

RTI REQUEST DETAILS

Registration No. :	PGCIL/R/T/20/00058	Date of Receipt :	30/06/2020
Transferred From :	Ministry of Power on 30/06/2020 With Reference Number : POWER/R/X/20/00015		
Remarks :	The application is transferred under Section 6(3) of RTI Act, 2005.		
Type of Receipt :	Electronically Transferred from Other Public Authority	Language of Request :	English
Name :	Vinay Kumar Chaudhary	Gender :	Male
Address :	VILLAGE- CHAMBI, POST OFFICE- PADHIYUN,, TEHSIL- SADAR, DISTRICT- MANDI,, Pin:175001		
State :	Himachal Pradesh	Country :	Details not provided
Phone No. :	+91-9418832670	Mobile No. :	+91-8091747752
Email :	vsujanian@gmail.com		
Status(Rural/Urban) :	Rural	Education Status :	Above Graduate
Letter No. :	Details not provided	Letter Date :	Details not provided
Is Requester Below Poverty Line ? :	No	Citizenship Status	Indian
Amount Paid :	0 (RTI fee is received by Department of Justice (original recipient))	Mode of Payment	Payment Gateway
Does it concern the life or Liberty of a Person ? :	No(Normal)	Request Pertains to :	
Information Sought :	In respect of CPSEs under M/o Power		
Original RTI Text :	<p>A. Kindly arrange to inform that which department of government is assigned responsibility to look into the reported matters as detailed in attached PDF file, where there is violation of fundamental rights of citizens of india as a matter of policy framework attributing to disrespect to supreme law of india i.e. constitution of india.</p> <p>B. I would like to start here by stating that following rights are also vested as fundamental rights of the citizen of india:</p> <ol style="list-style-type: none"> 1. Right to equality. 2. Cultural and educational rights. 3. Right against exploitation. <p>C. The recruitment policy of public sectors like- NTPC, PGCIL, NHPC, SJVNL, HPCL, IOCL, BPCL, ONGC etc. suppresses these rights as given</p>		

in para- B.

D. Kindly arrange to inform that who will impart justice to citizens of india by enforcing to implement fair and uniform recruitment processes in public sector as detailed in attached PDF file to ensure that fundamental rights of citizens are protected.

Print

Save

Close

As the outset, I would like to start here by stating that following rights are also vested as fundamental rights of the citizen of india:

- i. Right to equality.
- ii. Cultural and educational rights.
- iii. Right against exploitation.

1. Public sectors being institution envisaged and incorporated for development of india as well as masses of india, It is well understood that socio-economic development in mass scale as well as development of one and all is the only purpose behind incorporation of public sectors in various industries like- power, aviation, banking, transportation, medical, insurance, science and research etc.

2. On the similar grounds prevention of fundamental rights of citizens of india and respecting constitution of india is the responsibility of public sectors also. Hence, various policy matters in force in public sectors have to be well documented, credible and transparent to ensure that fundamental rights of each citizen in protected by an inherent mechanism.

3. However, the recruitment policy of public sectors in all and all, particularly NTPC Limited, NHPC, SJVNL, PGCIL, IOCL, ONGC, HPCL, BPCL etc. has various shortcomings due to which equal opportunity is prevented to citizens as well as fundamental rights i.e. right to equality, cultural and educational rights, right against exploitation are violated before recruitment as well as after recruitment also.

4. Equal opportunity is also a right of an individual and if suppressed or prevented due policies in force for recruitment, attributes to direct violation of the fundamental right " cultural and educational rights". Since, equal opportunity is not granted to each eligible citizen at that point of time who possess similar qualification to compete for recruitment, due to shortcomings in policy matters of public sector organizations. Hence, the qualifications he/she aquired throughout years down the line while educating himself by the essence of fundamental right "cultural and educational rights", has been suppressed at that point of time because neither equal opportunity is given nor uniform competition is ensured.

5. The shortcomings in policy matters like for recruitment policy also suppresses/ prevents " Right to equality" of citizens of india by an inherent mechanism because things are overlooked while recruiting, if uniform competition, equal opportunity and equal rights are to be ensured for every citizen who is eligible.

6. Not only this, the fundamental right "Right against exploitation" is also suppressed/ prevented by means of inherent mechanism documented in white paper policy matter, because, the process of recruitment has been deemed to be fair for one and all at that point of time, which it is actually not in reality.

7. The percentage reservations provided by government to various segments of society in india being a country rich in diversities of caste and creed are also to ensure fair and uniform competition, equal opportunities and right to equality amongst citizens of india owing to the

population of respective segments of society. On the similar lines, lapses/ shortcomings in recruitment policy is also to be corrected and amended to ensure fair and uniform competition, equal opportunities and right to equality.

8. In a nut shell, the recruitment policy of public sectors like- NTPC Limited, NHPC, SJVNL, PGCIL, IOCL, ONGC, HPCL, BPCL etc. in force suppresses fundamental rights i.e right to equality, cultural and educational rights and right against exploitation by inherent mechanism as explained in para- 1.0 to 6.0. The various shortcomings in recruitment policies are listed below:

a. Public sectors carry out recruitment through a process known as "campus recruitment" at pioneer institutions on india on the footsteps of private companies/ industrial houses. But, public sectors are not proprietor companies and are incorporated by government of india and as such cannot prevent/suppresses fundamental rights of citizens of india (as explained in para- 1.0 to 7.0) violating constitution of india. Hence, public sectors cannot carry out campus placements in any institution as it completely sidelines/ delete all other eligible citizens from even the process of competing. So, the recruitment policy of public sector needs to be modified for the same and vanish recruitment process through campus placements.

b. Public sectors carry out recruitment through a process known as "off campus recruitment" in which all eligible candidates throughout the country can compete depending upon eligibility from time to time. But, this examination is also carried out solely by public sectors on their own. Although, this will ensure fair competition to a certain extend, however, fairness in process of selection for the deserving and transparency in the recruitment process cannot be ensured under all circumstances. Consequently, the recruitment process for outside campus recruitment should only be through centralized examinations like- GATE, Indian engineering services examinations, civil services examinations, central examinations for chartered accountants etc. This will process will inherently ensure that fundamental rights of each citizen is protected. For example: For engineering streams of public sectors, the Indian engineering service examination can be made common examination to club the requirement of public sector as well as government departments.

c. The fresh recruitment process in public sectors should be carried out only by state and central commissions like- UPSC, each state commissions etc on similar lines to NDA, CDS, CS, Indian engineering examination, SCRA etc. This will not only ensure that fundamental rights of citizens are protected but, also will ensure that credibility, uniformity as well as transparency of recruitment process is protected at each point of time. Public sectors only need to submit there need of number of candidates required as well as essential qualifications and other terms and conditions of employment along with requisite fees of commission.

d. The public sectors also carry out recruitment through a process known as " Experience based vacancies or open recruitment" to take advantage of experienced persons from within the industry as well as from other industry to stay head in dynamic business environment. However, to make this process of employment also fair and transparent, the selection process should engage a special purpose committee for this which should consist of members from outside organizations and government departments to check eligibility, credibility of candidates in respect of experience possessed, pay scales and qualifications etc, as given below:

1. members from within organization.
2. members from within industry.
3. members from district administration/union territory/ divisions not below the level of senior time scale officers of administrative services/ judicial services/ defence services/ police services/ revenue services etc.

These members should be made part of screening committee as well as selection committee respectively.

9. The modification in recruitment policy due to reasons as listed above from para- 1.0 to 8.0 to respect the supreme embodiment of justice, equality and liberty i.e. the constitution of india being the supreme law of india. The following features will be incorporated in recruitment policy inherently as such by the way of modification illustrated in para 8 sub para- a to d, as given here under:

- A. It will ensure uniform competition and competencies amongst the graduates, post graduates, doctorate degree holders etc. of the country.
- B. It will facilitate transparency in all the processes of recruitment and as such set bench mark standards.
- C. It will ensure uniform and fair paradigm of recruitment and its processes.
- D. It will facilitate equal opportunity to one and all eligible citizens of the country.
- E. It will support the sole principle of incorporation of public sector that is socio economic development through all segments of society.

10. Hence, it is submitted at your esteemed office that kindly arrange to impart justice to one and all citizens of india by arranging to implement processes as detailed in para- 8.0 sub para a to d respectively.

Thanking you

Yours sincerely

Vinay chaudhary

Mobile- 9418832670, 8091747752.