

Minutes of the Sixth meeting held on 03.09.2019

MINUTES OF THE SIXTH MEETING OF THE NATIONAL COMMISSION FOR SCHEDULED CASTES HELD ON 03.09.2019 AT 3.00 PM.

The Sixth Meeting of the National Commission for Scheduled Castes (NCSC) was held on 03.09.2019 at 3.00 P.M. under the Chairmanship of Dr. (Prof.) Ram Shankar Katheria, Chairman, NCSC. The list of participants is at **Annexure-I**. The following Agenda items were taken up for discussion and decisions as taken thereon are enumerated below:-

Agenda Item No. 1:	Confirmation of minutes of 5th meeting of the Commission was held on 12.03.2019.
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Decision Taken: Minutes of the 5th meeting of the Commission were approved unanimously.

Agenda Item No.2:	Action taken on the minutes of the 5 th meeting of the Commission was held on 12.03.2019.
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Agenda Item No. 2(a): Action Taken: The Annual Report (2017-18) was finalized and submitted to the Hon'ble President of India on 20.06.2019.

Agenda Item Nos. 2 (b): Action Taken: Agenda item nos. 5.5.2 to 5.5.8 were regarding ex-post-facto approval of Commission & no further action was required.

Agenda Item No: 3 (c): Action Taken: (i) Letters were sent to MSJE & details called for. A meeting of Secretary, MSJE, Secretary, Urban & Secretary, Jal Shakti was also held on 26.07.2019 regarding details of persons while cleaning sewers. Minutes of meeting were issued vide letter No. 6/02/Sewer Cases/Hearing/2019-ESDW dated 29.08.2019.

(ii) Action on Rape & Murder cases: No NCRB data of 2017 & 2018 is available. However between 26.6.2019 to 22.7.2019, a special drive for disposal of rape & murder cases was carried out in the Commission and a total of 804 cases & 740 cases were heard & minutes issued for giving relief to the petitioners and for taking the necessary action by the State authorities.

Minutes of the Sixth meeting held on 03.09.2019

Agenda Item No.3	Proposal for revision in the fee structure for the examinations and recruitments conducted by the Union Public Service Commission (UPSC).
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Decision Taken: The Commission did not agree to the proposal of Department of Personnel & Training, to introduce an application/examination fee @ Rs.25% from the Scheduled Castes categories. Accordingly, DoPT may be communicated the same.

(Action: ESDW)

Agenda Item No.4:	Memorandum for Standing Finance Committee (SFS) for revision of Centrally Sponsored scheme "Pre Matric Scholarship for Scheduled Castes students studying in Classes 9th and 10th" - reg.
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Decision Taken: The Commission accorded ex-post-facto approval on the concurrence to the proposal of the Ministry of Social Justice & Empowerment sent on 16.05.2019 to Ministry of Social Justice & Empowerment vide letter No. 4/7/Pre-Matric Scholarship (SFC)/2019-ESDW.

(Action: ESDW)

Agenda Item No.5:	SFC Memorandum for "Provision of Scheme in Dr. Ambedkar International Centre".
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Decision Taken: The Commission accorded ex-post-facto approval on the concurrence to the proposal of the Ministry of Social Justice & Empowerment sent on 28.02.2019 vide letter No. 4/6/DAIC/SFC/2019/ESDW.

(Action: ESDW)

Agenda Item No.6:	Revision in funding pattern of the Centrally Sponsored Scheme 'Post Matric Scholarship to students belongs to Scheduled Castes for studies in India (PMS-SC) with effect from 2019-2020.
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Decision Taken: The Commission accorded ex-post-facto approval on the concurrence to the proposal of the Ministry of Social Justice & Empowerment sent on 12.07.2019 vide letter No. 4/13/PMS Cabinet-2017/ESDW.

(Action: ESDW)

Minutes of the Sixth meeting held on 03.09.2019

Agenda Item No.7:	Comments of the National Commission for Scheduled Castes on the Jammu and Kashmir Re-organization Act-2019
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Decision Taken: The Commission considered the proposal of the Ministry of Home Affairs. Since all provisions of the Constitution, as amended from time to time, shall apply in relation to the Constitution (Application to Jammu and Kashmir) Order, 2019 dated the 5th August, 2019 of para-2 and provisions of Article 338, 14 15, 16 of Constitution of India will automatically apply to the new UT of Jammu & Kashmir & Laddakh. The PCR Act 1955 already had a jurisdiction in whole of India & the Scheduled Castes and Scheduled Tribes (Prevention of Atrocity) Act, 1989 (as amended), The Employment of Manual Scavengers and Construction of Dry Latrines (Prohibition) Act, 1993 and "The Prohibition of Employment as Manual Scavengers and their Rehabilitation Act, 213" are included in Table 1 of Vth Schedule of the draft Jammu & Kashmir Re-organisation Act, 2019. Hence Commission concurs with the proposal and has no further comments on the proposal. The same may be sent to Ministry of Home Affairs. **(Action: C.Cell)**

Agenda Item No. 8:	The removal of area restriction in respect of Mangali Community for entire State of Odisha.
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Decision Taken: The Commission decided to get clarification from Government of Odisha with regard to the impact of removing area restriction in respect of Mangali community for entire State of Odisha on the original Mangali community of the Koraput and Kalahandi districts of the State of Odisha. **(Action: SSW-I)**

Agenda No.9:	Ex-post-facto approval of 19 proposals for De-reservation received from Ministry of Culture, CAG and Ministry of Electronics and IT (for 47 posts)
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Decision Taken: The Commission accorded ex-post-facto approval on the concurrence to the proposal of the different Ministries/Departments/CAG sent to the respective Ministries/Departments earlier vide letters No. 39/De-reservation-1/2019/SSW-I dated 20.02.2019, No.39/De-reservation-2/2019/SSW-I dated 16.04.2019, No. 39/De-reservation-3/2019/SSW-I dated 29.04.2019, No.39/De-reservation-4/2019/SSW-I dated 03.05.2019, No. 39/De-reservation-5/2019/SSW-I dated 08.03.2019, No. 39/De-reservation-6/2019/SSW-I dated 29.04.2019, No. 39/De-reservation-7/2019/SSW-I dated 29.04.2019, No. 39/De-reservation/8/2019/SSW-I

Minutes of the Sixth meeting held on 03.09.2019

dated 29.04.2019, No. 39/De-reservation-9/2019/SSW-I dated 29.4.2019, No. 39/De-reservation-10/2019/SSW-I dated 29.04.2019, No. 39/De-reservation-11/2019/SSW-I dated 29.04.2019, No. 39/De-reservation-12/2019/SSW-I dated 29.04.2019, No. 39/De-reservation-13/2019/SSW-I dated 29.04.2019, No. 39/De-reservation-14/2019/SSW-I dated 29.04.2019, No.39/De-reservation-15/2019/SSW-I dated 29.04.2019, No.39/De-reservation-16/2019/SSW-I dated 16.04.2019, No.39/De-reservation-17/2019/SSW-I dated 16.04.2019 , No. 39/De-reservation-18/2019/SSW-I dated 16.04.2019 and No. 39/De-reservation-19/2019/SSW-I dated 29.04.2019. **(Action: SSW-I)**

Agenda Item No. 10:	Public hearing at Bangalore for Exclusion of 04 castes from Scheduled Castes list of Karnataka State.
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Decision Taken: The Commission has decided to form a committee consisting of Vice-Chairman, Member (KR), Director, State Office Hyderabad and Director Shri C.S. Verma Hqrs. to examine the order of Hon'ble High Court of Karnataka dated 23.08.2012 and dated 27.03.2019 and to suggest the effectiveness of the public hearing in this regard. The committee will submit the report within one month. US(SSW) Shri B. Saha will pursue from Ministry of Law & Justice for any advice in this regard. **(Action: ESDW)**

Agenda Item No. 11:	Any other item with the permission of the chair.
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- (i) Hon'ble Member (YP) raised the issue of income limit for the Scheduled Castes students in getting scholarship, he stated that a restriction of 2.5 lakhs has been imposed for releasing scholarships in the State of Bihar which needs to be enhanced. Letters regarding the same may be sent. **(Action: ESDW)**
- (ii) Hon'ble Chairman desired that details of sewer death cases are not available in the Hqrs. State-wise details of all sewer death cases/cases of manual scavenging may be collected from the States and if necessary hearing in these cases may be conducted for giving justice and relief to the victims. **(Action: ESDW)**
- (iii) Hon'ble Chairman directed that details of State Level Vigilance Monitoring Committee may be obtained from the State Offices and if the meetings are not conducted by any State as per prescribed time line and if representatives of NCC are not invited well in time for these meetings then send to the concerned State Government. **(Action: C.Cell)**

Minutes of the Sixth meeting held on 03.09.2019

- (iv) Ministry of Housing and Urban Affairs is allotting new space for a tribal tower to house NCST. A letter may be sent to Secretary, Housing and Urban Affairs for similar space so that NCSC building may be constructed. Ministry of SJ&E to also be asked to help in this regard like the Ministry of Tribal Affairs following up for NCST.

(Action: Admn.)

- (v) It was decided that the concerned attached officers and Hon'ble Members will take care to ensure no directions, injunctions etc. are given from the Commission during making of the minutes of hearings in the Commission as such directions are not in the mandate of the Commission. The Commission should give only recommendation in terms of relevant rules and regulations. If any CMD/CEO or any authority of the PSUs/Banks and Government Institutions do not attend the hearing of the Commission, the concerned Administrative Ministry/Departments should be informed of the same & called for the next hearing. Detailed Instructions to be issued by C.Cell.

(Action: C.Cell)

The meeting ended with the thanks to the Chair.

SIXTH MEETING OF THE NATIONAL COMMISSION FOR SCHEDULED CASTES SCHEDULED HELD ON 03.09.2019 AT 3.00 PM.

PRESENCE OF MEMBERS AND OFFICERS

S.NO. NAME & DESIGNATION

1. Prof. (Dr.) Ram Shankar Katheria, Chairman
2. Shri Keshappagula Ramulu, Member
3. Dr. Yogendra Paswan, Member
4. Dr. (Mrs.) Swaraj Vidwan, Member

Officers

1. Shri Pritam Singh, Secretary
2. Dr. (Smt.) Smita S. Chaudhri, Joint Secretary
3. Shri Ajit Kumar Sahu, Deputy Secretary (Admn. & C.Cell)
4. Shri Kaushal Kumar, Director (ESDW & APCR-II)
5. Shri C.S. Verma, Director (SSW)
6. Shri S.K. Dubey, Under Secretary (Admn. & C.Cell)
7. Shri Biswajit Saha, Under Secretary (SSW)