

[17 August, 2000]

RAJYA SABHA

appointed as Joint Secretaries during circulation of their names might be considered for mandatory posting, if they had been empanelled for three years or more or had got two years* service before superannuation. A reference to this decision was made in the reply filed in the Central Administrative Tribunal (CAT) in January, 1996, on behalf of Union of India in O.A. No. 1851/95 filed by late Shri Deen Dayal and others. The decision taken by the Appointments Committee of the Cabinet in April, 1995 referred to above was reviewed and it was decided by the Appointments Committee of the Cabinet in November, 1997 that the CSS officers who are having 2 years to superannuate may be considered for appointment as Joint Secretary by way of mandatory posting either against a regular vacancy in the Ministry where the officer is working or by in-situ promotion by personal upgradation in the same Ministry, provided they are included in the Joint Secretaries' suitability list. In view of this, the decision taken by the Appointments Committee of the Cabinet in April, 1995 for the mandatory posting of CSS officers as Joint Secretaries is no longer in force now.

Supreme Court's judgement regarding promotion of SOST

2751. SHRI R. N. ARYA: Will the PRIME MINISTER be pleased to state:

(a) whether the Hon'ble Supreme Court has ruled that clubbing of SOST candidates with General Category candidates in the same zone of consideration defeats the very purpose of reservation and there has to be a separate zone of consideration for SOST for the purpose of their promotion;

(b) whether the Supreme Court has also ruled that the above law is binding on all the Government Departments including the Union of India; and

(c) if so, the action taken to get the above directions implemented effectively by all the Ministries & Departments under the Central Government?

THE MINISTER OF STATE IN THE DEPARTMENT OF PERSONNEL AND TRAINING AND DEPARTMENT OF PENSIONS AND PENSIONERS' WELFARE OF THE MINISTRY OF PERSONNEL, PUBLIC GRIEVANCES AND PENSIONS (SHRIMATI VASUNDHARA RAJE): (a) to (c) Ruling of the Supreme Court referred to in the Question was with reference to particular facts in the case of U.P. Rajya Vidut Parishad SOST Karamchari Kalayan Sangh Vs U.P. State Electricity Board and Others. Subsequently, in a separate case relating to Central Government employees, the Supreme Court ruled that law laid down in U.P. Rajya Vidut Parishad's case is binding on all the authorities including the Union of India and that the petitioners may, if so advised, approach the Government seeking enforcement of the law laid down by the Apex Court. In the Central Government, Scheduled Caste Scheduled Tribe employees, falling in the extended zone of consideration,, are already considered separately.

Vacant post reserved for handicapped persons

† 2752. SHRI BACHANI LEKHRAJ: Will the PRIME MINISTER be pleased to state:

(a) whether it is a fact that posts reserved for handicapped persons in various Ministries and Public Sector Undertakings are lying vacant;

(b) if so, the details thereof;

(c) whether Government would contemplate to issue any orders to fill up the said posts;

(d) if so, by when; and

(e) if not, the reasons therefor?

THE MINISTER OF STATE IN THE DEPARTMENT OF PERSONNEL AND TRAINING AND DEPARTMENT OF PENSIONS AND PENSIONERS' WELFARE OF THE MINISTRY

† Original notice of the question was received in Hindi.