



NATIONAL COMMISSION FOR SCHEDULED CASTES

**FIRST ANNUAL REPORT
2004-2005**



**B-WING, 5TH FLOOR
LOKNAYAK BHAWAN
NEW DELHI - 110 003**



भारत सरकार
राष्ट्रीय अनुसूचित जाति आयोग
GOVERNMENT OF INDIA
NATIONAL COMMISSION FOR SCHEDULED CASTES

डा. सूरज भान
अध्यक्ष
Dr. SURAJ BHAN
CHAIRMAN

पाँचवीं मंजिल, लोकनायक भवन,
खान मार्केट, नई दिल्ली-110003
5TH FLOOR, LOK NAYAK BHAWAN,
KHAN MARKET, NEW DELHI - 110003
Tel. (O) : 24632298, 24620435
Telefax : 24632298

Dated

Respected Rashtrapatiji,

I have the honour to present to you the First Annual Report of the National Commission for Scheduled Castes upon the working of safeguards during the year 2004-05 under the Constitution of India and other laws.

2. In this report for the year 2004-05 specific instances regarding the deprivation of rights and safeguards of the Scheduled Castes which were enquired into by the Commission have also been highlighted, besides the status of implementation of the Protection of Civil Right Act, 1955 and the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989.

3. The Atrocities on SCs have acquired new social dimension due to the reason that the rate of acquittal under the PCR Act, 1955 and POA Act, 1989 is very high and on the contrary the rate of conviction in these cases is very low and the number of cases pending in Courts relating to Atrocities on SCs is very high. Non payment of financial compensation and other relief material to the victims of these Atrocities even in cases which are booked under the Scheduled Castes and Scheduled Tribes (POA) Act, 1989, by the State Governments despite provisions in the Act, are common and this has very demoralizing effect on the SC communities. The amount of compensation should be provided to the victims according to the law

without any further delay to instill confidence of these poor SCs in the Law of the land.

4. In order to check the incidents of Atrocities on SCs, the Commission through its inter action with the victims of atrocities, Government Officials and NGOs, is of the view that the Police officials need to be further sensitized about the provisions/implementation of PCR Act, 1955 and POA Act, 1989 through their in-house training programme as well as special seminars, display of wider special provisions of these Acts in local languages to enhance awareness and information level of the Police officials and general public, specially the SC Communities strategy for such campaign need to be formulated by welfare agencies of the Central and States/UTs

5. There are specific guidelines for earmarking of prescribed percentage of funds from the Annual Plans of the Central Ministries and State Governments under the Special Component Plan, but it has been observed by the Commission during its interaction with the Central Ministries/State Governments/UT Administrations that the allocation of funds are not being made accordingly. Another cause of concern of the Commission, based on its field visits and review meetings with the States etc. is that, besides allocating inadequate funds for the development of SCs, the funds under SCP and SCA are either not fully utilized or diverted to other sectors and thereby these vulnerable groups are deprived from their allocated resources of development. Perhaps this is one of the major causes for not achieving the desired level of socio-economic development of the SCs and deepening feeling of deprivation among them

6. In order to ensure time bound socio-economic development of the SCs, funds out of the Plans of the Central and State Governments should be earmarked strictly in accordance with the guidelines of the Planning Commission and funds should not be allowed to lapse or diverted. In exceptional cases such a diversion

if it is unavoidable should be done in consultation with the National Commission for SCs/Planning Commission.

7. A time bound action plan should be prepared by the States to provide civic amenities like water, electricity, sanitation at par with other sections of the society to improve the economic conditions of SCs. The State Governments should prepare a "Scheduled Castes Human Development Index" on the basis of factors like literacy rate, infant mortality rate, incidence of atrocities and estimates of consumption expenditure of the SCs below poverty line to assess the gap in the socio-economic status of SCs vis-à-vis other sections.
8. Education facilities in SCs bastis up to Primary Schools and above are poor leading to higher drop out rates and this needs to be brought down at par with the schooling facilities for children of other communities. Ideally there should be no drop out among any section of the society and all agencies should work towards this goal. The quality of School Education should be improved so that educated SCs who are unemployable in any kind of economic activities are not produced.
9. A large number of I.T.Is, poly technics, vocational training institutes are there with inflexibility of curricula and lack of awareness about changing market needs/marketing facilities for their products leading to unemployment. The training curricula in the technical institutions should move from traditional trades like Carpentry, Blacksmith etc. to modern day requirement of services to provide them proper avenues for economic activity. Like wise the move for private sector contribution in education is welcome, but commercialization of education needs to be discouraged. While supplementing the Government efforts, private initiatives should be welcomed, it is its commercialization which should be totally regulated in the interest of education excellence.
10. Alarming number of cases are being reported to the NCSC that bogus Scheduled Castes/ Scheduled Tribe certificates have been issued to the ineligible

persons carelessly or deliberately without proper verification by the officials empowered to issue such Scheduled Castes/ and Scheduled Tribes certificates. This has resulted in some persons availing of the benefit meant for Scheduled Castes and Scheduled Tribes on false pretext. The NCSC is seized of the matter and appropriate action to curb this tendency is being taken and the issuing authorities are being advised to take suitable action. The State Governments/UTs are being advised to take strick measures to detect such cases of non Scheduled Castes holding bogus caste certificates. The Scheduled Caste candidates who are being deprived benefit under rules can be helped only if stringent action is taken by the Central & State Governments to check this menace.

11. The representation of SCs especially in Group 'A' and 'B' posts is inadequate. The Commission, therefore, recommends that reservation in promotions be extended at all levels in cases of promotion by selection.

12. To improve the representation of SCs in posts and services, there is a strong need to pass the Bill on reservation for SCs and STs in posts and services under the Government to bring uniformity in the implementation of the policy with punitive provisions.

13. It is, also recommended that the SC Members who participate in the Recruitment Boards/Committees may individually submit their observations to the Chairman of the Selection Committee and a copy of such report be endorsed to the National Commission for Scheduled Castes.

14. Keeping in view the need for prompt action on the atrocities committed on Scheduled Castes, the Commission has decided to install a toll free Telephone connection at its Hqrs. Loknayak Bhawan, New Delhi. Therefore, there is a need to provide the Commission adequate budgetary resources to fund a toll free connection in its annual budget.

15. I, Dr. Suraj Bhan, Chairman and Shri Fakir Bhai Vaghela Vice-Chairman of the Commission assumed the charge of office in the Commission on 24.2.2004 and were conferred the status of Union Cabinet Minister and Minister of State respectively after a period of two years i.e. on 14.9.2005 and the posts in their personnel sections have not been created despite a joint meeting of the Commission with the Secretary, Ministry of Social Justice and Empowerment, Ministry of Finance and Department of Personnel, but no posts has been created as per entitlement. The Secretariat of the Commission has never been functioning with full strength, Even after bifurcation of the erstwhile National Commission for Scheduled Castes and Scheduled Tribes into two saperate Commissions i.e. NCSC and NCST, the officers and staff vacancies were shared in the ratio of 2:1 for NCSC and NCST respectively. At present 40 posts are lying vacant against the sanctioned posts as per list attached as (Annexures-I to IV), including that of DIG police a Law Officer etc. The Commission has also decided to open three State Offices in the State Capitals of Rajasthan, Orissa and Madhya Pradesh having SC population of 17.2%, 16.5% and 15.2% respectively. I had a meeting with the Secretary, M/o Social Justice and Empowerment and Additional Secretary, M/o Finance, Department of Expenditure M/o Personnel and Public Grievances, Department of Personnel on 1st March, 2006 but I was not satisfied with their response. Therefore I am approaching your Honour to intervene in the matter forthwith

With regards,

Yours sincerely,


(DR. SURAJ BHAN)

DR. A.P.J. ABDUL KALAM,
PRESIDENT OF INDIA
NEW DELHI

P R E F A C E

The Commission interacted with a large number of Government Organizations, Non-Government Organization, and peoples representatives at various levels, has come to the conclusion that in spite of specific provisions made in the Constitution the over all socio-economic conditions of the SCs, despite several legal and policy initiatives, institutional network and large financial allocations, have not brought them to the national mainstream and remains still far from expectations. The main instrument for achieving this objective is the policy of reservations in employment and admission in education and professional courses as also in elected bodies. Protective legislations were also framed to ensure to protection against exploitation and discrimination through enhanced and specific financial allocations for their development.

The provision of reservations in elected bodies including in Panchayati Raj Institutions, have been made for ensuring participation of SCs representative in the Planning process at various levels. Due to compulsions of electoral and party politics, relative inexperience of elected representatives in Panchayati Raj bodies, the representatives of SCs have not been fully successful in making a common cause on issues relating to social disabilities and economic deprivation. This needs an introspection not only among the SCs representatives but also by other sections of society to initiate measures for creating conditions conducive for their integration with and bringing them into the national mainstream.

The policy of reservations in appointments and educational institutions was provided in the Constitution to ensure equitable share to the SCs in governance. It is true that reservation in appointments would benefit only a small proportion of their population but their representation at various levels was expected to ensure incorporation of the concerns and development needs of these communities in the formulation and implementation of programmes for their socio-economic development. In spite of reservations, the representation of SCs in services continues to be much lower than the prescribed proportion in Group A

and Group B services, both under the Government and the Public Sector Undertakings etc. One of the reasons for this situation is low level of literacy and very poor quality of education imparted to them. Besides this the SCs who come from the rural areas do not have access to good quality of education and thus are unable to compete at the higher levels of posts and in particular requiring technical and professional qualifications.

The implementation of reservation policy through executive instructions are frequently subject of judicial intervention, has failed to achieve the desired objectives. In order to improve the representation of Scheduled Castes in posts & services there is strong and urgent need to pass the bill on reservation for Scheduled Castes in post and services under the Government to bring uniformity in the implementation of the policy with punitive measures against the non-implementing organizations and individuals. The Commission has also noted that no improvement in filling up the posts arising out of this exercise on backlog/shortfall has been carried out so far. Commission therefore, urges that the Govt. of India should calculate the backlog of the shortfall of SCs and launch SRD to cover backlog in a time bound manner.

The Commission during its reviews with various State Governments is of the view that a large number of cases go unregistered because of reluctance on the part of Police Officer to register the cases and also because of lack of awareness among the Member of these communities about the provisions under the PCR Act. 1955 and SC/ST POA Act. 1989. Delay in investigation, collusion with offenders and manipulation of witnesses and evidence which all contribute to reduce the effectiveness of these protective measures. As a result of lack of awareness among the Police officials and the SC people, a large number of cases end up with the investigations in filing of final report and the accused are acquitted in a very high number in states. The Central Government should initiate action to promote awareness about the above protective Legislation through in house training for police personal like special lectures and display of material in local languages to enhance the information level of general public and especially the SC people.

The Commission had interaction with the State SC/ST Commission and State Governments during the period under report and observed that the States are not allocating funds out of their State Plans to the Special Component Plan in the proportion required. Even the funds allocated under SCP are either not utilized or diverted to other Sectors. This leads to adverse effect on the over all socio-economic development of the people belonging to the SCs. The drop out rate among the SC students at the post matric level of education is high among the SCs due to the fact that the scholarships are not disbursed in time. The Commission is of the view that in order to ensure proper educational and economical development of the SCs funds out of the Central Ministries and State Ministries should be released strictly in proportion to the population of SCs and in no case be allowed to lapse or diverted. In inevitable conditions the funds should be utilized in the succeeding year that too with the consent of the National Commission for Scheduled Castes.

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CHAPTER I

INTRODUCTION

The framers of the Constitution took note of the fact that certain communities in the country were suffering from extreme social, educational and economic backwardness arising out of age-old practice of untouchability and certain others on account of the primitive agricultural practices, lack of infrastructure facilities and geographical isolation, and who need special consideration for safeguarding their interests and for their accelerated socio-economic development. These communities were notified as Scheduled Castes and Scheduled Tribes as per provisions contained in Clause 1 of Articles 341 and 342 of the Constitution respectively.

1.2 With a view to provide safeguards against the exploitation of Scheduled Castes and Scheduled Tribes and to promote and protect their social, educational, economic and cultural interests, special provisions were made in the Constitution. Due to their social disability and economic backwardness, they were grossly handicapped in getting reasonable share in elected offices, Government jobs and educational institutions and, therefore, it was considered necessary to follow a policy of reservations in their favour to ensure their equitable participation in governance. For effective implementation of various safeguards provided in the Constitution for the Scheduled Castes and Scheduled Tribes and various other protective legislations, the Constitution provided for appointment of a Special Officer under Article 338 of the Constitution. The Special Officer who was designated as Commissioner for Scheduled Castes and Scheduled Tribes was assigned the duty to investigate all matters relating to the safeguards for Scheduled Castes and Scheduled Tribes in various statutes and to report to the President upon the working of these safeguards. In order to facilitate effective functioning of the office of the Commissioner for Scheduled Castes and Scheduled Tribes 17 regional offices of the Commissioner were set up in different parts of the country.

1.3 On persistent demand of the Members of Parliament that the Office of the Commissioner for Scheduled Castes and Scheduled Tribes alone was not enough to monitor the implementation of Constitutional safeguards, a proposal was moved for amendment of Article 338 of the Constitution (46th Amendment) for replacing the arrangement of one Member system with a Multi-Member system. While the amendment to Article 338 was still under consideration, the Government decided to set up a Multi-Member Commission through an administrative decision vide Ministry of Home Affairs' Resolution No. 13013/9/77-SCT(1) dated 21.7.1978. The first Commission for Scheduled Castes and Scheduled Tribes was, therefore, set up in August, 1978 with Shri Bhola Paswan Shastri as Chairman and other four Members. The field offices of the erstwhile Commissioner for Scheduled Castes and Scheduled Tribes, which were transferred under the control of Director General, Backward Classes Welfare in 1965, were brought back under the control of this Commission. The functions of the Commission for Scheduled Castes and Scheduled Tribes broadly corresponded with those of the Commissioner for Scheduled Castes and Scheduled Tribes. The Commissioner for SCs and STs had submitted 30 Reports.

1.4 The functions of the Multi-Member Commission set up in 1978 were modified vide Ministry of Welfare's Resolution No. BC-13015/12/86-SCD.VI dated 1.9.1987 and the Commission for Scheduled Castes and Scheduled Tribes was renamed as the National

2004" specifying therein the powers and functioning of National Commission for Scheduled Castes. The National Commission for Scheduled Castes was also constituted and the following functionaries were appointed with the warrant in his own hand by His Excellency the President of India Shri A.P.J. Abdul Kalam:-

1.	Dr. Suraj Bhan	Chairperson
2.	Shri Fakirbhai Vaghela	Vice-Chairperson
3.	Shri Phool Chand Verma	Member
4.	Shri Devender V.	Member
5.	Smt. Surekha Lambture	Member

1.11 The above functionaries assumed office on 25.2.2004 except Smt. Surekha Lambture who assumed office on 26.2.2004. The Chairperson and the Vice Chairperson was conferred the status of Cabinet Minister and Minister of State of the union respectively.

1.12 During the year under report the National Commission for Scheduled Castes handled 13721 complaints/petitions. 33 Number of field enquiries in the reported case of atrocities against persons belonging to Scheduled Castes were also undertaken. The report is based largely on the complaints received in the Commission and action taken there on.

Meetings of the Commission

1.13 The Commission held six meetings between March 2004 to February 2005.

1 st Meeting	11.3.2004
2 nd Meeting	27.5.2004
3 rd Meeting	6.7.2004
4 th Meeting	21.9.2004
5 th Meeting	21.12.2004
6 th Meeting	7.2.2005

1.14 The Rules of Procedure of the Commission under clause (4) of Article 338 were finalized in the 1st meeting of the National Commission for Scheduled Castes held on 11.3.2004 and notified in the extra ordinary Gazette vide GSR No. 573(E) on 6.9.2004.

1.15 The Commission also held a meeting with the Chairpersons and the Secretaries of the State SC/ST Commissions on 7th July, 2004 to discuss the key issues viz., (i) economic development of SC persons by allotting wasteland for agricultural activities to them, (ii) Mandatory consultation of the National Commission for Scheduled Castes by the States/UTs as required under Article 338(9), (iii) Annual meeting for interaction with the State Commissions and the National Commission for Scheduled Castes to monitor problems faced by SC people in order to find solutions to such problems.

commission for Scheduled Castes and Scheduled Tribes. It was set up as a National Level Advisory Body to advise the Government on broad policy issues and levels of development of Scheduled Castes and Scheduled Tribes. The Multi-Member Commission had submitted 8 reports.

1.5 The statutory National Commission for Scheduled Castes and Scheduled Tribes (hereinafter referred to as the Commission) came into being consequent upon passing of the Constitution (Sixty fifth Amendment) Bill, 1990 which was notified on 8.6.1990 and the Rules thereunder were notified on 3.11.1990. The first Commission under the Constitution (65th Amendment) Act was constituted on 12.3.1992 replacing the Commissioner for Scheduled Castes and Scheduled Tribes and the Commission set up under the Ministry of Welfare's Resolution of 1987. The first Commission consisted of Shri Ram Dhan as the Chairman, Shri Bandi Oraon as the Vice-Chairman and Shri B.Sammaiah, Dr. Sarojini Mahishi, Choudhary Hari Singh, Shri N. Brahma and Shri Jina Bhai Darjee as Members.

1.6 The second Commission was constituted on 5.10.1995 with Shri H. Hanumanthappa as Chairman and Smt. Omem Moyong Deori as Vice-Chairperson. The Members of the Commission were Shri N.C. Chaturvedi, Shri Anand Mohan Biswas, Ven. Lama Lobzang, Shri Narsing Baitha and Shri B. Yadaiah.

1.7 The third Commission was constituted in December, 1998 vide Ministry of Social Justice and Empowerment's Notification No.5035(E) dated 27th January, 1999 consisting of Shri Dileep Singh Bhuria as the Chairman, Shri Kameshwar Paswan as the Vice-Chairman and Shri Harinder Singh Khalsa, Ven. Lama Lobzang, Shri Chhotray Majhi and Shri M. Kannan as Members, Smt. Venna Nayyar was also appointed as Member vide Ministry of Social Justice & Empowerment's Notification No. S.O. 529(E) dated 30th June, 1999. On the resignation of Shri M. Kannan, Shri C.Chellappan was appointed as Member vide Ministry of Social Justice & Empowerment's Notification No. S.O. 722 (E) dated 3.7.2000.

1.8 The fourth Commission was constituted in March, 2002 vide Ministry of Social Justice & Empowerment's Notification No. S.O. 351 (E) dated 21.3.2002 consisting of Dr. Bizay Sonkar Shastri as the Chairperson, Ven. Lama Chosphe Zotpa, Vice-Chairperson and Shri Vijay Kumar Choudhary, Shri Narayan Singh Kesari and Shri Tapir Gao as Members, Smt. Veena Premkumar Sharma assumed office on 23.8.2002 as Member and Shri C. Chellappan as Member completed his tenure on 2nd July, 2003. Shri Sampath Kumar assumed office on 30.9.2003 in place of Shri C. Chellappan. The erstwhile National Commission for Scheduled Castes and Scheduled Tribes submitted seven Annual Reports and two Special Reports to the President of India.

1.9 The Constitution (89th Amendment) Act, 2003 came into force w.e.f. 19.2.2004. Article 338 was amended to create the National Commission for Scheduled Castes and Article 338 A was inserted below the main Article 338 to create National Commission for Scheduled Tribes. The erstwhile National Commission for Scheduled Castes and Scheduled Tribes was thus bifurcated in two different Commissions. The actual bifurcation however came into effect from 1.12.2004.

1.10 The Ministry of Social Justice & Empowerment vide its notification dated 20.2.2004 notified the Rules viz., "The National Commission for Scheduled Castes Chairperson, Vice-Chairperson and Members (Condition of Service and Tenure) Rules,

1.16 During the year under report as required under Article 338(9), Deptt. of Personnel and Training, Ministry of Personnel, Public Grievance and Pensions referred to the Commission for its views/comments a draft Bill titled "The SC, ST & OBC (Reservation in Posts & Services) Bill, 2004". The Commission offered its comments and communicated to DoPT on 13/14 December, 2004 before the bill was introduced in the Rajya Sabha on 22nd December 2004. The Chairperson, the Vice Chairperson along with the Members, Secretary and the Joint Secretary of the Commission called on Shri Sudarsana Natchiappan, MP & Chairman of Department Related Parliamentary Standing Committee on Personnel, Public Grievances, Law & Justice on 9.3.2005 to place the views of National Commission for Scheduled Castes on the draft Bill.

1.17 The DoPT also consulted the Commission on the proposal to increase the quota reserved for SC/ST for recruitment on local/regional basis as per the percentage of population of Scheduled Castes and Scheduled Tribes to the total population of the Region/State as per the data provided by Registrar General of India and Census Commissioner of India in "Census 2001" Report. The proposal of the DoPT for reservation for Scheduled Castes to be 16% as against the percentage population of 16.5 in the State of Orissa was examined in the Commission and it was felt that it should be 17%. The Commission further observed that the percentage of reservation for Scheduled Castes in Delhi ought to be proportionate to its share of population (16.9%) and not 15% as proposed for Delhi on all India basis. The formal views of the Commission were communicated to the DoPT in this regard.

CHAPTER II

CONSTITUTIONAL PROVISIONS FOR PROTECTION AND DEVELOPMENT OF SCHEDULED CASTES

The provision and safeguards for Backward Classes and especially for SCs & STs have been incorporated in the Constitution of India. The safeguards are in the field of social, economic, political, educational, cultural and services under the State for the people belonging to these communities for their development. Who constitute Scheduled Castes and how are the Castes scheduled are contained under Articles 366(24) and 341 of the Constitution.

SAFEGUARDS FOR SCHEDULED CASTES

2.2 The safeguards provided to Scheduled Castes are grouped in the following broad heads:

- Social Safeguards
- Economic Safeguards
- Educational & Cultural Safeguards
- Political Safeguards
- Service Safeguards

SOCIAL SAFEGUARDS

2.3 Articles 17, 23, 24 and 25(2)(b) of the Constitution enjoins the State to provide social safeguards to Scheduled Castes. Article 17 relates to abolition of untouchability being practiced in society. The Parliament enacted the Protection of Civil Rights Act, 1955 and the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 to tackle the problem of untouchability, which is being practiced against Scheduled Castes.

2.4 Article 23 prohibits traffic in human beings and 'begar' and other similar forms of forced labour and provides that any contravention of this provision shall be an offence punishable in accordance with law. Although there is no specific mentions about the SCs in this Article but majority of the bonded labour come from SCs. Thus, this Article has a special significance for them. The Parliament enacted Bonded Labour system (Abolition) Act, 1976 for identification, liberation and rehabilitation of bonded labourers.

2.5 Article 24 provides that no child below the age of 14 years shall be employed to work in any factory or mine or engaged in any other hazardous employment. Even in this Article, there is no specific mention about the SCs but substantial portion of child labour engaged in hazardous employment belong to SCs.

2.6 Article 25(2)(b) provides that Hindu religious institutions of a public character shall be opened to all classes and sections of Hindus. The term Hindu includes persons professing Sikh, Jain and Buddhist religion.

ECONOMIC SAFEGUARDS

2.7 Articles 23, 24 and 46 form part of the economic safeguards for the Scheduled Castes and Scheduled Tribes. The provisions of Articles 23 and 24 have already been discussed in earlier paragraphs.

2.8 Article 46 provides, "The States shall promote with special care the educational and economic interests of the weaker sections of the people, and in particular, of the Scheduled Castes and the Scheduled Tribes, and shall protect them from social injustice and all forms of exploitation."

EDUCATIONAL AND CULTURAL SAFEGUARDS

2.9 Articles 15(4) empowers the State to make special provisions for the advancement of any socially and educationally backward classes of citizens and for SCs. This provision has enabled the State to reserve seats for SCs in educational institutions in general and professional courses etc.

POLITICAL SAFEGUARDS

2.10 Reservation of seats for SCs/STs in the local bodies of the States/UTs, Legislative Assemblies of the State and in Parliament are provided in the Constitution of India as follows:

2.11 **Article 243D Reservation of seats:-** (1) Seats shall be reserved for (a) the Scheduled Castes; and (b) the Scheduled Tribes in every Panchayat and the number of seats so reserved shall bear, as nearly as may be, the same proportion to the total number of seats to be filled by direct election in that Panchayat as the population of the Scheduled Castes in that Panchayat area or of the Scheduled Tribes in that Panchayat area bears to the total population of that area and such seats may be allotted by rotation to different constituencies in a Panchayat.

(2) Not less than one-third of the total number of seats reserved under clause (1) shall be reserved for women belonging to the Scheduled Castes or, as the case may be, the Scheduled Tribes.

(3) Not less than one-third (including the number of seats reserved for women belonging to the Scheduled Castes and the Scheduled Tribes) of the total number of seats to be filled by direct election in every Panchayat shall be reserved for women and such seats may be allotted by rotation to different constituencies in a Panchayat.

2.12 **Article 243T Reservation of seats:-** (1) Seats shall be reserved for the Scheduled Castes and the Scheduled Tribes in every Municipality and the number of seats so reserved shall bear, as nearly as may be, the same proportion to the total number of seats to be filled by direct election in that Municipality as the population of the Scheduled Castes in the Municipal area or of the Scheduled Tribes in the Municipal area bears to the total population of that area and such seats may be allotted by rotation to different constituencies in a Municipality.

(2) Not less than one-third of the total number of seats reserved under clause (1) shall be reserved for women belonging to the Scheduled Castes or, as the case may be, the Scheduled Tribes.

(3) Not less than one-third (including the number of seats reserved for women belonging to the Scheduled Castes and the Scheduled Tribes) of the total number of seats to be filled by direct election in every Municipality shall be reserved for women and such seats may be allotted by rotation to different constituencies in a Municipality.

(4) The offices of Chairpersons in the Municipalities shall be reserved for the Scheduled Castes, the Scheduled Tribes and women in such manner as the Legislature of a State may, by law, provide.

(5) The reservation of seats under clauses (1) and (2) and the reservation of offices of Chairpersons (other than the reservation for women) under clause (4) shall cease to have effect on the expiration of the period specified in article 334.

(6) Nothing in the Part shall prevent the Legislature of a State from making any provision for reservation of seats in any Municipality or offices of Chairpersons in the Municipalities in favour of backward class of citizens.

2.13 Article 330 Reservation of seats for Scheduled Castes and Scheduled Tribes in the House of the People:- (1) Seats shall be reserved in the House of the People for-

- (a) the Scheduled Castes;
- (b) the Scheduled Tribes except the Scheduled Tribes in the autonomous districts of Assam; and
- (c) the Scheduled Tribes in the autonomous districts of Assam.

(2) The number of seats reserved in any State or Union Territory for the Scheduled Castes or the Scheduled Tribes under clause (1) shall bear, as nearly as may be, the same proportion to the total number of seats allotted to that State or Union Territory in the House of the People as the population of the Scheduled Castes in the State or Union territory or of the Scheduled Tribes in the State or Union territory or part of the State or Union territory, as the case may be, in respect of which seats are so reserved, bears to the total population of the State or Union Territory.

(3) Notwithstanding anything contained in clause (2), the number of seats reserved in the House of the People for the Scheduled Tribes in the autonomous districts of Assam shall bear to the total number of seats allotted to that State a proportion not less than the population of the Scheduled Tribes in the said autonomous districts bears to the total population of the State.

Explanation:- In this article and in article 332, the expression "population" means the population as ascertained at the last preceding census of which the relevant figures have been published:

Provided that the reference in the Explanation to the last preceding census of which the relevant figures have been published shall, until the relevant figures for the first census taken after the year 2000 have been published, be construed as a reference to the 1971 census.

2.14 Article 332 Reservation of seats for Scheduled Castes and Scheduled Tribes in the Legislative Assemblies of the States:- (1) Seats shall be reserved for the Scheduled Castes and the Scheduled Tribes except the Scheduled Tribes in the autonomous districts of Assam, in the Legislative Assembly of every State.

(2) Seats shall be reserved also for the autonomous districts in the Legislative Assembly of the State of Assam.

(3) The number of seats reserved for the Scheduled Castes or the Scheduled Tribes in the Legislative Assembly of any State under clause (1) shall bear, as nearly as may be, the same proportion to the total number of seats in the Assembly as the population of the Scheduled Castes in the State or of the Scheduled Tribes in the State or part of the State, as the case may be, in respect of which seats are so reserved, bears to the total population of the State.

2.15 Article 334 Reservation of Seats and special representation to cease after sixty years:- Notwithstanding anything in the foregoing provisions of this Para, the provisions of this Constitution relating to:-

- (a) the reservation of seats for the Scheduled Castes and the Scheduled Tribes in the House of the People and in the Legislative Assemblies of the States; and
- (b) the representation of the Anglo-Indian community in the House of the People and in the Legislative Assemblies of the States by nomination, shall cease to have effect on the expiration of a period of sixty years from the commencement of the Constitution:

SERVICE SAFEGUARDS

2.16 Service Safeguards are contained in Articles 16(4), 16(4A), and 335. In the year 2001, the Parliament through Constitution (Eighty-fifth Amendment) Act, 2001 amended the provisions contained in Article 16(4A). In Article 16(4A) for the words: "in matters of promotion to any class" the words "in matters of promotion, with consequential seniority, to any class" has been substituted. The effect of this amendment is that the SCs/STs promoted earlier than their counter-part in general category by virtue of reservation policy shall be senior to general category in the promoted scale/post.

CHAPTER III

ECONOMIC DEVELOPMENT OF SCHEDULED CASTES

Introduction

Economic development in India even after five decades of planned development has by passed Indian poor. For the poorest of the poor and for the members of Scheduled Castes who are doubly disadvantaged, the gap between the rich and the poor has been widening despite rapid technology changes and galloping globalization. The overall goal of economic development for the poor and for the members of Scheduled Castes have so far been seen in generalized improvement in agricultural production, sanitation, health care, schooling and other income generation schemes. But the lack of resources and capability deprivation have gone against the poorest section majority of whom are members of SCs as discrimination, socio-economic and political, appears to operate at least partially through strong mechanism where the Scheduled Castes are either not represented at all and if represented in gainful employment, they are poorly paid in dead end jobs. Due to the historical disadvantage majority of members of Scheduled Castes having no access to basic resources of survival and growth, remain still deprived vis a vis. other socially dominant groups. The traditional approach for the development of the poor, based on relief and individual/ benevolence approach has now changed to "teaching the man to fish". While the approach of self-development is loudable as changed from relief approach of giving a fish handout as minimum food, what is needed is a total attack on poverty for the sake of development. In order to teach a man to fish, there should be appropriate resources in the form of equipments, access to unpolluted water containing fish as well as effective marketing network for the catch for realization of the value. Therefore, knowledge of fishing is no longer enough for the sake of development and empowerment of these poorer sections of the society including the Scheduled Castes who have witnessed centuries of neglect. For this purpose Article 15 of the Constitution envisages the State to ensure economic development of persons belonging to Scheduled Castes. Members of Scheduled Castes in India existed under conditions of a hidden apartheid for centuries in a relatively stable system of caste, but the misery of situation is multiplied in the case of SC women who appear to be further discriminated due to their gender. The problems are more severe in rural areas. Fortunately, India's Constitution is, perhaps, amongst the most progressive Constitution in the world. The inability of poor people to achieve their rights under the law, rights of which they are often unaware, has added a different dimension to the challenge of the State for ensuring compliance for the sake of the poorest. Even by the poverty estimate which only indicates one dimension of this multifaceted problem, there is statistically meaningful quantification to show that systematic differences exist between members of SCs & STs and upper caste households.

3.2 An empirical study on caste inequality and development in India by (V K Borooah) showed at least $1/3^{\text{rd}}$ of the average income generation differences between the upper caste Hindu and SCs & STs household was due to the "unequal treatment of the latter". While there are various academic / empirical studies on various aspects of economic discrimination like those in urban job market, land and commodity market etc., a recent study by Prof. K. Sundaram and Suresh D. Tendulkar (EPW December 13, 2003 "*Poverty among Social and Economic Groups in India in 1990s*")

has concluded that amongst the poor, members of SCs comprised the largest section of the deprived people.

3.3 Given the present demographic profile of SC community, economic development in India have so far failed to address this majority group of poors for the purpose of development not only in terms of income but in terms of Human Development Index. Behind the glaring statistics of economic growths in India in recent years such as increased FDI, foreign exchange and profitability of companies or for that matter soaring BSE Index upon economic liberalization Indian development scenario hides the suppressed voice and deplorable poverty of one third of its dalit population who still remain bypassed in asserting their rights for a normal life of human being.

Demography

3.4 According to the Census-2001, the population of SC was 16.66 crores constituting 16.23% of the total population. They are primarily concentrated in U.P.- 3.51 crores, West Bengal - 1.84 crores, Tamil Nadu 1.18 crore, Andhra Pradesh 1.23 crore and Bihar 1.13 crore. These five States alone account for 53.36% of the Scheduled Caste population of the country. Uttar Pradesh has the highest concentration of SC population in terms of absolute number whereas Punjab occupies first position in terms of percentage of Scheduled Caste population to the State population. The decennial growth rate of SC population between 1991-2001 is 20.15%. The proportion of SC population living in rural areas are more than the national average and the rate of urbanization of SCs is slower than that of the total population. A statement indicating the total population, SC population with percentages to total population in 1991 and 2001 census may be seen at ANNEXURE-3.I

Marginal Decline

3.5 In terms of percentage of SC population to the total population there seems to be a slight decline in 2001 at the National level as well as 21 States and UTs. The percentage of SCs to total population, however, showed an increase in respect of Punjab

3.6 The reason of decline in SC population seems to be extremely complex which might include methodological deficiency in Census data collection, migration of SC population to Urban from Rural areas and a host of other factors. The population of Scheduled Castes is totaled by the Census Organization based on information given by the respondent for each individual of the household to the Census Enumerators. Cross checks / verification of information 'by way of checking the Scheduled Caste certificate or other official document is not resorted to in mass operations like the Census. Therefore, this aspect would require more careful and thorough analysis/investigation of possible factors/reasons. At this stage, some of the possible reasons, which are not fully satisfactory, could be explained as under:

- (i) Migration of the Scheduled Castes population from usual place of residence to other state(s) can affect their number. The Scheduled Caste population is not enumerated 'in place of migration' because the State SCs list is valid only within the jurisdiction of the State or Union territory. But how much has the migration factor contributed towards

the low percentage of SCs population in the States at the 2001 Census is difficult to say. The State Govt. may be in a position to throw light on this as *migration* data on SCs is not available.

- (ii) For the purpose of enumeration of the SCs population, two questions each were included in the Household Schedule and Individual Slip at the 1991 Census. While through Question 10 of the Household Schedule and Question 9 of the Individual Slip inquiry were made with regard to the Scheduled Caste status of the person, the name of the Scheduled Caste was obtained through Question 11 of the Household Schedule and Question 10 of the Individual Slip. Against this, at the 2001 Census only one question was included in the Household Schedule. The Question 8 of the Schedule enquired the name of the Scheduled Caste. The response to the said question was used to ascertain the SC status as well.
- (iii) At the time of finalisation of SCs population in 1991 Census, it was done chiefly on the basis of answer to the Question 10 of the Household Schedule which enquired the SC status. The religion linkage because SCs can be only among Hindus, Sikhs and Buddhists may have been omitted. The individual Scheduled Caste population for each State was finalized at the later stage. At the 2001 Census, however the response on religion of the individual was taken into consideration simultaneously while the Scheduled Caste returns reported in question - 8 of the Schedule were tabulated/coded through a process known as Computer Assisted Coding (CAC). The SCs population in 2001 Census was finalized by aggregating the population of individual Scheduled Caste.
- (iv) The methodological differences in 1991 and 2001 Censuses perhaps, might account for the difference to an extent.
- (v) Conversion of Scheduled Castes population into Christianity and Islam religions may be another possible reason for decline in the SCs population in some of the States. The Scheduled Castes converted to Christianity and Islam religions are not included under SCs category.
- (vi) In Maharashtra, there has been a different reason for it. A sizeable proportion of Scheduled Castes population converted to Buddhism, popularly known as Nav- Buddhist/Neo Buddhist, have not enumerated them under the SCs category at the 2001 Census. This is due to the fact that they felt that all Buddhists were recognized as Scheduled Castes in the State after amendment in para-3 of the Constitution (Scheduled Castes) Order, 1950 vide the Constitution (Scheduled Castes) Orders (Amendment) Act, 1990.

Status Profiles of Scheduled Castes

3.7 Some of the general conditions of members of Scheduled Castes compared to their more resourceful counter parts would be evident from the following facts:-

- 30.91 percent of Scheduled Caste household had electricity, as compared to 61.31% for non-Scheduled Castes households.

- 9.84% Scheduled Castes households had access to sanitation, as compared to 26.76% for non-Scheduled Caste households.
- More than 20% Scheduled Castes population does not have access to safe drinking water. Comparable percentage of others is much less.
- Monthly per capita expenditure (1987-88) was Ra. 133 for Scheduled Castes as compared to Rs. 169 for others in rural area and it was Rs. 185 for SCs as compared to Rs. 256 for others in urban area. This gap increased from the level existing in the year 1983-84.
- 57.5% of Scheduled Castes children under 4-years of age were reported undernourished in 1992.
- Infant mortality among the Scheduled Castes was 91 per 1000 live births in 1992. 93, as compared to 79 for all categories in 1992 and 73 in 1993.
- The death rate among Scheduled Castes was 15.50% in rural area, as compared to 11.20% for others. It was 12.90% in urban areas as compared to 8.40% for non-Scheduled Castes.

3.8 The economic condition of the Scheduled Castes in terms of certain basic indicators are therefore, vital to know where they stand in the ladder of the Indian Society, economically and in terms of entitlement to basic resources as discussed below on the basis of secondary sources.

Economic Status

3.9 The following table shows the skewed pattern of poverty affecting members of Scheduled Castes both in urban and rural areas.

Table 1

Years/ Social Group	People Below Poverty Line					
	Proportion of poor households in the Social group to the total households		Proportion of a household category in all poor households		Proportion of a household category in all non-poor households	
	Rural	Urban	Rural	Urban	Rural	Urban
1987 -88						
SC	55.22	47.07	24.72	17.63	16.30	9.17
Others	39.45	28.82	60.65	76.70	75.74	87.59
All India	44.86	31.62	100	100	100	100
1993-94						
SC	49.04	42.35	28.24	21.65	18.34	19.84
Others	32.96	23.91	56.74	73.87	72.14	86.10
All India	38.46	26.89	100	100	100	100

Source: "Counting the poor", Sarvekshana analytical report No.1, Dept. of Statistics, Government of India

Occupational Categories

3.10 The wide gap in economic status between the general population and SCs will be evident from the following table:

Table 2
Occupational Classification of Scheduled Castes

	1961			1991		
	Genl.	SC	ST	Genl.	SC	ST
Cultivators	52.78	37.76	68.18	39.74	25.44	54.50
Agri. Labourers	16.71	34.48	19.71	19.66	49.06	32.69
Household Industry	6.38	6.56	2.47	2.56	2.41	1.04
Other workers	24.13	21.20	9.64	38.04	23.08	11.76

Sources: M/o Agriculture

3.11 Since SCs have poor access to land the number of SCs as agricultural labourers was also high. Between 1961-1991 there was substantial decline in the percentage of cultivators among SCs, which implies that access of SCs to land for cultivation, whether owned land or operated land, has come down substantially. The increase in the percentage of SC agricultural labourers also shows that many SCs who owned land earlier (and some many have cultivated land as tenants) have lost them. Another noticeable feature that has emerged prominently in the last census report in the trend of occupational diversification that portrays the Scheduled Castes groups in a better position.

Table 3

Category	Total		Scheduled Castes	
	1991	2001	1991	2001
Cultivators	39.74	33.11	25.44	22.08
Agricultural labourers	19.66	20.29	49.06	39.16
Household Industry	02.56	03.90	02.41	03.71
Other workers	38.04	42.70	23.08	35.05

Source: Census of India 1991 & 2001,

Occupational pattern

3.12 Nearly three-fourth of Scheduled primarily depends on agriculture 25.4% as cultivation and 49% as agricultural laborers which makes them vulnerable to various forms of exploitation, such as bonded labourers, sending children to work, migrating to distant places in search of work etc. The holdings operated by SC accounted for 12.6 percent of the total number of holdings in the country in 1990-91 as against 12.4 percent in 1985-86, which indicates an increase of about 11.5 percent. While the are operated by the SC holding in 1990-91 increased by 4.2 percent over 1985-86. The SC operational holdings in terms of area gained more between 1985-86 and 1990-91 than the Scheduled Tribes.

Table 4

**Number of operational holdings and area operated in India by Social Groups
1985-86 and 1990-91**

S.No	Social Groups	Number of Holdings in Thousands			Area operated in thousands hectares		
		1985-86	1990-91	%age	1985-86	1990-91	%age
1.	Scheduled Castes	12041	13422	11.15	12639	13173	4.2
2.		(12.4)	(12.6)		(7.7)	(8.00)	
3.	All Social Groups	97155	106637	9.8	164562	165507	0.6
		(100.0)	(100.0)		(100.0)	(100.0)	

3.13 The proportion of marginal holdings was higher in case of SC in terms of numbers accounting for 72.2% in 1990-91 as against 70.7 percent in 1985-86 in the case of other size classes i.e. small semi-medium, medium, large holding, the proportion of SC holdings were lower to the corresponding holdings of STs. For instance, large holdings in case of SCs were only 0.6% in 1990-91 as against 2.1% of STs. This would indicate that the Scheduled Tribes were in a better position than the SC in terms of size of holdings.

3.14 The Scheduled Caste's share in marginal holdings was 15.3% in 1986. This percentage in social group 'other' was 78.8 in 1990-91 as against 79.2 percent in 1985-86. This proportion decreased with the increase in the size of holdings for SCs. In case of others, the percentage to the total in each major size class was ranging from 78.8 in marginal holdings to 84.2 percent in large holdings in 1990-91. The distribution of holding by all social groups in India for each major size classes in 1985-86 and 1990-91 may be seen (in table-4) The distribution of operated area by all social groups in India for major size classes in 1985-86 and 1990-91 may be seen in table 5. In the case of SC the largest proportion of 25.9 percent was found in case of marginal holdings followed by small holdings (22.8 percent) and the lowest was 10.0 percent in the case of large holding during 1990-91.

3.15 In the case of SC the operated area has increased from 12.64 million ha. in 1985-86 to 13.17 million ha. in 1990-91, On the other hand, the operated area for 'others' social groups had decreased from 134.69 million ha. in 1985-86 to 134.43 million ha. in 1990-91. The average size of holding it was 0.35 ha. For the SC and 0.39 ha. for 'others' social groups. Further during 1990-91, the average size of holding in case of SC for small, semi-medium, medium holding remained static and declined in marginal (0.35ha.) and increased in large size class (16.7ha.).

3.16 The distribution of SC operational holdings and area in India by major size classes for 1985-86 and 1990-91 reveals that out of 13.42 million SC operating holding accounted for 11.95 million 89.05% operating and area of 11.11 million ha. (84.37%) in 1990-91.

3.17 The average size of a holding in Marginal, small and Semi-medium, Medium and Large categories in 1995-96 0.40 ha., 1.42 ha., 2.73 ha., 5.84 ha. and respectively. Overall average per holdings works out to 1.41 ha.

Table 5

Distribution of operated area by All Social Groups in India for Major Size Classes, 1985-86 and 1990-91

S.No.	Major Size Classes	Social Groups							
		Scheduled Castes		Scheduled Tribes		Others		All Social Groups	
		1985-86	1990-91	1985-86	1990-91	1985-86	1990-91	1985-86	1990-91
1.	Marginal	3000 (23.7)	3409 (25.9)	1512 (8.8)	1839 (10.3)	17530 (13.0)	19646 (14.6)	22042 (13.4)	24894 (15.0)
2.	Small	27.13 (21.5)	3010 (22.8)	2563 (14.9)	2996 (16.7)	20432 (15.2)	22821 (17.0)	25708 (15.6)	28827 (17.4)
3.	Semi-medium	2878 (22.8)	2944 (22.4)	4225 (24.5)	4635 (25.9)	29563 (21.9)	30796 (22.9)	36666 (22.3)	38375 (23.2)
4.	Medium	2636 (20.8)	2492 (18.9)	5570 (32.3)	5550 (31.0)	38938 (28.9)	36710 (27.3)	47144 (28.6)	44752 (27.0)
5.	Large	1413 (11.2)	1319 (10.0)	3365 (19.5)	2888 (16.1)	28224 (21.0)	24452 (18.1)	33002 (20.1)	28659 (17.3)
	All size classes	12639 (11.2)	13173 (100.0)	17234 (100.0)	17909 (100.0)	134689 (100.0)	134425 (100.0)	164562 (100.0)	165507 (100.0)

3.18 During the year 1995-96 the average size of holding operated by Scheduled Castes was 0.91 ha. as against 1.41 ha. for all social groups. As cultivators, Scheduled Castes own small percentage of arable agricultural land as the following table would indicate:

Table 6

Social Group	No. of Holdings (in Lakh)			Area Operated (in lakh Heet)			Average land holding (in Heet)		
	1980-81	1985-86	1990-91	1980-81	1985-86	1990-91	1980-81	1985-86	1990-91
1	2	3	4	5	6	7	8	9	10
Scheduled Castes	100.52 (11.3)	120.41 (12.4)	134.22 (12.6)	115.22 (7.0)	126.39 (7.7)	131.73 (8.0)	1.15	1.05	0.98
Scheduled Tribes	68.54 (7.7)	76.48 (7.9)	86.70 (8.1)	167.04 (10.2)	172.34 (10.5)	179.09 (10.8)			
Others	719.77 (81.00)	774.66 (79.7)	845.45 (79.3)	1355.71 (82.8)	1346.89 (81.8)	1344.25 (81.2)	1.88	1.74	1.59
All Social Groups	888.83 (100.00)	971.55 (100.00)	971.55 (100.00)	1637.97 (100.00)	1645.62 (100.00)	1655.07 (100.00)	1.84	1.69	1.55

Source: NHRC Report on prevention of Atrocity against SCs.

3.19 As per data available, in 1990-91 Scheduled Castes oposted 8% of area and accounted for 12.6% of holdings in the country. The average size of their land holdings is 0.98 hectares. As against average size of 1.59 hectares. The following table would indicate the landless and the near landless together constitute 60% of SC household was extremely high in Punjab, Kerala, Bihar and Tamil Nadu.

Table 7

Percentage of Landless and Near Landless Households among SCs (Percentage total rural households)

State	Landless	Less than ½ Acre	Between ½ & 1 Acre	UP to 1 Acre	Landless up to 1 Acre	Landless	Less than ½ acre	Between ½ & 1 acre	UP to 1 acre	Landless up to 1 acre
1982					1992					
Andhra Pradesh	13.88	44.34	7.95	52.29	65.87	12.49	49.95	9.91	59.86	72.35
Assam	5.02	36.98	17.27	54.25	59.27	5.52	37.10	7.94	45.04	50.56
Bihar	35.58	69.78	9.76	79.54	89.24	19.73	62.62	6.15	68.77	88.50
Gujarat	23.86	44.69	6.38	51.22	75.06	18.09	34.11	4.22	38.88	56.42
Haryana	10.09	87.52	0.97	88.49	98.58	7.95	73.10	3.63	76.73	84.68
Him. Pradesh	6.01	34.71	9.96	44.67	50.73	7.09	22.67	5.37	28.04	35.13
J & K	0.66	41.56	3.58	45.14	45.80	4.00	34.37	7.91	42.28	46.28
Karnataka	14.52	38.41	8.51	46.92	61.44	10.69	32.60	2.67	35.27	45.96
Kerala	16.56	77.33	5.35	82.68	99.24	14.33	79.32	-	79.32	93.65
Madhya Pradesh	18.11	24.21	2.55	26.76	44.87	20.53	19.04	3.17	22.21	42.74
Maharashtra	26.39	33.42	3.38	36.80	63.19	24.31	32.13	2.99	35.12	59.43
Orissa	7.2	47.78	6.70	54.18	61.38	11.19	49.82	9.78	59.60	70.79
Punjab	6.01	56.84	2.96	89.50	95.81	6.7	85.57	1.43	87.00	93.78
Rajasthan	12.91	18.10	2.40	20.50	33.41	76.11	29.10	6.18	35.28	43.04
Tamil Nadu	14.5	61.66	7.48	69.14	83.64	19.21	57.4	9.82	67.03	86.24
U.P.	7.18	40.88	18.33	59.21	66.39	6.15	45.98	16.08	62.06	68.21
West Bengal	19.13	42.74	11.05	53.79	72.92	12.02	47.66	11.64	59.30	71.32
India	12.62	47.97	9.53	57.50	70.12	13.34	47.50	8.89	56.39	69.73

Source: NSS8 Land Holding Survey, 1986 and 1992

Condition of Self-employed Scheduled Castes

3.20 Due to poor access to resources occupational patterns shows grate disparity between SCs and Non SCs as will be evident from the table below:-

Table 8

Occupational Pattern-Scheduled Caste and Other (in percentage)

Occupational Category	1987-88		1993-94	
	SC	Other	SC	Other
RURAL				
Self-employed in agriculture	18.90	43.3	19.12	42.42
Self-employed in non-agriculture	11.0	13.8	10.32	13.89
Self-employed (total)	29.8	57.1	29.49	56.31
Agricultural wage labour	51.7	23.2	50.6	22.37
Non-agricultural wage labour	11.4	09.7	10.22	6.67
Rural wage labour total	63.1	31.1	60.28	29.14
Others	06.9	11.5	9.67	14.62
URBAN				
Self-employed	28.0	35.2	24.08	35.05
Regular wage/salaries	39.4	45.0	39.27	43.11
Casual labour	08.5	09.2	9.67	11.25
All	100	100	100	100

SC-Scheduled Castes; Others- Non-SC/ST

Source: NHRC: Report on Prevention of Atrocities Against SCs

Unemployment

3.21 The unemployment rate among SCs is much higher as compared to other workers and this position is true of the rate of underemployment as well as shown in the following table.

Table 9

Unemployment Rate (Percentage of Unemployed, Age 5 years and above)

Category/ Year	Male				Female			
	Usual Principal Status	Usual Principal & subsidiary status	Current Weekly status	Current Daily status	Usual Principal Status	Usual Principal & subsidiary status	Current Weekly status	Current Weekly status
Rural SC								
1993-94	0.90	0.60	1.909	4.30	1.30	0.10	0.10	2.00
1977-78	1.23	0.00	2.93	6.73	2.56	0.00	1.90	4.09
Others (Non SC/ST)								
1993-94	1.20	0.90	1.60	2.70	0.40	0.30	0.50	1.10
1977-78	1.57	0.00	2.15	3.90	1.53	0.00	0.97	0.97
Urban SC								
1993-94	2.60	2.40	3.30	4.90	1.00	0.90	1.20	1.70
1977-78	3.40	NA	NA	NA	NA	NA	NA	NA
Others (Non-SC/ST)								
1993-94	2.40	2.10	2.70	3.30	1.11	1.10	1.30	1.40
1977-78	3.30	NA	NA	NA	2.60	NA	NA	NA

SC-Scheduled Castes; Others- Non-SC/ST

Source: NHRC: Report on Prevention of Atrocities Against SCs.

Poverty

3.22 The consequence of higher incidence of wage labour and underemployment among SCs is increased level of poverty evidenced in their low level of income and consumption.

Table 10

Percentage of Persons Below Poverty Line
(Household type for Scheduled Caste and others)

Rural

Category	Self-employed Agri		Self-employed in Non-agri		Agri. Labour		Non-Agri Labour		Others		All	
	1987- 88	1993- 94	1987- 88	1993- 94	1987- 88	1993- 94	1987- 88	1993- 94	1987- 88	1993- 94	1987- 88	1993- 94
SC	41.21	27.71	41.6	38.19	59.77	60.00	46.49	41.44	29.98	29.00	50.07	48.14
Others	27.68	25.57	31.42	29.49	53.30	52.34	34.45	35.59	19.26	20.51	34.37	31.29

SC- Scheduled Castes; Others-Non-SC

Source: NHRC: Report on Prevention of Atrocities against SCs

Table 11

Percentage of Persons Below Poverty Line
(Household type for Scheduled Caste and others)

Urban

Category	Self-Employed Agri.		Self-employed in Non-agri		Casual Labour		Others		All	
	1987- 88	1993- 94	1987-88	1993-94	1987- 88	1993- 94	1987- 88	1993- 94	1987- 88	1993- 94
SC	61.48	54.60	43.69	35.28	73.45	69.48	56.84	45.00	56.84	49.90
Others	43.14	22.64	25.26	19.04	70.11	60.60	32.21	26.00	37.21	29.66

SC-Scheduled Castes; Others-Non-SC

Source: Based on Consumption Expenditure Survey NSSO, 1987-88 and 1993-94

Table 12
Percentage of total and SC population living below poverty line in
1993-94 and 1999-2000

Year	Total		Scheduled Castes	
	Rural	Urban	Rural	Urban
1993-94	38.20	39.09	48.11	49.48
1999-2000	27.09	23.62	36.62	38.47

3.23 The above table indicates a decline of poverty among all sections of the society including Scheduled Castes. The incident of urban povrty among the Scheduled Castes has witnessed a steep down slide.

3.24 According to a comprehensive study by Prof. K.Sundaram and S. Tendulkar based on NSSO Consumer Expenditure Survey for the 50th and 55th rounds by social category the following conclusions emerges:

1. Among the social groups, the scheduled castes and scheduled tribes population report levels of poverty well above average on all three indicators of prevalence, depth and severity of poverty in both years and in both rural and urban areas of the country. The other backward castes too suffer from above average levels of poverty, which are, nevertheless, much lower than the poverty levels among the SC and the ST population.
2. Among the economic groups, those dependent on casual daily wage labour in an environment of uncertain and fluctuating employment (agricultural labour households in rural India and casual labour households in urban India) report the highest levels of poverty in rural India.
3. The double disadvantage, of being an assetless casual wage labour household in the socially disadvantaged social groups of the SCs or the STs, accentuates the prevalence, depth and severity of poverty. Thus, agricultural labour households in the ST population have the highest headcount ratio (chosed to or above 60 percent) in both years studied in rural India. Similarly, casual labour households in the SC population in 1993-94 and in the ST population in 1999-2000 reported the highest HCR of 64 percent in urban India..
4. Given rural and urban poverty lines, rural poverty rates are, in general, higher than their comparable urban counterparts. Exceptions to this pattern are provided by casual labour households in all the social groups and by the self-employed among scheduled castes and in the (residual non-SC/ST) social group of others.
5. In terms of the composition of the poor population, in rural India, agricultural labour households accounted for 48 percent of the rural poor. Such households among the scheduled caste and scheduled tribe population accounted for more than a quarter of the total poor population in rural India in 1999-2000. In the same year, casual labour households accounted for 31 per cent of the poor population in urban India.
6. In terms of the rates of reduction of poverty indicator between 1993-94

and 1999-2000, among social groups, they were the lowest for the scheduled tribe population in rural India. In urban India however, this social group experienced a rise in all three poverty indicators. Our more disaggregated analysis by MoL categories, within each social group, helped us pinpoint the rise in poverty in the assetless (casual) wage-labour dependent households among the scheduled tribe population as the principal factor underlying a clearly worse-than-average performance in terms of poverty-reduction. It is therefore also indicated a clear worsening of the relative poverty situation of the scheduled tribe population in rural India, and even more so, in urban India. In contrast to the ST population scheduled caste households generally matched or even bettered the average rural/urban household in terms of percentage reduction in all three poverty indicators between 1993-94 and 1999-2000. In a large measure, this was facilitated by a better-than-average performance of agricultural labour households among them in rural India, and of the regular wage/salary earner households in the groups in urban India.

Table 13

Composition of total and Poor Population Located in Households Classified by Means of Livelihood Categories and Social-Group Affiliation: All-India Rural 1993-94 -1999 -2000

Category	1993-94			1999-2000		
	Percentage Share of the Household Type in		HCR	Percentage Share of the Household Type in		HCR
	Total Rural Population	Rural Poor Population		Total Rural Population	Rural Poor Population	
I Social groups						
Scheduled castes	21.10	28.19	45.69	20.43	27.10	38.38
Scheduled tribes	10.83	15.46	48.81	10.49	17.41	48.02
Others	68.07	56.35	28.30	69.08	55.49	23.23
All households	100.01	100.00	34.20	100.00	100.00	28.93
	(659,025)	(225,392)		(727,611)	(210,498)	
II Means of livelihood						
Self-employed in agriculture	42.40	32.33	29.58	37.78	28.25	21.62
Self-employed in non-agriculture	13.08	11.16	32.55	13.84	11.53	24.09
Agricultural labour	27.51	42.62	57.46	31.10	48.01	44.64
Other labour	7.49	7.84	39.10	7.40	7.12	27.79
Others	9.52	6.04	24.32	9.87	5.09	14.93

Source: Sundaram and Tendulkar; EPW Dec 13, 2003

Table 14

Composition of Total and Poor Population Located in Households Classified by Means of Livelihood Categories and Social-Group Affiliation: All-India Urban 1993-94 - 1999-2000

Category	1993-94 Percentage Share of the Household Type in			1999-2000 Percentage Share of the Household Type in		
	Total Urban Population	Urban Poor Population	HCR	Total Urban Population	Urban Poor Population	HCR
I Social groups						
Scheduled castes	13.85	22.48	42.85	14.38	23.57	37.84
Scheduled tribes	3.21	4.09	33.63	3.40	5.18	35.15
Others	82.94	73.43	23.39	82.22	71.26	20.01
All households	100.00	100.00	26.41	100.00	100.00	23.09
	(234,981)	(67,675)		(276,425)	(63,827)	
II Means of livelihood						
Self-employed	38.77	41.86	28.50	39.23	44.48	26.11
Regular wage/salaried workers	42.66	25.24	15.62	40.00	19.73	11.36
Casual labour	13.18	28.60	57.25	14.33	31.08	49.95
Others	5.39	4.30	21.05	6.44	4.71	16.85

Source: Sundaram and Tendulkar; EPW Dec 13, 2003

Gender disparity

3.25 Apart from adverse sex ratio, SC women suffer from double disadvantage: they have to share the economic burden of the family on equal terms with those of men and, in addition, the entire household burden as well. They get married early and experience frequent pregnancies. They have to shoulder the responsibility of collecting fuel wood and water, and, at times, even edible articles from long distances which drain their energy. Their hardship is even more pronounced because a large number of SC households are waded by due to either husband's desertion or his drunkenness. This places the entire burden of household running on women. Besides, as a major work force, SC women get less paid than their counter parts.

Human Development

3.26 In a study Bruce P. Corrie (*A Human Development Index for the Dalit Child in India-Kluwer Academic Publishers B.V*) has constructed a *Human Development Index* for the Dalit Child in India following the methodology used by UNDP (1990) to construct a human development index for the countries of the world. He has pointed out that Dalits of India including the untouchables, Harijan, Scheduled Castes, have continued to be a marginalized group despite measure to the contrary.

3.27 Amongst the indicators of amenities, the National Human Development Report 2001 gives dalits only in respect of electricity, water and toilet in respect of SCs viz-a-vis others as follows:

Table 15

Year/Group	Electricals connection (1991) (percentage)	Honshold without Electricity, Safe drinking water and Toilet (1991) (Percentage)
SCs		
Rural	21.84	32.14
Urban	56.32	9.62
combined	28.10	28.06
Others		
Rural	34.62	28.65
Urban	79.30	4.46
combined	48.06	21.37

Source: Planning Commission- National Human Development Report 2001.

3.28 Given the fact that majority of the poorest of the poor are members of SCs and STs, the above quantification of NHDR indicates the extent of deprivation of the SCs. The NDHR 2001 therefore, concludes *"In India, there is a considerable difference in the level of attainments of people of various aspects of well being, depending on their place of residence (i.e., whether the area is rural or urban), the sex of the person and the social group of the segment of the population (i.e. Scheduled Castes/Tribes and others) that the person belongs to. In general, most indicators show a lower level of attainments for women and for people residing in rural areas. The attainment levels for the Scheduled Castes and the Scheduled Tribes are also lower than other on the available indicators. This aspect of the development process has been captured both in the individual indicators, as well as in the composite indicates."*

Conclusion

3.29 From the available data on the economic status of the members of Scheduled Caste who constitute the majority of poorest of the poor population in the country, it appears that they not only lack the basic resources over a historically defined period but their access to such resources could not be augmented by the State despite specific provisions to the contrary. Triply disadvantaged as they are, socially, culturally and politically, the members of SCs and the poorer section among them, have failed to get the benefit of whatever economic development the people of India have so far gathered. The members of SCs do not have access to finance; they are limited by their education, their politically unassuming due to lack of initiative of the state to empower them. The implementation of Special Component Plan (SCP) and Special Central Assistance (SCA) have left so many gaps that the entire focus of such schemes are mostly lost. The NSCFDC and State SC Development Corporation routinely failed to disburse allocated funds as they are more concerned with their financial goals than the benefit of the targeted community. Perhaps, one cannot but agree with the academic opinion that *"Progressive legislation and constitutional safeguards have done little to rid the social order of the widespread evil of caste discrimination. As this paper argues, taboos imposed by tradition and belief still exert their stranglehold across most of India, impose social obligations and economic*

deprivation on several of those in the dalit category, and as borne out in surveys conducted across four Indian states" [Oppression and Denial – Dalit Discrimination in the 1990s; Sukhadeo Thorat ,Economic and Political Weekly (February 9, 2002). Fortunately, India was one amongst the original signatories of the UN Human Rights Declaration in 1948, which included guaranteed economic, social and politically rights as well; unfortunately, the Commission is constrained to conclude with pain that despite Article 14 of the Constitution and various enactments which still remains mostly on paper, the members of SCs have not yet been empowered enough to exert their human rights not only as a citizen of the country but also as the dignified and empowered members of any civil society.

Central Initiatives

Tenth Five Year Plan Approach

3.30 The 10th Five Year Plan (2002-07) defined the approach to be followed for implementation of programmes for welfare of socially disadvantage groups SCs. It developed a three-pronged strategy of empowering the socially disadvantaged groups as under:

Social Empowerment: through the removal of all the still existing inequalities, disparities and other persisting problems besides providing easy access to basic minimum service;

Economic Empowerment: Through employment-cum-income generation activities with an ultimate objective of making them economically independent and self reliant;

Social Justice: through elimination of all types of discrimination against the Socially Disadvantaged Groups with the strength of Constitutional commitments legislative support, affirmative action, awareness generation, concentration on target groups and change in the mind-set of people.

National level evaluation study on the implementation of Special Component Plan for Scheduled Castes

3.31 A National level sample study, on the implementation SCP was conducted by the erstwhile National Commission for Scheduled Castes and Scheduled Tribes during 2003 in 16 States and 3 Union Territories having SC population greater than or equal to 15% of the total State population and covering 26 Districts, 51 Blocks and 335 villages.

Summary of the Observations

3.32 Programmes aimed at providing socio-economic amenities and facilities such as pacca roads, electricity, irrigation, safe drinking water, schools, hostels and health sources etc. through schemes like Jawahar Rojgar Yojana (JRY) and Pradhan Mantri Gram Sadak Yojna (PMGSY) etc. are essential for the overall growth and development of the SC people.

3.33 The Commission's study revealed that nothing substantial has been done and that the daily wages employment programmes were not implemented properly in the States/UTs in the study sample villages. The situation is worse in the states of Bihar, Orissa, while it is in poor condition in Madhya Pradesh and Rajasthan. In other states

the infrastructural development is comparatively better than the condition existed in Bihar, Orissa, Madhya Pradesh and Rajasthan.

3.34 According to the Bihar sample study report only 36% of the sampled villages in Bihar were having Primary Schools, other villages do not have even primary school which is the basic need to have it for villages children education. Most of the villages do not have an access to health and medical facilities. There is no PHC in any of the sampled villages. While more than 50% of the villages have not been electrified, and in SC Basties only 5 villages have got electric connection of the sampled villages. However, all the villages have got hand-pumps, which provide safe drinking water to SC people.

3.35 In Orissa, the situation is still pathetic where none of the sampled villages are connected with metalled or all weather road. No school facilities or PHC have been started so far, in many villages. Some holds true of electrification of the villages as also of SC basties/hamlets in the State. Even safe drinking water is not provided in most of the villages leaving no option for the SCs than to use dug well/tank/pond or river water for drinking purposes. There is not villages level post office in any sampled villages. Infrastructure development programmes have also not been taken up seriously in West Bengal. PHC exists only in three villages and wells are still used as the main source of drinking water. About 13% of the villages (under study) do not have even primary schools.

3.36 Investigation in different States/UTs reveals that even after sizeable budgetary allocation and huge investments in the post independence period the basic amenities and facilities such as good roads, transport and communication network, facilities for Irrigation, safe drinking water, medical care etc. have not been created enough in the SCs dominated localities and villages. However, the situation varies from State to State and region to region. Despite of the fact that last more than 20 years or so SCP is being implemented by the State Governments and sizeable funds have been spent on the infrastructural development sector but the situation remained pathetic in the States/UTs.

Share of SCP outlay from state plan outlay

3.37 In all most all the States/UTs under study SCP policy norms in budget allocation of state governments have not been adhered to. As per policy norms, the SCP budget flow from state plan should be in proportion to the SC population in the total population of the respective States/UTs. But the study data reveals that the SCP budget, which varies from year to year in the States/UTs varied from 50% to 80% of due share the level of utilization of allocated funds remained poor. The delay in release of the budget was held mainly responsible for non-utilization of the budget, but it is not always being the case, because the situation have prevailed year after year, which show the lack of initiative by the implementation states departments.

3.38 In most of the states, sect oral allocation of funds in prime departments have not been found except a notional allocation which includes at State Level Plan. In priority sector in the Department of Rural Development, Housing, Agriculture Irrigation etc. support, supervision guidelines and finding would be made available by the Banks as per the statues of SHG and the business/activities may like to undertake by the group members.

Implementation of schemes

3.39 The study also revealed that the largest number of beneficiaries have been provided non-productive assets like Indira Awas Yojana or Housing Schemes. Productive assets such as improved breeds of buffaloes or dairy development programmes, diesel engine pump-sets or irrigation related schemes, land purchase scheme, goats & piggeries, trade/business, bullock or camel cart, rope making, fisheries, bidi making, horticulture, laundry, juice vendor etc. were taken up under SCP by varying economically sustainable.

3.40 Invariably, land based programmes linked with irrigation schemes have been found to be done exceedingly well. That is why, majority of the landless and small and marginal farmers are applying for such projects. Repayment of loans by such beneficiaries is not only regular (particularly in Karnataka) but are prompt as well. Other schemes (with a few exceptions such as laundry and juice vendors in Orissa etc.) are not viable or the programmes do not meet the specific needs. In fact, concerned officials have not conducted survey to identify people falling below the BPL and to find out as to which schemes could be successful in the specific areas. This fact has been reported from the states. That is why action plans have not been found relevant in any of the States/UTs under the study except Karnataka. Consequently, the Special Component Plan beneficiaries are not demanding programmes offering daily wages through the country. Self-help Groups have proved successful in many states. Hence, there is a strong need to increase the SC SHGs to improve the socio-economic conditions of the people in the country, where state has to invest very little except providing administrative support, supervision guidelines and funding would be made available by the Banks as per the status of SHG and the business/activities may like to under take by the group members.

Selection of beneficiaries

3.41 It has also been reported from different states that while selecting the beneficiaries, the prescribed procedure and norms have not been followed rigorously. The list of perspective beneficiaries is not prepared; rather one applied for the benefit on his own and runs around the departments concerned to get the programme sanctioned. In Uttar Pradesh only 35.5% of the total beneficiaries belong to BPL group and better-off families have received higher proportion of durable productive assets and higher amount of loan. In Tamil Nadu there are power elites among the SCs which remain the main beneficiaries of the development & reservation in services and posts cornered larger share of the benefits. In Orissa and as a matter of fact in all the states political interference has been widespread in selecting the beneficiaries who are to pay bribe to get the benefit. In Rajasthan 12.23% of the beneficiaries are falling under the income class of Rs. 30001 to 40,000. the annual income of 12.95 percent of the beneficiaries is more than Rs. 40,000; in one case the annual income was more than Rs. 90,000. The study reveals that the SCs are dependent primarily on agricultural work as a labourer for their subsistence. Most of them (83 out of 111 respondents) were marginal landholders (less than 2 acres). As the cultivation depends mainly on the rainfall, people have taken agriculture as their subsidiary occupation.

Education

3.42 The attitude of the SCs towards female education has not changed much, of course, situation varies from state to state. But present days they are becoming conscious towards educating their children. Majority of the respondents from all the states, except Bihar & Orissa, wish to educate their children up to 12th standard and if situation favours and children so desire, they would send their children for higher studies also. Their attitude towards child marriage is also changing gradually. It is also important to note that in most of the States/UTs officials concerned at district and below levels are not aware of the SCP concept and programmes. Even those who know about the policy provisions regarding budgetary allocation for SCP. All most all the States/UTs reported that budget is not released in time, many departments received budget in the last quarter of the year from the Finance Departments. When budget allocation is slashed, it is generally the SCP that bears the brunt.

Utilisation of the benefits

3.43 There are two broad categories of reasons reported for under utilization or non-utilisation of the benefits: In the first category assets were either sold or reported stolen, broken or died. The factors under second category were related to the policy aspects of the programmes implementation. Under SCP there are schemes, which have only subsidy component with non provision of financing them through the banks. For instance, Karyasala (workshop) and blasting for deepening of wells have only subsidy component of Rs. 6000/- and the rest of the needed amount has to be managed by the beneficiaries on their own. The benefits received are also not properly utilized or managed in the absence of support and follow up by the departments concerned certain amount schemes remain utilized also because full amount has not been released to beneficiaries by the Banks

Sustainability

3.44 A general opinion prevailing in all the States/UTs is that the land linked with irrigation facilities have been most successful programme in augmenting in the income of the beneficiaries. There are other schemes also which have been found sustainable in specific area such as laundry and juice vendors in Orissa and sheep and goats in Rajasthan. But most of the schemes are not economically viable. All the States/UTs hold that to make the schemes/programmes under the Special Component Plan sustainable, action plans must suit to the needs and demands of the area/locality but it has not been done by the departments/agencies concerned and hence programmes under the SCP has not been able to make a significant roll on the economic development of the SC people. Indira Awas Yojana is not an income-generating schemes but once any beneficiary is benefited under the scheme he/she is no longer likely to be benefited covered under any other programme. In Rajasthan, a comparison of incomes of beneficiaries before and after launching SCP, reveals hardly any change in the income levels of he beneficiaries.

3.45 It has also been noticed that beneficiaries were forced to devoted several working days and spend substantial amount of money on travel to obtain benefits. It has also been reported that to please the official including bankers beneficiaries have to pay commission sometimes through agents, to get benefits sanctioned and loan disbursed. Data showed that some of the beneficiaries have spent more than Rs. 1500/- on travel and loss of several working days. But no attempt seems to have been made to rectify the problems like elimination of middleman role, complex

unnecessary formalities, frequent travels by the people beneficiaries to the offices of the department concerned and bank and even government servant guarantee for obtaining bank loans under the NSFDC schemes.

Insufficiency of loan component

3.46 It has also been reported that banks do not sanction the loan amount as claimed by the beneficiaries and that the subsidy component is discriminating in nature. The highest slab of subsidy amount for tribals was Rs. 10,000/- and for SCs Rs. 6,000/- (observed in Rajasthan) but when this fact was noticed the matter was immediately taken up with the State Government by the State office of the Commission and the subsidy amount was also increased to Rs. 10,000/- for SCs for the year 2002-2003. Banks accede to the view that they intend to disburse minimum amount of loan to the beneficiaries, but they do not consider the loan component insufficient. Bank argue that beneficiaries over estimate the cost of the project and misutilise the loan and become defaulters. Regarding the problem of the disbursement of loan, the study revealed that in many cases, total amount of loan was not disbursed. The situation is not only true of the banks but also of SCDC. In Rajasthan, some of the beneficiaries under 'Karyasala' (shade for workshop) have not received second and third installments (total amount is disbursed in three installments of 40%, 30%, 30%) and in some cases the last installment has not been released for last two years or so.

Awareness of SCP beneficiaries

3.47 The findings of the study revealed that the respondents in almost all the States/UTs are not fully aware of the development programmes being implemented in their respective States. They are totally ignorant about the SCP. Those who are aware about different programmes reported only about Indira Awas Yojana or Housing schemes. Hardly, a few of them know about income generating schemes being implemented in the area or in the State.

3.48 "Gram Sabha" are either not held in the villages if held the participation of the villagers on them is very poor and holds good in such villages and area also where Sarpanch, Block Pradhan and Zila Pramukh belong to SC community. In Uttar Pradesh and Rajasthan the elected representatives have not played their effective role in implementation and propagating SCP schemes to the SC people in these states.

3.49 Seats for SCs in Panchayati Raj bodies, State Assemblies and Parliament have been reserved for them with the objective that the elected representatives would take care of the interests of the country. In Practice, however, it is not been realized. Respondents consider most of them as self-centered who instead serving the interests of the community, takes care of their own close relations. Accordingly, it was stressed that only genuine beneficiaries need to be selected and benefits should be extended by the development departments.

Programmes suggested by SCP beneficiaries

3.50 Substantial proportion of SCs (42.45%) consider programmes offering regular daily wages as best-suited. While providing response into the questions as to why preferred daily wage opportunities are preferred over asset-oriented programmes, absence of adequate support from the departments concerned to the unit-based programmes emerged as the main reason. Another explanation is that they do not intend to misutilise the loan and subsidy, as is often alleged by the bankers and the concerned officials. They find it difficult also to manage and utilize the assets in absence of proper monitoring.

marketing and financial help. Dairy and animal husbandry programmes have proved to be non-sustainable during the drought years. Dairy also suffers if the climate does not suit to the animals. Even, a small Grocery or Kirana Shop of any kind in the village is also not considered a remunerative occupation because, it requires more money to run the shop in addition to the financial assistance received from the government under the programme. Moreover, rural transaction take place primarily on credit basis which poor SC shopkeepers cannot afford to extend for a long period. They also cannot stand in the competition with the higher caste established shopkeepers in the villages. Keeping all these factors into account, SCs showed preference for the daily wage employment programmes. They have also emphasized on the programmes related to irrigation facilities and land to landless.

Programme suggested by the officials and bankers

3.51 In this respect government officials in Rajasthan have suggested revival of group based diesel pumpset program. In general, the officials concerned and bankers have suggested that economically viable schemes with assured market base, should be implemented to enable beneficiaries to repay the loan easily.

Role of development agencies/Departments

3.52 The nodal agencies in the States Scheduled Castes Development Corporation (SCDC) manages the Special Central Assistance (SCA) and work as promoter, catalyst and guarantor of the development of SCs in the respective States/UTs. It also mobilizes resources from the sectoral departments of Agriculture, Horticulture, Rural Development, Small Scale Industries (SSI), Forest, Dairy, Cooperative, Soil Conservation, Poultry, and Sheep & Wool etc.

3.53 The Project Managers (SCDC) have expressed that they do not have power to formulate local level planning as to what schemes would be remunerative and sustainable in their district. The district level authorities/departments get only targets to be achieved under different schemes, which are fixed at the State level or by the Central Government Agencies like NSFDC.

3.54 The study reveals that development, as perceived by administration, is nothing but fulfillment of the physical targets of the beneficiaries under different schemes/programmes and to utilize the subsidy being released by the Government of India. One Project Director (DRDA) responded "Illiteracy and unawareness on the one hand.

The suggestions and recommendation

3.55 Some of the Salient features of the Study and resultant observations/recommendation of the Study are given below:

- I District administration must administer the programmes properly in whether it is question of the selection of beneficiaries, or the programme are being faced in getting the loans disbursement or making of the produce, officers must provide adequate integrated support services to the beneficiaries. This will strengthen their monitoring mechanism also. They must not restrict themselves only up to achieving the targets.
- II There is a strong need of creating awareness about SCP amongst all the concerned/potential beneficiaries, officials and elected members of the Panchayati Raj Institutions through the workshops, training programme and camps in the villages and Mass Media.

- III. Daily Wages oriented programmes must be given priority and should be continued throughout the lean period in rural areas. If they get assured opportunity of earning through daily wages, they can save some amount to invest in order economic generating activities of their choice that may officer some of the family members self-employment. Alternatively, they may move to the nearest urban centres to start new economic activities at their own.
- IV. Wherever cultivable land is available, it must be distributed amongst the landless SCs or land purchase schemes as per Karnataka Pattern may be adopted in all the State Government of India, and the international agencies like World Bank etc, have considered land as an essential component of socio-economic life. It adds social dignity; help in getting loan and of course a perennial source to earn subsistence.

Performance of Major Programmes during 2003-04 and 2004-05

3.56 During 2003-04, the performance in respect of Low Income Group (LIG) Houses, Distribution of Surplus Lands, Slums Improvement, ST Families Assisted, Immunisation of Children, Scheduled Caste Families Assisted, Pumpsets Energised, ICDS Blocks Operational, Economically Weaker Sections (EWS) Houses and Anganwadis, was rated as "Very Good" as the achievement were 90% or more of the target fixed in respect of these items. The performance was graded "Good" in respect of Tree Plantation on Private Lands, Bio Gas Plants and Indira Awaas Yojana as the achievement was above 80% but below 90%. However, in respect of Area Covered (Under Plantation):Public & Forest Lands, Drinking Water Supply (Villages/Habitations Covered), Community Health Centres, Villages Electrified, and Primary Health Centres the performances was rated as "Poor" as the achievement were below 80%.

Sampoorna Gramin Rozgar Yojana (SGRY)

3.57 The Sampoorna Gramin Rozgar Yojana (SGRY) was launched in September, 2001 with the objective of providing food security and additional wage employment to the rural wage earners while creating durable community and infrastructural assets in the countryside. The SGRY is available for the rural unemployed willing to take up work in and around their villages or habitations. The scheme has two components viz., (i) foodgrains and (ii) cash. The foodgrains are provided every year, free of cost, to the State Government / Union Territory Administration. The cash component is utilised to meet wages and material costs. The cash component is shared between Centre and the State in the ratio of 75:25. Under SGRY 7523.57 lakh mandays of employment were generated during the year 2003-2004. During the period April 2004-November 2004, 4287.16% lakh mandays of employment were generated under this scheme.

Distribution of Surplus Land

3.58 This involves enforcing land ceiling on agricultural land holdings. The surplus land is distributed among landless agricultural workers and small land holders. The availability of surplus land to be distributed under the scheme is becoming increasingly difficult. During the year 2003-2004, 24,040 acres of surplus land was distributed against the target of 17,635 acres showing progress of 136%. During the period April – November 2004, the distribution of surplus land was limited to 12070 acres which was 111% of the target of 10867 acres.

Clean Drinking Water

3.59 This programme includes schemes to provide safe drinking water to villages, assist local communities in maintaining the water sources in good condition, and ensure supply of drinking water to Scheduled Castes and Scheduled Tribes habitations. During 2003-2004, 40,843 villages/habitations were covered as against the target of 111,051. During the period April-November 2004, 28,893 villages/habitations were covered against the target of 40,999 villages/habitations, which was 70% of the target.

Integrated Child Development Service (ICDS) and Anganwadis

3.60 During 2003-2004, against the target of 5,132 ICDS Blocks Operational (Cumulative) during the period April-November, 2004 was 5,652, while the achievement was 5,418, which was 96% of target. The target for Anganwadis Operational (Cumulative) for 2003-2004 was 6,72,978 and the achievement was 6,40,821 which was 95% of target. The target for the period April-November 2004, was 7,43,173 number of Anganwadis Operational (Cumulative), and the achievement was 6,97,279 which was 94% of target.

Justice to Scheduled Caste and Scheduled Tribes

3.61 The Scheduled Caste population accounts for 16% of the country's total population. The strategy evolved for their Upliftment includes: (i) special component Plan for the States and central ministries, (ii) special central assistance, and (iii) assistance through the Scheduled Caste Corporations in the State. During the year 2003-04, against the target of 24 lakh Scheduled Caste families to be assisted, 25.59 lakh Scheduled Caste families were assisted, which was 107% of the target. The target for the period April 2004- November, 2004 was to assist 13.7 lakh number of families and the achievement was 9.23 lakh number of families, which was 67% of target.

Indira Awaas Yojana (IAY)

3.62 The objective of IAY is to help in construction of dwelling units for members of Scheduled Caste and Scheduled Tribes freed bonded labourers and also for non-Scheduled Castes/Scheduled Tribes, and rural poor below the poverty-line, by providing them with grant-in-aid. During the year 2003-04, 11.98 lakh houses were constructed against the target of 14.85 lakh houses, which was 81% of target. During the period April- November, 2004, 6.22 lakh houses were constructed against the target of 8.07 lakh, achieving 77% of target.

Economically Weaker Sections

3.63 The Scheme is mainly for Scheduled Castes Scheduled Tribes and people below poverty line, in urban areas. During the year 2003-04, 58,241 number of houses were to be constructed, against which the achievement was 58,161 number, which was almost 100% of targets. The target for the period April- November, 2004, was to construct 25,963 houses, against which the achievement was construction of 31,609 houses, constituting almost 122% of target.

Low Income Group (LIG) Houses

3.64 The objective of this scheme is to provide housing units to persons belonging to Low Income Group in Urban Areas. During the year 2003-04, against the target of construction of 6,847 number of LIG Houses, the corresponding achievement was 12,834 which was 187% of targets. During the period April- November, 2004, against

the target of construction of 8,761 number of LIG Houses the achievement was 12,336 which was 141% of targets.

Improvement of Urban Slums

3.65 The scheme of Environmental Improvement of Urban Slums (EIUS) provides a package of basis services to improve the environment prevailing in the slums by providing minimum civic facilities, viz., drinking water, community bath room, street lighting, sewers, storm water drains, street paving etc. During the year 2003-04, against the target of coverage of 36.70 lakh population, 49.96 lakh population was covered under slums improvement. In terms of percentage, it was 136% of target. The target for the period April-November, 2004, was to cover 26.85 lakh population, against which the coverage achieved was for 28.26 lakh population which was 105% of target.

Village Electrification

3.66 village would be declared as electrified if (i) basic infrastructure such as Distribution Transformer and Distribution lines are provided in the inhabited locality as well as the Dalit Basti/hamlet where it exists. The Electricity is a basic input for economic development. The rural electrification rural electrification not only help in increasing productivity of agriculture and villages industries but also improves the quality of life of a rural people During the year 2003-04, against the target of 24,011 villages to be electrified, the achievement was 5,475 villages, which was 23% of target. The target for the period April-November, 2004 was electrification of 10,807 villages, while the achievement was 3,176 villages (29% of target).

Table 16
All India performance of Twenty Point Programme

Sl. No.	Point No.	Item	Unit	2002-2003			2003-2004			Apr., 2004 – Nov., 2004		
				Target	Achievement	%	Target	Achievement	%	Target	Achievement	%
1	11A	Scheduled Caste Families assisted	000 Nos	2357.5	2304.6	97.8	2400.0	2559.4	106.6	1369.8	922.8	67.4
2	14C	Indira Awas Yojana	000 Nos.	1314.4	1101.7	83.8	1484.6	1198.1	80.7	807.2	621.9	77.0
3	14D	EWS Houses Provided	000 Nos	96.6	68.3	70.7	58.2	58.2	100.0	26.0	31.6	121.5
4	14E	LIG Houses	000 Nos.	27.4	15.6	56.7	6.8	12.8	188.2	8.7	12.3	141.4
5	15	Slum Improvement (Population)	000 Nos	5428.3	6344.9	116.9	3670.5	4996.1	136.1	2685.4	2826.0	105.2

Source : Annual Report, 2004-05, M/o. Statistics & Programme Implementation.

Role of Financial Institutions

Access to Institutional Finance

3.67 Finance is one of the critical constraints in the development of income generating programmes for Scheduled Castes. Public Sector Bank, National Scheduled Castes/Finance and Development Corporation (NSFDC) at the Central level, Scheduled Castes Development Corporation at the State Level and the Cooperative Societies are main agencies catering to the financial needs of the Schedule Castes. Empowering members of SCs "How to Catch Fish" must necessarily border on the major question how has he been endowed with access to

institutional finance to make his schemes successful. There is a lot of cynicism and mindset about the reality at field level where brokers and agents dupe the beneficiaries in connivance with Bank Officials. Absence of resources, therefore, further reinforce the vicious poverty trap for members of SCs as they remain poor because they are poor. The big push that was required under SCP and SCA remained mostly on paper and the financial requirements of our Banking System and over-cautions approach of Banks had disappointed the potential beneficiaries if not depriving them of their due.

3.68 It has been a well accepted fact that one of the top most priority areas for the welfare and upliftment of SCs is their economic development as it is through the economic upliftment only that these down trodden communities can be integrated into the mainstream. However, it is a sad commentary on the system that inspite of the too much attention and a host of schemes formulated by the Government for this purpose, the result have not been commensurate with the efforts made in this direction with the result that a larger chunk of this population is still well below the poverty line. One particular organ that can play and has played a very big and meaningful role in this context is the Banking Industry but it is an irony that the results from the Banks too have not been up to the expectation of all concerned.

RBI Guidelines

3.69 The Reserve Bank of India has issued a comprehensive guideline vide its circular no SP.BC.2/09.9.01/2005-6 dated July, 05 which has clarified various problems faced by the bankers and loan seekers which the Lending Policy of the government does not allow soft loans to SCs at concessional rates for various ventures, there are enough leg room for self-supporting financial ventures for SC entrepreneurs to compete on equal footing with their general counterparts provided they have access to funds under SCAs and SCPs which are specifically focused for their welfare. The comprehensive guidelines are given below:

Credit Facilities to Scheduled Castes

1. Flow of Credit to SCs
2. Special emphasis has been given to the welfare of the Scheduled Castes Banks should take the following measures to step up their advances to SCs.

Planning Process

- (a) At the block level, a certain weight age is to be given to Scheduled Castes in the Planning process. Accordingly, the credit planning should be weighted in favour of Scheduled Castes and special bankable schemes suited to members of these communities should be drawn up to ensure their participation in such schemes and larger flow of credit to them for self employment. It will be necessary for the banks to consider loan proposals of these communities with utmost sympathy and understanding.
- (b) The District Level Consultative Committees formed under the Lead Bank Scheme should continue to be the principal mechanism of co-ordination between banks and development agencies.

- (c) The district credit plans formulated by the lead banks should be elaborated to indicate clearly the linkage of credit with employment and development schemes.
- (d) Banks will have to establish closer liaison with the District Industries Centres, which have been set up in different districts for promoting self-employment.
- (e) Banks should periodically review their lending procedures and policies to see that loans are sanctioned in time, are adequate and production-oriented and that they generate incremental income to make them self-liquidating.
- (f) Credit planning should be weighted in favour of Scheduled Castes and special bankable schemes suited to members of these communities should be drawn up to ensure a larger flow of credit to them for self-employment. Loan proposals of these communities should be considered sympathetically and expeditiously.
- (g) While 'adopting' villages for intensive lending, villages with sizeable population of these communities may be specially chosen; the alternative of adopting specific localities (bastis) in the concerned villages which have a concentration of these communities could also be considered.
- (h) Special efforts should be made to evolve suitable bankable schemes for weaker section including members of these communities.

Role of Banks

- (i) Bank staff may help the poor borrowers in filling up the forms and complete other formalities so that they are able to get credit facility within a stipulated period from the date of receipt of applications.
- (j) In order to encourage SC borrowers to take advantage of credit facilities, greater awareness among them about various schemes formulated by bank will have to be created. As a majority of the eligible borrowers would be illiterate persons, publicity through brochures, other literature, etc. will be of limited utility. The more desirable method would be for the field staff of banks to contact such borrowers and explain to them the salient features of the schemes as also the advantage that will accrue. Banks should advise their branches to organize meetings more frequently exclusively for SC beneficiaries to understand their credit needs and to incorporate the same in the credit plan.
- (k) Bank should keep Application Register/Deposit Register/Complaint Register in desired order and maintain relevant documents and pass book in local language too, besides in Hindi and English.
- (l) Circulars issued by RBI/NABARD should be circulated among the staff for compliance.
- (m) Banks should not insist on deposits while considering loan applications under Government sponsored poverty alleviation schemes/self-employment programmes from borrowers belonging to SCs. It

should also be ensured that applicable subsidy is not held back while releasing the loan component till the full repayment of bank dues. Non release subsidy upfront amounts to under-financing and hampers asset creation/income generation

- (n) A National SC Finance and Development Corporation has been set up under the administrative control of Ministry of Welfare. Banks should advise their branches/controlling offices to render all the necessary institutional support to enable the institution to achieve the desired objectives.
- (o) Advances sanctioned to State sponsored organization of SCs for the specific purpose of purchase and supply of inputs to and/or the marketing of output of the beneficiaries viz. artisans, village and cottage industries of these organizations, should be treated as priority sector advances, subject to the condition that the relative advances are exclusively for the purpose of purchase and supply of inputs to and/or marketing of the outputs of beneficiaries of these organizations.

Role of SC Development Corporation

- (p) The Ministry of Welfare, Government of India has advised all State Government that the Scheduled Castes Development Corporation can consider bankable schemes I proposals for bank finance. As regards Collateral Security and 1st or third party guarantee for loans, guidelines issued to bank on priority sector lending will apply.

Rejection of applications

- (q) If applications in respect of SCs are to be rejected, it should be done at the next higher level instead of at the branch level. Further, reasons for rejection of application should be clearly indicated.

Centrally Sponsored Schemes

3.70 There are several major centrally sponsored schemes under which credit is provided by banks and subsidy is received through Government Agencies. Credit flow under these schemes is monitored by RBI. Under each of these, there is a significant reservation/relaxation for the members of the SC communities.

Reservations for SC beneficiaries under major Centrally Sponsored Schemes

Swarn jayanti Gram Swarozgar Yojana (SGSY)

- (r) Under Swarnjayanti Gram Swarozgar Yojana (SGSY) Scheme, which is a major poverty alleviation scheme in rural /semi urban areas, not less than 50% of the families assisted should belong to SCs/STs.

Prime Minister's Rozgar Yojana

- (s) The Prime Minister's Rozgar Yojana (PMRY) has been designed to provide credit to educated unemployed youth for setting up of the self-employment ventures in industries, services business sectors. A reservation of 22.5% has been provided for SCs/STs in the scheme

Swarna Jayanti Shahari Rozgar Yojana

- (t) Under Swarna Jayanti Shahari Rozgar Yojana (SJSRY), which is a poverty alleviation scheme in urban areas, advances should be extended to SCs/STs to the extent of their strength in the local population.

Differential Rate of Interest Scheme

- (u) Under the DRI scheme, banks provide finance upto Rs. 6500/- at a concessional rate of interest of 4% p.a to the weaker section of the community for engaging in productive and gainful activities. In order to ensure that persons belonging to SCs/STs also derive adequate benefit under the Differential Rate of Interest (DRI) scheme, banks have been advised to grant to eligible borrowers belonging to SCs such advances to the extent of not less than 2/5th (40%) of total DRI advances.

Scheme for Liberation and Rehabilitation of Scavengers

- (v) The National Scheme for Liberation and Rehabilitation of Scavengers is for liberating the scavengers and their dependents from the existing hereditary and obnoxious occupation of manually removing night soil and filth and to provide them with alternate dignified occupation. The scheme covers primarily all scavengers belonging to the Scheduled Castes community. Scavengers belonging to other communities are also eligible for assistance.

Relaxations for SC/ST beneficiaries under major centrally sponsored schemes

- (w) Under SGSY scheme, beneficiaries belonging to SC/ST are entitled to subsidy of 50% of the project cost with a maximum ceiling of Rs. 10,000/- as against the subsidy of 30% of project cost with a maximum ceiling of Rs. 7,500/- in case of beneficiaries under general category.
- (x) there is 10-years relaxation for the beneficiaries belonging to SCs/STs in the upper age limit to be eligible under PMRY (age limit for general category is 18-35 years)
- (y) Under the DRI Scheme the eligibility criteria that size of land holding should not exceed 1 acre of irrigated land and 2.5 acres of un irrigated land is not applicable to SCs. Moreover, members of SCs satisfying the income criteria of Rs. 7200/- under the scheme can also avail of housing loan up to Rs. 5000/- per beneficiaries at concessional rate of interest of 4% over and above the loan of Rs. 6000/- available under the scheme.

Monitoring and Review

- a) A Special cell should be set up at the Head Office for monitoring the flow of credit to SC beneficiaries. Apart from ensuring the implementation of the RBI guidelines, the cell would also be responsible for collection of relevant information/data from the branches, consolidation thereof and submission of the requisite returns to RBI and the government.

- b) Convenor Banks (of SLBC) should invite the representative of National Commission for SCs to SLBC meetings. Besides, the convener banks, may also invite representatives from National Scheduled Castes and Scheduled Tribes Financial Development Corporation, NSFDC and State Scheduled Castes and Scheduled Tribes Financial and Development Corporation (SCDC) to attend SLBC meetings.
- c) A periodical review should be made by the Head Office of banks of the credit extended to SCs on the basis of returns and other data received from the branches.
- d) The Board of Directors should review on quarterly basis, the measures taken to enhance the flow of credit to SC borrowers. The Review Notes, besides indicating the actual performance of the bank during the relevant quarter, should also contain information about how the bank proposes to expand the coverage of this sector in the context of potential for business and its network of branches with particular reference to such schemes as DRI, SGSY etc. The review should also consider the progress made in lending to these communities directly or through the State-level Scheduled Castes/Scheduled Tribes Corporation for various purposes based, amongst others, on field visits of the senior officers from the Head Office/Controlling Offices. A copy each of such review notes should be sent to Reserve Bank.

Reporting Requirements

3.71 It has been considered necessary to have data of bank's advances for SCs under priority sectors and Differential Rates of Interest (DRI) schemes separately. Accordingly banks may submit to RBI on half-yearly basis as on the last reporting Friday on March and September a statement showing the credit extended to SCs under priority sectors (Annexure-I). Further banks may submit to Reserve Bank on yearly basis as on the last reporting of March a statement showing the credit extended to SCs under DRI Scheme (Annexure-II). The statements should reach RBI within two months from the end of the relevant half-year/year.

Commercial Banks

3.72 Under priority sector guidelines, nationalized banks are required to provide at least 10% of their total finance to weaker sections, which include Scheduled Castes and Scheduled Tribes. Unfortunately, with the change in the focus of India's Monetary and Fiscal Policy in the Wake of Globalisation and Liberalisation, Nationalised Banks have shifted their focus for such social aspect of banking as financing small projects of SCs/Weaker Section who lack resources and are unable to furnish collaterals to cover their loans. Financial viability being the prime concern of Scheduled Commercial Banks, the flow of credit to SCs have reached rather a low of 2-3 percent of total lending by banks as confessed by most of the CMDs and MDS of Scheduled Commercial Banks. Except for chosen cases of micro-credit, lending to members of SCs have become abysmally low. The RBI reforms also include reduction of emphasis on the priority sector advances. The lending pattern of Banks has changed in a manner that the picture of its lending to members of Scheduled Castes and Scheduled Tribes would preset a pessimistic future. The amount of loan advanced to SC and ST borrowers in the priority sector, agriculture advances and advances to SSI is on an average much smaller when compared to other sections of the borrowers. Public Sector Banks are also advancing loan for Prime Minister's

Rozgar Yojana (PMRY) which has been in operation since October, 1993 for providing self employment to educated unemployed youth which envisages reservation for SCs/STs upto 22.5% of the total number of beneficiaries.

Hyderabad Conference on credit

3.73 The State Office, Hyderabad of the National Commission for Scheduled Castes convened a Conference of Executive Directors of Andhra Pradesh Scheduled Finance Corporation and Lead District Managers of Andhra Pradesh on 10th February, 2005. with a view to have detailed discussion on:

- a) Bottlenecks experienced in sanctioning Bank linked loans etc. to SC/STs;
- b) To estimate the gravity of the problem felt and explore the way to sort out the problems.
- c) Policy initiative, if any required to be introduced at State Level.

3.74 The Conference at Hyderabad was attended to by two Members and the Joint Secretary of the Commission, Chief Secretary to Govt. of Andhra Pradesh, Secreary of Social Welfare Department, Managing Director of Andhra bank, Managing Director of Scheduled Castes Finance Corporation, Managing Director of State Finance Corporation and top functionaries of financial institutions and training institutes. After detailed deliberations, it was agreed by all that if economic empowerment of Scheduled Castes to be reality, more emphasis is required to be laid on financial help from banks as well as Government agencies. Government agencies sanction the loans and SCs are not able to avail it as Bank stipulates for collateral security or guarantors. As Scheduled Castes are not able to provide this, grounding of scheme are not reaching treated figures. Close co-ordination of Government and Banks is also lacking. Commission, therefore recommends the following policy initiatives.

- a) DRI limits may be increased to Rs. One lakh as any small-scale enterprises will require a minimum of Rs. One lakh.
- b) A National Level Coordination Council may be set up for assisting SC Entrepreneurs both in Small and Large Scale Industries. To facilitate this, a bill may be introduced in the Parliament to give Statutory powers also to this Council to co-ordinate the functioning of SCDCs, NSFDC, Bank and other Financial Institutions.
- c) The Council should also have in its charter, duties such as Project Consultancy, Project Financing, Execution and Marketing assistance.
- d) SCP concept should be introduced in banking Sector also in extending Credit facilities.

National Schedule Castes Finance & Development Corporation

3.75 The National Scheduled Castes Finance & Development Corporation (NSFDC) was set up as a Company not for profit under Section 25 of the

Companies Act, 1956 with the objective of financing income generating activities of SC & ST beneficiaries living below double the poverty line limits (presently Rs. 40,000/- p.a. for Rural Area and Rs. 55000/- p.a. for Urban Areas.) An amount of Rs. 335.20 crores has been made available to the Corporation, as its equity share contribution, towards the authorized share capital of Rs. 1000.00 crores upto 31st March, 2005. National Scheduled Castes Finance & Corporation (NSFDC) provides concessional finance for setting up of self-employment projects and skill training grant to unemployed SC persons living below double the poverty line. The NSFDC was set up as a Company 'not for profit' under Section 25 of the Companies Act, 1956 with the objective of financing income generating activities of SC and ST beneficiaries living below double the poverty line limits (presently Rs. 40,000/- p.a. for Rural Areas and Rs. 55,000 p.a. for Urban Areas).

Table17

Approved outlay for the Xth Plan (Rs. In crores); 125.10 crore and physical target for the Xth Plan 261920

Year	Target	Achievement		Reasons of shortfall, if any
		Number	%age	
2002-03	69,500	79,988	115.09%	No shortfall
2003-04	45,360	78,863	173.86%	Mp shortfall
2004-05	39,360	5,805	-	-

Table18

Financial Achievements

(A) Target for Xth Plan

(B) Achievements during Xth Plan

Rs. 125.10 Crore

Rs. 25.10 Crore

Year	Outlay (Rs. Crore)	RE (Rs. Crore)	Exp. Rs. Crore)	Achievement in % of Exp. To RE	Reasons of Shortfall
2002-03	15.10	15.10	15.10	100%	-
2003-04	15.10	10.10	10.10	100%	-
2004-05	15.10	15.10	-	-	-

3.76 While there are a large number of deficiencies in the operation of the schemes, it could be observed as in the past that there was substantial shortfall in the utilization of the assistance from NSFDC in respect of Andhra Pradesh, Bihar, Haryana, Madhya Pradesh, Maharashtra, Orissa, Rajasthan, Punjab, Tamilnadu, Uttar Pradesh and West Bengal. This clearly shows that even the meager amount allocated for development of Scheduled Castes through the National Corporation does not get utilized, which in turn highlights as much the poor absorptive

capacity of the delivery system as it does not lac of concern and interest on the part of the State Governments.

National Safai Karamcharies Finance Development Corporation

3.77 NSKFDC was set up on 24th January 1997 under section 25 of the Companies Act, 1956, by the Government of India to act as an apex Institution for all round socio-economic upliftment of the Safai Karamcharies and their dependents and to extend concessional financial assistance to the beneficiaries for establishment of income generating a viable project. The authorized share capital of the company is Rs. 200.00 crores. Out lay for the Xth Plan: 120.00 crores

Table19
Physical performance

Year	Target	Achievement		Reasons of Shortfall, if any
		Number	%age	
2002-03	-	25809	-	-
2003-04	18646	6870	37%	No. of beneficiaries assisted under the scheme up to Rs. 1.00 lakh is yet to be informed by the SCA.
2004-05	-	279	-	-

Table20
Financial Achievements

Year	Outlay	RE	Exp	Achievement %age of Exp. To RE	Reasons of shortfall, if any
2002-03	20.00	20.00	20.00	100%	-
2003-04	20.00	10.00	10.00	100%	-
2004-05	20.00	20.00	-	-	-

Grant in aid for the welfare of Scheduled Castes

3.78 The scheme provide assistance to voluntary organizations for welfare of Scheduled Castes, especially in the area of education and training of Scheduled Castes beneficiaries to enrich and upgrade their skill for undertaking various income activities on their own or get gainfully employed in some sectors.

Table21
Financial Achievements
Target for Xth Plan Rs. 150.00 Crore

Year	Outlay	RE	Exp	Achievement %age of Exp. To RE	Reasons of shortfall, if any
2002-03	25.00	24.00	24.00	100%	-
2003-04	25.00	24.00	24.00	100%	-
2004-05	25.00	-	-	-	-

Table 22
Physical Achievement

Year	Target	Achievement		Reasons of Shortfall, if any
		Number	%age	
2002-03	-	64938	-	-
2003-04	-	60464	-	-
2004-05	-	-	-	-

State Scheduled Castes Development Corporations

3.79 These Corporations with equity participation of the Central and State Governments in the ratio of 49:51 were set up for identifying eligible Scheduled Caste families and to provide them financial assistance and subsidy for income generating activities. The analysis made by the National Commission for SCs and STs in respect of the Scheduled Castes Development Corporation of Punjab, Haryana, Bihar, Karnataka, West Bengal and Assam showed large gaps between targets set and the loans sanctioned and disbursed. In some cases, there was diversion of funds towards administrative expenditure. Some States did not even release funds to the Corporation for carrying on activities. Political apathy is clearly the explanation for the neglected state of implementation of such an important programme which constitutes the mainstay of efforts for achieving improvement in economic conditions of poor SC households.

Ministry of Urban Development

The Urban Self Employment Programme (USEP)

3.80 The salient features of this component are: -

- (i) Assistance to individual urban poor beneficiaries for setting up gainful self-employment ventures.
- (ii) Assistance to groups of urban poor women for setting up gainful self-employment ventures. This sub-scheme has been titled as "The Scheme for Development of Women and Children in the Urban Areas (DWCUA)".
- (iii) Training of beneficiaries, potential beneficiaries and other persons associated with the urban employment programme for upgradation and acquisition of vocational and entrepreneurial skills.
- (iv) Special attention is given to women, persons belonging to Scheduled Castes/Tribes, disabled persons and other such categories as may be indicated by the Government from time to time.
- (v) The percentage of women beneficiaries under this programme should not be less than 30%. All other conditions being equal, women beneficiaries belonging to women-headed household, viz., widows, divorcees, single women, or even households where women are the sole earners are ranked higher in priority. SCs and STs must be

benefited at least to the extent of the proportion of their strength in local population. A provision of 3% should be reserved for the disabled.

- (vi) There is no minimum educational qualification for beneficiaries under this programme. However, this scheme is not applicable to the persons educated beyond the IXth standard.
- (vii) A house-to-house survey for identification of genuine beneficiaries is prescribed. Non-economic parameters are also applied to the urban poor in addition to the economic criteria for the purpose of prioritization within the BPL.

3.81 The funds amounting to **Rs.553.03 Crore** remaining unspent in respect of Nehru Rozgar Yojana (NRY), Urban Basic Services for the Poor (UBSP) and the Prime Minister's Integrated Urban Poverty Eradication Programme (PMIUPEP) with various States/UTs as on 30.11.1997 were the opening balance for incurring expenditure under the new scheme. In addition, Central funds of **Rs.791.03 Crore** as detailed below have been released to the States/Uts for the implementation of SJSRY from 1.12.1997 to 31.12.2004.

Year	Rs. in Crore
1997-98	98.63
1998-99	158.47
1999-2000	118.77
2000-2001	85.13
2001-2002	38.31
2002-2003	100.91
2003-2004	100.74
2004-2005 (upto 31.12.2004)	90.07
Total	791.03

Physical & Financial Achievements under USEP & DWCUA Component

3.82 Based on the reports received from the States/UTs, the Physical and Financial Achievements under USEP & DWCUA Components of SJSRY are as under:

Financial Achievements (up to 31.12.2004)

- (i). Amount of subsidy sanctioned and disbursed to beneficiaries for setting up micro enterprises under USEP Rs. 23219.11 Lakhs
- (ii). Amount of subsidy sanctioned and disbursed to DWCUA Groups for setting up joint employment units. Rs. 7,765.77 Lakhs
- (iii). Amount of assistance given to Thrift & Credit Societies as revolving Fund. Rs. 7,779.59 Lakhs
- (iv). Amount spent on Training & Infrastructure. Rs. 11,066.96 Lakhs

Physical Achievements (up to 31.12.2004)

(i).	Number of beneficiaries assisted to set up Micro-enterprises.	560137
(ii).	Number of DWCUA Groups formed	36329
(iii).	Number of women beneficiaries assisted (under DWCUA Groups) to set up joint self-employment ventures.	113196
(iv).	Number of persons trained/undergoing training for skill-upgradation	674423
(v).	Number of Thrift & Credit Societies formed.	126384

Physical & Financial Achievements under UWEP & Community Structure Component

3.83 Based on the reports received from the States/UTs, the Physical and Financial Achievements under UWEP & Community Structure Component of SJSRY during 2004-05 are as under:

(i)	Expenditure reported under UWEP	Rs. 64724.20 Lakhs
(ii)	Expenditure reported under Community Structure Component	Rs. 11458.78 Lakhs

Physical Achievements (upto 31.12.2004)

(i).	Number of mandays of work generated from the completed/ongoing works under UWEP.	525.58 lakhs
(ii).	Number of beneficiaries covered (cumulative progress) under Community Structure Component	325.09 lakhs

Urban Self Employment Programmes (USEP)

3.84 Under USEP, annual target of 80000 self-employment under USEP/DWCUA (Sub.) sub component has been fixed during the Tenth Plan. Similarly, 1,00,000 persons are to be given skill development training annually under USEP (Training) sub-component. Since 1.12.1997, a total of 2,51,192 women have been assisted to set up self-employment ventures (1,37,996 under USEP subsidy sub-component and 1,13,196 under DWCUA subsidy sub-component). Also a total of 2,50,054 women have been given skill training. During short span of time in 2001-02, Central Subsidy of Rs. 73.56 crore was released under this scheme to various States/UTs for construction of 27271 dwelling units and 4605 toilet seats.

3.85 In his address to the nation on the 15th August, 2002, the then Hon'ble Prime Minister announced that VAMBAY scheme had become highly popular in a short time and the scheme would support construction of over one lakh slum-houses in the year 2002-03. Central Subsidy of Rs. 218.35 crore was released during 2002-03 under this scheme for construction of 110388 dwelling units and 21488 toilet seats. This also included release of Rs.26.37 crore to Govt. of Gujarat on 7th May, 2002 for repairing/reconstruction of partially/completely-damaged houses of the riot victims. During the financial year 2003-04, Central subsidy to the extent of Rs.238.55 Crore

was released for construction of 1,08,376 dwelling units and 3170 toilet seats. In the current financial year, 2004-05, out of the total allocation of Rs. 280.58 crore, a sum of Rs. 223.66 crore has been released till 31.12.2004, for construction of 1,06,136 dwelling units and 20,139 toilet seats. Thus, Central Subsidy of Rs. 752.92 crore has so far been released under VAMBAY since its inception, for construction of 3,50,084 dwelling units and 49,312 toilet seats.

National Slum Development Programme

3.86 The National Slum Development Programme (NSDP) was inaugurated and launched by the Prime Minister in August, 1996 at Kanpur in (U.P.). Under National Slum Development Programme, Additional Central Assistance (ACA) is being released to the States/UTs for the development of urban slums. The objective of this programme is upgradation of urban slums by providing physical amenities like water supply, storm water drains, community bath, widening and paving of existing lanes, sewers, community latrines, street lights etc. Besides, the funds under NSDP can be used for provision of community infrastructure and social amenities like pre school education, non formal education adult education, maternity, child health and primary health care including immunization etc. The programme also has a component of shelter upgradation or construction of new houses.

3.87 Under the programme, funds in the form of Additional Central Assistance (ACA) are allocated by the Planning Commission annually on the basis of slum population of the State/UT. While the Ministry of Finance releases the funds to the States under this Programme, the Ministry of Home Affairs releases the funds to Union Territories. The States release the funds to the Implementing Agencies as per their requirements. The Ministry of Urban Employment & Poverty Alleviation has been nominated as the Nodal Ministry to monitor the progress of the programme in respect of States. During the years 1996-97 to 2003-2004, a total amount of Rs. 2475.85 crores was released to the States and UTs under this programme as indicated below:-

Table 23

Sl. No.	Year	Amount Released. (Rs. in crores.)
1	1996-97	250.01
2.	1997-98	290.99
3.	1998-99	351.63
4.	1999-2000	384.96
5	2000-2001	247.34
6	2001-2002	282.40
7	2002-2003	333.44
8	2003-2004	335.08
Total		2475.85

3.88 For the year 2004-2005, an amount of Rs. 700.00 crores has been allocated by the Planning Commission, out of this an amount of Rs. 295.41 crore has been released to the States up to 3-1-2005. As reported by the States/UTs, since the inception of the programme and upto 3-1-2005 out of the total funds of Rs. 2771.27 crore released by

the Central Government, an amount of Rs. 1983.25 crore has been spent and about 4.01 crores of slum dwellers have benefited from this programme.

National Scheme of Liberation and Rehabilitation of Scavengers and Their Dependents

3.89 The Scheme was launched in 1991-92 with the objective of providing financial assistance to scavengers handling night soil and filth manually for their training and rehabilitation in the alternative occupations. As a consequence of Hon'ble Prime Minister's announcement on Independence Day, 2002 regarding total abolition of Manual Scavenging by 2007, it was decided to ensure convergence of different Schemes on the subject handled by different Ministries. Accordingly the National Scheme of Liberation and Rehabilitation of Scavengers and Their Dependents (NSLRS) was transferred to the Department of Urban Employment and Poverty Alleviation (now M/o Urban Employment and Poverty Alleviation) in the last financial year.

3.90 Under the Scheme, assistance is provided for training in the institutes run by the Government, local bodies and NGOs. The training is given for a maximum duration of 6 months. Stipend @ Rs.200/- to Rs. 500/- is provided depending upon the training institute. Cost of raw materials, allowance for tool kit, etc. are covered under the scheme. Apart from assistance for training, the scavengers are assisted for taking up alternate projects costing upto Rs 50,000/-. This is funded through 50% subsidy subject to a ceiling of Rs. 10,000/-, 15% of the project cost as margin money loan which is shared between the central and State Governments in the ratio of 49:51, and the rest is provided as loan. The entire subsidy is provided by Government of India as 100% grant. This margin money is provided by the State Schedule Caste Development Corporation at a concessional rate of interest of 4%. Banks provide the loan component under their priority sector lending. The NSKFDC is also now providing loans. Since inception of the Scheme in 1991-92, Rs 749.97 crore have been released for assisting 1, 69,549 scavengers for training and 4, 39,071 for rehabilitation upto 31-12-2004. The physical and financial performance of the scheme since 1997-98 is given below:-

Table 24

Year	Central Assistance Released		No. of Scavengers Assisted for
	(Rs. In crore)	Training	Rehabilitation
1997-98	90.00	15476	32771
1998-99	5.90	7981	37122
1999-2000	70.00	7184	27283
2000-01	60.92	5063	24740
2001-02	9.20	15277	25954
2002-03	40.95	6266	12559
2003-04	24.27	1365#	10929#
2004-05	13.56 (till 31-12-2004)	SS	SS

Information from some of the States/UTs are yet to be received.
 SS To be received from the States/UTs.

Integrated Low Cost Sanitation Scheme

Commencement of the Scheme

3.91 The Centrally sponsored scheme for Urban Low Cost Sanitation was initiated in 1981 by the Ministry of Home Affairs and later implemented through the Ministry of Social Justice and Empowerment. From 1989-90, it came to be operated through the then Ministry of Urban Development and Poverty Alleviation. It is now being implemented by Ministry of Urban Employment and Poverty Alleviation since 2003-04.

Outlay for 2004-2005 = Rs.30.00 crores.

Releases to HUDCO = Rs.20 crores upto 31.12.2004.

Bilateral Assistance for Slum Improvement Projects

DFID-UK Assisted Projects

3.92 The Department for International Development (DFID) of the Government of UK is supporting Slum Improvement Projects in different Indian cities, in collaboration with this Ministry. The programme started in 1983 in Hyderabad (Andhra Pradesh). Since 1988, further projects have been approved for implementation at Visakhapatnam, Vijayawada (Andhra Pradesh), Indore (Madhya Pradesh), Kolkata (West Bengal), Cuttack (Orissa) and Kochi (Kerala). The projects at Hyderabad, Visakhapatnam, Vijayawada, Indore, Kolkata and Cuttack have been completed. DFID has approved an ambitious project for the Government of Andhra Pradesh covering 42 Class-I towns of the State at a total cost of Rs.745 crores. Another project for West Bengal titled "Kolkata Urban Services for the Poor" has also been approved. The projects entail not only development of physical infrastructure and provision of civic amenities but also community development and provision of social, economic and education inputs which assist in raising the standard of living of the inhabitants of slum areas. The Ministry of Urban Employment & Poverty Alleviation monitors the progress of these slum improvement projects. Besides, Urban Poverty Group of the British High Commission also monitors them regularly on behalf of DFID. Brief details of on-going two projects are as under:-

a) Andhra Pradesh Urban Services for the Poor (APUSP)

Objectives: - This project is intended to bring about more effective urban poverty reduction through the convergence and developing existing poverty alleviation schemes in three programme areas viz. economic, environmental and social. The project will introduce a number of carefully selected innovations in each of the three programme areas to meet identified gaps and opportunities. There are following three components in the project:-

- (a) Municipal Reforms
- (b) Environmental Infrastructure
- (c) Working with civil society.

Cost of the Project: - The estimated cost of the project is Rs. 745.39 crore.
The budget comprises 71% financial aid and 29% technical assistance.

b) VAMBAY

Under the scheme, as on 31.12.2004, against total allocation of Rs.844.93 crores, Govt. of India subsidy Rs.749.87 crores has been released covering construction/upgradation of 349223 dwelling units and 49312 toilet seats. As per latest progress reports received upto 31.10.2004, 130353 dwelling units are completed & 46392 dwelling units are under progress and 20651 toilet seats are completed & 4782 toilet seats are under progress.

The current year's allocation of Govt. of India subsidy under VAMBAY is Rs.280.58 crores. Against the same, Govt. of India subsidy of Rs.223.66 crores has already been disbursed covering 105275 dwelling units and 20139 toilet seats.

During the current financial year 2004-05 (till 31.12.2004), a loan assistance of Rs.55.65 Crores has been sanctioned for 1833 beneficiaries and Rs.51.59 Crores has also been released.

Table 25
The Sector-wise details of urban infrastructure projects sanctioned by HUDCO
(Rs. In Crores)

Sector	No.	Project Cost	Loan Amount
Water Supply	9	1151.51	658.73
Sewerage/Drainage/Solid Waste Management	1	14.14	12.72
Transport & Roads/Bridges	10	1097.85	735.04
Commercial	12	589.19	218.03
Social Infrastructure	25	263.83	149.33
Miscellaneous	17	9244.84	1725.80
Total	74	12361.36	3499.65

Establishment of Adarsh Gram/Adarsh Basti

3.93 HUDCO continued its programme for development of Model Villages(Adarsh Gram) and Model Improved Slums (Adarsh Basti)for providing integrated inputs of physical planning, architectural design, efficient utilization of land and appropriate technologies ensuring user participation, use of innovative/renewable sources of energy etc., with a convergence mode in all the States and Union Territories. During the current financial year HUDCO has sanctioned 1 Model Basti at Sukantapalli, West Bengal with grant of Rs.35.00 Lacs. With these HUDCO cumulative sanctions upto 31.12.2004 is of 122 Model Village/Basti with total grant of Rs.4130.41 Lacs.

New Initiatives

Targeted Implementation of Community Toilets & Sanitation programme

3.94 HUDCO has recently formulated above scheme where community toilets can be proposed in busy market places, bus stands, Railway Stations, Schools, Institutes, Hospital, slums etc. The implementing agency can be any corporate sector NGO, CBO, Local Govt., State Govt. Institute etc. HUDCO will provide grant of 50% of total project cost or Rs. 20,000/WC whichever is less, after the agency invests their share in the project.

Special Component Plan (SCP) of the Ministry of Social Justice & Empowerment

3.95 Special Component Plan (SCP) for the development of Scheduled Castes is under implementation since the Sixth Five Year Plan. All the states, which have sizeable Scheduled Castes population and the Central Ministries, are expected to prepare SCP for the development of the Scheduled Castes. They have to identify schemes and programmes already under implementation or which can be implemented by the Department of to benefit the Scheduled Castes. The outlay for implementation of programmes for the Scheduled Castes should be in proportion to the population of the Scheduled Castes in the respective States. The State wise outlay and expenditure under SCP for the period under reference are not available. However all India actual expenditure (Annual Plan) for the years 1999-2000 to 2003-04 are given below:

Table 26

Special Component Plan (SCP) for Scheduled Castes

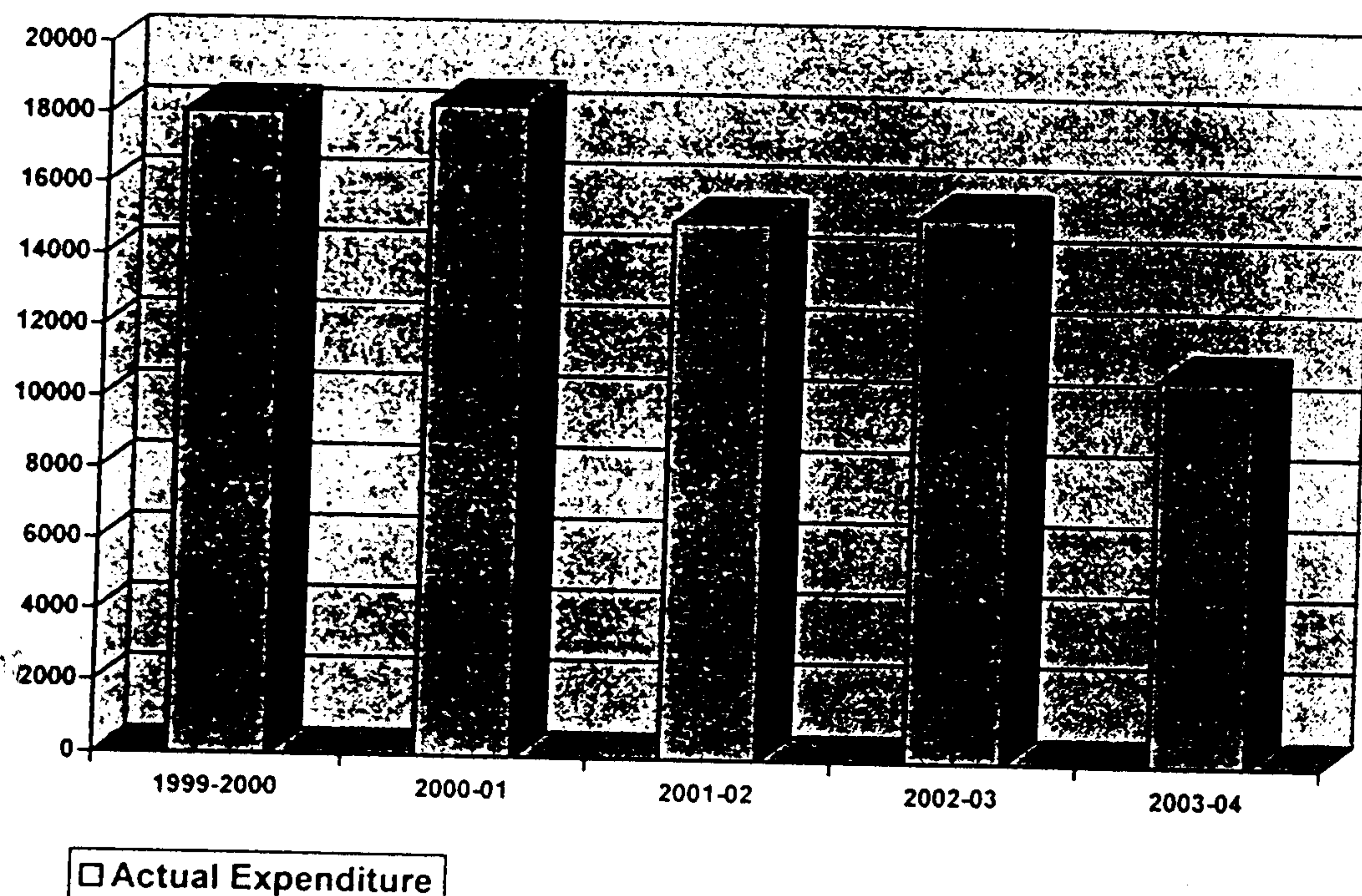
S. No.	Sector	Actual Exp. Annual Plan (1999-2000)	Actual Exp. Annual Plan (2000-01)	Actual Exp. Annual Plan (2001-02)	Actual Exp. Annual Plan (2002-03)	Actual Exp. Annual Plan (2003-04)
(1)	(2)	(3)	(4)	(5)	(6)	(7)
1.	Agriculture & allied activities	2774.30 (100.00)	2639.3	2826.64	3042.89	901.65
2.	Rural Development	586.56 (100.00)	403.14	943.10	1006.07	536.38
3.	Irrigation & Flood Control	1426.05 (100.00)	1461.12	1076.41	784.66	840.51
4.	Energy	114.17 (100.00)	182.37	407.85	132.81	-
5.	Industry and Minerals	213.90 (100.00)	273.78	115.97	198.10	67.75
6.	Transport	2176.41 (100.00)	2735.31	923.03	1430.10	4008.12
7.	General Services Eco.	7663.28 (100.00)	7776.10	6300.50	6610.04	6354.41
8.	Education and allied activities	4023.87 (100.00)	5233.18	4469.50	3504.10	888.03

9.	Health	805.78 (100.00)	904.85	948.55	1188.11	1027.24
10.	Water Supply, Sanitation, Housing & Urban Dev.	3703.11 (100.00)	2409.57	1414.62	1682.71	1788.32
11.	Information & Publicity	10.89 (100.00)	11.00	-	1.91	9.99
12.	Welfare of SCs/STs/OBCs : <u>Scheduled Castes</u>	158.45 158.45 (100.00)	272.31 196.31 (100.00)	303.17 233.17 (100.00)	419.13 334.13 (100.00)	249.92 164.92 (100.00)
	Economic betterment	11.04	12.15	13.75	13.02	-
	Award for inter- caste marriages	22.83	24.87	35.04	31.93	62.72
	Environment Improvement of SC Basties	44.03	31.40	44.71	70.97	92.18
	Book banks					
	PCR Act & Compensation	1.05	1.41	1.00	-	-
	Girls/Boys Hostels	12.28	5.06	4.94	5.88	5.02
	Pre-matric Scholarship to the children of those who are engaged in	-	-	14.13	111.81	-
	unclean occupations	-	4.74	17.33	-	-
	Pre-Exam. Coaching Centre					
	Electrification of SC houses	11.50	2.00	2.00	-	-
	Publicity campaign	-	-	0.38	2.00	-
	Proficiency in shorthand / typing	4.80	8.18	1.97	3.43	5.00
	Housing subsidy	2.14	1.80	0.61	1.76	-
	Technical Scholarship	26.98	51.10	97.31	93.33	-
		21.80	17.60	-	-	-
13.	Social Welfare & Nutrition	1699.10	1695.87	1623.30	1874.26	500.00
14.	General Services	-	-	-	10.00	13.00

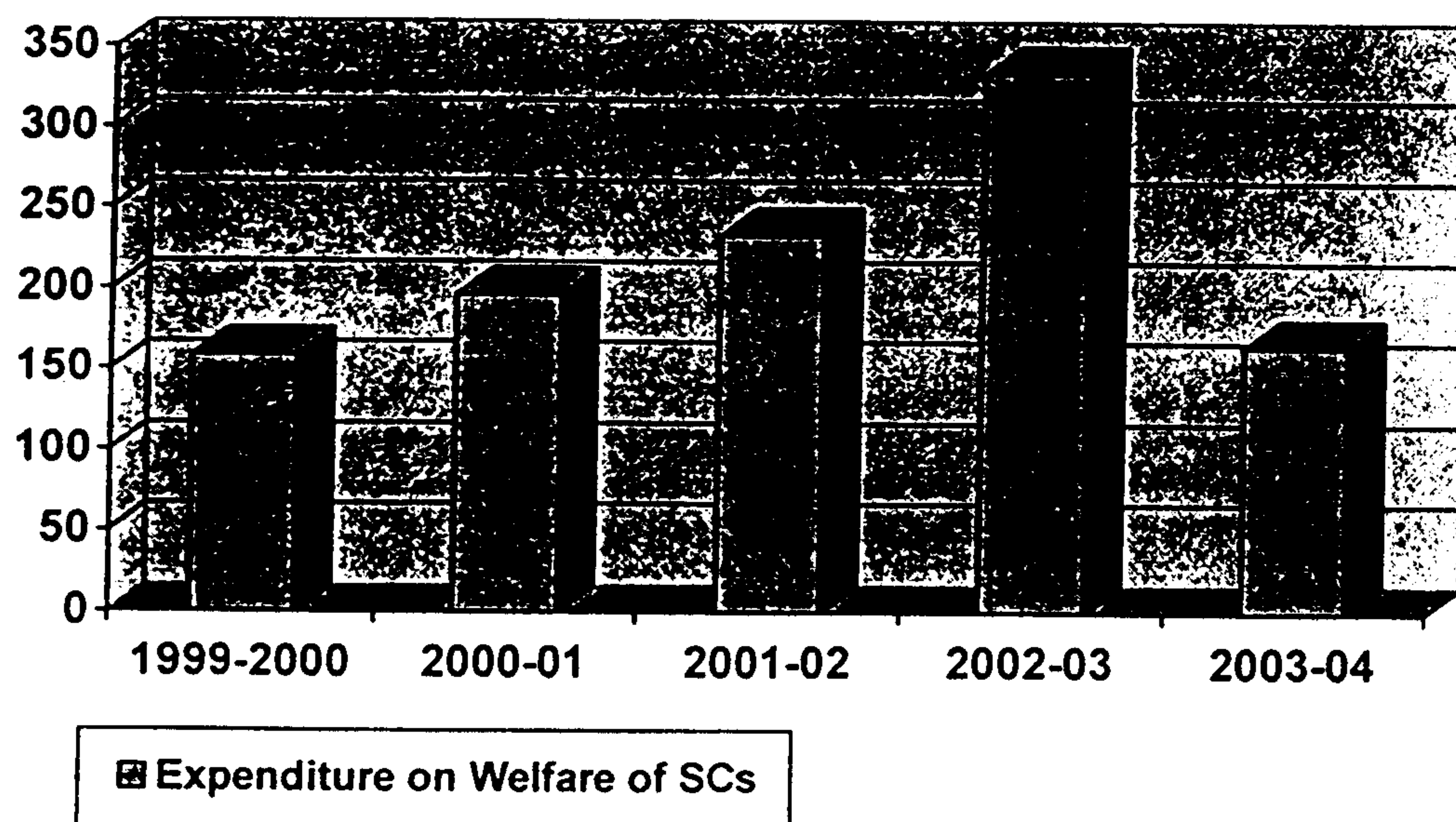
GRAND TOTAL :	18064.78 (100.00)	18302.88 (101.32)	15059.75 (83.37)	15280.26 (84.59)	10830.91 (59.96)
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Source: M/o. Social Justice & Empowerment.

3.96 It may be seen from the above that, in 2000-01 the total actual expenditure was highest during these five years mentioned above. The total expenditure in 1999-2000 was Rs. 18064.78 lakhs, which was increased to 101.32 % in 2000-01. But it declined to 83.37% in 2001-02 and increased to 84.59% but again declined to 59.96% in 2002-03 and 2003-04 respectively.



3.97 It may be seen from the above table that, the expenditure in economic betterment of SCs under Welfare of SCs & others Sector has increased from Rs. 11.04 lakhs (1999-2000) to Rs. 12.15 lakhs (2000-01) then again increased to Rs. 13.85 lakhs (2001-02) but declined to Rs. 13.02 lakhs in 2002-03. There was no expenditure in 2003-04. In sub-sector 'Environment improvement of SC basties there was an expenditure of Rs. 44.03 lakhs in 1999-2000, Rs. 31.40 lakhs in 2000-01, Rs. 44.71 lakhs in 2001-02, Rs. 70.97 lakhs in 2002-03 and Rs. 92.18 lakhs in 2003-04. Expenditures on Pre-matric Scholarship to the children of those who are engaged in unclean occupations were Rs. 40.74 lakhs in 2000-01 and Rs. 17.33 lakhs in 2001-02. There was no expenditure in 1999-2000, 2002-03 and 2003-04. An amount of Rs. 11.50 lakhs was spent in 1999-2000 and the same has been declined Rs. 2.00 lakhs each in 2000-01 and 2001-02. No expenditure was made in 2002-03 and 2003-04. The graph below shows the trend of expenditure for the welfare of SCs during the period of five years under reference:



3.98 It is very clear from the above graph that, the expenditure gradually increased from the year 1999-2000 to the year 2002-03 but declined sharply in the year 2003-04.

Table 27
Special Central Assistance

(Rs. in lakhs)

S. No.	Sector	Actual Exp. Annual Plan (1999-2000)	Actual Exp. Annual Plan (2000-01)	Actual Exp. Annual Plan (2001-02)	Actual Exp. Annual Plan (2002-03)	Actual Exp. Annual Plan (2003-04)
(1)	(2)	(3)	(4)	(5)	(6)	(7)
1.	Agriculture	30.16	35.13	42.13	43.99	40.52
2.	Horticulture	16.27	16.31	20.99	21.23	20.66
3.	Animal Husbandry	15.00	15.00	14.35	17.74	20.50
4.	Fisheries	7.00	7.00	5.85	5.80	4.80
5.	Cooperation	6.00	6.13	2.77	3.17	3.20
6.	Village & Small Scale Industries	28.46	48.16	51.10	23.00	23.00
7.	H.P. SCs/STs Dev. Corporation	180.00	270.00	218.93	278.96	195.00
8.	SC Dev. Machinery	33.25	32.83	30.57	35.08	41.19
GRAND TOTAL :		316.14	431.22	386.69	428.97	348.87

Schemes of Rural Development Ministry

Table28
Financial Performance of All States Under A Programme – 2003-04 under SGRY-I

(Rs. in lakhs)

Total Funds	Total Expenditure	% Exp. to Av. Funds	% Cent. Rel. to Cent. Allocation	% State Rel. to State Allocation	Balance funds
345,456.10	302,121.29	87.46	100.10	90.57	43,334.81

1. Details of Food grains released, Lifted and Utilized under Special Component Plan for 2003-04 and 2004-05.

Table29

(Rs. in lakhs)

Year	Food released grains	Utilised	Lakh Mandays Generated
2003-04	6583740	5405245	7551.83
2004-05	1741736	256120	266.92

2. Financial performance under Sampoorna Grameen Rozgar Yojana(SGRY-I) during 2003-04 and 2004-05.

Table30

Year	Opening balance as on	Allocation (Rs. in lakhs)		Total	Fund Utilized	Exp. On SC/ST	%age on SC/ST
		Centre	State				
2003-04	76963.72	205995.00	68599.66	274594.66	299876.52 (83.85%)	84104.31*	28.05
2004-05	N.A.	449525.00	149584.55	599109.55	288437.01	N.A.	24.26

* Separate exp. for SC is not available.

Table31

Physical performance under Sampoorna Grameen Rozgar Yojana(SGRY-I) during 2003-04 and 2004-05.

Year	Mandays Generated (In lakhs mandays)		SC %age	Works completed (in number)		Percentage SC
	Total	SC		Total	SC/ST	
2003-04	4463.43	1413.69	31.67	866056	385207*	44.48
2004-05	4254.87	1501.18	35.28	676052	156112*	23.09

* Separate figure for SC is not available.

Table32

3. Financial performance under Sampoorna Grameen Rozgar Yojana(SGRY-I) during 2003-04 and 2004-05.

Year	Opening balance as on	Allocation (Rs. in lakhs)		Total	Fund Utilized	Exp. On SC/ST	%age on SC/ST
		Centre	State				
2003-04	76963.72	205995.00	68599.66	274594.66	299876.52 (83.85%)	84104.31*	28.05
2004-05	N.A.	449525.00	149584.55	599109.55	288437.01	N.A.	24.26

* Separate exp. for SC is not available.

Table33

4. Employment Generated (Lakh Mandays)- 2003-04 under SGRY-I

(Rs. in lakhs)

Total target	Total Achievement	Achievement under SC
N.A.	4,463.91	1,413.70 (31.67%)

5. Financial performance of All States Under A Programme- 2003-04 under SGRY-II

Table34

Total Funds	Total Expenditure	% Exp. to Av. Funds	% Cent. Rel. to Cent. Allocation	% State Rel. to State Allocation	Balance funds
327,111.03	298,270.21	91.18	99.94	92.31	28,840.82

6. Financial performance under Sampoorna Grameen Rozgar Yojana(SGRY- II) during 2003-04 and 2004-05.

Table35

Year	Opening balance as on	Allocation (Rs. in lakhs)		Total	Fund Utilized	Exp. On SC/ST	%age on SC/ST
		Centre	State				
2003-04	57595.05	206030.00	68555.50	274585.50	295898.22	129452.82	43.75
2004-05	N.A.	449525.00	149584.55	599109.55	288437.01	N.A.	24.26

- Separate figure for SC is not available.

Table36

7. Members of SHGs Assisted(Nos.) under SGSY scheme for 2003-04

Total target	Total Achievement	% Ach. To Target	Achievement of SC
N.A.	575,907.00	N.A.	120,350.00 (20.90%)

8. Total Swarozgaris Assisted (Nos.) under SGSY for 2003-04

Table37

Total target	Total Achievement	% Ach. To Target	Achievement of SC
N.A.	575,907.00	N.A.	120,350.00 (30.75%)

9. DRDA Administration- 2003-04 & 2004-05

Table38

(Rs. in lalks)

Year	Total Funds	Total Expenditure	% Exp. to Av. Funds	% Cent. Rel. to Cent. Allocation	% State Rel. to State Allocation	Balance funds
2003-04	22,714.57	1,893.94	8.34	100.00	2.06	20,820.63
2004-05	23,739.67	2,143.34	9.03	100.79	0.00	21,596.33

10. I.A.Y.- 2003-04 and 2004-05
Table39

(Rs. in laks)

Year	Total Funds	Total Expenditure	% Exp. to Av. Funds	% Cent. Rel. to Cent. Allocation	% State Rel. to State Allocation	Balance funds
2003-04	293,797.06	258,009.41	87.82	100.03	99.93	35,787.65
2004-05	428,969.37	314,810.61	73.39	117.17	115.92	114,158.76

11. I.A.Y. (Dwelling Units)-2003-04
Table40

(In nos.)

Total Target	Total Achievement	% Ach. To Target	Achievement of SC
1,386,134.00	1,361,334.00	98.21	589,473.00 (43.30%)

12. PMGSY-2003-04

Table41

(Rs. in lakhs)

Total Funds	Total Expenditure	% Exp. to Av. Funds	% Cent. Rel. to Cent. Allocation	% State Rel. to State Allocation	Balance funds
228,826.00	182,134.00	79.59	101.47	N.A.	46,692.00

13. NFFWP -2004-05

Table42

(Rs. in lakhs)

Total Funds	Total Expenditure	% Exp. to Av. Funds	% Cent. Rel. to Cent. Allocation	% State Rel. to State Allocation	Balance funds
201,945.00	55,114.03	27.29	100.02	N.A.	146,830.97

Ministry of Labour & Employment

Employment Assistance to Special Categories

Scheduled Castes

3.99 Performance of Employment Exchanges in respect of Scheduled Caste/ Scheduled Tribe and Other Backward Class job-seekers during 2002 is indicated in Table below:

Year-wise performance of Employment Exchanges in respect of SC job-seekers

(in lakhs)

	2001	2002
SCHEDULED CASTE		
• Registration	7.60	7.28
• Placement	0.20	0.18
• Live Register	63.90	63.51

Salient features in respect of SC job-seekers are as under:

- Live Register of SC job-seekers has increased from 49.7 lakh in 1993 to 63.5 lakh in 2002, amounting to an increase of 27.8%.
- SC job-seekers was 15.4% of the total job-seekers on the live register at the end of year 2002.
- Placement of SC job-seekers has declined from 34.9 thousands in 1993 to 17.1 thousands in 2002.

Special Coaching Scheme for SCs

Salient features

- A Special Coaching Scheme to prepare SC/ST candidates for competitive examinations/selection tests for Group 'C' posts is also being operated by DGE&T in Delhi and Ghaziabad.
- So far, 6313 SC/ST job-seekers have successfully completed coaching for clerical/stenographer posts in 21 phases. The 22nd phase of training is under implementation w.e.f. 1.7.04.
- The course is of 11 months' duration and the trainees are given stipend @ Rs.175/- per month besides free course books and limited stationery.
- Guided by the benefits derived from the above Special Coaching Scheme, the scheme has been extended to six more places at Kanpur, Kolkata, Bangalore, Hyderabad, Ranchi and Surat w.e.f. 1992.
- In nine phases of the extended scheme, 2021 SC/ST candidates have successfully completed the course. The tenth phase is in progress w.e.f. 01.07.2004.
- The scheme has further been extended to six more Centres at Guwahati, Imphal, Hissar, Jabalpur, Chennai and Thiruvananthapuram w.e.f. 1999 and 556 candidates have successfully completed the course in four phases. The fifth phase is in progress w.e.f. 01.07.2004.

Rehabilitation of Bonded Labour

3.100 The system of debt bondage in India is an outcome of certain categories involving certain economically exploited, helpless and weaker sections of the society. This system originated from the uneven social structure characterized by inequitable distribution of land and assets. It has been observed that very large number of identified and released bonded labourers belong to Scheduled Caste and Schedule

Tribes categories. In order to assist the State Government in their task of rehabilitation of released bonded labourers the Ministry of Labour launched a Centrally Sponsored Scheme on 50:50 basis since May, 1978 for rehabilitation of bonded labourers. The scheme has undergone a lot of qualitative changes from time to time and has been progressively liberalized. The rehabilitation assistance has since been enhanced to Rs. 20,000/- per bonded labourer w.e.f. May, 2000 and in case of Seven North Eastern State, 100% central assistance if they express their inability to provide their share.

Miscellaneous Activities not having Financial Implications

3.101 In addition to the implementation of schemes, like wasteland Development Programme, DPAP, DDP, the Ministry of RD monitors the progress of various Land Reforms measures like distribution of ceiling surplus land, bhoodan land and Government wasteland, alienation and restoration of tribal land etc. Since inception of the Programme till March, 2004, the total quantum of land declared surplus in the entire country is 73.36 lakh acres, out of which about 64.97 lakh acres have been taken possession of and 54.03 lakh acres have been distributed to 57.46 lakh beneficiaries of whom 36 percent belong to Scheduled Castes and 15 percent belong to Scheduled Tribes. An area of 8.70 lakh acres is involved in litigation.

SGRY

Table 43

State-wise Financial Performance of SGRY - I

Year: 2003-04

(Rs. in Lakhs)

State	Total Funds	Total Exp.	% Exp. To Av. Funds	% Cent. Rel. to Cent. Alloc.	% State Rel. to State Alloc.	Balance Funds
Andhra Pradesh	17,289.69	17,005.41	98.36	108.23	122.09	284.28
Arunachal Pradesh	1,001.49	523.30	52.25	130.21	72.83	478.19
Assam	21,477.61	19,324.61	89.98	100.12	0.00	2,153.00
Bihar	34,627.15	25,849.43	74.65	82.56	65.25	8,772.72
Chhattisgarh	10,257.01	9,689.53	94.47	107.30	107.30	567.48
Goa	16.99	7.32	43.08	59.98	21.76	9.67
Gujarat	6,932.97	8,358.85	120.57	101.13	72.66	-1,425.88
Haryana	3,677.35	3,622.60	98.51	111.78	111.78	54.75
Himachal Pradesh	2,766.53	1,630.10	58.92	111.20	110.77	1,136.43
J & K	10,627.62	2,437.45	22.94	740.51	218.31	8,190.17
Jharkhand	24,349.81	19,472.34	79.97	89.93	82.25	4,877.47
Karnataka	13,844.85	12,756.26	92.14	116.64	81.09	1,088.59
Kerala	7,265.45	5,568.49	76.64	120.14	94.76	1,696.96
Madhya Pradesh	17,907.95	18,354.51	102.49	104.61	110.70	-446.56
Maharashtra	24,232.94	2,3951.49	98.84	94.35	93.58	281.45
Manipur	1,174.60	559.79	47.66	83.67	82.28	614.81
Meghalaya	1,683.92	1,194.57	70.94	96.08	63.64	489.35
Mizoram	509.67	457.66	89.80	143.67	159.10	52.01
Nagaland	678.70	612.51	90.25	73.54	27.08	66.19

Orissa	20,502.24	19,650.88	95.85	101.01	139.00	851.36
Punjab	1,912.21	1,765.65	92.34	114.54	100.83	146.56
Rajasthan	10,837.75	11,557.58	106.64	108.96	126.52	-719.83
Sikkim	668.36	393.00	58.80	134.98	104.94	275.36
Tamil Nadu	15,662.77	17,107.43	109.22	118.88	119.56	-1,444.66
Tripura	3,814.02	3,409.40	89.39	112.09	161.63	404.62
Uttar Pradesh	63,738.93	57,768.46	90.63	86.91	96.25	5,907.47
Uttaranchal	4,608.32	3,699.69	80.28	107.08	163.82	908.63
West Bengal	23,287.10	15,380.23	66.05	69.04	62.68	7,906.87
A & N Island	34.93	NR	NA	60.00	NA	34.93
D & N Haveli	0.00	0.00	NA	0.00	NA	0.00
Daman & Diu	0.00	0.00	NA	0.00	NA	0.00
Lakshdweep	8.86	2.59	29.23	0.00	NA	6.27
Pondicherry	58.31	10.16	17.42	60.00	NA	48.15
NE States	31,008.37	26,474.84	85.38	101.03	27.98	4,533.53
Total	345,456.10	302,121.29	87.46	100.10	90.57	43,334.81

Note : NA : Not available

Source : Ministry of Rural Development.

Table 44

State-wise Physical Performance SGRY – I

Year: 2003-04 (Emp. Generated (Lakh Mandays))

State	Total Achievement	Share of Scheduled Caste in Total Achievement
Andhra Pradesh	227.45	53.61 (23.57)
Arunachal Pradesh	7.62	0.00 (0.00)
Assam	299.48	51.64 (17.24)
Bihar	264.27	131.05 (49.59)
Chhattisgarh	180.07	29.99 (16.65)
Gujarat	166.80	33.85 (20.29)
Haryana	32.31	20.36 (63.01)
Himachal Pradesh	19.17	7.79 (4.64)
J & K	27.69	0.00 (0.00)
Jharkhand	208.58	95.28 (45.68)
Karnataka	241.38	65.92 (27.31)
Kerala	55.40	17.15 (30.96)
Madhya Pradesh	247.75	68.11 (27.49)

Maharashtra	321.11	84.15 (26.21)
Manipur	7.29	0.47 (6.45)
Meghalaya	14.21	0.38 (2.67)
Mizoram	7.99	0.00 (0.00)
Nagaland	367.46	0.00 (0.00)
Orissa	316.34	81.57 (25.79)
Punjab	14.40	10.84 (75.28)
Rajasthan	146.78	54.20 (0.74)
Sikkim	4.59	0.74 (16.12)
Tamil Nadu	255.18	123.78 (46.68)
Tripura	76.38	14.96 (19.59)
Uttar Pradesh	684.49	369.36 (53.96)
Uttaranchal	45.99	14.76 (32.09)
West Bengal	213.59	83.62 (39.15)
A & N Island	---	---
D & N Haveli	---	---
Daman & Diu	---	---
Lakshdweep	0.01	0.00 (0.00)
Pondicherry	0.13	0.12 (92.31)
NE States	785.02	68.19 (8.69)
Total	4463.91	1413.70 (31.67)

Note : Figures in bracket indicate percentages to total.

Source : Ministry of Rural Development.

3.102 Under the SGRY – I Scheme, a total fund of Rs. 345,456.10 lakhs was made available for the entire country for the year 2003-04. The maximum share goes to Uttar Pradesh followed by Bihar, Karnataka, Maharashtra, West Bengal and so on. Out of total funds 87.46% could be utilised. The States of Gujarat, Tamil Nadu, Rajasthan and Madhya Pradesh spent more than available funds. The performance of Goa, J & K, Manipur, Lakshadweep and Pondicherry was very poor and these States/UTs could not utilise even the half of the funds made available. As a result a total sum of Rs. 43,334.81 lakhs remained unspent in the entire country, which is 12.5% of the total funds. Although, this percent is not huge, taking India as whole, the performances of some States/UTs is not satisfactory. These States/UTs need to improve the utilisation of funds made available to them.

Table 45

State-wise Financial Performance of SGRY – II

Year : 2003-04 (Rs. in Lakhs)

State	Total Funds	Total Exp.	% Exp. To Av. Funds	% Rel. Cent. to Alloc.	% State Rel. to State Alloc.	Balance Funds
Andhra Pradesh	18164.32	16959.97	93.37	109.76	135.93	1204.35
Arunachal Pradesh	1199.13	734.44	61.25	142.93	106.35	464.69
Assam	18899.23	22098.53	116.93	100.27	0.00	-3199.30
Bihar	30467.83	22743.98	74.65	79.49	64.99	7723.85
Chhattisgarh	8104.36	7116.31	87.81	117.48	117.48	988.05
Goa	168.86	104.27	61.75	60.00	137.88	64.59
Gujarat	8298.37	9554.40	115.14	113.25	75.69	1256.03
Haryana	3871.99	3820.33	98.67	113.18	113.62	51.66
Himachal Pradesh	2288.84	1626.34	71.06	117.15	125.12	662.50
J & K	2035.16	1757.85	86.37	117.07	106.74	277.31
Jharkhand	24534.39	20808.24	84.81	95.13	85.18	3726.15
Karnataka	13339.10	11992.65	89.91	121.01	79.81	1346.45
Kerala	6725.13	4496.65	66.86	116.87	64.09	2228.48
Madhya Pradesh	20089.78	20390.35	101.50	106.10	114.70	-300.57
Maharashtra	22887.43	23459.62	102.50	97.85	96.08	-572.19
Manipur	853.06	511.40	59.95	50.06	86.18	341.66
Meghalaya	1651.59	1522.38	92.18	88.22	61.35	129.21
Mizoram	485.71	344.02	70.83	150.00	107.95	141.69
Nagaland	715.16	558.04	78.03	79.16	27.52	157.12
Orissa	19843.32	18957.86	95.54	98.76	144.77	885.46
Punjab	4752.60	4289.94	90.27	115.18	98.23	462.66
Rajasthan	10807.37	10518.04	97.32	114.21	128.07	289.33
Sikkim	521.34	367.00	70.40	111.24	60.93	154.34
Tamil Nadu	15733.14	16495.10	104.84	123.87	114.41	-761.96
Tripura	2777.61	2549.81	91.80	110.00	119.45	227.80
Uttar Pradesh	60660.95	54094.67	89.18	92.24	96.12	6566.28
Uttaranchal	4880.65	3792.96	77.71	109.74	186.91	1087.69
West Bengal	22060.09	16489.76	74.75	87.04	78.84	5570.33
A & N Island	85.34	23.77	27.85	60.00	NA	61.57
D & N Haveli	41.13	NR	NA	60.00	NA	41.13
Daman & Diu	0.00	0.00	NA	0.00	NA	0.00
Lakshdweep	34.87	NR	NA	54.87	NA	34.87
Pondicherry	133.18	91.53	68.73	87.07	NA	41.65
NE States	27102.83	28685.62	105.84	99.22	24.03	-1582.79
Total	327111.03	298270.21	91.18	99.94	92.31	28840.82

Source: Ministry of Rural Development.

3.103 Under the SGRY – II Scheme, a total fund of Rs. 327,111.03 lakhs was made available for the entire country for the year 2003-04. The maximum share goes to Uttar Pradesh followed by Bihar, Jharkhand, Maharashtra, West Bengal and so on. Out of total funds 91.18% was utilised, which is more than SGRY – I scheme. The States of Assam, Madhya Pradesh, Maharashtra, Tamil Nadu and North Eastern States spent more than available funds. The performance of Goa, Kerala, Manipur, A & N Islands was not satisfactory and these States/UTs could utilise a little more than the half of the funds made available. As a result a total sum of Rs. 28840.82 lakhs remained unspent in the entire country, which is 8.8% of the total funds. Although, this percent is not huge, taking India as whole, the performances of some States/UTs is not satisfactory. These States/UTs need to improve the utilisation of funds made available to them.

Table 46
State-wise Physical Performance of SGSY

Year : 2003-04 Individual Swarozgaris Assisted (Nos.)

State	Total Achievement	Share of Scheduled Caste in Total Achievement
Andhra Pradesh	15384	0 (0.00)
Arunachal Pradesh	1007	0 (0.00)
Assam	802	180 (22.44)
Bihar	95388	33848 (35.48)
Chhattisgarh	17648	2831 (16.04)
Goa	305	32 (10.49)
Gujarat	15956	3053 (19.13)
Haryana	3689	1433 (38.85)
Himachal Pradesh	2195	782 (35.63)
J & K	4299	355 (8.26)
Jharkhand	36656	6253 (17.06)
Karnataka	5988	2173 (36.29)
Kerala	6326	0 (0.00)
Madhya Pradesh	6629	1657 (25.00)
Maharashtra	15165	5015 (33.07)
Meghalaya	805	2 (0.25)
Mizoram	54	0 (0.00)

Nagaland	1663	0 (0.00)
Orissa	17900	3603 (20.13)
Punjab	3503	2112 (60.29)
Rajasthan	22651	7420 (32.76)
Sikkim	1692	134 (7.92)
Tamil Nadu	1465	0 (0.00)
Tripura	6256	1168 (19.67)
Uttar Pradesh	18740	0 (0.00)
Uttaranchal	242	53 (21.90)
West Bengal	14775	3344 (22.63)
A & N Island	9	0 (0.00)
D & N Haveli	125	10 (8.00)
Lakshdweep	25	0 (0.00)
Pondicherry	3	1 (33.33)
NE States	12279	1484 (12.09)
Total	317345	75459 (23.78)

Note: Figures in bracket indicate percentages to total.

Source : Ministry of Rural Development.

3.104 Under this Scheme, a total of 317345 individual *Swarozgaris* have been assisted in 2003-04, where as 75459 Scheduled Caste *Swarozgaris* have been assisted which constitute 23.78% of total *Swarozgaris* assisted in the entire country. The performance of the Scheme may be termed as satisfactory, however in some States/UTs the percentage of Scheduled Caste *Swarozgaris* assisted is very poor. Efforts should be made to improve the performance in those States/UTs.

Table 47
State-wise Physical Performance of SGSY
Year : 2003-04 (Members of SHGs Assisted (Nos.))

State	Total Achievement	Share of Scheduled Caste in Total Achievement
Andhra Pradesh	64352	22163
Arunachal Pradesh	262	0
Assam	44678	4236

Bihar	16225	5535
Chhattisgarh	5278	687
Goa	59	8
Gujarat	5506	1100
Haryana	8174	3875
Himachal Pradesh	5733	2509
J & K	2666	40
Jharkhand	26517	4113
Karnataka	37305	11706
Kerala	13736	0
Madhya Pradesh	35350	9887
Maharashtra	45494	11778
Meghalaya	4709	10
Mizoram	1403	0
Nagaland	1873	0
Orissa	41389	9924
Punjab	3051	1926
Rajasthan	6027	1722
Sikkim	250	5
Tamil Nadu	59655	23355
Tripura	325	87
Uttar Pradesh	121882	0
Uttaranchal	10538	2642
West Bengal	12423	2661
A & N Island	341	0
Lakshdweep	1	0
Pondicherry	705	381
NE States	53500	4338
Total	575907	120350 (20.9)

Note : Figures in bracket indicate percentages to total.

Source : Ministry of Rural Development.

3.105 Under the scheme of SGSY, a total of 575907 SHGs have been assisted in 2003-04, where as 120350 Scheduled Caste SHGs have been assisted which constitute 20.9% of total SHGs assisted in the entire country. The performance of the Scheme is

also satisfactory, however in Kerala, Uttarpradesh, A & N Islands the percentage of Scheduled Caste SHGs assisted is nil. Efforts should be made to improve the performance in those States/UTs.

Financial Performance of all States under a programme

(DRDA Admn.) Report as on 31 March, 2004

Table 48

(Rs. In Lakh) Year 2003-2004

S.N.	State	Total Funds	Total Exp.	% Exp. To Av. Funds	& Cent. Rel to Alloc.	% State Rel to State Alloc	Balance Funds
1.	Andhra Pradesh	1,182.19	N/R	N/A	122.73	0.00	1,182.19
2.	Arunachal Pradesh	600.066	N/R	N/A	151.53	0.00	600.66
3.	Assam	1,216.35	1,450.74	119.27	134.00	0.00	-234.39
4.	Bihar	873.88	N/R	N/A	55.22	0.00	873.88
5.	Chhattisgarh	455.88	N/R	N/A	75.49	0.00	455.88
6.	Goa	187.56	109.17	58.21	159.79	234.17	78.39
7.	Gujarat	1,062.05	N/R	N/A	109.87	0.00	1,062.05
8.	Haryana	658.30	N/R	N/A	100.72	0.00	658.30
9.	Himachal Pradesh	501.38	N/R	N/A	121.36	0.00	501.38
10.	Jammu & Kashmir	336.11	N/R	N/A	62.78	0.00	336.11
11.	Jharkhand	569.47	N/R	N/A	65.36	0.00	569.47
12.	Karnataka	977.57	N/R	N/A	101.49	0.00	977.57
13.	Kerala	938.66	334.03	35.59	88.52	50.02	604.63
14.	Madhya Pradesh	1,661.30	N/R	N/A	99.89	0.00	1,661.30
15.	Maharashtra	1,025.02	N/R	N/A	77.03	0.00	1,025.02
16.	Manipur	386.91	N/R	N/A	159.41	0.00	386.91
17.	Meghalaya	135.51	N/R	N/A	68.57	0.00	135.51
18.	Mizoram	403.30	N/R	N/A	191.16	0.00	403.30
19.	Nagaland	342.19	N/R	N/A	142.62	0.00	342.19
20.	Orissa	1,455.96	N/R	N/A	122.04	0.00	1,455.96
21.	Punjab	450.95	N/R	N/A	71.88	0.00	450.95
22.	Rajasthan	1,358.28	N/R	N/A	115.48	0.00	1,358.28
23.	Sikkim	51.96	N/R	N/A	163.76	0.00	51.96
24.	Tamil Nadu	1,301.57	N/R	N/A	109.04	0.00	1,301.57
25.	Tripura	188.69	N/R	N/A	150.65	0.00	188.69
26.	Uttar Pradesh	3,127.87	N/R	N/A	109.21	0.00	3,127.87
27.	Uttaranchal	471.27	N/R	N/A	96.91	0.00	471.27
28.	West Bengal	691.71	N/R	N/A	84.82	0.00	691.71
29.	A & N Island	17.59	N/R	N/A	21.35	N/A	17.59
30.	D & N Haveli	0.00	0.00	N/A	0.00	N/A	0.00
31.	Daman & Diu	0.00	0.00	N/A	0.00	N/A	0.00
32.	Lakshadweep	20.60	N/R	N/A	50.00	N/A	20.60
33.	Pondicherry	63.83	N/R	N/A	125.03	N/A	63.83
34.	North Eastern States	33.25.57	1,450.74	43.62	141.89	0.00	1,874.83
	Total	22,714.57	1,893.94	8.34	100.00	2.06	20,820.63

N/A means Not Applicable And NR Means Not Reported

Sources: Monitoring Division, M/o RD

Table 49
Financial Performance Of All States Under A Programme Iay
Report as on 31st March, 2004 Rs In Lack -Year 2003-04

State	Total funds	Total Expenditure	% Exp. To AV Funds	% Cent. Rel. to Cent Alloc.	% State Rel. to State Alloc.	Balance Funds
Andhra Pradesh	18,95281	19453.50	102.64	94.71	94.71	-500.69
Arunachal Pradesh	1508.21	1215.89	80.62	126.98	126.98	292.32
Assam	21787.38	14318.27	65.72	104.09	104.09	7469.11
Bihar	5114.24	37422.41	73.21	69.61	69.61	13691.83
Chhatisgarh	3553.07	3068.27	86.36	107.82	107.82	484.80
Goa	125.43	83.06	66.22	78.76	78.77	42.37
Gujarat	5376.07	5817.24	108.21	95.32	95.32	-441.17
Haryana	1830.12	1833.58	100.19	102.82	102.82	-3.46
Himachal Pradesh	836.15	696.12	83.25	97.70	97.70	140.03
Jammu & Kashmir	1015.06	1253.69	123.51	99.32	99.32	-238.63
Jharkhand	15012.88	11033.91	73.50	79.69	79.69	3978.97
Karnataka	10787.83	8516.22	78.94	93.06	93.06	2271.61
Kerala	6144.17	5767.37	93.87	97.52	97.52	376.80
Madhya Pradesh	11717.80	10734.49	91.61	102.16	102.16	983.31
Maharashtra	18186.74	22767.55	125.19	98.17	98.17	-4580.81
Manipur	683.44	286.30	41.89	59.59	59.59	397.14
Meghalaya	797.88	1147.50	143.85	48.39	48.39	-349.82
Mizoram	433.80	390.72	90.07	134.00	134.00	43.08
Nagaland	960.29	826.19	86.04	104.98	104.99	134.10
Orissa	43,005.54	35,728.08	83.08	252.00	252.00	7,277.46
Punjab	1175.18	1059.94	90.19	91.22	91.22	115.24
Rajasthan	5515.18	5274.69	95.64	101.11	101.11	240.94
Sikkim	297.94	308.97	103.70	93.96	93.95	-11.03
Tamil Nadu	9606.78	11988.63	124.79	100.85	100.85	-2381.85
Tripura	2697.69	2749.89	101.93	92.35	92.36	-52.20
U.P.	34915.38	34628.98	99.18	98.58	98.58	286.40
Uttaranchal	4559.57	3977.92	87.24	125.52	125.25	581.65
West Bengal	20831.83	15478.41	74.30	87.39	84.86	5353.42
A & N Island	230.00	108.52	47.18	66.42	N/A	121.48
D & N Haveli	57.49	23.98	41.71	38.22	N/A	33.51
Daman & Diu	7.35	0.72	9.80	0.00	N/A	6.63
Lakshdweep	2.87	2.86	96.71	100.71	N/A	0.11
Pondicherry	71.09	45.64	64.20	50.01	N/A	25.45
North Eastern State	29166.43	21243.73	72.84	99.60	99.60	7922.70
Total	293797.06	258,009.41	87.82	100.03	99.93	35787.65

Initiatives at State Levels

3.106 Various central schemes, focus on economic development of Scheduled Castes have been implemented in all the States with varying degrees of success depending on initiatives, leadership, administrative culture, bureaucratic culture, political will etc. Some States therefore, have come up with major thrust for the development of Scheduled Caste like Tamil Nadu while many other states have shown lukewarm response which some time bordered on bureaucratic apathy. Based on the responses received from various states, State Offices of the Commission have gathered some sort of progress reports on Scheduled Caste development schemes which are given below:

BIHAR

3.107 As per 2001 census, Bihar has 15.72% Scheduled Caste population of Scheduled Castes, totaling 1.30 crore out of a population of 8.29 crore

Table 50
Statement Showing the Details of SCP outlay and Expenditure During Xth Five Year Plan

(Rs. In Crore)

S.No	State/UT	2001 Census		2002-03				2003-04		2004-05	
		SC Population %age	State Plan Outlay	Flow to SCP	% of SCP	SCP Expenditure	State Plan Outlay	Flow to SCP	%age of SCP	SCP Expenditure	SCP Exp.
1.	Bihar	15.70	2724.13	572.48	21.02	NR					

Table 51
Statement showing the details of Special Central Assistance to Special Component Plan for Scheduled Castes Released/Utilised during Xth Plan

(Rs. in lakhs)

S.No.	State/UTs	2002-03		2003-04		2004-05	
		Released	Utilised	Released	Utilised	Released	Utilised
1.	Bihar	0.00	0.00	933.00	500.00	0.00	N.R.

Table 52
Statewise/UT wise Scheduled Castes Population According to 2001 Census

S.No.	State/UT/India	Total Population	SC Population	Percentage
1.	Bihar	82998509	13048608	15.72

Outlay fixed for SCP in Bihar

3.108 The Govt. of Bihar had proposed an amount of Rs. 70214.20 lakhs (20.12%) for the Special Component Plan (SCP) out of the State Plan outlay of Rs. 349036.00 lakhs for the year 2004-05. During the year 2003-04, the Govt. of Bihar had earmarked an amount of Rs. 44258.31 lakhs (15.98%) for SCP out of the State Plan outlay of Rs. 27000.00 lakhs. It may be seen that the SCP outlay had been earmarked in proportion to the population of the Scheduled Castes (15.7%) in the State. As per 2001 Census, the SC population of Bihar is 13,048,608 out of the total population of the State i.e. 82,998,509.

Table 53

Year	State Plan Outlay	SCP outlay	%age of SCP outlay
2003-04	277000	44258.31	15.98
2004-05	349036	70214.20	20.12

3.109 It has been observed that Sectors, which implement individual and family oriented schemes, reserve proportionate part of the outlay for the SC. The proportionate allocation under SCP provided in the Plan does not get reflected in the State budget and during the implementation of the Schemes actual proportionate expenditure towards SCP are not ensured.

Table 54

Year	Amount of SCA Received from the Govt. of India	Amount sanctioned by the Govt. of Bihar	Remarks
1	2	3	4
2000-01	----	----	An amount of Rs. 6351.907 was available, out of this Rs. 1261.14 was earmarked to Jharkhand State and Rs. 5090.767 was earmarked to Bihar State
2001-02	---	4286.00 Lakhs	
2002-03	---	---	
2003-04	933.00	500.00 Lakh	

3.110 During the review of implementation of Schemes in the district of Jamui Bhagalpur, Muzaffarpur, Purnea and Katihar by this State Office of the Commission it was observed that the most of the SCA amount had remained unutilized in those districts. The execution of Scheme with the help of SCA was very slow. The funds of SCA released to those districts in the year 1997-98 and 1998-99 were remained to be utilised fully. Moreover, an amount of the Rs. 1216.81 lakhs of SCA were kept in CD Deposit or in the Treasury as on 2.4.2004

Bihar State Scheduled Caste Cooperative Development Corporation (BSSCDC)

3.111 The Bihar State Scheduled Castes Cooperative Development Corporation (BSSCDC), Patna is working for implementation for the economic development schemes for the Scheduled Castes. For the purpose, this Corporation is implementing Schemes like subsidy scheme and Garima Scheme. The Scheme of NSFDC is also being implemented through this Commission. The position of financial and physical targets fixed and achievements made by the BSSCDC, Patna during the year 2001-02 to 2004-05 in respect of subsidy Scheme and Garima Scheme are given below:-

lakhs of subsidy and Rs. 51.64 lakhs of margin money was remained unutilized at different district levels.

Implementation of NSFDC Scheme

3.114 The number of beneficiaries and amount spent under NSFDC Scheme in Bihar during the years 2001-02 to 2004-05 is given below:-

Table57

(Amount in Rs.)

Year	Amount spent	No. of beneficiaries
2001-02	650.97	505
2002-03	775.65	262
2003-04	130.90	50
2004-05	21.09	16

Table58

Distribution of Surplus land to the SCs.

Year	Land distributed (in acre)		No. of Beneficiaries
	Total	SC	SC
1	2	3	4
1999-2000	339.71	225.45	292
2000-2001	648.60	325.36	797
2001-2002	2885.65	2336.93	4991
2002-2003	3422.57	1610.14	3276
2003-2004	668.02	190.08	701
Total	7964.55	4687.96	10057

3.115 It may be seen from the above that a total of 7964.55 acres of surplus land had been distributed during the period from 1999-2000 to 2003-04 in Bihar and out of which 4687.96 acres (68.86%) had been allotted to the Scheduled Castes. The numbers of total SC beneficiaries were 10057 during the aforesaid periods.

3.116 The evaluation study in to the utilization of grants under the scheme of Ajeevani and Garima Yojana conducted by the State office of the erstwhile National Commission for Scheduled Castes and Scheduled Tribes reveled that the Bihar State Scheduled Castes Co-operative Development Corporation Limited, Patna reveled that out of grant of Rs. 478009 under the Ajeevani scheme upto the year 2003-04 only Rs. 3161.64 lakhs (66.14%) were release to the Districts and Rs. 1618.45 lakhs were kept in the Head Office of the Corporation similarly under the Garima Scheme out of the total grants of Rs. 823.79 lakhs and margin money of Rs. 293.33 lakhs received from 1993-04 to 1998-99, the Corporation released 182.24 lakhs (22.12%) under out of the grants and only Rs. 87.51 lakhs (29.83%) were released to the District up to 29.2.2004. The State offices of the Corporation also did not utilize the funds allocated and as a result out of the grants released 86.88 lakhs and Rs. 51.64 lakhs under margin money loan remained unutilized.

3.117 The Director of the State office, Patna of the Commission vide his letter dated 13.9.2004 brought the above findings of the evaluation study to the MD of the Bihar State SC Co-operative Development Corporation Limited. Patna and sought specific information in the matter, which was not furnished and brought the matter to the notice of the Chief Secretary, Govt. of Bihar on 18.2.2005. The State Government may consider the findings and recommendations of the above evaluation study reports and apprise the Commission about the action taken to prevent recurrence of similar situation in future in the interest of socio-economic development of the SCs so as to bring them at par with the rest of the population of the country.

GUJARAT

3.118 According to 2001 Census, the total population of the State is 50671017, including 26385577 Males and 24285440 Females. Against 1000 Males there were 920 Females. Gujarat State has comparatively a small population of SCs. As per 2001 Census the population of the SCs in the State is 3592715, which constitutes 7.1% to the total population.

3.119 Out of the 18275 villages in the State, as many as 12808 villages have SC population. There are 2361 villages and towns having SC population of 250 and above. These villages and towns have about 50 percent of the total SC population of the State. The literacy rate among the SCs rose from 22.46% in 1961 Census to 70.50% which is higher than the general literacy of the state of 69.14%. The SC females literacy rate of 57.58% is at par with the general female literacy rate of 57.80%. There has been remarkable increase in male literacy rate of SC which 82.56% is higher than the general literacy rate of 79.66%.

3.120 The occupational break-up of the SC population, reveals that out of the 7.66 lakhs member of SCs classified as "workers" in the 1981 0.40 lakhs are engaged in the household manufacturing and processing industries. 2.88 lakhs are listed as "other workers" which includes the traditional occupations like weaving and leather and leather-goods manufacture. 23% of the SC workers are women. In the manufacturing and processing industries only 5% of the workers are from the SCs.

3.121 Even among the SCs Communities like Valmiki, Hadi, Nadia Garo (Garoda), Turi, Harijan Bawa, Vankar Sadhu and Senva are most backward and their population is approximately 3.50 lakhs for whom exclusive schemes have been formulated. For proper implementation of the SCP scheme a high power committee under the Chairmanship of Chief Minister reviews the implementation at State Level annually and at the district level District Implementation committee chaired by the District Collector review the implementation of SCP.

3.122 To have a first and account of implementation of the SCP scheme at the field level officers from the Social Justice & Empowerment Department attends the meeting of District Implementation Committee and reports the difficulties experienced to find remedies for smooth implementation of the SCP at District level. Minister Social Justice & Empowerment reviews the Annual performance of SCP at District Level in regional meeting of Collectors/District Development Officers is being held under the Chairmanship of the minister. The SCP of the State has the twin objective

1. To ensure minimum desirable levels of income
2. To provide basic minimum to the SC population in the villages. The SCs of the State are at various stages of Socio-economic progress and

face problems on account of isolation. The major role of development is to reduce the degree of poverty amongst the SC families. Most of the Dalit localities lack basic amenities like drinking water, street lighting, drainage, link roads, primary health care and schools etc. A systematic efforts to provide these facilities in these localities were started during the 7th Plan Period and are still continuing

Table 59
Allocation under Special Component Plan and Expenditure

(Rs. In Crores)

S.No.	Plan Period	State Plan		SCP		% age Col.	
		Outlay	Exp.	Outlay	Exp.	5-3	6-5
1	2	3	4	5	6	7	8
1	Sixth Five Year Plan (1980-85)	3670.00	-	139.26	95.34	3.70	68.46
2	Seventh Five Year Plan (1985-90)	5589.37		160.37	159.90	2.86	89.79
3	Eight Five Year Plan (1992-97)	11500.00	11756.09	341.12	380.95	2.97	111.67
4	Ninth Five Year Plan (1997-2002)	28,000.00		1050.90		3.75	
5	1997-98	4500.00	3905.06	171.52	120.77	3.81	70.42
6	1998-99	5450.00	5343.77	199.55	162.85	3.66	81.61
7	1999-2000	6550.00	6492.10	260.82	206.94	4.29	79.34
8	2000-2001	7600.00	5974.33	309.76	216.92	4.08	70.03
9	2001-2002	5174.85* (7200.00)	5357.30	211.40	142.16	4.09	67.24
10	Proposed Tenth Five Year Plan (2002-2007)	47000.00		2261.27		4.81	
11	2002-2003	7600.00	5403.19	252.17	184.98	3.32	73.35
12	2003-2004	7680.00	7584.69	427.78	311.75	5.57	72.88
13	2004-2005	8300.00		402.71		4.85	

3.123 Out of the State Plan outlay of Rs. 7600 crores for the year 2002-03 flow to SCP was Rs. 421.42 crores (56.62%). Similarly for the year 2003-04 out of State Plan outlay of Rs. 7860.00 crores flow to SCP did Rs. 427.78 crores constituting 5.44% only as against the SC population of 7.1%. The SCP expenditure for the year 2004-05 was Rs. 311.77 crores. It may be observed that the flow from State Plan outlay's to SCP is not in proportion to the SC population of 7.1% of the State. Moreover it has declined from Rs. 427.78 crores in the year 2003-04 to 311.77 crores. The State Government in accordance with its owned guidelines on SCP should ensure flow of funds from State Plan to SCP at par with the SC population of the State for the socio-economic development as well as their integration with the general population.

Utilization of SCA

3.124 The utilization of Special Central Assistance (SCA) reveals that out of Rs. 559.73 lakhs released Rs. 1406.28 lakhs were utilized during the year 2002-03. During the year SCA of Rs. 644.46 lakhs were released and the utilization was Rs. 996.88 lakhs. In the year 2004-05 Rs. 705.82 lakhs were released as SCA out of which only Rs. 268.32 lakhs were utilized. It may be observed that the utilization of SCA has considerably declined in the years 2003-04 and 2004-05. Therefore, the State Government of Gujarat should also properly monitor utilization of SCA funds under SCP in conformity with its own policy on the development of SCs.

3.125 From the State Plan provisions of Rs. 7200 crores for the year 2001-02. SCP was formulated from the non-Earthquake Affected Projects (EAP) of Rs. 5174.85

crores. Similarly from the State Plan provision of Rs. 7600 crores for 2002-03. The SCP was formulated from non (EAP) provision of Rs. 6263.38 crores. Though the SCP outlay were not in proportion to SC population of 7.1% however, it is expected that the SC in the (EAP) would also have been benefited under the (EAP).

20 Point Programme

3.126 During the 7th Five Year Plan under point No. 11 (A) of New Twenty Point Programme 2,52,585 families were assisted against the target of 2,50,000 families which is about 108%. During the 8th Five Year Plan 2,78,021 families were assisted against the target of 2,75,000 families. Against the target of 72,000 families fixed by the Govt. of India for the year 2003-04, 71,006 beneficiaries were covered which accounted for 98.62%. No information about the coverage of SCs families under point 11 (A) of the 20 Point Programme has been furnished for the entire period of 9th Five Year Plan. Hence, in the absence of this vital information no concrete conclusions can be arrived at with regard to the consistency of implementation and accrual of benefits to the SCs.

Below Poverty Line Families

3.127 According to the survey of BPL families conducted by the Rural Development there were 23.24 lakhs families in the State of which 2.37 lakhs (10.19%) families belongs to SCs.

10th Five Year Plan - Objective approach and Strategy

3.128 The result of the 9th Plan so that there is still long way to go through planned efforts to improve the lot of SC population. So a more aggressive has been evolved by the Govt. of Gujarat by providing higher outlays and separate mechanism for formulation, implementation, monitoring and evaluation of SCP. State Plan funds of Rs. 9.06 crores were allocated for a SCP for the first time during the year 1979-80. This was 10% of the allocation for individual oriented schemes. And was only 2.3% of the total State Plan provision for that year. Rs. 211.40 crores were provided for the year 2001-02 under the SCP against the State Plan outlay of Rs. 5174.81 crores (Without EAP) which constitutes 4.09% only.

Approach

3.129 The approach adopted the 10th Five Year Plan for SCs is:-

1. Only those schemes, which ensure direct benefits to individual or families belonging to SC are taken under SCP.
2. Outlay for area-oriented schemes directly benefiting SC localities/villages having majority of SC population has been allocated under SCP.
3. Wage Component under the schemes has not been included under the SCP.
4. Priority has been given for providing basic minimum services like Primary Education, Health, Drinking Water, Rural Housing, Rural Link Roads, Rural Electrification and Nutrition.

3.130 From the information furnished Sub-Sector-wise expenditure under SCP, for the year 2004-05 (December, 2004) of the Govt. of Gujarat it may be observe the

expenditure was 0% to 10% in Sectors like investment in Agriculture finance Gram, Mitra Special Employment Programme Rural Sanitation and Employment and main power. Similarly there are Sectors where the expenditure under SCP ranged from 11.14% to less than 40%. These are Animal Husbandry Crop Husbandry, Bio Gas, Minor Irrigation (Agricultural) Co-operation community development, Primary Education Forest & Environment Fishers, De-Centralize Planning small Industries, Cottage Industries, Rural Roads, Sujalam Sufalam Yojana, Severage & Water Supply, Land Reforms, Utilization of Public Media. Thus it may be concluded that in a washed majority of the sectors the utilization of expenditure under SCP is poor.

Dr. Ambedkar Foreign Study Loan

3.131 Under the scheme of Post Graduate Studies abroad SC students are provided loan up to 5 lakhs at the interest of 4% to be re-paid after six months of completion of studies in 10 years. The scheme launched in 1998-99 and up to 2004-05 85 students have been provided loan amounting to Rs. 425 lakhs. Under the scheme of loan for Pilot Training. SC candidates intending to under this training in India or abroad are provided loan of Rs. 4.00 lakhs at the interest of 4% per annum without any income ceiling of parents. So far 4 SC students were have been providing loan of Rs. 16 lakhs. Dr. D.P.G. Solanki, Dr. Advocate Loan Assistance Scheme. During the last 7 years 497 Advocates and 57 Doctors were providing loan of Rs. 136.47 lakhs.

HARYANA

3.132 As per Census 2001, the population of the State is 21,144,564, out of which Scheduled Castes population is 4,091,110 (Male: 2,188,585 and Female: 1,902,525) which constitutes 19.35 0% of the total population, Literate persons of the State is 12,093,677 (Male : 7,480,209 and Female : 4,613,468).

Table60

Total Population			
Persons		21144564	
Males		11363953	
Females		9780611	
Sex ratio		861	
Rural		15029260	
Urban		6115304	
Scheduled Castes population			
Persons		4091110	
Males		2188585	
Females		1902525	
Percentage of SC		19.3	
Literacy		Literacy rate (age 7+)	
Persons	12096677	Persons	67.9
Males	7480209	Males	78.5
Females	4613468	Females	55.7

3.133 For the Xth Five Year Plan 2002-2007, the Planning Department has approved Rs. 10000.00 lakhs for the Welfare of Scheduled Castes and Backward Classes. Out of this the year wise allocation and revised allocation is given as under:

Table 61

Year	Original Allocation	Revised Allocation
2002-03	1250.00	1300.00
2003-04	1350.00	1350.00
2004-05	1400.00	1675.00
2005-06	3000.00	-----

3.134 The brief description of each scheme with financial and physical targets is given below:-

Economic Development

<u>Scheme</u>	<u>Financial Target</u>	<u>Physical Target</u>
Tailoring Training to SCs Widows/destitute women/girls	Rs. 30.00 Lakhs	1740

3.135 The aim of the scheme is to enable SCs widows/destitute women/girls for self employment. A stipend of Rs. 100 p.m. and raw material costing Rs. 50.00 p.m. per trainee is given to a trainee for getting training from the nearest Kalyan Kandra run by Welfare of Scheduled Castes and Backward Classes Department. After completion of one year course, each widow/destitute women/girl is given a new sewing machine free of cost to earn her livelihood. The Department has trained 32149 Scheduled Caste widows/destitute women/girls up to 2004-05.

<u>Scheme</u>	<u>Financial Target</u>	<u>Physical Target</u>
Financial Assistance for higher Competitive/entrance Examination is Scheduled Caste candidates through Reputed private institutions	Rs. 1.00 lakhs.	25

3.136 Under the scheme financial assistance upto Rs. 4000/- given to Scheduled Caste and Backward Classes candidates whose parents/guardians annual income is upto Rs. 44,500/- for availing postal/class room coaching for civil and other higher services examinations to be conducted by the U.P.S.C./H.P.S.C./L.I.C./G.I.S. Railway Recruitment Board/Banking Recruitment Board and any other recruitment agency of State and Central Govt. through various private reputed institutions. Besides financial assistance for personal/postal coaching in Private institutions for Pre entrance examination in Medical and Engineering Colleges is also provided.

<u>Scheme</u>	<u>Financial Target</u>	<u>Physical Target</u>
Housing Scheme for Scheduled Castes and Denitrified Tribes.	Rs. 160.00 lakhs	1600.

3.137 In order to solve the housing problem of Scheduled Castes /Denotified Tribes who live under below poverty line a sum of Rs. 10,000/- is given as subsidy for the construction of house to each beneficiary. The beneficiary should construct a living unit with covered area of not less than 90 square feet. However, the Department has provided construction assistance to 47833 Scheduled Castes and Denotified Tribe persons since the inception of Haryana State to 2004-05.

Scheme
**Environmental improvement in
Scheduled Caste Bastis.**

Financial Target
Rs.100.00 lakhs

Physical Target
200

3.138 Under this scheme, it is proposed to provide basic necessities like payment of streets and drainage etc. in the Scheduled Castes bastis/mohallas in order to improve their environmental conditions. Maximum amount upto Rs. 0.50 lakh per village is given. The exact figures of Scheduled Caste basic are not available. However, considering an average 2 bastis in a village the total comes to 13490 bastis in the State. From the Sixth Five Year Plan to 2004-05, 5140 bastis have been covered under the Scheme.

Scheme
**Financial assistance for the marriage
of daughters of widows/destitute
woman belonging SC/DT/Tapriwas
community.**

Financial Target

Physical Target

Rs. 130.00 lakhs

1300

3.139 Widows/destitute women belonging to SCs/Denotified Tribes/Tapriwas Communities have no sources of income and they have to face problem in arranging marriages of their daughters because of poor economic conditions. This creates a lot of social problems for this vulnerable group of the SCs/Denotified Tribes/Tapriwas Communities. Under this scheme, subsidy of Rs. 10,000/- to meet the marriage expenses of daughter is given.

Scheme
**Kanyadan on the occasions of
the marriage of girl of those parents
who are living below poverty line**

Financial Target

Physical Target

Rs. 540.00 lakhs

10588

Agri. & Allied scheme:

3.140 The Department of Agriculture is mainly concerned with improving the farm practices of the farmers. The extension agency of the department equips the farmers with the latest technical know how as emerged from various research institutions. The farm messages are floated in the farming community regularly and on uniform basis to all the category of farmers irrespective of their size of operational holdings, caste and creed. Major emphasis is diverted towards small and marginal farmers, especially Scheduled Caste farmers who are attended on priority basis in all the programme launched by the Agriculture Department.

3.141 There is very merge population of Scheduled Castes farmers in the State. According to 1991 Census there are about 3.03% holdings which belonging to Scheduled Caste farmers owing 2.00% cultivable land. During the year 2004-05 the outlay of Rs. 57.75 lakhs was earmarked for Scheduled Caste farming families which come out to be 10.5% of the total State Plan outlay of Rs.550.00 lakhs. Under Soil and Water Conservation an amount of Rs.339.75 lakhs was earmarked for Scheduled Caste farming families which comes to 15.44% of the total State Plan outlay of Rs.2200.00 lakhs.

Agricultural Human Resources Development Project

3.142 An outlay of Rs.11.00 lakhs was earmarked for 2004-05 out of which Rs. 1.46 lakhs is proposed for Scheduled Castes farming families.

Strengthening of Agricultural Extension Infrastructure:

3.143 Under this scheme an outlay of Rs. 30.00 lakhs was proposed for the year 2004-05 out of which Rs.3.99 lakhs has been earmarked for the training of 5000 Scheduled Castes farming families.

Kisan Puruskar in the memory of Ch. Devi Lal for the best farmers in the State:

3.144 An outlay of Rs.6.50 lakhs has been kept for Annual Plan 204-05 and out of which an amount of Rs. 0.86 lakhs has been earmarked for 8 Scheduled Castes farmers.

National Pulses Development Project:

3.145 Pulses are covered under new 20-Point Programme. Maximum efforts are afoot for the development of pulses to push up their production. The certified seeds of pusses are made available to the farmers @ Rs.300/- per quintal. The amount proposed for annual plan 2004-05 is RS. 28.00 lakh and out of which 1.91 lakhs will be spent for the benefit of 600 SC farming families.

Scheme for Oilseed Development Programme:

3.146 Under this scheme for 2004-05 is kept at Rs.94.00 lakhs and out which Rs.6.02 lakhs is earmarked for the benefit of 800 SC farming families.

Technology Mission on Cotton:

3.147 Under the scheme, subsidy is made available to the farmers for quality seeds, plant protection measures and demonstration plots. Subsidy on seed is given @ Rs.1000/- per quintal and field demonstration will be given @ Rs. 2500/- per hect. and assistance for sprinkler sets will be @ 50% of the cost to SC/ST, small marginal and women farmers limited to Rs. 15,000/- per set per beneficiary. An amount of Rs. 5.00 lakh has been earmarked for 2004-05. Out of this amount, this amount, it is proposed to incur Rs. 4.56 lakh on 450 Scheduled Caste farming families.

Scheme for Accelerated Maize Development Programme:

3.148 Under the scheme an outlay of Rs.2.20 lakh has been earmarked for the Annual Plan 2004-05. Out of this proposed outlay an amount of Rs. 0.26 lakh is flow towards 50 Scheduled Caste farming families.

Timely Reporting of estimate of area and production of Principal crops:

3.149 It is totally staff scheme and proposed outlay of Rs. 13.00 lakh has been proposed for Annual Plan 2004-05 out of which Rs.2.08 lakh has been earmarked for benefiting the Scheduled Caste farming families.

Improved of Crop Statistics:

3.150 Under the scheme an outlay of Rs. 13.80 lakh has been proposed for Annual Plan 2004-05. Out of which Rs. 2.21 lakh has been earmarked for benefiting the Scheduled Caste farming families.

Macro Management of Agriculture Mode:

3.151 A proposed outlay of Rs.240.00 lakhs has been earmarked for annual plan 2004-05. (This includes a sum of Rs. 10.00 lakh kept for information technology). Out of this proposed outlay an amount of Rs. 32.40 lakh is flow for the benefit of 2100 scheduled Caste farming families.

Scheme for subsidy on Land Levelling in Haryana:

3.152 An outlay of Rs. 9.00 lakh has been proposed for Annual Plan 2004-05. out of which Rs.1.35 lakh has been earmarked for benefiting to the 70 Scheduled Caste farming families.

Scheme for World Bank Aided Project on Integrated Watershed Development Project (EAP)

3.153 Integrated Watershed Development Project has been under implementation in the foothill of Shivalik to check soil erosion and to restore production capability of land. An amount of Rs. 21.00.00 lakh has been proposed for the Annual Plan 2004-05. Out of which Rs.327.60 lakh is earmarked for treating the area of 150 hecets. of Scheduled Caste farming families.

JHARKHAND

SCP

3.154 As per 2001 census the SC population of the State is 3,189,320 out of the total population of 26,945,829 i.e. 11.8%. The concept of the Special Component Plan in the context of welfare and development of Scheduled Castes is continuing. The outlay in the SCP has been earmarked in proportion to the population of the Scheduled Castes in the State of Jharkhand, though it varies from sector to sector. It is has been observed that the sectors which implement individual and family oriented schemes reserve proportionate part of the outlay for the Scheduled Castes. The proportionate allocation under SCP provided in the plan does not get reflected in the State budget and during the implementation of the schemes, actual proportionate expenditure towards SCP are not ensured. In sectors where divisible allocations are not feasible, their plans should contain specific optional share for the Scheduled Castes in employment, training and other resultant benefits.

Special Central Assistance to Special Component Plan

3.155 The Jharkhand State Tribal Cooperative Development Corporation Ltd., Ranchi is implementing the income generating schemes of Scheduled Castes of the State out of the SCA received from the Govt. of India. As per information received from the State Govt. of Jharkhand, the Jharkhand State Tribal Cooperative Development Corporation (JSTCDC) was allocated an amount of Rs.1078.83 lakhs under SCA to SCP till the end of June, 2003. The position of utilization (As on 30-6-2003) of SCA to SCP received by the JSTCDC is given below:-

Amount allocated under SCA	(a)	Rs.	961.00 lakhs
	(b)	Rs.	<u>117.83 lakhs</u>
	Total		<u>1078.83 lakhs</u>
Amount remained unutilized		Rs.	855.71 lakhs

Table62

1. SC beneficiary assisted for income generating activities (Sector-wise)

		Total	Women
1.1	Number	1,201.00	136
1.2	Amount of Subsidy given under SCA	223.12	
1.3	Matching loan provided by NSFDC	489.35	
1.4	Loan provided by Bank	Nil	
1.5	Average per Capita investment	59,323,.00	

KARNATAKA

3.156 According to 2001 Census the State Population is 528.51 lakhs and out of which Scheduled Castes population is 85.64 lakhs , which constitute 16.20% of the total population. As a matter of State Policy, 15% of the budget of all the Departments of Government are earmarked for the welfare of Scheduled Castes. The schemes under SCP are implemented by 34 Development Departments of the State Government. These Departments are implanting 34 programmes under State Sector, 31 programmes under District sector adding to 65 programmes for the development of Scheduled Castes.

Special Component Plan

3.157 In the State about 39 Development Department (including Social Welfare Department), including Boards and Corporations are implementing the schemes under Special Component Plan by earmarking 15% of their annual plan budget. During 2003-04 a sum of Rs. 645.50 crores was provided under different heads of development departments towards the Special Component Plan to assist 2.00 lakhs Scheduled Caste families. During the 10th Plan period it is targeted to cover 8.75 lakh families by providing financial assistance etc. During 2003-04, 194426 Scheduled Caste families have been economically assisted with an expenditure of Rs.523.10 crores.

Statement showing the allocation and expenditure under Special Component Plan during 2003-04

Year	Allocation	Fund Released	(Rs. in lakhs)
			Expenditure
2003-04	64550.39	52319.59	52319.59 (100%)

Some Important Economic Schemes for Scheduled Castes**Training Centres for women:**

3.158 In order to train Scheduled Caste women in various crafts, 59 tailoring centers for 1280 women are run by the State Social Welfare Department. Trainees are getting stipend at Rs. 150 per annum. A sum of Rs. 153.94 lakhs is provided for the year 2003-04 to maintain these training centers. Out of which Rs.58.26 (37.84%) lakhs has been spent only. Information for the year 204-05 is not available.

Supply of Sewing Machines:

3.159 The Social Welfare Department is supplying the sewing machines free of cost of all the successful tailoring trainees to pursue the occupation. During 2003-04 a sum of Rs. 26.01 lakhs is provided as against which Rs. 18.16 lakhs has been spent by supplying 837 sewing machines.

Self Employment Training:

3.160 To help unemployed Scheduled Caste candidates, 3 months training is given in light motor vehicle driving and autorikshaw driving. A sum of Rs. 150/- to urban area candidates and Rs. 300 /- to rural areas candidates as stipend is given during the training period. During the year 2003-04 an amount of RS. 16.11 lakhs are provided and a sum of Rs. 7.43 lakh was spent benefiting 293 candidates.

Navachetana scheme:

3.161 Under the scheme, educated youths are being given occupational training in different trades and also in computer enabling them to get employment of self employment. An amount of Rs. 25 lakhs has been earmarked during 203-04 which has been revised to 15 lakhs and spent for 212 candidates.

Agriculture

3.162 Under the scheme the beneficiaries are given electrical or diesel pump sets water storage tanks. Among the financial assistance 75-100% will be subsidy and the remaining portion as loan from Banks. During 2003-04 an amount of Rs. 156.27 lakhs is earmarked under State Sector Scheme for the welfare of Scheduled Castes and Rs. 108.85 lakhs was spent.

Special Central Assistance

3.163 By involving different Development Departments like Agriculture, Animal Husbandry, Horticulture, Sericulture etc. different inputs are being provided to Scheduled Castes in the State under Special Central Assistance with a maximum subsidy of Rs.10000. During 2003-04 Rs. 3495.78 lakhs was allocated under the scheme. Out of which the fund was released Rs. 2124.76 lakhs (i.e. 60.78%) and expenditure was Rs. 962.82 lakhs (i.e. 45.31%). For the year 2004-05 , Rs. 2048.19 lakhs has been released from Govt. of India of which Rs. 962.82 lakhs i.e. 47.00% has been utilized for 4797 unemployed candidates who are being provided with computer hardware & soft ware training through CMC Ltd. The remaining funds will be spent during 2005-06. No physical achievement reports for the years 2003-04 and 2004-05 is available.

KERALA

3.164 As per Census 2001, the population of the State is 31,841,374, out of which Scheduled Castes population is 3,123,941 (Male : 1,525,114 & Female : 1,598,827) which constitutes 9.8% of the total population, Literate persons of the State is 25,485,688 (Male : 12,753,602 and Female : 12,732,086). Separate data on Scheduled Caste literate persons are not available.

Plan formulation

3.165 The Plan formulation is done both at the State Level and Local Bodies Level. For the State Level planning, a tentative outlay for Annual Plan and Five Year Plan is fixed by the State Planning Board and communicated to the SC and ST Departments.

State Planning Board would discuss these proposals with the Government Secretary, Directors of the SC and ST Department and other concerned Officials where the past performance would also be discussed along with the feasibilities of new proposals of schemes and then the Plan is finalised. The schemes are formulated for SCs with the technical assistance of the Departments concerned they are implemented under their "People's Plan". At the grass root level, the Grama Sabhas will prepare the schemes on the basis of local individual and community requirements, identify the beneficiaries and prepare a list on the principle of poorest among the poor first. Therefore, the element of bias in selection of the beneficiaries is ruled out. Secondly, since the schemes were need-based and not thrust upon, the effect was good.

Diversion of Funds:

3.166 As reported by the State, here is no such diversion of funds as the State is following the concept of Maharashtra model of "pooled funds". On the contrary there is diversion of General Funds (in the local bodies) to Special Component Plan (SCP) in case of shortage, requirement etc. which is an appreciable step towards the economic development of SCs as most of the States resort to diversion of SCP funds to other sectors or under utilise the SCP funds.

Special Component Plan (SCP) :

3.167 From 9th Five Year Plan onwards, Kerala is following decentralised planning system. As per the guidelines, 66.67% of the total funds are being transferred as grant-in-aid to the Local Self Government Departments. In the Annual Plan for 2004-05, an amount of Rs. 401.93 crores were earmarked under the SCP which is 10.35% of the State's Annual Plan of Rs. 3,883.57 crores. This includes Rs. 24,554.12 lakhs earmarked for Local Self Government Departments and the remaining for the schemes directly implemented by Scheduled Castes Development Department. The expenditure of the former scheme is shown below and the percentage of expenditure of latter scheme is 76.09%.

Table63

S.No.	Name of Local Body	Plan Grant released	Expenditure	Percentage Expenditure
1.	Grama Panchayat	12965.34	10436.18	80.49
2.	Block Panchayat	5432.78	3696.53	85.53
3.	District Panchayat	4321.78	3226.55	74.66
4.	Municipalities	1590.74	Not consolidated	---
5.	Corporations	1354.48	Do	---

Centrally Sponsored Schemes

3.168 As far as the Scheduled Caste Department is concerned necessary proposals under CSS are sent to the Union Ministry; in time and expenditure is incurred on the schemes from the State Plan Funds. Later the amount is reimbursed after receiving sanction from Government of India. As regards the Central Sector Schemes, in Rural Development, the Project Officers under the control of District Panchayat implements the schemes. The Project Director implements the schemes for SCs by spending; the earmarked funds under different schemes as per the guidelines of the Central

Ministry. Normally the amounts earmarked are spent except for some technical reasons wherever the case may be.

Special Central Assistance to Special Component Plan:

3.169 As and when the SC/ST Department receives the funds, they are placed at the disposal of this District Collectors in respect of SCP. Information on SCA to SCP is given below:

Table 64
SCA to SCP

Year	Outlay	Expenditure	(Rs. in lakhs) Percentage
2003-04	370.00	149.38	40.37
2004-05	190.00	7.31	3.85

Note: for the year 2004-05, the SCA to SCP Expenditure was 3.85% only.

3.170 The utilization of SCA to SCP in comparison to outlays in the year 2003-04 is only 40.37% and it has drastically declined to only 3.85% in the year 2004-05. This poor utilization of SCA to SCP by the State Government will certainly have a very adverse impact on the economic development of SCs in the State. The State Government may therefore accelerate its efforts towards complete utilization of SCA. More so, this is also not in conformity with the decision of the Govt. towards the diversion of funds which reveals that diversion of funds to General schemes to SCP is done in case of shortage or requirement.

Subsidy, Grant-in -aid to programmes/ schemes

3.171 Since all development schemes are implemented by the local bodies, which receive 67% of the budgetary funds as grant-in aid, all schemes of individual beneficiary oriented (IBO) nature are grant in aid only right from housing scheme to drinking water well scheme. Similarly a majority of the schemes of IBO under SC/ST Corporation are based on grant in aid principle. Of course there are schemes involving huge cost like land purchase schemes etc. where a major portion is loan (Rs. 1 lakh) and minor portion is subsidy (Rs.50000). The subsidy is met from Share Capital of the Corporation.

Table 65
SC/ST Development Corporation

S No	Schemes	Category	No	KSDC	SUBSIDY	NSFDC	NSTFDC	NSKFDC	HUDCO	BANK	B.C	TOTAL
1	KSDC	SC	196	12797524	5315742	0	0	0	0	0	10000	18123266
		ST	6	295300	0	0	0	0	0	0	0	295300
2	NSFDC	SC	1019	4554190	10115781	31365998	0	0	0	0	0	46633769
		ST	0	476	0	1454	0	0	0	0	97406	461
3	NSTFDC	SC	26	415052	0	0	1600241	0	0	0	4000	2019293
		ST	13	142225	0	0	0	459245	0	0	11550	613020
5	BANK	SC	0	0	0	0	0	29250	0	0	0	45000
		ST	0	0	0	0	0	0	0	0	0	0
6	HUDCO	SC	41	0	46150	0	0	0	0	0	0	0
		ST	3	0	7700	0	0	0	102550	0	0	0
	Total	SC	1271	17493939	15477673	31365998	0	459245	21400	0	0	291100
		ST	36	726578	7700	1454	1600241	29250	102550	0	118956	65018361
Grand Total :				1307	18220517	15485373	31367452	488495	123950	0	4000	2390623

3.172 The State Office of the Commission was never invited to participate in the meetings of the Corporation. It is mandatory to invite the State Office in the meeting under clause 9 of Article 338.

Table 66

S.No.	Name of Schemes	Budget Provision 2004-05	Revised Estimate 2004-05	Expenditure	Progressive Total
1	Pre-matriculation Studies(SC)	---	85.12	6.53	6.53
2	Special Incentive to talented students	130.00	100.00	4.72	75.61
3	Post Matric Hostel	250.00	150.00	18.24	96.64
4	Model Residential Schools	800.00	599.50	290.49	692.16
5	Audio Visual Education & Bharat Dharsan	8.00	8.00	--	8.00
6	Financial assistance to failed SC students for continuing edu.	80.00	80.00	12.3	47.08

Development schemes implemented by local self Government for SCs

3.173 Rural Development Commissioner of Kerala implements SGSY, SGRY and IAY Schemes which aims at eradicating poverty. under SCP/TSP Schemes. In Kerala, the local Governments which implement the Anti poverty programmes in rural areas like Block Panchayats look after SGRY and IAY and the SGRY is implemented three tiers in the ratio of 50:30:20 among village, Block and District Panchayat respectively. Like wise the Municipalities and Corporations are responsible for implementing SGSRY, NSDR (National Slum Development Programmes) and VANBAY (Valmiki Ambedkar Awas Yojana programmes). The utilisation of SGSY, SGRY and IAY in respect of SCs for the period 2003-04 and 2004-05 is given below:

Table 67

(Rs. in lakhs)

S. No.	Programmes	Allocation for the year	Expenditure upto the quarter	%age of Col.5 to Col.3
1	2	3	5	6
1.	SGSY SCs : Total :	50.00 1194	616.54 2054.13	1233.08 172.03
2.	SGRY SCs : Total :	75.00 1629.00	2528.06 10124.82	3370.75 621.84
3.	IAY SCs : Total :	299.00 1420.00	3000.00 5767.37	1003.58 406.15

Involvement of State Office in SCP formulation etc.

3.174 The involvement of State Office of the Commission by the State Govt. in the Plan formulation of SCP is to be viewed differently. At the time of IX Five Year Plan formulation, the State Government had involvement in the State Officer in the Monitoring and Task Force Committees. This had taken place during 1996. Since Kerala has been following decentralised planning with more powers to the local bodies, annual plan formulation at the State level gets a low priority. The role of SC and ST Department has become minimal. However, the State Government with various Development Department concerned holds the Reviews periodically. The State Office of the Commission, Thiruvananthapuram is not associated with the plan formulation process which according to Article 338 of the Constitution of India is mandatory on the part of the State Govt. The State Govt. keeping in view the spirit of the Constitution may consider associating the Commission with the process of plan formulation in the broader perspective.

Implementation issues in SCP

3.175 The planning and implementation of SCP was decentralised more than two decades ago. Most of the funds were spent through departments on schemes which were prepared in the district level based on the concept of habitat and approved by the Working Group under the District Collector. This system was acclaimed nationally. However, some departments could not spend their full allocation. With a view to allowing flexibility to transfer funds across departments based on need and performance, the system of pooling was introduced in 1995. Somehow, it was misinterpreted to mean that the entire funds are to be spent by the Scheduled Caste and Scheduled Tribes Development Department. As funds were provided under the demand of the SC Development Department the other Departments moved away and shirked the responsibility for planning and implementation.

3.176 In 1997, a policy decision was taken to transfer a large chunk of SCP to local governments. Though the system continued, the district level Working Groups got atrophied and stopped functioning. On the positive side during the IX Plan real funding was provided under SCP and the perverse system of reckoning "flows" to SCP that existed during the Seventh and Eight Plan periods was done away with. This suddenly increased availability of investible resources but this increase unfortunately coincided with the weakening of the planning and implementation system.

3.177 Local Govts. have shown a strong preferences to beneficiary oriented programmes. Of late the performance of local Govts. Under SCP has been declining with expenditure hovering around 80% in the case of SCP. At the same time the considerable resources with the State Government is also being spent mostly on schemes in the domain of local Govts without the discipline of either rigorous centralised planning or participatory planning. This has tended to distort the flow of funds to less deserving schemes and areas. Now the Govt. is seriously addressing the two fold challenge of improving the performance of local Govts. Under SCP and improving the quality of planning and implementation of State level SCP.

PUNJAB

3.178 As per census-2001 the State Population is 24358999 and population of SC is 7028723 i.e. 28.85%. The total literacy rate of the state is 69.65% (2001 Census) (Male : 75.24% and Female : 63.36%). The literacy rate of SC is 56.22% (Male :

63.38% and Female : 48.25). The decadal growth rate (1981-2001) of population and literacy of the State is as under:

Table 68

Particulars	1981	1991	2001
(1)	(2)	(3)	(4)
Total Population	1,67,83,915	2,02,81,969	2,43,58,999
SC Population	45,11,703	57,42,528	70,28,723
%age of SC Popu. to the total Population	26.90	28.31	28.85
Decadal growth rate (Total Population)	23.89	20.80	20.10
Decadal growth rate (SC Population)	34.74	27.28	22.39
Literacy Rate	49.12	58.51	69.65
SC Literacy Rate	23.86	41.09	56.22

3.179 It may be seen from the above figures that, decadal growth rate of Scheduled Caste population is higher in comparison to that of total population. Literacy rate of Scheduled Castes also increased substantially during 1981 to 2001.

Special Component Plan

Table 69

Statement showing the details of Special Component Plan outlay and expenditure during 2002-03 to 2004-05

Punjab	2002-03				2003-04				2004-05
%age SC Population	State Plan outlay	Flow to SCP	% of SCP	SCP Expen.	State Plan outlay	Flow to SCP	% of SCP	SCP Expen.	SCP Expen.
28.90	2793.00	392.33	14.05	162.63	NR	819.95	NR	NR	NR

3.180 Out of total population of 2.43 crores in the State (Census 2001). the Scheduled Caste population constitutes 28.85% of the total population of the State and give due weightage to all the development aspects relating to the Scheduled Castes, the Special Component Plan has been divided into four categories namely Educational Development Programmes, Economic Development Programmes, Social Security Programmes and Health, Housing, Environmental Improvement and other Community Development Programmes as per the following detail:-

Table 70

(Rs. in Crores)

S.No.	Programme	Annual Special Component Plan 2005-2006
1	2	3
1.	Health, Housing & Environmental improvement and other community development Programme.	404.65
2.	Education, Training and Skill Development Programme	289.46
3.	Social Security Programme	210.67
4.	Economic Development Programme	29.84
	Total	934.62

3.181 For the development of infrastructure in the villages where Scheduled Castes are predominantly residing, the State Government has identified 3788 villages in the State having 40% or more Scheduled Caste population from the data provided by census 2001. These villages will be covered on priority basis for formation of NGOs and implementation of State Government programmes for providing basic amenities in these villages for the upliftment of Scheduled Castes. Similarly, the towns having Scheduled Caste population more than 20% will be given priority under the Special Component Plan. However, from the year 2004-05, scheme is being modified to impart driving training from IITs as per the norms and specification of National Council of Vocational training curriculum to make it more beneficial. An amount of Rs. 34.00 lakhs will be spent during 2004-05 to provide training to 400 Scheduled Caste persons.

Strengthening of 108 community centres- providing equipment and raw material

3.182 The Scheme of community centre is running on the non-plan side. Under the scheme, one year training in cutting, tailoring and embroidery etc. is provided to the below poverty line women/girls. The expenditure on staff is met out of non-plan budget. Under SCA programme, funds are provided for purchase of raw material, repair and maintenance of machinery etc. so as to strengthen the existing 108 community centres running in the State. Besides, swing machines are also provided to the beneficiaries after the successful completion of training so that they may start work to supplement the family income. The scheme aims at to remove the stigma of untouchability and to bring about change in the living conditions of the Scheduled Caste women/girls. An amount of Rs. 75.21 lakhs will be spent during 2004-05 to cover 1480 women/girls. An outlay of Rs. 75.92 lakhs has been proposed for the year 2005-06 to cover the 2160 women/girls.

Providing of quipment and raw material in 24 training-cum-production centres of welfare department

3.183 The objective of the scheme is to train Scheduled Caste widows/women and girls living below the poverty line in technical trades so as to enable them to supplement their family income. 24 Training centres of different trades i.e. Readymade garments-8, Handloom-6, Canning-3, Plastic goods-1, Leather goods-5, Carpet making-1 are sanctioned and only 21 centres are functioning in the state. Funds are provided for the supply of raw material, maintenance of machines and purchase of future etc. During the training is one year and during the training period stipend @ Rs. 500 per trainee per month is also provided . After completion of training, trainees are also provided assistance to take up self-employment in the respective trade. An expenditure of Rs. 29.45 lakhs will be incurred during 2004-05 to cover 475 Scheduled Caste beneficiaries. An outlay of Rs. 38.40 lakhs has been made for the year 2005-06 to cover 450 beneficiaries.

Funding of economic ventures including commercial activities

3.184 This scheme is being implemented in two Phases: - (1) Purchase of plots/booths and (2) setting up of Ventures. In the phase, a sum of Rs. 8000 was being advanced as capital subsidy out of SCA for Purchase of plot/booth sites inview the prices of land, subsidy for purchase of plots has been enhanced from Rs. 8000 to Rs. 15000 from the year 2004-05. In the 2nd Phase, loan is provided upto maximum of Rs. 50,000 by PSCFC through its Direct lending Scheme for the construction of shops/establishment on the said plot and setting up of venture thereon. Subsidy at the rate of 25% subject to maximum of Rs. 10,000 is provided out of SCA. During 2003-

04, an expenditure of Rs. 23.88 lakhs has been incurred to cover 260 beneficiaries. An amount of rs. 300.00 lakhs will be spent to cover 2000 Scheduled Caste beneficiaries during 2004-05.

Table 71

(Rs. in lakhs)						
Sr. No.	Name of the venture/activity	Unit cost	No. of Units	Total Cost	Subsidy out of SCA	Loan from PSCFC
1.	Karyana Shop	0.40	470	188.00	47.00	141.00
2.	Dairy Farming	0.50	135	67.50	13.50	54.00
3.	Shoe making	0.50	200	100.00	20.00	80.00
4.	Handloom/Powerloom	0.50	135	67.50	13.50	54.00
5.	Readymade Garment/Cloth shop	0.50	200	100.00	20.0	80.00
6.	Scooter/Cycle repair	0.30	35	10.50	3.50	7.00
7.	Electronic Shop	0.50	35	17.50	3.50	14.00
8.	Piggery	0.50	70	35.00	7.00	28.00
9.	Other activities	0.50	720	360.00	72.00	288.00
	Total	-	2000	946.00	200.00	746.00

Capital subsidy to PSCFC under bank tie-up loaning programme

3.185 Under this scheme, rate and amount of subsidy is being provided to the BPL beneficiaries in conformity with the IRDP. In view of the modification in IRDP, the subsidy under this scheme has been enhanced to 50% subject to maximum of Rs. 10,000 as admissible under SGSY. Under the scheme, loan through commercial banks is provided to the Scheduled Caste families living below the poverty line for their self-employment. Capital Subsidy @ 50% of the loan amount subject to the maximum of Rs. 10,000 is provided out of SCA. An amount Rs. 315.99 lakhs has been spent during 2003-04 to give financial assistance to 3283 Scheduled Caste beneficiaries. An expenditure of Rs. 2000.00 lakhs will be incurred during 2004-05 to cover 20000 Scheduled Caste families.

Table 72

(Rs. in lakhs)						
S.No.	Name of the venture/activity	Unit cost	No. of Units	Total cost	Subsidy out of SCA	Institutional finance
1.	Karyana Shop	0.35	3000	1050.00	300.00	750.00
2.	Dairy Farming	0.35	4000	1400.00	400.00	1000.00
3.	Shoe making	0.35	500	175.00	50.00	125.00
4.	Handloom/Powerloom	0.35	500	175.00	50.00	125.00
5.	Readymade Garment/Cloth Shop	0.35	1300	455.00	130.00	325.00
6.	Scooter/Cycle repair	0.35	100	35.00	10.00	25.00
7.	Electronic Shop	0.35	100	35.00	10.00	25.00
8.	Piggery	0.35	500	175.00	50.00	125.00
9.	Other Activities	0.35	10000	3500.00	1000.00	2500.00
	Total	-	20000	7000.00	2000.00	5000.00

Formulation/monitoring/review and implementation of scp

3.186 Consequent upon the decision of the cabinet sub-committee dated 8th March, 1994, Directorate of Special Component Plan has been set up for Monitoring, Review and Implementation of Special Component Plan. The sanctioned strength of this Directorate is 34. This Directorate proposes to create the infrastructure at District Headquarters for the proper Monitoring, Review and Implementation of SCP. An expenditure of Rs. 2.28 lakhs has been incurred to strengthen the Computer Centre so as to maintain the Data Bank in the Directorate of SCP during the year 2003-04. During the year 2004-05, an expenditure of Rs. 2.16 lakhs will be spent.

3.187 Development programmes for the below poverty line Scheduled Caste in districts tends to get slowed down either because a particular input is not available in the approved schemes or certain sanction/formalities taken a long time and the matter is referred to state headquarters. These programmes have also suffered due to death of funds for particular programme. To take such situation, Directorate of SCP has proposed to place the SCA funds @Rs. 20.00 lakhs per district at the disposal of Deputy Commissioner. Deputy Commissioner will formulate the programme for the economic development of below poverty line Scheduled Castes with reference to their occupational pattern and which increases productivity and income from their limited resources. An amount of Rs. 340.00 lakhs is likely to be spent to cover 8670 Scheduled Caste beneficiaries during 2004-05.

Scheme for female buffalo calf rearing

3.188 The objective of this scheme is to improve the economic status of the Scheduled Castes landless labourers involved in Animal Husbandry practices by provides them buffalo female calf. Each unit will be comprise three calves. The unit cost will be Rs. 64000/- out of which Rs. 28462/- will be contributed by the beneficiary and Rs. 25102 will be provided as subsidy. Rs. 10436 will be arranged as loan from PSCFC. An amount of Rs. 12.28 lakhs is likely to be spent during 2004-05 to cover 200 beneficiaries. Adrash villages of Punjab. An expenditure of Rs. 12.70 lakhs will be incurred during 2004-05 to set up 1000 units.

Setting up of goat rearing units in kandi area and adrash grams

3.189 The scheme envisages to provide financial assistance to below poverty line Scheduled Caste families. For this purpose, each family will be provided goat unit of five goats and 50% subsidy will be provided to each family and free of cost deworming. The scheme will be implemented in Guradaspur, Hoshiarpur, Ropar and Adrash Grams of Punjab. Rs. 2.15 lakhs will be spent to establish 100 units during 2004-05.

Upgradation of low grade roughages through ammonia treatment

3.190 With a view to get the optimal milk production, a scheme of up gradation of low grade roughages through ammonia treatment has been proposed. The scheme envisages to treat roughages such as paddy straw, wheat bhusa and Karvi, which are poor in nutrition, with urea to increase their digestive and nutritive value. An amount of Rs. 7.00 lakhs will be spent on 2000 demonstration units during 2004-05.

3.191 It can be seen from the above data that, the number of Scheduled Caste cultivators have not increased at par with the rate of increase of population. The percentage of cultivators declined in 1981 to 6.66% from 10.68% and again in 1991 to 4.80%. Hence conclusion can be drawn that cultivators are shifting to other trade, as it

is evident that in the Manufacturing sector the rate of increase of workers, specially in construction, Trade & Commerce and Transport & Communication, significantly high.

3.192 State Govt. had decided to implement Special Component Plan (SCP) on Maharashtra pattern. As per this pattern, SCP funds will be placed in the budget demand of the Welfare Department and Welfare Department being nodal, allocation/release of funds to the implementing agencies. However, the implementation of "Maharashtra Model" is under consideration with the Departments of Planning and Finance in view of some practical problems relating to resources in the State.

3.193 In 1996, State Govt. had opened a minor head-789-"SCP for SCs" under the relevant major/sub-major heads of accounts to book Special Component Plan allocation in the State Plan budget. However, to further improve the budgetary mechanism of Special Component Plan, the State Govt. has decided to implement Special Component Plan on Maharashtra pattern wherein Special Component Plan funds will be placed in the budget demand of the Welfare Department. In the State of Punjab, Special Component Plan has been recognised as a "Budget Document" and presented in the Punjab Vidhan Sabha, every year, alongwith other budget document.

3.194 The work relating to formulation/monitoring and review of Special Component Plan and Special Central Assistance Programme is being done by the Directorate of Special Component Plan (Welfare Department), Punjab. The funds under SCP schemes are utilised by the respective implementing departments. The Financial and Physical progress of Special Component Plan is reviewed on quarterly basis and the reports are sent to the State Govt. and Govt. of India.

3.195 Besides, the detailed evaluation/monitoring and review of Special Component Plan schemes are also conducted by the Directorate of Special Component Plan and recommendations/reports are sent to the implementation departments to bring improvement in the schemes as per needs and aspirations of SC people in the State. The details Evaluation Studies/Surveys is as under:

Evaluation Surveys

- (ii) Economic Upliftment of Way Side Cobblers;
- (iii) Funding of Economic Venture including commercial activities;
- (iv) Setting up of Institute for training in Stenography and Typing to BPL SC;
- (v) HUDCO aided sewerage project for the towns having population between 20,000 to 1 Lakh;
- (vi) Subsidy for Sericulture.

Spot Check/Verification

- (i) Subsidy on feed for milch (Buffaloes/Cows) animals and their regular deworming;
- (ii) Subsidy on feed for goats and their regular deworming;
- (iii) Deworming of sheep herds of the SCs;
- (iv) Staffed Goat Rearing;

- (v) Spot study of Scheme for Liberation and rehabilitation of scavengers and their dependents-Identification of scavengers in Amritsar City thereon;
- (vi) Spot study of 'National Scheme of Liberation and Rehabilitation of Scavengers and their dependents at Kurali town (NSLRS).

3.196 In addition to above other reports are also prepared by Directorate of Special Component Plan to build the database for formulation/implementation of SCP. In the State, a High Powered Standing Tripartite Committee under the Chairpersonship of Hon'ble Welfare Minister has been constituted. The members of the committee are worthy. Chief Secretary, Punjab, Principal Secretary (Finance), Principal Secretary (Planning), Secretary (Welfare) and Director of National Commission for SCs. Director of Special Component Plan is a member is a Member Secretary of the Committee. The detail of schemes which involved subsidy or grant-in-aid for education, housing and income generation etc. is given below:

List of SCP schemes involving subsidy or grant-in-aid for education, housing and income generation

Table 73

S. No.	Name of Subhead/Scheme	(Rs. in lakhs)	
		Approved (2003-04)	SCP outlay
1.	Agriculture		47.30
2.	Horticulture		15.50
3.	Sericulture		14.71
4.	Dairy Development		25.25
5.	Animal Husbandry		84.25
6.	Fisheries		27.50
7.	Rural Development & Panchayats		3085.00
8.	Education		13759.80
9.	Labour & Labour Welfare		132.50
10.	Welfare of Scheduled Castes		
	(ii) Free text books to SC students studying in 10+1 and 10+2		500.00
	(iii) Upliftment of Way Side Cobblers		15.00
	(iv) Attendance scholarship to primary girl students		2210.00
	(v) Providing plots to the houseless SCs in rural areas		1000.00
	(vi) Assistance to SC for development of Manuraj Pits		200.00
	(vii) Supply of free watches to SC students studying in 1 st to 10 th classes		610.91
11.	Urban Development		50.00

Note: The data above provided by the State Government is only approved outlay for the year 2003-04. No information is available for actual expenditure. It is not possible to assess the implementation of SCP for Scheduled Castes in the State.

3.197 During 2003-04, the SCP was prepared on Maharashtra pattern; however, funds as per Maharashtra pattern were not provided to the Welfare Department due to problems relating to resources in the State. Therefore, funds could not be provided/released as per requirements.

Schemes implemented by Punjab SC Development & Financial Corporation

3.198 Statement showing the targets & achievements under various schemes from 2002-03 to 2003-04.

Table 74

Year: 2002-03 (Rs. in Lakhs)

Schemes	Target			Sanctioned			Disbursed		
	No. of beneficiaries	Loan (including Subsidy)	Subsidy	No. of beneficiaries	Loan (including Subsidy)	Subsidy	No. of beneficiaries	Loan (including Subsidy)	Subsidy
Direct Landing	200	100.00	-	423	246.60	-	486	272.14	-
Economic Venture	3000	1200	300	65	28.55	6.39	101	41.84	9.34
NSFDC	100	250	-	298	145.55	-	213	34.00	38.6
NSKFDC	-	-	-	230	126.05	-	246	93.85	8.80
Goat Rearing	100	6 2.00	-	Nil	Nil	Nil	01	0.59	Nil

Year : 2003-04 (Rs. in Lakhs)

Schemes	Target			Sanctioned			Disbursed		
	No. of beneficiaries	Loan (including Subsidy)	Subsidy	No. of beneficiaries	Loan (including Subsidy)	Subsidy	No. of beneficiaries	Loan (including Subsidy)	Subsidy
Direct Landing	200	100.00	-	31	17.80	-	111	58.35	-
Economic Venture	3000	1200.00	300	01	0.40	0.10	27	08.78	0.97
NSFDC	500	250.00	-	147	73.15	-	72	3.85	16.72
NSKFDC	-	-	-	55	22.15	-	Nil	Nil	8.80
Goat Rearing	100	62.00	-	Nil	Nil	Nil	Nil	Nil	Nil

Note : 1. Targets could not be achieved due to non release of Share Capital funds by the Govt. which is an essential ingredient for the achievement of loan.

Problems & Suggestions regarding effective implementation of SC welfare schemes

Funds should be released quarterly instead at the end of the financial year

3.199 The Share Capital provided to the Punjab Scheduled Castes Development & Financial Corporation is contributed by State Govt. and Central Govt. in the ratio of 51:49. Funds are generally released at the fag end of the financial year. Therefore, the Corporation remains unable to provide financial assistance throughout the year to needy SCs and purpose of giving loans is defeated. Therefore, it is necessary that funds should be released quarterly at 25% per quarterly like District Rural Development Agency where the beneficiary oriented schemes like SC Corporation are being implemented.

Less budget provision made by the Govt. in comparison to the approved targets

3.200 While finalising annual plans by the Government. The budget provision made for corporation are much less in comparison to the targets earmarked i.e. the

Corporation had a programme to disburse Rs. 1156.00 lacs under share capital schemes during the year 1999-2000 whereas budget provision made was Rs. 980.39 (i.e. Rs. 500.00 lacs State Share and Rs. 480.39 lacs Central Share) Similarly for the year 2000-2001 Budget provision was Rs. 490.20 lacs (250.00 lacs State Share and Rs. 240.20 lacs Central Share) against the proposed target of 1111.93 lacs. Similarly during 2001-02 against the proposed target of Rs. 1061.55 lacs, budget provision was Rs. 490.00 lacs which was revised to Rs. 1.96 lacs only. Again during the year 2002-03 against the target of 1058.16 lacs, the budget provision was Rs. 392.00 lacs only and for the year 2003-04 against the target of 1028.00 budget provision was Rs. 392.00 lacs which was revised to Rs. 192.00 lacs only.

Government Releases lesser funds against the provision

3.201 The Government do not release full amount or releases less amount against the budget provision under BTS. There was no release against Rs. 650.00 lacs during the year 1999-2000 and against Rs. 2000.00 lacs during 2000-2001. Under Economic Venture scheme there was no release against the budget provision of Rs. 500.00 lacs for 1999-2000 & Rs. 500.00 lacs for 2000-2001. However during year 2001-2002. Rs. 1272.16 lacs against Rs. 2000.00 lacs under BTS and 488.39 lacs against Rs. 500.00 lacs under EV scheme were released. No funds were released during the year 2002-03 and 2003-04 against the target of Rs. 2500.00 lacs for each year Similarly share capital funds were not released as per budget provision as is evident from the statement given below:-

Table 75

Year	Budget Provision		Funds Provision	
	State Government	Central Government	State Government	Central Government
1999-2000	500.00	480.89	NIL	NIL
2000-2001	250.00	210.50	NIL	NIL
2001-2002	1.00	0.96	NIL	NIL
2002-2003	200.00	198.00	NIL	NIL
2003-2004	NIL	192.00	NIL	NIL

3.202 Due to non release/inadequate amount of funds released by the Government the Corporation could not give adequate loans to the beneficiaries and as such unable to achieve the desired results.

There should be separate budget provision for administrative expenses

3.203 No funds are provided to this Corporation for employees' salary and other administrative expenses. Corporation meets these expenses from its own meager resources i.e. recovery etc, which leads to financial crunch and thereby adversely affects the results of the scheme of the Corporation. This Corporation is a Welfare organisation and charges very lower rate of interest from poor Scheduled Caste's and has no other sources of income. Hence the Corporation faces much difficulty in meeting out day of day expenses on salary, petrol telephone bills, electricity etc. Therefore it is most necessary that Government should provide separate funds for such expenses like the IRDP.

3.204 SCA funds should be released directly to the Scheduled Caste Corporation to avoid unnecessary delay in getting these funds released through FD and as such effecting the smooth implementation of the scheme. Funds should be released simultaneously for the components viz., share capital & SCA. Otherwise it is difficult to implement the schemes as both the components form an integral part of a loan.

TAMIL NADU

3.205 As per Census 2001, the population of the State is 62,405,679, out of which Scheduled Castes population is 11,857,504 (Male: 5,932,925 and Female: 5,924,579) which constitutes 19.0% of the total population, Literate persons of the State is 40,524,545 (Male : 22,809,662 and Female : 17,714,883). Separate data on Scheduled Caste literate persons are not available.

Table No.76

Population			
Persons		62,405,679	
Males		31,400,909	
Females		31,004,770	
Sex ratio		987	
Rural		34,921,681	
Urban		27,483,998	
Scheduled Castes Population			
Persons		11,857,504	
Males		5,932,925	
Females		5,924,579	
Percentage of SC		19.0	
Literacy		Literacy rate (age 7+)	
Persons	40,524,545	Persons	73.5
Males	22,809,662	Males	82.4
Females	17,714,883	Females	64.4

Special Component Plan (SCP) for SCs

3.206 The Special Component Plan 2004-05 has been formulated keeping in mind the approach set forth in the State 10th Five Year Plan, with emphasis on "Growth with Social Justice and Equity". According to 2001 Census, the population of Scheduled Castes in Tamil Nadu was 11,857,504 constituting 19% of the total population of 62,405,679 nearly 70% of the Scheduled Castes are living in the rural areas. The district of Thiruvavur has the maximum Scheduled Caste population i.e. (32.35%), The Nilgiris (31.23%), Perambalur (30.21%), Nagapattinam (29.64%), The Cuddalore (27.76%) and Villupuram (27.39%) district have the largest proportion of Scheduled Castes population. The Sex Ratio among the Scheduled Castes is 999.

which is must higher than the general sex ration of 987 of the state. The following table shows the growth of SC population to that of total population since 1961.

Population	Census				
	1961	1971	1981	1991	2001
Total	3,36,86,953	4,11,99,168	4,84,08,077	5,58,58,946	6,24,05,679
SC	60,67,327	73,15,595	88,81,295	1,07,12,266	1,18,57,504
% of SC	18.01	17.76	18.35	19.18	19.00

Table77

The following table shows the trend of SC population in Rural and Urban areas.

Census	SC-Rural Population		SC- Urban Population	
	Rural	% with Total	Urban	% with total
1971	60,50,302	82.70	12,65,293	17.30
1981	70,90,664	79.84	17,90,631	20.16
1991	84,28,040	78.68	22,84,226	21.32
2001	83,08,890	70.07	35,48,614	29.93

3.207 The S.C. population in the rural Areas declined for 78.68% in 1991 to 70.07 in 2001. Similarly this is considerable increase in the urban population percentage of SCs, which increased from 21.32% in 1991 to 29.93% in 2001. This may be termed as a positive indicator of this economic development. The developmental gaps are sorted out by fixing higher targets. By this way bridge has lessened in socio-economic status of Scheduled Castes with other people.

3.208 During VIII Five year Plan, the flow to Special Component Plan was Rs. 2,42,138.60 lakhs. The expenditure incurred was Rs. 1,96,011.91 lakhs, which works out to 80.95%. 15,44,812 Scheduled Castes families has been provided assistance to cross the poverty line as against the target of 15,03,000 families. During the Ninth Five Year Plan (1997-2002), the State total outlay is Rs. 2470407.24 lakhs. The fund earmarked to SCP is Rs. 468916.44 lakhs and the expenditure incurred is Rs. 405402.85 lakhs which works out of 86%. N.B. there is considerable declining trend in terms of %age of expenditure in comparison to the year 1998-99 in the subsequent year 1999-2000 to 2001-02. During the first two year of the Xth Five Year Plan i.e. 2002-03 and 2003-04, the expenditure was Rs. 280792.44 lakhs (114.26%) as against the flow of Rs. 245744.19 lakhs which works out 22.02% of the State Annual Outlay of Rs. 1257166.12 lakhs for 2002-03 and 2003-04.

Special Central Assistance

3.209 The Special Central Assistance funds are released to States/Union Territories as an addition to the SCP for the benefits of SC people. Out of the total SCA allotment 90% of the SCA funds are expected to be used for economic Development of poor Scheduled Castes households by implementing income generating schemes with a special focus on the most vulnerable sections amongst the SC and the remaining 10% of the SCA funds can be used for infrastructure development in villages having 50% or more of SC population. The State

Government should monitor the progress of SCA regularly to ensure full utilization. It may be observed that the State Government has not been fully utilising the SCA in time and as a result considerable funds remained utilized, which rose to the extent of Rs. 32.64.57 lakhs in the year 2002-03. For economic development of SCs. In a no. of schemes the No. of Targeted families have been reduced in the year 2004-05 when composed to the year 2003-04. This will show down the process of Economic Development of SCs. This scheme offers assistance in the form of 50% subsidy and 50% term loan of the unit cost of the land to be purchased, land development, minor irrigation facilities and animal husbandry activities, with the maximum unit cost of Rs. 2.00 lacs. This scheme is proposed to cover 8148 beneficiaries, during 2004-2005.

- **Financial Assistance to Individuals** Nearly, 6484 beneficiaries are expected to get the benefits at the total assistance of Rs. 2697.70 lakhs during 2004-05.
- **Financial Assistance to Self Help Groups & Revolving Fund Assistance** - Strengthening the capacities of the SC/ST women member of SHGs, it has been proposed to cover 1,01,894 Scheduled Castes women member of SHGs for a total assistance of Rs. 5315.75 lakhs.
- During the year 2004-05 it is proposed to cover 2062 SC beneficiaries under this scheme at the cost of Rs. 200.00 lakhs.
- **Vocational Training Programmes for SC Youth and SC Women Members or SHGs**
- During the year 2004-05, 10,020 SC youth and 2850 SC Women member of SHG will get the benefits at the cost of Rs. 600.00 lakhs.
- **EDP Training for Self Help Group** - EDP Training Programme has to be imparted on SC women for Capacity Building in accordance with the norms fixed by the Tamil Nadu Corporation for Development of Women. During 2004-05, 40,000 SC women will get benefits.
- **Special Training Programme Organized by TADCO and Computer Software Training** - During the year 2004-05, 4300 SC. Member are to be benefited under this scheme
- **NSKFDC (Individual Scheme)** - During the year 2004-05, it is proposed to give assistance to 600 beneficiaries.
- **NSKFDC Group Scheme and National Scheme for Liberation and Rehabilitation of Scavengers (NSLRS) & New Schemes for Economic Development of Sanitary Workers and their Department.** - During the year 2004-05, it is proposed to cover 10,000 beneficiaries all over the State.
- **Infrastructure Development** - During the year 2004-05, it is estimated to cover 15,000 beneficiaries all over the state.
- The actual number of beneficiaries should be given instead of first anticipated figures in respect of the above scheme.

Family Oriented Programme

3.210 It has been identified that the "lack of economic support" is the main cause of tardy implementation of development schemes to Scheduled Castes. The existing arrangements and the present approach in this regard shall be continued during 2004-05 also. The prime motto of SCP is to assist SC people to cross poverty line. With this intention in view, the following number of SC families were economically uplifted in the past decade.

Twenty point programme

3.211 During the Ninth Five Year Plan period 18,54,485 families were covered under this scheme and 6,78,682 families were covered in 2003-04, as against the target of 3,75,000 lakh families. For the year 2004-05, it is proposed to assist 3, 75,000 families.

Social services scheme

3.212 The moto of the programme was to provide all infrastructure facilities to all SC/ST habitations. Later during 2002 fifteen point programme was announced by the Hon'ble chief Minister for implementation over a period of five years. With a view to provide these basic needs, a survey in all the Scheduled Caste/Scheduled Tribe habitations was conducted in 1994. According to the survey, there are 29,625 Scheduled Caste habitations and 1,441 Scheduled Tribe habitations in the State. As per this survey, State Government issued orders to provide the following facilities. Provision of these facilities is monitored by the high level committee headed by the Chief Secretary to Government.

Slum Improvement

3.213 There is constant migration to urban centres in search of employment and the local bodies find it difficult to match its efforts to provide basic needs and this aggravates the problem. A separate organisation, the Tamil Nadu Slum Clearance Board has been established for this purpose the board also provides amenities and facilities which include drinking water, street lights, public conveniences etc, to the slums.

Urban Water Supply

3.214 During the Ninth Five Year Plan a sum of Rs. 613.41 crores was spent on water supply and sanitation schemes. For the year 2004-05, it is proposed to spend funds to the tune of Rs.36.19 crores.

Health

3.215 The mobile medical units attached to Primary Health Centres visit the Scheduled Cates colonies at regular intervals and provide medical care and health cover to them.

Table78

Health Centre	State Total	Functioning in SC/ST Habitations
Primary Health Centre (PHC)	1413	25
Health Sub-Centre (HSC)	8682	76

3.216 Though adequate number of HSC have been established the SC do not avail the benefits due to ignorance and literacy among themselves. Govt. of Tamil Nadu has launched a training programme to train 30,000 Adi-Dravidar girls in first aid and health basic in stroke bite, dog bite etc. So far, 28,905 SC Girls have been trained. In the year 2003-04 a sum of Rs. 39.54 crores has been spent on health sector. During the current year, it is proposed to spend a sum of Rs. 40.12 crores under this sector.

Education

3.217 Education is considered as a great leveller of social inequalities. Therefore, most importance is being given to education of SC. To increase, the literacy level of SC and to bring more SC children into educational fold, a number of concessions and facilities are being given to the SC children/students. In Tamil Nadu, an education upto +2 level is free to all. Tuition fee is not collected from the SC students studying up to post graduation course, irrespective of their parents income. All SC students studying in Standards of IX and X in general School are provided with free text books by the Adi-Dravidar and Tribal Welfare Department. Similarly, about 13.8 lakhs SC and ST students in Standard IV to X in general Schools are supplied with notebooks by this Department. About 20.07 lakhs SC children are provided with Nutrition's Noon Meal under the Tamil Nadu Nutrition's Meal Programme and P.T. MGR Noon Meal Scheme. The special coaching is offered to Adi Dravidar and Tribal students studying in 9th to +2 standards in Specific subject like English Mathematics and Science other Higher Secondary subjects like Physics, Chemistry, Zoology, Botany, Commerce and Accountancy. Mainly for the benefit of SC, the Department of Adi Dravidar Welfare is maintaining 761 Primary schools, 147 Middle schools, 51 High Schools and 59 Higher Secondary Schools. More than 2,13,014 SC pupils are studying in these schools. The Department is also running 1076 hostels, which provide free boarding and lodging to 74,469 SC pupils.

3.218 A special scheme for promoting education among SC girls has been launched. The main objectives of the scheme are;

- To reduce the dropout among the SC girls in primary level in 14 backward District, they will be given a sum of Rs. 500 per annum at the end of each academic year from standards III to V with coverage of 60,000 girl students at the cost of Rs. 3 crores.
- 30,000 SC girls' children in 14 backward district in the State entering standard VI will be given a sum of Rs. 1000 per annum under this scheme. The cost of the scheme is Rs. 3 crores. These two schemes will continue for 2004-05.
- During the year 2003-04, 50,384 numbers of bicycles were supplied to SC/STs Girls students studying in +2 standards and Rs. 800 lakhs is allotted for this scheme during 2004-05.

Programme for the development of vulnerable group

3.219 Among the Scheduled Castes those who are engaged in unclean occupation like sweeping and scavenging and bonded labourers are classified as vulnerable groups in the State. There are 35,561 sweepers and scavengers in Tamilnadu. To implement the policy of Govt. of India to eliminate the practice of scavenging completely by converting the dry latrines into water borne one on whole town basis. So far, about 4, 56,669 dry latrines have been converted into wet ones as on date. The first phase commenced in March 1991 and in this first phase 36,959 dry latrines were

converted into water borne latrines and 25,290 new latrines were constructed. Besides, 1716 scavengers were rehabilitated. The second phase, which commenced in December, 1991 in 37 municipalities, 32,483 dry latrines were converted. Besides, 30,948 new latrines were constructed. 1629 scavengers were rehabilitated. The third phase, 959 scavengers were rehabilitated.

National Scheme for Liberation and Rehabilitation of Scavengers (NSLRS)

3.220 This rapid survey conducted has revealed that there are 16,937 families with 35,561 dependents. It has also revealed that training is required for 24,360 persons in various trades. A target of 500 scavengers and their dependents was fixed for imparting training. So far 5,592 scavengers were trained in various trades.

Housing

3.221 For sweepers and scavengers workign in municipalities, 256 houses at the cost of Rs. 94.45 lakhs were constructed through local bodies so far. For benefit of sweepers and scavengers employed in Town Panchayats, 683 houses were constructed.

Department Production Units

3.222 In order to generate regular employment to the cobblers, the Tamil Nadu Khadi and Village Industries Board is running 25 production units. About 660 SC workers are employed in these units. They are given wages on piece-rate basis and each worker gets Rs. 330/- to Rs. 350/- per day.

Agriculture Crop Husbandry

3.223 During the year 2003-04, Rs. 2605.07 families were benefited. An amount Rs. 9734.96 lakhs will be provided for implementing the activities under Agriculture for 2004-05.

Soil and Water Conservation

3.224 During the year 2003-04, 159980 Scheduled Castes. The same scheme will be implemented during the year 2004-05 at a cost of Rs. 1375.05 lakhs.

Animal Husbandry

3.225 According to 1991 Census, out of 78.96 lakh Agricultural Laborurers, 31.50 lakhs belong to SC and among the total of 56.64 lakh cultivators, 7.19 lakhs are SC. Though Agriculture is the main stay of the SC, it does not keep them engaged throughout the year. Therefore, these people necessarily depend on some subsidiary occupation such as rearing of high breed calves, sheep, goat, poultry, etc. to supplement their income. Financial assistance in the form of subsidy or loan will be given to SC population for the purchase of livestock through various schemes. To increase the productivity of this animal, the local breeds are upgraded. In order to provide better veterinary health care to the livestock reared by Scheduled Castes population, a total No. of 10 Veterinary dispensaries, one Veterinary Hospital, 34 Mobile Veterinary dispensaries and 7 Mobile Units are functioning under the SCP. An amount of Rs. 240.14 lakhs were spent under this scheme, during the year 2003-04. It is proposed to allocate a sum of Rs. 160.31 lakhs to the same scheme for the current year 2004-05.

Fisheries

3.226 A sum of Rs. 79.12 lakhs has been spent for Welfare of SC families for the year 2003-04. During the year 2004-05, amount Rs. 439.11 lakhs will be spent. The details are:

Table 79

S.No.	Particulars	State Outlay B.E.	Flow to TSP
1.	Development of Landing Facilities	150.00	28.77
2.	Relief Scheme for Tamil Nadu Marine Fishermen During the Lean Month	725.00	139.06
3.	Construction of Houses for Fishermen		

Forest Department

3.227 Tamil Nadu afforestation project is an important scheme implemented by the Forest Department, which is the most beneficial scheme to the Scheduled Castes. Scheduled Castes are engaged in various afforestation works like site preparation, survey, raising nursery, planting, weeding etc. A sum of Rs. 3523.00 lakhs was spent for above purpose and 22062 SC families were benefited on the above scheme during the year 2003-04. It is proposed to earmark a sum of Rs. 2101.10 lakhs for the year 2004-05.

Co-operation

3.228 In order to help the SC population to get more benefits from these Co-operatives, they are enrolled as Members in Primary Agriculture Co-operatives Banks in large number and interest free share capital loan is provided to them to increase their borrowing power. During the year 2003-04, a sum of Rs. 20.00 lakhs have been and 8000 Members were benefited under the Scheme. An amount of Rs. 147.41 lakhs will be allocated toward providing assistance to Co-operative Members during the year 2004-05.

Special Programme for Rural Development

3.229 A sum of Rs. 22528.07 lakhs was spent against the allocated amount Rs. 16785.45 and 109650 SC families were benefited under the above scheme during the year 2003-04. For 2004-05 a sum of Rs. 1337.11 lakhs will be earmarked for implementing the scheme.

Community Development

3.230 Community Development Sector is mainly to provide water and sanitation programme in rural areas. During the year 2003-04, a sum of Rs. 5028 lakhs was spent under the scheme. An amount Rs. 8603.52 lakhs will be provided for implementing the above programme during the year 2004-05.

Power Development

3.231 Tamil Nadu stands in the forefront in the field of rural electrification. The state has emphasized that all the SC habitations should be provided with electricity.

Huts are provided with hut lights under the scheme of 'one hut one light' implemented by the TNEB. Priority is also given in energizing the pump sets owned by SC farmers. During the year 2003-04, 184.10 lakhs. The scheme will continue during the year 2004-05 with the cost of Rs. 25110.56 lakhs.

Village and Small Industries

2.232 The Scheduled Castes depend mainly on agriculture and agriculture allied activities and efforts have been taken to diversity their occupational patterns. During the year 2003-04, 437 SC families were assisted with the cost of Rs. 83.95 lakhs under seri culture schemes. An amount of Rs. 5615.83 lakhs will be provided to Development of Scheduled Castes families for the year 2004-05.

Roads and Bridges

3.233 Road play an important role in the rapid development of backward areas. Almost all rural areas, where the tribal and SC villagers are situated, have been linked by some kind of road in Tamil Nadu. A sum of Rs. 49542.67 lakhs was spent under the scheme for SC during the year 2003-04. For 2004-05 a sum of Rs. 23461.19 lakhs will be estimated for implementing under the above scheme.

General Education

3.234 In Tamil Nadu education up to the level of standard +2 is free for all students, Tuition fee is not collected from the SC students studying upto post graduate degree courses irrespective of their parental income special coaching is given to SC students studying in VIII to +2 standards in schools. During the year 2003-04 a sum of Rs. 4478.42 lakhs was spent and 37,85,688 students were benefited under the Education sector. A sum of Rs. 4245.43 lakhs has been provided under the same sector for 2004-05.

Sports and youth Services

3.235 An Expenditure of Rs. 90.23 lakhs has been made under this scheme for welfare of SC youths during the year 2003-04. For the year 2004-05 a sum of Rs. 566.58 lakhs has to be spent.

Medical and Public Health

3.236 The Public Health field staff and Mobile health teams attached to the Primary Health Centres provide medical and health care services to the SC population also. Out of 8682 Health sub Centres in the States, 1436 Health Sub Centres have been established in SC/ST colonies. During the year 2003-04, a sum of Rs. 3953.62 lakhs was spent under the Health purpose. An amount of Rs. 4012.89 has to be spent for the above purpose for the year 2004-05.

Water Supply and sanitation

3.237 Under SCP, every year above 25% of the over all budge outlay of Rural Water Supply is earmarked towards the welfare of the Scheduled Castes with special emphasis provide protected drinking water supply in targeted SC habitations. A sum of Rs. 20018.36 lakhs has been spent under water supply and sanitation schemes for the year 2003-04 an Rs. 15172.62 lakhs during the year 2004-05 to SC colonies.

Housing

3.238 Housing facilities for Scheduled Castes are provided through the Tamil Nadu Housing Board, Tamil Nadu Slum Clearance Board, the Adi Dravidar and Tribal

Welfare Department and Rural Development Department. Tamil Nadu Housing Board reserves 18% of the plots developed, house/flats constructed in all its schemes for allotment to Scheduled Castes. Besides 60% of Slum families belonging to SC are benefited through various other housing programmes. During the year 2004-05 a sum of Rs. 4124.82 lakhs has been allotted towards housing schemes for poor SC population. The State Government should while mentioning allocations and objective of the schemes under housing should furnish information relating to be number of SC families targeted to be covered and the actual number have been covered year-wise covered to access the actual percolation of benefits of housing scheme and the number of SC families still left to be provided the benefits of the scheme.

Urban Development

3.239 The Tamil Nadu Slum Clearance Board, provides basic amenities and slum improvement works like roads, street lights, drinking water supply, storm water drain, public fountains etc., to make slum areas habitable for the families belonging to SC. During the year 2003-04 an amount of Rs. 3476.91 lakhs was spent for the above scheme for the welfare of the SC an amount of Rs. 6556.56 will be provided for the purpose for the year 2004-05.

Economic Development Programme

3.240 The programme mainly focus on the three areas namely.

1. Self Employment Programme for the rural poor belonging to Scheduled Castes.
2. Job Oriented Vocational Training to the educated youths.
3. Entrepreneurship Development Programmes and promoting of business Units through self-employment.

During the year 2003-04, a sum of Rs. 11115.21 lakhs was spent for Adi Dravidar Welfare. During the year 2004-05, an allocation of Rs. 11934.30 lakhs will be spent in this sector.

Social Welfare

3.241 The benefits of the Social Welfare Schemes of vocational training, welfare of girl children, Marriage assistance etc. flow to SC Women also. Further, the Tamil Nadu Women Development project will over all the SC habitations in the Tenth Plan with the formation of Women's Self Help Groups and by undertaking income Generating Activities for the empowerment of Women. An expenditure of Rs. 4672.67 lakhs was made under Social Welfare Schemes to cover 8973 SC women benefited during the year 2003-04. An amount of Rs. 4746.69 lakhs has to be spent for the year 2004-05.

Nutrition

3.242 During the year 2003-04, a sum of Rs. 3606.36 lakhs was provided to cover 659588 SC populations under the schemes. An amount Rs. 11880.48 lakhs will be provided for the scheme year 2004-05.

UTTAR PRADESH

3.243 Uttar Pradesh, comprising of 17 Division, 70 Districts, 303 Tehsils. 813 Development Block and 97, 134 inhabited villages has an area of more than 241 thousand Sq. Km. The State has the share of 16.2% of the country's total population.

The decadal growth population of the State is 25.08% for the period 1991-2001 as against 25.55% in 1981-1991. The share of rural and urban population in the State is 79.19% and 20.19% and 20.81% respectively.

Scheduled Castes Population

3.244 Comprising 66 castes as SCs, the State of UP has got the highest share of SC population (21.18%) on the country According to 2001 Census, the total population of the State is 1661.97 lakh out of which 351.48 lakh (21.04%) are Scheduled Castes. Majority of Scheduled Castes (88%) reside in rural area whereas 12% reside in urban areas. The district-wise population of SCs as reported in 2001 Census is given below:-

Table 80

District-Wise Break Up of Population of Scheduled Castes in Total Population In Uttar Pradesh as Per 2001 Census

S.No.	DISTRICT	TOTAL POPULATION	SCHEDULED CASTE POPULATION	% OF SC IN TOTAL POPULATION
1.	Saharanpur	28,96,863	6,29,350	21.7
2.	Muzaffarnagar	35,43,362	4,78,324	13.5
3.	Bijnor	31,31,619	6,55,806	20.9
4.	Moradabad	38,10,983	6,04,253	15.9
5.	Rampur	19,23,739	2,57,365	13.4
6.	Jyotiba Phule Nagar	14,99,068	2,58,857	17.13
7.	Meerut	29,97,361	5,52,692	18.4
8.	Baghpat	11,63,991	1,27,813	11.0
9.	Ghaziabad	32,90,586	5,93,780	18.0
10.	Gautam Budha Nagar	12,02,030	1,96,022	16.3
11.	Bulandsahar	29,13,122	5,88,683	20.2
12.	Aligarh	29,92,286	6,34,270	21.2
13.	Hathras	13,36,031	3,36,739	25.2
14.	Mathura	20,74,516	4,06,600	19.6
15.	Agra	36,20,436	7,88,394	21.8
16.	Firozabad	20,52,958	3,87,047	18.9
17.	Etah	27,90,410	4,78,665	17.2
18.	Manipuri	15,96,718	3,08,390	19.3
19.	Budaun	30,69,426	5,24,684	17.1
20.	Bareilly	36,18,589	4,57,771	12.7
21.	Pilibhit	16,45,183	2,50,495	15.2
22.	Shahjahanpur	25,47,855	4,51,492	17.7
23.	Kheri	32,07,232	8,20,359	25.6
24.	Sitapur	36,19,661	11,53,626	31.9
25.	Hardoi	33,98,30	10,65,848	31.4
26.	Unnao	27,00,324	8,27,255	30.6
27.	Lucknow	36,47,834	7,76,502	21.3
28.	Rae Bareli	28,72,335	8,56,749	29.08
29.	Farukhabad	15,70,408	2,58,080	16.4
30.	Kannauj	13,88,923	2,56,038	18.4
31.	Etawah	13,38,871	3,13,470	23.4
32.	Auraiya	11,79,993	3,26,788	27.7
33.	Kanpur Dehat	15,63,336	3,88,419	24.8
34.	Kanpur Nagar	41,67,999	6,85,809	16.5

35.	Jalaun	14,54,452	6,85,809	16.5
36.	Jhansi	17,44,931	4,89,763	28.1
37.	Lalitpur	9,77,734	2,43,788	24.9
38.	Hamirpur	10,43,724	2,37,902	22.8
39.	Mahoba	7,08,447	1,82,614	25.8
40.	Banda	15,37,334	3,20,226	20.8
41.	Chitrakoot	7,66,225	2,01,839	26.3
42.	Fatehpur	23,08,384	5,78,070	25.0
43.	Pratapgarh	27,31,174	6,01,043	22.0
44.	Kaushambi	12,93,154	4,66,853	36.1
45.	Allahabad	49,36,105	10,65,097	21.6
46.	Barabanki	26,73,581	7,18,897	26.9
47.	Faizabad	20,88,928	4,71,839	22.6
48.	Ambedkar Nagar	20,26,876	4,95,375	24.4
49.	Sultanpur	32,14,832	7,15,297	22.2
50.	Bahraich	23,81,072	3,42,747	14.4
51.	Shrawasti	11,76,391	2,16,352	18.4
52.	Balrampur	16,82,350	2,26,753	13.5
53.	Gonda	27,65,586	4,33,491	15.7
54.	Siddharth Nagar	20,40,085	3,37,311	16.5
55.	Basti	20,84,814	4,35,082	20.9
56.	Sant Kabir Nagar	14,20,226	3,00,902	21.2
57.	Maharajganj	21,73,878	4,24,190	19.5
58.	Gorakhpur	37,69,456	8,31,070	22.0
59.	Kushinagar	28,93,196	5,24,149	18.1
60.	Deoria	27,12,650	4,93,344	18.2
61.	Azamgarh	39,39,916	10,13,801	25.7
62.	Mau	18,53,997	4,21,677	22.7
63.	Balia	27,61,620	4,54,647	16.5
64.	Jaunpur	39,11,679	8,57,883	21.9
65.	Ghazipur	30,37,582	6,49,510	21.4
66.	Chandauli	16,43,251	3,99,174	24.3
67.	Varanasi	31,38,671	4,35,545	13.9
68.	Sant Ravidas Nagar Bhadohi	13,53,705	2,92,747	21.6
69.	Mirzapur	21,16,042	5,66,160	26.8
70.	Sonbhadra	14,63,519	6,13,497	41.9

3.245 According to 2001 Census, the literacy rate of the State as a whole is 56.3% Male literacy 68.8% Female 42.2%. The occupational pattern reveals that the 42.63% of Scheduled Castes out of main workers are engaged as cultivators and 38.78% of Scheduled Castes are engaged as agricultural labourers. The share of Scheduled Castes holding in the total holding of the State in 1991 was 16% whereas in area terms, it accounts for 10% only.

Development programmes

3.246 During the 10th Five Year Plan the Government of UP has proposed to adopt the following strategies for the development of Scheduled Castes.

- Formulation of suitable guidelines for district and state sector schemes from time to time for their proper implementation to achieve the desired goals.

- Proper monitoring and evaluation of the schemes under SCP from time to time for getting the feed back and for applying corrective measures in the schemes to optimize their performance.
- In order to bring about the required diversification in economy, priority would be given to develop agriculture based allied activities like animal husbandry, dairy, cooperation and farm mechanization. Attempts would also be made to reduce the pressure on land by motivating people to switch over to alternate areas of employment pertaining to secondary and tertiary sectors.
- In secondary sectors, priority would be assigned to develop Khadi and Village Industries, Sericulture, Handloom and Small Scale Industries because these are labour intensive industries requiring comparatively lesser amount of capital than other means of production. For this purpose, entrepreneurial development measures would also be adopted.
- Within tertiary sector, the most important items are basic Minimum Services, like education, health, housing, drinking water etc. Adequate funds will be allotted for these services in various welfare schemes. In addition to it, attempt would also be made to develop banking, trading, export and other marketing facilities benefiting these classes.

Special Component Plan

3.247 The strategies of SCP for the development of Scheduled Castes was adopted in the State at the beginning of Six Plan period and followed in the seventh, eight, ninth and tenth Five Year Plan period. State Planning Department provides lump-sum outlay from total State Plan for SCP in actual proportion of SC population at the disposal of Social Welfare Department. Social welfare Department function as a Nodal Department for formulation and monitoring of Five Year Plan and Annual Plan of Special Component Plan. Principal Secretary and Commissioner, Social Welfare is fully empowered to allocate outlay, issue financial sanction and re-allocate/re-appropriate outlay/budget under SCP Scheme relating to creation of socio-economic infrastructure, employment generation and economic development which directly benefit the SCs would be included in SCP. The allocation and expenditure made under SCP during the eight ninth and tenth plan period (up to 2004-05) is given as under:-

Table 81

PLAN PERIOD	STATE PLAN		SCP		Rs. In crore	
	OUTLAY	EXPENDITURE	OUTLAY	EXPENDITURE	COL. TO2) (4	COL. (5 TO 3)
8 th Plan	19900.00	19673.09	1709.18	2626.09	8.58	13.34
9 th Plan	-	28386.65	-	4411.79	-	15.54
10 th Five Year Plan						
i. 2002-03	7250.00	7182.07	1540.00	751.14	21.24	10.46
ii. 2003-04	7728.00	6356.98	1640.00	760.50	22.21	11.96
iii. 2004-05 (Proposed)	8500.00	NA	1786.00	NA	21.01	-

3.248 It may be seen from above table that the flow of SCP was not in proportion to the Scheduled Castes population of the State, which is 21.18%. The percentage of expenditure during the eight plans and ninth plan remained 13.34% and 15.54% respectively. During the year 2002-03 and 2003-04 the expenditure came down to 10.46% and 11.96% respectively. While the outlays under SCP are increasing over the year, the SCP funds have never been fully utilized.

3.249 Sector-wise allocation and expenditure of 15 sectors are shown in the table whereas it may be seen that investment in many of the sectors were not up to mark. Even the outlays provided in the SCP under different sectors were not fully utilized. One of the major weaknesses of the Special Component Plan has been the lack of formulation of schemes directly relevant for the Scheduled Castes. The State Government requires to give high priority in various development plan to the SCP.

Table 82
Sector wise allocation and Expenditure

(Rs. In Crores)

S. N	Department/Sector	2002-03			2003-04			2004-05
		Outlay	Expenditure	%	Outlay	Expenditure	%	Anticipated Expenditure
1.	Agriculture & Allied activities	105.55	27.33	25.89	114.63	77.43	67.54	148.31
2.	Rural Development	415.82	192.02	46.17	364.48	289.48	79.42	205.89
3.	Special Area Programmes	100.00	21.00	21.00	100.00	21.00	21.00	25.00
4.	Irrigation & Flood Control	16.60	12.30	74.09	15.90	15.20	95.59	14.82
5.	Energy	141.75	74.52	52.57	144.45	144.06	99.73	146.73
6.	Industries & Minerals	5.41	2.01	37.15	5.44	4.96	91.17	6.54
7.	Transport	155.68	65.28	41.93	182.32	182.32	100.00	200.25
8.	Education	57.16	11.71	20.48	54.29	55.53	102.28	57.28
9.	Medical & Public Health	23.48	16.63	70.82	21.71	22.88	105.38	24.90
10.	Water Supply & Sanitation	134.26	127.91	95.27	116.17	116.17	100.00	111.32
11.	Housing	26.10	10.10	38.69	27.92	27.92	100.00	30.00
12.	Welfare of SC/ST/OBC	179.04	115.84	64.70	240.00	239.47	99.77	245.00
13.	Labour & Employment	362.57	381.42	105.19	442.98	442.98	100.00	442.98
14.	Social Security & Welfare	109.78	116.53	106.14	111.57	111.57	100.00	103.01
15.	Nutrition	58.62	58.49	0.99	59.05	59.95	100.00	50.44

3.250 N.B. of 15 Departments the %age of utilization of funds allocated under SCP was not even 50% in the year 2002-03. The utilization was very poor i.e. less than 30% in respect of Agri, Spl. Area Prog. Edu. And Nutrition. The Nutrition Department had the dismal utilization i.e. 0.99% of funds utilization.

Table 83

SCA Released & Expenditure Incurred

(Rs. In Crores)			
Plan Period	SCA Received	Expenditure	%
1	2	3	4
9 th Plan	342.92	358.47	104.53
10 th Plan			
*i. 2002-03	101.73	134.17	131.89
*ii. 2003-04	78.17	123.72	158.25
*iii. 2004-05	97.38	63.57	65.28

* Source: - M/o SJE

3.251 It may also be pointed out that in comparison to the funds released in the year 2002-03 the release of SCA to SCP of the State of Uttar Pradesh declined considerably i.e. 101.73 crores to 78.17 crores in the year 2003-04 and though it improve in the year 2004-05 but still remained lesser in the year 2004-05 in comparison to the year 2002-03.

3.252 It may be noted that the utilization of SCA was satisfactory. By the large a large chunk of SCA fund was utilized as subsidy. Ideally, the SCA should have enable the State Government of fill the critical gaps to give a composite and integrated shape to economic development programmes made for Scheduled Castes Families. There is therefore a need to review the situation and remove such bottleness. The information for the year 2004-05 is not available. Hence no comments.

Uttar Pradesh Scheduled Castes Finance & Development Corporation

3.253 The Corporation provides subsidy, margin money and arranges for loans from Financial Institutions for development of Cottage Industries, Agriculture and Horticulture. The Corporation also extends the financial assistance to train people in different profession. During the 9th plan, following schemes were implemented:-

- Self-employment scheme, constructio of shops and skill development programmes: Only the objective of these scheme have been furnished. It may be pertinent to mentioned that no information about the quantum of funds allocated, utilized, targets fixed and achieve in the years 2001-02, 2002-03, 2003-04 and 2004-05 has been furnished and in the absence of this information to what extent the SCs have availed the economic benefits no conclusion can be arrived at. The State Government should furnished this information and also in respect of other development schemes for SCs.
- National scheme of liberation and rehabilitation of scavengers: The Corporation has also been entrusted to implement the scheme of liberation of scavengers. The scheme provides for funding of projects costing up to Rs. 50,000 per beneficiary. The financial assistance comprises of maximum loan to the extent of 15% of the project at 4% rate of interest, 50% of Rs. 10,000 whichever is less, a subsidy and the rest as bank loan.
- During the 9th Plan the Corporation has extended benefit to 4,66,709 SC persons. The progress during the 9th Five Year Plan and during the year 2002-03 to 2003-04 is given at ANNEXURE 3.II.

Special central assistance to special component plan for scheduled castes released and utilised during the year

3.254 The Ministry of Social Justice and Empowerment released Rs. 10173.64 lakhs during the year 2002-03 and out of against this utilization by the Govt. of Uttar Pradesh was 13417.92 lakhs which constituted 131.89% and during the year 2003-04 funds to the tune of Rs. 7817.94 lakhs were release against which the utilization was 12372.55 lakhs which constituted 158.25% and in the year 2004-05 against the allocations of SCA of Rs. 39426.62 lakhs the utilization was as low as 29035.98 lakhs constituting 65.28% only. Keeping inview the utilization of SCA funds in the previous two years i.e. 2002-03 and 2003-04 there is very sharp declining trend in the utilization of SCA funds by the Govt. of Uttar Pradesh. The State Government may ensure the similar trend as witnessed in the preceding two years lest it may have adverse impact on the Economic Development of SCs in the State.

UTTRANCHAL

Introduction

3.255 Uttranchal, the 27th State of the country came into existence on November, 9th 2000 carving out two hill divisions and Haridwar district of UP. The State comprising of two division, 13 District, 78 Tehsils, 95 development Block and 16,826 villages (of which 1065 are un-inhabited) has as an area of over 53 thousand Sq. Km. The density of population is 159 persons per Sq. Km. Which is spread unevenly. The districts of Haridwar and Dehradun account for roughly 32% of the State population whereas district Champawat accounts for only 2.65%. The total population of Uttranchal as per 2001 Census 84,89,349 out of which 43,25,924 were male and 41,63,425 were females. The sex ration stood at 962 females per 1000 males. The share of rural and urban population were 74.23% and 25.77%. The State literacy rate was estimated as 71.62% and for males it was 83.3% but for females it was 59.6%. The State is predominantly a hilly State and the net sown area is only about 14% of the total reported are of 55.66 lakh Hects.

Scheduled Castes Population

3.256 The population of Scheduled Castes in the State was 15,17,186 (17.87%) including 7,80,772 males and 7,36,414 females. The district-wise population of Scheduled Castes as reported in 2001 Census is given below: -

Table 84

S.No.	DISTRICT	TOTAL POPU.	SC POPULATION	% OF SC POPU.
1.	Uttarkashi	295013	67467	22.87
2.	Chamoli	370359	67539	18.24
3.	Tehri Garhwal	604747	87325	14.44
4.	Dehradun	1282143	173448	13.53
5.	Pauri Garhwal	697078	106653	15.30
6.	Rudraprayag	227439	40311	17.72
7.	Haridwar	1447187	313976	21.70
8.	Pithoragarh	462289	106449	23.03
9.	Almora	630567	140430	22.27
10.	Nainital	762909	148184	19.42
11	Udhamsinghnagar	1235614	162782	13.17
12.	Bageshwar	249462	64524	25.87
13.	Champawat	224542	38098	16.97
	TOTAL	8489349	1517186	17.87

3.257 The highest share of Scheduled Caste population is found in Bageshwar (25.87%) followed by Pithoragarh (23.03%), Uttarkashi (22.27%), Nainital (19.42%), Chamoli (18.24%) and Rudraprayag (17.72%).

3.258 The occupational pattern reveals that the Scheduled Castes are mainly engaged in Agriculture and Allied Activities. The land holdings of Scheduled Castes as reflected in the Agriculture Census 1995-96 is given below:-

Table 85

S.No.	DISTRICT	POPULATION OF SCs (%) 2001	% OF OPERATIONAL HOLDINGS OWNED BY SCs	AREA UNDER HOLDINGS OWNED BY SCs (%)
1.	Almora (including Bageshwar)	23.29	15.71	9.84
2.	Chamoli (including Rudraprayag)	18.08	12.37	7.25
3.	Dehradun	13.50	11.01	9.18
4.	Nainital	19.40	17.59	10.89
5.	Pauri Garhwal	15.30	12.15	5.05
6.	Pithoragarh (including Champawat)	21.05	16.01	10.41
7.	Tehri Garhwal	14.40	10.19	5.18
8.	Udhamsinghnagar	13.20	5.97	2.85
9.	Uttarkashi	22.90	23.75	18.28
10	Haridwar	21.70	17.09	9.66
	STATE	17.89	13.93	7.7.76

3.259 It may be observe from the above table that Udhamsinghnagar District SCs have the lowest number of operational holdings i.e. 5.97 against the State average of 13.93% followed by Tehri Garwal, Dehradun and Porigarhwal, and Chamoli Districts having 10.19%, 11.01%, 12.15% and 12.37% respectively. The area under holdings owned by SCs by percentage wise is as low as 2.85% in Udhamsinghnagar and it is lower than State Average of 7.76% in Pauri Garwhal i.e. (5.05%), Tehri Garwal 5.18% and Chamoli 7.25%.

Special Component Plan

3.260 The strategies of SCP was implemented in the State during 9th Plan and is also followed during the 10th Plan. The total plan allocation and SCP Plan allocation during the 9th Plan and 10th Plan is given below:-

Table 86

S.NO.	PLAN PERIOD	TOTAL PLAN OUTLAY	SCP ALLOCATION	PERCENTAGE
1.	Ninth Plan Outlay	443000	66679	15.05
2.	Annual Plan 1997-98	67700	10745	15.87
3.	Annual Plan 1998-99	102600	13600	13.26
4.	Annual Plan 1999-2000	114000	17321	15.19
5.	Annual Plan 2001-02	90000	15227	16.92
6.	Annual Plan 2001-02	105000	16000	15.23
7.	Tenth Plan (2002-07)	900000	159390	17.71
8.	Annual Plan 2002-03	153413	26242	17.11
9.	Annual Plan 2003-04	160775	29130	18.49
10.	Annal Plan 2004-05	181040.00	300000	16.66

3.261 The State Government have taken steps to quantify the funds for the development of Scheduled Castes in proportionate to the percentage of SC population i.e. 17.87%. During the Annual Plan 2004-05 the amount of Rs. 329.97 crores out of the total proposed outlay of Rs. 1,480.03 crores has been earmarked for SCP. At present the department of Social Welfare is declared as a Nodal Department for formulation and monitoring of SCP. The sector-wise outlay and its SCP outlay during Plan period 2002-03 to 2004-05 is given wherein it may be seen that the flow to SCP in many of the sectors were not up to the marks. The fluctuating trend is also indicating which is not conducive for the smooth development of SCs State Government should not only enhance allocations and utilization of funds under SCP but also arrest the trend of fluctuations.

3.262 The State have identified that key sectors of development like Tourism, Agriculture and Horticulture, Hydro Energy, information Technology and Bio-Technology. There is a need to formulate special schemes under the SCP out of the key sector of development and scheme wise physical and financial targets should also be disaggregated district-wise and as also block-wise. Further adequate emphasis is required to be given to the basic services like Primary Education, Health, Drinking Water, Rural Housing, Roads, Rural Electrification and Nutrition.

1. Training Programme for SCs to make them skilled. Data should be provided.
2. Self employment to Scheduled Castes persons, belonging to BPL.- In this scheme the financial assistance as a subsidy of Rs. 10,000 or 50% of the project cost, whichever is less, is provided to beneficiaries through Banks. Under this scheme beneficiaries may adopt as per their experience and interest, the Agricultural Sector, Small Scale Business, Transport, Milk Cattle, and Animal Husbandry etc.
3. Shops Construction for SCs. The scheme provides the financial assistance of Rs. 38,00 per beneficiaries for const. of one shop in Urban, Semi Urban and other Commercial areas. Out of Rs. 38,00 the amount of Rs. 6,000 is provided as subsidy and rest of amount as a loan without interest, which is repayable in 120 equal monthly

instalments. A beneficiary should be a Scheduled Castes person, belonging to BPL.

4. Other Schemes to Create Assets for SCs. The scheme provides the financial assistance to Scheduled Castes person, belonging to BPL for creating the assets viz. Agricultural Land, Motel/Dhaba, Workshop etc. The amount of Rs. 6000/- is extended as subsidy and rest of amount as a loan without interest, which is repayable in 120 equal monthly instalments.

WEST BENGAL

3.263 As per census-2001 the State Population is 80176197 and population of SC is 18452555 i.e. 23.01%. Percentage of People Below Poverty-line(1999-2000) total-27.02 (Rural-31.85 & Urban-14.86). Literacy rate total 68.64 of which SC literacy rate is 59.04 (Male-70.54 & Female-46.90).

3.264 The major problem for Scheduled Caste communities or for that matter any community in the State is lack of employment opportunities particularly in case of rural areas. Decline of Agricultural employment as reflected in the last Census report and non-availability of alternative sources of employment is a very serious problem. Inadequate infrastructure facilities in the rural areas particularly in Health and School Education after the primary level are also matters of concern.

3.265 The State Government has undertaken surveys by the CRI as well as the Agricultural Finance Corporation, Govt. of India. The survey indicates that there have been improvements in the family earnings and diversion from dependence on agriculture to other activities like tread, poultry and transport. Problems relate to late disbursement of the bank loan component, use of loan and subsidy for unproductive purposes and various bottlenecks relating to sanction of funds.

Special Component Plan

9th Five Year Plan

3.266 The targets and achievements (Financial & Physical) under SCP during the 9th Plan period are below:

Table 87

Year	State Plan		Outlay to SCP	% Outlay	(Rs. in lakhs)	
	Outlay	Actual Expenditure			Act. Exp. to SCP	% Act. Exp. to SCP
1997-98	368355.14	284009.55	17493.36	4.75	8760.80	3.08
1998-99	451597.90	369700.49	17469.17	3.87	9249.55	2.50
1999-2000	467098.38	391884.19	21986.28	4.71	14337.04	3.66
2000-2001	597758.49	563104.39	31749.99	5.31	21058.71	3.74
2001-2002	711141.39	463974.17	40204.05	5.65	24506.54	5.28

Above table revealed that SCP outlay is very poor during 9th Plan period, where the SC population is 23.10% in the State. And expenditure under SCP is more poor against the SCP outlays. Unless the SCP and SCA utilization is substantially increase the infrastructure in the sectors like education health, Rural Roads, Drinking water and Rural Sanitation, the educational economic and social problems of the SC will not be solved. State Government should therefore; enhance utilization in these sectors for the upliftment of the SCs

10th Five Year Plan

3.267 Allocation and expenditure of Special Component Plan funds for the 10th Five Year Plan (upto 31.3.2005):

Table 88

(Rs. in lakhs)

Year	State Plan		Outlay to SCP	% Outlay	Act. Exp. to SCP	% Act. Exp. to SCP
	Outlay	Actual Expenditure				
2002-03	630700.02	267320.17	56204.05	8.91	21609.34	8.08
2003-04	306528.00 (R.E)	252947.42	26159.40 (R.E)	8.53	18268.26	7.22
2004-05	418370.00 (R.E)	469010.00 (R.E)	29555.99 (R.E)	7.06	40389.18	8.61

Above table shows that (i) For the years 2002-03 to 2004-05 outlay to SCP, out of State Plan funds is only 8.91, 8.53 and 7.06% respectively against the SC population of 23.01% (Census-2001). This is almost 1/3 rd of allocations required. Besides it has declined to 8.91, 8.53 and even 7.06% during these years. (ii) The trend of actual expenditure also reveals further declining trend as compared to allocation in the years 2002-03 and 2003-04. However it has increased from 7.22% in 2003-04 to 8.60% in the year 2004-05. The State Govt. keeping in view the sizable SC population in the State should not only enhance allocations under SCP from State Plan allocation but also gear up the process of implementation of SCP to achieve the required line of allocation and utilization under SCP.

Special Central Assistance to Special Component Plan during 9th and 10th Plan 9th plan period

Table 89

(Rs. in lakhs)

Year	Amount received under SCA to SCP	Amount Utilised
9th Plan Period		
1997-1998	2848.78	2848.78 (100%)
1998-1999	3378.39	3378.39 (100%)
1999-2000	4962.00	4962.00 (100%)
2000-2001	5450.63	5450.63 (100%)
2001-2002	7421.59	7421.59 (100%)
10th Plan Period		
2002-03	6640.495	6640.495 (100%)
2003-04	3994.68	3994.68 (100%)
2004-05	4672.27	4637.27 (99.25%)

3.268 Above table reveals that it is considerable declining trend compared to 9th plan period 2001-2002.

3.269 Impact of anti-poverty and employment generation schemes/programmes such as SGRY,SGSY,IAY and PMGSY for the benefits of the SCs in the State for the years 2002-03, 2003-04 and 2004-05

Table 90

Name of Program	2002-2003 (Rs. in lakh)		2003-04 (Rs. in lakh)		2004-05 (Rs. in lakh)	
	Allocation (Central+ State)	Physical Achievement	Allocation (Central+ State)	Physical Achievement	Allocation (Central+ State)	Physical Achievement
SGRY Stream-I	Rs.16031.77	67.29 lakh mandays	Rs.18551.19	83.45 lakh mandays	Rs.39365.68	175.82 lakh mandays
SGRY Stream-II	Rs.15600.93	110.94 lakh mandays	Rs. 18150.71	107.52 lakh mandays		
SGSY	Rs.5200.15	6643 No. of Swarojgaris	Rs.7184.01	6005 no. of Swarojgaris	Rs.8992.56	28280 No. of Swarojgaris
IAY	Rs.17369.23	44948 Houses	Rs. 19670.44	47025 houses	Rs.25876.16	66910 houses
PMGSY	Rs.57917.00(upto 2001-02)	261 (upto 2001-02)	Rs. 27000.00	60	N/A	

Types of schemes and the sectors in which self-employment under SGSY benefits have been provided in the last 3 financial year:

- i) Sector-wise physical coverage of SHGs and individual Swarjgaris

Table 91

(In numbers)

(In numbers)

Sector wise Scheme and Year	Primary Sector				Secondary Sector				
	Irriga- tion	Live stock	Others	Sub Total	Village Husbandry	Handicraft	Handloom	Others	Sub Total
2002-03	926	2815	2060	5801	9729	1458	383	1535	13105
2003-04	618	5999	1924	8541	9190	1145	734	982	12051
2004-05	657	9089	2521	12267	8135	1177	689	1433	11434
Sector wise schemes and Year	Tertiary Sector								TOTAL
	Tailoring		Shops	Bullock	Others	Sub-total			
2002-03	663		3884	458	4837	9842		28748	
2003-04	560		2311	645	3090	6606		27198	
2004-05	429		1896	89	2165	4579		28280	

ii) **Sector-wise total investment (Subsidy & credit disbursed) for SHGs and individual Swarojgaris:**

Table 92

(Rs. in lakhs)

Sector wise Scheme and Year	Primary Sector				Secondary Sector						
	Irriga- tion	Live stock	Others	Sub Total	Village Husbandry	Handicraft	Handloom	Others	Sub Total		
2002-03	428.94	623.93	409.07	1461.94	1917.83	242.16	87.58	262.62	2510.47		
2003-04	273.38	1202.22	453.31	1928.91	1683.06	211.52	154.18	213.14	2261.90		
2004-05	219.82	1818.23	551.33	2589.48	1436.61	177.34	156.22	267.71	2037.88		
Sector wise schemes and Year	Tertiary Sector								TOTAL		
	Tailoring		Shops		Bullock		Others			Sub-total	
2002-03	142.41		1007.26		87.58		1004.68		2241.93		6214.93
2003-04	101.73		494.39		147.03		699.16		1442.31		5633.12
2004-05	85.99		389.37		32.10		483.00		990.46		5617.82

iii) **Per-capita investment:**

Table 93

(Rs. in lakhs)

Per-capita investment	2002-03	2003-04	2004-05
In general	0.18	0.26	0.32
For SCs	0.78	1.20	1.04

(Source: State P & RD Department)

Housing

Table 94

Houses/House Sites Allotted To SCs during Last 3 Financial Years

Year	No. of total houses allotted under IAY	No. of total houses allotted to SCs under IAY	% of total houses allotted to SCs
2002-03	86709	44948	51.84
2003-04	90601	47025	51.90
2004-05 (provisional)	139665	66910	47.91

Land

Table 95

Waste land/surplus land allotted/possession of by landless agri. laborers of SCs during the last three financial years

West Bengal As on 30.11.04	Area of land distributed (in hectares)	No. of beneficiaries	
		Total	SC
	441664	2775161	1025614

Training

3.270 Training facilities provided to Scheduled Castes in the field of:

- Agriculture
- Minor forest produce collection & marketing,
- Cooperative ventures,
- Dairying & animal husbandry,
- Artisanship,
- Weaving.

There are 52 training cum production centers in the State for Training of SC/ST entrepreneurs/persons in the above crafts and skills.

Recommendations

- 3.271** A large number of Central Ministries/Departments allocate funds under SCP as per the guidelines and are required to formulate need based schemes for accelerated socio-economic development of Scheduled Castes in consultation with M/o Social Justice and Empowerment and NCSC in terms of Article 338 (v) (c) of Constitution of India. All the funds so earmarked should be fully utilised. The list of such organization enclosed vide Annexure is illustrative & not exhaustive.
- 3.272** The State Governments and UTs similarly must ensure earmarking of funds and full utilisation of SCP under these guidelines. No diversions from these funds should be allowed.
- 3.273** The funds allocated under SCP which if not spent at the end of a financial year by the Central Ministries or States/UTs should be allowed to be carried forward for utilisation in the next financial year and even in the same financial year should not be allowed to lapse diverted.
- 3.274** Non-release/delayed release of funds by Stated Governments has emerged as one of the major hurdle for non implementation of schemes at ground level for the welfare of Scheduled Castes. State Govts. must ensure timely release of funds for the various welfare schemes. Central Ministries should also consider direct release of funds to the implementing authorities under various schemes.
- 3.275** The Governmental schemes must aim at building competence, capacity to be self reliant, capacity to compete within the general atmosphere of economic liberalization through appropriate schemes/projects. Such a capacity building will reduce the vulnerability of Scheduled Castes being reduced to economically weaker and weaker over the years.
- 3.276** Panchayat Raj Institutions should be involved in supervising the functioning of Fair Price Shops in the rural areas and also in identification of the population below the poverty line.
- 3.277** Time bound action plans should be prepared to provide the SCs basic civic facilities like water supply, electricity, sanitation at par with other sections of the society, so as to improve their economic condition and to provide villages employment opportunities. The State Governments should prepare Scheduled Caste Human Development Index taking into consideration factors like literacy rate, infant mortality rate, incidence of atrocities against the Scheduled Castes, estimates of consumption expenditure and statistics about the population of Scheduled Castes below the poverty line to assess the gap in the socio-economic development of the Scheduled Castes vis-a-vis other sections of society. Without such time bound action plans the schemes under the SCP would continue to be inadequate to make any real dent in improving the economic conditions of the Scheduled Castes

ANNEXURE 3.I

**Total Population, SC Population with Percentage to Total Population in
1991 and 2001 Census**

S.No.	State/UT	Total		Scheduled Castes			
		1991	2001	1991	%	2001	%
1.	2	3	4	5	6	7	8
1.	Andhra Pradesh	6,65,08,008	76210007	1,05,92,066	15.93	12339496	16.19
2.	AJunachalPradesh	8,64,558	1097968*	4052	0.47	6188*	0.56
3.	Assam	2,24,14,322	26655528	16,59,412	7.40	1825949	6.85
4.	Bihar	8,63,74,465	82988509	1,25,71,700	14.55	13048608	15.72
5.	Goa	1169793	1347668	24364	2.08	23791	1.77
6.	Guiarat	41309582	50671017	3060558	7.41	3592715	7.09
7.	Haryan	16463648	21144564	3250933	19.75	4091110	19.35
8.	Himachal	5170877	6077900	1310296	25.34	1502170	24.72
9.	Jammu & Kashmir	7718700	10143700	641200	8.31	770155	7.59
10	Kamataka	44977201	52850562	7369279	16.38	8563930	16.20
11.	Kerala	29098518	31841374	2886522	9.92	3123941	9.81
12.	Madhya Pradesh	66181170	60348023	9626679	14.55	9155177	15.17
13.	Maharashtra	78937187	96878.627	8757842	11.09	9881656	10.20
14.	Manipur	1837149	2166788	37105	2.02	60037	2.77
15	Meghalaya	1774778	2318822	9072	0.51	11139	0.48
16.	Mizoram	689756	888573	691	0.10	272	0.03
17.	Nagaland	1209546	1990036	-	-	Nil	nil
18.	Orissa	31659736	36804664	5129314	16.20	6082063	16.53
19.	Punjab	20281969	2435839	5742528	28.31	7028723	28.85
20.	Rajasthan	44005990	56507188	7607820	17.29	9694462	17.16
21.	Sikkim	406457	540581	24084	5.93	27165	5.02
22.	Tamil Nadu	55858946	62405679	10712266	19.18	11857504	19.00
23.	Tripura	2757205	3199203	451116	16.36	555724	17.37
24.	Uttar Pradesh	139112287	166199721	29276455	21.05	35148377	21.15
25.	West Bengal	68077965	80176197	16080611	23.62	18452555	23.02
26.	Chhattisgarh	-	20833803	-	-	2418722	11.61
27.	lharkhand	-	26945829	-	-	3189320	11.84
28.	Utranchal	-	848489349	-	-	1517186	17.87
29.	Andaman& Nicobar Islands \$	80661	356152	nil	-	-	-
30.	Chandigarh	642015	900635	105977	16.51	157597	17.50
31	Dadra & Nagar Haveli	138477	220490	2730	1.97	4104	1.86
32.	Daman and Diu	101586	150204	389	3.83	4838	3.06
33.	Delhi	9420644	13850507	1794836	19.05	2343255	16.92
34.	Lakshadweep\$	51707	60650 \$	-	-	Nil	-
35.	Pondicherry	807785	974345	131278	16.25	157771	16.19
	India	846302688	1026443540	138223277	16.33	166575663	16.23

\$ No community has been notified as Scheduled Castes'

Source: M/o SJE

STATEMENT SHOWING THE PERFORMANCE OF THE UP SCHEDULED CASTES & DEVELOPMENT CORPORATION UNDER SELF EMPLOYMENT SCHEME

ANNEXURE 3.II

S.No.	Year	No. of beneficiaries assisted (SC)	Total Receipt by the Corporation as						Amount released to beneficiaries out of the funds available from				Recovery position of the Corporation			
			Share Capital			Total	SCA Received during the year	Term Loan received from NSFDC	Share Capital (Margin Money)	SCA as subsidy	Bank loan to Bank as beneficiary	NSFDC AS Term Loan	Amount due to recovery towards		Amount actually Recovered towards	
			Available in the beginning of year	Received during the year	Recovery during the year								Margin Money Loan	Bank NSFDC loan	M.M. Loan	Bank/ NSFDC
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17
1	9 th Five year Plan	466709	-	-	-	-	-	-	-	-	-	-	81.34	34.79	14.47	16.07
2	2002-03	113766	15.09	8.15	4.60	-	131.76	-	17.37	124.37	121.27	17.43	72.66	55.43	31.41	25.50
3	2003-04	98803	5.86	-	5.02	-	100.20	-	9.89	118.71	101.46	17.47	77.60	77.40	39.25	34.28
4	2004-05	109540	-	11.69	4.75	-	112.38	-	14.25	115.42	111.42	24.76	74.67	64.71	47.60	40.82

CHAPTER IV

EDUCATIONAL DEVELOPMENT OF SCHEDULED CASTES

Introduction

In an age of information revolution, education, the way of imparting and acquiring of knowledge to teaching and learning is the conscious process by which a person learns and applies the learning for his life experiences. Over the time, facilitating and providing education has become one of the most important functions of the State. It is an instrument in awakening in a person, the cultural values, preparing for a better, practical training and helping him to learn and adjust to the surrounding social and natural environment. For the underprivileged section of the society, like the member of SC in India, who was subjected to deprivation of various forms over centuries, education seems to be the most important tool of empowerment. Education has been treated as a fundamental human rights enshrined in the Universal Declaration of the Human Rights and the International Human Rights Covenants, achieving the rights for the basic education particularly for the under privileged sections of the society of these S.C. communities which is not only the obligation of the State but the biggest moral challenges of our times.

4.2 Within the broad spectrum of views on education, from the narrow concept of schooling and skill formation to the broad vision of growth and development of a person in life within the society/mentally and spiritually – education is a continuous learning process through various stages of the development of a person, as an individual or as group adjustment with the society at large, earning and spending of the income and participation in civic affairs which involves a whole gamut of issues like general welfare, freedom, appeal to reason and persuading happiness including access and entitlement to equal likes of opportunity in imparting education to all but with a forms on the development of less privileged so that they are brought on the some plat form with the privileged in matters of employment and developing their skills to get suitable employment. Following the concept of Swami Vivekananda that education is the manifestation of innate qualities of the person; the state has a liability to educate its people. Education, therefore, is the most crucial tool of empowering people – the primary vehicle by which economically and socially marginalized adults and children can are empowered to lift themselves from the existing levels of poverty and in obtained the means to participate fully in their communities. Unless these underprivileged sections of the society receive the minimum education, they cannot excise the civil, political, economic and social freedom as enshrined in the Constitution of India. India, the largest democracy of the world, unfortunately houses the largest number of underprivileged and uneducated persons, who have remained deprived of the heritage of cultural continuity of the country as well as that of the human kind.

4.3 Apart from fighting inequality and discrimination meted out to the members of SCs in the tradition bound Indian society, the framers of the Constitution have envisaged a number of steps by way of “compensatory Discrimination”. Apart from guaranteeing in a number of economic, social and political rights to the members of SCs, Article 46 of the Constitution, therefore, focuses on the very basic tool of empowering the members of SCs through education and economic rights: “The State shall promote with special care the education and economic interests of the weaker

sections of the people, and, in particular to the Scheduled Castes and Scheduled Tribes, and shall protect them from special injustice and all forms of social exploitation."

4.4 *It is true that India has developed a number of great centers of learning and huge network of institutions in this sphere of education including technical and professional knowledge. The State has also evolved a number of schemes for the socio-economic development of members of SCs by imparting focused schemes of education meant for uplifting these neglected sections of the society.*

Impact

4.5 Unfortunately, access to education for the most deprived sections of the society and particularly to the members of *Scheduled Castes* was denied particularly from the later vedic period of our ancient civilization. As a result, information and scientific knowledge remained monopolized within a restricted few of the elite consisting mostly of Brahmins of the Indian society. Therefore, unlike in the west where rapid spread of education and scientific knowledge reached the masses and resulted in the progress and economic and scientific development of the society, particularly after the renaissance, in India the benefits of education remained restricted to a few. It has been now scientifically proved that improvement of the system of education for the masses (including its coverage, quality and content) results in increased productivity. India's National Human Development Report of 2001 cites examples of studies covering 31 countries which concluded that if a farmer had completed four years of elementary education, his/her productivity was on an average, 8.5 per cent higher than that of a farmer who had no education at all. In case of India there is evidence that adoption and spread of 'green revolution' in the early years, was faster among the educated workers who were more productive. More strikingly, the skill and knowledge intensive sections have been the fastest growing service sector in India in the recent years. A study for 88 countries for the period 1960-63 and 1970-73 found that an increase in literacy from 20 per cent to 30 per cent was associated with an increase in real GDP between 8 and 16 per cent. Another study of 37 middle income and 29 low-income groups in yet other countries indicated that a 1 per cent difference in the primary enrolment ratios was associated with 0.035 per cent difference in the per capita income growth rates.

4.6 Education increases equality as well. A study of 49 countries showed that about a fifth of income inequality could be explained by educational inequality. Another survey has shown that an increase in literacy rate from 10 to 60 per cent has been associated with a 2.8 per cent increase in the income share for the poorest 40 per cent of the population. At lower levels of development, in some cases, expanding education could possibly increase inequality, but with development education does seem to generally have an income leveling effect.

4.7 In the case of India, a study reveals that the private rate of return per year of education increases as the level of education increases up to the secondary level. The returns to primary education were rather low and in general, returns per year at secondary level were the highest. It was also seen that returns to women's education exceeded that of men at middle, secondary and higher secondary levels. Though, between 1983 and 1994, the returns to women's education for primary and middle levels declined, there has been an increase in returns for secondary and college levels during the same period. For rural areas, there were higher returns for primary and

secondary levels as well as for technical diploma, whereas returns for higher secondary and college education were higher in urban areas.

4.8 Spreading of education including literacy among the poorest sections of the society has been found to be beneficial even with the increasing the levels of life expectancy as has been argued by Prof. *Amartya Sen* citing the case of Kerala experiment. With a total spread of literacy in Kerala, it has been found that life expectancy in Kerala has not only been the highest among the States in India but is more when compared with the corresponding data in respect of Chinese States.

4.9 In an age of information revolution, literacy and spread of education in terms of access, coverage and quality can empower the poor and more deprived sections of the society, like the members of Scheduled Castes. The schemes of education and literacy specially designed for the members of Scheduled Castes, therefore, assumes much more importance during the present millennium to undo the neglects of the centuries.

Inequalities in educational capabilities: Some Aspects

4.10 As against the orthodox way of looking at poverty in terms of income and consumption, a broader approach advocated by *Amartya Sen*, requires evaluating people's lives in terms of capability to achieve different functions. Under this concept, poverty is not seen merely in terms of an impoverished life of low income and scarce resources but also as '**capability deprivation**' where the poor have no freedom to choose other types of living. Therefore, poverty as 'capability deprivation' requires education as the most crucial input for expansion of basic capabilities due to a number of reasons: *First*, education has many *instrumental values* for a persons such as getting a job, social respect, a more active and informed political participation and so on. *Second*, education has many important *social roles* like elimination of widespread illiteracy and as a catalyst for a better organization of economic and political life in the society. Education can also enhance the power of the disadvantaged groups like the SCs to Combat challenges oppression and in order to organize them politically. *Third*, besides these instrumental values and social roles, education has its *own intrinsic importance* because of the intellectual enhancement and personal growth it brings to the individual.

4.11 Education was considered as one of the important keys to pull people out of their poverty by various national leaders and social reformers of India like Mahatma Gandhi, Dr. B.R. Ambedkar, Rammohan Roy, Swami Vivekananda, Rabindranath Tagore, and many other social reformers. This is, perhaps, one of the reasons why a larger concentration of affirmative action program in India has been emisaged in the area of education by the Indian Statemen like Pandit Jawahar Lal Nehru & Maulana Abul Kalam Azad.

Basic Education

Literacy Trend

4.12 The Literacy campaigns in India have had an enormous impact on other social sectors. Promoting articulation in society, especially of the underprivileged groups including the SCs, resulting in enriched democratic participation by all. The campaigns have served the cause of promoting equity and social justice in Indian society and fostering of a scientific temper and a sense of belonging to India's great

composite culture and consciousness of unity in diversity. Under the total literacy campaigns, 24% of the total surveyed learners happen to be the members of Scheduled Castes. India has made a significant progress since independence in the field of elementary education. The 2001 census shows that the literacy rate in the decade since Independence has gone up from 52.21 percent in 1991 to 65.38 percent in 2001.

4.13 In general, the most encouraging part of the contemporary trend is, that there is a greater desire among *Scheduled Castes* for education. Even the most lagging groups of Scheduled Castes have come to realize this need and are trying to catch up with literacy levels achieved by the affluent in the national mainstream. This could be partly confirmed by the rising literacy level of these groups. The rising level of literacy is also accompanied by a rising trend of more enrolments in primary school grade as will be revealed from the Table below:

Table 1

(In percent)

Year	General Population	Scheduled Castes
1961	24.02	10.27
1971	29.45	14.67
1981	36.23	21.38
1991	52.10	37.41
2001	65.0	54.69

Source: M/o HRD

4.13.A. In 1961, while literacy amongst of the general population was around 24%, the literacy amongst of the Scheduled Castes was only 10%. Thirty years after, in 1991 the literacy amongst the Scheduled Castes has increased to a little more than 37% in comparison with 52% of the general population and further to about 55% compared to 65% of the general population.

4.14 The literacy statistics of the last decennial census offers significant positive trends of social transformation for both the males and the females belonging to Scheduled Caste. The male-female literacy differential declined from 26.62 percent in 1981 to 24.84% points in 1991 and further declined to 21.70% points in 2001, when growth in female literacy was recorded higher at 14.87% points as compared to corresponding figures for males at 11.72% age points. The encouraging phenomenon of the faster growth in female literacy is not only visible in all the states but is also reflected in the progress registered by deprived sections of the society particularly belonging to the SCs. Moreover, SCs do constitute 60 percent of the total beneficiaries under the adult education programme. A comparative table indicating the trend in literacy of Scheduled Caste persons both male and female, over the past decade is given in the table below:-

Table 2
Literacy (Percentage)

Year	All India			Scheduled Castes		
	Male	Female	Total	Male	Female	Total
1991	64.13	39.29	52.21	49.91	23.76	37.41
2001	75.00	54.00	65.00	66.64	41.90	54.69

Source: M/o SJE, Annual Report for 2004-05.

4.15 The table 2 as above reveals that the literacy rate amongst the SCs increased by 17.28% over the last decennial whereas the total literacy rate in India increased by 12.79%. In terms of gender analysis, the Scheduled Caste females recorded a significant 18.14% increase as against a comprehensive all India average of 14.71%. This phenomenon indicates a progressive reduction in the literacy gap between the general and the Scheduled Caste population despite the fact that the overall literacy amongst members of the Scheduled Castes still lags far behind the all India average.

4.16 Despite these positive trends, the overall low average literacy levels in the country and especially those prevalent amongst the members of Scheduled Castes, continues to aggravate inequalities in educational capabilities between different groups, which constitutes the existing 'capability deprivation' in India. The first important aspect behind these inequalities lies in the vast difference between the various states. Kerala, for example, has achieved a nearly universal literacy and on the other hand, we have states like Rajasthan, Uttar Pradesh and Bihar which have not even reached a 50% literacy level. This disparity becomes much more appalling when we find that the literacy level amongst the rural Scheduled Caste women is only 8% in Uttar Pradesh in comparison with 73% in Kerala. In addition to these regional disparities, there are also large educational inequalities between rural and urban areas, between different castes and between males & females and women. Disadvantaged groups such as the Scheduled Castes, who are at a very low level of education, get the worst. Even amongst these groups, it is women who are at the lowest level of education. More concerted efforts are therefore, needed to improve the quality education being imparted in the schools and to reduce social exclusion of the poor and the females from basic education. Experiences in the states of Kerala, Himachal Pradesh and Tamil Nadu have demonstrated that it is possible to provide universal basic education through state efforts to empower the poor and the members of the Scheduled Castes. What is required is sincerity of purpose by the implementing agencies.

4.17 According to a study report of the Azim Premji Foundation on the social context of Elementary Education in Rural India,

" Governmental and non-governmental interventions across the country in the last 50 years, have led to remarkable progress in universalization of elementary education, which is evident in the improved provision of schooling, rising enrolments, higher attendance of girls in schools, and higher literacy levels.

India, however, is still seen to be lagging behind in the field of primary education, characterized by irregular attendance, high dropouts and non-completion of primary education among children. The reasons for these lie in the socio-economic conditions of rural India, marked by caste, class and gender inequalities.

Studies reveal that factors such as higher income levels, land ownership, non-agricultural occupations, adult women's workforce participation, and the economic motivation in the son's education are positively correlated with high enrolment, attendance and continuation of children in primary education.

On the other hand, poverty has impeded primary school attainment. Poorer households are also educationally disadvantaged with low enrolment, high discontinuation and dropout rates.

A number of nationwide surveys, probing reasons for the non attendance of children, indicate that high direct costs of schooling, children being required for work, and the lack of interest in studies by parents and children, have been the major reasons for non-enrolment and dropping out.

Where poor children do attend school, field studies show that poverty often puts a double burden on children who have to combine school and household work which thus affects their learning outcomes.

Economic factors, in combination with many socio-cultural factors, are known to operate in the Indian context to hinder the spread of elementary education, amongst girls, lower castes, tribes and certain religious groups. Certain socio-cultural factors also positively impact the educational chances of these deprived groups.

In rural India, girls' participation in schooling is lagging significantly behind that of boys. Low parental motivation for sending the girl child to school, and sustaining it, is due to the superior position accorded to the son in the prevalent patrilineal/patriarchal system; the gender division of labour which confines the girls child to the domestic realm; the problems associated with menarche, restricting the girls' movement and thereby affecting continuation of her schooling, if it implies travel outside the village; the practice of early marriage; the kinship pattern of patrilocal village exogamy and the system of hyper gamy and dowry. All the above have had a detrimental impact on the educational chances of the girl child. At the same time, recent trends indicate that parents have begun to send girls to school in larger numbers than before, and that parental attitudes are positively changing, due to parental literacy and higher levels of awareness amongst them.

The hierarchical caste system has historically created unequal educational access so that backward castes and scheduled castes have been excluded from participation in school. The poor education profile of scheduled caste children has been mainly due to poverty and child work, physical segregation, social discrimination and the practice of untouchability. SC girls face the 'triple jeopardy' of poverty, social oppression and gender discrimination. Scheduled Caste children also face discrimination at school, which takes many forms.

At the same time caste has also facilitated education amongst certain groups through, the formation of 'caste associations', which encouraged education of caste members, in an attempt to gain higher social status."

Higher Education

4.18 Over the years, assistance being given to the students of Scheduled Castes has considerably increased. Number of post-matriculation scholarships, free or heavily subsidized hostel facilities and booking of loans for those pursuing professional courses have also increased. This economic assistance has been accompanied by reserved places in colleges, including quotas in professional courses in important medical and engineering colleges.

4.19 The cumulative effect of all these schemes could be somewhat judged by the

fact that enrolment of Students from Scheduled Castes for undergraduate, post graduate, technical and professional courses within a span of fifteen years had increased manifold; in the academic year 1978-79 there were only 7.08% of students' enrolled in higher educational institutions but in 1995-96 it has risen to 13.30%. But thereafter, although the absolute numbers have gone up, the percentage has gone down to 11.32% in 2002-03. The following table testifies to the above improves drawn:-

Table 3

Year	Total Enrolment	SC Enrolment	%
1978-79	2,543,449	180,058	7.08
1995-96	7,955,811	1,058,514	13.30
2002-03	95,16,773	10,76,996	11.32

4.20 Although the increased enrolment of Scheduled Castes in higher education is a cause for some optimism, a lot of improvement is needed in the implementation of dedicated schemes meant for their benefit. There are instances that a lot of economic and social hurdles are faced by Scheduled Castes students as they climb the ladder of higher education. First, it is only the relatively well off or the socially affluent amongst the Scheduled Castes communities that are able to make use of scholarships and other benefits of affirmative action. The poorer amongst them do not even part benefit from the scheme because the amount of money made available is so little and often reaches late for disbursement. It is apprehended that the amounts allowed are not fully utilized for their benefit. Unless a sizeable contribution comes from students' families, it is impossible for SC students to successfully complete higher education. Since most Scheduled Castes families do not have a piece of profitable land or a secured job, they are unable to make this investment on the future for their wards. Secondly the 'market' value of a university degree is something very important to secure a job. If one has graduated from highly prestigious institutions such as Indian Institution of Technology, Indian Institute of Management or holds a degree in disciplines such as Engineering, Medicine or Computer science, from similar institutions at Regional of state line the prospects of getting employment with a handsome salary are more. The vast majority of Scheduled Castes lose out badly in this race. Because they are not able to utilize the facilities available during the Campus informers to the fullest extent.

4.21 Despite India's attempt for developing a secular administrative network for education over the passed five decades. There are still discrimination and bias against the member of deprived community. According to a study by *Karuna Chanana* "[Accessing higher education: the dilemma of schooling women, minorities, scheduled castes and scheduled tribes in contemporary India]" states that "educational policy fails to integrate these functions like equity for the SCs & STS mainstreaming the minorities and inequality for women, which remain sectoral aims even at the conceptual level. Further in the multi-cultural and multi-ethnic Indian society, the parameters of gender, caste, class and region are crucial in determining access to high education. Again, gender becomes the all inclusive negative parameter conferring cumulative and competing disadvantages on women. Therefore, the study concludes that the educational polices and programmes are unable to encompass the complex social reality within a single framework and are, therefore, unable to bridge the gap between policy and practice.

Growth of Enrolment

4.22 The Statement below present the growth of Gender-wise school enrolment in different stages of school education from 1950-51 to 2002-2003. The total enrolment at the Primary, Upper Primary, Secondary and Sr. Secondary stages increased by 6,15 and 22 times respectively since 1950-51. The girls' enrolment increased by 11.41 and 68 times respectively, during the same period in the above institutions. State wise/gender-wise details of enrolment by stages and by classes for the year up to 2002-2003, are given in the table below.

Table 4
ENROLMENT BY STAGES

(In Million)

Year	Primary (I-V)			Middle/Upper Primary (VI-VIII)			Higher/Hr.Sec./Inter/Pre-Degree (IX-XII)		
	Boys	Girls	Total	Boys	Girls	Total	Boys	Girls	Total
1	2	3	4	5	6	7	8	9	10
1950-51	13.8	5.4	19.2	2.6	0.5	3.1	1.3	0.2	1.5
1955-56	17.1	7.5	24.6	3.8	1.0	4.8	2.2	0.4	2.6
1960-61	23.6	11.4	35.0	5.1	1.6	6.7	2.7	0.7	3.4
1965-66	32.2	18.3	50.5	7.7	2.8	10.5	4.4	1.3	5.7
1970-71	35.7	21.3	57.0	9.4	3.9	13.3	5.7	1.9	7.6
1975-76	40.6	25.0	65.6	11.0	5.0	16.0	6.5	2.4	8.9
1980-81	45.3	28.5	73.8	13.9	6.8	20.7	7.6	3.4	11.00
1985-86	52.2	35.2	87.4	17.7	9.6	27.1	11.5	5.0	16.5
1990-91	57.0	40.4	97.4	21.5	12.5	34.0	12.8	6.3	19.1
1991-92	58.6	42.3	100.9	22.0	13.6	35.6	13.5	6.9	20.4
1992-93	57.9	41.7	99.6	21.2	12.9	34.1	13.6	6.9	20.5
1993-94	55.1	41.9	97.0	20.6	13.5	34.1	13.2	7.5	20.7
1994-95	60.0	45.1	105.1	22.1	14.3	36.4	14.2	7.9	22.1
1995-96	60.9	46.2	107.1	22.7	14.8	37.5	14.6	8.3	22.9
1996-97	61.4	46.8	108.2	22.9	15.2	38.1	15.3	8.7	24.0
1997-98	62.3	48.0	110.3	23.6	15.9	39.5	16.1	9.3	25.4
1998-99*	62.7	48.2	110.9	24.0	16.3	40.3	17.3	10.5	27.8
1999-00*	64.1	49.5	113.6	25.1	17.0	42.1	17.2	11.0	28.2
2000-01*	64.0	49.8	113.8	25.3	17.5	42.8	16.9	10.7	27.6
2001-02*	63.6	50.3	113.9	26.1	18.7	44.8	18.4	12.1	30.5
2002-03*	65.1	57.3	122.4	26.3	20.6	46.9	19.5	13.7	33.2

*Provisional

Source: M/HRD; Selected Educational Statistics 2002-03.

Enrolment of Scheduled Caste

4.23 The total number of Scheduled Castes enrolled at the primary (I-V), upper primary (VI-VIII) and secondary/senior secondary (IX-XII) stages of school education from 1980-81 to 2002-03 increased by 2.0, 3.4 and 3.8 times respectively during the same period in the above stages of school education. State wise and gender-wise details of enrolments for the year 2002-03 are given in the table below:-

Table 5

Year	Primary (I-V)			Middle/Upper Primary (VI-VIII)			Higher/Hr.Sec./Inter/Pre-Degree (IX-XII)		
	Boys	Girls	Total	Boys	Girls	Total	Boys	Girls	Total
1	2	3	4	5	6	7	8	9	10
1980-81	7213	3768	10981	1621	602	2223	906	246	1152
1981-82	7413	3930	11343	1777	677	2454	973	273	1246
1982-83	7807	4244	12051	1906	741	2647	1091	330	1421
1983-84	8001	4472	12473	2297	999	3296	1395	382	1777
1984-85	8040	4651	12691	2543	1123	3666	1524	429	1953
1985-86	8727	5194	13921	2537	1082	3619	1378	432	1810
1986-87	7871	4655	12526	2315	1099	3414	1090	376	1466
1987-88	9083	5593	14676	2543	1193	3736	1521	507	2028
1988-89	9431	5771	15202	2584	1257	3841	1546	557	2103
1989-90	9523	5877	15400	2623	1298	3921	1701	630	2331
1990-91	9737	6057	15794	2747	1413	4160	1703	635	2338
1991-92	97-9	6328	16037	3137	1556	4693	1878	703	2581
1992-93	10317	7034	17351	3478	1933	5411	1822	709	2531
1993-94	10412	7169	17581	3566	2014	5580	1981	827	2808
1994-95	10889	7543	18432	3330	1883	5213	1788	803	2591
1995-96	11284	7892	19176	3453	1992	5445	1854	887	2741
1996-97	11754	8368	20122	3621	2176	5797	1952	975	2927
1997-98	11898	8659	20557	3786	2283	6069	2026	1048	3074
1998-99*	11123	8377	19500	3748	2388	6136	2068	1149	3217
1999-00*	11810	8625	20435	3881	2420	6301	2385	1399	3784
2000-01*	12059	9136	21195	4066	2628	6694	2418	1394	3812
2001-02*	12251	9253	21504	4551	2945	7496	2693	1622	4314
2002-03*	11943	9726	21669	4430	3062	7492	2776	1624	4400

*Provisional

Source: M/HRD; Selected Educational Statistics 2002-03

Teachers

4.24 The statement given below shows the substantial increase in the number of teachers from 1950-51 in all types of Schools. The total number of teachers in primary Schools increased from 5.38 lakh in 1950-51 to 19.13 lakh in 2002-2003 i.e. by more than three times while the number of female teachers increased from 0.82 lakh in 1950-51 to 7.46 lakh in 2002-2003 i.e. by about nine times. The total number of teachers in upper primary Schools increased from 0.86 lakh in 1950-51 to 15.81 lakh in 2002-2003 i.e. by more than eighteen times while the number of female teachers increased from 0.13 lakh in 1950-51 to 6.45 lakh in 2002-2003 i.e. by about fifty times. The total number of teachers in High/ Hr. Sec./Intermediate Schools increased from 1.27 lakh in

1950-51 to 20.33 lakh in 2002-2003 i.e. sixteen times while the number of female teachers increased from 0.20 lakh in 1950-51 to 8.12 lakh in 2002-2003 i.e. by about forty one times. But behind the growth in the number of teachers lies hidden the tragic fact that numeric growth has often sacrificed in quality of teachers who are 'accommodated' to train our future citizens. The number of teachers in different type of Schools and in higher education in the year were up to 2002-2003 are given in the table below:-

Table 6
Teachers by type of Schools

(In 000')

	Primary			Upper Primary			High / Hr. Secondary Intermediate		
	Male	Female	Total	Male	Female	Total	Male	Female	Total
1950-51	456	82	538	73	13	86	107	20	127
1955-56	574	117	691	132	19	151	155	35	190
1960-61	615	127	742	262	83	345	234	62	296
1965-66	764	180	944	389	139	528	368	111	479
1970-71	835	225	1060	463	175	638	474	155	629
1975-76	955	283	1248	554	224	778	559	200	759
1980-81	1021	342	1363	598	253	851	669	257	926
1985-86	1094	402	1496	663	305	968	793	339	1132
1990-91	1143	473	1616	717	356	1073	917	417	1334
1991-92	1152	492	1644	714	365	1079	931	450	1381
1992-93	1137	514	1651	709	376	1085	941	454	1395
1993-94	1110	513	1623	723	406	1124	953	492	1445
1994-95	1157	531	1688	746	410	1156	986	495	1481
1995-96	1176	558	1734	758	424	1182	1030	519	1549
1996-97	1190	566	1756	769	431	1200	1069	544	1613
1997-98	1226	597	1823	640	597	1237	1086	558	1644
1998-99*	1246	658	1904	814	464	1278	1168	579	1747
1999-00*	1236	683	1919	829	469	1298	1142	578	1720
2000-01*	1221	675	1896	820	506	1326	1184	577	1761
2001-02*	1213	715	1928	921	547	1468	1157	620	1777
2002-03*	1167	746	1913	936	645	1581	1221	812	2033

*Provisional

Source: M/o HRD, Selected Educational Statistics 2002-03

Dropout Rates

4.25 Due to a large number of social and economic reasons the dropout rates of Indian children continue to be high. Higher still are the dropout rates among the children belonging to the SCs. Unfortunately, it is the female child that are the worst hit in this respect. The data is given year wise for 2002-03 in the table Blow:-

Table 7
State wise Dropout Rates of SC Students in Classes I-V, I-VIII, I-X (Up to 2002-2003)

S.No.	State/UT	Classes I-V			Classes I-VIII			Classes I-X		
		BOYS	GIRLS	TOTAL	BOYS	GIRLS	TOTAL	BOYS	GIRLS	TOTAL
1	2	3	4	5	6	7	8	9	10	11
1.	Andhra Pradesh	41.66	41.76	41.71	58.10	62.00	59.94	67.36	70.78	68.95
2.	Aru. Pradesh	38.42	37.37	37.94	59.50	56.13	58.01	70.17	73.59	71.66
3.	Assam	62.51	59.63	61.17	67.07	70.85	68.76	74.28	75.65	74.91
4.	Bihar	62.74	61.66	62.31	77.91	80.78	79.01	82.27	85.83	83.60
5.	Goa	0.08	5.45	2.69	2.28	9.01	5.54	40.18	39.14	39.68
6.	Gujarat	26.02	23.14	24.77	43.09	48.76	45.48	59.21	67.13	62.82
7.	Haryana	3.45	10.74	6.89	5.70	14.82	9.90	22.31	37.05	29.14
8.	Himachal Pradesh	10.82	14.08	12.42	7.90	11.23	9.56	28.75	31.23	29.95
9.	Jammu & Kashmir	33.06	11.50	24.82	27.73	25.57	26.71	50.29	52.08	51.07
10.	Karnataka	19.77	17.59	18.74	47.46	49.61	48.46	60.67	63.72	62.14
11.	Kerala	0.00	0.00	0.00	0.00	0.00	0.00	16.78	8.88	12.90
12.	Madhya Pradesh	32.66	29.87	31.43	43.29	51.78	46.94	58.36	70.78	63.79
13.	Maharashtra	14.40	16.80	15.55	29.51	35.98	32.59	48.98	55.42	52.05
14.	Manipur	25.92	25.24	25.60	35.43	30.08	32.93	61.92	59.01	60.54
15.	Meghalaya	58.19	54.81	56.51	73.13	70.21	71.67	81.40	80.45	80.93
16.	Mizoram	56.25	56.52	56.38	60.05	56.39	58.31	77.11	74.11	75.68
17.	Nagaland	49.16	54.49	51.80	53.79	52.93	53.38	77.08	77.90	77.47
18.	Orissa	50.40	40.05	46.13	63.97	58.39	61.73	71.04	72.56	71.74
19.	Punjab	26.37	24.07	25.29	33.71	31.67	32.67	48.81	47.10	48.01
20.	Rajasthan	54.81	59.86	56.93	62.74	72.44	66.60	72.66	81.66	75.77
21.	Sikkim	54.74	49.29	52.06	72.68	66.32	69.66	76.85	73.07	75.12
22.	Tamil Nadu	14.56	16.22	15.37	46.06	39.00	42.85	47.31	46.26	46.80
23.	Tripura	43.28	42.62	42.97	65.17	65.22	65.19	74.24	74.29	74.27
24.	Uttar Pradesh	24.19	22.75	23.55	47.53	42.26	45.57	43.05	51.47	46.31
25.	West Bengal	37.39	35.32	36.41	67.26	69.30	68.23	77.08	80.61	78.74
26.	Chhattisgarh*	-	-	-	-	-	-	-	-	-
27.	Jharkhand*	-	-	-	-	-	-	-	-	-
28.	Uttaranchal*	-	-	-	-	-	-	-	-	-
29.	Andaman & Nicobar Islands	0.73	4.00	2.31	17.64	19.26	18.42	51.44	51.24	53.35
30.	Chandigarh	32.32	28.05	30.44	0.00	0.00	0.00	23.28	20.29	21.90
31.	Dadra & Nagar Haveli	16.99	33.96	24.82	39.87	58.14	48.00	72.69	71.86	72.34
32.	Daman and Diu	0.00	0.00	0.00	5.57	20.44	14.83	43.81	46.93	45.24
33.	Delhi	6.72	17.64	12.13	19.46	27.75	23.57	44.88	49.59	47.19
34.	Lakshadweep	0.00	6.06	3.03	0.00	8.36	4.48	25.51	22.63	24.13
35.	Pondicherry	0.00	0.00	0.00	0.00	0.00	0.00	22.97	20.32	21.69
	INDIA	35.85	33.72	34.89	52.28	53.45	52.79	60.72	64.97	62.58

* Drop out rate are shown combined with the respective parent state.

Source :- M/ HRD Selected educational statistics 2002.03

Table No. 8
Drop out rate in class I-V, I-VIII and I-X

S.No.	State/UT	Classes I-V			Classes I-VIII			Classes I-X		
		BOYS	GIRLS	TOTAL	BOYS	GIRLS	TOTAL	BOYS	GIRLS	TOTAL
1.	2	3	4	5	6	7	8	9	10	11
1.	Andhra Pradesh	45.67	47.63	46.63	64.07	70.07	66.90	74.00	78.93	76.29
2.	Arunachal Pradesh.	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
3.	Assam	49.80	47.73	48.80	65.98	66.38	66.16	72.71	68.94	71.02
4.	Bihar	56.61	62.64	58.81	82.88	83.88	83.23	88.59	90.97	89.36
5.	Goa	37.13	32.81	35.13	53.47	62.61	57.95	78.57	78.98	78.77
6.	Gujarat	28.83	23.71	26.66	39.95	59.11	48.93	70.29	81.21	75.58
7.	Haryana	25.47	25.16	25.32	35.36	48.65	41.58	59.55	66.57	62.77
8.	Himachal Pradesh	18.05	22.01	20.02	27.38	31.50	29.34	44.64	46.92	45.73
9.	Jammu & Kashmir	35.44	11.15	25.72	41.01	36.05	38.77	72.53	68.58	70.89
10.	Karnataka	15.64	20.81	18.14	56.38	58.77	57.50	65.49	68.19	66.74
11.	Kerala	0.00	0.00	0.00	0.00	0.00	0.00	28.89	18.19	23.67
12.	Madhya Pradesh	35.39	34.52	35.00	45.76	60.25	51.89	70.22	82.66	75.44
13.	Maharashtra	6.89	10.68	8.68	36.85	43.08	39.82	54.68	63.05	58.71
14.	Manipur	46.03	34.58	40.51	42.68	51.12	46.74	54.62	62.88	58.67
15.	Meghalaya	70.15	70.51	70.33	74.97	74.39	74.69	73.91	80.77	77.31
16.	Mizoram	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
17.	Nagaland	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
18.	Orissa	37.87	34.68	36.48	66.55	72.34	69.13	66.23	79.48	72.14
19.	Punjab	32.84	30.60	31.78	54.49	53.19	53.87	62.91	63.88	63.35
20.	Rajasthan	51.20	57.52	53.82	54.79	67.77	59.67	76.95	86.07	79.95
21.	Sikkim	60.05	46.12	53.85	78.66	68.89	74.28	78.14	86.34	82.31
22.	Tamil Nadu	40.00	25.51	33.53	44.01	40.44	42.32	56.66	57.44	57.3
23.	Tripura	36.70	36.02	36.37	62.44	68.01	65.11	74.44	77.06	75.68
24.	Uttar Pradesh	47.88	56.23	51.02	64.34	76.14	68.77	62.13	76.18	67.40
25.	West Bengal	50.31	54.74	52.32	63.48	63.65	63.54	83.47	86.91	84.93
26.	Chhattisgarh*	-	-	-	-	-	-	-	-	-
27.	Jharkhand*	-	-	-	-	-	-	-	-	-
28.	Uttanchal*	-	-	-	-	-	-	-	-	-
29.	Andaman & Nicobar Islands	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
30.	Chandigarh	14.31	14.35	14.33	55.36	37.06	47.78	80.74	75.92	78.52
31.	Dadra & Nagar Haveli	33.33	33.90	33.60	42.59	36.17	39.60	27.78	34.09	30.61
32.	Daman and Diu	2.99	3.45	0.00	0.00	0.00	0.00	0.00	0.00	0.00
33.	Delhi	16.33	15.34	15.85	50.76	44.62	47.93	80.23	73.58	77.45
34.	Lakshadweep	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
35.	Pondicherry	0.00	0.00	0.00	0.00	0.00	0.00	25.46	26.25	25.84
	INDIA									

* Drop out rate are shown combined with the respective parent state.

Source :- M/HRD Selected Educational statistics 2002-03

National Literacy Mission

4.26 The National policy on Education, 1986, as modified in 1992, envisages improvement and expansion of education in all sectors, elimination of disparities in access and laying greater stress on improvement in the quality and relevance of education at all levels, including technical and professional education. It also

emphasizes that education must play a positive and interventionist role in correcting social and regional imbalance, empowering women and in securing a rightful place for the disadvantaged and the minorities. The empowerment of members of SCs through education stem from this basic commitment of the nation. Some of the achievements of the National Literacy Mission are as under:

- The literacy rate in 2001 has been recorded at 65.38 percent as against 52.21 percent in 1991. The 13.17 percentage points increase in the literacy rate during the period is the highest increase in any decade.
- Rate of growth is more in rural areas than in urban areas.
- The gap in male-female literacy rate has decreased from 24.84 percent in 1991 census to 21.70 percent in 2001.
- Female literacy increased by 14.8 percent i.e. from 39.3 percent i.e. from 64.16 percent whereas male literacy increased by 11.72 percent i.e. from 64.1 percent to 75 percent during the last decade.

4.27 The dramatic social mobilization generated by the literacy campaigns has had an enormous impact on other social sectors, like women's empowerment, health and population stabilization along with environmental awareness. A framework for effective social action has been provided by the Panchayati Raj Institutions. Democratic participation has been enriched by promoting articulation in society, especially of the underprivileged groups.

4.28 Scholarships to students belonging to the Scheduled Castes from the School to university levels are provided by the Ministries of Social Justice & Empowerment and Tribal Affairs, respectively. These Schemes are revised from time to time and detailed information is available with these Ministries.

Expenditure on Education

4.29 Education is in the Concurrent List of the Constitution and School Education is basically the responsibility of State Governments. The Central government supports various initiatives taken by the various State Governments: The Sarva Shiksha Abhiyan (SSA) and its components, District Primary Education Programme (DPEP), National Programme of Nutritional Support to Primary Education (NPNSPE) are some of the Centrally Sponsored Schemes for supporting the initiatives taken by the State governments to provide education to children in the age group of 6-14 years besides out-of-School children and dropouts. These schemes have several interventions to tackle the persistent problem of low literacy and higher dropout rates of all children including those from the Scheduled Castes and Scheduled Tribes. Some of these interventions aim at bringing into the mainstream the children from socially weaker sections of the society.

4.30 Since Independence, a number of steps have been taken by the Central Government to strengthen the educational base of the Scheduled Castes (SC). Some of the steps, which have contributed a great deal in raising the education level of Scheduled Castes inclusive:- Provision of opening educational institutions on priority particularly in areas predominantly inhabited by these communities; provision of incentives like Scholarships, free ships, mid-day meals, free uniforms, books and stationery, reservation of seats in educational institutions, relaxation of standards for

admission to institutions of higher learning, provision of coaching classes for competitive examinations, remedial coaching and provision of hostels. However, these deprived sections of society, particularly those belonging to Scheduled Castes still have a long way to go before they can catch up with the other communities in the field of education. From the allotted budgets of the Departments of Elementary Education and Literacy and Secondary and Higher Education, it is observed that 16.33 % funds are allocated under the Special Component Plan for Scheduled Castes which is inadequate to rectify the bias and inequality ingrained in the existing system that required the necessary 'match speed'.

4.31 The expenditure on education, which was Rs. 64.6 crore in the year 1951-52 constituted 0.64% of the GDP, has been steadily increasing over the years and it is now Rs. 84179.46 crores (FY), though it constitutes only 4.02% of the GDP for the year 2001-2002. Similarly the expenditure on education increased in the years 2002-03, 2003-04 and 2004-05 to Rs. 85507.34 crore, Rs. 94652.50 crore (FY) and 99954.65 (FY) crore respectively which constituted 3.79%, 3.76% and 3.49% respectively of the GDP which shows that though the total expenditure on education has increased but the percentage of expenditure on education has rather declined. Though the allocations have considerably increased but it has been neutralized due to abnormal increase in population of the country. The percentage of expenditure on education and training to total expenditure all the sectors during the last five decades reveals that it has increased from 7.92% in the year 1951-52 to 13.17% in 2001-2002 i.e. by 5.25 percentage points during the last five decades which shows a growth rate of muns 0.11 % during the aforesaid period.

4.32 On the threshold of two decades of the implementation of the National Policy of Education, an outlay of Rs. 6000 crores was provided for the Department of Elementary Education and Literacy and Rs. 2225.15 crores for the Department of Secondary and Higher Education in the Annual Plan 2004-05, which happened to be the 19th Year of the NPE. From the allotted budget of the Department of Elementary Education and Literacy and Secondary and Higher Education, funds to the tune of 15.00 percent have been allotted under SCP for Scheduled Castes. The Department of Secondary and Higher Education has earmarked notionally Rs. 333.75 crores for SCP out of the plan outlay of Rs. 2225 crore for the Annual Plan 2004-05 which comes to 15.01%. Department of Elementary Education and Literacy has earmarked notionally Rs. 900 crores for SCP out of the Plan outlay of Rs. 6000 crore for the Annual Plan 2004-05 which also comes to 15%. Given the persistently low level of literacy and poverty particularly amongst the members of Scheduled Castes, the present level of allocation is not only meagre but the focus of such schemes have been counted to be too diffused.

Recent Central Initiatives

4.33 Pursuant to the National Policy on Education, following special provisions for Scheduled Castes and STs have been incorporated in the existing Schemes of both the Departments of Primary and Secondary Educations in the Union Ministry of HRD.

- Relaxed norms for opening of primary Schools.
- Setting up of a primary School within 1 Km. walking distance from habitations with population of 200 instead of 300.
- Abolition of tuition fee in government Schools in all states at least up to

upper primary level (Most states have abolished tuition fee for SC /ST students up to the senior secondary level).

- Incentives like free textbooks, uniforms, stationery, School bages etc. to SC /ST students.
- Presently, the major programmes of the Departments of Education are District Primary Education Programme (DPEP), Sarva Shiksha Abhiyan (SSA), Education Guarantee Scheme and Alternative and Innovative Education (EGS & AIE) and National Programme of Nutritional Support to Primary Education (NPNSPE) according priority to areas of concentration of Scheduled Castes and Scheduled Tribes. Reservations of seats for Scheduled Caste in central government institutions of higher learning include Indian Institutes of Technology (IITs), Indian Institute of Management (IIM), Regional Engineering Colleges, Central Universities, Kendriya Vidyalaya, Navodaya Vidyalayas, etc. There is also relaxation in the minimum qualifying cut-off percentages for admission in Universities, colleges and technical institutions, apart from such reservation percentage preserved for SCs. The University Grants Commission (UGC) has included the Central Universities to ensure proper implementation of the reservation policy. A Standing Committee has also been set up by the UGC to review implementation of the reservation policy.
- To improve academic skills and linguistic proficiency of SC Students in various subjects and to raise their level of comprehensions, remedial and special coaching is provided. The IITs have a Scheme under which SC students who fail marginally in the entrance examination are provided a one-year preparatory course and those who qualify with this support are admitted to the first year of the B. Tech. Course.
- SC students are given relaxation in cut-off marks, up to 10 percent for the Junior Research Fellowship (JRF) test of the UGC. All qualifying SC candidates are awarded fellowships.
- 50 Junior fellowship are awarded every year in the fields of Science and humanities including social Science to SC candidates who appear in the National Eligibility Test (NET) which qualifies them for getting a bifurmpin the and valuties.
- UGC provides SC candidates a relaxation of 5% (i.e. from 55% to 50%) at the Master's level for appointment as lecturer. UGC has also reduced the minimum percentage of marks for SC students required for appearing in the NET examination to 50 percent at the Master's level.
- Out of 43,000 Scholarships, 11500 Scholarships were reserved for SC students under the Scheme of Scholarships at the secondary stage for talented children from rural areas. Out of 1000 Scholarships, 150 Scholarships were reserved for SC students under the National Talent Search Scheme.
- The Central Institute of Indian Languages, Mysore has a Scheme of development of Indian languages through research, development of manpower and production of materials in Mordern Indian Languages.

including tribal languages. The Institute has worked in more than 75 tribal and border languages. Under the Scheme of strengthening boarding and hostel facilities for girl students of Secondary and Higher Secondary Schools, Cent Percent financial assistance is given to Voluntary Organizations to improve enrolment of adolescent girls belonging to rural areas and weaker sections of the society. Preference is given to educationally backward districts predominantly inhabited by the SCs.

- The objective of the Kasturba Gandhi Swatantrata Vidyalaya Scheme is to improve literacy among women belonging to the SCs. It has been proposed to set up 500 residential Schools in districts having less than 10% literacy among women. Initially these School would be up to Class 5th and subsequently they will be upgraded.
- 146 districts have been identified as low female literacy districts to be given focused attention by the Centre as well as States/Union Territories for implementation of such programmes/Schemes.

Tenth Plan Provisions: Empowerment through Education

4.34 In order to create an enabling environment for the welfare and development of the Socially Disadvantaged Groups by removing the still existing inequalities, disparities and other persisting problems, besides providing easy and equal access to basic minimum services, the Tenth Plan has focused on these aspects through-

- Education being the most effective instrument of empowering the Socially Disadvantaged groups, all-out efforts will be made to improve the educational status of these Groups, especially of Women and the Girl Child.
- Universalization of primary education by 2007 and at elementary stage by 2010 with a special focus on low literacy pockets, and educationally backward communities viz. Scheduled Castes, OBCs, Minorities and women with a special focus on the Girl Child.
- Improving enrolment/retention rates of these Groups in Schools and thus reduce School drop-out rates through special incentives/support services like hostels, financial assistance, Scholarships free books, uniforms etc and thus improve the educational status of these Groups, especially of the women and the Girl Child.
- Vocational training/education to improve the technical and productive capabilities of these Groups, suiting local needs and market demands.
- 'Reaching the Un-reached' viz. Scheduled Caste/OBC/Minority groups, those living in the most backward and neglected areas, in general and their women and the Girl child, in particular through the Universalized/Expanded programmes of ICDS, RCH, Supplementary Nutrition Programme, Mid-Day Meals, PMGY, NNM etc.
- Encouraging the participation of the Socially disadvantaged Groups in the planning and developmental process at every level through ensuring their adequate representation in various democratic decision making

Institutions like Panchayati Raj/ Local Bodies, State Assemblies/Parliament etc.

Initiatives in Education: Scheme- Wise Details

Elementary Education

4.35 Concerted efforts towards universalisation of Elementary Education (UEE) have resulted in manifold increase in Schools, teachers and students, though we could not achieve the goal of UEE at the turn of the millennium. **Government of India have attached the highest priority for completing this unfinished task in this decade and Rs. 28.750 crores have been allocated in the Tenth Plan for Elementary Education.** The M/o Human Resource Development has also constituted a National Level Mission under the Chairmanship of the Prime Minister, vide Resolution dated 3.12.2004. The Project Approval Board (PAB) has approved Annual Plan of 598 districts of 35 States/UTs at an outlay of Rs. 1417.00 crores during the year 2004-05.

Sarva Shiksha Abhiyan

4.36 For promotion of universalisation of Elementary Education and social justice, the Parliament has passed the Constitution 86th Amendment Act 2002, notified on the 13 December 2002. This Act provides free and compulsory education to all the children in the age group of 6-14 years. Improvement in quality has led to an increase in pass percentage from 79 % to 85% for the secondary and 83% to 86.4% for senior secondary level. To make this right meaningful and effective, the government have launched the Sarva Shiksha Abhiyan (SSA), the National Programme for Universalisation of Elementary Education in partnership with the states for the children in the 6-14 age group. To signify the national priority, the Sarva Shiksha Abhiyan (SSA) Mission has been set up with the Prime Minister as the Chairperson and the Union Minister of Human Resource and Development as the Vice-Chairperson. The states have also established implementation societies for UEE under the chairmanship of their respective Chief Ministers/Education Ministers. Apart from providing quality elementary education, the SSA also focussed on free textbooks for girls, toilets especially for girls, setting up of village Education Committees and Mother Teacher Association. The Schemes also focussed on innovations for girls and SC /ST education allowing Rs. 50 lakh per district and Rs. 15 lakh per project. During 2002-03 up to 3rd January, 2003, annual District Elementary Education Plan of 576 districts in 28 States/UTs have been reported to be approved with an outlay of Rs. 3081.08 crores. The Sarva Shiksha Abhiyan covers the entire country with a social focus on educational needs of girls, Scheduled Castes etc. During 2004-05 Sarva Shiksha Abhiyan expects to cover 598 out of 600 districts.

National Programme of Nutritional Support to Primary Education

4.37 This programme, popularly called Mid-day Meals Scheme was launched on the 15th August, 1995 with the objectives to give boost to U.P.E. and simultaneously improving on the nutritional status of students in primary classes studying in various Schools run by the government, local bodies and in government-aided Schools. During the current year, the programme has also been extended to children of Education Guarantee Scheme centers which are being opened in the School-less habitations.

4.38 The programme aims at providing wholesome cooked/processed food through local bodies/authorities such as Panchayats and Nagar Palikas. Where such

arrangements are not available food grains (Wheat/rice) at the rate of 3 Kg per student per month are distributed to the targeted children subject to a minimum attendance of 80 percent. The year-wise details of children targeted for coverage and quantity of food grains allocated and lifted by states agencies and expenditure incurred is given in the table below.

Table 9

Year	No. of Children (Rs. in crore)	Quantity of Food grains (in MTs) Allocated	Quantity of Food grains (in MTs) Lifted	Expenditure Food grains (Rs. in crore)
1995-96	3.34	713223	536016	441.21
1996-97	5.57	1585388	1112489	800.00
1997-98	9.10	2567372	1810164	1070.38
1998-99	9.79	2706274	1147917	1600.15
1999-00	9.90	2767251	1401765	1500.00
2000-01	10.54	2480692	1517816	1300.00
2001-02	10.35	2862475	2076764	1030.27
2002-03	10.26	2826248	901756	95244
2004-05*	10.88*	1528772*	2666922*	1675.00* (BE)

* As on 31.12.2004

Source: M/o HRD

4.39 It may be seen from the above table that in comparison to the amount allocated year-wise and its utilization i.e. expenditure incurred shows a big gap and thereby the benefit of the Scheme which has vital bearing on the promotion of education especially retention at the base of education can have far better results if the efforts for utilization of funds allocated are accelerated. Thus, the programme needs close monitoring by the State Governments and Central Government respectively on a quarterly basis.

4.40 The Hon'ble Supreme Court in its order dated 29th November, 2001 directed that under the Scheme of Mid-Day Meals, cooked meals be provided under the Scheme. As a result, about one-third of a total of 10.26 crore children in Primary Classes are currently getting cooked meals.

4.41 The guidelines of the Scheme have been modified so as to enable reputed NGOs and other organizations to participate in the implementation of the programme. In this regard, ISKCON, Bangalore had initiated a cooked meal programme and is currently serving 1573 children of primary classes studying in 78 primary Schools in the rural Bangalore district of Karnataka. Another eight NGOs are also serving meals to about 40,000 children in the same state. Other states and UTs are required to encourage such reputed NGOs/ Voluntary agencies willing to undertake the work under the Mid-day Meals Scheme on the pattern of Karnataka.

4.42 Besides this, children studying in EGS centers are also covered under the

Scheme. Approximately 13 lakh children are expected to be benefited under the programme. The Ministry of Rural Development has agreed to the proposal of kitchen sheds and about 4 lakh Schools in the rural areas are expected to benefit from it.

Adult Education

4.43 The Total Literacy Campaign (TLC) has been the principal strategy of National Literacy Mission for eradication of literacy. Out of 600 districts in the country 596 have since been covered under Adult Education Programme- 142 under Total Literacy Campaigns, 182 under Post Literacy Programme and 272 under Continuing Education programme. About 116.43 million persons have been made literate as on 31.3.2003. About 60% of the beneficiaries are women, while 22% belong to the SCs. During the last 3 years, the budget allocation and expenditure is given in the table below: -

Table 10

(Rs. In crore)

Year	Budget Estimate	Expenditure
2001-02	27.00	17.74
2002-03	22.00	23.35
2003-04	25.00	25.00

Table 11

Budgetary support during 2004-05

Rs. In Lakh

	BE	RE
	2004-05	2004-05
Plan	2600.00	1900.00
NER	NA	700.00

Table 12

Physical items approved in 2004-05

	SSA
Opening of new School approved	44719
No. of teachers sanctioned	210431
Construction of School Building	29018
Construction of Additional Class Room	82538
Constriction of Toilet	50044
Construction of Drinking Water Facilities	44322
Teacher grant number of teachers	3239155
School Grant (Nos. of School)	903191
Repair grants (Nos. of School)	856230
Free Text Book (Nos. of children)	6.15 crore

Table 13

Budgetary Support

Rs. In Lakh

	BE	RE
	2004-05	2004-05
Plan	305708.00	475363.00
NER		32595.00

Project Initiatives

Kasturba Gandhi Balika Vidhyalaya

4.44 In view of the targeted nature of the Scheme, minimum 75% of the enrolment shall be reserved for girls from SC , ST, OBC or minority communities and for the remaining 24% priority would be accorded to girls from the families below the poverty line. The expenditure on KGBV are as under:-

Table 14

		Rs. In Lakh
	BE	RE
	2004-05	2004-05
Plan	10000.00	9000.00
NER		1000.00

Other programmes for elementary education, being implemented as part of the SSA framework

District Primary Education Programme

4.45 Launched in 1994, the District Primary Education Programme (DPEP) funded by the World Bank adopts a holistic approach to universalize access, retention, improved learning achievement and to reduce gender disparities and social groups through various innovative programmes and strategies. Under the framework of the SSA, the DPEP has so far covered 273 districts in 18 states. Some of the achievements of the DPEP are as under:

1. Enrolment in DPEP districts has reached a figure of 79.33 lakhs in 2001-02. In the District covered under DPEP in the subsequent phases, the overall enrolment has increased from 185.31 lakhs in 1997-98 to 600.00 lakhs in 2002-03
2. A study was undertaken in four states to find out the reasons of high drop out rate. These studies highlighted that the factors responsible for children dropping out from the Schools at various stages could be assigned primarily to the background of the Child and the Schools in which these children had been admitted but who subsequently dropped out. . The parents of dropout students, in general, were poor and uneducated who could provide little help to the child in studies. The prominent school related factors were shortage of teachers, their inability to provide remedial teaching, lack of facilities and non-congenial atmosphere in Schools that make Schools unattractive to the child.
3. According to Terminal Assessment Survey conducted in 49 Phase-I districts in 2001 and 83 Phase-II district in 2003 in over 95% districts the average marks in class I tests of both Language and Mathematics, exceeded 60%, whereas in class III/IV, the percentage of district in which average marks exceeded 60 out of 100 was 43.2% in language and 28.8% in Mathematics tests.

Allocation of Funds under DPEP

4.46 The cumulative expenditure on DPEP up to December 31, 2004 works out to Rs. 6,691.74 crore and the cumulative reimbursement to Rs. 5,265.48 crore. Expenditure incurred during the financial year 2004-05 is Rs. 491.68 crore and reimbursement Rs. 341.84 crore. Actual expenditure for last three years is given below:-

Table 15

(Rs. / crore)			
Year	BE	RE	Actual
2000-01	969.00	820.00	856.39
2001-02	1098.00	1198.00	1198.00
2002-03	1380.00	1380.00	1285.03
2003-04	1200.00	800.00	791.19
2004-05	600.00	600.00	363.00*

* As on 31.12.2004

Mahila Samakhya

4.47 The Mahila Samakhya Programme was launched in 1989 to translate the goals enshrined in the National Policy on Education (NPE), 1986 and the Programme of Action (POA), 1992 into a concrete programme for the education and empowerment of women in rural areas, particularly women from socially and economically marginalized groups. During 2004-05 the financial provisions have been Rs. 30 crore and 15 crore under BE and RE respectively.

Lok Jumbish Project

4.48 Under this project during 2003-04, 1900 additional teachers in Primary Schools and upper Primary Schools have been provided. During 2004-05 the financial provisions have been Rs. 24.41 crore and 29.41 crore under BE and RE respectively. The Scheme has been closed during the financial year 2004-05.

Janshala Programme

4.49 The Janshala Programme which is a joint programme of the Government of India and five UN Agencies aims at providing support to ongoing efforts towards achieving DEE and is community based with a special focus on girls and children in deprived communities, marginalized groups, SC working children and children with specific needs. The total outlay on the programme is Rs. 100 crore approximately. Janshala is block-based intervention, and implemented in 139 blocks and 10 cities in 9 states of the country. The programme has three main objectives.

1. To enhance and sustain communities participation in effective school management and the protection of child rights.
2. To improve performance of teachers in the use of interactive child-centered and gender-sensitive methods of teaching in multi-grade class room.
3. To improve attendance and performance of difficult to reach groups of children, especially girls.

Shiksha Karmi Project

4.50 During the extension of Phase-III of SKP for a period two years i.e. 1.7.2003 to 30.6.2005 an outlay of Rs. 96.35 crore on the revised funding norm of 75:25 respectively has been approved by the Govt. of India which includes opening of 500 Primary Schools, 50 Upper Primary Schools, enrolment of additional 22500 children and recruitment of 1100 Shiksha Karmis in the State of Rajasthan.

Table 16

Financial requirement Under Shiksha Karmis

	Rs. In Lakh	
	BE	RE
	2004-05	2004-05
Plan	3904.00	3904.00

4.51 The Shiksha Karmi Project (SKP) aims at universalisation and qualitative improvement of primary education in remote, arid and socio-economically backward villages of Rajasthan with primary attention given to the girl child. The project identifies teacher absenteeism as a major obstacle in achieving the goal of Universalisation of Elementary Education. It was realized that a primary School in a remote village, with a non-resident teacher often tended to become dysfunctional, and both parents and children failed to relate to such an institution, leading to high dropout rates. Under the SKP, regular teacher are replaced by local teachers who are less qualified but are especially trained. To overcome the basic lack of qualifications, SKs are given intensive training through induction programme as well as periodic refresher courses. The Government of Rajasthan is implementing the project through the Rajasthan Shiksha Karmi Board (RSKB).

4.52 During the first phase of the SKP (1987-1994) in Rajasthan, an amount of Rs. 21.12 crore was spent, which was shared between the Swedish International Development Agency (SIDA) and the Government of Rajasthan on a 90:10 Basis. The second phase of SKP (July 1994-June 1998), a total expenditure of Rs. 72.21 crore was incurred and shared between SIDA and the Government of Rajasthan on 50:50 basis. After an in-depth evaluation of the project, the Department for International Development (DFID) of the United Kingdom has agreed to share the cost of Phase-III of the project on a 50:50 basis with the Government of Rajasthan with effect from July, 1999 Phase-III of the SKP continued till June 2003 with an expenditure of 240 crore. The SKP has emerged as a unique instrument of human resource development. It has enabled rural youth, with inherent talent and potential, to blossom into confident paraprofessionals with self-respect and dignity. **A significant number of children covered by the Shiksha Karmi Schools are from among SC.** The success of Shiksha Karmi Project has brought to it national and international recognition. **The Shiksha Karmi Project Keeping inview its successful functioning merits extension to other similarly educationally backward states like Bihar, Madhya Pradesh, Orissa, etc. where the education level among the SC is still poor particularly among the girls.**

UGC Schemes

4.53 UGC provides financial assistance for the Schemes Remedial Coaching for SC students and Establishment of SC Cell. The Standing Committee on SC reviews it. Fifty Junior Fellowships are awarded every year in the field of Science and Humanities including Social Sciences to SC candidates who appear in National Eligibility Test (NET) and qualify for lectureship. SC candidates are provided relaxation in cut off marks up to 10 percent for the Junior Research Fellowship (JRF) test of the UGC. All qualifying SC /ST candidates are awarded fellowships. Out of 43,000 Scholarships, 11500 Scholarships are reserved for SC students under the Scheme of Scholarships at Secondary stage for talented children from rural areas. Out of 1000 Scholarships, 150 Scholarships are reserved for SC students under the National Talent Search Scheme.

4.54 The Centrally Sponsored Scheme of vocationalisation of secondary education

provides financial assistance to the states for setting up administrative structures, area vocational surveys, reparation of curriculum, textbook, workbook, curriculum guides, training manual, teacher training programme, strengthening technical support system for research and development, training and evaluation etc. It also provides financial assistance to NGOs for implementation of specific innovative projects for conducting short-term courses. The focus of the Scheme is towards quality vocational education by introducing flexibility, competency-based courses, linkage to the market potential, and removal of rigidity. More emphasis is accorded to demand driven, need based, and local specific courses to prepare the youth to increase their employability. Reservation is given to SC as per norms. 15% reservation is given to SC in IITs, IIMs, and in Regional Engineering College administered by the Central Government. Apart from reservation, there are also relaxations in the minimum qualifying marks for admission for SC candidates. Seats are also reserved for Scheduled Caste students in hostels attached to the Central Universities/Colleges.

4.55 The Scheme of Community Polytechnics undertakes rural/community development activities through application of Science and technology in its proximity. It provides platforms for transfer of appropriate technologies to rural masses/local communities. Preference is given in training to rural youths, Scheduled Caste women, School dropouts and other disadvantaged groups and helps them to obtain need based gainful employment.

4.56 The National Schemes of Apprenticeship Training provides opportunities for practical training to graduate engineers, diploma holders (technicians) and 10+2 vocational pass-outs. The regional Boards of Apprenticeship/Practical Training have been advised to select Scheduled Castes, women candidates as per rules of reservations. Remedial and special coaching is provided to SC students to improve academic skills and linguistic proficiency in various subjects and to raise their level of comprehension. UGC provides financial assistance to the universities for extension activities. Under the Scheme, all groups of the society are covered including the SC.

Support for educational development

Post Matric Scholarship

4.57 In the Tenth Five Year Plan the scheme has been merged with the schemes of Post Matric Scholarship and Book Bank and the allocation for the combined Scheme has been fixed at Rs. 383.19 crore. For the year 2002-03 the allocation for the Up-gradation of Merit segment of the combined scheme is Rs. 0.99 crore out of which Rs. 0.56 crore have been released to state governments/UT administration. During the year 2002-03, 167 students have been benefited from the Scheme. Performance of the Scheme during the last three years including the current financial year is as follows:-

Table 17

Year	Budget Allocation Rs. In Crore	Central Assistant Released Rs. In Crore	Nos of Beneficiaries In Lakh
2002-03	150.0	153.05	18.94
2003-04	260.0	264.99	19.94
2004-05	313.24	330.27	24.00 (Estimated)

Source: M/o SJE

Pre-Matric Scholarship to the Children of those Engaged in Unclean

Occupations.

Table 18

Year	Central Assistance Released (Rs. in crore)	No. of Beneficiaries (in lakh)
1997 -98	2.00	3.17
1998-99	4.40	3.57
1999-00	7.88	3.63
2000-01	11.63	4.21
2001-02	10.04	4.50
2002-03	5.12	5.82
2003-04	14.60	5.03
2004-05	9.89	5.99

Source: M/o SJE

4.58 The coverage under the Scheme is over 5 lakh students in last two years & the current year. Performance of the Scheme during the last three years is as under:-

Table 19

Year	Budget Allocation Rs. In Crore	Central Assistant Release Rs. In Crore	Nos of Beneficiaries In Lakh
2002-03	14.50	5.13	5.82
2003-04	14.50	14.60	5.03
2004-05	16.00	9.89	5.99

Source: *M/o SJE

National Overseas Scholarship Scheme for SC Students

4.59 Under the Scheme financial assistance is provided to meritorious selected students for pursuing higher studies abroad in the specified fields of Engineering, Technology and Science at Masters level courses, Ph. D and Post Doctoral Research Programs. The assistance includes the cost of maintenance allowance, travel expenses, tuition fee and other educational expenses. Twenty (20) awards are allocated annually out of which 17 awards are for Scheduled Castes, 2 awards for De-Notified Nomadic and Semi Nomadic Tribes and 1 award for landless agricultural laborers and traditional artisans. The budget allocations and the expenditure incurred under the Scheme for last two years & the current year is given below:-

Table 20

Year	Budget Allocation	(Rs. In crore) Expenditure
2002-03	1.13	0.50
2003-04	1.00	0.70
2004-05	0.90	0.90

Source: *M/o SJE

Upgradation of Merit For SC Students

4.60 The Scheme provides for 100% Central assistance to State/UTs for arrangement of remedial and special coaching for SC students studying in class IX to XII. Financial assistance is provided to students as package grant of Rs. 15,000/- per year per student. The details of releases of the Central assistance and the number of students benefited under the Scheme during the last three years are as under: -

Table 21

(Rs. In crore)

Year	Expenditure	Beneficiaries
2002-03	3.05	2144
2003-04	1.85	1378
2004-05	1.77	1334

Source: *M/o SJE

4.61 From the above data it may be observed that there is considerable curtailing in the expenditure and the number of beneficiaries has declined under the Scheme in the last two years particularly in comparison to the year 2002-03. The Scheme needs more coverage target the SC students.

Hostel for SC boys and girls

4.62 Education is considered as a stepping- stone to economic and social progress of the persons belonging to the Scheduled Castes. Accessibility in terms of ward's transport to centers of learning has been poor. In order to provide hostel facilities to SC students studying in middle Schools, Higher Secondary School, College and Universities for enabling them to pursue their studies in educational center, the Government formulated the Schemes of hostel for Scheduled Caste Girls and Boys. The Scheme provides for release of Central Assistance to State Government on 50:50 matching share basis (100%) to UTs and 90% grant to Central Universities for construction of Hostel buildings. The details of Central Assistance, number of hostel sanctioned and the number seats made available during the years 2002-03 to 2004-05 are as under: -

Table 22

Year	Amount Released (Rs. In Crore)		No. of Hostels		No. of seats	
	Boys	Girls	Boys	Girls	Boys	Girls
2002-03	21.99	20.00	191	127	11582	11484
2003-04	35.25	20.24	228	611	8789	9277
2004-05	25.90	16.04	125	79	6618	7172

*Source: M/o SJE

4.63 It may be observed from the above table that in comparison to the figures for the year 2003-04 there is considerable decline in the amount of SC A released in the year 2004-05.

Coaching and Allied Assistance for Scheduled Caste Students

4.64 The Scheme caters to the needs of prospective job seekers belonging to SCs, OBCs and Minorities by the way of providing Special pre-examination coaching in order to enable them to compete with general category students for admission into institutions imparting technical and vocational courses and recruitment to service under group A & B under the Central, the State Governments, Public Sector Undertaking, Banks and private Sector.

4.65 Only students belonging to SC and other eligible categories having a family income of less than Rs. 1 Lakh per annum, are eligible for admission. Details of Central share released and the number of students covered under the Scheme during the last three years are as follows:-

Table 23

(Rs. In crore)		
Year	Releases	No. of Beneficiaries
2002-03	5.47	12819
2003-04	3.98	7030
2004-05	5.06	8000

*Source: M/o SJE

4.66 It may be observed that over the past few years, the number of Scheduled Caste beneficiaries have gone down. The allocation/releases of funds for the purpose have also declined.

Implementation by State Governments

4.67 There are great variations in the implementations of the Schemes of education meant for the Scheduled Caste students according to the priorities given in each state leadership. As emphasized earlier in the context of literacy, some states like Kerala, Himachal Pradesh, Tamil Nadu etc have fared well while a number of states like Uttar Pradesh, Bihar, Rajasthan etc. have shown poor response. Results of some of the states on the basis of reports received are given below.

TAMIL NADU

4.68 The Government of Tamil Nadu giving top priority to the educational development Sc provided more than 70% of the budget estimate for the Schemes relating to education. The amount allocated by the State Government for educational development of Sc and its utilization for the years 2003-04 is as under:-

Table 24

(Rs. In lakh)		
Year	Budget Estimate	Expenditure
2003-04	30171.77	31130.93
2004-05	31068.19	34047.86

4.69 Providing educational facilities in close proximity to the habitations of Sc has been discussed is the prime concern of the State Government. Keeping this in view, the Schools under the control of Adi Dravidar Welfare department are being upgraded to their next level in a phased manner. The Adi Dravidar Welfare Department is running 1048 Adi Dravidar Welfare School with the composite strength of 227622

students.

Tuition fee concession

4.70 Students belonging to Sc who had converted to Christianity and studying in Government and Government aided educational institutions are totally exempted from the payment of tuition fees without any income limit.

Free Education

4.71 SC student are provided free education up to degree level. Number of students the amount spent and the number of the student benefited during the 2003-04 and 2004-05 are as follows:-

Table 25

(Rs. In Lakh)

Year	Expenditure	No. of students benefited
2003-04	75.04	8066
2004-05	70.13	7969

4.72 In comparison to the year 2003-04 there is slight decrease in the amount release and number of SC students benefited.

Free education for girls upto Post Graduate level

4.73 The SC girls in the state are exempted from payment of tuition fee up to Post Graduate level from the academic year 2001-02. Details for the years 2003-04 and 2005-06 are as under:-

Table 26

Year	Expenditure (Rs. In Lakh)	No. of students benefited
2003-04	31.26	4281
2004-05	32.35	4882

Pre-matric Scholarship

4.74 Christian students converted from Sc and studying in standards VI to X are exempted from the payment of special fees. The Government reimburses the loss incurred by the affected educational institutions on account of this exemption. Similarly such students studying in X and XII are exempted from the payment of public examination fees and the entire amount is paid to the Directorate of Government Examinations by the Adi Dravidar Welfare Department.

Pre-matric Scholarship for the children of those engaged in unclean occupation:

4.75 Children who are studying in standards I to X are given Scholarship at the rate of Rs.40/- to Rs. 75/- irrespective of their community, religion and income. For hostellers- Rs.300/- p.m. is paid who are studying in III to VIII and Rs.375/- p.m. for students studying in standard IX and X. Besides adhoc grant of Rs. 550/- for Day Scholars and Rs.600/- p.m. are given for hostellers w.e.f. 01.4.2003. The details of

amount spent and the number of students benefited under the Scheme for the years 2003-04 and 2004-05 are as follows:

Table 27

Year	Expenditure (Rs. In lakh)	No. of students benefited
2003-04	365.07	42334
2004-05	540.60	42334

Post-matric Scholarship

4.76 A maximum amount of Rs. 330/- is granted p.m. for the SC students who study as Day-Scholars beyond X standard and whose parent/guardian's annual income does not exceed Rs. 1.00 lakh per year. In case of students studying as hostellers, a maximum amount of Rs. 740/- is paid. Besides all the compulsory fees payable by the students are granted directly to the Government and Government aided educational institutions. Details of achievement made under the Scheme for the last 2 years are as under:

Table 28

Year	Expenditure (Rs. In lakh)	No. of students benefited
2003-04	5993.51	2334324
2004-05	7175.35	261376

Post – Matric Special Scholarship Scheme

4.77 Under the Scheme of the Government of Tamil Nadu Post-matric special Scholarship is given to SC /ST, SC convert to Christianity students @ Rs. 65/- to 125/- p.m. for Day Scholars pursuing further studies beyond 10th standard , whose parent/guardian's annual income does not exceed Rs. 50000/-. In case of hostellers , a sum of Rs. 150/- to Rs. 280/- p.m. fees is paid as Scholarship. The details of this Scheme for the last 2 years are as follows:

Table 29

Year	Expenditure (Rs. In lakh)	No. of students benefited
2003-04	462.85	27706
2004-05	370.96	28823

Higher Education Special Scholarship.

4.78 From 2002-03 onwards, the Scheme of Loan Scholarship has been converted into a grant based Scheme called Higher Educational Special Scholarship(HESS). Under this Scheme, the students are given Rs. 6500/- p.a. for degree courses and Rs.7000/-p.a. for post graduate and professional courses. For Medical students along, 75% of the amount is paid as subsidy and 25% as loan and for all others it is paid as subsidy. The income limit of the parents/guardian should not exceed Rs. 50000/- p.a. The details of expenditure and number of beneficiaries for the last 2 years are as follows:

Table 30

Year	Expenditure (Rs. In lakh)	No. of students benefited
2003-04	645.38	9554
2004-05	776.56	114.68

Scheme of Supply of Free Text Books and Note Books

4.79 Under the Scheme the SC students in Schools run by School Education Department are provided free text books studying in IX to X standards and free note books are supplied to students studying in standards IV to X. Details of expenditure incurred under the Scheme during the years 2003-04 and 2004-05 are given below:

Table 31

Name of the Scheme	BE for 2003-04 (Rs. In lakh)	Expenditure 2003-04 (Rs. In lakh)	BE for 2004-05	Expenditure 2004-05
Text books provided free of cost to students studying in Stds I to X and Notebooks to students studying in stds III to X in ADW/GTR Schools.	333.10	362.99	349.00	410.67
Textbooks are being provided free of cost to SC and other students studying in stds IX to X and Notebooks to the SC and others studying in stds IV to X in general Schools.	1092.90	1399.61	1317.50	1749.61

Special incentive Scheme for encouraging girls' education

4.80 Under the Special Scheme of encouraging girls' education and to ensure their 100% enrollment, a sum of Rs. 500/- is given for 10 months at the rate of Rs. 50/- p.m. for 60,000/- Scheduled Caste and Scheduled Tribe girls studying in stds III to V. This Scheme is being implemented in the educationally backward districts of the State. Similarly to encourage the continuance of their studies after entering standard VI, 30,000 Sc h. Caste/Sc h. Tribe girls are given a sum of RS. 1000/- at the rate of Rs. 100/- p.m. for 10 months, in all districts. The details of expenditure and the number of beneficiaries for the last 2 years are as follows:

Table 32

Year	Expenditure incurred for std. III to V	No. of girls benefited std. III to V	Expenditure incurred for std. VI	No. of Girls benefited std. VI
-------------	---	---	---	---

	(Rs. In lakh)		(Rs in lakh)	
2003-04	300.00	60000	300.00	30000
2004-05.	300.00	60000	300.00	30000

N.B. No. of SC girls should also be maintained.

Supply of free Bicycles Scheme

4.81 Free bicycles Scheme for SC girls students who have convert to Christianity and are studying in XI and XII standards. Last 2 years achievement under the Scheme are as follows:

Table 33

Year	Supply of Bi-cycle	
	Expenditure (Rs. In lakh)	No. of students benefited
2003-04	798.13	50384
2004-05	882.84	49259

Concession and Hostel facilities for Post Graduate girls students

4.82 From the year 2001-02, the Scheme of free education has been extended to SC girls students converts to Christianity. Similarly a separate hostel was opened in Chennai during 2001-02 with a sanctioned strength of 50 SC /ST boarders undergoing post graduate courses.

Awards (State Level)

4.83 Tamil Nadu has devised an elaborate Scheme of awards at the State and district levels, as under:

Table 34

1 XII standard	One boy and one girl from SC community converts at the rate of Rs. 25000/- per student securing 1 st rank at State level.
2 X std.	One boy and one girl from SC community converts at the rate of Rs. 10000/- per student securing 1 st rank at State level.
3 +2 Examination State Level (25 subjects)	One boy and one girl from community of SC converts at the rate of Rs. 2000/- per students securing 1 st rank in each subject (25 subjects) at State level.
4 X Examination State Level	One boy and one girl from community of SC converts at the rate of Rs. 1000/- per students securing 1 st rank in each subject (5 subjects) at State level.

Awards (District Level)

4.84 Award pf common prizes, is distributed at district level to students who secure the highest percentage of marks in X std. And XII std Public Examination are as follows:

Table 35

1	XII standard	One boy and one girl among SC community converts at Rs. 1000/- per student.
2	X std. (Three prizes)	One boy and one girl from SC community converts at Rs. 1000/- per student.
3	Second Prize	One boy and one girl among SC community converts at Rs. 500/- per student.
4	Third Prize	One boy and one girl among SC community converts at Rs. 300/- per student.

Chief Minister's Merit Award

4.85 In order to encourage high Sc orers in the Higher Secondary Public Examination, first 1000 boys and 1000 girls belonging to Scheduled Caste converts to Christianity are given a sum of Rs. 1,500/- p.a. per head for a period of 5 years. The details of expenditure and beneficiaries for the last 2 years are as follows:

Table 36

Year	Amount (Rs. In lakh)	No. of students benefited
2003-04	72.40	4827
2004-05	52.84	3523

Prize Money Award

4.86 Under this Scheme, prize money is awarded to the SC students converts to Christianity with 60% and above marks in the degree, post graduate and professional course examinations. The details of expenditure and beneficiaries for the last 2 years are as follows:

Table 37

Year	Expenditure (Rs. In lakh)	No. of students benefited
2003-04	18.49	550
2004-05	18.50	550

Awards to Bright Students

4.87 Two boys and two girls among SC students convert to Christianity secure the highest marks in S.S.L.C. (Standard X) examination in each district are selected. The selected students are awarded a sum of Rs. 800/- p.a. for the first year and Rs. 960/- p.a. for the subsequent 5 years for a total period of 6 years. Under this Scheme last two years for achievement is as follows:

Table 38

Year	Expenditure (Rs. In lakh)	No. of students benefited
2003-04	5.98	589
2004-05	5.07	478

Gandhi Memorial Award

4.88 This award is given to SC Hindu students. One boy and one girl who secure the highest marks are selected from each district for this award of Rs.1500/- p.a. for the 1st year and Rs. 1000/- p.a. for the subsequent 5 years. The details of expenditure incurred and the number of beneficiaries for the last 2 years are as follows:

Table 39

Year	Expenditure (Rs. In lakh)	No. of students benefited
2003-04	1.71	116
2004-05	1.21	90

Hostels

4.89 There are 1076 hostels for Adi Dravidars functioning in the State. During 2001, Hon'ble Chief Minister announced the policy decision of housing all the Adi Dravidar Welfare hostels, which are functioning in the rented buildings into Government buildings. Accordingly construction of 264 hostels have been completed

Teacher-Pupil ratio in SC concentrated Schools

4.90 Tamil Naidu Government has ordered for the rationalization of the posts of Secondary Grade Teachers as per 1.40 ratios in Adi Dravidar. The Secondary Grade Teachers of Adi Dravidar numbering 5207 handle classes from 1 to 8th std in 780 Adi Dravidar Primary Schools, and in 157 Adi Dravidar Middle Schools. In addition to this, they also serve in 59 High Schools and 71 Higher Secondary Schools of Adi Dravidar. Rationalisation ensured one teacher for every 40 students with minimum of 2 teachers each for primary Schools. In 2003-04 the work of rationalization was done which identified 179 surplus SG teachers in some district. They were redeployed to the needy districts.

Sports promotion policy for SC

4.91 A sum of Rs. 5000/- is given to each School for purchase of sports articles to newly upgraded Adi Dravidar Welfare Schools. A sum of Rs. 30000/- allotted for 2003-04 had been fully utilized. For 2004-05 allotment was Rs. 30000/-.

PONDICHERRY

4.92 The enrolment of SC students in all educational institutions of Tamil Nadu right from primary to higher secondary level is 43,109 which constitutes 18.16% of the total enrolment. All the Schools located in SC areas are provided with all types of Schooling facilities from primary to higher secondary level. Special efforts are taken to enroll the dropouts and also non-School going children among SC communities by organizing programmes under literacy projects and also by conducting Special Enrolment drives every year.

Incentives for Scheduled Castes

4.93 The amount of award of Pre-matric Scholarship has been enhanced from Rs. 150 to Rs. 1000/- per student of Class VI – VII std. and from Rs. 200/- to Rs. 2000/- for students studying IX-X std. The eligible parental annual income for availing Post-matric Scholarship has been enhanced from Rs. 65000/- to Rs. 1.00 lakh. The following are the new Schemes introduced by the Tamil Nadu Government during the year 2004-05:

1. Reimbursement of college fees to eligible SC students studying in professional course.
2. Additional financial assistance to SC students undergoing professional course,
3. Special grant to upgrade the living environment in SC hostels for better learning.

Supply of text-books, stationeries and clothes to SC students

4.94 Under this Scheme every year 46500 SC students are being benefited. During 1991-92 onwards, free textbooks have been extended upto X standard.

Provision of tutorial facilities to SC students

4.95 Under the Scheme SC students are being given tuitions in their weak subjects after the School hours. Educated unemployed youths conduct such classes. There are 350 such tutorial centers running. Financial Assistance to SC students undergoing training in Typewriting and shorthand in recognized Institutions are also extended to enable them to settle in self-employment programmes. The Government is meeting the entire expenditure. Various coaching classes for recruitment and special coaching classes for Entrance Exam are also run for admission into Navodaya Vidyalaya, MBBS, BDS, Engineering, Agricultural and BVSC courses.

Grant of Opportunity Cost to the parents of SC girls students in Middle/Secondary level classes

4.96 In order to compensate the loss of income suffered by the parents in the event of sending their daughter to School, opportunity cost @ Rs. 20/- p.m. (for 10 months) to the parents of SC girl students of middle and secondary level classes is being given. Last two years achievement under this Scheme are as follows:

Table 40

Year	Outlay (Rs. In lakh)	Expenditure incurred	Physical achievement
2003-04	152.20	152.20	7610
2004-05	145.80	145.80	7290

4.97 Besides the above Schemes the following facilities are also provided for the welfare of SCs :

- a) Free distribution of bicycle ;
- b) Pre-matric Scholarship to children of persons engaged in unclean occupation;
- c) Award of post-matric Scholarship;
- d) Book-bank to SC students;
- e) Stipend to SC trainees in various industrial Training Institute;
- f) Grant of Dr. Ambedkar Memorial Award;
- g) Grant of Supplementary Maintenance Allowance to SC students in Engineering, Medical and other professional course etc. etc.

HARYANA

4.98 The State Government is committed to achieve the goal of Universalisation of Primary Education by the end of 10th Five Year Plan 2002-2007. For this purpose, 100% of the children in age group of 6-11 are required to be enrolled to cover overage/underage children. Projected population achievement and proposed targets fixed by the Government of Haryana are as under:

Table 41

(Beneficiaries in lakh)

Format age group 6-11 classes I to V	Annual Plan 2003-04		Annual Plan 2004-05
	Target	Anticipated Expdt.	
Boys	2.75	2.75	2.72
Girls	2.52	2.54	2.53
Total	5.29	5.29	5.29

4.99 To increase enrolment and retention of Scheduled Castes children, wide publicity is given through the electronic Media. Enrolment drive is launched by the Education Department. Those who are involved in the drive are given incentives/prizes. An outlay of Rs. 340.00 lakh has been kept for Annual Plan 2004-05 which includes Rs. 204.00 lakh for SC P.

Incentives

4.100 The vast number of non-attending children are girls belonging to Scheduled Castes. In order to bring them to School and retain them the incentives amounting to Rs. 600.00 lakh (which includes Rs. 544.50 lakh from SC P) have been provided for 2004-05. The details of incentives are as under:

Table 42

(Rs. in lakh)

S.No.	Name of the Scheme	Proposal outlay	Flow to SC P
I	Free stationery and writing material in Primary classes @ Rs.10/- p.a. each for Sc/Weaker section students	30.00	48.00
II	Free Uniforms to SC girls (two uniforms) in classes I & II & One in classes III-V.	300.00	279.00
III	Attendance prize to SC girls in Primary classes Rs. 10/- per student	200.00	200.00
IV	Book Banks	10.00	7.50
	Total	600.00	544.50

Socially Useful Productive Work

4.101 In order to promote the dignity of labour among the children studying at the Primary stage of Education the socially Useful Productive activities which are an integral part of the School curriculums, a sum of Rs. 10.00 lakh has been earmarked for Annual Plan 2004-05. The entire amount is included as Special Component Plan.

Sarva Shiksha Abhiyan

4.102 The State Government is committed to implement the Centrally Sponsored Scheme of Sarva Shiksha Abhiyan(SSA) in financial partnership with the Central Government. This Scheme is a multi facet attempt to achieve universalization of primary education by 2007, 8 years Schooling by 2010 and to ensure that all children are in School by 2013. This programme has been launched in 1.4.2002 and an outlay Rs. 4000.00 lakh was proposed during annual plan 2004-05 and Rs. 1200.00 lakh was flow to SC P. The programme of Nutritional support to Primary Education, Mid-day-meal Scheme launched w.e.f. 15.8.1995 to increase enrolment, attendance and retention of children as well as to improve their nutritional level. Under the Scheme an outlay of Rs.3500.00 lakh was proposed for 2004-05 of which the SC P flow was Rs.1050.00 lakh.

Expansion of facilities (full time) classes VI-VIII

4.103 Under SSA not only objective of universalization of elementary education (6-11 age group) but also retention of children of this group is to be achieved . Achievement in enrolment of SC students and proposed targets for the annual plan 2003-04 and 2004-05 are as follows:

Table 43

(Beneficiaries in lakh)

	Projected Population 2006-07	Target 2003-04 Based on 1991 Census	Anticipated achievement 2003-04	Proposed target 2004-05
Boys	1.63	1.23	1.33	1.43
Girls	1.42	1.12	1.12	1.22
Total	3.05	2.45	2.45	2.65

4.104 Provision for providing dual desk and competition amongst Middle Schools for cleanliness and for best results have also been included for attracting more children. An outlay of Rs. 998.70 lakh for annual plan 2004-05 has been proposed under this Scheme and Rs. 499.00 lakh for an annual plan for SC P (comprising 60% flow to Scheduled Caste Component.)

Incentives for Middle classes

4.105 In order to attract non-attending children specially girls belonging to SC and weaker section to Schools these incentives are being given from classes VI to VIII. The incentives as follows:

Table 44

(Rs. In lakh)

S.No.	Name of the Scheme		Annual Plan 2004-05	Beneficiaries 2004-05
1.	Free Uniforms to Girls students of SC & Weaker section	Total SC P	45.00 27.00	0.60 0.36
2	Book Banks	Total SC P	5.00 3.75	All Schools

Socially Useful Productive Works:

4.106 To carry out the socially useful work experience in Middle Schools a large number of vocational activities viz. Gardening, Agriculture, Manufacture of Chalk/Darries, Candles and Soap etc. have been introduced. An outlay of Rs. 2.00 lakh for 2004-05 has been proposed for supply of raw material and equipment @ Rs. 500/- per School. The entire amount stands included in SC P.

Incentives in Secondary

4.107 In order to promote education among Scheduled Castes girls the Government of Haryana have decided that various incentives sanctioned during 8th and 9th Five Year Plan which will continue during 10th Five Year Plan. The Schemes are Free Uniform to SC -EWS girls & Book Banks. An outlay of Rs. 33.00 lakh has been proposed for the annual plan 2004-05 and out of which Rs. 16.25 lakh are for SC P.

Incentives in University/Higher education:

4.108 Under this Scheme during 9th Five Year Plan, 527 posts of various categories were sanctioned. Besides Science equipment furniture and library books are also proposed to be provided in existing colleges. An amount of Rs. 618.00 lakh has been proposed for these programmes during 2004-05 which includes Rs. 123.60 lakh as 20% flow to SC P as there are hardly 20% SC students out of the total enrolment in Government Colleges.

Technical Education

4.109 For the Technical Education purpose an amount of Rs. 3000.00 lakh has been earmarked for the year 2004-05 out of which Rs. 600.00 lakh was flow to SC P. 20% seats are reserved for the candidates belonging to SC.

Medical Education

4.110 A provision of Rs. 473.06 lakh i.e. 18.92% for annual plan has been kept under SC P.

HIMACHAL PRADESH

4.111 As against 76.50% overall literacy in the State, the literacy percentage among SC is 53.20 according to 2001 census. Among women Scheduled caste, this rate is still lower at 41.20%.

Educational incentive Schemes for SC students in Himachal Pradesh

- a) Free text books to all the SC students from Primary to 10th classes.
- b) Scholarship at the rate of rs. 8/- p.m. with a initial grant of rs. 96/- in classes I-V, Rs. 12/- p.m. with an annual grant of Rs. 50/- p.a. in classes VI-VII and Rs. 15/-p.m. with and annual grant of Rs.80/- p.a. in classes IX-X subject to a means test.
- c) 4 Free Hostels at School stage have been established for them. Where free boarding & lodging is available to SC students;
- d) Scholarship @ Rs. 50/- p.m. with an initial grant of rs.200/- p.a. to those SC /ST girls studying in classes VI-X whose parents income does not

exceed Rs. 11000/-p.a.

- e) There is also Post Matric Scholarship Scheme for SC /ST students, the rates of which range from RS. 200/- to Rs. 300/-p.m. to day Scholars and Rs. 300 to Rs. 550/- p.m. to boarders.
- f) Education is free to all upto School level. The girls' education is free upto University level including professional courses within the State.
- g) I.R.D.P. Scholarship is available to all the Scheduled caste students who are covered under the IRDP Scheme.
- h) Merit Scholarship is also given to those SC students who acquire merit in various examinations.
- i) Coaching classes for SC students are available in Math and Science subjects.

Status of Schemes

Primary School/Opening of New Primary Schools

4.112 There are 162 primary Schools in SC concentrated villages and the whole expenditure on staff is met out under Special Component Plan. For this purpose outlay of Rs.545.00 lakh was approved for 2004-05.

S.C. students under PMGY

4.113 For providing free writing material and free clothing to poor SC students an outlay of Rs. 168.00 lakh was allocated for the year 2004-05.

Elementary Education

4.114 A sum of Rs. 320.00 lakh for 2004-05 and Rs. 7580.48 lakh for 10th Five Year Plan 2002-07 were allocated for improvement of School infrastructure, Scholarship to SC girls, IRDP awards, free text books to SC students, drinking water facility, volunteer teachers and construction of School buildings etc. for 136 Middle Schools situated in SC concentrated villages.

Secondary Education

4.115 A sum of Rs. 265.00 lakh for annual plan 2004-05 and Rs. 14734.81 lakh for 10th Five Year Plan 2002-07 were allocated.

Reviews

4.116 On the basis of the mandate given under Article 338, the National Commission for Scheduled Castes interact with the States and the officers at the Secretariat and District Levels to review the progress in implementations of various educational Schemes meant for the SC and the status of implementation of the Welfare and Development Schemes for the SCs. Some of its observations are as under:

- An amount of Rs. 2891.78 lakh were released by the M/o SJE to the Government of in the years 2002-03, 2003-04 and 2004-05. Under the Centrally Sponsored Scheme of Pre-Matric Scholarship to the Children of those engaged in unclean occupations The number of students covered under the Scheme in the State during these three years is

respect of those engaged in un-clean occupations

- During the last three years i.e. 2002-03, 2003-04 and 2004-05 is Rs. 61.50 lakh, Rs. 91.04 lakh and Rs. 27.31 lakh respectively which shows sharp decline in the amount of money released. The number of students covered during these last three years is 39450, 42334 and 44452, however, it shows a increasing trend in the number of students benefited.
- In the review meeting of the Commission held on 16.7.2002 with the Govt. of Tamil Nadu it was observed that the State Government had provided free bicycles to 55000 SC /ST girls' students during the year 2001-02 and the Scheme is continued during the year 2002-03 also. This is a very innovative and appreciable Scheme of the State Government for promoting the education among SC /ST girls students.
- According to the incentive Scheme for girls students studying from 3rd to 5th standard and in the 6th standard an amount of Rs. 500/- and Rs. 1000/- per annum is provided. The implementation of the "Girl Child Incentive Scheme" should cover all the eligible children belonging to the Sc and STs.
- The above steps of the Government of Tamil Nadu are appreciable but other States/ UTs like Bihar, Rajasthan, Andhra Pradesh etc. where the level of literacy among the SC /ST girls is far below the national level need to extend similar facilities for promotion of education among SC /ST girls students.

KARNATAKA

4.117 According to 2001 census the total population of SC in the State is 85.64 lakh constituting 16.20%. The literacy percentage among the Sc is 38.06% against the general literacy percentage of 56.05% as per 1991 census figures.

1. The percentage of dropout of the SC /ST students is very high in all categories viz primary, middle and high School levels. The State government may take all necessary steps to arrest the dropouts and ensure that the children admitted are able to complete at least 10th standard.
2. The construction of permanent buildings for all the hostels which are accommodated in private buildings may be completed within a period of two years
3. The State Government may ensure that all the basic amenities like drinking water, etc. are provided in the hostels so that the students staying and studying there would be able to concentrate their attention towards their studies.
4. The Social Welfare Department of Karnataka Government should chalk out a programme to provide entrepreneurial training programme for all SC /ST educated unemployed youths so that they can take up self-employment after such training
5. Under the Centrally Sponsored Scheme of PMS for SC students

amount of Rs. 984.47 lakh, Rs. 2481.94 lakh and Rs. 2699.58 lakh was released to the Govt. of Karnataka in the last three years i.e. 2002-03, 2003-04 and 2004-05. During this period the number of students benefited is 123014, 87103, and 165645 respectively.

6. Under the centrally sponsored scheme of pre-matric scheme of scholarship to the children of those engaged in un-clean occupations an amount of Rs. 11.46 lakh was released in the year 2002-03 and no funds were released in the subsequent years 2003-04 and 2004-05. Similarly the number of SC students covered under the Scheme during the years 2002-03, 2003-04 and 2004-05 is 3824, 0 and 4711 respectively.

4.118 Physical targets for the year 2003-04 and achievements as at the end of March, 2004 under some of the major Schemes implemented by the Government of Karnataka Department are given below:-

Table 45

	Programme	No. of beneficiaries	
		Target	Achievement
1.	Pre-matric Scholarship for I to IV standard students	700986	447307
A	Pre-matric Scholarship V to X standard students	598352	400959
B	Merit Scholarships	61915	42272
C	Post-matric Scholarships (including GOI)	94165	93563
D	Incentive Scholarship to high School going girls	254000	249886
E	State Government Post-matric Scholarship	16295	25
F	Total	1725713	1234012
2.	Award of merit prize money to		
A	SSLC students	3352	2196
B	College Students	3720	2888
	Total	7072	5084
3.	Admission of SC students to reputed institutions	87	87
4.	Study tour charges	1011	685
5.	Study tour charges		
6.	Training Centre for self employment	849	293
7.	Job oriented education stipend	698	388
8.	Supply of sewing machines	1239	837
9.	Financial assistance to Law graduates	638	455
	Total	1753303	1258745

Residential Schools

4.119 The Department is running 90 residential Schools for Scheduled Caste benefiting 11250 children of Class 1 to 5 standard. A some of Rs. 906. 55 lakh has been provided under non-plan and Rs. 38.27 lakh under plan are being earmarked for maintaining 90 residential Schools. During 2003-04 up to the end of March all together Rs. 627.60 has been spent.

Pre-Matric Hostels

4.120 The Department is maintaining 1125 pre-matric hostels providing boarding and lodging facilities to SC students studying from 5 to 10th Standard. An amount of Rs. 5047.93 lakh is provided for this purpose during the year 2003-04 to benefit 70290 SC student and Rs. 5646.44 lakh has been spent.

Starting of New Pre-Matric Hostels

4.121 The Government has decided to construct 25 new hostels for which Rs. 160 lakh has been provided. In addition an amount of Rs. 150 lakh has also been released out of upfront pooling. A total amount of Rs. 310 lakh has been utilized.

Grant-In-Aid to Private Hostels

4.122 Apart from Government Pre-matric and Post Matric Hostels voluntary agencies are also encouraged to run hostels for the SC students by sanctioning grant-in-aid. There are 275 pre-matric and 87 grant in aid hostels in the State, covering 151.80 & 7210 students respectively. The SC students in these hostels are also provided barding charges as per norms. During 2003-04 a some of Rs. 232.23 lakh has been provided and upto the end of March, 2004 Rs. 289.75 lakh have been spent. The number of SC students covered should also be reported so that the extent of benefit accruing to them could be assessed.

Government Colleges Hostels

4.123 There are 281 post matric hostels extending boarding and lodging facilities to 20630 SC post matric students for the year 2003-04 an amount of Rs. 984.51 lakh has been provided of which 832.37 lakh has been spent. The State Government should accelerate the pace of utilization of funds allocated ad also provided the exact number of SC students benefited in the year 2003-04.

Scholarships

Scholarship to students of I to IV

4.124 The State Government has devised an innovative Scheme under which an incentive amount of Rs. 75 per annum will be provided to the parents of I to IV standard students to check the dropout of SC student and to encourage studying habits. During the year 2003-04 a some of Rs. 525.74 lakh has been provided and a some of Rs. 335.48 lakh has been spent up to the end of March, 2004 benefiting 4407307 SC children.

Scholarships to students of V to X standard

4.125 The rate of pre-matric Scholarship sanctioned to all SC students studying from 5th to 10th standard, the rate of Scholarship is Rs. 75.00 per annum per student studying in 5th to 7th standard and Rs. 100.00 per student studying in 8th to 10th standard. Out of Rs. 508 lakh allocated for the year 2003-04 of Rs. 325.67 lakh have been availed benefiting 400956 students.

Incentive Scholarship for 6th to 10th standard girls students

4.126 *The female literacy is crucial for development of the family in particular and the society at large. Therefore, besides payment of Rs. 100.00 as Pre-matric Scholarships, Rs. 500.00 is also given to enthuse the girls students to continue their School studies. This programme has been extended to 6th and 7th standard students*

with Rs. 250/- as annual incentive money. During the year 2003-04, Rs. 930 lakh was provided and utilized benefiting 249886 girl students.

Merit Scholarships

4.127 To encourage SC students to fair well in Public Examination and to creat sprit of healthy competition merit Scholarships is awarded to SC per-matric students of 5th to 10th standard securing more than 60% marks in annual examination. The rate of Scholarship is Rs. 75 per annum for students of 5th to 7th standard and Rs. 100 per annum studying in 8th to 10th standard. Besides the boarders and day Scholars who get normal pre-matric Scholarships are also eligible for these Scholarships. Out of Rs. 54.96 lakh provided for this Scheme during 2003-04 only Rs. 37.46 lakh have been utilized, benefiting 42272

Post matric Scholarship

4.128 During the year 2003-04 a some of Rs. 2354.12 lakh was provided for this Scheme including state Governments committed liability of Rs. 1241.62 lakh. The Govt. of India has released Rs. 2432.23 lakh of which Rs. 1191.53 has been released and spent. Besides this, Rs. 1073.51 lakh under committed liability has also been utilized benefiting all together 93563 students. It may be observed that out of Rs. 2432.23 lakh only Rs. 1191.53 were utilized thus requiring stepping up efforts for more and timely utilization of the Central Assistance for the Scheme.

State Post-Matric Scholarships

4.129 To encourage SC students not eligible for Govt. of India PMS the Government of Karnataka provides Scholarships which vary from course to course from Rs. 40 to Rs. 75 per month. During the year 2003-04 a sum of Rs. 65.18 lakh has been provided out of which only Rs. 0.78 lakh have been spent.

Pre-matric Scholarship to the children of those parents engaged in unclean occupation

4.130 For the year 2005-06 a sum of Rs. 40.06 lakh has been provided for this Scheme

Award of Prize money

4.131 Scheduled Caste students securing 1st Class in first attempt in Public Examination in various examination from S.S.L.C. onwards are awarded prize money as under:-

Table 46

(In Rs.)

1. S.S.L.C.	500.00
2. 2 nd Year P.U.C. 3 rd Year Diploma	750.00
3. Degree	1000.00
4. Post graduation	1250.00
5. Engineering	1500.00
6. Medical	1500.00
7. Agriculture and Veterinary Courses	1500.00

During the year 2003-04 Rs. 52.69 lakh was provided for the award of prize money against which Rs. 37.26 lakh was spent benefiting 5084 students.

Book Bank

4.132 Under this Central Sponsored Scheme during the year 2003-04 a some of Rs. 100 lakh in state sector, Rs. 41.62 lakh in district sector was earmarked for book banks in Engineering and Medical Colleges. Govt. of India releases of Rs. 100 lakh made during 2002-03 has been utilized during the current year. Currently the Scheme has been revised.

Nursery-cum-Women Welfare Centers

4.133 In order to inculcate School going habits at an early age, and provide nutritional supplement & to induce the habit of personal hygiene among children, 365 Nursery cum Women Welfare Centers are being run by this Department in addition to pre-Primary Education. A sum of Rs. 749.65 lakh was earmarked for the year 2003-04 only Rs. 525.79 lakh was utilized benefiting 15666 children.

Study Tour charges

4.134 Towards the reimbursement of study tour charges to SC students studying in Technical and other professional course where tour is compulsory against the provision of Rs. 8.09 lakh for the year 2003-04 Rs. 5.44 lakh was utilized benefiting 685 students.

Admission of Scheduled Caste students to reputed Education Institutions

4.135 Meritorious SC students are admitted to institutions like Ramakrishna Ashram to provide better education and during the year 2003-04, an amount of Rs. 25 lakh allocated was fully utilized benefiting 87 students. For identification of talented SC students and promoting zeal among the students of this community the Scheme may be given wider publicity particularly at block and district level in association with the Panchayati Raj functionaries and some amount for publicity should also be earmarked.

Pre Examination Training Centers

4.136 To facilitate candidates appearing for IAS/IPS competitive examination, a separate pre examination-training center, has been set up at Bangalore. Out of Rs. 100 lakh provided for the year 2003-04 only a meager amount of Rs. 50.00 lakh have been released and utilized.

Fellowship to M.Phil and Ph.D students

4.137 State Government Scholarship is awarded to poor SC students who are not in a position of afford money for research work requiring more finance. Rs. 8000 to each M.Phil students and Rs. 10000 to each Ph.D student is provided as an assistance. Besides this Rs. 50000 is sanctioned to students studying in ITI/IIM/IISc and Rs. 3.50 lakh per annum or a maximum grant of Rs. 10 lakh for entire selected course is provided to students who take up higher studies in foreign Universities. Besides Rs. 5000 is given as incentive money to SC students who securing within 3 ranks in graduates and Post graduation examination. During the year 2003-04 out of the provision of 50.00 lakh only Rs. 36.29 lakh were released and utilized benefiting 317 students.

Supply of Equipment to Engineering Students

4.138 SC engineering/Diploma students of 1st year are provided equipment like

Drawing boards, calculators etc. worth Rs. 700 per students. During the year 2003-04 out of Rs. 365 lakh only a low level i.e. Rs. 2.39 lakh was utilized benefiting 282 students.

Special Coaching to the inmates of Pre-matric hostels

4.139 To improve the educational standard of SC students pre-matric hostels inmates, services of experienced teachers are utilized to impart Special coaching with the help of part time teacher by providing honorarium of Rs. 500/- month for six months in subjects like English, Science, Mathematics and General Studies. During the year 2003-04 Rs. 50.00 lakh was provided and utilized.

Sainik Training Schools for Scheduled Caste students

4.140 Pre-examination training to merited SC students is provided to get selected in Sainik Schools at Belgaum. A sum of Rs. 4.83 lakh is earmarked for the purpose in Belgaum District budget for 2003-04, out of which Rs. 3.06 lakh has been utilized.

Utilization of Funds

4.141 It may be observed from the allocations and utilization of funds needs to be enhanced under Schemes like Job oriented courses (Typing and Shorthand), Training Centre for Women, Supply of Sewing Machines, TCH training for SC girls, Self Employment Training and Navchetna Scheme, these Scheme will definitely make dent towards the progress of education and making the SC more self reliant economically, provided the identification of the prospective SC candidates is made in a systematic transparent and accelerated manner to ensure full utilization of allocations under these Schemes.

Stipend to Law Graduates and Financial Assistance to Practice Law

4.142 Administrative training to SC Law graduates in judicial administration is given through a course of four years at stipend of Rs. 1000/- per month. Under another Scheme for unemployed of Law graduates to start their own practice and also to enroll themselves in the Bar Council, the State Government provides a lump sum assistance of Rs. 5000. Out of allocation of Rs. 63.54 lakh for the year 2003-04 Rs. 54.88 lakh was utilized for 663 law graduates.

Dr. B.R. Ambedkar Research Institute

4.143 This Institute is established with the main objective of studying the Socio economic conditions of the Scheduled Castes in Karnataka State and suggesting new Schemes to be taken up for the betterment and welfare of SC. The Institute will also study the usefulness of existing Schemes and suggest deletion and modification of the Schemes and suggest deletion and modification of the Schemes. Monitoring and evaluation of the Schemes implemented by the Government will be another objective of this institute. During the year 2003-04 a sum of Rs. 21.6 lakh has been provided and 19.05 lakh was spent.

4.144 The initiative of the Govt. of Karnataka is commendable towards the assessment of the socio economic development of the SC in the State. However, the State government should elaborate on the findings of studies conducted to monitor and evaluate the existing Schemes and new Schemes devised in the years 2003-04 & 2004-05 so as to assess to what extent the impact of such studies have been noticed on the SC population of the State.

DELHI

4.145 Keeping in view the low literacy rate of SC population and the increasing incident of dropout amongst students in Delhi the Commission stressed the need for reservation for SC /ST students in aided Schools and also -exploring the possibility of extending reservation benefits to SC /ST teachers in the assured career progression Scheme of the Government as a like in the case of promotion to higher grades.

4.146 The Commission had observed that in case of University Teachers they did not get promotion even after rendering 15 years of service and advised that the education department should look into this matter at least in respect of the college and Institutions funded by the Government of Delhi.

4.147 Under the Centrally Sponsored Scheme of Post matric scholarship for SC Central Assistance of Rs. Nil, Rs. 22.16 lakh and Rs. 6.55 lakh was released in the years 2002-03, 2003-04 and 2004-05 benefiting 7793, 10021 SC students in the first two years only. The Central Assistance release declined considerably i.e. from 22.16 lakh to 6.65 lakh which may be cause of concern for the educational development of SCs.

4.148 No Central Assistance under the Scheme of Pre-matric Scholarship of to the children of those engaged in unclean occupations was released to the Govt. of NCT of Delhi. Whatever may be the reasons for this; it is bound to prove a measure constraint in the promotion of educational avenues for the SC.

Some General Observations

4.149 As Amartya Sen puts it "the immense backwardness of India in mass education (an inheritance from the British period but not adequately remedied yet) compounds the dissociation of elite Science and mathematics from the lives of the non-elite... The facts remain, however, that illiteracy is a deprivation. ...It is also a matter of remedying the immense inequalities in educational and other opportunities that severely limit, even today, the actual lives of the subalterns."

- i. **However, the Commission on the basis of its field visits to the hostels in various States had observed that the maintenance of some of hostels was far from satisfactory as even the basic amenities like water and cleanliness were not satisfactory. The supervision and maintenance of the SC /ST hostels in the States should improve. Necessary instructions should be issued to the District Welfare Officers in this regard by all the State Government.**
- ii. **In State run coaching centres for Scheduled Caste the concerned Department of Welfare may take up the study of the usefulness or otherwise of the training programmes being implemented by them for the SC candidates who appear for some competitive examinations so as to improve the effectiveness of the training.**
- iii. **Review of the progress of Welfare and Development Schemes including Schemes for promotion of education for SC /ST should be done by the Chief Minister and Chief Secretary of the State on quarterly and monthly basis respectively to achieve the desired results.**

Some issues for the educational development of Scheduled Castes

- iv. **From the Annual Plan of the Departments/Ministries of the Government of India and the State Governments/UTs it is being repeatedly observed that allocation of funds under Special Component Plan (SCP) and Special Central Assistance (SCA) are not being earmarked in proportion to the**

population of Scheduled Castes. Deficiency in the allocation of funds seems to be a major bottleneck in the development of these deprived communities which needs to be ameliorated.

- v. The Commission in its various review meetings with the State Governments/UTs has been impressing upon the State Governments/UTs to improve utilization of funds under SCP which is mostly below 50% to 70% of the allotted funds.
- vi. Most of the States do not utilise the Special Central Assistance released for the development of Scheduled Castes and thereby keep them deprived of the available resources intended for their upliftment.
- vii. It has been observed that education being the panacea for the overall development of a person has continued to be not given adequate attention in the matter of allocation of funds. Even after more than five decades after independence of the country allocations from the Five Year Plans/Annual Plans of the Government of India and the States constitute only 4.2% of the GDP as against the envisaged 6%.
- viii. The education development of the Scheduled Caste is far behind the expected level due to the inadequate allocations of funds and also the poor performance of educational schemes like Pre-Matric and Post-Matric scholarship schemes. In a number of cases it has been observed from the representations received in the Commission that due to non payment of scholarship in time the Scheduled Caste students had to abandon studies.
- ix. Studies conducted into the working of hostels for boys and girls belonging to Scheduled Castes revealed very pathetic conditions not at all conducive for studies. The Dickensian condition of British Orphanages still haunts this unfortunate country! Even the meals and other materials supplied for study to the Scheduled Caste students were found far from satisfactory. In a large number of states students do not know how milk tastes! Unless these conditions are improved educational development of Scheduled Castes will remain a far dream.
- x. The functioning of the coaching and allied centers for Scheduled Castes have not been functioning to the expected levels due to poor remuneration of teaching faculty and also location of these centers in urban areas only.
- xi. The amount of money paid to the parents of Scheduled Caste children for sending them to Schools is too meager to compensate the wage losses the Scheduled Caste parents have to bear and these results in withdrawing the children from Schools. This forms a major reason for the huge drop out rate among the bottom-line poor Scheduled Caste families.

Recommendations

- xii. Availability of schooling facilities in Scheduled Caste bastis particularly with regard to Upper Primary Schools and above, is poor, leading to higher drop out rates among children of these communities. This needs to be brought, at least, as per the schooling facilities for children of other communities.
- xiii. Apart from availability of educational facilities, emphasis should also be

given to the Quality of School Education so that educated illiterates are not produced who become unemployable for any meaningful economic activities.

- xiv. The top priority of the Government should be for retention of children from Scheduled Castes after enrolment in school from Primary Classes onwards. One of the ways in which high drop out rates can be arrested is by strengthening Mid-day-meal scheme. Results have clearly shown, as in Southern states, that prospect of food in school is highly attractive and motivating for children.
- xv. Strengthening and extension of coaching and allied scheme alongwith remedial coaching scheme being run by M/o S J&E and M/TA as well as UGS for SC/ST students for pursuing higher education.
- xvi. For promoting girls' education it is important to recognize the role of the mother. It has been proved that in case educational programmes are sensitive to the needs of the girls that would help them to take their studies more seriously and to develop as self confident adults, capable of taking their own decisions for their future growth.
- xvii. Government efforts at present are concentrated on strengthening systems of vocational and technical education as is evident from large number of I.T.Is, poly techniques, vocational training institutes being set up. However, inflexibility of curricula and lack of awareness about the changing market needs as well as lack of marketing facilities for their products are responsible for government efforts going awry in these areas. It is thus necessary that individual institutions are given greater flexibility in changing their courses as per market requirements in the local/regional/national/international arena. Due to various socio-economic reasons the problem of school drop outs in various streams. Seems to be a cause of concern. The training etc. has to move away from traditional sectors like Carpentry, Blacksmith etc. to modern day requirement viz; camera rolling, ticketing, travel guides as majority of modern day youth even from rural areas need to be integrated to the requirements of world at large.
- xviii. Privatisation of education especially higher education is fraught with serious implications for large majority of students, especially from Scheduled Caste community who are still predominantly poor. Though the move for private sector contribution in education is welcome. 'Commercialization, of education needs to be discouraged. While supplementing the Government efforts, private initiatives should be welcomed, it is marketisation which should be totally regulated in the interest of 'educational excellence.

CHAPTER - V

SERVICE SAFEGUARDS

After independence, while framing the Constitution of India, it was felt that special provisions were required for Scheduled Castes and Scheduled Tribes to secure their adequate representation in public services. Accordingly, safeguards for ensuring adequate representation of the Scheduled Castes and Scheduled Tribes in the services and posts under the State are provided in Article 16(4), 16(4A), 16(4B) and 335 of the Constitution. Article 16(4) empowers the State for making any provision for the reservation of appointments or posts in favour of any backward Class of citizens, which in the opinion of the State is not adequately represented in the services under the State. Article 16 (4A) which came into force on 19.6.1995 vide the Constitution (Seventy Seventh Amendment) Act, 1995 and Article 16 (4B) which has been incorporated in the Constitution vide the Constitution (Eighty First amendment) Act, 2000 empowers the State for 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. However, the issue providing reservation in promotion within group "A" selection post, is sub-judice before the Constitution Bench of the Supreme Court., hence Under Article 335, the claims of the members of the Scheduled Castes shall be taken into consideration consistently with the maintenance of efficiency of administration to services and posts in connection with the affairs of the Union or of a State.

Reservation Profile

5.2 Formal reservation @ 8.1/3% was provided for Scheduled Castes for the first time in August 1943. After the attainment of Independence, orders were issued by Govt. of India on 21.9.1947 providing reservation @ 12½ % for Scheduled Castes in respect of direct recruitment through open competition. Reservation @ 16¾ % as provided for Scheduled Castes in recruitment otherwise than by open competition. Taking into account the population of Scheduled Castes as reflected in the 1961 Census, the reservation was raised to 15% for Scheduled Castes w.e.f. 25.3.1970. Reservation in services/posts continued to be fixed at 15% for the Scheduled Castes in the Central Government, Central Public Sector Enterprises and Nationalised and Public Sector Banks, Autonomous bodies etc.

5.3 The application of reservation orders was extended in promotions in stages from the year 1957 onwards and covered all areas in the groups of A, B, C, & D, in the cases of promotion by seniority-cum-fitness and up to the lowest rung of Group 'A' in promotions by selection. Presently reservation stands @ 15% for Scheduled Castes, in cases of promotions 16¾% and in cases where the element of direct recruitment does not exceed 75%. As a result of the Constitutional amendment, Article 16(4A) has now empowered the State to extend reservation in matter of promotion in posts/services not adequately represented by Scheduled Castes under the State. In view of inadequate representation of the Scheduled Castes especially in Group 'A' and 'B' posts the Commission recommends that the reservation in promotion should be extended to all levels in cases of promotion by selection.

5.4 The reservation will apply in the case of recruitment made on all-India basis.

Under the Constitution all citizens of India are eligible for consideration for appointments to posts and services under the Central Services irrespective of their domicile or place of birth and there can be no recruitment to any Central Services, which is confined by Rule to the inhabitants of any specified area. In practice, however, recruitment to any Class I and Class II services and posts is likely to attract candidates from all over India and will be on a truly all India basis, while majority of the Class III services and posts, filled otherwise than through the UPSC, only those residing in the area or locality in which the office is located are likely to apply. In the latter class of cases, i.e. group 'C' and 'D', Government taking into account the population of the Scheduled Castes in that area or State, fixed the percentage of reservation for Scheduled Castes and Scheduled Tribes.

5.5 All these provisions are made in the Constitution with the objective to provide opportunities to the Scheduled Castes in the Country. The fifty years of history of development proves that these provisions have increased the representation of Scheduled Castes employees in posts and services in Government organisations. The degree of implementation of the provisions varies from State to State, according to population of the Scheduled Castes in the particular State. The Service Safeguards and provisions have played a very significant role in the economic development of the Scheduled Castes in the Country. Those groups who were more vigilant, and active have benefitted more and those remained ignorant or were the weakest were less benefitted from these provisions. **To improve the representation of Scheduled Castes in posts and services, there is strong and urgent need to pass a Bill on Reservation for Scheduled Castes and Scheduled Tribes in the posts and services under the Government to bring uniformity in the implementation of the policy with punitive measures against the non-implementing organizations and individuals.**

5.6 The Ministry of Personnel, Public Grievances and Pensions, DoP&T vide letter No. 41018/1/2004-Estt.(Reservations) dated 7/12/2004 sent the draft Bill on Reservation for the Scheduled Castes, Scheduled Tribes and Other Backward Classes in Civil Posts and Services under the Govt. of India. The National Commission for Scheduled Castes considered the bill and without losing time furnished, its comments to DoP&T vide its letter No. 4/3/2004-SSW V dated 13/12/2004 and 14/12/2004. (Annexure 5.I, 5.II and 5.III)

5.7 To make the law more stringent and strong, the National Commission for Scheduled Castes strongly recommended for inclusion of a penal clause that "any appointing Authority or official or employee entrusted with the responsibility covered under clause 11 of the Bill and contravening any of the provisions of the Bill shall on conviction be punishable with imprisonment which may be extended upto six months or fine of not less than Rs. 5000/- or both. The fine shall be payable from his/her salary."

5.8 The SC & ST & OBC (Reservation in Posts and Services), Bill 2004 was introduced in Rajya Sabha on 22.12.2004 without considering the views of the National Commission for Scheduled Castes. The National Commission for Scheduled Castes has also expressed its views to the Chairman of the Department Related Parliamentary Standing Committee and to the Rajya Sabha Secretariat on 9.03.2005.

5.9 The impact of the DoP&T O.M. No.20011/1/96 Estt.(D) dated 30.1.1997 on

seniority of Scheduled Castes/Scheduled Tribes which adversely affected was nullified by the Constitution (85th Amendment) Act 2001, restoring the seniority of Scheduled Castes/Scheduled Tribes Govt. Servant on promotion by virtue of rule of reservation vide O.M. No. 20011/1/2001/Estt. (D) dated 21.1.2002. OM No. 36012/18/95-Estt (Res) dated 22.7.1997 which took away relaxation & concessions was restored by Constitution 82nd (Constitutional Amendment) Act, 2000 and DoP&T accordingly withdrew it's O.M. of 1997 and restored relaxations and concessions through vide O.M. No.36012/28/96 Estt.(Res.) Vol. II dated 3.10.2000. (Reservation in promotion-prescription of lower qualifying marks/lesser standard of evaluation making the O.M. of 22-07-1997 in operative from the date of issue). The third O.M. 36012/5/1997 (Estt.) Res. dated 29.8.97 imposed the limit of 50% on backlog vacancies and this 50% limit was waived by DoP&T vide O.M. No. 36012/5/97(Estt)(Res) Vol. I dated 20.7.2000 instructing all the Ministries to carry out a review of vacancies of the backlog and to fill up them immediately but the Commission has noted no improvement in filling up the posts arising out of this exercise on backlog/shortfall has been carried out so far. Commission strongly urges that Govt. of India should calculate the backlog/short fall of Scheduled Castes and launch SRD to cover backlog in a time bound manner.

5.10 The total backlog of vacancies in various Ministries/Departments/attached/subordinate offices in direct recruitment and promotion as reported by DoP&T is given at below:

NUMBER OF BACKLOG VACANCIES IDENTIFIED AND FILLED
(In respect of 52 Ministries/Departments)
(As on 31.12.2005)

Establishment	Direct Recruitment						Promotion.					
	SCs			STs			SCs			STs		
	Identified	Filled	%age of achievement	Identified	Filled	%age of achievement	Identified	Filled	%age of achievement	Identified	Filled	%age of achievement
Ministries/Departments including attached and subordinate offices	8510	4165	48.9	11312	4758	42	21130	10992	52	24795	6925	27.9
Autonomous Bodies	4238	1124	26.5	4043	713	17.6	1053	277	26.3	1022	130	12.7
Total	12748	5289	41.4	15355	5291	34.4	22183	11269	50.8	25817	7055	27.3

5.11 The Ministry of Personnel, Public Grievances and Department of Personnel & Training vide O.M. No.36038/1/2004-Estt. (Res.) dated 5/8/2004 and 26-08-2004 had chalked out a time bound Programme under the Common Minimum Programme of Government under special drive to fill up the backlog vacancies reserved for Scheduled Castes and Scheduled Tribes in promotion quota.

5.12 The O.M. No.36012/18/95-Part-II dated 13.8.1997 regarding reservation within Group 'A' post is pending before the Constitution Bench of Supreme Court in respect of Scheduled Castes/Scheduled Tribes in Direct Recruitment and Promotion. This needs to be disposed off early so as to enable the Scheduled Castes/Scheduled Tribes incumbents who can avail the benefit in accordance with amendments as per article 16(4A) of the Constitution. O.M. No.36012/2/96-Estt.(Res) dated 2.7.1997 regarding switching over to post based roster from vacancy based on the model roster of 200 point and "L" shape 13 post. So far as the post based roster on the basis of Supreme Court judgment in case of R. K. Sabharwal Vs. State of Punjab and appointment of SC/ST candidates on the basis of eligibility and not suitability is concerned the Learned Attorney General was consulted in the matter. The advise was that the Govt. had no option but to switch over to post based rosters and vacancy based roster could not have continued after the Supreme Court Judgement in R. K. Sabharwal, in accordance with DoP&T O.M. 36012/2/96 Estt. (Res.) dated 2.7.1997. The Govt. is yet to take a decision on both the O.M. dated 13.8.1997 and 2.7.1997.

5.13 The DoP&T sent a proposal to the Commission about preponement of the above order of 2-7-1997 in accordance with the Supreme Court judgment in Ajit Singh II has held that post based rosters are to be made effective from 10-2-1995. The Court has protected the SC/ST candidates promoted in excess of their quota before 10-2-1995 from reversion but such protection has not been given to SC/ST candidates promoted in excess of their quota after 10-2-1995. While agreeing to the proposal it was suggested by the Commission on 5-9-2003 and 11-10-2004 that in the present circumstances it was likely that Scheduled Castes/Scheduled Tribes promoted during the period might have been confirmed in the higher grade and some of them might have been further promoted to next higher grades during this period. Having no protective clause, such cases may lead to administrative problem and legal tangles. The Commission advised DoP&T to re-look into the matter before any instructions are issued.

5.14 For the appointment of SC candidate and their eligibility for a post and not on the basis of suitability. There is a good competition amongst the candidates belonging to Scheduled Castes and a number of eligible SC candidates become available for most of the posts. It would be necessary to select most suitable candidate from amongst the eligible Scheduled Castes for appointment to the post. DoP&T may advise all the Ministry/Departments and the appointing authorities that they should select the Scheduled Castes candidates from amongst the available eligible lot called for selection/interview and should not follow the criteria of not-found suitable. DoP&T though has clarified it to the Commission but has not issued any instructions in this regard. The Commission, therefore, recommends that The DoP&T may issue suitable instructions in this regard.

Observations on maintenance of Post based Roster

5.15 On basis of the Hon'ble Supreme Court Judgments, the vacancy-based rosters were replaced with post-based rosters and reservation would be applicable on total sanctioned cadre strength rather than the vacancy. For the model post based rosters, while implementing them, the following anomalies have been noticed by the Commission during the inspections and enquiries.

- (i) Departments/Organisations have not prepared rosters in the form of registers but keeping records in their Computer or loose sheets.

- (ii) Departments/Organisations are still under correspondence with their administrative Ministries for guidance and clarification about how to maintain the model post based rosters and due to non-response, post based rosters are yet to be implemented. .
- (iii) Each year summary has not been drawn in the rosters at the end of each recruitment year.
- (iv) On the replacement of roster points, there often remain confusion and they have not been correctly followed by majority of the appointing authorities. Even if there is a shortfall of Scheduled Castes and Scheduled Tribes percentage of reservation in a particular cadre of the post, still points are being replaced from unreserved category candidates despite the fact that their representation is in excess.
- (v) That reserved candidates appointed by Direct Recruitment on their own merit and not owing to reservation will be adjusted against unreserved points. Similarly, the candidates appointed by promotion on their own merit and not owing to reservation or relaxation of qualification will not to be adjusted against reserved points of the reservation roster. They will be adjusted against unreserved points.
- (vi) Liaison Officers inspect the post-based rosters but entries have not been signed of their correctness.
- (vii) Most of the Department/Organisations are not clear about replacement system in the 13 points "L" shaped roster and show the rotation of reserved vacancies is to be worked out.

The Commission wrote to DoP&T to organize workshop of liaison officers for effective implementation of Rules of Reservation by Liaison Officers.

Reservation for Disabled and Scheduled Castes

5.16 The erstwhile National Commission for Scheduled Castes and Scheduled Tribes had no objection for filling up a post which is reserved for Scheduled Cates as well for persons with disabilities that when a post falls vacant which is reserved for Scheduled Cates and also for the handicap persons with disability such a post should be advertised as reserved for the Scheduled Castes for handicapped also and the Scheduled Castes candidates who are handicapped will be given preference. In case the handicapped persons belonging to SC are not available or not found suitable for the post, the post may be filled by appointing an able bodied Scheduled Castes candidate. The procedure may be followed in cases of promotion where the post to be filled by promotion in group 'C' & 'D' where reservation is available for disabled Scheduled Castes and is also earmarked reserved for the disabled.

Reservation and criteria of own merit in direct recruitment and promotion

5.17 DoP&T in their O.M. No.36028/17/2001-Estt.(Res.) dated 11.7.2002 made it clear that the SC candidates appointed by direct recruitment on their own merit and SC candidates promoted on their own merit and SC candidate promoted on their own merit and not owing to reservation will be adjusted against unreserved points of the reservation roster. This indeed needs to be followed considering the following points:

- a) The SC candidates appointed by promotion on their own merit and not

owing to reservation or relaxation of qualifications will not be adjusted against the reserved points of the reservation roster. They will be adjusted against unreserved points.

- b) If an unreserved vacancy arises in a cadre and there is any SC candidate within the normal zone of consideration in the feeder grade, such SC candidate cannot be denied promotion on the plea that the post is not reserved. Such a candidate will be considered for promotion alongwith other candidates treating him as if he belongs to unreserved category. In case he is selected, he will be appointed to the post and will be adjusted against the unreserved point.
- c) SC candidates appointed on their own merit (by direct recruitment or promotion) and adjusted against unreserved points will retain their status of SC and will be eligible to get benefit of reservation in future/ further promotions, if any.
- d) 50% limit on reservation will be computed by excluding such reserved category candidates who are appointed/promoted on their own merit.

Ad-hoc promotions

5.18 According to the Department of Personnel and Administrative Reforms O.M. No.36011/14/83-Estt.(SCT) dated 30.4.1983 while making ad-hoc promotions, all the Scheduled Caste candidates covered in the relevant seniority list should be considered in the order of their general seniority as per the gradation list, on the principle of Seniority-cum-fitness and if they are not adjudged unfit, they should be promoted on ad-hoc basis. If the number of SC candidates found fit within the range of actual vacancies is less than the number of vacancies identified as falling to their share as if the vacancies were filled on a regular basis, additional SC candidates to the extent required should be located by going down the seniority list, provided they are eligible and found fit for such ad-hoc appointment. The Department of Personnel and Administrative Reforms issued O.M. No.36011/14/83-Estt. (SCT) dated 3rd September, 1983 extended zone of consideration for Scheduled Castes in case of ad-hoc promotion was restricted to 5 times the number of vacancies being filled on a particular occasion.

5.19 The Supreme Court in its judgement dated 7.9.2000 in the case of Union of India and others Vs. Shri Basudeo and others (Civil Appeal No.1194/1992) has quashed the Department of Personnel and Administrative Reforms' O.M. No. 36011/14/83-Estt.(SCT) dated 30.9.1983. The Department of Personnel and Administrative Reforms had withdrawn O.M. No.36011/14/83-Estt. (SCT) dated 30th September, 1983 in this regard. Erstwhile, National Commission for Scheduled Castes/Scheduled Tribes was consulted by DoP&T. The Commission opined that the claims of the Scheduled Caste candidates in the matter of ad-hoc promotions would henceforth be regulated as per instructions contained in Department of Personnel and Administrative Reforms issued O.M. No.36011/14/83-Estt.(SCT) dated 30.4.1983. The National Commission for Scheduled Caste opined and agreed with the earlier recommendation to be followed. So far action does not seem to have been taken by DoP&T.

Representation of Scheduled Castes on Selection Boards/ Committees

5.20 Representations of Scheduled Castes on Selection Boards for all the categories should be made a necessary conditions for constituting Selection Committees/DPCs instead of leaving an option for not doing so. The Commission further reiterates that DoP&T O.M. No. 39016/9(s)/89-Estt.(B) dated 16.8.1990 regarding inclusion of appropriate functionaries to represent reserved communities on Selection Boards/Committees. The National Commission for Scheduled Castes feel the need for issuance of such a instruction and to scrupulously enforcing these guidelines by the State Governments, Ministries/Departments including PSUs and financial institutions in all selection Boards and Committees. In addition to the above suggestion it is recommended that the SC Members who would be participating in the Boards/Committees may individually submit their observations to the Chairman of the Selection Committees and a copy of such report endorsed to the National Commission for Scheduled Castes. DoP&T may issue suitable instructions in this regard immediately.

Role of Liaison Officers

5.21 The Liaison officer is an in-built mechanism to assist the administrative authorities to ensure proper implementation of reservation policy. However, by efflux of time, this mechanism has not seems to be functioning effectively as a large number of representations from SC employees are received in the Commission requesting for redressal of grievances relating to various service safeguard provided to them. In order to ensure that SC employees get redressal at the doorstep i.e. within their organisation, the Commission express its view that this mechanism should be strengthened and made more effective. For this purpose, the Liaison Officer should be given proper orientation training about his role and responsibilities. Liaison Officer is expected to be an expert on reservation policy, rules and regulations. The senior Officers should consult the Liaison officer at all stages in matters relating to direct recruitment, promotion etc. Often the cells set up in each organization to assist the Liaison Officer are not adequately staffed or given proper orientation and training, thus reducing the capabilities of the Liaison Officer to work effectively.

5.22 The Liaison Officer should interact with the SC employees and administration for redressal of grievances and monitoring of reservation matters. He should regularly inspect the rosters and sign the entries made therein. He should be vigilant about persons availing reservation benefits on the basis of false caste certificates. Liaisoning with the Employment Exchanges, Universities, and Technical Institution etc. should also be one of the duties of Liaison Officer so that suitable candidate become available for filling up of reserved vacancies. Liaison Officer being an expert on the subject should also advise the management on the policy and whenever the management does not adhere and go against the reservation policy such matters should be brought to the notice of the Commission. **The Commission recommends that in order to make this inbuilt mechanism more effective the concept of making the Liaison Officer answerable/ accountable to National Commission for Scheduled Castes the Govt. should issue instructions (as is being done in the case of Central Vigilance Organisation).**

Reservation in Private Sectors

5.23 The Commission has already expressed the view that in consonance with the

Constitutional safeguard the principle of positive discrimination enshrined in various articles of the Constitution governing reservation for Scheduled Castes should be extended to the private sectors also to fulfill Constitutional obligation of social equality. The DoP&T on the Private Member Bill sought opinion of the Attorney General of India, who opined that Article 16(4) of the Constitution enables the State to provide reservation of appointments or posts in favour of any backward class of citizens in the services under the State and that reservation in Private Sector will not be permissible under Article 16 (4) of the Constitution and will be violation of the equality provisions in the Constitution. **The National Commission for Scheduled Castes considered the recommendation contained in the Sixth Annual Report (1999-2000 & 2000-2001) and the Seventh Annual Report (2001-2002) of the erstwhile National Commission for Scheduled Castes and Scheduled Tribes and re-iterates to bring about suitable provision for extension of reservation in private sector.**

The Scheduled Castes and Scheduled Tribes (Amendment) Act, 2002

5.24 The Government of India has since notified

1. The Govt. of India has notified the Constitution (Scheduled Caste) Order (Amendment) Act, 2002 dated 24th May, 2002, amending the scheduled to the Constitution (Scheduled Castes) Order, 1950 by amending to the extend specified hereunder, namely:-

(a) in Part XIII.-Orissa,-

- (i) omit entry 22;
- (ii) omit entry 90;
- (iii) after entry 93, insert-

“94 Mangali (in Koraput and Kalahandi districts);

95. Mirgan (in Navrangpur district).”;

(b) in Part XIV-Punjab,-

- (i) for entry 9, substitute-

“9, Chamar, Jatia Chamar, Rehgar, Raigar, Ramdasi, Ravidasi, Ramdasia, Ramdasia Sikh, Ravidasia, Ravidasia Sikh.”.

- (ii) after entry 37, insert-

“38. Mochi.”,

(c) in Part XIV.-West Bengal,-

- (i) for entry 22, substitute-

“22. Hari, Mehtar, Mehtor, Bhangi, Balmiki.”,

- (ii) after entry 59, insert-

“60. Chain (in Malda, Murshidabad, Nadia and Dakshin Dinajpur districts).”.

2. The Constitution (Scheduled Castes and Scheduled Tribes) Orders (Amendment) Act, 2002. dated 3rd June, 2002.

An Act further to amend the Constitution (Scheduled Castes) Order, 1950 and the Constitution (Scheduled Tribes) Order, 1950 so as to provide for inclusion of certain Scheduled Castes and Scheduled Tribes oustees of the States of Madhya Pradesh and Maharashtra, who have been displaced due to Sardar Sarovar Project on the Narmada River and are settled or may be settled in the State of Gujarat, in the lists of Scheduled Castes and Scheduled Tribes specified in relation to the State of Gujarat.

Be it enacted by Parliament in the fifty-third year of the Republic of India as follows:-

1. This Act may be called the Constitution (Scheduled Castes and Scheduled Tribes) Orders (Amendment) Act, 2002.
2. In the Schedule to the Constitution (Scheduled Castes Order, 1950, in

Part IV:- Gujarat, after entry 30, the following entries shall be inserted, namely:-

- “31. Balahi, Balai
32. Bhangi, Mehtar
33. Chamar
34. Chikwa, Chikvi
35. Koli, Kori
36. Kotwal (in Bhind, Dhar, Dewas, Guna, Gwalior, Indore, Jhabua, Khargone, Mandsaur, Morena, Rajgarh, Ratlam, Shajapur, Shivpuri, Ujjain and Vidisha districts).”.

3. In the Schedule to the Constitution (Scheduled Tribes) Order, 1950, in

Part-IV- Gujarat, after entry 29, the following entries shall be inserted, namely:-

- “30. Bhil, Bhilala, Barela, Patelia
31. Tadvil Bhil Bawra, Vasave
32. Padvi.”

5.25 The Scheduled Castes and Scheduled Tribes orders (Amendment), Act 2002. The Act provides for the inclusion in the list of Scheduled Tribes, of certain tribes or tribal communities or parts of or groups within tribes or tribal communities, equivalent names or synonyms of such tribes or communities, removal of area restrictions and bifurcation and clubbing of entries, imposition of area restriction in respect of certain castes in the lists of Scheduled Castes, and the exclusion of certain castes and tribes from the lists of Scheduled Castes and Scheduled Tribes, in relation to the States of Andhra Pradesh, Arunachal Pradesh, Assam, Bihar, Goa, Gujarat, Himachal Pradesh, Jharkhand, Karnataka, Kerala, Madhya Pradesh, Maharashtra,

Manipur, Mizoram, Orissa, Sikkim, Tamil Nadu, Tripura, Uttar Pradesh and West Bengal. (Annexure 5.IV, 5.V and 5.VI)

Revision of percentage of Reservation for Scheduled Castes

5.26 The Department of Personnel and Training vide its communication dated 30.12.2002 referred to the Commission for its comments, the issue regarding revision of percentage of reservation for Scheduled Castes and in the States of Bihar, Madhya Pradesh and Uttar Pradesh and fixation of percentage of reservation in the newly created States of Jharkhand, Chhatisgarh and Uttaranchal in case of direct recruitment of Group C and D posts normally attracting candidates from a locally or a region. The percentage of reservation for Scheduled Castes is generally fixed in proportion to their population in respective States /Union Territories. It was proposed to fix reservation for Scheduled Castes in the above referred States as per 1991 census as under:

Name of the State	Reservation percentage for Scheduled Castes
Bihar	15
Jharkhand	12
Madhya Pradesh	15
Chhatisgarh	12
Uttar Pradesh	21
Uttaranchal	17

5.27 The figures about proportion of Scheduled Castes in the total population as per 2001 Census were not available with the Registrar General of India. The matter was considered by the erstwhile National Commission Scheduled Castes and Schedule Tribes in its meeting held on 23.1.2003. As per decision a letter was sent to the DoP&T to fix reservation on the basis of the latest Census figures of 2001 which have since been made available. The DoP&T further had submitted proposal for revision of % on local requirement basis in case of Direct Recruitment to group C and D post on local/regional basis keeping in view the percentage of S.C. population to the local population of the State according to census 2001. The National Commission for Scheduled Castes while considering the proposal supported it with the observation as revision of quantum of reservation for Scheduled Castes. That the percentage of population of Scheduled Castes in Orissa to total population of State is 16.5% but the DoP&T have proposed the percentage of Scheduled Cates as 16% only. Likewise, in the UT of Chandigarh, the percentage of SC population of is 17.5% but the DoP&T have proposed the reservation for Scheduled Castes as 17%. Delhi has got SC population of 16.9% to the total population of the UT but the DoP&T have proposed the percentage of reservation for Scheduled Castes as 15% only. The commission was of the view that the foraction of 0.5 should not be ignored while fixing the percentage of reservation for Scheduled Castes. Accordingly, the Commission was of the view that the percentage of reservation for Scheduled Castes in Orissa and UT of Chandigarh should be 17% and 18% respectively. Similarly, in respect of Delhi the percentage of reservation for Scheduled Castes ought to be in proportion to their share in total population, rather than treating it at par with the All India percentage of Scheduled Castes the Commission was of the view that the percentage of reservation for Scheduled Castes for the NCT of Delhi ought to be 17% rather than the proposed

15%. The Commission, therefore recommended that the percentage of reservation for Scheduled Castes in the State of Orissa and in the UTs of Chandigarh and Delhi may be increased to 17%, 18% and 17% respectively. In case of other States and UTs the Commission agreed with the proposal of the DoP&T.

Difficulties faced by SC migrants/Area Restriction

5.28 The Pondicherry SC People's Welfare Association, Pondicherry represented that the Govt. of Pondicherry has been discriminating the Scheduled Caste people living in this Union Territory into Origin (SC) and Migrant (SC) for the past five years without consideration of their continued stay and permanent settlement in this Territory over a period of three decades and more. As a result, the SC employees who were termed as Migrants were ordered reversion, promotions to higher posts denied and even in schools and colleges, admission has been refused to the SC students who were born and brought up in this Union Territory. The Administration had welcomed SC candidates from outside the Union Territory for recruitment to the post/vacancies earmarked for SC people under the UT of Pondicherry in various categories and made selection as per rules by inviting SC candidates from various Employment Exchanges in Tamil Nadu besides making necessary advertisement through newspapers and broadcasting through All India Radio, Pondicherry. In this regard MHA vide D.O. letter No.14016/2/74-GP dated 04.2.1974 issued OM and subsequently Govt. of India, Revenue Department vide their letter 7505/91/02 dated 6.1.1993 issued instructions for SC migrants.

5.29 The Central Administrative Tribunal, Madras had delivered two different judgments namely one in favour of Origin (SC) based on the Supreme Courts judgment in Marri Chandra Rao's case in W.P. (Civil) No.989/1989, decided on 2nd May, 1990 and another judgment in favour of Migrant (SC) on the basis of the latest Supreme Court judgment in the case of Dudh Nath Prasad in Civil Appeal No.1389/1991, dated 04.1.2000 The CAT, Madras decided the same issue.

5.30 Notification in the year 2001 in suppression of previous Notification issued in 1994, thereby giving protection to the OBC Migrants of this Union Territory upto the year 2001. The Government of Pondicherry stick to the Presidential Notification issued as early in 1964 as the cut off year to determine their status as Origin (SC) and Migrant (SC).

5.31 The SC/ST Advocates Association Legal profession represented that the Government of NCT of Delhi has been denying the benefits of reservation policy to those Scheduled Castes candidates whose parents/who themselves have migrated to Delhi on or after promulgation of Presidential Order the Constitution (Scheduled Caste) Union Territory order, 1951 dated 20th September, 1951. The SC/ST person for their livelihood have migrated for purpose of employment and education etc. cannot be entitled for benefit of SC on their migration from other State like such other candidates from Uttar Pradesh, Rajasthan, Madhya Pradesh and Haryana etc. have also approached the Commission in this regard. The claim of the SC migrants was that Delhi being a Union Territory, any person belonging to Scheduled Castes in India, should legally be entitled to all the benefits which are available under the Central Government / Central Services.

5.32 The Constitution (Scheduled Castes) Order, 1950 have been amended by the

Scheduled Castes and Scheduled Tribes (Amendment) Act, 1956, the Scheduled Castes and Scheduled Tribes Lists Modification Order, 1956 and the Scheduled Castes and Scheduled Tribes Orders (Amendment) Act, 1976 (effective from 27.7.1977). The Constitution Scheduled Castes (Union Territories) Order, 1951 have been amended by the Scheduled Castes and Scheduled Tribes Orders (Amendment) Act, 1956 and the Scheduled Castes and Scheduled Tribes Lists Modification Order, 1956.

Area restriction inter State/ intra State area restrictions

5.33 Under Articles 341 of the Constitution, the President has, with respect to every State and Union Territory and where it is State after consultation with the Governor of the concerned State, issued orders notifying various Castes as Scheduled Castes in relation to that State or Union Territory from time to time. The Inter-State as well as within State area restrictions have been deliberately imposed so that the people belonging to the Scheduled Castes communities. This restriction was in several other States too prior to 1976, but that was removed with the issuance of the Scheduled Castes and Scheduled Tribes Orders (Amendment) Act, 1976. To remove the area restriction within the State for the specified communities, the Government of India has made a special provision and prescribed guidelines for the issuance of Scheduled Castes and Scheduled Tribes certificates to the candidates.

5.34 The statement of Objects and Reasons behind renamed of area restriction was that under the Scheduled Castes orders some communities have been specified as Scheduled Castes only in certain areas of the State concerned and not in respect of the whole State. This has been causing difficulties to members of these communities in the areas where they have not been so specified. The above mentioned order removed these area restrictions. In cases where continuance of such restrictions were specifically recommended by the Joint Committee on the Scheduled Castes and Scheduled Tribes Orders (Amendment) Bill, 1967 no change was being effected. The committee had also recommended exclusion of certain communities from the lists of Scheduled Castes. These exclusions will not being made at present and such communities will being retained in the lists with the present area restrictions. Such of the Communities in respect of which the Joint Committee had recommended exclusion on the ground that they were not found in a State will however, being excluded if there were no returns in respect of these communities in the censuses of 1961 and 1971.

5.35 The proposed amendments in the lists of Scheduled Castes may lead to an increase in the population of these Castes and consequently, in the number of reserved seats in the Lok Sabha and certain State legislative Assemblies. Provisions will be made to empower the census authority to re-estimate the population of the Scheduled Castes and the Election Commission to reallocate the reserved constituencies.

5.36 In order to issue certificates for such deserving persons it was necessary that proper verification was based primarily on revenue records and if need be, through reliable enquiry, it was made clear before that such certificates are issued. Only the Revenue authorities besides having access to the relevant revenue records are in a position to make reliable enquiries. Hence, the Government of India insisted upon the production of certificates from such authorities only. In order to be competent to

issue such certificates, therefore, the authorities mentioned in the Government of India (Department of Personnel and Administrative Reforms) letter No. 13/2/74-Estt. (SCTC), dated the 5th August, 1975, was the one concerned with the locality in which the person applying for the certificate had his place of permanent abode at the time of the notification of the relevant Presidential order. Thus the Revenue authority of one district would not be competent to issue certificates in respect of persons whose place of permanent residence at the time of the Notification of a particular Presidential Order, has been in a different district. In the case of persons born after the date of notifications of the relevant Presidential Order, the place of residence for the purpose of acquiring Scheduled Castes status, was the place of permanent abode of their parents at the time of the notification of the Presidential Order under which they claim to belong to such a caste.

5.37 In some States Governments/ U.T. Admns. have continued to empower all their Gazetted Officers to issue certificates and even revenue authorities issue certificates on the basis of specific community residing in a specific area which has been assessed to qualify for the SC status for benefit from the facilities provided for them. Since the people belonging to the same caste but living in different State/UTs may not necessarily suffer from the same disabilities, it was possible that two persons belonging to the same caste but residing in different State/ UTs may not both be treated to belong to Scheduled Castes or vice-versa. Thus the residence of a particular person in a particular locality assumes a special significance. This residence should not be understood in the literal or ordinary sense of the word. On the other hand, it denotes the permanent residence of a person on the date of the notification of the Presidential Order scheduling his caste in relation to that locality. Thus a person who is temporarily away from his permanent place of abode at the time of the notification of the Presidential order applicable in his case, say, for example, to earn a living or seek education etc. can also be regarded as SC, as the case may be, if his caste has been specified in that order in relation to his State/ U.T. but he cannot be treated as such in relation to the place of his temporary residence. Notwithstanding the fact that the name of his caste has been scheduled in respect of that area or State in any Presidential Order. The instructions were issued in this respect from time to time, and again reiterated (vide Ministry of Home Affairs Letter No. BC 12025/2/76-SCT (1) dated 22 March, 1977 which was addressed to all State Government/U.T. Admns.

5.38 Any person who migrate outside the geographical area or locality where a particular caste has been included in the specific Presidential Order in respect of the State is not eligible for the benefits extended to the Scheduled Castes living in the immigrated State or area. Those who have migrated and residing prior to the issuance of the Presidential Order for the specific State, they shall be eligible for the benefits admissible to the Scheduled Castes in that State only. However, for All India Services and the recruitment made at the all India basis, such area restrictions are not operative. Moreover, there was no change in the terms and conditions of eligibility for issuing caste certificates.

5.39 In this regard MHA vide letter No.BCI6014/1/82-SC&BCD-I dated 18.11.1982 issued instructions in order to remove this difficulty, it has been decided in modification of the instructions issued in letter No. BC-12025/2/76-SCT-I dated 22.3.1977 and letter No. BC-12025/11/79-SC&BCD-I/IV dated 29.3.1982 that the prescribed authority of a State Govt./U.T. Admns. may issue the SC certificate to a

person who has migrated from another State, on the production of the genuine certificate issued to his father/ mother by the prescribed authority of the State of the father's/mother's origin except where the prescribed authority feels that detailed enquiry is necessary through the State of origin before issue of the certificate. The certificate will be issued irrespective of whether the Caste in question is scheduled or not in relation to the State /U. T. to which the person has migrated. This facility does not alter the SC status of the person in relation to the one or the other State.

5.40 The instructions issued in this Ministry's letter of even number dated the 18.11.1982 continued. It was clarified that the SC person on migration from the State of his origin to another State will not lose his status as SC but he will be entitled to the concessions/ benefits admissible to the SC from the State of his origin and not from the State where he has migrated.

5.41 It has been experienced by the Commission during visits to various parts of the Country that the Scheduled Caste persons are facing difficulties in getting the Scheduled Castes certificates/ Claims of their belonging to SC on account of their migration because of Area restriction imposed for example in Madhya Pradesh in Raisen district, Rabari Caste in Gujarat. The Commission, therefore recommends that Govt. should look into the matter of migration and area restriction for bringing their uniformity and universalising in view of the burning problem faced by the one quarter of the population of India who migrate for the livelihood. The Commission suggests that their belonging to the particular State/area should not come in the way of SC on account of their belonging to SC and the Presidential Orders. As for other communities, no such restrictions are imposed. They are considered on the basis of their domicile. The domicile should be the sole criteria for giving benefit of reservation for employment, education and the other developmental schemes.

Introduction of reservation in the Scientific and Technical Posts in the grades above the lowest rung of Group 'A'

5.42 According to the MHA O.M. No.9/2/63-SCT(1) dated 02.11.1963 and No. 9/2/63-SCT(1) dated 17.7.1964 read with O.M. No.9/4/69-Estt.(SCT) dated 06.10.1969, 'Scientific and Technical' Posts required for conducting research or for organizing, guiding and directing research which satisfy the conditions laid down therein could be exempted from the purview of the orders relating to reservations for Scheduled Castes. Under the above orders, exemption in respect of gazetted posts which fulfilled conditions laid down in the O.M. referred to above, could be given by the Ministries/Departments themselves after obtaining the orders of the Minister concerned whereas in respect of non-gazetted posts of similar nature, the Department of Personnel was to be consulted before exemption is given. The question whether reservations should be introduced in respect of the Scientific and Technical posts which were so far exempted from the purview of the reservations for Scheduled Castes under the existing orders have been examined by the Department of Personnel & Training. In partial modification of the instructions referred to above, it had been decided vide DoP&T O.M. NO. 9/2/73-Estt.(SCT) dated 23.6.1975 that the same scheme of reservation for Scheduled Castes and Scheduled Tribes should cover appointments made to Scientific and Technical posts up to and including the lowest grade of Class-I in the respective services wherever they had been hitherto exempted from the purview of the scheme of reservations on the ground that the posts were

intended for conducting / directing, guiding research work.

5.43 According to the DoP&T O.M. No. 9/2173-Estt.(SCT) dated 23.6.1975, only such 'Scientific and Technical' posts which satisfy all the following conditions can be exempted from the purview of the reservation orders by the Ministries / Departments:

- (i) The posts should be in the grades above the lowest grade in Group 'A' of the service concerned.
- (ii) They should be classified as 'Scientific or Technical' in terms of Cabinet Secretariat (Deptt. of Cabinet Affairs) O.M. 85/11/CF-61(1) dated 28.12.1961; and
- (iii) They should be posts 'for conducting research' or 'for organising, guiding and directing research.
- (iv) Orders of the Minister concerned should be obtained before exempting any posts satisfying the above conditions from the purview of the scheme of reservations.

5.44 The National Commission for Scheduled Castes feels that there is need to reconsider/review the earlier decision taken about 30 years back excluding a large number of posts from the purview of reservation, by the Government to extend the provisions in posts and services above the lowest grade of Group 'A' of Scientific and Technical nature, as on today, there is enough number of qualified and experienced candidates belonging to Scheduled Castes are available well qualified in the Scientific and Technical subjects.

Scheme for compassionate appointment under the Central Government

5.45 The existing instructions for making compassionate appointment under the Central Government have since been reviewed in the light of the various recommendations contained in the Fifth Central Pay Commission Report as well as the Study Reports of 1990 and 1994 prepared by the Department of Administrative Reforms and Public Grievances on the subject and they have accordingly been revised/simplified and consolidated as per the scheme.

- (1) Appointment on compassionate grounds should be made only on regular basis and that too only if regular vacancies meant for that purpose are available.
- (2) *Compassionate appointments can be made up to a maximum of 5% of vacancies falling under direct recruitment quota in any Group "C" or "D" Post. The appointing authority may hold back up to 5% of vacancies in the aforesaid categories to be filled by direct recruitment through Staff Selection Commission or otherwise so as to fill such vacancies by appointment on compassionate grounds. A person selected for appointment on compassionate grounds should be adjusted against the SC reservation point, if he she belongs to ST/OBC he she will be adjusted against ST/OBC point and if he belongs to. General category he she will be adjusted against the vacancy point meant for General category.*
- (3) Category he will be adjusted against the vacancy point meant for General category.

- (4) While the ceiling of 5% for making compassionate appointment against regular vacancies should not be circumvented by making appointment of dependent family member of Government servant on casual/daily wage/ad-hoc/contract basis against regular vacancies, there is no bar to considering him for such appointments if he is eligible as per the normal rules/orders governing such appointments.
- (5) The ceiling of 5% of direct recruitment vacancies for making compassionate appointment should not be exceeded by utilising any other vacancy e.g. sports quota vacancy.
- (6) Employment under the scheme is not confined to the Ministry/Department/Office in which deceased/medically retired Government servant had been working. Such an appointment can be given anywhere under the Government of India depending upon availability of a suitable vacancy meant for the purpose of compassionate appointment.
- (7) If sufficient vacancies are not available in any particular office to accommodate the persons in the waiting list for compassionate appointment, it is open to the administrative Ministry/Department/Office to take up the matter with other Ministries/Departments/Offices of the Government of India to provide appointment on compassionate grounds at an early date to those in the waiting list.

5.46 Court Rulings on Compassionate appointment

- (i) The Supreme Court in its judgement dated April 8, 1993 in the case of **Auditor General of India and others vs. G. Ananta Rajeswara Rao** (1994) 1 SCC 1920 has held that appointment on grounds of descent clearly violates Article 16(2) of the Constitution; but if the appointment is confined to the son or daughter or widow of the Government servant who died in harness and who needs immediate appointment on grounds of immediate need of assistance in the event of there being no other earning member in the family to supplement the loss of income from the bread winner to relieve the economic distress of the members of the family, it is unexceptionable.
- (ii) The Supreme Court's judgement dated May 4, 1994 in the case of **Umesh Kumar Nagpal vs. State of Haryana and others** (JT 1994(3) S.C. 525) has laid down the following important principles in this regard:
- (iii) Only dependents of an employee died in harness leaving his family in penury and without any means of livelihood can be appointed on compassionate ground.
- (iv) The posts in Group "C" and 'D' (formerly Class III and IV) are the lowest posts in non-manual and manual categories and hence they alone can be offered on compassionate grounds and no other post i.e. in the Group "A" or Group "B" category is expected or required to be given for this purpose as it is legally impermissible.
- (v) The whole object of granting compassionate appointment is to enable

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- (v) The whole object of granting compassionate appointment is to enable

the family to tide over the sudden crisis and to relieve the family of the deceased from financial destitution and to help it get over the emergency.

- (vi) Offering compassionate appointment as a matter of course irrespective of the financial condition of the family of the deceased or medically retired Government servant is legally impermissible.
- (vii) Neither the qualifications of the applicant (dependent family member) nor the post held by the deceased or medically retired Government servant is relevant. If the applicant finds it below
- (viii) Compassionate appointment cannot be granted after lapse of a reasonable period and it is not a vested right which can be exercised at any time in future.
- (ix) Compassionate appointment cannot be offered by an individual functionary on an ad-hoc basis.
- (x) The Supreme Court has held in its judgement dated February 28, 1995 in the case of the Life Insurance Corporation of India vs. Mrs. Asha Ramchandra Ambekar and others (JT 1994(2) S.C. 183) that the High Courts and Administrative Tribunals can not give direction for appointment of a person on compassionate grounds but can merely direct consideration of the claim for such an appointment.
- (xi) The Supreme Court has ruled in the cases of Himachal Road Transport Corporation vs. Dinesh Kumar (JT 1996 (5) S.C. 319) on May 7, 1996 and Hindustan Aeronautics Limited vs. Smt. A. Radhika Thirumalai (JT 1996 (9) S.C. 197) on October 9, 1996 that appointment on compassionate grounds can be made only if a vacancy is available for that purpose.
- (xii) The Supreme Court has held in its judgement in the case of State of Haryana and others vs. Rani Devi and others (JT 1996(6) S.C. 646) on July 15, 1996 that if the scheme regarding appointment on compassionate ground is extended to all sorts of casual ad-hoc employees including those who are working as Apprentices, then such scheme cannot be justified on Constitutional grounds.

5.47 The DoP&T vide O.M. No.14014/24/99-Estt(D) dated 28.12.1999 about calculation of vacancy's stated that the question of non-availability of vacancies for appointment on compassionate grounds within the ceiling of 5% of vacancies falling under direct recruitment quota in any Group 'C' or 'D' post prescribed in this regard particularly in small Offices/Cadres has been considered by the Government keeping in view difficulties being experienced in this regard even in genuine/deserving cases.

5.48 It has been decided to allow grouping of posts in small Officers/Cadres for the purpose of calculation of vacancies for appointment on compassionate grounds. Consequently, Group C/D posts in which there are less than 20 direct recruitment vacancies in a recruitment year may be grouped together and out of the total number of vacancies 5% may be filled on compassionate grounds subject to the condition that appointment on compassionate grounds in any such post should not exceed one. It was made clear that for the purpose of calculation of vacancies for compassionate appointment, fraction of a vacancy either half or exceeding half but

less than one may be taken as one vacancy. Further DoP&T vide O.M. No. 14014/19/2002 dated 5.5.2003 imposed time limit for making appointment on compassionate grounds that the one year limit prescribed for grant of compassionate appointment is often resulting in depriving genuine cases seeking compassionate appointments, on account of regular vacancies not being available, within the prescribed period of one year and within the prescribed ceiling of 5% of direct recruitment quota. Appointment to genuine and deserving cases, as per the guidelines contained in OM is not possible in the first year, due to non-availability of regular vacancy, the committee has to review such cases to evaluate the financial conditions of the family to arrive at a decision as to whether a particular case warrants extension by one more year, for consideration for compassionate appointment by the committee, subject to availability of a clear vacancy within the prescribed 5% quota. If on scrutiny by the Committee, a case is considered to be deserving, the name of such a person can be continued for consideration for one more year. **The Commission feels that the order needs to be reviewed and the 5% reservation quota for compassionate appointment in post should be waived off in the cases of Scheduled Castes due to their pecuniary conditions.**

Non-permissibility of exchange of reservation between Scheduled Castes & Scheduled Tribes

- 5.49 Basic principle of post based reservation is that the number of posts filled by reservation by any category in a cadre should be equal to the quota prescribed for that category. If exchange of reservation between Scheduled Castes and Scheduled Tribes is permitted, number of employees of one reserved category of employees appointed by reservation will go beyond reservation prescribed for that category. It would be against the spirit of post-based reservation. Therefore, after introduction of post based reservation, it was not permissible to fill up a post reserved for Scheduled Tribes by a Scheduled Caste candidate or vice-versa by exchange of reservation between Scheduled Castes and Scheduled Tribes, since there has been ban on de-reservation of in Direct recruitment vide DoP&T O.M. No. 36012/6/88-Estt.(SCT) dated 25-4-1989.

In cases of promotion the DoP&T prescribed following procedures

- (i) If sufficient number of SC/ST candidates fit for promotion against reserved vacancies can also not be dereserved for reasons like non-availability of candidates of other categories to fill up the posts etc., the vacancies shall not be filled and will remain unfilled until the next recruitment year. These vacancies will be treated a "backlog vacancies."
- (ii) In the subsequent recruitment year when recruitment is made for the vacancies for that year (called the current vacancies), the backlog vacancies of Scheduled Castes and Scheduled Tribes will also be filled up, keeping the current vacancies and the backlog vacancies of Scheduled Castes and Scheduled Tribes two distinct groups. While in respect of the current vacancies the instructions that not more than 50% of the vacancies can be reserved will apply, all the backlog vacancies reserved for Scheduled Castes and Scheduled Tribes will be filled up by candidates belonging to the concerned category without any restriction whatsoever as they belong to distinct group of backlog vacancies.

- (iii) If backlog vacancies reserved for Scheduled Castes /Scheduled Tribes cannot be filled up by reservation and can also not be dereserved in the subsequent recruitment year as will, such backlog vacancies will be carried forward as backlog reserved vacancies for subsequent recruitment year(s) as long as these are not filled by candidates of the category for which these are reserved or by candidates of other communities after degeneration.
- (iv) In cadres having more than 13 posts, number of posts filled by reservation by any category at any point of time should ideally be equal to the quota determined as per percentage of reservation prescribed for that category. Whenever the posts are filled, efforts have to be made to complete reservation quota for SCs/STs/OBCs in case of direct recruitment and for SCs/STs in case of promotions that the number of posts filled by reservation by SCs, STs and OBCs as the cases may be, in the cadre is equal to the number of posts earmarked for them. It means that if reservation quota is not complete, efforts would be made to complete the reservation quota whenever the recruitments are made in the cadre. Thus, reservation would not lapse in case of post based reservation for the reason that reserved posts could not be filled for a specified number of years.
- (v) In cadres having 13 or less number of posts where 14 point L-shaped rosters are applied, if a reserved vacancy is filled by a candidate belonging to other community after de-reservation, the reservation will be carried forward for subsequent recruitment year. Such carry forward of reservation would be permitted for three subsequent recruitment years. In the third year of carried forward of reservation, the vacancy will be treated reserved for the concerned category, but if it cannot be filled by reservation in the third year of carried forward of reservation by a candidate of the concerned category, reservation will be treated as lapsed and it will be filled as an unreserved vacancy.
- (vi) It is possible that some posts reserved for STs might have been filled by SC candidates by exchange of reservation or vice versa before issue of this OM. Such cases need not be reopened. However, if number of SC or ST candidates appointed by reservation including by exchange of reservation between SCs and STs is in excess of reservation prescribed for them, such excess representation may be adjusted in future recruitment.
- (vii) Regarding proposal contained in points (i) to (iv) in para 3 sub para B and paras 4 to 6 of the proposed O.M., rather it was suggested by the Commission that instead of dereservation or definite carry forward the reserved posts should be filled up therefore Department Examination or Direct recruitment.

The above suggestion was not considered and the O.M. No. 36012/17/2002-Estt.(Res) was issued on 6-11-2003.

Printing of Brochure on Reservation by DoP&T

5.50 The National Commission for Scheduled Castes has been receiving a large number of representations & complaints over the past few years regarding non-implementation of reservation orders prescribed in the instructions issued by DoP&T

in matter of appointment and promotion of Civil Services and Posts in the Central Government. The Brochure on reservation for SCs & STs (which was published in the year 1993) has still not been updated and all the relevant instructions have not been compiled at one place. The DoP&T have informed that the Brochure is under preparation. The Commission finds that till the printed copies of the Brochure are made available to various Department, the concern officers have to depend mainly on the instructions which have been received by them from time to time from DoP&T. The DoP&T have intimated the Commission the Department is in the process of consolidating the instructions on reservation for SCs, STs & OBC and this will be brought out at the earliest. **DoP&T may take immediate steps for printing of brochure by consolidating the instructions.**

Recognition of Scheduled Castes & Scheduled Tribes Employees Welfare Associations

5.51 A long pending recommendation and demand of the various employees Scheduled Castes/Scheduled Tribes Association for recognition has not been fulfilled. The views of the National Commission for Scheduled Caste in its 2nd meeting held on 6-7-2004 further considered the demand & requirement for better facilitation wrote to DoP&T for recognition of these welfare association. The DoP&T vide letter No.2/10/2005-JCA dated 15-10-2004 sent the reply with the approval of Minister of State Incharge of DoP&T that the question of granting recognition and consequently extending facilities to SC/ST Service Association has been examined in detail. It has not been found possible either to grant recognition or to extend the proposed facilities (which are available to recognised Service Associations) to the SC/ST Service Associations for the following reasons:-

- A) The Service Associations formed by SC/ST employees do not fulfill the Conditions prescribed in Rule 5(b), (c) and (f) of the CCS (RSA) Rules, 1993.
- B) The Recognition Rules have been framed after extensive consultations lasting over several years in which all major associations were involved and during the discussions there was no demand for a separate SC/ST association.
- C) Various provisions of CCS (RSA) Rules, 1993 came under scrutiny of the Supreme Court in 1996 (vide JT 1996(9) S.C. 456 D.K. Chhangani & Ors V Nitya Ranjan Mukherjee & Ors) and the Court did not find anything irregular or unconstitutional in the Rules.
- D) If the Service Associations of SC/ST employees are recognized by amending the Rules mentioned above, then various other similar groups of employees belonging to OBC, Minority, Lingual, Regional etc. would also demand the recognition of their Service Associations. **This will not be in the interest of a unified Civil Service.** This may lead to litigation and industrial unrest.
- E) The existing institutional safeguards protect the interest of SC/ST employees through the appointment of Department Liaison Officers and other administrative instructions. The National Commission for Scheduled Castes and Scheduled Tribes is charged with the responsibility to investigate and monitor such matters. The Commission can also enquire into specific complaints.

5.52 In this regard, the Commission refers to the Supreme Court judgments in Civil appeal No. 1160 of 1974 Dated 19-9-1975. "Scheduled Castes or Scheduled Tribes are no castes in the Hindu fold but an amalgam of castes, races, groups, tribes, communities or parts thereof found on investigation to be the lowliest land in need of massive state aid and notified as such by the President. To confuse this backward-most social composition with castes is to commit a constitutional error, misled by a compendious appellation. So that, to protect harijans is not be prejudice any caste but to promote citizen solidarity- AIR 1976 SC 490". The Commission therefore recommend that the govt. the rules of Service Associate rule 5B, C.F. of the CCS RSA rule 1993 needs to be changed accordingly and step may be taken to recognise the Scheduled Castes Welfare Service Association.

Representation of Scheduled Castes in Central Government Services as on 1.1.2002/ 2003

5.53 Department of Personnel and Training have furnished information regarding representation of Scheduled Castes and Scheduled Tribes in the services of all Ministries/Departments (including information in respect of attached and subordinate offices) as on 1.1.2002 & percentage 2003. The group-wise information is given in the table below:

REPRESENTATION OF SCHEDULED CASTES IN CENTRAL GOVERNMENT SERVICES AS ON 1.1.2002

GROUP	TOTAL	SC	%
A	99009	10983	11.09
B	187033	26336	14.08
C	2141879	345358	16.12
D (Excluding Sweepers)	953300	191356	20.07
Sweepers	118601	77354	65.22
Total (Excluding Sweepers)	3381221	574033	16.98
Total (Including Sweepers)	3499822	6513 87	18.61

REPRESENTATION OF SCHEDULED CASTES IN CENTRAL GOVERNMENT SERVICES AS ON AS ON 01-012003

GROUP	TOTAL	SC	%
A	85938	10256	11.93
B	181905	26040	14.32
C	2121697	345718	16.29
D (Excluding sweepers)	879805	158206	17.98
Sweepers	126131	73881	58.57
Total (Excluding Sweepers)	3269345	540220	16.52
Total (Including Sweepers)	3395476	614101	18.09

Source- DoP&T

5.54 The figures for 1-1-2004 and 1-1-2005 are not available. It may be seen from the above table that representation of Scheduled Castes has not reached the prescribed level in group A and B services.

5.55 The Commission, therefore recommends that to make special efforts to achieve the representation by launching SRD as has already been suggested by DoP&T in its O.M.No.36012/5/1997-Estt.(Res.) Vol. II dated 20.7.2000 and DoP&T OM vide OM No 36038/1/2004 dated 5-8-2004, 26-8-2004.

Implementation of rule of reservation in Public Sector undertakings

5.56 The latest information regarding representation of Scheduled Castes in the services of the Central PSEs as on 1.1.2002 and 1.1.2003, received from the Department of Public Enterprises is given in the following tables:

Information regarding Representation of Scheduled Castes in the services in Group 'A','B','C' & 'D' under the Central Public Sector Enterprises

Group	Total No. of Employees	Scheduled Castes	%age
As on 1-1-2002			
Group A	1,95,027	21,848	11.20
Group B	1,89,089	22,707	12.00
Group C	8,89,379	1,69,401	19.04
Group D (Excluding Safai Karamacharis)	3,63,267	78,721	21.67
Total	16,36,762	2,92,667	17.88
Group D (Safai Karamcharis)	21,220	15,864	74.76
Grand Total	16,57,982	3,08,541	18.61
As on 1-1-2003 (Based on information furnished by about 218 Enterprises)			
Group A	1,88,846	22,196	11.75
Group B	1,81,088	22,527	12.44
Group C	9,32,261	1,80,635	19.38
Group D (Excluding Safai Karamacharis)	3,30,803	71,030	21.47
Total	16,32,998	2,96,338	18.15
Group D (Safai Karamcharis)	18,880	17,529	92.84
Grand Total	16,51,878	3,13,917	19.00

5.57 From the above tables it may be seen that in Central PSEs, the representation of Scheduled Castes is inadequate to the required percentage in Group A & B services. The Commission, therefore, suggests that special efforts may be made for adequate representation of Scheduled Castes in Group A & B services.

Representation of Scheduled Castes in the services of the Public Sector Banks

5.58 Banking Division in the Department of Economic Affairs, Ministry of Finance has furnished the information regarding representation of Scheduled Castes and Scheduled Tribes in the services of the Public Sector Banks as on 1.1.2003. The table below gives the representation of Scheduled Castes and Scheduled Tribes in cadre of officers, clerks and sub-staff for the period as on 1.1.2003:

**Table showing Representation of Scheduled Castes in Public Sector
Banks/Financial Institutions as on 1.1.2003**

Name of the Bank	Total Emp.	SC	%Age
OFFICERS			
Allahabad Bank	6731	1091	16.21
Andhra Bank	6451	988	15.31
Bank of Baroda	11798	1831	15.5
Bank of India	10704	1715	16.02
Bank of Maharashtra	3731	577	15.46
Canara Bank	13814	2398	17.35
Central Bank of India	11292	1895	16.78
Corporation Bank	3753	353	9.4
Dena Bank	2906	548	18.86
Indian Bank	7123	1134	15.92
Indian Overseas Bank	6910	1082	15.65
Oriental Bank of Commerce	5101	649	12.72
Punjab National Bank	16111	2253	13.98
Punjab and Sind Bank	4223	397	9.40
Syndicate Bank	7688	1133	14.74
Union Bank of India	7597	1225	16.12
United Bank of India	4502	789	17.52
UCO Bank	6715	1031	15.35
Vijaya Bank	3596	394	10.96
State Bank of India	53421	7066	13.23
SB of Bikaner & Jaipur	37	458	14.11
State Bank of Hyderabad	4288	666	15.53
State Bank of Indore	1854	269	14.51
State Bank of Mysore	2379	384	16.14
State Bank of Patiala	3461	566	16.35
State Bank of Saurashtra	1944	346	17.79
State Bank of Travancore	2864	379	13.23
LLB.L	138	14	10.14
LD.B.L	1468	255	15.72
NABARD	2828	372	13.15
Exim Bank	195	25	12.82
National Housing Bank	74	8	10.81
S.L.D.B.L.	732	85	11.61
Total	219639	32346	14.72
CLERKS			
Allhabad Bank	8811	1584	17.98
Andhra Bank	4097	523	12.77
Bank of Baroda	19512	3007	15.41
Bank of India	22156	3373	15.22
Bank of Maharashtra	7228	1074	14.86
Canara Bank	22393	3864	17.25
Central Bank of India	18696	2626	14.04
Corporation Bank	5213	782	15
Dena Bank	4883	920	18.84
Indian Bank	11430	2596	22.71
Indian Overseas Bank	12634	3320	26.27
Oriental Bank of Commerce	5550	1142	20.57
Punjab National Bank	30190	5539	18.34
Punjab and Sind Bank	3795	198	5.21
Syndicate Bank	13766	2548	18.51

Union Bank of India	12588	2538	20.16
United Bank of India	9123	1655	18.14
UCO Bank	12935	1997	15.43
Vijaya Bank	5553	420	7.56
State Bank of India	1055	13734	13.40
SB of Bikaner & Jaipur	6177	869	14.06
State Bank of Hyderabad	6027	811	13.45
State Bank of Indore	3335	553	16.58
State Bank of Mysore	5426	760	14
State Bank of Patiala	5883	1430	.3
State Bank of Saurashtra	3600	432	12
State Bank of Travancore	6301	759	12.05
LLB.L	75	11	14.67
LD.B.L	836	147	17.58
NABARD	1401	165	11.78
Exini Bank	The Bank has no Employee In this cadre		
National Housing Bank	NHB is an Officers Oriented Institution		
S.L.D.B.L	117	34	29.06
Total	372186	59411	15.96

SUB-STAFF

Allhabad Bank	3601	826	22.94
Andhra Bank	2275	599	26.33
Bank of Baroda	7521	2131	28.33
Bank of India	7381	2108	28.56
Bank of Maharashtra	3122	1075	34.43
Canara Bank	8866	2317	26.13
Central Bank of India	9437	42	25.87
Corporation Bank	1371	561	40.91
Dena Bank	2604	796	30.57
Indian Bank	3567	1259	35.30
Indian Overseas Bank	3756	1377	36.66
Oriental Bank of Commerce	2785	746	26.78
Punjab National Bank	11272	3001	26.62
Punjab and Sind Bank	1834	338	18.42
Syndicate Bank	4062	1085	26.71
Union Bank of India	5131	1387	27.03
United Bank of India	4103	698	17
UCO Bank	4372	1052	.06
Vijaya Bank	1952	461	23.62
State Bank of India	43049	9874	22.94
SB of Bikaner & Jaipur	3008	437	14.52
State Bank of Hyderabad	3083	570	18.48
State Bank of Indore	1365	313	22.93
State Bank of Mysore	1801	486	26.98
State Bank of Patiala	2374	797	33.57
State Bank of Saurashtra	1999	409	20.46
State Bank of Travancore	2172	698	32.14
LLB.L	61	15	.59
LD.B.L.	600	169	31.53
NABARD	903	272	30.12
Exim Bank	9	1	11.11
National Housing Bank	NHB is an Officers Oriented Institution		
S.I.D.B.I	87	28	32.18
Total	149523	38328	25.6

5.59 It would be seen from the above tables that in the Officers cadre, the representation of Scheduled Castes was 14.72% as against the prescribed percentage

of 15%. In the case of clerk, the representation of Scheduled Castes was 15.96%. Similarly in the cadre of sub-staff, the representation of Scheduled Castes was 25.6%. The representation of Scheduled Castes was lagging behind in the cadre of officers. It is suggested that special efforts may be made to increase the representation of Scheduled Castes is increased to the prescribed limit of 15% in Officers cadre respectively.

Examination of complaint under Article 338 clause 5(b) by the National Commission for Scheduled Cates

5.60 Working of the National Commission for Scheduled Cates to deal with the representation of Scheduled Castes in the Service matters to deal with the specific representation/ complaints received from various SC employees the Commission has a set of streamlined guidelines and necessary changes if required are being made by the Commission from time to time. In cases where from the complaints/ representation violation of service safeguards/rules/regulations pertaining to appointment to direct recruitment, promotion and other forms of harassment, discrimination etc prima facie apparent, the factual position/comments are called from the authorities concerned Ministry/Depts. Banks and the concerned authorities are asked to provide the comments within 15 days by giving notice. Failing to get a reply, the Commission exercises its Civil Court's power for production of records and enforcing their attendance of concerned authorities before the Commission.

5.61 The National Commission for Scheduled Castes is assigned the important role of safeguarding the interests of Scheduled Castes and has been vested with power in discharge of its role in terms of Article 338 of the Constitution. Under these power of Article 338 Clause 5 (a) and (b) Commission exercises its powers of investigating/examination in individual cases in the light of the instructions issued by the Govt. of India i.e. DoP&T and overseas its implementations for redressal of their grievances where they are being ignored/ violated by the Departments/ Ministries concerned relating to reservation policy. On finding violation of Reservation Rules the Commission recommends/ suggests and advise the concerned authorities to correct them in accordance with the extend rules of Government i.e. issued by DoP&Ts/State Govt. concerned/DPE etc. as the case may be the National Commission for Scheduled Castes during the course of investigation or inquiry, takes evidence on oath or receive affidavits. When considered the Commission for the purpose of taking evidence in the investigation or inquiry, require the presence of any person and issue summons. The summons provides at least 15 days notice, to the person directed to be present before the Commission from the date of the receipt of the summons.

5.62 Where the property, service/ employment of Scheduled Castes and other related matters are under immediate threat and prompt attention of the Commission is requested the matter is taken up by issue of telex/ fax to the concerned authorities for making them know that the Commission is seized of the issue. The Chairperson, the Vice Chairperson, and the Members have the jurisdiction and the subjects about an investigation or inquiry to be carried out through the State Offices of the Commission by holding sittings any where in India. The findings/ observations of the Commission issued after the investigation/inquiry by the Commission in the light of laid down reservation policies by the DoP&T State Govt. concerned/ DPE etc. are advised to consider and take corrective action in all fairness on the advise/ findings, and recommendations of the Commission.

Representation received and disposed off were (at Headquarters, National Commission for Scheduled Castes) during the period 2002, 2003, 2004, 2005

Year	B.F. 479	Representation Received	Action taken & Disposed	successful cases
2002-2003	4417	6850	5158	37
2003-2004	1430	6577	6111	21
2004-2005	948	5442	4538	33

5.63 Briefs of some of the important cases successfully dealt under by the Commission

1. An Executive (Stores) belonging to SC category in India Trade Promotion Organization, Ministry of Commerce, New Delhi represented to this Commission against his suspension and imposition of penalty major penalty. According to him, he was discriminated and the penalty was imposed disproportionate to the act and omissions on his part. The petitioner was to take charge of the exhibition store and the matter for handing over/ taking over charge of exhibition store was unnecessary lingered on for over 3 years i.e. from 16.1.95 to 22.6.98 and could not settled by the ITPO. The petitioner was suspended on 23.6.98 alongwith the charge sheet for major penalty. The enquiry report was submitted on 26.10.99 to his disciplinary authority and the punishment was awarded on 20.7.2000. The penalty awarded in his case was of reduction of pay by three increments for a period of three years with further direction that he will not earn any increments during the period of suspension. During the period under suspension, the subsistence allowance from 50% to 75% was not enhanced which was admissible to him as per rules, inspite of the fact that the petitioner made his request time and again. The petitioner made a request to this Commission for seeking justice (i) to quash the whole disciplinary proceedings (ii) to set aside the major penalty of reduction in pay by three stages in the time scale for three years (iii) the balance pay and allowance and other benefits of suspension period (25 months) be released and suspension period be treated as an duty." Comments of the management of ITPO were called for. Based on the facts Hon'ble Chairman of the Commission discussed the case with CMD, ITPO on 4.7.2001. According to the comments, no excesses had been done against the petitioner and he was given full opportunity to present his case. Regarding enhancement of subsistence allowance after three months after the date of suspension, it was stated by the ITPO that the petitioner was deliberately delaying the enquiry proceedings. The petitioner was not satisfied with the decision and submitted another representation to the Chairman of this Commission. The case was discussed with the CMD of TPO on 7.6.2002 and the Chairman heard the petitioner as well as Executive Director of ITPO and observed that the punishment awarded to the petitioner should be reviewed in positive spirit and his grievances should be settled amicably. Last meeting held with the, CMD, ITPO on 8.10.2002 and it was informed that they had already referred the case of petitioner to Addl. Solicitor

General of India for legal opinion. On receipt of the legal opinion, further appropriate action will be taken in the matter. It was also informed by the ITPO that the case had been reviewed in the past on three different occasions and it was a quasi-judicial process. The last review was done on 4.9.2002 as per direction of the Commission. It was also informed that the matter would be taken up in the next meeting of the Board of Directors if the situation warrants. The Addl. Solicitor General of India set aside the punishment awarded to the petitioner vide ITPO order dated 20.7.2000. Accordingly the ITPO Board of Directors carried out the orders of Addl. Solicitor General of India in the meeting held on 28.3.2003. Vigilance Department of ITPO issued an order to this effect on 8.4.2003 and endorsed a Copy of the order to this Commission. All the demands of the petitioner were meted out and he was satisfied.

2. One Scheduled Caste PGT (Geography) working in Kendriya Vidyalaya, Bengdubai represented to this Commission in July, 2002 that his services were terminated by the KVS on the grounds that he was the President of the All India SC/ST/Ministries Employees Welfare Sangh and the concerned authorities were having ill feelings and biased attitude towards him. He was placed under suspension w.e.f. 1-9-2000 and on 31.5-2002 his services were terminated. When the matter was taken up with the concerned authority in KVS, it was informed that the petitioner was charge-sheeted under rule 14 of the CCS (CCA) Rules, 1965 for breaking the lock on 31.8.2000 and unauthorisedly occupying the quarter and on conclusion of the disciplinary proceeding, the penalty of termination of his services was imposed upon him for misconduct or misbehavior, by the Assistant Commissioner, KVS (Kolkata) leaving the Disciplinary Authority vide order dated 31.5.2002. The matter was again taken up with KVS saying that the penalty of 'termination' which is not a standard form of penalty scheduled in the CCS (CCA) Rules, 1965 has been imposed upon him, and is too harsh and not commensurate with the misconduct committed by him and the orders of the Disciplinary Authority is to be set aside. The appellate Authority vide his order dated 8.5.2003 set aside the order of the Disciplinary Authority dated 31.5.2002 and re-instated the petitioner in service with posting to Kendriya Vidyalaya, Uttarkashi, where he was asked to join within 10 days. The Appellate Authority toned down the penalty to reduction of his pay by two stages from Rs. 7700/- to Rs. 7300/- in the scale of pay of Rs. 6500-10,500/- with further direction that he will not earn the increments of pay during the period of such reduction and on expiry of the period, the reduction will have the effect of postponing his future increments of pay. The period of his non-employment from the date of termination to the date of his reinstatement was treated as non-duty for all purposes.
3. An officer belonging to SC and working as Assistant Director (Hort.) in DDA represented about denial of promotion to the post of Deputy Director (Hort.), which was reserved for SC category. Comments from DDA were called for. On the basis of facts the Commission,

discussed this case with Vice Chairman, DDA. The roster registers were called for examination in the Commission. The DDA authorities were advised that there is a clear-cut violation of reservation policy as the posts reserved for SC/ST were filled up by *VIR* candidates without getting the de-reservation approved by the competent authority. On the advise of the Commission the petitioner was considered for promotion by holding review DPC and promoted to the post of Deputy Director.

4. An SC officer working as Senior Field Assistant (MT) in the Aviation Research Center, Directorate General of Security represented to this Commission against his alleged compulsory retirement from the service on the baseless and false allegations. Comments from the concern authorities were called for on the basis of facts submitted by petitioner and the comments furnished by the department, the came Commission discussed this case with special Secretary, Aviation Research Center, Cab-Sectt. On the advise of the Commission the concerned authorities agreed for re-consider the matter with open mind, of the petitioner submit on appeal to the competent authority. Finally the ARC authorities have informed this Commission that the penalty of compulsory retirement has been changed in to the reduction of pay at lower stage and he was taken back in the service.
5. An SC women represented to this Commission that her husband working as Lab. Assistant in Education Department Govt. of NCT Delhi died while in service and the Govt. of Delhi denied appointment on compassionate grounds of her son. The matter was referred to concerned authorities for obtaining facts. On the basis of facts the Secretary, Department of services Govt. of NCT, Delhi was called for discussion by the Commission. The department was asked to reconsider the request of the petitioner. On the advise of this Commission the case was reconsidered by the Department and the son of petitioner was recommended for appointment on compassionate ground by the screening committee. The son of the deceased has joined as L.D.C. in the Directorate of Education.
6. An SC person working as Junior Engineer in Punjab State Electricity Board represented to the State Office, Chandigarh of this Commission alleging denial of promotion and non-implementation of reservation rules by the Punjab State Electricity Board. The state office Chandigarh forwarded the case to the Commission's Headquarters for taking up necessary action as the Punjab State Electricity Board had not paying heed to communication of the State Office, therefore the Commission decided to call Chairman, Punjab State Electricity Board for discussion/enquiring in this matter. On examination of the records it was established that there was clear-cut violation of reservation rules of Govt. and the petitioners' claim was genuine. The petitioner was accordingly promoted from retrospective date with notional seniority.
7. A person belonging to SC and working as a Executive Engineer in CPWD represented to this Commission alleging imposition of

disproportionate penalty dismissal from service. The comments from the concerned authorities were called. On the basis of facts the Commission called the Secretary Ministry of Urban Development and the Director General CPWD for discussion in the matter. It was found that the junior colleagues implicated in the case were let off with minor punishment and whereas the petitioner was awarded major punishment of dismissal from service. Proving the discrimination the matter was reconsidered by the concerned authorities and the petitioner was re-instated in service:

8. A petitioner belonging to Scheduled Caste community working in Air India as Manager Admn. Commercial Deptt. represented to the Commission on 22nd July 2002, regarding his non-promotion and supersession for the post of Senior Manager. The matter was taken up with the Air India Management on 6th August 2002 with the request to send parawise comments, on the points raised in the representation by the petitioner. The Commission called the Managing Director Air India on 22-10-02 and discussed the case. The Managing Director Air India agreed to review the case of petitioner. On the intervention of the Commission petitioner was promoted as Senior Manager.
9. One Scheduled Caste Under Secretary, posted in IARI, Ministry of Agriculture vide his application dated 9.1.2003 represented to the Commission regarding harassment and discrimination of Senior SC officer in IARI. Director General of Indian Council of Agriculture Research was called in the Commission on 28.11.2002. According to the discussion with Joint Secretary on 27.11.2002, another meeting was held on 3.1.2003. This case alongwith the case of one ST Admn. Officer was discussed in detail and ICAR officers on 3.1.2003 Officers of ICAR promised to solve the matter. Not doing so the petitioner again represented in the Commission on 22.1.2003. Another letter-dated 23.1.2003 was issued to Director General, ICAR, to appear in the Commission on 29.1.2003. Accordingly Deputy Secretary, Admn. alongwith the office order dated 28.1.2003 intimated on 29.1.2003 that Sr. Admn. Officer. And Under Secretary have been promoted in the Grade of Deputy Secretary in the pay scale of Rs. 12000-15500/- and have been posted at ICAR, Hqrs. Krishi Bhawan, New Delhi.
10. General Secretary, SC/ST Welfare Association, HMT, Pinjore representation dated 6th August 2002 represented to the Commission regarding discriminatory attitude of HMT Management, Pinjore with SC/ST Officers in implementing the reservation rules. The HMT Management was asked to appear before the Commission on 16.9.2002 for discussion but no one appeared nor sent any Communication. Thereafter Commission exercised Civil Court's power for attendance of CMD, HMT Bangalore and summons were issued on 18.9.2002 to appear in the Commission on 4.10.2002. On 8.10.2002 the case was discussed in the Commission in the Chamber of the Hon'ble Member and it was found that HMT Management has adopted discriminatory attitude in the matter of promotion of SC/ST Officers. The Executive Director, Pinjore informed on 26.10.2002

that all the issues raised by HMT SC/ ST Officers welfare Association, Pinjore have been settled in their meeting held on 25.10.2002. Also three cases from Machine Tool Unit Pinjore were reviewed and these cases were cleared by giving promotion on the advice of the Commission. Thus 9 SC/ST Officers were promoted by HMT with the intervention of the Commission.

11. A Junior Clerk (Accounts) working in National Power Construction Corporation Ltd. (NPCC Ltd) PSU of Ministry of Water Resources represented on 17.09.2002 to the Commission regarding promotion as Accounts Clerk as per eligibility criteria fixed by NPCC Ltd. The Commission took up the matter on and asked for comments from M.D. NPCC Ltd. vide their letter no. 500117/CPC/July/SC-ST/95f dated 02.02.2003 furnished their interim reply that his name was not included in the list of candidates recommended for promotion by the DPC and his case had been referred to the Ministry of Water Resources for examination. The case was discussed in the Commission on 11.12.2003, with the DGM (P & A), NPCC Ltd. After the detailed discussion, it was found that three SC points were left out by the DPC held in 1998 and 2000 for the vacancies of the year 1995. The Deptt. was advised by the Commission to take corrective measures to promote SC left out available and eligible candidates as per the roster points by holding a review DPC. NPCC Ltd. on 17.02.2004 intimated the Commission that Ministry of Water Resources has imposed a ban on promotion as NPCC Ltd. has gone into disinvestments. Further, this case was again discussed in the Commission before Hon'ble Chairman alongwith the MD, NPCC Ltd. on 9th July 2004. After the detailed discussion the MD, NPCC Ltd. expressed his inability to promote the petitioner as the issue of promotion of SC has been linked with the disinvestments of the NPCC Ltd. The Commission has noted that Reservation instructions were not implemented by the NPCC Ltd.
12. A Pharmacist in CGHS Dispensary, Bani Park, Jaipur represented to the Commission on 24.05.04 about his promotion to the post of Senior Pharmacist (Allopathic) w.e.f. 11.07.1995. The Commission intervened in the matter and asked for comments from CGHS. The Commission received an reply from CGHS stating that the case of the petitioner is being examined and will be disposed of shortly. After detailed examination the case of petitioner was considered by CGHS for promotion. The Director Admn., CGHS, through his letter no. A60012/09/JPR/97-CGHS/F-2 dated 19.07.2004 informed the Commission that the petitioner has been promoted to the post of Senior Pharmacist w.e.f. 11.07.1995. With the intervention of the Commission, the petitioner's problem regarding promotion was solved.
13. One Draftsman, Grade-I belonging to Scheduled Caste Community posted in the Ministry of Defence (Navy) vide his application dated 16.02.2004 represented to the Commission regarding promotion. The Joint Secretary (Navy), Ministry of Defence was called for discussion in the Commission on 29.10.2004. The case was discussed in detail between the Joint Secretary, Ministry of Defence (Navy) and Hon'ble Chairman on 29.10.2004 and the result of the discussion was

satisfactory as the officer from Ministry of Defence promised to solve this case immediately. In the light of the discussion, Naval Headquarters was asked to follow the relaxation and concession in qualifying standards in respect of SC/ST candidates in the departmental qualifying examination w.e.f. 03.10.2000 as per the instructions of DoP&T vide their OM No. 36012/23/96-Estt(Res)Vo-II dated 03.10.2000. The case of the petitioner was reviewed for promotion to the post of JDO Grade. However the petitioner was promoted to the post of JDO and Ministry of Defence vide their letter No. CP(G)/4509/DO(Engg.) dated 28.02.2005 intimated the Commission that petitioner has been promoted to the Grade of Junior Design Officer (Eng) Group 'B', Gazetted in the pay scale of Rs. 7450-1500 and posted at NDMB, Naval Dockyard (Mumbai).

14. A representation from one Senior Financial Officer in Satluj Jal Vidhut Nigam Ltd., Simla, represented to the Commission on 1st July, 2003 about denial of his promotion to the post of Deputy Manager. Petitioner had complained that this promotion was being delayed. This Commission took up the case with the authorities and the Director (P) Satluj Jal Vidhut Nigam, Simla in 16.02.04 was called in the Commission. The Director of Satluj Jal Vidhut Nigam was told that the petitioner is senior most in the Seniority List of Senior Financial Officer was fit for promotion as per eligibility how two persons junior to the petitioner were promoted to the higher grade ignoring the rules and reservation instruction. The Director (Personnel) assured the to look into the matter and take corrective measures in the next DPC. The petitioner was promoted to the post of Deputy Manager w.e.f. 01.01.03.
15. A Physical Education Teacher, Jawahar Navodaya Vidyalaya, Baramula, (J & K), who was dismissed from service represented to the Commission on 18th October 2004. The notice for comment was sent to the Commissioner, Navodaya Vidyalaya Samiti for comment which were followed by reminders dated 13.01.2005 and 17.02.2005. on non-receipt of reply the Commissioner, Navodaya Vidyalaya Samiti was called in the Commission on 04.04.2005. The Joint Director, Navodaya Vidyalaya, Samiti New Delhi appeared on before the Commission. After detailed discussion, it was found that petitioner had been harassed/ victimized by the Principals and Regional authorities by making frequent transfers. No action was taken on other persons by Navodaya Vidyalaya, who were harassing the petitioner, ultimately stage had come when the petitioner services were terminated. It was noted by the Commission that the punishment awarded to an SC teacher was disproportionate and advised the Joint Director, Navodaya Samiti Vidyalaya to decide on the appeal immediately. The competent authorities of Navodaya Vidyalaya Samiti after careful consideration of the records of the case set aside the penalty of removal from service imposed upon the petitioner by the disciplinary authority and the penalty has been reduced to the reduction in lowest scale in the time scale attached to the post of P.E.T. vide their letter number F.4-9/2002- NVS (Estt.). Thus, the petitioner was reinstated as P.E.T. in JNV.

16. At Ahmedabad in Gujarat, SC Asstt. Engg. of SC committed suicide alongwith his two younger daughter and wife in the month of Oct., 2004. The Assistant Engineer in a case of corruption was suspended. Despite the rules stipulate so the charges were not framed on the time frame and Assistant Engineer continues to under suspension for two years. The family and Engineer were in harness trauma ultimately took this extreme step. In a suicide note running into six written pages, the petitioner had named LIC officials and the alleged responsible and the contractor complaint i.e. who had filed alleged against the petition. The National Commission for Scheduled Castes on this ghastly incident called Managing Director of LIC on 30.11.2004 in the Commission. The Managing Director to look into the matter:

- i. To review the department case initiated against Late Shri. D.G. Parmar who committed suicide. To review the applicability of the Scheduled Castes and Scheduled Tribes (prevention of Atrocities) Act, 1989 on those officials who are vulnerable for being proceeded against for defending the accuseds who have been kept under judicial and police custody by the direction of the Hon'ble special judge, Ahmedabad.
- ii. To make payments of dues to the member of the family of the deceased immediately.
- iii. To put up papers for the Board of Directors of LIC for giving compassionate appointment and dues to the next of kith and kin as declared in suicide note as a special case.

LIC gave the reply that the considered this case for compassionate appointment to the next of kith and kin as declared in suicide note as a special case.

17. A petitioner working is Northern Railway as ESM-I, had represented to the Commission on 28-6-2002 that the Divisional Railway Manager office, Northern Railway posted him as ESM-I in the O/o the Assistant Engineer, Track Depot, Ghaziabad and he joined his duties there on 4.2.2002. But the officer concerned did not allow him to join without any reason at the transferred place. The petitioner regularly attended the office and no salary was paid to him. The matter was taken up with the Railway authorities on 8- 10-2002. The Railway authority informed the Commission that the petitioner had remained absent from duty 26-2-2002 to 13-9-2002 and he had been issued SF-5 for this Act. Thereafter, being dissatisfied the Railway's reply. The Commission called the Railway authorities for personal discussion on 17-2-2004. The railway authorities reported that petitioner had remained absent from his duties w.e.f. 26-2-2002 to 7-8-2002. Therefore, he could not be paid salary for those periods. The Railway further intimated disciplinary action against the petitioner was taken according to the inquiry report, his services were terminated. The Commission on examination found that petitioner was harassed/ victimized by the Officers of his department by making false charges and although the petitioner who was physically assaulted had lodge a

compliant at Agra Police Station. It was suggested to the Railway authorities that the punishment given to the petitioner was disproportion to the act of mistake and the Commission advised the petitioner to make a mercy appeal before the Appellate Authority i.e. General Manager, Northern Railway, for consideration of his reinstatement. On appeal made by the petitioner the General Manager, Northern Railway reinstated the petitioner to the post of as ESM-I with reduction in pay-scale.

18. A Scheduled Caste Bus Conductor, U.P. Roadways, Chootmalpur, Meerut represented about reinstatement in service on 28-8-2004. The matter was taken up with the U.P. State Roadways Corporation on 29-9-2004. The Secretary, U.P. State Roadways Corporation and General Manager were called before the Commission and pointed out that the charges leveled were without any basis, that the Conductor did not stop the Bus etc. The petitioner was not a driver The Bus was handled by Driver and giving whistle the Driver has to stop. How the passengers standing at the Bus stand know that conductor did not give whistle. The petitioner has an ailing handicap child for his treatment, the petitioner was taking leave & intimating the Officer. The General Manager was called in the Commission and was advised accordingly. The U.P. State Transport has reinstated the petitioner in service on 18-1-2005.
19. A Senior Administrative Grade officer of IRTS, represented to the National Commission for SC's about alleged harassment and transfer by the Railway administration from North Eastern Railway to East Central Railway. The petitioner was transferred twenty times ignoring the DoP&T OM No. 36026/3/85-Esstt (SCT) dated 24.06.1985. The Commission was constrained to issue the Summons to the Chairman, Railway Board, Ministry of Railways to appear before the Hon'ble Chairman of this Commission on 28-12-2004. The Railway authorities accordingly after discussion cancelled the order no. E(O)111-2004/TR/341 dated 24.1.2005 by retaining the petitioner at North Eastern Railway.
20. A consequent upon selection a petitioner represented to the Commission regarding denial of appointment as Ticket Collector in Western Railway and non-appointment on 7-5-2002. The matter was taken up with the Railway Authorities on 31-5-2002. Commission did not find justification given by the Railways. The Case was pursued vigorously with Railways's. The Commission called the Chief Personal Officer, Western Railway and Executive Director Estt. (RRB) to discuss the matter on 29-9-2003 and 5-11-2004. The railways checked the records at western Railways and informed the Commission through its letter E(SCT) 220/9/12/8(2004) that 22.12.2004. that the petitioner has been issued Appointment as Ticket Collector with retrospective effect from May 1998.
21. A retired Haryana Civil Services, Deputy Secretary of the Government of Haryana submitted a representation to the National Commission for Scheduled Castes on 27.02.2004 and rejoinder dated 10.08.2004

bringing to the notice of the Commission in connection with the injustice done by the Government of Haryana and the discrimination meted out to the Petitioner being a member of Scheduled Caste for the petitioner's non-inclusion in the IAS due to delay in finalizing Petitioner's case about the upgradation of 1994-95 ACR and adverse remarks contained in the Petitioner's ACRs for 1997-98, 1998-99 which were material for his nomination to the IAS before the Selection Committee constituted and which held its crucial meeting in December 2000, which relied on the remarks given in the said ACRs about his involvement in evasion of Stamp Duty in the purchase of House No. 23A, Staff Road, Ambala Cantt. during 1997-98. The Chief Secretary, Government of Haryana, was summoned on 03.12.2004 for his personal appearance before the Commission as per the provisions of Article 338 of the Constitution on 22.12.2004. and was asked to bring the files pertaining to the ACRs of the Petitioner for the years 1994-95, 1997-98 and 1998-99 respectively. The Chief Secretary, Government of Haryana appeared before the Commission. On examination of original records, the Commission issued findings that the representation of the Petitioner made to the Respondent i.e. Govt. of Haryana made on 23.04.1999, 10.06.1999 and 27.08.1999 and 05.11.1999 requesting for expunction of the adverse remarks contained in his ACRs for the year 1994-95, 1997-98 and 1998-99 and the upgradation and restoration of the grading based on the remarks of the Reporting and the Reviewing Authorities will be considered by the competent authority in the same manner and by adopting the same procedure as was adopted by the Respondent in the another HCS case who was promoted/nominated to the IAS and that of another HCS and that the competent authority in the case of the Petitioner should also be His Excellency the Governor of Haryana as was in the cases further that justice will be done and no discrimination will be meted out to the Petitioner for his being a member of a Scheduled Caste. That the Respondent will then place the case of the Petitioner before the competent authority and review the case of the Petitioner for his promotion/nomination to the IAS by issuing necessary directions to the Select Committee to review the case of the Petitioner on merits. That Speaking orders will be given to the Petitioner by the Respondent within a period of two months and that the compliance report will be sent to the Commission by the Chief Secretary, Government of Haryana. The Commission is examining the matter.

Copy of the letter No. 41018/1/2004-Estt. (Res.) dated 7th December, 2004 received from D/o Personnel & Training to The Chairman , National Commission for SCs

Sub:- Legislation on Reservation for the Scheduled Castes, Scheduled Tribes and Other Backward Classes in Civil posts and services under the Government of India.

I am directed to say that the State is empowered under Article 16 (4), 16(4) (A) and 16 (4)(B) and provision to Article 335 of the Constitution of India to make provision for reservation in appointments or in posts, in favour of any backward class of citizens, which in the opinion of the State, is not adequately represented in the services under the State. The Directive Principles of State Policy also enjoin the State to promote with special care the educational and economic interests of the Weaker sections of the people and in particular, of the Scheduled Castes and the Scheduled Tribes and, to protect them from social injustice and all forms of exploitation (Article 46 of the Constitution.)

2. The Government of India has made provision of reservation for the members of the Scheduled Castes (SCs), Scheduled Tribes (STs) and Other Backward Classes (OBCs) in Central Services and posts so as to ensure adequate representation for these classes in the services. The reservation for Scheduled Castes, Scheduled Tribes and Other Backward Classes in direct recruitments done on an all India basis by open competition is at present 15% 7.5% and 27% respectively. It is 16.66%, 7.5% and 25.84% respectively in case of direct recruitment on all India basis otherwise than by open competition. In case of direct recruitment to Groups C and D posts which normally attract candidates from a locality or a region, percentage of reservation for Scheduled Castes and Scheduled Tribes is generally fixed in proportion to the population of Scheduled Castes and Scheduled Tribes in the respective States/Union Territories and reservation for OBCs is fixed keeping in view the proportion of their population and the facts that total reservation for SCs, STs and OBCs does not exceed the limit of 50% and reservation for OBCs does not exceed 27%. Reservation in promotion by non-selection is available to Scheduled Castes and the Scheduled Tribes in all groups of posts and services viz. Groups A,B,C and D at 15% and 7.5% respectively. In case of promotion by selection, reservation to the Scheduled Castes and Scheduled Tribes is available upto the lowest rung of Group 'A' at the rate of 15% and 7.5% respectively. In promotion by selection to posts within Group 'A' which carry an ultimate salary of Rs.18,300/- or less, there is no reservation, but the Scheduled Caste/Scheduled Tribe officers who are senior enough in the zone of consideration for promotion so as to be within the number of vacancies for which the select list is to be drawn up, are included in that list provided they are not considered unfit for promotion.

3. In order to ensure that posts reserved for Scheduled Castes, Scheduled Tribes, and Other Backward Classes are filled by candidates belonging to these categories, various relaxations and concessions are given to Scheduled Caste, Scheduled Tribe and Other Backward Class candidates. For example the upper age limit in case of direct recruitment is relaxable by 5 years for Scheduled Caste and Scheduled Tribe candidates and 3 years for Other Backward Class candidates, the

qualification relating to experience for Scheduled Castes and Scheduled Tribes in case of direct recruitment are relaxable at the discretion of Union Public Service Commission/competent authority, Scheduled Caste, Scheduled Tribe and Other Backward Class candidates are assessed by relaxed standards, in case of promotion by selection the zone of consideration for Scheduled Castes/Scheduled Tribes is extended to five time, etc.

4. The scheme of reservation in Government services is governed by the executive instructions issued by the Department of Personnel and Training issued from time to time. Public Sector Undertakings including financial institutions like banks, insurance companies, etc. under the Government of India follow instructions issued by the Department of Indra Sawhney Vs. Union of India has held that these instructions have the force of law. Nevertheless, a demand for enacting a law on reservation for Scheduled Castes and Scheduled Tribes has been voiced from time to time by various organizations. The Common Minimum Programme of the Government also stipulates that a Reservation Act will be enacted to codify all reservations.

5. Enactment of a law on reservation will provide statutory force to the policy of reservation, which has hitherto been implemented through executive instructions. It will inspire confidence in the members of the Scheduled Castes, Scheduled Tribes and Other Backward Classes that their legitimate aspirations of adequate representation and participation in national mainstream have been given protection by the Parliament. It will also make Appointing Authorities more careful about the implementation of provisions of reservation. The proposed legislation would provide teeth to the existing executive instructions.

6. A draft bill has accordingly been prepared in consultation with the Department of Legal Affairs and the Legislative Department which, when passed would cover reservation in services under the Government of India and all Public Sector Undertaking, Autonomous Bodies etc. under the Government of India. A copy of the draft Bill is attached as Annexure-I.

7. The main features of the Bill are given below:-

- (i) Reservation as determined by the Government from time to time shall be provided to the members of Scheduled Castes, Scheduled Tribes and Other Backward Classes, not falling in the creamy layer, in the matter of direct recruitment and to the members of the Scheduled Castes and Scheduled Tribes in the matter of promotion to posts in civil services.
- (ii) There shall be no reservation when appointments are made to posts classified as 'scientific or technical' which are required for conducting research and which are above the lowest grade of group 'A'.
- (iii) The recruitment to a vacancy not reserved for any category shall be open to all eligible candidates belonging to the Scheduled Castes, the Scheduled Tribes and the Other Backward Classes.

- (iv) The Scheduled Caste, the Scheduled Tribe and the Other Backward Class candidates selected on their own merit shall not be adjusted against the vacancies reserved for them.
- (v) The maximum age limit prescribed for direct recruitment to a service or a post shall be increased by 5 years in the case of candidates belonging to the Scheduled Castes and Scheduled Tribes and 3 years in the case of candidates belonging to the Other Backward Classes. In the case of promotion, the upper age limit shall be increased by 5 years in the case of candidates belonging to the Scheduled Castes and Scheduled Tribes where the maximum age limit, if prescribed, is not more than 50 years.
- (vi) Relaxations and concessions may be given to members of the Scheduled castes, Scheduled Tribes and Other Backward Classes in qualifications relating to experience and standard of suitability in case of direct recruitment.
- (vii) (a) Total number of vacancies reserved for the Scheduled Castes, Scheduled Tribes and Other Backward Classes in a cadre in a year shall not exceed 50% of the total number of vacancies in that cadre.
(b) The backlog reserved vacancies of the Scheduled Castes and Scheduled Tribes shall not be counted for determining the 50% ceiling.
- (viii) The vacancies reserved for the Scheduled Castes, the Scheduled Tribes and the Other Backward Classes in the matter of appointments by direct recruitment shall not be filled by candidates not belonging to the Scheduled Castes, Scheduled Tribes and Other Backward Classes, as the case may be.
- (ix) If some posts in a cadre are abolished and some employees are surrendered or their services are terminated as a result thereof, a Scheduled Caste or Scheduled Tribe or Other Backward Class Candidate shall not be surrendered or his services shall not be terminated if it results in lower representation of Scheduled Castes or Scheduled Tribes or Other Backward Classes as the case may be, in the cadre as compared to reservation prescribed for them.
- (x) There will be provision for punishment for making false claim to belong to a Scheduled Caste or Scheduled Tribes or Other Backward Class and for officers who knowingly issue a false certificate.
- (xi) The Government shall be empowered to make rules for carrying out the provisions of the Act, etc.

8. This Department proposes to introduce the Bill in the matter during the current Session of the Parliament. It is, therefore, requested that the comments of the Commission may be sent to this Department immediately. If no reply is received by the 13th December, 2004, it would be presumed that the Commission has no comments to offer in the matter.

THE SCHEDULED CASTES, SCHEDULED TRIBES AND OTHER
BACKWARD CLASSES (RESERVATION IN POSTS AND SERVICES)
BILL, 2004
A BILL

to provide for reservation of posts in civil service for members of the Scheduled Castes, Scheduled Tribes and Other Backward Classes in establishments and for matters connected therewith or incidental thereto.

BE it enacted by Parliament in the Fifty-fifth Year of the Republic of India as follows:-

1. (1) This Act may be called the Scheduled Castes, Scheduled Tribes and Other Backward Classes (Reservation in Posts and Services) Act, 2004.
(2) It shall apply to every establishment.
(3) It shall come into force on such date as the Central Government may, by notification in the Official Gazette, appoint.
2. In this Act, unless the context otherwise requires,-
 - (a) "appointing authority" in relation to a service or a post in an establishment means the authority empowered to make appointment to such service or post;
 - (b) "backlog of reserved vacancy" means a vacancy which was earmarked as reserved in an earlier recruitment year but remained unfilled;
 - (c) "creamy layer" means those members of Other Backward Classes who constitute the forward section from amongst such Backward Classes;
 - (d) "establishment" means-
 - (i) any office or department of the Government;
 - (ii) any public sector undertaking or statutory authority constituted under any Central Act;
 - (iii) a corporation in which not less than fifty-one per cent. of the paid-up share capital is held by the Government;
 - (iv) a university established by a Central Act and its affiliated colleges, including medical or engineering colleges;
 - (v) primary and secondary schools and other educational institutions which are owned or aided by the Government;
 - (vi) any Government company as defined in section 617 of the Companies Act, 1956 or any corporation established by or under a Central Act; and
 - (viii) any autonomous body or other institution receiving money from the Consolidated Fund of India or grant-in-aid from the Government;
 - (e) "Government" means the Government of India;

- (f) "Group A, Group B, Group C or Group D post" means a post which is classified as such by the President in exercise of the powers conferred by the proviso to article 309 of the Constitution and includes an equivalent post in other establishments;
- (g) "Other Backward Classes" means the such castes and communities notified as Other Backward Classes by the Government;
- (h) "prescribed" means prescribed by rules made under this Act;
- (i) "promotion by non-selection" means promotions made by seniority-cum-fitness;
- (j) "promotion by selection" means promotions made by merit-cum-seniority;
- (k) "recruitment year" means the calendar year for which a recruitment is made;
- (l) " reservation" means the reservation in posts and services for the Scheduled Castes, Scheduled Tribes and Other Backward Classes;
- (m) " Scheduled Castes" and "Scheduled Tribes shall have the same meanings assigned to them respectively under clause (24) and clause (25) of article 366 of the Constitution;
- (n) " scientific or technical posts" include posts for which qualifications in the natural sciences or exact sciences or applied sciences or in technology are required and the incumbents of such posts have to use that knowledge in the discharge of their duties.

3. (1) There shall be reserved such percentage of posts in civil services as may be prescribed for the members of the Scheduled Castes, Scheduled Tribes and Other Backward Classes for appointment by direct recruitment to such posts:

Provided that the members of the Other Backward Classes falling in the creamy layer shall not be treated as members of the Other Backward Classes for the purpose of this Act.

(2) There shall be reserved such percentage of posts in civil services as may be prescribed for the members of the Scheduled Castes and Scheduled Tribes for appointments by promotion to the grades of such posts where element of direct recruitment does not exceed seventy-five per cent. and where posts are filled by promotions,-

- (a) through limited departmental competitive examination in Group B, Group C and Group D posts;
- (b) by selection from Group B post to Group C or Group D posts; and
- (c) by non-selection in Group A, Group B, Group C or Group D posts.

(3) In the case of promotions by selection from one Group A post to another Group A post which carries the scale of pay, maximum of which is equal to the maximum of the scale of pay of a Director in the Central Secretariat Service or equivalent posts in other establishments, the Scheduled Caste and the Scheduled Tribe officers who are senior enough in the zone of consideration for promotion so as to be within the number of vacancies for which the select list is to be drawn up.

shall be included in the select list provided they are not found unfit to hold the post.

(4) All the vacancies reserved for the members of the Scheduled Castes, Scheduled Tribes and Other Backward Classes under sub-sections (1) and (2) shall be filled in such manner as may be prescribed.

4. Notwithstanding anything contained in section 3, there shall be no reservation where appointments are made-

- (i) for a period of less than forty-five days;
- (ii) for the work charged posts;
- (iii) for the posts higher than the lowest grade of Group A post and classified as scientific or technical, which are required for conducting research or for organizing, guiding and directing research.

Explanation. For the purposes of clause (ii), "work charged posts" mean such posts which are required for any emergency relief like flood relief work or accident restoration relief work.

5. (1) Recruitment to an unreserved vacancy shall be open to any eligible candidate including a candidate belonging to the Scheduled Castes or Scheduled Tribes or Other Backward Classes.

(2) Where an unreserved vacancy is filled by a candidate belonging to a Scheduled Caste or Scheduled Tribe or an Other Backward Class on the basis of merit, either by direct recruitment or by promotion, then such candidate shall not be adjusted against the vacancy reserved for the Scheduled Castes or Scheduled Tribes or Other Backward Classes, as the case may be:

Provided that promotions made by the method of non-selection shall not be treated as made on the basis of merit.

(6) (1) The maximum age limit fixed for direct recruitment to a service or post shall be increased by five years in the case of a candidates belonging to the Scheduled Castes and Scheduled Tribes.

(2) The maximum age limit fixed for direct recruitment to a service or post shall be increased by three years in the case of candidates belonging to the Other Backward Classes.

(3) The maximum age limit fixed for promotion to a grade, if any, shall be increased by five years in the case of candidates belonging to the Scheduled Castes and Scheduled Tribes:

Provided that the maximum age limit so fixed is not more than fifty years.

(7) The examination fee and application fee fixed for recruitment to a service or post through competitive examination or otherwise may be reduced to such extent for the members of the Scheduled Castes and Scheduled Tribes, as may be prescribed.

(8) (1) The qualification regarding experience required for direct recruitment to a post may be relaxed in the case of members of the Scheduled Castes, Scheduled Tribes and Other Backward Classes, if, at any stage of selection, sufficient number of candidates from such communities possessing the requisite experience are not likely to be available to fill the vacancies reserved for them.

(2) Any general standard of suitability for direct recruitment may be lowered in the case of members recruitment may be lowered in the case of members belonging to the Scheduled Castes, Scheduled Tribes and Other Backward Classes, if sufficient number of Candidates belonging to these communities are not available on the basis of the general standards to fill all the vacancies reserved for them:

Provided that no candidate who is found unfit to hold the post shall be appointed.

9. (1) Where a qualifying examination is held to determine the fitness of candidates for promotions by method of non-selection but sufficient number of candidates belonging to the Scheduled Caste and Scheduled Tribe with general qualifying standard are not available to fill the vacancies reserved for them, the qualifying standard may be lowered consistent with the minimum standard of fitness for appointment to the post in the case of candidates belonging to the Scheduled Castes and Scheduled Tribes.

(2) Where merit is determined by qualifying examination in promotion by selection but sufficient number of candidates belonging to the Scheduled Castes and Scheduled Tribes with general qualifying standard are not available to fill the vacancies reserved for them, the qualifying standard may be lowered consistent with the minimum standard of merit for appointment to the posts in the case of candidates belonging to the Scheduled Castes and Scheduled Tribes.

10. Total number of vacancies reserved for the members of the Scheduled Castes, and Scheduled Tribes and Other Backward Classes in a cadre in a recruitment year shall not exceed fifty per cent. Of the total number of vacancies in the cadre:

Provided that the backlog of the reserved vacancies for the Scheduled Castes and Scheduled Tribes shall not be counted while determining the aforesaid fifty per cent. Of the total number of vacancies in the cadre.

Explanation- For the purposes of this section, "cadre" means such posts in any grade of a service which are earmarked to be filled by direct recruitment, promotion by selection or promotion by non-selection, as the case may be.

11. (1) The vacancies reserved for member of the Scheduled Castes or Scheduled Tribes or Other Backward Classes in the matter of appointment by direct recruitment shall not be filled by candidates not belonging to the Scheduled Castes or Scheduled Tribes or Other Backward Classes, as the case may be.

(2) The vacancies reserved for members of the Scheduled Castes or Scheduled Tribes in the matter of appointment by promotion shall be filled only by the candidates belonging to the Scheduled Castes or Scheduled tribes, as the case may be.

12. Where posts in a cadre are to be abolished and the employees are required to be surrendered or their services are required to be terminated as a result thereof, a Scheduled Caste or Scheduled Tribe or an Other Backward Class employee shall not be surrendered or his services shall not be terminated if it results in lowering the representation of the Scheduled Castes or Scheduled Tribes or Other Backward Classes, as the case may be, in relation to percentage of reservation fixed for them.

13. (1) In every Ministry or Department of the Government, an Officer of such rank as may be prescribed, shall be designated to act as the Liaison Officer to ensure that the provision of this Act or rules made thereunder or instructions issued by the Government regarding reservation are not violated in any establishment.

(2) In offices under the control of Heads of Department, an officer of such rank as may be prescribed, shall be designated to act as Liaison Officer to ensure that the provisions of this Act or rules made thereunder or instructions issued by the Government about reservation are not violated in the office.

(3) Where any cases of negligence or lapse in relation to providing reservation for members of the Scheduled Castes or Scheduled Tribes or Other Backward Classes come to the notice of the Liaison Officer during the course of the inspection carried out by him, or otherwise, he shall submit his report to the concerned Secretary to the Government or to the Head of the Department, as the case may be, and that Secretary or Head of the Department, shall issue appropriate orders in the matter to the concerned appointing authority.

14. (1) Every appointing authority or any other officer authorised by him in this behalf shall maintain such records or documents, and furnish every year to the Government a report on the appointments made by direct recruitment and promotions, in such manner and at such time, as may be prescribed.

(2) The Government may be order authorise any officer to inspect the records or documents maintained under sub-section (1) to verify the report furnished to it in relation to appointments made by direct recruitment or by promotion.

(3) It shall be the duty of the appointing authority or of any other officer authorised by the appointing authority in this behalf to make available such records of documents to the authorized officer to inspect the records or documents and to furnish such information and render such assistance to the authorized officer to inspect as may be necessary for carrying out his functions under this Act.

15. Whoever knowingly makes a false claim that he is a member of the Scheduled Caste or Scheduled Tribe or Other Backward Class, as the case may be, and whoever knowingly issues a false certificate to this effect, shall be punished

with imprisonment for a term which may extend to three years or with fine which may extend to rupees fifty thousand, or with both.

16. The Government may, from time to time, give such directions to the establishments as it may deem fit, to give effect to the provisions of this Act, and every establishment shall be bound by such directions.

17. All memoranda issued or purported to have been issued immediately before the commencement of this Act by the Central Government in relation to reservation of posts in civil services for the Scheduled Castes, Scheduled Tribes and Other Backward Classes shall, in so far as they relate to matters for which provision is made in this Act and are not inconsistent therewith, be deemed to have been issued under this Act as if this Act had been in force on the date on which such memoranda were issued and shall continue in force unless and until they are superseded by any rule made under this Act.

18. (1) The Central Government may, by notification in the Official Gazette, make rules to carry out the provisions of this Act.

(2) In particular and without prejudice to the generality of the foregoing power, such rules may provide for all or any of the following matters, namely:-

(a) the percentage of reservation for the members of the Scheduled Castes, Scheduled Tribes and Other Backward Classes for appointment by direct recruitment to posts under sub-section (1) of section 3;

(b) the percentage of reservation for the member of the Scheduled Castes and Scheduled Tribes for appointments by promotion to the grades of posts under sub-section (2) of section 3;

(c) the manner of filling vacancies reserved for the members of the Scheduled Castes, Scheduled Tribes and Other Backward Classes under sub-section (4) of section 3;

(d) the examination fee and application fee to be paid by the members of the Scheduled Castes and Scheduled Tribes under section 7;

(e) prescribing the carry forward method for reserved vacancies;

(f) prescribing for the rank of the officer in every Ministry or Department and in the offices under the control head of Department to be designated as Liaison Officers under sub-sections (1) and (2) of section 13;

(g) the records or documents to be maintained, reports to be furnished on appointments and promotions made, the time within which and the manner in which the report be furnished by the appointing authority under sub-section (1) of section 14; and

(h) any other matter which is required to be, or may be, prescribed.

(3) Every rule made by the Central Government under this section shall be laid, as soon may be after it is made, before each House of Parliament, while it is in session, for a total period of thirty days which may be comprised in one session

or in two or more successive sessions, and if before the expiry of the session immediately following the session or the successive sessions aforesaid, both House agreed in making any modification in the notified order or rule or both Houses agree that the notified order or rule should not be made, the notified order or rule shall thereafter have effect only in such modified form or be of no effect, as the case may be; so, however, that nay such modification or annulment shall be without prejudice to the validity of anything previously done under that notified order or rule.

Copy of the letter No. 4/3/2004-SSW-V dated 13th December, 2004 from Joint Secretary National Commission for SCs to Department of Personal & Training (Shri A.N. Tewari, Secretary) North Block, New Delhi

Sub: - Legislation on Reservation for the Scheduled Castes, Scheduled Tribes, and Other Backward Classes in Civil Posts and services under the Government of India.

I am directed to refer to your letter No. 41018/1/2004-ESTT(RES) dated 7 December 2004 on the subject noted above and to say that the proposed provisions of the draft bill were considered in a joint meeting of the National Commission for Scheduled Castes and the National Commission for Scheduled Tribes held this morning in the chamber of Chairman, NCSC. Based on the observations/suggestions made during the meeting of the two Commissions, parawise comments in respect of NCSC are enclosed. Some of the important comments of NCSC are as follows:

- (i) NCSC is of the strong view that the Judiciary and Armed Forces should also be brought under the purview of reservation policy of the Government in respect of Scheduled Castes (as also of Scheduled Tribes) as per the recommendations of the erstwhile National Commission for Scheduled Castes and Scheduled Tribes as contained in para 4.75 and 4.77 of the 7th Annual Report of the erstwhile NCSCST for the year 2001-2002. Further, this Commission is also of the view that Lok Sabha Secretariat and Rajya Sabha Secretariat should also be brought under the purview of the reservation policy of the Government as in the case of Judiciary and Armed Forces. Para 1.2 of the Draft Bill has accordingly been amended.
- (ii) The interpretation of backlog vacancies should be elaborated to include the shortfall with reference to the post based rosters introduced by the Government in 1997. Para 2 (b) of the Bill has accordingly been amended.
- (iii) The definition of Public Sector Undertaking or Statutory authority constituted under any Central Act should also include such establishments which are funded jointly by the Central Government and the State Government. Para 2 (d) (ii) of the Bill has accordingly been amended.
- (iv) Para 2 (d) 9III) of the Bill provides for a corporation in which not less than 51% of the paid-up share is held by the Government. NCSC is of the view that the conditionality of 51% paid up Share capital should be dispensed with and it should be reworded as a corporation in which the paid up share capital is held by the Government irrespective of its percentage and that the word the Government should be defined to include the Central Government or the State Government or both, as the case may be where the funding is done by both the Governments. The para has been accordingly amended in our comments.

- (v) Para 2 (d) (v) has been amended to include Public Schools and other other institutions like hospitals etc., which, though not funded by the Government have received or are receiving concessions from the Government in respect of acquisition of land , buildings or others concessions in regard to recognition/affiliation in respect of running of those institutions like electricity, water, provision of public transport etc.
- (vi) Para 4 is being suggested for deletion for the following reasons:
 1. NCSC is of the view that there should be reservation in appointments for work charged posts as well as for appointments for a period of less than 45 days.
 2. The reservation policy of the Government should not only be extended (as per the existing instructions of the Government) to the lowest grade of Group A in respect of Scientific or Technical posts which are required for conducting research or for organizing or guiding and directing research, but also to the grades higher than the lowest grade of Group A in such posts.
 3. The NCSC is also of the view that the reservation policy of the Government should also be extended to the grades higher than the lowest rung/grade of Group A in non-scientific or non-technical posts too.
- (vii) The word knowingly which occurs twice in para 15 of the Bill is being suggested for deletion as NCSC is of the opinion that it will be very difficult to establish whether a false claim has been made knowingly (or otherwise) or the false claim/certificate has been issued knowingly.

2. The NCSC is also of the strong view that the proposed Act should contain provisions for penalizing public servants for non-implementation of the reservation policy of the Government. This Commission accordingly suggests the addition of the following provision in the Bill for this purpose.

“Whoever, being a public servant neglects his duties required to be performed by him under this Act, shall be punishable with imprisonment for a term which shall not be less six months but which may extend to one year and /or with fine.”

Copy of the letter No. 4/3/2004-SSW-V dated 14th December, 2004 from Joint Secretary National Commission for SCs to Department of Personal & Training (Shri A.N. Tewari, Secretary) North Block, New Delhi

Sub: - Legislation on Reservation for the Scheduled Castes, Scheduled Tribes and Other Backward Classes in Civil posts and services under the Government of India.

I am directed to invite your kind attention to the National Commission for Scheduled Castes letter of even number dated 13.12.2004 forwarding therewith comments of the Commission on the Draft Bill received from your department. It is brought to your kind notice that your department's letter dated 7th December 2004 was received late in the evening of 10th December, 2004 and 11th & 12th December were closed holidays. The Commission had very little time to consider the matter. However, keeping in view the urgency, detailed comments were forwarded to your department on 13th December 2004 itself i.e. on the last date prescribed by the DoP&T. After careful consideration of the importance that the matter deserves, the Commission further considered the matter today and the additional comments of the Commission are enclosed in the Annexure. These comments may also be incorporated before the matter is considered further by the DoP&T for introducing the Bill in Lok Sabha.

Comments of the National Commission for Scheduled Castes on the draft Bill on the subject Legislation on Reservation for the Scheduled Castes, Scheduled Tribes and Other Backward Classes in Civil posts and services under the Government of India.

- 1.1 No Comments.
- 1.2 It shall apply to every establishment including Judiciary, Lok Sabha/Rajya Sabha Secretariat and Armed Forces as per the recommendations of the National Commission for Scheduled Castes and Scheduled Tribes as contained in Para 4.75 & 4.77 of the 7th Annual Report of the National Commission for Scheduled Castes and Scheduled Tribes for the year 2001-02.
- 1.3 No Comments.
- 2
 - (a) No Comments.
 - (b) The interpretation of backlog vacancies in the draft bill should be elaborated as follows:

With reference to the vacancy based rosters, the backlog vacancies will mean those vacancies which existed in previous years and remained unfilled in subsequent years and with respect to post based rosters, the backlog will mean the shortfall in non-filling of vacancies reserved for SCs&STs.
 - (c) No comments.
 - (d) (i) No comments.

(ii) Any public sector undertaking or statutory authority constituted under any Central Act including such establishments which are jointly funded by the Central Government and the State Government.

(iii) To be added

A corporation in which the paid-up share capital is held by the Government irrespective of its percentage. The word 'Government' should be defined as 'the Central Government or the State Government or both, as the case may be, where the funding is done by both the Governments'.

(iv) No comments.

(v) To be added at the end

"including public schools and other schools, and institutions such as hospitals etc, which, though not funded by the Govt., have received/are receiving concessions from the Govt. in respect of acquisition of land, buildings or other concessions respecting recognition/affiliation in regard to running of those institutions like electricity, water, provision of public transport etc."

(vi) No comments.

(vii) No comments.

(viii) No comments.

(e) Government means Government of India including the UT Administration.

(f) No comments.

(g) No comments.

(h) No comments.

(i) No comments.

(j) No comments.

(k) No comments.

(l) No comments.

(m) No comments.

(n) No comments.

3. (1) No comments.

(2) No comments.

(3) No comments.

- (4) No comments.
4. Para 4 may be deleted for the following reasons.
- (i) NCSC is of the view that there should be reservation in appointments for work charged posts as well as for appointments for a period of less than 45 days.
 - (ii) The reservation policy of the Government should not only be extended (as per the existing instructions of the Government) to the lowest grade of Group A in respect of Scientific or Technical posts which are required for conducting research or for organizing or guiding and directing research, **but also to the grades higher than the lowest grade of Group A in such posts.**
- The NCSC is also of the view that the reservation policy of the Government should also be extended to the grades higher than the lowest rung/grade of Group A in non-scientific or non-technical posts too.
5. (1) No comments.
(2) No comments
6. (1) No comments
(2) No comments
(3) No comments
7. No comments
8. (1) No comments
(2) No comments
9. (1) No comments
(2) No comments
10. **To be added**
- Provided that the backlog/shortfall of the reserved vacancies for the Scheduled Castes and Scheduled Tribes shall not be counted while determining the aforesaid fifty percent of the total number of vacancies in the cadre.
11. (1) No comments
(2) No comments
12. No comments
13. (1) No comments
(2) No comments
(3) **To be added at the end**
- The Secretary or Head of Department will send a copy of the Action Taken Report to DoPT and the National Commission for Scheduled Castes or National Commission for Scheduled Tribes as the case may be.

14. (1) No comments
(2) No comments
(3) No comments
15. The word "**Knowingly**" to be deleted.
16. No comments
17. No comments
18. (1) No comments.
(2) (e) **To be added:** 'as also for providing for shortfall with reference to post based roster'
(3) No comments

The following penal provision is suggested for addition in the Bill for non-implementation of the provisions of this Act in respect of posts earmarked for SCs as well as STs by public servants:

"Whoever, being a public servant neglects his duties required to be performed by him under this Act, shall be punishable with imprisonment for a term which shall not be less than six months but which may extend to one year and/or with fine".

Comments already given and the additional comments of the National Commission for Scheduled Castes on the same matter.

- I. **Section 3(1)** In respect of sub-section 1 of Section 3 starting with "There shall be reserved such percentage of posts in civil services as may be prescribed for the members of the Scheduled Castes, Scheduled Tribes and Other Backward Classes for appointment by direct recruitment to such post:"

The following sub-section is substituted:

- 3 (1) There shall be reserved such percentage of posts in appointments to services and posts as may be prescribed for the members of the Scheduled Castes and Scheduled Tribes and Other Backward Classes for appointment by direct recruitment to such appointments and posts.

Provided that the members of the Other Backward Classes falling in the creamy layer shall not be treated as members of the Other Backward Classes for the purpose of this Act.

- II. In this Commission's letter of even number dated 13th December, 2004, it was suggested that the NCSC was of the strong view that the proposed Act should contain provisions for penalizing public servants for non-implementation of the reservation policy of the Government and the following provision was suggested:

"Whoever, being a public servant neglects his duties required to be performed by him under this Act, shall be punishable with imprisonment for a term which shall not be less than six months but which may extend to one year and/or with fine".

The above provision may kindly be treated to have been revised to the extent given below:

“ Any Appointing Authority or Officer or employee entrusted with responsibility covered under Section 11 of this Act above and contravening any of the provisions of this Act shall on conviction be punishable with imprisonment which may extend upto six months or fine of not less than Rs. 5000/- or both. The fine shall be payable from his/her salary.”

- III. In the Draft Bill the following additional sections may kindly be incorporated in line with the earlier Draft Bill-“The Scheduled Castes, Scheduled Tribes (Reservation of Appointments or Posts and of seats in Educational Institutions) Act, 1996” (copy enclosed) which was introduced by the then Ministry of Welfare.

New Sections/Sub-Sections to be introduced

- (i) New sub-section 1 (4) should be added- The Scheduled Castes, Scheduled Tribes and Other Backward Classes (Reservation in Posts and Services) Act, 2004, will be added in the 9th Schedule of Constitution of India after entry No. 284 as entry No. 285.
- (ii) To be added as sub-section (d) immediately after Section 2 (d)- “service” means any of the service or part or office for remuneration, for a continuous period of not less than forty five days in connection with the affairs of the establishment.
- (iii) To be added as Section 2 (v) (b)- There shall be reservation for Scheduled Castes (15%) and Scheduled Tribes (7.5%) in awarding Fellowships and/or in granting scholarships to members of these communities.
- (iv) To be added as Section 3 (5)- There shall be reserved such percentage of slots in training and assignments inside or outside the country as may be prescribed for the member of Scheduled Castes, Scheduled Tribes and Other Backward Classes for such training etc.
- (v) To be added as Section 10 (2)- An offence punishable under Section 10 shall be tried summarily by a Special Court by setting up Aarakshan Nyay Adalat or Tribunal as per the recommendation contained in para 8.10 at pages 1406-1408 of Book 3 Vol. II of Justice Venkatachalliah Commissions’ Report 2000-2001.
- (vi) To be added as Section 11 (3)- All appointments, promotions in posts made in contravention of this Act shall be ab-initio void.
- (vii) To be added as Section 13 (4)- Every establishment shall set up a Cell for enforcement of the provisions of this Act, under the direct control of a Liaison Officer who shall, in particular be responsible for:-

- (a) coordination and due and proper implementation of the provisions of this Act and rules made or any order, instructions or directions issued by the Central Government there under;
 - (b) timely submission of the report and returns to the Central Government;
 - (c) Annual inspection of records in such manner as may be prescribed;
 - (d) Performing such other incidental work as may be necessary for above purpose.
- (viii) **To be added as Section 13 (5) - Every establishment shall set up Scheduled Castes and Scheduled Tribes Grievances Redressal Cell for consideration of grievances of the Scheduled Castes and the Scheduled Tribes employees. To be specified in the 9th Schedule of the Constitution of India after entry No. 284.**
- (ix) **To be added as Section 15 (3)- No Court shall take cognizance of an offence under this Act except as provided under sub-section 15 (1) of this Act above.**
- (x) **To be added as a new Section 18- The provisions of this Act shall have effect notwithstanding anything inconsistent therewith contained in any other law, order, judgment or decree of any court, tribunal or authority for the time being in force or in any instrument having effect by virtue of any law other than this Act.**

(Existing Section 18 of the Draft Bill may be renumbered as Section 19)

Note:

This Act will be supplemented by issuing administrative instructions to cater to the needs of members of SCs, STs and OBCs in respect of the following matters which are consistent with the provisions of this Act.

1. There shall be reservation for Scheduled Castes (15%) and Scheduled Tribes (7.5%) of seats to the Hostels attached to schools, colleges, Universities, Educational and Technical Institutions.

There shall be reservation for Scheduled Castes (15%) and Scheduled Tribes (7.5%) in awarding Fellowships and/or in granting scholarship by the schools, Colleges, Universities, educational and technical institutions and University Grant Commission etc.
2. All instructions, directions and orders relating to the reservation of posts/vacancies in services (including relaxation, concessions and safeguards) and for admission in educational and technical institution for the members of the

Scheduled Castes, Scheduled Tribes and other Backward Classes immediately before the commencement of this Act and in respect of which there is no express provision in this Act, shall in so far as they are not inconsistent with the provisions of this Act, continue to be in force unless withdrawn or superseded.

3. While re-drafting the aforesaid Act a new Section 1 (4) shall be added.

THE GAZETTE OF INDIA

EXTRAORDINARY

PART-II- SECTION 1

PUBLISHED BY AUTHORITY

No. 28] NEW DELHI, MONDAY, MAY 27, 2002/ JYAISHTA 6, 1924

Separate paging is given to this Part in order that it may be filed as a separate compilation.

MINISTRY OF LAW, JUSTICE AND COMPANY AFFAIRS
(Legislative Department)

New Delhi, the 27th May, 2002/ Jyaistha 6, 1924 (Saka)

The following Act of Parliament received the assent of the President on the 24th May, 2002 and is hereby published for general information:-

THE CONSTITUTION (SCHEDULED CASTES) ORDER (AMENDMENT) ACT, 2002

No. 25 of 2002

(24th May, 2002)

An Act further to amend the Constitution (Scheduled Castes) Order,
1950

Be it enacted by Parliament in the Fifty -third Year of the Republic of India as follows:-

1. This Act may be called the Constitution (Scheduled Castes) Order (Amendment) Act, 2002
2. The Schedule to the Constitution (Scheduled Castes) Order, 1950 is hereby amended in the manner and to the extent specified hereunder, namely:-
 - (a) in Part-XIII- Orissa-
 - (i) omit entry 22;
 - (ii) omit entry 90;
 - (iii) after entry 93, insert
"94. Mangali (in Koraput and Kalahandi districts)
95. Mirgan (in Navrangpur district).";
 - (b) in Part XIV-Punjab,-
 - (i) for entry 9, substitute-

“9. Chamar, Jatia Chamar, Rehgar, Raigar Ramdasi, Ravidasi, Ramdasia, Ramdasia Sikh, Ravidasia, Ravidasia Sikh.”

(ii) after entry 37, insert

“38. Mochi”

(c) in Part XIX –West Bengal-

(i) for entry 22, substitute_

“22. Hari, Mehtar, Mehtor, Bhangi, Balmiki.”,

(ii) after entry 59, insert-

“60. Chain (in Malda, Murshidabad, Nadia and Dakshin Dinajpur districts).”

SUBASH C. JAIN
Secy. to the Govt. of India.

THE GAZETTE OF INDIA**EXTRAORDINARY****PART-II-SECTION 1****New Delhi , Tuesday, June 4, 2002/ Jyaistha 14, 1924****MINISTRY OF LAW , JUSICE AND COMPANY AFFAIRS****(Legislative Department)****New Delhi, the 4th June, 2002/Jyaistha 14, 1924 (Saka)**

The following Act of Parliament received the assent of the President on the 3rd June, 2002 and is hereby published for general information:-

**THE CONSTITUTION (SCHEDULED CASTES AND SCHEDULED TRIBES)
ORDERS (AMENDMENT) ACT, 2002**

No. 32 of 2002

(3rd June, 2002)

An Act further to amend the Constitution (Scheduled Castes) Order, 1950 and the constitution (Scheduled Tribes) Order, 1950 so as to provide for inclusion of certain Scheduled Castes and Scheduled Tribes oustees of the States of Madhya Pradesh and Maharashtra, who have been displace due to Sardar Sarovar Project on the Narmada River and are settled or may be settled in the State of Gujarat, in the lists of Scheduled Castes and Scheduled Tribes specified in relation to the State of Gujarat.

Be it enacted by Parliament in the fifty-third Year of the Republic of India as follows:-

1. This Act may be called the Constitution (Scheduled Castes and Scheduled Tribes) Order (Amendment) Act, 2002.
2. In the Schedule to the Constitution (Scheduled Castes) Order, 1950 in PART IV: Gujarat, after entry 30, the, following entries shall be inserted, namely:-
 31. Balahi, Balai
 32. Bhangi, Mehtar
 33. Chamar
 34. Chikwa, Chikvi
 35. Koli Kori
 36. Kotwal (in Bhind, Dhar, Dewas, Guna, Gwalior, Indore, Jhabua, Khargone, Mandsaur, Morena, Rajgarh, Ratlam, Shajapur, Shivpuri, Ujjain and Vidisha districts)".
3. In the Schedule to the Constitution (Scheduled Tribes) Order, 1950, in PART-IV: Gujarat, after entry 29, the following entries shall be inserted, namely:-
 30. Bhil, Bhilala, Barela, Patelia
 31. Tadvil Bhil, Bawra, Vasave
 32. Padvi"

SUBASH C. JAIN
Secretary to the Govt. of India

THE GAZETTE OF INDIA**EXTRAORDINARY****PART II-Section 1****PUBLISHED BY AUTHORITY****New Delhi , Wednesday, December 18, 2002/ AGRAHAYANA 27, 1924****Separate paging is given to this Part in order that it may be filed as a separate compilation.****MINISTRY OF LAW AND JUSTICE****(Legislative Department)****New Delhi, the 18th December, 2002/Agrahayana 27, 1924 (Saka)****The following Act of Parliament received the assent of the President on the 17th December, 2002 and is hereby published for general information:-****THE CONSTITUTION (SCHEDULED CASTES) ORDERS
(SECOND AMENDMENT) ACT, 2002****No. 61 of 2002****(17th December, 2002)**

An Act further to amend the Constitution (Scheduled Castes) Order, 1950, the Constitution (Scheduled Castes) (Union Territories) Order, 1951, the Constitution (Jammu and Kashmir) Scheduled Castes Order, 1956, the Constitution (Dadra and Nagar Haveli) Scheduled Castes Order, 1956, the And the Constitution (Pondicherry) Scheduled Castes Order, 1964.

BE it enacted by Parliament in the Fifty-third Year of the Republic of India as follows:-

- 1. This Act may be called the Constitution (Scheduled Castes) Order (Second Amendment) Act, 2002.**
- 2. (1) The Schedule to the Constitution (Scheduled Castes) Order, 1950 is hereby amended in the manner and to the extend specified in Schedule-I.**
(2) The Schedule to the Constitution (Scheduled Castes) Union Territories) Order, 1951 is hereby amended in the manner and to the extend specified in Schedule-II.
(3) The Constitution (Jammu and Kashmir) Scheduled Castes Order, 1956 is hereby amended in the manner and to the extend specified in Schedule-III.

(4) The Constitution (Dadra and Nagar Haveli) Scheduled Castes Order, 1962 is hereby amended in the manner and to the extent specified in Schedule IV.

(5) The Constitution (Pondicherry) Scheduled Castes Order, 1964 is hereby amended in the manner and to the extent specified in Schedule V.

SCHEDULE-I

(See Section 2 (1))

AMENDMENTS TO THE CONSTITUTION (SCHEDULED CASTES) ORDER, 1950

1. In Part I- Andhra Pradesh,-

- (i) for entry 9, substitute-
“9 Beda (Budga) Jangam (In the districts of Hyderabad, Ranga Reddy, MahbuBnagar, Adilabad, Nizamabad, Medak, Karimnagar, Warangal , Khammam and Nalgonda).”
- (ii) for entry 11, substitute-
“11 Byagara, Byagari”;
- (iii) for entry 14 substitute_
“14 Chamar, Mochi, Muchi , Chamar, Ravidas, Chamar-Ravidas”;
- (iv) for entry 23 substitute-
“23, Godagali, Godagula (in the districts of Srikakulam, Vizianagaram and Vishakhapatanam)”;
- (v) for entry 30, substitute-
“30 Kolupulavandlu, Pambada. pambanda. Pambala”;
- (vi) for entry 35, substitute-
35 Mala . Mala Ayawaru”;
- (vii) Omit entry 52:
- (viii) after entry 59, insert-
“60 Yatala
61. Valluvan.”;

2. In PART-II Bihar,-

- (i) for entry 6 substitute-
“6 Chamar, Mochi, Chamar-Rabidas, Chamar-Ravidas, Chamar-Rohidas, Charmarkar”;
- (ii) for entry 9, substitute-
“9 Dhobi . Rajak”;
- (iii) for entry 10, substitute-
“10 Dom, Dhangad, Bansphor, Dharikar, Dharkar, Domra.”;
- (iv) for entry 20, substitute-
“20 Pan, Sawasi, Pani”;

3. **In PART-IV Gujarat;-**
 - (i) for entry 4 ,substitute-
“4 Bhambi, Bhambhi, Asadaru, Asodi, Chamadia, Chamar, Chamar-Ravidas, Chambhar, Chamgar, Haralayya, Harali, Khalpa, Machigar, Mochigar, Madar, Madig, Mochi (in Dangs district and Umargaon Taluka of Valsad District only), Nalia, Telugu Mochi, Kamati Mochi, Ranigar, Rohidas, Rohit Samgar”,
 - (ii) for entry 5, substitute-
“5 Bhangi, Mehtar, Olgana, Rukhi, Malkana, Halalkhor, Lalbegi, Balmiki, Korar, Zadmali, Barwashia, Barwasia, Jamphoda, Zampada, Zampda, Rushi, Valmiki.”;
4. **In PART-V- Haryana-**
 - (i) for entry 9, substitute-
“9 Chamar, Jatia Chamar, Rehgar, Raigar, Ramdasi, Ravidasi, Balahi, Batoi, Bhatoi, Bhambi, Chamar-Rohidas, Jatav Jatava Mochi Ramdasia,”;
 - (ii) for entry 23 , substitute-
“23 Mazhabi, Mazhabi Sikh”;
 - (iii) for entry 25 substitute-
“25 Nat, Badi”
 - (iv) for entry 34, substitute-
“34 Sapela, Sapera”;
 - (v) for entry 36, substitute-
“36 Sikligar, Bariya”
5. **In PART VI-Himachal Pradesh, after entry 56, insert-**
“57 Barwala”
6. **In PART VII-Karnataka,-**
 - (i) for entry 17, substitute-
“17 Banjara, Lambani, Lambada, Lambadi, Lamani Sugali, Sukali”;
 - (ii) for entry 23 substitute-
“23 Bhovi Od, Odde, Vaddar, Waddar Voddar, Woddar”;
 - (iii) for entries 53 and 54, substitute-
“53 Koracha, Korachar
54 Korama, Korava, Koravar”
7. **In PART VIII-Kerala,-**
 - (i) omit entries 9 and 11;
 - (ii) for entry 12, substitute-
“12 Bharathar (other than parathar), Paravan”;

- (iii) omit entries 13, 19, 20 and 21;
- (iv) for entry 26, substitute-
"26 Kakkalan Kakkan";
- (v) for entry 28, substitute-
"28. Kanakkan, Padanna, Padannan";
- (vi) for entry 30, substitute-
"30. Kavara (other than Telugu speaking or Tamil Speaking Balija, Kavarai, Gavaara, Gavarai, Gavarai Naidu, Balija Naidu, Gajalu Balija or Valai Chetty)";
- (vii) for entry 34 substitute-
"34. Kuravan Sidhanar, Kuravar, Kurava, Sidhana";
- (viii) for entry 37, substitute-
"37. Mannan, Pathiyan, Perumannan, Vannan, Velan";
- (ix) for entry 39, substitute-
"39. Moger (other than Mogeyar)";
- (x) omit entries 44 and 49;
- (xi) for entry 50 substitute-
"50. Paraiyan, Parayan, Sambavar, Sambavan, Sambava, Paraya, Paraiya, Parayar";
- (xii) omit entries 51 to 53;
- (xiii) for entry 54, substitute-
"54 Pulayan, Cheramar, Pulaya, Pulayar, Cherama, Cheraman, Wayanad, Pulayan, Wayanadan Pulayan, Matha, Matha, Pulayan";
- (xiv) omit entry 55;
- (xv) for entry 60, substitute-
"60 Semman, Chemman, Chemmar";
- (xvi) omit entries 65 and 66;
- (xvii) for entry 68, substitute-
"68 Vettuvan, Pulaya, Vettuvan (in the areas of erstwhile Cochin State only)
69. Neian."

8. In PART IX- Madhya Pradesh-

- (i) for entry : 36, substitute-
"36 Mahar, Mehra, Mehar, Mahara";
- (ii) after entry 47, insert-
"48 Sergara."

9. In PART XIII-Orissa-

- (i) for entry 2, substitute-
“2 Amant, Amat Dandachhatra majhi”;
- (ii) for entry 10, substitute-
“10 Bauri, Buna, Bauri, Dasia Bauri”
- (iii) for entry 24, substitute-
“24 Dewar, Dhibara, Keuta, Kaibarta”;
- (iv) for entry 42, substitute-
“42 Kandra, Kandara, Kadama”;
- (v) for entry 45, substitute-
“45 Kela, Sapua, Kela Nalua, Kela, Sabakhia Kela, Matia Kela”
- (vi) for entry 56, substitute-
“56 Mala, Jhala, Malo, Zala, Malha, Jhola”;
- (vii) for entry 69, substitute-
“69 Pan, Pano, Buna Pana, Desua Pana”;
- (viii) for entry 86, substitute-
“86 Siyal, Khajuria”

10. In PART-XIV-Punjab-

- (i) for entry 5, substitute-
“5 Batwal, Barwala”
- (ii) for entry 23, substitute-
“23 Mazhabi, Mazhabi Sikh”.

11. In PART XVII- Tripura, after entry 32, insert-

- “33 Dhuli, Sabdakar, Badyakar
- “34 Natta, Nat.”

12. In PART XXI- Arunachal Pradesh, omit entries 1 to 16.

SCHEDULE-II
(See Section 2 (2))

AMENDMENT TO THE CONSTITUTION (SCHEDULED CASTES) (UNION TERRITORIES) ORDER, 1951

- 1. in PART I- Delhi** for entry 29, substitute-
“29 Nat (Rana), Badi”
- 2. In PART-II-Chandigarh** for entry 4, substitute-
“4 Batwal Barwala”
- 3. In PART III- Daman and Diu** for entry 2, substitute-
“2, Chambhar, Mochi”

SCHEDULE -III

(See section 2 (3))

AMENDMENT TO THE CONSTITUTION (JAMMU AND KASHMIR) SCHEDULED CASTES ORDER, 1956

- (i) for entry 4, substitute-
"4 Chamar or Ramdasia, Chamar-Ravidas, Chamar-Rohidas";
- (ii) for entry 5 substitute-
"5 Chura, Bhangi, Balmiki, Mehtar";
- (iii) for entry 7, substitute-
"7 Doom or Mahasha Dumna"

SCHEDULE IV

(See section 2 (4))

AMENDMENT TO THE CONSTITUTION (DADRA AND NAGAR HAVELI) SCHEDULED CASTES ORDER, 1962

For entry 4 substitute-

"4 Mahayavanshi"

SCHEDULED V

(See Section 2 (5))

AMENDMENT TO THE CONSTITUTION (PONDICHERRY) SCHEDULED CASTES ORDER, 1964.

After entry 15, insert-

"16 Puthirai Vannan."

SUBHASH C. JAIN
Secretary to the Govt. of India

CHAPTER VI

PROTECTION OF CIVIL RIGHTS AND ATROCITIES ON SCs

Introduction

As a sequel to the abolition of untouchability practices under Article 17 of the Constitution of India, the Government of India had enacted two special and socially meaningful acts viz, the PCR Act, 1955 followed twenty-five years later, by the Scheduled Castes and Scheduled Tribes (Prevention Of Atrocities) Act, 1989 and corresponding rules thereof, by way of a legislation committed to equal treatment and justice to the most deprived sections of the Indian society. The twin objectives of both these Acts were abolition of untouchability and empowerment of the members of SC/ST communities in the country to eradicate the discriminatory practices against *dalits* as a whole embedded in the age-old tradition of the caste system. As no Central Law existed on the subject in the wake of the Constitutional provision under Article 17 abolishing Untouchability, a Law had to be enacted by the Parliament as required by sub-clause (ii) of clause (a) of Article 35 of the Constitution.

6.2 The Parliament passed the **Untouchability (Offences) Act, 1955**, which, again was an improved version of the **Untouchability Order, 1950**, in order to give effect to the declaration made in Article 17 of the Constitution and it came into force on 01.6.1955. The statement of Objects and Reasons appended to the Bill mentions, among others, that: *"Under Article 17 of the Constitution, untouchability is abolished and its practice in any form is forbidden. The enforcement of any disability arising out of untouchability shall be an offence punishable in accordance with the Law."*

6.3 Although the Untouchability (Offences) Act, 1955 has brought tremendous effect on the process of eradication of the evil of untouchability, it was felt in course of its implementation that there was still enough scope and need to amend it for further broadbasing. In 1965, the Govt. of India appointed a Committee under the Chairmanship of Shri L. Elayaperumal on untouchability, economic and educational development of the Scheduled Castes. The Committee submitted its report in 1969, and after examining the recommendations made by the Committee, Govt. of India introduced a Bill known as the *Untouchability (Offences) and Amendment and Miscellaneous Provisions Bill, 1972* in Lok Sabha in April, 1972. The Parliament amended the Act of 1955 in November, 1976, renaming it as the **Protection of Civil Rights Act, 1955** which came into force from 19.11.1976. In this Act the term *Civil Rights* has been defined as **any right accruing to a person by reason of abolition of "Untouchability" by Article 17 of the Constitution**. Offences under the Act was made non-compoundable and summary trials prescribed in every such offence, except where it is punishable with imprisonment for a minimum term exceeding three months. Punishment in a number of offences was also considerably enhanced.

6.4 The PCR Act, 1955 seeks to demolish the age-old, biased social attitude towards lower castes treating them as untouchables who remained at the receiving end of the lowest rung of the caste ladder. Apart from the declaration of the Constitution of India that untouchability is abolished and its practice in any form is

prohibited, the PCR Act, 1955 was enacted to enforce that any disability arising out of untouchability shall be an offence punishable in accordance with the law. The PCR Act, was broad based to make it an expressed charter of civil rights for all citizens although it was not focused exclusively on the SCs and STs and not restricted to the Hindu way of a caste-divided life. As it was difficult to define untouchability, the enactment made express provisions with respect to the more common forms of untouchability, which are practiced in India. The Protection of Civil Rights Act, 1955 provides for exemplary punishment for practices of untouchability, in various forms that was eradicated under Article 17 of the Constitution. As a social legislation, PCR Act, 1955 partially succeed in creating social awareness and in the eradication of socio-economic and religious disabilities imposed through various form of practices of untouchability in a traditional society.

6.5 Section 15-A of the PCR Act, 1955 imposes the statutory duty of the State Govts. to ensure that the rights accruing from the abolition of untouchability are implemented for the benefit of the discriminated/weaker sections of the society who are further subjected to social, economic and political discrimination by branding them as untouchables. Under the PCR Rules, 1976 States are also under obligation to set up special courts for trials, appointment of officers for due supervisions over prosecutions of cases, set up district level committees and periodic assessment of the working of the Act and identification of areas where persons are suffering under various disabilities due to the practice of untouchability.

6.6 However, the fact remains that the PCR Act, 1955 in particular could not live up to the expectation despite listing of various untouchability practices constituting crime under the law of the land. There were legal loopholes, the levels of punishments were less punitive as compared to those of the IPC and the law and order machinery were neither professionally trained nor socially inclined to implement the spirit of such social piece of legislation. These were the major reasons why the need for a more comprehensive and more punitive Act was required to be enacted to protect the members of SCs /STs from atrocities and prevent atrocity on them through the SCs & STs (POA) Act, 1989. The basic objective and purpose of this more comprehensive and more punitive piece of legislation stand explained in the statement of object when the bill for the SCs & STs (POA) Act was introduced in the Lok Sabha which is quoted below:

"Despite various measures to improve the socio-economic conditions of the SCs & STs, they remain vulnerable. They are denied number of Civil Rights. They are subjected to various offences, indignities, humiliations and harassment. They have, in several brutal incidents, been deprived of their life and property. Serious crimes are committed against them for various historical, social and economic reasons. Because of the awareness created amongst the Scheduled Castes and the Scheduled Tribes through spread of education, etc. When they assert their rights and resist practices of untouchability against them or

demand statutory minimum wages or refuse to do any bonded and forced labour, the vested interests try to cow them down and terrorise them. When the Scheduled Castes and the Scheduled Tribes try to preserve their self-respect or honour of their women, they become irritants for the dominant and the mighty. Occupation and cultivation of even the government allotted land by the SCs and the STs is resented and often these people become victims of attacks by the vested interests. Of late, there has been an increase in the disturbing trend of Commission of certain atrocities like making the Scheduled Caste persons eat inedible substances like human excreta and attacks on and mass killings of helpless Scheduled Castes and Scheduled Tribes and rape of women belonging to the Scheduled Castes and Scheduled Tribes. Under the circumstances, the existing laws like the Protection of Civil Rights Act, 1955 and the normal provisions of the Indian Penal Code have been found to be inadequate to check and deter crimes against them committed by non-Scheduled Castes and non-Scheduled Tribes.

The terms 'atrocities' has not been defined so far. It is considered necessary that not only the term 'atrocities' should be defined but also stringent measures should be introduced to provide for higher punishment for committing such atrocities. It is also proposed to enjoin on the States and Union Territories to take specific preventive and punitive measures to protect the Scheduled Castes and the Scheduled Tribes from being victimized and where atrocities are committed, to provide adequate relief and assistance to rehabilitate them."

6.7 The SCs & STs (POA) Act, 1989 defines atrocities as an offence punishable under Section 3(1) and (2) of the Act and lists 22 offences relating to various patterns of behaviours inflicting criminal offences for shattering the self-respect and esteem of the persons belonging to SCs & STs, denial of economic, democratic and social rights, discrimination, exploitation and abuse of the legal process etc. The Act, therefore, imposes exemplary punishment at a scale much more than those under the IPC for atrocities on SCs and STs, except for the offence of rape where the level of punishments under the IPC are more than those contained in the POA act. Apart from penal measures, the act also endeavors to ensure prevention of atrocities and seeks to provide legally justiciable rights to the victims of atrocities by way of a well scheduled scale of graded financial assistance to the victims of atrocities and provisions of relief and rehabilitation under Rule 12(4) of the SCs & STs (POA) Rules, 1995, apart from various steps like provision of legal aid to the victims, transfer and maintenance allowance during investigation and trial, identification of atrocity prone areas, etc.

6.8 *The basic conditions for taking cognizance under the Act is that the offender/accused should not be a member of SC & ST and that the victim should be a member of SC and ST and the offence so committed should be made with prior knowledge of the caste background of the victim.* While all the offences under section 3(1) and 3(2) of the POA Act are covered under IPC, these offences have been made **non-bailable, cognizable and non compoundable** under the SCs & STs (POA) Act, 1989. Under the SCs & STs (POA) Rules 1995, these offences are required to be tried by special courts in the State designated specifically for the purpose and investigation is to be carried within 30 days out by an officer not below the rank of Dy.SP so as to ensure that more than routine attention is paid by the investigation authorities while carrying out their duties under this socially meaningful piece of legislation. The social objective of both Acts were sought to be achieved through the precautionary and preventive measures, rehabilitative measures, punitive measures enacted for the purpose.

6.9 There are conflicting views about the impacts of these two Acts on the overall crime scenario of the country. At the level of ideology, caste as a system has considerably weakened and perhaps has assumed newer forms or appeared as new *avatar* particularly in the wake of implementation of the Mandal Commission's Report in the nineties. But still it cannot be denied that older forms and practices of untouchability have waned if not assumed newer/ more subtle forms but atrocities committed on SCs & STs by local dominant groups of castes/people, have, contrary to the expectations, increased in absolute number. The reason behind this apparent reality lies in the tensions within the social, economic and political fabric of the Indian society but nonetheless, it still can be construed as a sad commentary on the very nature of the civil society of the world's largest democracy.

Fact sheet

6.10 For the purpose of analysis of NCRB particularly 1989 onwards (data on POA Act has been published by the NCRB from 1995 onwards) has been relied upon in the backdrop of over- all scenario. Going by the available statistics the magnitude of crime registered under the PCR Act has been found to be speedily decreasing particularly after 1996 when the SCs & STs (POA) Act came into effect. After the SCs & STs (POA) Act, 1989 came into force with effect from 30-1-1990; the cases of atrocity on SCs & STs are being increasingly booked under the SCs & STs (POA) Act, 1989 and less and less under the PCR Act.

6.11 As will be evident from Table 1, during 2002 a total number of 633 cases only were registered under the PCR Act as against 13.11 thousand under (POA) Act, 1989. The rate of crime in relation to population, both under IPC and atrocity cases have declined over a period of time, more than 2/3rd of total crime on SCs & STs are still being reported from four major States of Madhya Pradesh, Uttar Pradesh, Bihar and Rajasthan. Incidentally these are also the States where violent crimes are more.

Table 1
Crime against SCs/STs

(Unit: 000)

Year	Total cognizable crimes under IPC	Crime against		Total
		SC	ST	
1991	1678	18.3	4.2	22.5
1992	1689	24.9	4.3	29.2
1993	1630	24.9	3.7	28.6
1994	1635	33.9	5.0	38.9
1995	1696	33.0	5.5	38.5
1996	1709	31.4	5.0	36.4
1997	1720	27.9	4.7	32.6
1998	1779	25.6	4.3	29.9
1999	1764	25.1	4.4	29.5
2000	1771	25.5	4.1	29.6
2001	1769	33.5	6.2	39.7
2002	1783	33.5	6.8	40.3

Source: NCRB, New Delhi, *Crime in India*,

6.12 It is an observed fact that atrocities on SCs & STs booked under the PCR Act had monotonically increased till the 1960 and reached in peak in 1970 (1979) and thereafter it had started declining sharply in 1996 onwards particularly after the enactment of SCs & STs (POA) Act, 1989. Compared to this crime registered under SCs & STs (POA) Act, 1989 has monotonically increase since 1995. Thus, while total cognizable crime under IPC has marginally increased from 16.78 lacs to 17.71 lacs between the periods from 1991-2000, despite increase in population, crime against SCs & STs increased from 22.5 thousand in 1991 to 36.4 thousand in 1996 to the present level 30.00 thousand in 2000.

6.13 Statewise distribution of crime on members of SCs and STs shows (ANNEXURE 6.I) that the magnitude of crime registered under PCR in five States of Andhra Pradesh, Karnataka, Bihar, Maharashtra and Tamil Nadu are relatively higher than other States where reports of civil rights denial occur. Generally it has been found from the NCRB data that States that have high rate of crime reported under IPC and State Local Law (SLL) are also generally the States with high rate of crime on SCs & STs depending on the concentration of population of respective communities except West Bengal. While NCRB data shows that Madhya Pradesh, recorded highest number of IPC crimes in general between periods from 1996-2000 followed by Maharashtra, Rajasthan and Uttar Pradesh which have an incident of crime ranging from 1.5 to 2.0 lacs, it was further followed by States like Andhra Pradesh, Bihar, Gujarat and Tamil Nadu recording incidence of IPC crime in the range of 1.0 – 1.5 lacs. Ironically these are also the States where atrocities on SCs & STs are highest compared to their counterparts. The only difference being that in some southern States like Andhra Pradesh, Karnataka, Tamil Nadu and Maharashtra relatively more cases registered under PCR Act compared to the other States of the country. Northern States of Uttar Pradesh, Madhya Pradesh and Bihar are generally the States where serious/violent crimes against the SCs & STs are relatively higher.

6.14 An analysis of the crimes committed against the members of SCs/STs since 1997 to 2002 (Table 2) reveals, that in year 2002, crimes against SCs has gone up (33507). As regards specific nature of crimes committed on the members of SCs Table 2 reveals that the heinous cases like murder, rape, arson, has gone down in case of SCs. Statewise/ UTs review of the serious crimes committed against the members of SCs in the year 2002 (ANNEXURE 6.II) reflects highest no. of murder cases in the State of UP (371) followed by Madhya Pradesh (79), Andhra Pradesh (60), Rajasthan (44) & Gujarat (34) whereas highest rape cases has been reported from State of MP (412) followed with UP (305) Rajasthan (123), Andhra Pradesh (98) Maharashtra (64) Chhatisgarh (64) & Kerala (48) . As regards total crimes against SCs, the State of UP (7927) ranks first followed by MP (7217) Rajasthan (4535), Andhra Pradesh(3385), Tamilnadu (2097) Karnataka (1787) Bihar (1579) Gujarat (1370) & Orissa (1195). ANNEXURE 6.II reveals that maximum no. of heinous cases of crime have been reported in the year 2002 by the State of MP (2504) followed by Rajasthan (930) Andhra Pradesh (525) Chhatisgarh (508) Orissa (480) Nagaland (371) Gujarat (340) Maharashtra (271). Maximum number of murder and rape cases are also reported from MP.

Table-2
Nature of Crime on SCs

Year	Murder	Grievous Hurt	Rape	Arson	Other offences	Total	Three yearly average
1997	513	3860	1037	389	22145	27944	-
1998	516	3809	923	346	20044	25638	-
1999	506	3241	1000	337	20,009	25093	26225
2000	486	398	1034	260	18664	23742	24824
2001	763	4547	1316	354	12201	33501	24784
2002	739	4491	1331	322	14383	33507	21826

Source: NCRB, New Delhi, Crime in India

6.15 The State wise numbers of atrocity cases in respect of SCs are given at ANNEXURE 6.III from 1998-2002. The status of dealing with the cases of atrocity by the Police may be seen at the table given in the ANNEXURE 6.V. It appears that substantive number of cases, 29190, have been investigated by the police under the POA Act but only a small proportion of them ended in charge sheet. However in the State of AP(848) Bihar (1000), Rajasthan (3117) & UP (1471) the Police has also submitted significant number of cases as final report which needs in depth study by the concerned States and subsequently feed back to the investigation officer. The disposal of cases under the PCR by the police has

also marginally declined during 2002 as compared to the previous year (ANNEXURE 6.VI).

Table – 3

Cases pending in various courts of law

CRIME HEADS	FOR TRIAL	WITH- DRAWN	TRIAL COMPL	CONVICT- ED	DISCHARG ED	PENDING
1995 TOTAL COG. IPC CRIMES	5042744	158357	763944	321609	442335	410443
1995 PCR ACT	12773	217	2734	971	1763	9822
1995 SC/ST (p) OF ATROCITIES ACT	32777	523	4093	1604	2489	28161
1996 TOTAL COG. IPC CRIMES	5297662	201156	843588	318965	524623	4252918
1996 PCR ACT	11296	144	2503	599	1904	8649
1996 SC/ST (p) OF ATROCITIES ACT	39869	380	5440	2075	3365	34049
1997 TOTAL COG. IPC CRIMES	5461004	185432	879928	336421	543507	4395644
1997 PCR ACT	9947	90	2488	677	1811	7369
1997 SC/ST (P) OF ATROCITIES ACT	45591	779	7513	2361	5152	37299
1998 TOTOAL COG IPC CRIMES	5661172	179275	898968	336151	562817	4582929
1998 PCR ACT	8337	88	1933	436	1497	6316
1998 SC/ST (P) OF ATROCITIES ACT	47493	601	7465	2407	5058	39427
1999 TOTAL COG. IPC CRIMES	5890744	184799	930729	369005	561724	4775216
1999 PCR ACT	7053	23	1706	447	1259	5324
1999 SC/ST (p) OF ATROCITIES ACT	49703	642	8098	2320	5778	40963
2000 TOTAL COG. IPC CRIMES	6023134	168243	933181	390223	542958	4921710
2000 PCR ACT	5983	75	1101	277	824	4807
2000 SC/ST (P) OF ATROCITIES ACT	50908	474	7390	2387	5003	43044
2001 TOTAL COG IPC CRIME	6221034	171278	931892	380504	551388	5117864
2001 PCR ACT	5094	41	1041	255	786	4012
2001 SC/ST (P) OF ATROCITIES ACT	52314	397	8315	2716	5599	43602

6.16 The status of disposal of atrocity cases by the Court may be seen at Table No. 3 taking together as country as a whole the acquittal is quite high which is matter of anxiety. However, the conviction is quite low in the State of AP, Chhatisgarh, Gujarat, Haryana, Jharkhand, Maharashtra, MP, Orissa, Rajasthan, TN, Uttaranchal & Uttar Pradesh. This trend is alarming in a State like Delhi, where all the four cases decided by the Court ended in acquittal. All the States needs to review to find out the factors for low conviction and find that the factors responsible for high acquittal of cases. (ANNEXURE-6.V to 6.IX).

Main reasons of acquittal:

- i. Compromise between complainant and accused. Contradictory statements were given.
- ii. Complainant and witnesses got hostile.
- iii. Due to in sufficient evidences, charges against the accused not confirmed.

- iv. Due to non-availability of eyewitnesses and appropriate evidence against accused.
- v. Benefit of doubt given by the Courts
- vi. Discrepancies in evidence
- vii. Economic dependence of the victims
- viii. Delay in court proceedings
- ix. Delay in framing charge sheet.

6.17 The Statewise/UTs status of cases dealt by Police under PCR Act, 1955 is given in the (ANNEXURE-6.VI). The maximum number of cases were registered under PCR Act, 1955 in the State of AP(469) and followed by Maharashtra (55) Pondicherry (25) and Madhya Pradesh (14) and Orissa (11).

6.18 As will be evident from the table on state-wise atrocity on SCs and STs these four States mentioned above are the States, which have remained at the top of the country's crime map. The top position of crime in terms of atrocities on members of SCs & STs are either being claimed by Madhya Pradesh or Uttar Pradesh followed by Bihar and Rajasthan. Over a period of time, these States have accounted for most of the serious crime against SCs & STs indicating, inter alia, that the enhanced levels of prescribed punishment under the SCs & STs (POA) Act, 1989 could not act as a deterrent socially, economically or politically for eliminating atrocities on the dalits or the weaker sections of the society.

6.19 As will be evident from the Table 3, a large number of cases have been accumulating as pending cases in various courts of law all over the country and the total pending cases under SCs & STs (POA) Act, 1989 has increased to a level of 43.6 thousand in 2001 compared to 28.2 thousand in 1995. Number of pending cases, however, under the PCR Act, 1955 has come down from 9.8 thousand in 1995 to 4.0 thousand in 2001. As against this, the level of conviction under both the Acts have been found to be very much lower than those cases booked under IPC as a result of which the level of acquittal have been found to be higher under the POA/PCR Acts. This reflects the unsatisfactory condition of delivery of justice to the victims of atrocity under the existing conditions of bureaucracy in courts, legal loopholes, lack of support to the victims, lack of commitment of the law and order machinery and their indulgence and connivance with the accused.

6.20 Similarly, in terms of total cognizable crimes committed on SC during the year 2003-2004, it has been seen Madhya Pradesh ranked top with 11.6% of total offence committed followed by Rajasthan with 7.8% of offence and Uttar Pradesh ranked third with 4.6% of crimes committed on Scheduled Castes of the State. Analyzing the nature of crime committed upon on Scheduled Castes, it has been observed that maximum/number of rape incidences have occurred in Uttar Pradesh with 50.2% to all-India rape incidences alone distantly followed by Madhya Pradesh with 10.7% and Andhra Pradesh with 8.1%. It, however, been observed that the incidence of rape or other heinous crimes is minimum or negligible in the states like West Bengal and North-Eastern States.

6.21 It has been observed that the practice of untouchability is particularly rampant in the Southern States like Andhra Pradesh occupying the first position

with 45.1% as per all-India list on practice of untouchability followed by Karnataka – fourth position with 9.9% and Tamil Nadu occupying fifth position with 7.8% of all-India crime. Uttar Pradesh though, occupied the second position but it distantly followed the Andhra Pradesh with meager 12% and Chhattisgarh with 11.1% as far as NCRB data pertaining to the year 2002 is concerned. Comparing the data available for the year 2003, it has been found that Tamil Nadu topped the list with 198 incidences of untouchability cases followed by Andhra Pradesh with 165 cases and Bihar with 82 cases. Amongst the UTs, it has been found that rate of untouchability incidences is very high in Pondicherry with 16 incidences in 2003.

6.22 As regards cases pending for investigation revealed that in 2002, the maximum number of cases pending is in the State of Uttar Pradesh with 9615 cases followed by Madhya Pradesh with 7408 cases and Andhra Pradesh with 4660 cases and the cases, understandably, increasing day by day. It is, therefore, imperative to initiate some urgent measures to decrease the pendency which otherwise, is ever increasing.

6.23 From the chart of conviction and acquittal, it has been observed that the rate of acquittal is very high. The same can be observed in following table.

Disposal of cases for Crimes against SCs by Courts during 2002

S N	Crime Head	Total No. of cases for trial incl. pending cases	Cases withdrawn by the govt.	No. cases in which trials completed				Pending cases
				Compounded or withdrawn	Convicted	Acquitted or discharged	total	
1	2	3	4	5	6	7	8	9
1	Murder	2964	4	5	236	287	523	2436
2	Rape	4052	0	16	259	595	854	3182
3	Kidnapping & Abduction	1213	0	6	75	147	222	985
4	Arson	1099	0	5	71	139	210	884
5	Hurt	15200	1	263	790	1971	2761	12176
6	PCR Act	4289	0	12	151	615	766	3511
7	SC/ST (PCR) Act	46476	3	471	2217	5050	7267	38738
8	Other Crimes against SC	38679	1	641	2716	4985	7701	30337
	Total	1,13,972	9	1419	6515	13,789	20,304	92,249

Compensation to Victim:

6.24 The principle of compensating victims of atrocious crime has been recognized in SCs/STs (POA) Rules, 1995 more so as a token of relief rather than part of a punishment or substantial remedy. The idea of providing compensation primarily been, to support the financially so as he/she can cope-up with the situation even when a earning member of a family lost or incapacitated or otherwise. The SCs/STs (POA) Rules, 1995 has vividly defined section-wise compensation amount and share of stipulated amount to the victim should get before or after the judgement is delivered by the Competent Court of Law. While various sections under POA Act provides the specific amount to the victim should get from the State Govt. and it also makes ways about the mode through which the

payment shall be disbursed. The compensatory amount, however, to be paid directly to the victim of atrocity or his/her immediate relative by cash/cheque through the Social Welfare Department of the respective States. Here it is important to mention that in cases of atrocity compensation is paid through a matching grant maintained by the State Welfare Department and where the Central govt. share is 50% of the total shared of budget amount.

6.25 Unfortunately, the our adversarial criminal justice system, have rather shown apathy towards a victim oriented justice. The Mallimath Committee Report is critical about the same.

“ Historically speaking, Criminal Justice System seems to exist to protect the power, the privilege and the values of the elite sections in society. The way crimes are defined and the system is administered demonstrate that there is an element of truth in the above perception even in modern times. However, over the years the dominant function of criminal justice is projected to be protecting all citizens from harm to either their person or property, the assumption being that it is the primary duty of a State under rule of law. The State does this by depriving individuals of the power to take law into their own hands and using its power to satisfy the sense of revenge through appropriate sanctions. The State (and society), it was argued, is itself the victim when a citizen commits a crime and thereby questions its norms and authority. In the process of this transformation of torts to crimes, the focus of attention of the system shifted from the real victim who suffered the injury (as a result of the failure of the State) to the offender and how he is dealt with by the State. Criminal justice came to comprehend all about crime, the criminal, the way he is dealt with, the process of proving his guilt and the ultimate punishment given to him. The civil law was supposed to take care of the monetary and other losses suffered by the victim. Victims were marginalized and the State stood forth as the victim to prosecute and punishment the accused.

What happens to the right of the victim to get justice to the harm suffered? Well, he can be satisfied if the State successfully gets the criminal punished to death, a prison sentence or fine. How does he get justice if the State does not succeed in so doing? Can he ask the State to compensate him for the injury? In principle, that should be the logical consequence in such situation; but the State which makes the law absolves itself of such liability. Not only the victim's right to compensation was ignored except at token provision under the Criminal Procedure Code but also the right to participate as the dominant stakeholder in criminal proceedings was taken away from him. He has no right to lead evidence, he cannot challenge the evidence through cross-examination of witnesses nor can he advance arguments to influence decision making.”

Atrocity on women

6.26 Section 3 (1) (X), (XI) and (XII) of the SCs & STs (POA) Act, 1989 specifically deals with the atrocity on women belonging to SCs & STs. Both of these provisions do not include the specific provisions of rape as in the case of IPC. As a result, specific complaints of rape cases are generally booked under the provisions of IPC and not under the SCs & STs (POA) Act, which provides for *outraging the modesty of women*, an omnibus clause that also include incidence of rape. Technically, it is very difficult to prove rape under SCs & STs (POA) Act. It is very difficult to establish the motive of the crime as the incident/attempt *ipso facto* may not tantamount to purposive humiliation of the weaker sex on account of *caste factor*. But the fact remains that rape/incidents of assault on the women folk of SCs & STs are caused by double dis-advantaged; that they are economically less empowered, and as weak compared to their male folk even within the community and secondly they are relatively weak when compared to the society as a whole. Perhaps this is one of the reasons why SCs & STs women in Madhya Pradesh or in Rajasthan and Uttar Pradesh are subjected to atrocities more than their counterparts in other States.

Role of APCR Wing during the year 2003-2004 and 2004-2005

6.27 The APCR Wing of the Commission continued their endeavor for prevention and protection of atrocities on SCs & STs through the various policy measures, awareness programmes and intervention mechanism. In a large number of cases, intervention by the Commission particularly law and order machinery in the States have yielded positive results for ensuring justice to the victims. Due to successful intervention, the families of the victims could be given necessary rehabilitation and relief as per provisions of Rule 12(4) of the SCs & STs (POA) Rules 1995 from the revenue authorities in the States. The Commission also continued to take up implementation of various policy measures relating to procedures of investigation, distribution of relief, registration of cases under appropriate sections by the law and order/revenue authorities to ensure justice to the victims and their families. Some of the cases where the Commission initiated to ensure justice and relief to the victims and their families during the 2003-2004 are reported below:

1. A Scheduled caste girl of Khan Kheri village, District- Shimla , HP was allegedly raped, a case was registered u/s 376/506 of IPC at P.S. Baluganj, District Shimla but appropriate provisions of the SCs / STs (POA) Act, 1989 was not incorporated. After the Commission took up the matter with the Supdt. of Police, Section 3 (1) (xii) of SCs / STs (POA) Act, 1989 was incorporated in the case. The victim was also paid an amount of Rs.25,000/- as a part of relief as per SCs/STs (POA) Rules 1995.
2. On the basis of a Press news published in Amar Ujala dated 5-6-2002 wherein it was reported that a SC woman was gang raped by persons belonging to six non-SCs on 4-6-2002 in village Tashi Jong, District Kangra , HP. The commission took up the matter immediately with the concerned SP. Consequent upon, the case was registered u/s 452, 376 (a) and 323 of IPC and section 3 of SCs/STs (POA) Act 1989 and all the six culprits were arrested. The victim was also paid Rs.25,000 as a partial relief under the SCs / STs (POA) Rules, 1995.

3. It was brought to the notice of the Commission that a SC person of village Allapali, District Ananthpur Andhra Pradesh was paraded naked by some non-SC members of the village as he married to a non-SC girl. Due to in the intervention of the Commission, the case was registered under the relevant sections of SCs/STs (POA) Act, 1989 against the culprits and an amount of Rs.25,000/- was also paid to the victim as a partial relief under the SCs / STs (POA) Rules, 1995.
4. Taking cognizance of a News Paper report that a dalit person was burnt alive at Shabad, District Rangareddy, AP, the Commission had the case enquired into and the same was been taken up with the District Administration for immediate action. Due to intervention of the Commission, a case was registered under SC / ST (POA) Act, 1989 and the victim was paid all the medical expenses for his treatment and relief as per Rules.
5. An NGO, SAKSHI had represented that one SC lady of D K Palem village, District Chittoor, AP was allegedly murdered and the police had not taken any action in the case. The matter was taken up with the District Authorities. The Collector & District Magistrate had sanctioned Rs.1.5 Lakhs as a relief to the victim's family and the Police had registered and involved sections of SCs/STs (POA) Act 1989. The case is pending for trial.
6. It is represented to the Commission that in a murder case of a SC person of village Mitiyar, Taluk Kodihas, District Bhavnagar, Gujarat was registered under IPC Acts and also under SCs/STs (POA) Acts as per Rules. The case though had been registered under (POA) Act but the monetary relief was not paid to the victims family. On the intervention of the Commission, the District Authorities paid an amount of Rs.1.50 lakhs to the family of the deceased and Rs.6,000 was also paid for purchase of house hold materials.
7. It was brought to the notice of the Commission that monetary relief was not paid to the victims family in the murder case of one sc person of Rajkot . Due to the Commission's intervention , the District Authorities now reported to have paid Rs. 1.50 lakhs to the family of the deceased and an amount of Rs. 1000/- under the family pension scheme.
8. On the day of Holi Milan on 31-3-2003 a SC person was shot dead by a non SC person but the FIR was registered only under the IPC sections at Muthiganj Police Station, Allahabad. Due to the intervention of the Commission, the case was re-investigated and lodged under section 3 (2) (V) of SCs/STs (POA) Act 1989 apart from imposition of appropriate section of IPC. The accused was arrested and remanded to Police custody. Monetary relief was also paid to the family of the deceased under the Rules.
9. Complaints were received from a Chaukidar (SC) working in the Police Station Saraj Aakil of District Kaushambi , UP against the SHO and a constable for harassing and implicating him in false cases. On persuasion by the Commission the SP Kaushambi reported that the SHO and a

constable of PS Sarai Aakil were found guilty of harassing the Chaukidar. The Police personnel were awarded adverse remarks on their ACRs .

10. Labourer working at Lucknow Brick Fields in the District Bagpat UP approached the Commission demanding payment at the prescribed rates (of Rs. 131 per thousand brick). Due to their demand for the prescribed rates, they were harassed and beaten by the Brick field owners. Subsequently, when the Commission intervened, the District Magistrate, Bagpat informed that the SC brick labourers are being paid the prescribed rates on persuasion by the District authorities.
11. One SC woman was harassed by employees of Bhubaneswar Municipal Corporation in connection with non payment of Old age pension of her father. Due to intervention by the Commission the old age pension was paid and the corporation authorities issued suitable warning to the erring officials.
12. Land of a SC person of village Kaush District, Jagatsinghpur was encroached by some non-SC persons . The land which was located in a market place adjacent to the main road had been used by some non-SC persons for the purpose of use for residence and business. They even threatened and abused the complainant using caste name. The matter was taken up by the complainants with district authorities, but no action was taken by them to restore the land and action against the illegal occupants . Due to the prolonged efforts and on the spot enquiry made by the Commission's officials, the un - authorised occupants were evicted and the complainant received his land back after a lapse of 15 long years . A case has been registered against the accused persons under relevant sections of SCs/STs (POA) Act, 1989.
13. One Subedar at Jharkhand (Ranchi) Arms Police Training Centre, Hazaribagh belonging to SC community was beaten up by one inspector of Police in the centre on 15-4-2002 in which he received a serious injury on the right eye and he was admitted in the Hospital. On intervention/ by the Commission, the Supdt. of Police, Hazaribagh ordered for an enquiry by the SDPO Dorli and the case was registered under relevant sections of IPC and the SCs/STs (POA) Act 1989 . The inspector of Police was suspended and a show cause notice was issued to him and the case is under trial in Hazaribagh District Special Courts.
14. One SC person of Shivdhi Village Hazaribagh was harassed on false charges of theft and was brutally beaten up on 2-4-2002 and he died in the hospital. The matter was taken with S.P. The allegations were found false and a case was registered in Badhagaon P.S. under section 304 against the culprits, due to the Commission's efforts.
15. It was represented to the Commission that some SC families were assaulted in Boothakulam village, Kollan District of Kerala. The matter was taken up with the SP Kollam for immediate action against the culprits. The police registered two cases and the accused were arrested in connection with the assault cases.
16. One SC woman of village Kuttipuram Jalappamam District Kerala was being harassed by a non SC person. The case was taken up with the SP

Malapuram due to which a case was registered at Kuttipuram Police station. The accused person had been arrested and the case is under trial.

17. A case of rape of a SC woman in Anusuchit Jati Kanya Ashram Gwalior, MP was brought to the notice of the Commission. Due to immediate intervention of the Commission a case was registered by Police and challan in the case was put up before the Court of Law. The victim was paid Rs. 25,000 as relief as per Rules. The Hostel Superintendent was suspended and a departmental enquiry had been initiated against her.
18. A SC family member of village Nimbhora, District Aurangabad were beaten up by 15 persons and his house was set on fire in which one SC person was killed. Due to intervention of Commission, the culprits were booked under SCs/STs (POA) Act, 1989 and all the 15 culprits were arrested.
19. On the press news in 'The Hindu/Indian Express' appeared on 15-9-2002, it was reported that a SC agricultural labourer was assaulted and abused by a group of non- SC persons under Ammayanaickanur P.S., Madurai District. Later the culprits allegedly urinated in the mouth of the victim. An on the spot enquiry was conducted by the Commission and it was revealed that one Police constable who was also involved in the incident was not arrested by Police. But due to efforts of the Commission, his name included in the case and was placed under suspension. The victim was paid relief as per rules.
20. According to a news item appeared in the Hindu dated 4-6-2002, it was that a Dalit was branded and beaten up and made to eat human excreta in the Thinniyam village, Trichy District in Tamil Nadu. An on the spot enquiry was conducted by the Commission and the case was registered under SCs/STs (POA) Act, 1989. Relief and rehabilitative measures were provided to the victims family and other SC members of the village. Monetary relief was also paid to the victim as per rules.
21. On the basis of the press report published on 28-8-2002 in Dainik Navjyoti News paper with a captioned that "A SC widow set on fire and beaten at village- Dola, P.S. Dunel, District Jhalawad, Rajasthan". On intervention of the Commission with the Collector & SP of District Jhalawad a FIR 158/02 U/S 147, 323, 436 IPC and Under Section 3 of SCs/STs (POA) Act 1989 was registered and accused were arrested. The charge-sheet was filed in the court on 30-9-2002. The District Administration has given an economic assistance of Rs. 10,000/- to the victim.
22. On the basis of the press report published in Rashtriya Sahara regarding murder of a scheduled caste youth in village- Aminpura, District- Tonk, Rajasthan, the Commission took up the matter with District Administration for action taken report. FIR No. 200/02 U/S 147, 148, 149, 365, 352, 392, 325, 323 IPC & 3 (2) (V) of SCs/STs (POA) Act, 1989 P.S. Mehandvas Distt. Tonk was registered and accused persons were arrested. Charge-sheet has been filed in the court on 10-1-2003. Upon intervention by the Commission, the wife of victim was provided economic assistance of an amount of Rs. One lakh.

23. The Dalit Adthikar Abhiyan Samitte, Falandi, Rajasthan sent a complaint to Commission regarding rape of a scheduled caste woman. The Commission took up the matter with the District Administration, Jodhpur, Rajasthan. FIR No. 42/2003 at PS Lohavat U/S 341, 323, 376,379 IPC and 3 SCs/STs (POA) Act, 1989 was registered and charge-sheet was sent to the court after arresting the accused on 26-4-2003. The matter regarding providing economic assistance to the victim was taken up with the Collector, Jodhpur in an accordance with the POA Rules, 1995.
24. On the basis of the press clipping in Rajasthan Patrika dated 10-3-2003 with a report that Dalit Bridegroom was not allowed to take Barat in village Khundroth, Tehsil Bahrod, District Alwar (Rajasthan), the Commission took up the matter with District Administration, Alwar, Rajasthan and a FIR No. 23/2003 at PS Madan against accused was registered and subsequently a charge-sheet has been filed on 12-5-2003 in the court.
25. On the basis of the complaint filed by Shri Akharam S/o Shri Durga Ram, Meghwal, Village Jakhan, P.O. Khinyala Tehsil Jayal, District Nagaur Rajasthan, the Commission wrote to the District Administration, Nagaur Rajasthan. Upon receipt of the letter from the Commission, the local police threatened the petitioner. (for filling the complaint in the Commission). Then the Commission took up the matter with SP, Nagaur and a case FIR No. 105 dated 7-10-2002 U/S 3 SCs & STs (POA) Act, 1989 at P.S. Jayal was registered after the lapse of 4 months and challan of the case filed in the court. The action has been initiated against erring local police officials for threatening the petitioner.
26. On the basis of the complaint received from a Scheduled Caste person R/o Village Rahpura, P.S. Sahpawo, District Hatras, UP regarding attempt to rape of a Scheduled Caste girl, the Commission took up the case with Superintendent of Police, District Hatras for detail action taken report. The Superintendent of Police, Hatras reported that a FIR No. 389/2002 u/s 147/148/149/323/324/504/354/ IPC and 3 (I) (XI) SCs & SCs (POA) Act, 1989 was registered at Police Station Sahpawo. After investigation, the police filed charge-sheet in the Court against all the accused persons and economic assistance had been provided to all the victims as per rule.

Some successful cases during 2003-2004 & 2004-05

27. Three persons belonging to Balmiki community were murdered within the premises of Lal Bahadur Shastri Academy of Administration in Mussorie by upper caste people. The police registered a FIR No. 21/ 03 u/s 302/ 120-B/34 IPC at Police Station- Mussorie. The Commission made an on the spot enquiry in the case and on intervention by the Commission, the section 3 (2) (V) SCs & STs (POA) Act, 1989 and Section 4 (10) PCR Act, 1955 were added. All the accused were arrested. After investigation the police filed the chargesheet in the Court. Due to intervention of the Commission, the District Administration, Dehradun provided the economic assistance of 3.00 lakh to the family of victims and security was also provided. The next of kin of aggrieved family was also provided a job as Lower Division Clerk in the LBSNAA, Mussorie. A Special Public Prosecutor was appointed for the speedy trial of the case.

28. A member of Scheduled Caste male household servant was killed on 21-7-2004 at Vivekanand Colony, Anahra Chauraha, Sirohi, Rajasthan and a FIR No. 142/2004 u/s 302 in the Police Station- Sirohi was registered which was changed into section 304 of IPC and accused was granted bail. On the intervention of the Commission with the State Govt. of Rajasthan and District Administration, Sirohi, the section 302/ 201/ 120-B of IPC and 3 (2) (v) of SCs & STs (POA) Act, 1989 were added and accused person were arrested. The Police filed the chargesheet on 6-11-2004 after completing the investigation. The family of the victims was provided an amount of Rs. 75,000 as an economic assistance.
29. On the basis of the Complaint received from a Scheduled Caste person R/o Village- Tigri Khalsa, P.S. Sadar Pipli, District Kurushetra, Haryana, the Commission took up the matter with Superintendent of Police, Kurushetra, Haryana. The S.P. Kurushetra informed that a FIR No. 183/04 u/s 307/323/323/324/ 506/148/ 149 IPC was registered and later on section 302 IPC and Section 3 (IV) of SCs & STs (POA) Act, 1989 were added. After arresting the accused person, police filed a chargesheet in the court. On intervention of the Commission with District Administration, an economic assistance of Rupees 1, 50,000/- was provided to the wife of the victim.
30. On the basis of the press clipping published in the "Rashtriya Sahara" dated 13-8-2004, regarding murder of a Scheduled caste person at village Saripur, District Mirzapur, Uttar Pradesh the Commission took up the matter with Sr. Superintendent of Police, Mirzapur. A FIR No. 359/04 u/s 147/ 148/ 149/ 302 IPC and 3 (2) (V) SCS & STs (POA) Act, 1989 was registered at P.S. Kotwali Dehat, Mirzapur. The police filed a chargesheet in the court and the district Administrations provided economic assistance of Rs. 1.50 lakh to the family of victims on 2-11-2004.
31. The Chairman, Satnam Welfare & Guru Ghasidas Amekaring Trust, NOIDA brought to the notice of the Commission about an incident in village Ghumaka, District Durg, Chattisgarh, in which members of scheduled caste including women and children were tortured and physically assaulted by the non- scheduled caste persons. The matter was taken up with the Superintendent of Police, District- Durg for detail action taken report in the matter. A FIR No. 199/ 04 u/s 147/ 148/ 149 / 294/452 / 323/ 427/506 IPC was registered and during investigation the section 3 (1) (X) of SCs & STs (POA) Act'89 was invoked. Police arrested 55 accused persons in the case and charge-sheet was filed on 15-10-2004. The District Administration sanctioned of Rs. 2,25,000/- for 36 persons belonging to Scheduled Caste towards economic assistance and the State Govt. also provided an amount of Rs. 38,500/- towards medical assistance for the injured person from Scheduled Caste community.
32. 38. A Scheduled Caste person R/o Village Birbaktabad, Tehsil Bahadurgarh, District-Jhajjar, Haryana represented the Commission regarding illegal demolition of his house allotted to him by the Haryana Govt. in 1978. The Commission took up the matter with Superintendent of Police, Jhajjar and Deputy Commissioner, District Jhajjar. On intervention of the Commission, the matter was settled and the District Administration settled the case in favour of the complainant and provided an economic

assistance of Rs. 30,000/- and 10,000 bricks for construction of complainant's house.

33. On the basis of the complaint submitted in the Commission by a Scheduled Caste person R/o Balmiki Colony, Nai Basti, Devli village, New Delhi regarding physical assault of Scheduled Caste persons, a team from the Commission conducted an on-the-spot enquiry. On the recommendation of the Commission, section 3 (1) (X) SCs & STs (POA) Act, 1989 was invoked in the FIR No. 484/03 u/s 308/323/34 IPC registered at P.S. Sangam Vihar, New Delhi and case was transferred to ACP/ Operation Cell /SD. The police had sent the request to local authority for providing financial assistance to the victims. A police Picket in the area was also set up.
34. Manju Devi a 18 yr old agricultural labourer in Vaishali, Bihar was allegedly raped on 17.08.04 in an agricultural field by the landholder and three others. She was threatened not to register a case by the accused and their family members; after meeting the SP, Vaishali, she got an FIR registered (No. 84/04) u/s of IPC only. Her medical examination was also not done properly. In the FIR she had mentioned the name of all the accused persons and the threat given to her and her family members. She was not provided police protection which, eventually resulted in her murder on 26.08.04, after nine days of the registration of case. After intervention of the Commission, relevant sections of SCs & STs (POA), Act 1989 were invoked; in both the cases. The DG(P) and the Director Health Services were summoned and recommended to invoke/add appropriate sections of SCs & STs (POA), Act 1989 and to constitute a Medical Board for further medical investigations in the incident of rape. The Commission had visited the place of the deceased victim, and the matter was discussed with the Chief Secretary, Govt. of Bihar. After persistent follow-up by the Commission financial assistance of Rs. 1.25 lakhs was given to the parents of the victim, apart who were also allotted 7 decimal land for housing, Rs.10,000/- under Indira Awas Yojana. The names of the parents were also registered under Antyodaya Yojana by the District Magistrate. Only two accused in the case were arrested and four were yet to be traced. The Commission had also recommended declaring the rest of the accused as absconder and seizure of their movable and immovable properties as per the provisions of the law and had also recommended providing appropriate financial assistance in the rape case.
35. The Commission conducted an on the spot enquiry and found that some SC families of Mainpuri, Uttar Pradesh were being harassed as they had denied the job of cutting umbilical cords of mothers. Another group of SC families who were willing to do the job were instigated to protest and oust the willing group by members of SC groups. An altercation took place between both the two groups of SCs which was a composition of different castes including some members of upper castes and a firing took place by some members of non SC in which one SC woman was killed. A FIR no. 345/2004 u/s 147/148/149/307/323/506/302/504 IPC and under section 3(2)(v) Scs & STs (POA) Act, 1989 was registered against 14 accused persons and charge-sheet was filed in the Court. The District Welfare office had provided an amount of Rs. 6275/ to the injured for medical treatment.

36. On the basis of the press report published in the "Hindustan" (Hindi version) and other National Dailies dated 11-7-2004 regarding gang rape of three scheduled caste women at village Bhomatola, District Shiuni, MP. The Commission immediately took up the matter with Superintendent of Police, District Shiuni, M.P. for action taken report in the case. The Superintendent of Police, Shivni, MP informed that a FIR No. 173/04 u/s 147/148/149/ 376 2 (G), and 3 (2) (V) SCs & STs (POA) Act, 1989 was registered at Police Station Kantivada, Shiuni. In this case 33 accused were arrested and economic assistance of Rs. 50,000 to each of the victims had been provided. The proposal has been sent to impose collective fine on the non-SC persons of the village as per provisions 16 of the SCs & STs (POA) Rules, 1995. The victims were rehabilitated according to their wish. Besides, the State Govt. had also provided Rs. 2.00 lakhs to each of the victims.
37. The simmering discontent among Dalits has snowballed into a major confrontation taking a communal colour in Village & P.O. Tahlan, P.S. Sadar Jalandhar, Punjab on 20.1.2003. The trouble started after the gurdwara management was dissolved last year by some Jat leaders, who passed a resolution saying that only those who followed the 'Sikh maryada' (religious code of conduct) would be allowed to enter the gurdwara. Upon receiving a complaint, the matter was taken up with the Chief Secretary, Divisional Commissioner and other senior officers of the State of Punjab. Subsequently they were also called in the Headquarters of National Commission for SCs, New Delhi and a team lead by Chairman, National Commission and other senior officers from the State also visited the place of occurrence. After much deliberation in all the occasions, the NCSC directed the Govt. of Punjab to settle the issue out of Court and ensure that the dalits are adequate in the disputed gurdwara management. Finally it is informed by the Supdt. Of Police, Jalandhar that the case is amicably sorted out and two nominees of the dalit community have been taken on the management.
38. According to news report published in local dailies in Andhra Pradesh, a SC woman reportedly raped by a Sub Inspector of Police in Village Kukunoor, Khamman District. The women eventually, being ostracised by the society hanged herself and died subsequently. The matter then took up by the National Commission for SCs with the concerned district authorities for exemplary punishment to the accused, so that no one dares to repeat such heinous crime in future. Consequent upon repeated correspondences, a magisterial enquiry was ordered and the accused S.I. of Police was punished by the authorities.
39. On 28th August, 2002 a news report appeared in 'Dainik Navjyoti' captioned "House of a SC widow burnt down and beaten". Taking a serious view of the alleged incidence of atrocity, the Commission took up the matter suo-moto with the Supdt. of Police, Jhalawar District on the incidence of atrocity reportedly occurred in village Dola, Sunel P.S. under Jhalawar District for immediate preventive action and compensation as per rule. Consequent upon, the case was booked u/s 147, 323, 436 IPC and u/s 3 of SC/ST (POA) Act, 1989 vide case No.158/02 and all the culprits were arrested and challaned to the Court as per Rule. A sum of Rs. 10,000/- also provided to the victim of atrocity as per POA Rule, 1995.

RECOMMENDATIONS:

6.28 The Central Govt. should request the State Govt. to ensure that police officials should be sensitized about the provisions/implementation of PCR Act, 1955 and POA Act, 1989 in their in-house training programme as well as to organize special lectures for them through State offices or Headquarters of National Commission for Scheduled Castes.

6.29 The Central Govt. and the State Govt. should ensure that the underlying reasons for ending up the investigations in final report as acquittal of the accused is quite high in the State of Andhra Pradesh, Bihar, Rajasthan and UP, where maximum cases are registered under PCR and POA Act, needs to be studied in depth.

6.30 The Central Govt. and the State Govt. should ensure that the level of conviction rate in these case is very much low, therefore, the law enforcing machinery is to be sensitized about the PCR/POA Act, 1989 and the underlying reasons may be studied.

6.31 It has been observed that the pendency rate of atrocity cases in courts is very high. The Govt. of India and respective State Government, therefore, need to seat together and ensure speedy trial of such cases.

6.32 It has also been observed that the level of awareness about PCR Acts, 1955 and POA Acts, 1989/Rules, 1995 is very low among the Scheduled Castes and Scheduled Tribes across India. The same even more lower in the village areas and other remote far flung areas. The Commission, therefore, urged the State governments and UT administrations to display materials pertaining to these acts in local languages to enhance information level of general public at large and especially to SC/ST communities.

6.33 As per SCs/STs (POA) Rules, 1995 provision for financial compensation and other relief materials to the victim of atrocity has been mentioned in an unambiguous term. It is, however, seen that there are States who does not pay the compensation to the victim even though the cases are booked under POA Act, 1989 and compensation amount the victim should have been get as per POA rules, 1995. It is, therefore, insisted upon that such practice of providing compensation to the SC community per-se, should be resorted throughout India irrespective of States, Castes and communities.

ANNEXURE 6.1

Cases registered under Protection of Civil Rights Act from 1991-2001 and Prevention of Atrocities Act From 1995-2001

States/UT	PROTECTION OF CIVIL RIGHTS ACT, 1955												SC/ST (POA) Act, 1989					
	1991	1992	1993	1994	1995	1996	1997	1998	1999	2000	2001	1995	1996	1997	1998	1999	2000	2001
Andhra Pradesh	396	348	432	404	335	472	259	242	273	281	338	727	747	751	607	802	682	1079
Arundachal Pradesh	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Assam	0	0	0	1	0	0	0	3	0	0	0	0	0	0	0	0	0	0
Bihar	4	25	51	10	37	62	21	88	5	0	89	NA	493	779	871	876	725	523
GOA	4	1	4	1	1	1	0	1	0	0	0	1	0	0	0	0	1	1
Gujarat	221	190	188	173	207	150	53	46	37	26	19	NA	821	830	648	629	517	446
Haryana	1	2	4	1	1	4	2	2	1	0	1	4	5	7	27	21	40	33
Himachal Pradesh	19	25	13	21	15	6	21	2	7	11	4	20	33	26	24	20	20	43
Jammu & Kashmir	4	6	1	4	4	1	0	0	1	2	0	0	27	13	0	0	0	0
Karnataka	850	753	682	764	365	222	246	172	85	100	107	1179	1236	1333	1049	1203	1226	1187
Kerala	30	24	19	49	40	11	7	6	1	0	0	335	299	371	336	277	257	135
Madhya Pradesh	367	197	156	166	153	77	89	52	43	32	3	1326	1074	1035	1192	1077	1365	678
Maharashtra	288	682	720	548	355	315	313	231	204	128	61	705	619	244	243	215	196	187
Manipur	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Meghalaya	0	0	0	0	0	0	0	0	0	0	0	NA	0	0	0	0	0	0
Mizoram	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Nagaland	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Orissa	20	13	53	55	3	1	5	5	0	0	16	307	388	654	698	617	667	798
Punjab	0	1	0	0	0	1	7	1	5	2	1	2	3	4	15	18	27	49
Rajasthan	182	200	150	63	12	7	4	1	3	0	0	3815	3933	4260	4677	4572	4413	3630
Sikkim	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Tamil Nadu	698	764	862	801	284	292	289	235	302	211	22	356	459	528	673	673	799	684
Tripura	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	1
Uttar Pradesh	728	1128	1693	1483	1361	226	116	115	13	0	12	8729	6167	5022	3533	3579	4199	4960
West Bengal	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	6
Total (States)	3812	4359	5028	4544	3173	1848	1432	1202	980	793	676	17506	16304	15857	14613	14579	15134	14758

[illegible]

ANNEXURE 6.II

State wise/ UTs review of the serious crimes committed against the members of SCs in the year 2002

States/UT	Murder	Hurt	Rape	Arson	Others	Total
Andhra Pradesh	60	568	98	12	2647	3385
Arunachal Pradesh	0	0	0	0	0	0
Assam	3	14	0	2	28	47
Bihar	33	360	36	8	1147	1579
Chatisgarh	11	72	64	5	291	443
GOA	0	0	0	0	2	2
Gujarat	34	340	17	13	966	1370
Haryana	12	61	26	4	140	243
Himachal Pradesh	2	3	12	1	79	97
Jammu & Kashmir	1	2	4	1	5	13
Jharkhand	1	24	9	2	89	125
Karnataka	19	132	22	2	1612	1787
Kerala	2	162	48	4	308	524
Madhya Pradesh	79	1252	412	62	5412	7217
Maharashtra	12	42	64	7	509	634
Manipur	0	0	0	0	0	0
Meghalaya	0	0	0	0	0	0
Mizoram	0	0	0	0	1	1
Nagaland	3	0	3	0	11	17
Orissa	11	267	38	10	869	1195
Punjab	3	6	12	0	110	131
Rajasthan	44	361	123	76	3931	4535
Sikkim	0	0	1	0	0	1
Tamil Nadu	34	251	33	10	1769	2097
Tripura	0	0	0	0	0	0
Uttar Pradesh	371	567	305	103	6581	7927
Uttaranchal	4	7	3	0	85	99
West Bengal	0	0	1	0	3	4
Total (States)	739	4491	1331	322	26590	33473

A & N Island	0	0	0	0	0	0
Chandigarh	0	0	0	0	0	0
D & N Haveli	0	0	0	0	0	0
Daman & Diu	0	0	0	0	0	0
Delhi	0	0	0	0	16	16
Lakshadweep	0	0	0	0	0	0
Pondicherry	0	0	0	0	18	18
Total (UTs)	0	0	0	0	34	34
Total (ALL -India)	739	4491	1331	322	26624	33507

Source: NCRB, New Delhi, Crime in India

ANNEXURE 6.III

Number of Atrocity cases in respect of Scheduled Castes

S. No.	State/UT	Number of Atrocity cases in respect of Scheduled Castes				
		1998	1999	2000	2001	2002
1	Uttar Pradesh	2737	2597	3018	4885	2974
2.	Karnataka	902	1131	1176	983	1099
3.	Rajasthan	958	887	454	2965	2384
4.	Andhra Pradesh	536	522	529	950	830
5.	Madhya Pradesh	401	433	539	435	570
6.	Tamil Nadu	300	366	418	682	685
7.	Gujarat	595	415	334	356	332
8.	Orissa	254	263	349	645	466
9.	Bihar	269	276	220	513	715
10.	Kerala	297	194	146	121	229
11.	Maharashtra	141	160	128	146	136
12.	Himachal Pradesh	19	21	16	41	32
13.	Haryana	18	18	21	33	32
14.	Chhatisgarh	-	-	-	164	77
15.	Punjab	6	6	17	49	53
16.	Uttaranchal	-	-	-	84	85
17.	Delhi	8	10	12	17	15
18.	Pondicherry	-	2	4	-	-
19.	Goa	2	-	1	1	1
20.	Assam	-	-	1	-	-
21.	West Bengal	-	-	-	5	2
22.	Chandigarh	-	-	-	2	-
23.	Daman & Diu.	-	-	1	-	-
24.	Jammu & Kashmir	-	-	1	-	-
25.	Jharkhand	-	-	-	35	53
26.	Tripura	-	-	-	1	-
	Total	7445	7301	7386	13113	10770

ANNEXURE 6.IV
Disposal Of Cases For Crimes Committed Against Scheduled Castes By Police During 2002
(States & UT Wise)

S. N.	State/UT	Total No. of cases for investigation including pending cases	Cases withdrawn by Govt	No of case in which <u>Investigation was completed</u>						No. of cases pending investigation	Pendency percentage	%age of pendency to all India total	Charge-sheeting rate (COL 8)/(COL 7+8 *100)
				Inves tigation was Regu lated	Charge found false/Mist ake of fact or Law etc.	Final Report true submitt ed	Charge sheets were submit ted	Total (6)+(7)+(8)					
1	2	3	4	5	6	7	8	9	10	11	12	13	
1	Andhra Pradesh	4660	16	33	920	59	2424	3423		1188	25.5	22.8	97.6
2	Ar. Pradesh	0	0	0	0	0	0	0		0	0.0	0.0	0.0
3	Assam	47	0	0	0	16	26	42		5	10.6	0.1	61.9
4	Bihar	2896	0	0	114	243	1360	1717		1179	40.7	22.6	84.8
5	Chhattisgarh	523	0	0	6	32	390	428		95	18.2	1.8	92.4
6	Goa	2	0	0	0	0	1	1		1	50.0	0.0	100.0
7	Gujarat	1407	0	1	37	56	1249	1342		64	4.5	1.2	95.7
8	Haryana	254	1	0	30	9	197	236		17	6.7	0.3	95.6
9	Himachal Pradesh	109	0	0	29	1	60	90		19	17.4	0.4	98.4
10	Jammu & Kashmir	13	0	0	0	0	11	11		2	15.4	0.0	100.0
11	Jharkhand	176	0	0	5	10	86	101		75	42.6	1.4	89.6
12	Karnataka	2129	12	2	302	62	1391	1755		360	16.9	6.9	95.7
13	Kerala	905	0	4	152	26	323	501		400	44.2	7.7	92.6
14	Madhya Pradesh	7408	1	8	142	121	7026	7289		110	1.5	2.1	98.3
15	Maharashtra	761	1	5	50	16	559	625		130	17.1	2.5	97.2

Status of disposal by Police SC/ST (POA) Act, 1989

Year 2002

State/UT	Total No. of cases			Result		
	With Police	Investigation	Pending	FR	Charge sheet	Total
Andhra Pradesh	2522	1692	830	848	844	1692
Bihar	2437	1191	1246	1000	191	1191
Chattisgarh	1036	866	170	29	837	866
Goa	2	1	1	-	1	1
Gujarat	1279	1185	94	108	1077	1185
Haryana	77	57	20	15	42	57
Himachal Pradesh	19	15	4	11	4	15
Jharkhand	235	80	155	21	59	80
Maharashtra	957	789	168	77	712	789
MP	7481	6792	689	346	6446	6792
Orissa	2207	1216	991	270	946	1216
Punjab	101	60	41	34	26	60
Rajasthan	7466	6883	583	3117	3766	6883
Tamil Nadu	1074	924	150	384	540	924
Uttaranchal	87	71	16	25	46	71
UP	7565	7334	231	1471	5863	7334
West Bengal	47	13	34	1	12	13
A & N Island	1	1	0	1	1	
Chandigarh	1	1	0	0	1	1
D & N Haveli	4	3	1	1	2	3
Daman & Diu	2	1	1	0	1	1
Delhi	19	15	4	3	12	15
Total	34618	29190	5429	7761	21429	29190

ANNEXURE 6.VI

Disposal of cases by Police PCR Act Year 2002

Cases				Result		
State	With Police	Investigated	Pending	FR	Chargesheet	Total
Andhra Pradesh	469	448	21	245	203	448
Himachal Pradesh	3	2	1	1	1	2
Jharkhand	2	2	0	0	2	2
Maharashtra	55	48	7	5	43	48
Madhya Pradesh	14	7	7	0	7	7
Orissa	11	4	7	2	2	4
Rajasthan	1	1	0	1	-	1
Delhi	1	1	0	0	1	1
Pondicherry	25	18	7	5	13	18
Total	581	531	50	259	272	531

Source: Ministry of Social Justice & Empowerment.

DETAILS OF CASES UNDER SCs & STs (POA) ACT, 1989

FOR THE YEAR 2001

S. No.	States/ UTs	No. of FIR registered	No. of cases				
			Charge-sheeted	Final Decisions by Court	Accused convicted	Accused acquitted	Pending before Courts
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)
1.	A & N Islands	Nil	Nil	Nil	Nil	Nil	Nil
2.	Arun. Pradesh	Nil	Nil	Nil	Nil	Nil	Nil
3.	Assam	nil	Nil	Nil	Nil	Nil	Nil
4.	Bihar*	693	180				
5.	Chandigarh	3	2	Nil	Nil	Nil	3
6.	Delhi	18	15	5	-	1 (withdrawn)	11
7.	Goa	1	Nil	Nil	Nil	Nil	Finalised as 'C'
8.	Gujarat	1231	1146	215	16	202	930
9.	Haryana	56	39	21	02	19	20
10.	Himachal Pradesh	76	40	18	6	12	22
11.	Jharkhand	843	796	500	146	354	296
12.	Karnataka	1232	880	206	15	178	670
13.	Kerala	531	299	135	7	128	1902
14.	Madhya Pradesh	4432	4336	2504	547	1957	10065
15.	Maharashtra	797	755	1151	33	1118	145
16.	Manipur	1	-	-	-	-	2
17.	Meghalaya	Nil	Nil	Nil	Nil	Nil	Nil
18.	Nagaland	Nil	Nil	Nil	Nil	Nil	Nil
19.	Orissa	1277	1019	245	-	43	976
20.	Pondicherry	-	-	-	-	-	-
21.	Punjab	56	22	7	-	7	15
22.	Rajasthan	5915	2630	3277	NA	NA	526
23.	Sikkim	Nil	Nil	Nil	Nil	Nil	Nil
24.	Tamil Nadu	828	514	275	30	245	239
25.	Tripura	1	1	-	-	-	1
26.	Uttar Pradesh	9764	7356	6407	599	5808	75178
27.	Uttaranchal	144	110	170	25	145	1469
28.	West Bengal	8	4	-	-	-	4

Column 5 to 8 not related to Police as informed

ANNEXURE 6.VIII
DETAILS OF CASES UNDER SCs & STs (POA) ACT, 1989 FOR THE
YEAR 2003

S. No.	States/ UTs	No. of FIR registered	No. of cases				
			Charge-sheeted	Final Decisions by Court	Accused convicted	Accused acquitted	Pending before Courts
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)
1.	A & N Islands	-	-	-	-	-	-
2.	Arunachal Pradesh	Nil	Nil	Nil	Nil	Nil	Nil
3.	Assam@	1	Nil	1	Nil	Nil	Nil
4.	Bihar	1185	269				
5.	Chandigarh	1	1	-	-	-	-
6.	Delhi	17	10	-	-	-	5
7.	Goa	2	2	-	-	-	10
8.	Gujarat	1056	965	18	2	17	2
9.	Haryana	55	35	05	-	06	942
10.	Himachal Pradesh	78	40	-	-	-	31
11.	Jharkhand	835	744	224	052	172	40
12.	Karnataka	1351	968	32	0	19	520
13.	Kerala	335	195	198	10	188	927
14.	Madhya Pradesh	5087	4763	3503	734	2769	2027
15.	Maharashtra	870	767	791	28	741	14030
16.	Manipur	-	-	-	-	-	163
17.	Meghalaya	-	-	-	-	-	-
18.	Nagaland	Nil	Nil	Nil	Nil	Nil	-
19.	Orissa	1222	517	185	-	-	Nil
20.	Pondicherry	-	-	-	-	-	517
21.	Punjab	56	13	1	-	1	-
22.	Rajasthan	5241	2389	2326	NA	NA	12
23.	Sikkim	Nil	Nil	Nil	Nil	Nil	526
24.	Tamil Nadu	974	607	61	5	56	Nil
25.	Trinapuri	-	-	-	-	-	546
26.	Uttar Pradesh	1778	1294	1325*	167*	1158*	-
27.	Uttaranchal	101	56	65	7	58	62592*
28.	West Bengal	46	15	1	-	-	817
							16

(1) In UP figures available upto September 2003 (2) In Uttaranchal figures exclude quarter ending June' 2003 @ The case is returned in F.R. vide FR No. 11, Dated 13-1-2004

DETAILS OF CASES UNDER SCs & STs (POA) ACT, 1989 FOR THE YEAR 2002

S. No.	States/ UTs	No. of FIR registered	No. of cases				
			Charge-sheeted	Final Decisions by Court	Accused convicted	Accused acquitted	Pending before Courts
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)
1.	A & N Islands	-	-	-	-	-	-
2.	Arunachal Pradesh	Nil	Nil	Nil	Nil	Nil	Nil
3.	Assam	nil	Nil	Nil	Nil	Nil	Nil
4.	Bihar	876	191				
5.	Chandigarh	-	1	-	-	-	4
6.	Delhi	18	14	1	-	1(withdrawn)	13
7.	Goa	2	1	1	-	Not proved	-
8.	Gujarat	1192	1099	113	6	107	942
9.	Haryana	53	40	14	-	14	26
10.	Himachal Pradesh	83	41	8	3	5	33
11.	Jharkhand	972	896	474	154	320	422
12.	Karnataka	1278	968	102	4	81	811
13.	Kerala	469	314	185	22	163	2031
14.	Madhya Pradesh	6758	6446	3038	887	2151	13096
15.	Maharashtra	812	712	974	44	891	168
16.	Manipur	-	-	-	-	-	-
17.	Meghalaya	Nil	Nil	Nil	Nil	Nil	Nil
18.	Nagaland	Nil	Nil	Nil	Nil	Nil	Nil
19.	Orissa	1274	914	284	-	6	908
20.	Pondicherry	-	-	-	-	-	-
21.	Punjab	60	31	1	-	1	30
22.	Rajasthan	5465	2606	2816	NA	NA	43
23.	Sikkim	Nil	Nil	Nil	Nil	Nil	Nil
24.	Tamil Nadu	917	555	186	24	162	369
25.	Trpura	-	-	-	-	-	-
26.	Uttar Pradesh	5841	4598	5905	907	4998	66741
27.	Uttaranchal	87	48	79	23	56	1212
28.	West Bengal	20	11	1(FRME)	-	-	11

CHAPTER VII

SUMMARY OF MAJOR RECOMMENDATIONS

Major recommendations given in different chapters are summarized as follows:-

S. No.	Chapter/Recommendation	Para No.
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CHAPTER III

Economic Development of Scheduled Castes

- | | | |
|---|--|-------|
| 1 | A large number of Central Ministries/Departments allocate funds under SCP as per the guidelines and are required to formulate need based schemes for accelerated socio-economic development of Scheduled Castes in consultation with M/o Social Justice and Empowerment and NCSC in terms of Article 338 (v) (c) of Constitution of India. All the funds so earmarked should be fully utilised. The list of such organization enclosed vide Annexure is illustrative & not exhaustive. | 3.271 |
| 2 | The State Governments and UTs similarly must ensure earmarking of funds and full utilisation of SCP under these guidelines. No diversions from these funds should be allowed. | 3.272 |
| 3 | The funds allocated under SCP which if not spent at the end of a financial year by the Central Ministries or States/UTs should be allowed to be carried forward for utilisation in the next financial year and even in the same financial year should not be allowed to lapse diverted. | 3.273 |
| 4 | Non-release/delayed release of funds by Stated Governments has emerged as one of the major hurdle for non implementation of schemes at ground level for the welfare of Scheduled Castes. State Govts. must ensure timely release of funds for the various welfare schemes. Central Ministries should also consider direct release of funds to the implementing authorities under various schemes. | 3.274 |
| 5 | The Governmental schemes must aim at building competence, capacity to be self reliant, capacity to compete within the general atmosphere of economic liberalization through appropriate schemes/projects. Such a capacity building will reduce the vulnerability of Scheduled Castes being reduced to economically weaker and weaker over the years. | 3.275 |
| 6 | Panchayat Raj Institutions should be involved in supervising the functioning of Fair Price Shops in the rural areas and also in identification of the population below the poverty line. | 3.276 |
| 7 | Time bound action plans should be prepared to provide the SCs basic civic facilities like water supply, electricity, sanitation at par with other sections of the society, so as to improve their economic condition and to provide villages employment | 3.277 |

opportunities. The State Governments should prepare Scheduled Caste Human Development Index taking into consideration factors like literacy rate, infant mortality rate, incidence of atrocities against the Scheduled Castes, estimates of consumption expenditure and statistics about the population of Scheduled Castes below the poverty line to assess the gap in the socio-economic development of the Scheduled Castes vis-a-vis other sections of society. Without such time bound action plans the schemes under the SCP would continue to be inadequate to make any real dent in improving the economic conditions of the Scheduled Castes

CHAPTER IV

EDUCATIONAL DEVELOPMENT OF SCHEDULED CASTES

- | | | |
|---|--|--------------|
| 1 | Commission on the basis of its field visits to the hostels in various States had observed that the maintenance of some of hostels was far from satisfactory as even the basic amenities like water and cleanliness were not satisfactory. The supervision and maintenance of the SC /ST hostels in the States should improve. Necessary instructions should be issued to the District Welfare Officers in this regard by all the State Government. | 4.151
i |
| 2 | In State run coaching centres for Scheduled Caste the concerned Department of Welfare may take up the study of the usefulness or otherwise of the training programmes being implemented by them for the SC candidates who appear for some competitive examinations so as to improve the effectiveness of the training. | 4.151
ii |
| 3 | Review of the progress of Welfare and Development Schemes including Schemes for promotion of education for SC /ST should be done by the Chief Minister and Chief Secretary of the State on quarterly and monthly basis respectively to achieve the desired results. | 4.151
iii |
| 4 | From the Annual Plan of the Departments/Ministries of the Government of India and the State Governments/UTs it is being repeatedly observed that allocation of funds under Special Component Plan (SCP) and Special Central Assistance (SCA) are not being earmarked in proportion to the population of Scheduled Castes. Deficiency in the allocation of funds seems to be a major bottleneck in the development of these deprived communities which needs to be ameliorated. | 4.151
iv |
| 5 | The Commission in its various review meetings with the State Governments/UTs has been impressing upon the State Governments/UTs to improve utilization of funds under SCP which is mostly below 50% to 70% of the allotted funds. | 4.151
v |

6	Most of the States do not utilise the Special Central Assistance released for the development of Scheduled Castes and thereby keep them deprived of the available resources intended for their upliftment.	4.151 vi
7	It has been observed that education being the panacea for the overall development of a person has continued to be not given adequate attention in the matter of allocation of funds. Even after more than five decades after independence of the country allocations from the Five Year Plans/Annual Plans of the Government of India and the States constitute only 4.2% of the GDP as against the envisaged 6%.	4.151 vii
8	The education development of the Scheduled Caste is far behind the expected level due to the inadequate allocations of funds and also the poor performance of educational schemes like Pre-Matric and Post-Matric scholarship schemes. In a number of cases it has been observed from the representations received in the Commission that due to non payment of scholarship in time the Scheduled Caste students had to abandon studies.	4.151 viii
9	Studies conducted into the working of hostels for boys and girls belonging to Scheduled Castes revealed very pathetic conditions not at all conducive for studies. The Dickensian condition of British Orphanages still haunts this unfortunate country! Even the meals and other materials supplied for study to the Scheduled Caste students were found far from satisfactory. In a large number of states students do not know how milk tastes! Unless these conditions are improved educational development of Scheduled Castes will remain a far dream.	4.151 ix
10	The functioning of the coaching and allied centers for Scheduled Castes have not been functioning to the expected levels due to poor remuneration of teaching faculty and also location of these centers in urban areas only.	4.151 x
11	The amount of money paid to the parents of Scheduled Caste children for sending them to Schools is too meager to compensate the wage losses the Scheduled Caste parents have to bear and these results in withdrawing the children from Schools. This forms a major reason for the huge drop out rate among the bottom-line poor Scheduled Caste families.	4.151 xi
12	Availability of schooling facilities in Scheduled Caste bastis particularly with regard to Upper Primary Schools and above, is poor, leading to higher drop out rates among children of these communities. This needs to be brought, at least, as per the schooling facilities for children of other communities.	4.151 xii

- | | | |
|----|---|----------------|
| 13 | Apart from availability of educational facilities, emphasis should also be given to the Quality of School Education so that educated illiterates are not produced who become unemployable for any meaningful economic activities. | 4.151
xiii |
| 14 | The top priority of the Government should be for retention of children from Scheduled Castes after enrolment in school from Primary Classes onwards. One of the ways in which high drop out rates can be arrested is by strengthening Mid-day-meal scheme. Results have clearly shown, as in Southern states, that prospect of food in school is highly attractive and motivating for children. | 4.151
xiv |
| 15 | Strengthening and extension of coaching and allied scheme alongwith remedial coaching scheme being run by M/o S J&E and M/TA as well as UGS for SC/ST students for pursuing higher education. | 4.151
xv |
| 16 | For promoting girls' education it is important to recognize the role of the mother. It has been proved that in case educational programmes are sensitive to the needs of the girls that would help them to take their studies more seriously and to develop as self confident adults, capable of taking their own decisions for their future growth. | 4.151
xvi |
| 17 | Government efforts at present are concentrated on strengthening systems of vocational and technical education as is evident from large number of I.T.Is, poly techniques, vocational training institutes being set up. However, inflexibility of curricula and lack of awareness about the changing market needs as well as lack of marketing facilities for their products are responsible for government efforts going awry in these areas. It is thus necessary that individual institutions are given greater flexibility in changing their courses as per market requirements in the local/regional/national/international arena. Due to various socio-economic reasons the problem of school drop outs in various streams. Seems to be a cause of concern. The training etc. has to move away from traditional sectors like Carpentry, Blacksmith etc. to modern day requirement viz; camera rolling, ticketing, travel guides as majority of modern day youth even from rural areas need to be integrated to the requirements of world at large. | 4.151
xvii |
| 18 | Privatisation of education especially higher education is fraught with serious implications for large majority of students, especially from Scheduled Caste community who are still predominantly poor. Though the move for private sector contribution in education is welcome, 'Commercialization, of education needs to be discouraged. While supplementing the Government efforts, private initiatives should be welcomed, it is marketisation which should be totally regulated in the interest of educational excellence. | 4.151
xviii |

CHAPTER V

Service Safeguards

- 1 In view of inadequate representation of the Scheduled Castes especially in Group 'A' and 'B' posts the Commission recommends that the reservation in promotion should be extended to all levels in cases of promotion by selection. 5.3
- 2 To improve the representation of Scheduled Castes in posts and services, there is strong and urgent need to pass a Bill on Reservation for Scheduled Castes and Scheduled Tribes in the posts and services under the Government to bring uniformity in the implementation of the policy with punitive measures against the non-implementing organizations and individuals. 5.5
- 3 Commission has noted no improvement in filling up the posts arising out of this exercise on backlog/shortfall has been carried out so far. Commission strongly urges that Govt. of India should calculate the backlog/short fall of Scheduled Castes and launch SRD to cover backlog in a time bound manner. 5.9
- 4 DoP&T may advise all the Ministry/Departments and the appointing authorities that they should select the Scheduled Castes candidates from amongst the available eligible lot called for selection/interview and should not follow the criteria of not-found suitable. DoP&T though has clarified it to the Commission but has not issued and instructions in this regard. The Commission, therefore, recommends that The DoP&T may issue suitable instructions in this regard. 5.14
- 5 It is recommended that the SC Members who would be participating in the Boards/Committees may individually submit their observations to the Chairman of the Selection Committees and a copy of such report endorsed to the National Commission for Scheduled Castes. DoP&T may issue suitable instructions in this regard immediately. 5.20
- 6 The Commission recommends that in order to make this inbuilt mechanism more effective the concept of making the Liaison Officer answerable/ accountable to National Commission for Scheduled Castes the Govt. should issue instructions (as is being done in the case of Central Vigilance Organisation). 5.22
- 7 The National Commission for Scheduled Castes considered the recommendation contained in the Sixth Annual Report (1999-2000 & 2000-2001) and the Seventh Annual Report (2001-2002) of the erstwhile National Commission for Scheduled Castes and Scheduled Tribes and re-iterates to bring about suitable provision for extension of reservation in private sector. 5.23

- 8 The Commission, therefore, recommends that Govt. should look into the matter of migration and area restriction for bringing their uniformity and universalising in view of the burning problem faced by the one quarter of the population of India who migrate for the lively hood. The Commission suggests that their belonging to the particular State/area should not come in the way of SC on account of their belonging to SC and the Presidential Orders. As for other communities, no such restrictions are imposed. They are considered on the basis of their domicile. The domicile should be the sole criteria for giving benefit of reservation for employment, education and the other developmental schemes. 5.41
- 9 The National Commission for Scheduled Castes feels that there is need to reconsider/review the earlier decision taken about 30 years back excluding a large number of posts from the purview of reservation, by the Government to extend the provisions in posts and services above the lowest grade of Group 'A' of Scientific and Technical nature, as on today, there is enough number of qualified and experienced candidates belonging to Scheduled Castes are available well qualified in the Scientific and Technical subjects. 5.44
- 10 The Commission feels that the order needs to be reviewed and the 5% reservation quota for compassionate appointment in post should be waived off in the cases of Scheduled Castes due to their pecuniary conditions. 5.48
- 11 DoP&T may take immediate steps for printing of brochure by consolidating the instructions. 5.50
- 12 The Commission therefore recommend that the govt. the rules of Service Associate rule 5B, C.F. of the CCS RSA rule 1993 needs to be changed accordingly and step may be taken to recognise the Scheduled Castes Welfare Service Association. 5.52
- 13 The Commission, therefore recommends that to make special efforts to achieve the representation by launching SRD as has already been suggested by DoP&T in its O.M.No.36012/5/1997-Estt.(Res.) Vol. II dated 20.7.2000 and DoP&T OM vide OM No 36038/1/2004 dated 5-8-2004, 26-8-2004. 5.55
- 14 It is suggested that special efforts may be made to increase the representation of Scheduled Castes is increased to the prescribed limit of 15% in Officers cadre respectively. 5.59

Chapter VI

Protection of Civil Rights and Atrocities on SCs

- 1 The Central Govt. should request the State Govt. to ensure that police officials should be sensitized about the provisions/implementation of PCR Act, 1955 and POA Act, 1989 in their in-house training programme as well as to 6.28

- organize special lectures for them through State offices or Headquarters of National Commission for Scheduled Castes.
- 2 The Central Govt. and the State Govt. should ensure that the underlying reasons for ending up the investigations in final report as acquittal of the accused is quite high in the State of Andhra Pradesh, Bihar, Rajasthan and UP, where maximum cases are registered under PCR and POA Act, needs to be studied in depth. 6.29
 - 3 The Central Govt. and the State Govt. should ensure that the level of conviction rate in these case is very much low, therefore, the law enforcing machinery is to be sensitized about the PCR/POA Act, 1989 and the underlying reasons may be studied. 6.30
 - 4 It has been observed that the pendency rate of atrocity cases in courts is very high. The Govt. of India and respective State Government, therefore, need to seat together and ensure speedy trial of such cases. 6.31
 - 5 It has also been observed that the level of awareness about PCR Acts, 1955 and POA Acts, 1989/Rules, 1995 is very low among the Scheduled Castes and Scheduled Tribes across India. The same even more lower in the village areas and other remote far flung areas. The Commission, therefore, urged the State governments and UT administrations to display materials pertaining to these acts in local languages to enhance information level of general public at large and especially to SC/ST communities. 6.32
 - 6 As per SCs/STs (POA) Rules, 1995 provision for financial compensation and other relief materials to the victim of atrocity has been mentioned in an unambiguous term. It is, however, seen that there are States who does not pay the compensation to the victim even though the cases are booked under POA Act, 1989 and compensation amount the victim should have been get as per POA rules, 1995. It is, therefore, insisted upon that such practice of providing compensation to the SC community per-se, should be resorted throughout India irrespective of States, Castes and communities. 6.33

Vacancy position of Secretariat Staff in the National Commission for Scheduled Castes and National Commission for Scheduled Tribes

S.No.	Post	Sanctioned Strength	In position	Vacancy
1.	DIG	1	-	1
2.	PS	3	1	2
3.	Asstt. Director (Programming)	1	-	1
4.	Asstt. P.R.O.	1	-	1
5.	Law Officer	1	-	1
6.	P.A.	5	2	3
7.	Stenographers	8	4	4
8.	Assistant	5	3	2
9.	UDCs	6	3	3
10.	LDCs	11	5	6*
	Total	42	18	24

Against vacant post of LDCs, the Ministry of SJ&E has been requested to give permission to appoint 6 (six) Computer Operators on contract basis.

Vacancy position of Joint Cadre in the National Commission for Scheduled Castes and National Commission for Scheduled Tribes & Ministry of Social Justice & Empowerment for which Cadre Controlling Authority is Ministry of Social Justice & Empowerment (SCD-VI).

S.No.	Post	Sanctioned strength	In position	Vacancy
1.	Director (Joint Cadre)	15	9	6
2.	Director (Admn.)	1	-	1
3.	Deputy Director	6	4	2
4.	Assistant Director	15	9	6
	Total:	37	22	15

Vacancy position of Joint Cadre in the National Commission for Scheduled Castes and National Commission for Scheduled Tribes & Ministry of Social Justice & Empowerment.

S.No.	Post	Sanctioned strength	In position	Vacancy
1.	Director (Joint Cadre)	15	9	6
2.	Director (Admn.)	1	-	1
3.	Deputy Director	6	4	2
4.	Assistant Director	15	9	6
5.	Research Officer	16	13	3
6.	Senior Investigators	25	16	9
7.	Investigators	29	21	8
	Total:	107	72	35

Annexure-IV

Post to be created for Personal Section of Chairperson enjoying the status of the Cabinet Minister.

S.No.	Name of Post	No. of Posts	Scale of Pay	Remarks
1.	PS may be redesignated as OSD	1	12000-375-16500	To be created
2.	Additional Secretary Private	1	10000-325-15200	To be created
3.	Assistant Secretary Private	1	6500-200-10500	To be created
4.	Hindi Stenographer	1	2550-3200	To be created
5.	Peon	1	2550-3200	To be created

Post to be created for Personal Section of Vice-Chairperson enjoying the status of the Minister of State

S.No.	Name of Post	No. of Posts	Scale of Pay	Remarks
1.	Additional Secretary to be classed as OSD Private	1	10000-375-15200	To be created
2.	LDC	1	3050-75-4590	To be created