00	00
		वरीय अंकेक्षण वर्ग-1 प्रथम स्तर	49	23	5 21.73 %	5 21.73 %	00	00	00	00	00
		उल लेखा नियंत्रक	23	19	07 36.84 %	7 36.84 %	00	00	00	00	00
23	पंचायतीराज विभाग	लेखा नियंत्रण चतुर्थ एवं अंतिम स्तर	7	3	3 100 %	3 100 %	00	00	00	00	00
		उच्च वर्गीय लिपिक प्रथम स्तर	4	4	1 25 %	1 25 %	00	00	00	00	00
आरक्षण कोटि के प्रोन्नति का संवर्गीय पद वर्तमान में नहीं है।											

24	सहकारिता विभाग	जिला सहकारिता पदाधिकारी एवं सहायक निबंधक, स.स. / समूह ख	संवर्गीय / गैर संवर्गीय 105/22	68	9	13.23 %	9	13.23%	00	1	1.47%	1	1.47%	00	
		उप निबंधक, सहयोग समितियों / समूह क	संवर्गीय / गैर संवर्गीय 9/22	18	4	22.2%	4	22.2%	00	00	00	00	00	00	
		संयुक्त निबंधक, सहयोग समितियों / समूह क	संवर्गीय / गैर संवर्गीय 11/5	4	00	00	00	00	00	00	00	00	00	00	
		अपर निबंधक, सहयोग समितियों / समूह क	1	00	00	00	00	00	00	00	00	00	00	00	
		जिला अंकेक्षण पदाधिकारी / सहयोग समितियों समूह ख	27	13	2	15.39%	2	15.39%	00	00	00	00	00	00	
		उप मुख्य अंकेक्षक, सहायोग समितियों / समूह क	8	00	00	00	00	00	00	00	00	00	00	00	
		संयुक्त निबंधक (अंकेक्षण), सहयोग समितियों / समूह क	8	00	00	00	00	00	00	00	00	00	00	00	
		अपर निबंधक (अंकेक्षण), सहयोग समितियों / समूह क अंकेक्षक	1 (गैर संवर्गीय) 419	00	00	00	00	00	00	00	00	00	00	00	
		वरीय अंकेक्षण पदाधिकारी	209	123	11	8.94%	11	8.94%	00	00	1	0.81%	1	0.81%	00
		अनुमंडल अंकेक्षण पदाधिकारी	81	48	11	22.92%	11	22.92%	00	00	00	00	00	00	
25	पर्यावरण एवं वन विभाग	सहायक वन संरक्षक	34	19	2	10.5%	2	10.5%	00	00	00	00	00		
		वनो के क्षेत्र पदाधिकारी	57	45	7	15.56%	7	15.56%	00	1	2.22%	1	2.22%	00	

	वनपाल	190	79	16	20.25%	16	20.25%	00	00	6	7.59%	6	7.59%	00	00
	कार्यालय अधीक्षक	06	06	00	00	00	00	00	00	00	00	00	00	00	00
	प्रधान लिपिक	21	21	04	19.05%	04	100%	00	00	00	00	00	00	00	00
	अमीन इन्स्पेक्टर	3	00	00	00	00	00	00	00	00	00	00	00	00	00
	वरीय पशुपालक	3	00	00	00	00	00	00	00	00	00	00	00	00	00
26	खाद्य एवं उपभोक्ता संरक्षण विभाग	316	239	36	15%	36	15%	00	00	02	1%	02	1%	00	00
	प्रखंड आपूर्ति पदाधिकारी/पुनः पदाधिकारी														
	सहायक जिला आपूर्ति पदाधिकारी/सहायक अनुभाजन पदाधिकारी	101	18	05	27%	03	16%	02	11%	00	00	00	00	00	00
	उच्च वर्गीय लिपिक	08	08	01	12.5%	00	00	01	12.5%	00	00	00	00	00	00
27	निबंधन, उत्पाद एवं मद्य निषेध विभाग	43	40	09	22.5%	06	15%	03	7.5%	00	00	00	00	00	00
	निरीक्षक उत्पाद														
28	वाणिज्य-कर विभाग	05	01	01	100%	00	00	01	100%	00	00	00	00	00	00
	अपर आयुक्त														
	संयुक्त आयुक्त	23	16	01	6%	01	6%	00	00	00	00	00	00	00	00
	उपायुक्त	54	38	07	18%	06	16%	01	3%	00	00	00	00	00	00
	सहायक आयुक्त	147	109	18	16.5%	17	16%	01	0.9%	02	1.08%	01	1%	01	1%
29	श्रम संसाधन विभाग	26	08	01	12%	01	12%	00	00	00	00	00	00	00	00
	बिहार नियोजन सेवा														
	बिहार औद्योगिक प्रशिक्षण सेवा	10	03	01	33%	01	33%	00	00	00	00	00	00	00	00
	श्रम सेवा (तकनीकि)	03	01	00	00	00	00	00	00	00	00	00	00	00	00

		श्रम सेवा (सामान्य)	22	14	02	01	01	01	00	00	00	00	
		प्रधान लिपिक	14	07	01	01	00	00	00	00	00	00	
		उच्च वर्गीय लिपिक	98	82	09	08	01	01	01	01	01	00	
		श्रम प्रवर्तन पदाधिकारी	545	422	59	59	00	05	04	04	01	01	
		सहायक अधीक्षक	68	08	08	04	04	00	00	00	00	00	
		मुख्य अनुदेशक	177	140	73	33	40	10	10	10	10	00	
30	सूचना एवं जन संपर्क विभाग	संयुक्त निदेशक	02	02	00	00	00	00	00	00	00	00	
		उप निदेशक	12	03	00	00	00	00	00	00	00	00	
		सहायक निदेशक-साह-जिला-जन संपर्क पदाधिकारी	29	25	03	03	00	00	00	00	00	00	
		अपर जिला जन संपर्क पदाधिकारी	41	17	04	03	01	00	00	00	00	00	
		सूचना लिपिक	125	68	04	04	00	00	00	00	00	00	
		चलचित्र चालक	59	22	02	02	00	01	00	00	00	01	
		चालक	61	22	01	01	00	02	02	00	00	02	
31	पिछडा वर्ग एवं अति पिछड वर्ग कल्याण विभाग	आरक्षण कोटि के प्रोन्नति का संवर्गीय पद वर्तमान में नहीं है।											
32	नगरानी विभाग	आरक्षण कोटि के प्रोन्नति का संवर्गीय पद वर्तमान में नहीं है।											

33	अनु0जाति एवं अनु0जनजाति कल्याण विभाग	उपनिदेशक कल्याण	9	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
		जिला कल्याण पदाधिकारी	38	17	03	03	03	01	01	01	01	01	01	01	01	01	01	01
		अनु0कल्याण पदाधिकारी	63	02	-	-	-	-	-	-	-	-	-	-	-	-	-	-
		प्रधानाध्यापक	55	1	1	-	-	-	-	-	-	-	-	-	-	-	-	-
		शोध पदाधिकारी	1	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
		सहायक निदेशक (क)अराजपत्रित	1	1	-	-	-	-	-	-	-	-	-	-	-	-	-	-
		प्रोग्रामर सहायक	1	1	-	-	-	-	-	-	-	-	-	-	-	-	-	-
		उच्च वर्गीय लिपिक	11	5	0	-	-	-	-	-	-	-	-	-	-	-	-	-
		ट्रेजरी सरकार	2	1	-	-	-	-	-	-	-	-	-	-	-	-	-	-
34	आपदा प्रबंधन विभाग	रोकडपाल	1	1	0	0	0	0	0	0	0	0	0	0	0	0	0	0
		सांख्यिकी पदाधिकारी, सहायक सांख्यिकी पदा0, सांख्यिकी सहायक	3	1	0	0	0	0	0	0	0	0	0	0	0	0	0	0
		चालक	6	4	1	1	1	1	1	1	1	1	1	1	1	1	1	1
		लिपिकीय संवर्ग	10	9	0	0	0	0	0	0	0	0	0	0	0	0	0	0
		आदेशपाल	23	22	4	3	3	1	1	1	1	1	1	1	1	1	1	1
		लेखापाल	1	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
35	ऊर्जा विभाग	मुख्य विद्युत अभियंता	2	2	1	-	-	1	-	-	-	-	-	-	-	-	-	-
		विद्युत अधीक्षण अभियंता	4	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-

		विद्युत कार्यपालक अभियंता	6	4	1	25%	-	1	25%	1	25%	
		सहायक विद्युत अभियंता	17	4	3	75%	-	3	75%	-	-	
36	स्वस्थ्य विभाग	चिकित्सा शिक्षा संवर्ग प्रध्यापक	257	115	15	13.1%	15	15	13.1%	01	0.86%	1
		सह प्रध्यापक	432	134	15	11.2%	15	15	11.2%	1	0.86%	1
		सहायक प्राध्यापक	677	226	16	07%	16	16	07%	04	04	1.77%
		बि०स्वा० सेवा संवर्ग सिविल सर्जन एवं समकक्ष पद	96	91	35	38%	35	35	38%	2	2%	2
		उपाधीक्षक एवं समकक्ष पद	240	108	7	6.4%	7	7	6.4%	-	0	0
		अपर निदेशक एवं समकक्ष पद	25	22	4	18%	4	4	18%	1	0	1
37	नगर विकास एवं आवस विभाग											
38	भवन निर्माण विभाग											
39	अल्प संख्यक कल्याण विभाग											

आरक्षण कोटि के प्रोन्नति का संवर्गीय पद वर्तमान में नहीं है।

आरक्षण कोटि के प्रोन्नति का संवर्गीय पद वर्तमान में नहीं है।

आरक्षण कोटि के प्रोन्नति का संवर्गीय पद वर्तमान में नहीं है।

40	निर्वाचन विभाग	उप निर्वाचन पदाधिकारी	27	23	05	3	00	00	00	00	00	00
41	कृषि विभाग	कोटि 1 शष्य	68	39	15	15	8	1	1	1	00	00
		कोटि 1	442	265	26	17	00	00	00	00	0	0
		शष्य वर्ग-2	4	2	1	1	00	00	00	0	000	000
		कोटि-2 अमि0	42	10	00	00	00	1	1	1	00	00
		कोटि-2 अमि0 वर्ग-2	00	00	00	0	0	00	0	0	00	00
		कोटि-3 रसायन वर्ग-1	28	14	02	02	00	00	00	0	00	00
		कोटि-3 रसायन वर्ग-2	6	4	00	00	00	0	0	00	0	0
		कोटि-5 पौ0स0 वर्ग-1	34	22	2	2	1	00	0	0	0	0
		कोटि-5 पौ0स0 वर्ग-2	5	2	00	00	0	0	0	0	0	0
		कोटि-7 उद्यान	25	22	01	01	00	0	00	00	0	0
		कोटि-7 उद्यान वर्ग-2	2	2	0	0	0	0	0	0	0	0
		कोटि-6 मा0त0 वर्ग-1	27	16	4	4	0	0	0	0	0	0
		कोटि-8 मा0तौ0-2	5	3	1	1	0	0	0	0	0	0
		कोटि-9 सां0 वर्ग-1	45	13	0	0	0	0	0	0	0	0
		कोटि-9 सां0 वर्ग-2	1459	714	143	53	90	5	5	5	5	5
		प्रखड कृषि पदाधिकारी	61	5	0	0	0	0	0	0	0	0
		पौधा संरक्षक निरीक्षक	340	41	2	2	0	0	0	0	0	0
		पौधा संरक्षक प्रवेक्षक	93	40	5%	33%	0	0	0	0	0	0
		निरीक्षक माप तौल	111	31	1	1	0	0	0	0	0	0
		सांख्यिक सहायक	22	8	0	0	0	0	0	00	0	0
		निम्नवर्गीय लिपिक	22	6	1	1	0	0	0	0	0	0
		उच्च वर्गीय लिपिक	6	2	1	1	0	0	0	0	0	0
		लेखापाल	6	2	50%	100%	0	0	0	0	0	0

चालक	10	9	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
चतुर्थ वर्गीय लिपिक	99	64	11	17%	11	110%	0	0	0	2	3%	2	200%	0	0	0	0	0	0
कनीय अभियंता	7	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
कनीय तकनीकी सहायक	1	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
सांख्यिकी सहायक	1	1	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
आशुटकक	2	1	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
प्रधान लिपिक	6	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
लेखापाल	1	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
उपवलि0	4	3	00	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
लिपिक	39	23	3	13%	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
नि0वलि0	4	1	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
प्रारूपक	8	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
सर्वेक्षक	22	6	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
क्षेत्र प्रयवेक्षक	36	6	4	66.6%	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
खिप चालक	16	2	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
अमीन	29	2	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
ब्लू प्रिन्टर	1	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
कलाकार	1	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
अनुरेखक	3	1	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
जंजीर वाहक	56	11	1	9%	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
कार्यालय परिचारी	49	21	3	14.3%	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
उद्यान पदा0	87	23	1	4.35%	14	7.14%	1	4.35%	4.35	0	0	0	0	0	0	0	0	0	0
कलाकार	1	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
प्रधान लिपिक	1	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0

	रोकड पाल	1	1	0	0	0	0	0	0	0	0	0	0	0
	लेखापाल	2	1	0	0	0	0	0	0	0	0	0	0	00
	टकक	1	1	0	0	0	0	0	0	0	0	0	0	00
	उद्यान निरिक्षक	126	15	1	6.67%	20	5%	1	6.67%	1	0	0	0	0
	लिपिक	3015	0	0	0	0	0	0	0	0	0	0	0	0
	पौधा संरक्षक प्रयेक्षक	12	4	1	25%	2	50%	1	25%	25%	0	0	0	0
	पौधा संरक्षक परिघालक	24	6	0	0	0	0	0	0	0	0	0	0	0
	सब्जि परस्सर कार्यकता	72	29	4	13.79%	12	33.33%	4	13.79%	13.79%	0	0	0	0
	वाहन चालक	22	7	1	14.29%	4	25%	1	14.29%	14.29%	0	0	0	0
	ट्रेजरी सरकार	1	0	0	0	0	0	0	0	0	0	0	0	0
	उद्यान सेवक	436	254	37	14.56%	70	52.85%	37	14.56%	14.56%	0	0	0	0
	कार्यालय परिचारी	41	35	6	17.14%	7	85.71%	6	17.14%	17.14%	0	0	0	0
	प्रयोगशाला सेवक	4	1	0	0	0	0	0	0	0	0	0	0	0
42	गृह विभाग	9	8	2	25%	1	12.5%	1	12.5%	12.5%	1	12.5%	1	12.5%
	अपर पुलिस अधीक्षक	39	35	6	16%	6	16%	0	0	0	0	0	0	0
	वरीय पुलिस उपाधीक्षक	74	36	1	2.7%	1	2.7%	0	0	0	0	0	0	0
	पुलिस उपाधीक्षक (मूल कोटि)	474	343	49	14.28%	49	14.28%	0	0	0	1	0.29%	1	0.29%
	आदेशपाल	18	13	2	15.36%	0	0	0	0	0	0	0	0	0

	बिहार प्रवेशन सेवा	5	5	1	0	0	0	0	0	0	0	0
	निदेशक	1	1	0	0	0	0	0	0	0	0	0
	सहायक निदेशक	1	0	0	0	0	0	0	0	0	0	0
	लेखापाल	1	0	0	0	0	0	0	0	0	0	0
	सहायक लेखापाल	1	1	0	0	0	0	0	0	0	0	0
	निम्नवर्गीय लिपिक	2	0	0	0	0	0	0	0	0	0	0
	चालक	1	0	0	0	0	0	0	0	0	0	0
	दफ्तरी	1	0	0	0	0	0	0	0	0	0	0
	आदेशपाल/अनुसेवक	3	3	0	0	0	0	0	0	0	0	0
	चौकीदार	1	1	0	0	0	0	0	0	0	0	0
	जिला सैनिक कल्याण पदाधिकारी	13	0	0	0	0	0	0	0	0	0	0
	सहायक जिला सैनिक कल्याण पदाधिकारी	1	0	0	0	0	0	0	0	0	0	0
	प्रधान लिपिक	13	0	0	0	0	0	0	0	0	0	0
	निम्नवर्गीय लिपिक	26	4	1	1	3.8%	15.3%	0	0	0	0	0
	कल्याण व्यवस्थापक	28	10	1	1	3.5%	20%	0	0	0	0	0
	अनुसेवक	13	9	2	2	15.3%	15.3%	3	23%	0	0	0
	रात्रि प्रहरी	13	2	2	2	15.3%	15.3%	0	0	0	0	0
	सफाई वाला	4	0	0	0	0	0	0	0	0	0	0
	सहायक अभियोजन पदाधिकारी	647	303	28	28	9.24%	57.75%	7	2.31%	7	231%	0
	अनुमंडल अभियोजन पदाधिकारी	57	21	5	5	23.80%	148.80%	0	0	0	0	0
	जिला अभियोजन पदाधिकारी	39	18	3	1	16.66%	34.72%	2	13.33%	1	16.66%	555.55%

	प्रमंडलीय अभियोजन पदाधिकारी	10	2																		
	लिपिक	56	48	5	10.41%	5	65.10%	3	6.25%	3	6.25%										
	अनुसेवक	56	34	4	11.76%	4	73.52%														
	अनुसेवक	5	2	1	50%	1	312.5%														
	निरीक्षक	10	9	1	14%	0		1	100%	4	40%	3	60%	4	40%						
	अवर निरीक्षक	62	47	13	20.96%	4	6.96%	12	19.96%	6	10%	0		6	100%	0					
	हवलदार	206	192	34	16.5%	0		5	2.5%	25	12.13%	4	2.13%	25	12.13%	25					

विहित प्रपत्र

प्रतिनिधित्व संबंधी आंकड़े

विभाग/ कार्यालय का नाम	पद/ पद समूह का कोटि	कुल स्वीकृत बल	कुल कार्यरत बल	अनुसूचित जाति के कार्यरत कर्मियों की कुल संख्या एवं प्रतिशत	अनुसूचित जाति के कोटे के विरुद्ध कार्यरत कर्मियों की संख्या एवं प्रतिशत	वरीयता के विरुद्ध कार्यरत अनुसूचित जाति के कर्मियों की संख्या एवं प्रतिशत	अनुसूचित जनजाति के कार्यरत कर्मियों की कुल संख्या एवं प्रतिशत	अनुसूचित जनजाति के कोटे के विरुद्ध कार्यरत कर्मियों की संख्या एवं प्रतिशत	वरीयता के विरुद्ध कार्यरत अनुसूचित जनजाति के कर्मियों की संख्या एवं प्रतिशत	अभ्युक्ति
1	2	3	4	5	6	7	8	9	10	11
ग्रामीण कार्य विभाग	उच्च वर्गीय लिपिक	22	08	00	00	00	00	00	00	
	निम्न वर्गीय लिपिक	30	09	02 07.8%	00	00	00	00	00	
	आशुटंकक	06	02	00	00	00	00	00	00	
	कार्यालय परिचारि	96	63	09 07.6%	00	00	00	00	00	
	दफ्तरी	03	01	00	00	00	00	00	00	
	फराश	01	01	01 100%	00	00	00	00	00	
	अभिलेखवाह	02	02	00	00	00	00	00	00	
	ओषरक्षक	02	01	00	00	00	00	00	00	
	स्वीपर	03	03	03 100%	00	00	00	00	00	
	नील चित्रक	02	02	00	00	00	00	00	00	
	डाटा इंट्री ऑपरेटर	00	00	00	00	00	00	00	00	
	चतुर्थवर्गीय	2377	1114	157 14.10%	100 6.10%	00	24 2.1%	17 1.5%	00	
	तृतीय श्रेणी	1766	819	108 13.20%	52 6.3%	00	11 1.3%	07 0.8%	00	

पशु एवं मत्स्य संसाधन विभाग	संयुक्त निदेशक(मु0) शु0प0प0 सेवा	01	01	01	01	01	01	01	01	01	01	01	01	00	00	00	00	00	00
	संयुक्त निदेशक (प0रव0)	01	01	01	01	01	01	01	01	01	01	01	01	01	00	00	00	00	00
	अवकाश संरक्षित पदाधिकारी	05	05	05	05	05	05	05	05	05	05	05	05	00	00	00	00	00	00
	स्टाफ (प0शि0पदाधिकारी)	01	01	01	01	01	01	01	01	01	01	01	01	00	00	00	00	00	00
	उच्च वर्गीय लिपिक	39	02	02	02	02	02	02	02	02	02	02	02	00	00	00	00	00	00
	निम्न वर्गीय लिपिक	15	09	09	09	09	09	09	09	09	09	09	09	01	180%	00	00	00	00
	वरीय सांख्यिकी सहायक	11	09	09	09	09	09	09	09	09	09	09	09	00	00	00	00	00	00
	सांख्यिकी सहायक	02	01	01	01	01	01	01	01	01	01	01	01	00	00	00	00	00	00
	सांख्यिकी गणक	07	07	07	07	07	07	07	07	07	07	07	07	00	00	00	00	00	00
	गणक	01	01	01	01	01	01	01	01	01	01	01	01	00	00	00	00	00	00
	चालक	01	01	01	01	01	01	01	01	01	01	01	01	00	00	00	00	00	00
	आदेशपाल	42	21	21	21	21	21	21	21	21	21	21	03	00	00	00	00	00	00
	फरस	02	01	01	01	01	01	01	01	01	01	01	00	00	00	00	00	00	00
	बिहार वेटेनरी सेवा समूह 'क'	1737	743	743	743	743	743	743	743	743	743	743	86	11.6%	00	00	20	2.6%	00
	संयुक्त मत्स्य निदेशक वर्ग (1)	04	03	03	03	03	03	03	03	03	03	03	01	01	33%	00	00	00	00
	उप मत्स्य निदेशक वर्ग (1)	08	01	01	01	01	01	01	01	01	01	01	00	00	00	00	00	00	00
	जिला मत्स्य पदाधिकारी-मु0का0 पदा0	43	20	20	20	20	20	20	20	20	20	20	05	20%	04	01	01	01	01
	मत्स्य प्रसार पदाधिकारी	125	54	54	54	54	54	54	54	54	54	54	07	13%	07	00	00	00	00
	मत्स्य निरीक्षक	51	05	05	05	05	05	05	05	05	05	05	01	20%	01	00	00	00	00
	मत्स्य प्रसार पर्यवेक्षक	194	64	64	64	64	64	64	64	64	64	64	07	11%	07	00	00	00	00
	प्रधान लिपिक	36	32	32	32	32	32	32	32	32	32	32	05	05	05	00	00	00	00

	/लेखापाल			16%	16%		16%											
	लिपिक / टंकक	112	43	01 2%	01 2%	00	00	00	00	00	00	00	00	00	00	00	00	00
	निदेशक (गव्य)	01	01	00	00	00	00	00	00	00	00	00	00	00	00	00	00	00
	संयुक्त निदेशक (गव्य)	06	01	00	00	00	00	00	00	00	00	00	00	00	00	00	00	00
	उप निदेशक (गव्य) (मु०)	03	01	00	00	00	00	00	00	00	00	00	00	00	00	00	00	00
	जिला गव्य विकास पदाधिकारी / समकक्ष	22	22	01 25%	01 25%	00	01	00	01	01	01	01	01	01	01	01	01	01
	गव्य तकनीकी संवर्ग	82	51	02 15.38%	02 15.38%	00	00	02	00	00	00	00	00	00	00	00	00	00
	अनुसंधायीय (मुफसिल) वंवर्ग	42	23	03	00	00	00	00	00	01	00	00	00	00	00	00	00	00
	चालक	19	05	00	00	00	00	00	00	00	00	00	00	00	00	00	00	00
	पुधन सहायक	32	09	02	00	00	00	00	00	00	00	00	00	00	00	00	00	00
	कार्यालय परिचारी	63	36	05	00	00	00	00	00	02	00	00	00	00	00	00	00	00

Annex. IX – Justice O. Chinnappa Reddy in K.C. Vasanth Kumar vs. State of Karnataka case [1985 (Supp.) SCC 714 at 738-740]

“Efficiency is very much on the lips of the privileged whenever reservation is mentioned. Efficiency, it seems, will be impaired if the total reservation exceeds 50 per cent; efficiency, it seems, will suffer if the 'carry forward' rule is adopted; efficiency, it seems, will be injured if the rule of reservation is extended to promotional posts. From the protests against reservation exceeding 50 per cent or extending to promotional posts and against the carry-forward rule, one would think that the civil service is a Heavenly Paradise into which only the archangels, the chosen of the elite, the very best may enter and may be allowed to go higher up the ladder. But the truth is otherwise. The truth is that the civil service is no paradise and the upper echelons belonging to the chosen classes are not necessarily models of efficiency. The underlying assumption that those belonging to the upper castes and classes, who are appointed to the non-reserved posts will, because of their presumed merit, 'naturally' perform better than those who have been appointed to the reserved posts and that the clear stream of efficiency will be polluted by the infiltration of the latter into the sacred precincts is a vicious assumption, typical of the superior approach of the elitist classes.”

“There is neither statistical basis nor expert evidence to support these assumptions that efficiency will necessarily be impaired if reservation exceeds 50 per cent, if reservation is carried forward or if reservation is extended to promotional posts. Arguments are advanced and opinions are expressed entirely on an ad hoc presumptive basis. The age long contempt with which the 'superior' or 'forward' castes have treated the 'inferior' or 'backward' casts is now transforming and crystalising itself into an unfair prejudice, conscious and sub-conscious, ever since the 'inferior' casts and classes started claiming their legitimate share of the cake, which naturally means, for the 'superior' castes parting with a bit of it.”

“Although in actual practice their virtual monopoly on elite occupations and posts is hardly threatened, the forward castes are nevertheless increasingly afraid that they might lose this monopoly in the higher ranks of Government service and the profession.”

“It is so difficult for the 'superior' castes to understand and rise above their prejudice and it is so difficult for the inferior castes and classes to overcome the bitter prejudice and opposition which they are forced to face at every stage. Always one hears the word efficiency as if it is sacrosanct and the sanctorum has to be fiercely guarded. 'Efficiency' is not a mantra which is whispered by the Guru in the Sishya's ear. The mere securing of high marks at an examination may not necessarily mark out a good administrator. An efficient administrator, one takes it, must be one A who possesses among other qualities the capacity to understand with sympathy and, therefore, to tackle bravely the problems of a large segment of populating constituting the weaker sections of the people. And, who better than the ones belonging to those very sections? Why not ask ourselves why 35 years after independence, the position of the Scheduled Castes, etc. has not greatly improved? Is it not a legitimate question to ask whether things might have been different, had the District Administrators and the State

and Central Bureaucrats been drawn in larger numbers from these classes? Courts are not equipped to answer these questions, but the courts may not interfere with the honest endeavours of the Government to find answers and solutions. We do not mean to say that efficiency in the civil service is necessary or that it is a myth. All that we mean to say is that one need not make a fastidious fetish of it. It may be that for certain posts, only the best may be appointed and for certain courses of study only the best may be admitted [if so, rules may provide for reservations for appointment to such posts and for admission to such courses. The rules may provide for no appropriate method of selection. It may be that certain posts require a very high degree of skill or efficiency and certain courses of study require a high degree of industry and intelligence. If so, the rules may prescribe a high minimum qualifying standard and an appropriate method of selection. Different minimum standards and different modes of selection may be prescribed for different posts and for admission to different courses of study having regard to the requirements of the posts and the courses of study.”

Annex. X –Tax Collection by the Department of Commercial Taxes

Financial Year	Target	Tax Collection	Per cent collection against target	Per cent of increase/decrease compared to previous year's collection
1985-86	400.16	409.93	102.44%	18.89%
1986-87	475.00	481.44	101.36%	17.44%
1987-88	550.00	528.90	96.16%	9.86%
1988-89	630.00	630.74	100.12%	19.26%
1989-90	750.00	692.65	92.35%	9.82%
1990-91	900.45	759.31	84.33%	9.62%
1991-92	1084.63	812.14	74.88%	6.96%
1992-93	1106.00	888.73	80.36%	9.43%
1993-94	1110.00	1025.37	92.38%	15.37%
1994-95	1200.00	1198.28	99.86%	16.86%
1995-96	1360.00	1391.08	102.29%	16.09%
1996-97	1585.00	1633.57	103.06%	17.43%
1997-98	1956.84	1718.81	87.84%	5.22%
1998-99	2174.00	1968.68	90.56%	14.54%
1999-2000	2485.45	2273.74	91.48%	15.50%
2000-01	1460.47	1397.94	95.72%	-38.52%
2001-02	1780.00	1604.36	90.13%	14.77%
2002-03	1920.06	1937.96	100.93%	20.79%
2003-04	2250.00	1977.15	87.87%	2.02%
2004-05	2500.00	2393.24	95.73%	21.04%
2005-06	2500.00	2389.98	95.60%	-0.14%
2006-07	3000.00	2950.14	98.34%	23.44%
2007-08	3650.00	3633.30	99.54%	23.16%
2008-09	4570.00	4468.88	97.79%	23.00%
2009-10	5700.00	5532.97	97.07%	23.81%
2010-11	7100.00	6685.07	94.16%	20.82%
2011-12	8530.00	8457.78	99.15%	26.52%

Source: Department of Commercial Taxes

Annex. XI – Response of Dept. of Agriculture regarding efficiency of SC ST staff

कृषि सेवा में प्रोन्नति में अनु. जाति/जन जाति के कर्मियों हेतु Overall Administrative Efficiency के बिन्दु पर कृषि विभाग से संबंधित बिहार कृषि सेवा के पदाधिकारियों का प्रतिवेदन सूचना :-

क्र०	सूचना के बिन्दु	उत्तर																																																																																								
1.	राज्य के बिहार कृषि सेवा में प्रोन्नति में आरक्षण का लाभ देते हुए कितने अनुसूचित जाति/जनजाति के पदाधिकारियों को प्रोन्नति दी गयी ?	वर्तमान कार्यरत बल के आधार पर बिहार कृषि सेवा में आरक्षण का लाभ देते हुए अनुसूचित जाति/जनजाति के पदाधिकारियों को दी गई प्रोन्नति का ब्योरा :- <table border="1"> <thead> <tr> <th>कोटि</th> <th>कार्यरत बल</th> <th>अ०जा० की सं०</th> <th>अ०ज०जा० की सं०</th> </tr> </thead> <tbody> <tr> <td>कोटि-01(शुध)</td> <td></td> <td></td> <td></td> </tr> <tr> <td>वर्ग-01 (क)</td> <td>39</td> <td>15</td> <td>01</td> </tr> <tr> <td>वर्ग-2 (ख)</td> <td>266</td> <td>04</td> <td>00</td> </tr> <tr> <td>कोटि-02(अमि०)</td> <td></td> <td></td> <td></td> </tr> <tr> <td>वर्ग-01 (क)</td> <td>02</td> <td>01</td> <td>00</td> </tr> <tr> <td>वर्ग-2 (ख)</td> <td>10</td> <td>00</td> <td>00</td> </tr> <tr> <td>कोटि-03(रसायन)</td> <td></td> <td></td> <td></td> </tr> <tr> <td>वर्ग-01 (क)</td> <td>00</td> <td>00</td> <td>00</td> </tr> <tr> <td>वर्ग-2 (ख)</td> <td>14</td> <td>01</td> <td>01</td> </tr> <tr> <td>कोटि-05(पी०स०)</td> <td></td> <td></td> <td></td> </tr> <tr> <td>वर्ग-01 (क)</td> <td>04</td> <td>00</td> <td>00</td> </tr> <tr> <td>वर्ग-2 (ख)</td> <td>22</td> <td>01</td> <td>00</td> </tr> <tr> <td>कोटि-07(उद्यान)</td> <td></td> <td></td> <td></td> </tr> <tr> <td>वर्ग-01 (क)</td> <td>02</td> <td>00</td> <td>00</td> </tr> <tr> <td>वर्ग-2 (ख)</td> <td>22</td> <td>01</td> <td>00</td> </tr> <tr> <td>कोटि-08(गाप-तोल)</td> <td></td> <td></td> <td></td> </tr> <tr> <td>वर्ग-01 (क)</td> <td>02</td> <td>00</td> <td>00</td> </tr> <tr> <td>वर्ग-2 (ख)</td> <td>16</td> <td>02</td> <td>00</td> </tr> <tr> <td>कोटि-09(सा०)</td> <td></td> <td></td> <td></td> </tr> <tr> <td>वर्ग-01 (क)</td> <td>03</td> <td>01</td> <td>00</td> </tr> <tr> <td>वर्ग-2 (ख)</td> <td>13</td> <td>00</td> <td>00</td> </tr> </tbody> </table>	कोटि	कार्यरत बल	अ०जा० की सं०	अ०ज०जा० की सं०	कोटि-01(शुध)				वर्ग-01 (क)	39	15	01	वर्ग-2 (ख)	266	04	00	कोटि-02(अमि०)				वर्ग-01 (क)	02	01	00	वर्ग-2 (ख)	10	00	00	कोटि-03(रसायन)				वर्ग-01 (क)	00	00	00	वर्ग-2 (ख)	14	01	01	कोटि-05(पी०स०)				वर्ग-01 (क)	04	00	00	वर्ग-2 (ख)	22	01	00	कोटि-07(उद्यान)				वर्ग-01 (क)	02	00	00	वर्ग-2 (ख)	22	01	00	कोटि-08(गाप-तोल)				वर्ग-01 (क)	02	00	00	वर्ग-2 (ख)	16	02	00	कोटि-09(सा०)				वर्ग-01 (क)	03	01	00	वर्ग-2 (ख)	13	00	00
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2.	कठिना-1 में कितने पदाधिकारियों को पदावनत (demotion) किया गया है ? कितने पदाधिकारियों के विरुद्ध प्रशासनिक अकार्यक्षमता के कारण विभागीय कार्रवाई की गयी है (संबंधित विवरणी के साथ)	किसी पदाधिकारी को पदावनत (demotion) नहीं किया गया है। सात पदाधिकारियों के विरुद्ध विभागीय कार्रवाई जारी है।																																																																																								
3.	प्रशासनिक अकार्यक्षमता के चलते कितने बिहार कृषि सेवा के अनुसूचित जाति/जनजाति के पदाधिकारियों की प्रोन्नति अवरुद्ध की गई है?	शून्य																																																																																								
4.	क्या आरक्षण का लाभ लेकर प्रोन्नत हुए अनुसूचित जाति/जनजाति के पदाधिकारियों/ कर्मचारियों की कार्यक्षमता/प्रशासनिक क्षमता के संबंध में कोई प्रतिकूल प्रतिवेदन प्राप्त है ? अगर हाँ तो कृपया प्रतिवेदन की प्रति भेजी जाय। साथ ही इस संबंध में कोई सर्वेक्षण किया गया है ? क्या कोई अन्य सूचना/ आंकड़े उपलब्ध है। अगर हाँ तो कृपया आवश्यक सूचना उपलब्ध कराई जाय (विवरणी के साथ)।	आरक्षण का लाभ प्रोन्नत हुए अनु. जाति/जन जाति के पदाधिकारियों की कार्यक्षमता/प्रशासनिक क्षमता के संबंध में प्रतिकूल प्रतिवेदन दर्ज नहीं है। इस संबंध में सर्वेक्षण नहीं हुआ है।																																																																																								
5.	बिहार कृषि सेवा के कितने अनुसूचित जाति/ जनजाति के पदाधिकारियों के विरुद्ध कार्यक्षमता के संबंध में ACR/PAR में प्रतिकूल टिप्पणी दर्ज है।	शून्य																																																																																								
6.	क्या अनुसूचित जाति/जनजाति के पदाधिकारी /कर्मचारियों को प्रशासनिक क्षमता/कार्यक्षमता बढ़ाने की आवश्यकता महसूस की गई है ? क्या SC/ST कर्मियों के लिए कोई विशेष प्रशिक्षण कार्यक्रम चलाया गया है ? अगर हाँ तो सम्पूर्ण विवरणी भेजी।	प्रशासनिक क्षमता/कार्यक्षमता बढ़ाने की आवश्यकता महसूस नहीं की गई। प्रशिक्षण कार्यक्रम विद्यमान है।																																																																																								

विश्वासनाजन
 हु 24/7/2012
 (जगदीश प्रसाद चौहान)
 सरकार के संयुक्त सचिव।

पत्रांक 11/आ.नी.-1-04/2012-सा0प्र0. 1668 सं. व. को
 बिहार सरकार
 सामान्य प्रशासन विभाग

98
 204

प्रेषक

नवीन चन्द्र झा,
 सरकार के संयुक्त सचिव ।

सेवा में

सचिव,
 अनुसूचित जाति/अनुसूचित जन जाति कल्याण विभाग,
 बिहार, पटना ।

पटना, दिनांक 27 जुलाई, 2012

विषय:- अनुसूचित जाति एवं अनुसूचित जन जाति कल्याण विभाग को सामाजिक पिछड़ेपन, पर्याप्त प्रतिनिधित्व एवं प्रशासनिक क्षमता के बिन्दु पर गुणात्मक आँकड़े संग्रहित किए जाने के परिप्रेक्ष्य में नोडल विभाग घोषित किए जाने के संबंध में ।

महाशय

उपर्युक्त विषय अंतर्गत आपके पत्रांक-1334 दिनांक 14-7-2012 के आलोक में कड़िकावार सूचना इस पत्र के साथ संलग्न किया जा रहा है ।

(1) भारतीय प्रशासनिक सेवा के संबंध में वस्तुस्थिति यह है कि भा.प्र.से. के विभिन्न स्तरों में दी जानेवाली प्रोन्नतियों में आरक्षण का प्रावधान लागू नहीं है । इसके अतिरिक्त राज्य असैनिक सेवा/गैर राज्य असैनिक सेवा के पदाधिकारियों की प्रोन्नति घयन द्वारा भारतीय प्रशासनिक-सेवा में नियुक्ति भा.प्र.से.(भर्ती) नियमावली-1954, भा.प्र.से. (प्रोन्नति द्वारा नियुक्ति) विनियम-1955 तथा भा.प्र.से. (घयन द्वारा नियुक्ति) विनियम-1997 के प्रावधानों के आलोक में की जाती है जिसमें आरक्षण का प्रावधान नहीं है । बिहार प्रशासनिक सेवा अंतर्गत विभिन्न पदों पर अनुसूचित जाति एवं अनुसूचित जन जाति के पदाधिकारियों को दी गयी प्रोन्नति की स्थिति निम्नवत् है:-

कोटि	कुल दी गयी प्रोन्नति	अनुसूचित जाति	अनुसूचित जन जाति	अभ्युक्ति
विशेष सचिव / समकक्ष	61	12	0	01.04.10 से अबतक
अपर सचिव / समकक्ष	122	24	1	2004 से अबतक
संयुक्त सचिव / समकक्ष	793	104	47	1979 से अबतक
अपर समाहर्ता / समकक्ष	1253	177	58	1990 से अबतक
उप सचिव / समकक्ष	1486	191	78	1991 से अबतक

(2) कड़िका-1 में से किसी भी पदाधिकारी को पदावनत किए जाने के संदर्भ में प्रतिवेदन शून्य है । जहाँ तक विभागीय कार्यवाही किए जाने का प्रश्न है, संबंधित विवरणी इस पत्र के साथ संलग्न किया जा रहा है जिससे स्पष्ट होगा कि 23 पदाधिकारियों के विरुद्ध विभागीय कार्यवाही की गयी है जिसमें 05 पदाधिकारियों को दंड भी संसूचित किया गया है ।

(3) प्रतिवेदन शून्य ।

(4) प्रतिवेदन शून्य ।

(5) प्रतिवेदन शून्य ।

- 6) सामान्य प्रशासन विभाग द्वारा बिहार प्रशासनिक सेवा एवं अन्य संवर्गों के कर्मचारियों के कार्य क्षमता में वृद्धि करने एवं अपने दायित्वों को नियमानुसार निर्वहन करने के लिए सक्षम बनाने हेतु प्रशिक्षण की व्यवस्था की जाती है। अनुसूचित जाति/अनुसूचित जनजाति कर्मियों के लिए कोई पृथक प्रशिक्षण की व्यवस्था नहीं की गयी है।
- 7) नोडल विभाग के स्तर पर ही आवश्यक कार्रवाई अपेक्षित है।

विश्वासभाजन,

(नवीन चन्द्र झा)

सरकार के संयुक्त सचिव।

बिहार सरकार
निबंधन, उत्पाद एवं मद्य निबंध विभाग
बिहार, पटना।

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27.07.12

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प्रेषक,
दयानिधान पाण्डेय
उत्पाद आयुक्त -सह- निबंधन महानिरीक्षक
बिहार, पटना।

सेवा में,
सचिव
अनु० जाति एवं अनु० जनजाति
कल्याण विभाग
बिहार, पटना।

विषय :- अनु० जाति एवं अनु० जनजाति, कल्याण विभाग को सामाजिक पिछड़ेपन, पर्याप्त प्रतिनिधित्व एवं प्रशासनिक क्षमता के बिन्दु पर गुणात्मक आंकड़े संग्रहित किये जाने के परिप्रेक्ष्य में नोडल विभाग घोषित किए जाने के संबंध में।

महाशय,

निदेशानुसार उपर्युक्त विषयक आपके पत्रांक 1336 दि० 14.07.2012 एवं 1404 दि० 19.07.2012 के प्रसंग में कड़िकावार प्रतिवेदन निम्न प्रकार है :-

1. राज्य के बिहार उत्पाद सेवा में प्रोन्नति में आरक्षण का लाभ देते हुए अनु० जाति/जनजाति के पदाधिकारियों की सूची इस विभाग के पत्रांक- 3557 दि० 24.07.2012 के द्वारा भेजा-जा चुका है।
2. कड़िका 1 में से पदाधिकारियों को पदावनत करने की संख्या शून्य है।
3. प्रशासनिक अकार्य क्षमता के चलते बिहार उत्पाद सेवा में अनु० जाति/जनजाति के पदाधिकारियों की प्रोन्नत अवरुद्ध की संख्या शून्य है।
4. आरक्षण का लाभ लेकर प्रोन्नत हुए अनु० जाति/जनजाति के पदाधिकारियों/कर्मचारियों की कार्य क्षमता/प्रशासनिक क्षमता के संबंध में कोई प्रतिकूल प्रतिवेदन प्राप्त नहीं है।
5. बिहार उत्पाद सेवा के अनु० जाति/जनजाति के पदाधिकारियों के विरुद्ध कार्य क्षमता के संबंध में ए.सी.आर./पी.ए.आर. में कोई प्रतिकूल टिप्पणी दर्ज नहीं है।
6. अनु० जाति/जनजाति के पदाधिकारियों/कर्मचारियों को प्रशासनिक क्षमता/कार्य क्षमता बढ़ाने की आवश्यकता महसूस नहीं की गयी है। अनु० जाति/जनजाति के कर्मियों के लिए कोई विशेष प्रशिक्षण कार्यक्रम नहीं चलाया गया है।
7. Overall Administrative Efficiency के संबंध में बहुमूल्य सुझाव की प्रति संलग्न है।
8. विगत 20 वर्षों के वर्षवार राजस्व संग्रहण में वर्ष 2001-02 से राजस्व लक्ष्य एवं प्राप्ति का आंकड़ा की प्रति संलग्न है।

विश्वासभाजन

(दयानिधान पाण्डेय)

उत्पाद आयुक्त -सह- निबंधन महानिरीक्षक
बिहार, पटना।

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(241)

बिहार उत्पाद सेवा के पदाधिकारियों के लिए Over All Administrative Efficiency हेतु
विचारणीय बिन्दु

1. राजस्व संग्रहण की क्षमता एवं कार्यालय पर नियंत्रण
2. परीक्षण अवधि में विभागीय सभी परीक्षाओं में उत्तीर्णता
3. बिहार उत्पाद अधिनियम 1915 तथा उससे संबंध अन्य अधिनियमों के संदर्भित विषयों की जानकारी।
4. अवैध शराब पर नियंत्रण हेतु छापामारी
5. बिहार सेवा संहिता, बिहार वित्तीय नियमावली, बिहार यात्रा भत्ता नियमावली, पेंशन नियमावली, सामान्य भविष्य निधि नियमावली, कोषागार नियमावली आदि की जानकारी।
6. बिहार सरकारी सेवक (वर्गीकरण, नियंत्रण एवं अपील) नियमावली की जानकारी।
7. सूचना का अधिकार के संबंध में जानकारी।
8. विभाग के स्तर पर निर्गत एवं बिहार सरकार द्वारा निर्गत परिपत्रों/ अधिनियमों की जानकारी।

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बिहार सरकार
श्रम संसाधन विभाग

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प्रेषक,

अमृत लाल मीणा,
सा0प्र0से0,
सरकार के सचिव।

बिहार सचिव
21/8

सेवा में,

सचिव,
अनुसूचित जाति एवं अनुसूचित जनजाति कल्याण विभाग,
बिहार, पटना।

पटना, दिनांक - 26/7/12

विषय: सरकारी सेवाओं में प्रोन्नति में अनुसूचित जाति एवं जनजाति के पदाधिकारियों/कर्मियों के गुणात्मक आंकड़े उपलब्ध कराने के संबंध में।

21/8

महाशय,

सरकारी सेवाओं में प्रोन्नति में अनुसूचित जाति एवं जनजातियों के कर्मचारियों/पदाधिकारियों को प्रोन्नति एवं वरीयता का लाभ देने के क्रम में उनसे संबंधित गुणात्मक आंकड़े उपलब्ध कराने संबंधी आपके पत्रांक 1252 दिनांक 4.7.12 का कृपया संदर्भ लिया जाय। उक्त प्रसंग में आपके द्वारा मांगी गई सूचना/आंकड़ों के संबंध में सूचित करना है कि कुल खेतिहर मजदूरों की संख्या और उसमें अनुसूचित जाति/अनुसूचित जनजाति मजदूरों की संख्या, गैर कृषि कार्य में कुल मजदूरों की संख्या एवं उसमें अनुसूचित जाति/जनजाति की संख्या तथा वैसे मजदूर जो काम की खोज में बिहार से पलायन करते हैं, उसमें अनुसूचित जाति/जनजाति के आंकड़ों का संधारण विभाग में नहीं होता है, इसलिए यह सूचना दिया जाना संभव नहीं है।

विभाग के स्तर पर इन वर्गों के पिछड़ेपन के निर्धारण हेतु सूचना संग्रहित करने का प्रयास किया गया है, जो निम्नवत् हैं:-

1. बंधुआ मजदूर उन्मूलन अधिनियम के अन्तर्गत वर्ष 2011-12 में कुल 230 बंधुआ मजदूरों को पुनर्वासित करने हेतु राशि दी गई, जिसमें 80 अनुसूचित जाति के हैं, जो 26.08 प्रतिशत हैं, जो जनसंख्या के अनुपात में काफी अधिक है।

कृ०प०उ०.....



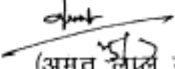
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2. बाल श्रम उन्मूलन अधिनियम के अन्तर्गत वर्गवार आँकड़े संधारित नहीं होते, परन्तु समीक्षा से ज्ञात होता है कि अनुसूचित जाति वर्ग के काफी अधिक बाल श्रमिक होते हैं।
3. न्यूनतम मजदूरी अधिनियम के अन्तर्गत यद्यपि आँकड़े संधारित नहीं है, परन्तु सामान्य समीक्षा से यह विदित है कि अनुसूचित जाति/जनजाति के मजदूरों के मामले में न्यूनतम मजदूरी अधिनियम के उल्लंघन के मामले अधिक पाए जाते हैं। विशेषकर खेतिहर मजदूरों के मामले में न्यूनतम मजदूरी के कम भुगतान की अधिक शिकायतें मिलती हैं।
4. जहाँ तक सरकारी सेवको पर विभागीय कार्यवाही/दण्डादेश का प्रश्न है, पिछले 3 वर्षों में अनुसूचित जाति के किसी भी पदाधिकारी/कर्मि पर न तो विभागीय कार्यवाही चली है और न ही विभागीय कार्यवाही में दण्डादेश पारित हुआ है।
5. आरक्षित वर्ग के पदाधिकारी/कर्मियों के प्रोन्नति के फलस्वरूप कार्य दक्षता पर कोई प्रभाव नजर नहीं आता।

etc

विश्वासभाजन


(अमृत लाल मीणा)
सरकार के सचिव।

अनुसूचित जाति एवं अनुसूचित जनजाति कल्याण विभाग को सरकारी सेवा में प्रोन्नति में 96
अनुसूचित जाति एवं अनुसूचित जनजाति के कर्मियों को आरक्षण एवं वरीयता का लाभ देने
क्रम Overall administrative efficiency के बिन्दु के संबंध में वांछित सूचना पर इस विभाग 198
संबंधित कठिकावार प्रतिवेदन

- पर्यावरण एवं वन विभाग के अर्न्तगत भारतीय वन सेवा के पदाधिकारी की प्रोन्नति में आरक्षण प्रावधान नहीं है। भारत सरकार, पर्यावरण एवं वन मंत्रालय के दिशानिर्देश एवं बनाए गए नियमों तहत भा०व०से० में प्रोन्नति का प्रावधान है। भारतीय वन सेवा में वरीयता के आधार पर दी जाने व प्रोन्नति से अनुसूचित जाति एवं अनुसूचित जनजाति के पदाधिकारियों को भी शामिल किया गया है। राज्य विभाजन के पश्चात् बिहार वन सेवा में कोई प्रोन्नति नहीं दी गयी है। विभाजन के दी गयी प्रोन्नति के अनुसार वर्तमान में अनुसूचित जाति के दो पदाधिकारी प्रोन्नत है। अनुसूचित जनजाति के कोई पदाधिकारी कार्यरत नहीं है।
- कठिका-1 में उल्लिखित किसी भा०व०से०/बि०व०से० के पदाधिकारी का पदावनत नहीं किया गया प्रशासनिक अकार्यक्षमता के कारण पदाधिकारियों के विरुद्ध चलायी गयी विभागीय कार्रवाई का प्रतिवे शून्य है।
- प्रशासनिक अकार्यक्षमता के चलते किसी भी अनुसूचित जाति एवं अनुसूचित जनजाति के भा०व०से० पदाधिकारियों की प्रोन्नति अवरुद्ध नहीं की गयी है। इसी तरह बि०व०से० के अनुसूचित जाति एवं अनुसूचित जनजाति की प्रोन्नति अवरुद्ध नहीं गयी है।
- भा०व०से० के पदाधिकारियों की प्रोन्नति में आरक्षण का प्रावधान नहीं है। आरक्षण का लाभ लेकर प्रोन्नत अनुसूचित जाति/अनुसूचित जनजाति के पदाधिकारियों का कार्यक्षमता/प्रशासनिक क्षमता के संबंध में कोई प्रतिकूल प्रतिवेदन प्राप्त नहीं है।
- अनुसूचित जाति/अनुसूचित जनजाति के किसी भी भा०व०से० पदाधिकारी के विरुद्ध कार्यक्षमता संबंध में ACR/PAR में प्रतिकूल टिप्पणी दर्ज नहीं है। बिहार वन सेवा में प्रोन्नत अनुसूचित जाति/अनुसूचित जनजाति के पदाधिकारियों के कार्यक्षमता के संबंध में ACR/PAR में प्रतिकूल टिप्पणी दर्ज नहीं है।
- अनुसूचित जाति/अनुसूचित जनजाति के भा०व०से० एवं बि०व०से० के पदाधिकारी के लिए विभाग पर कोई प्रशिक्षण कार्यक्रम नहीं चलाया गया है।
- Overall administrative efficiency के बिन्दु पर प्रतिवेदन तैयार करने हेतु सुझाव, ऑफडे, सर्वेक्ष प्रतिवेदन निम्नलिखित है :-
अखिल भारतीय सेवाओं के लिए प्रोन्नति की लागू व्यवस्था के अनुरूप ही राज्य सेवाओं में भी य व्यवस्था अनुमान्य की जा सकती है ताकि भारतीय संविधान के अर्न्तगत कानून के समक्ष समानता तथा सभी को समान अवसर के अवधारणा का पालन हो सके।

सचिव 6/5/12
 पर्यावरण एवं वन विभाग,
 बिहार, पटना।

बिहार सरकार
ग्रामीण कार्य विभाग

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पत्रांक: 12309

पटना, दिनांक 25-7-2012

अपर सचिव

प्रेषक,

अरुण कुमार,
संयुक्त सचिव।

सेवा में,

सचिव,
अनुसूचित जाति एवं अनुसूचित जनजाति कल्याण विभाग,
बिहार, पटना।

विषय: सरकारी सेवाओं में प्रोन्नति में अनुसूचित जाति/जनजाति के कर्मचारियों/
पदाधिकारियों को आरक्षण एवं वरीयता का लाभ के क्रम में उनसे संबंधित
गुणात्मक आंकड़ा (Quantifiable Data) उपलब्ध कराने के संबंध में।

महाशय,

निदेशानुसार कहना है कि ग्रामीण कार्य विभाग से संबंधित मांगी गई
गुणात्मक आंकड़ा के आलोक में बिन्दुवार स्थिति निम्नवत है,

(क) ग्रामीण कार्य विभाग द्वारा विभिन्न योजना शीर्ष अन्तर्गत गांवों को
सम्पर्कता प्रदान करने का कार्य किया जा रहा है। अभी तक संग्रहित आंकड़ों के
अनुसार राज्य के कुल लगभग 82509 बसावटों में अनुसूचित जाति/जनजाति के
7361 बसावट पड़ते हैं जिनमें से 1728 को सम्पर्कता प्रदान है एवं 5633 को
सम्पर्कता प्रदान की जानी है।

(ख) ग्रामीण कार्य विभाग द्वारा विभिन्न शीर्ष अन्तर्गत योजनाओं का कार्य
सम्पादित किया जाता है। विगत साढ़े छः वर्षों में कुल 30676 कि०मी० पथ का
निर्माण कार्य पूरा किया गया है।

इस कार्य को सम्पादित करने में दो मुख्य अभियंता कार्यरत हैं दोनों
अनुसूचित जाति अन्तर्गत आते हैं। इसी प्रकार 26 कार्यरत अधीक्षण अभियंता में से
9 अनुसूचित जाति के हैं, 126 कार्यरत कार्यपालक अभियंता में से 26 अनुसूचित
जाति एवं 1 अनुसूचित जन जाति के हैं, 438 कार्यरत सहायक अभियंता में से 33
अनुसूचित जाति एवं 7 अनुसूचित जनजाति के हैं एवं 725 कार्यरत कनीय अभियंता
में से 50 अनुसूचित जाति के, 1 अनुसूचित जाति के अभियंता कार्यरत है।

उल्लेखनीय है कि ग्रामीण कार्य विभाग का अभी अपना अभियंत्रण कैंडर नहीं
है। यहां पथ निर्माण विभाग एवं जल संसाधन विभाग से अभियंता प्रतिनियुक्त होते
हैं।

(ग) ग्रामीण कार्य विभाग अन्तर्गत विगत लगभग तीन वर्षों में 37 अभियंताओं
को दंडित किया गया जिसमें अनुसूचित जाति के 5 अभियंता सम्मिलित है।
सूचनार्थ समर्पित।

विश्वासभाजन

अरुण कुमार

(अरुण कुमार)

संयुक्त सचिव

बिहार सरकार
ग्रामीण कार्य विभाग

147

पत्रांक: 12309

पटना, दिनांक 25-7-2012

अपर सचिव

प्रेषक,

अरुण कुमार,
संयुक्त सचिव।

सेवा में,

सचिव,

अनुसूचित जाति एवं अनुसूचित जनजाति कल्याण विभाग,
बिहार, पटना।

विषय: सरकारी सेवाओं में प्रोन्नति में अनुसूचित जाति/जनजाति के कर्मचारियों/
पदाधिकारियों को आरक्षण एवं वरीयता का लाभ के क्रम में उनसे संबंधित
गुणात्मक आंकड़ा (Quantifiable Data) उपलब्ध कराने के संबंध में।

महाशय,

निदेशानुसार कहना है कि ग्रामीण कार्य विभाग से संबंधित मांगी गई
गुणात्मक आंकड़ा के आलोक में बिन्दुवार स्थिति निम्नवत है।

(क) ग्रामीण कार्य विभाग द्वारा विभिन्न योजना शीर्ष अन्तर्गत गांवों को
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7361 बसावट पडते हैं जिनमें से 1728 को सम्पर्कता प्रदान है एवं 5633 को
सम्पर्कता प्रदान की जानी है।

(ख) ग्रामीण कार्य विभाग द्वारा विभिन्न शीर्ष अन्तर्गत योजनाओं का कार्य
सम्पादित किया जाता है। विगत साढ़े छः वर्षों में कुल 30676 कि०मी० पथ का
निर्माण कार्य पूरा किया गया है।

इस कार्य को सम्पादित करने में दो मुख्य अभियंता कार्यरत हैं दोनों
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9 अनुसूचित जाति के हैं, 126 कार्यरत कार्यपालक अभियंता में से 26 अनुसूचित
जाति एवं 1 अनुसूचित जन जाति के हैं, 438 कार्यरत सहायक अभियंता में से 33
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में से 50 अनुसूचित जाति के, 1 अनुसूचित जाति के अभियंता कार्यरत है।

उल्लेखनीय है कि ग्रामीण कार्य विभाग का अभी अपना अभियंत्रण कैंडर नहीं
है। यहां पथ निर्माण विभाग एवं जल संसाधन विभाग से अभियंता प्रतिनियुक्त होते
हैं।

(ग) ग्रामीण कार्य विभाग अन्तर्गत विगत लगभग तीन वर्षों में 37 अभियंताओं
को दंडित किया गया जिसमें अनुसूचित जाति के 5 अभियंता सम्मिलित है।
सूचनार्थ समर्पित।

विश्वासभाजन

अरुण कुमार

संयुक्त सचिव

25/7/12

बिहार सरकार
वित्त विभाग

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जाति एवं अनु० जनजाति कल्याण विभाग के पत्रांक 1342 दिनांक 14.07.12 के क्रम में Backwardness तथा Overall Administrative Efficiency के बिन्दु पर बिहार लेखा सेवा के अनु० जाति/अनु० जनजाति के पदाधिकारियों के संदर्भ में वाचित सूचनाएं एवं उत्तर सामग्री ।

प्रश्न	उत्तर
1. राज्य के बिहार लेखा सेवा में प्रोन्नति में आरक्षण का लाभ लेते हुए कितने अनुसूचित जाति/जनजाति के पदाधिकारियों को प्रोन्नति दी गयी ?	बिहार लेखा सेवा के अन्तर्गत मूलकोटि पर सीधी भर्ती वर्ष 2004 में हुई थी तथा सम्प्रति इस सेवा के सभी पदाधिकारी (अनु० जाति/अनु० जनजाति कोटि के पदाधिकारियों सहित) मूलकोटि के पद पर ही हैं ।
2. कॉडिफ-1 में से कितने पदाधिकारियों को पदावनात किया गया है ? कितने पदाधिकारियों के विरुद्ध प्रशासनिक अकार्यक्षमता के कारण विभागीय कार्रवाई की गयी है? (संबन्धित विवरणी के साथ)	जैसा कि कॉडिफ-1 में दर्जित किया गया है कि इस सेवा संवर्ग के सभी पदाधिकारी मूलकोटि पर ही हैं, अतः किसी भी पदाधिकारी को पदावनात करने का प्रश्न ही नहीं है । जहाँ तक प्रशासनिक अकार्यक्षमता के कारण विभागीय कार्रवाई करने का प्रश्न है, इस सेवा संवर्ग के अन्तर्गत SC/ST कोटि के किसी पदाधिकारी के विरुद्ध विभागीय कार्रवाई प्रारंभ नहीं की गयी है ।
3. प्रशासनिक अकार्यक्षमता के चलते कितने बिहार लेखा सेवा के अनुसूचित जाति/जनजाति के पदाधिकारियों की प्रोन्नति अवरुद्ध की गई है ?	मुक्ति बिहार लेखा सेवा के पदाधिकारियों को प्रथम प्रोन्नति देने का मामला सम्प्रति विचाराधीन है, अतः सम्प्रति यह प्रतिवेदित नहीं किया जा सकता है कि अनु० जाति/अनु० जनजाति के कितने पदाधिकारियों की प्रोन्नति अवरुद्ध की गयी है ।
4. क्या आरक्षण का लाभ लेकर प्रोन्नत हुए अनुसूचित जाति/जनजाति के पदाधिकारियों/कर्मचारियों की कार्यक्षमता/प्रशासनिक क्षमता के संबंध में कोई प्रतिकूल प्रतिवेदन प्राप्त है ? अगर हाँ तो कृपया प्रतिवेदन की प्रति भेजी जाय । साथ ही इस संबंध में कोई सर्वेक्षण किया गया है ? क्या कोई अन्य सूचना/ऑफ़ेड उपलब्ध है । अगर हाँ तो कृपया आवश्यक सूचना उपलब्ध कराई जाय (विवरणी के साथ)	मुक्ति बिहार लेखा सेवा अन्तर्गत मूल कोटि पर नियुक्त पदाधिकारियों की प्रोन्नति का मामला विचाराधीन है, इस कडिका के संदर्भ में प्रतिवेदन दिया जाना सम्भव नहीं है ।
5. बिहार लेखा सेवा के कितने अनुसूचित जाति/जनजाति के पदाधिकारियों के विरुद्ध कार्यक्षमता के संबंध में ACR/PAR में प्रतिकूल टिप्पणी दर्ज है ?	बिहार लेखा सेवा के अनु० जाति/अनु० जनजाति के पदाधिकारियों के विरुद्ध कार्यक्षमता के संबंध में अबतक प्राप्त ए.सी.आर. में प्रतिकूल टिप्पणी दर्ज नहीं है ।
6. क्या अनुसूचित जाति/जनजाति के पदाधिकारी/कर्मचारियों को प्रशासनिक क्षमता/कार्यक्षमता बढ़ाने की आवश्यकता महसूस की गई है ? क्या SC/ST कर्मियों के लिए कोई विशेष प्रशिक्षण कार्यक्रम चलाया गया है ? अगर हाँ तो सम्पूर्ण विवरणी भेजें ।	बिहार लेखा सेवा अन्तर्गत अनु० जाति/अनु० जनजाति के पदाधिकारियों की कार्यक्षमता के संदर्भ में कोई अध्ययन नहीं कराया गया है ।
7. Overall Administrative Efficiency के बिन्दु पर प्रतिवेदन तैयार करते समय बिहार लेखा सेवा से संबंधित किन-किन बिन्दुओं का समावेश किया जाना चाहिए उसके संबंध में कृपया आपका बहुमूल्य सुझाव, ऑफ़ेड, सर्वेक्षण, प्रतिवेदन इत्यादि कृपया दिनांक 18.07.12 तक उपलब्ध कराने का कष्ट करें ।	ACR प्रणाली को Objective आधार पर विश्लेषण के लिए Revamp किया जाना चाहिए ।

34/7/12
(प्रभात शंकर)