

Minutes of the Telangana State Review by National Commission of Scheduled Castes with Chief Secretary and other senior Officers of Government of Telangana (GoT) on 21.02.2018

Chief Secretary and other senior Officers of the level of Additional Chief Secretaries, Special Chief Secretaries and Principal Secretaries, Secretaries, Commissioners, Directors etc. of GoT participated in the review by the National Commission for Scheduled Castes . List of participants is placed at Annexure - I.

The Chief Secretary while welcoming the Commission stated that Telangana is the youngest State of India and is set for fast development in various sectors and looked forward for Commission's pro-active observations and advice to strengthen their activities.

The Chairman / NCSC in his opening remarks said that the Commission has come to Telangana as a part of its Constitutional mandate to monitor the implementation of safeguards and rights of the Scheduled Castes in the state. The review is an exercise undertaken to point out the areas of concern of NCSC and to sensitize the Government towards the same. The Commission had sent detailed proformae to the State Government for submitting detailed information on work done by state on schemes for welfare of SCs, Central Sector Schemes , Central Schemes & State Sector Schemes , other GOI schemes like PMAY , Ujjawala , Mudra , Stand Up , Jan Dhan , MNREGA etc, action taken regarding prevention of atrocities , payment of compensation to victims of atrocities, action taken regarding prohibition of Manual Scavenging etc.

Analysis of the replies to the various proformae and questionnaires of the Commission, data of NCRB , MSJE etc has been made by the Commission. Detailed discussions will be held after a brief presentation by the Commission on the findings and concerns of the Commission on the core sectors

mentioned. Responses of the State Government will be invited on the findings in the presentation during detailed discussions.

In the presentation the main issues highlighting the areas of concern of the Commission were :

1. Violation of Article 338(9) of the Constitution due to non consultation by State Government on major policy decisions of the state which may affect the SCs, viz ,
 -) SC/ST Special Development Fund (Plan, Allocation &Utilisation of Financial Resources) Act, 2017.
 -) The Telangana Victim Compensation Scheme,2015 under section 357A of CrPC.

Chief Secretary assured that hence forth all policy matters will be referred to NCSC for opinion.

2. Expenditure on Schemes for welfare of SCs is much below the norm, while allocation has increased from Rs 8089.24 crore to 14375.13 crore from 2015-16 to 2017-18, the actual expenditure had remained almost static at near Rs 4000 crore¹. In fact the % of expenditure on SC specific schemes to the total plan allocation has actually come down to 4.67 in 2017-18 from 7.50 in 2015-16. Departments like Energy , Panchayat Raj, Rural water supply & sanitation, TSWREIS, Rural development , MA&UD , WD&CD,H&FW, Weaker section Housing,SC development, Municipal administration, irrigation , Transport etc had very low expenditure vis a vis the allocation. This was very worrying as now there was no time left in the FY 2017-18 for proper & effective utilization of funds.
3. The literacy rate of Telengana is below the All India average and the difference is much higher in SCs especially SC women.

1. at Rs 3929.64 crore in 2015-16 to Rs 4116.79 crore in 2017-18

4. Drop out rates are high and show an increasing trend from 2014-15 to 2016-17, especially in the secondary school levels. **Hence Commission desired to know the measures taken by Government to promote education , improve literacy and reduce drop out rates as well as mechanism in place for monitoring .**
5. There is large difference between the actual no of SC students in class 9 & 10 and those registered for premetric scholarship, viz 181691 SC students were registered in 2015-16 in classes IX & X , premetric scholarship was given to only 62089 (registered 101790) hence 119622 students did not get scholarship. There are similar figures in 2016-17.
6. There is a huge jump of SC students enrolled in classes IX & X in 2017-18 (582538) from those in enrolled in 2016-17 (181182) which needs to be clarified .
7. In 2016-17 only 162066 SC students received Post Matric scholarship (PMS), which is only 11.89% of the total students that year much below the SC population of the State.
8. Reasons for 53289 SC students from 2014-15 to 2016-17 not receiving PMS is not clear , with 44682 students left over in 2016-17. Have the students left over from 2014- 15 to 2016-17 , now received the PMS needs to be clarified.
9. **Mudra Loans** : The number of loans given to and amount sanctioned to SCs in 2016-17 has declined sharply
How many loans of Rs 10 lakh have been given and how many loans from Rs 5 lakh to Rs 10 lakh needs to be specified.
10. Details of how many SC persons have opened accounts under **PM Jan Dhan Yojna** vs the total no. of PMJDY were not available , they may be given.
11. **Stand Up Scheme** : No details of Stand up Scheme beneficiaries have been given , while the scheme has special provision that each branch will give loan to one SC / ST & 1 woman.

12. **Education Loan** : Details of how many SC students have availed education loan vs the total no. of beneficiaries is needed.
13. **The monitoring mechanism of of State Government for these important schemes of GoI run by Banks appears missing as no details have been given . As beneficiaries are residents of Telengana , a monitoring system is necessary.**
14. **MNREGA Scheme** : After analysis it appears that an average of 22 to 23 days employment per year for an SC job card holder was given², this is much below the norm of at least 100 days of job as per MNREGA.

15. Action on Atrocity cases :

-) Reluctance of police to register cases – seen by cases lodged u/s 156(3) of which approx. 20% were later charge sheeted- showing that the SC victim in these genuine cases also had to take refuge of the court to get FIRs registered.
-) Rate of crime against SCs is 28.27 against National average of 20.26 in 2016 , it is higher than National average in 2014, 2015 also.
-) The percentage of atrocity cases pending for investigation at level of police (42.90 , 42.30 & 54.30 in 2014 , 2015 & 2016 respectively) are much higher than the National average of 25.10, 29.70 & 29.60 for 2014, 2015 & 2016 respectively .
-) The conviction percentage in atrocity cases (7.20 , 9.30 & 6.70 in 2014 , 2015 & 2016 respectively) are way below the than the National average of 28.80, 25.80 & 24.90 for 2014, 2015 & 2016 respectively. The State Government needs to assess and improve the performance of the Special Public prosecutors.

² SC job cards – 9,32,749, SC person days 2.23 crore days, Actual no. of days job was given / year – 23

-) **Exclusive Special Courts** : Exclusive Special Courts need to be set up in all districts under sub section (1) of section 14 of the SC/ST Prevention of Atrocities Act (as amended 2015)
-) Delay by District Administration to sanction monetary compensation at FIR stage & chargesheet stage as per sections applicable of the SC/ST Prevention of Atrocities Rules , 1995 as amended in 2016 . Of the 1427 , 1293 and 1529 cases in 2014, 2015 & 2016 respectively and 861 cases registered upto July 2017 , compensation has been given in only 411, 530 , 687 and 493 cases in 2014, 2015 , 2016 & 2017. Compensation to victims of even grievous crimes like murder , rape and arson have not been paid .As per calculations compensation amount of at least Rs 13.94 crore still needs to be paid to the victims / dependents from 2014 to 2017.
-) Not sending proposal for compensation component from Dr. Ambedkar Foundation/Jagjivan Ram Foundation to assist the victims.
-) Not utilizing provisions under Victim Compensation Scheme by sending grievous cases for sanction under the scheme.
-) **State Level Vigilance & Monitoring Committee(SLVMC)** under the Chairmanship of Chief Minister is to meet twice in a year as per Rule 16(2) of the POA Rules. This Committee is not yet constituted.
-) There is a Committee under Chairmanship of Minister of SCDD, which is not as per Rules. State Government needs to constitute the SLVMC and hold regular meetings of the same.

) **District Level Vigilance And Monitoring Committee (DLVMC)** meetings are to be held every quarter ,

- In 2015 out of 36 meetings by 9 districts only 10 meetings were held
- In 2016 , out of 36 meetings by 9 districts only 15 meetings were held.
- In 2017 , out of 124 meetings by 31 districts only 24 meetings were held

State Government needs to monitor the holding of regular meetings of the DLVMC .

16. Implementation of Prohibition of Manual Scavenging Act

The above Act & the Judgement of Hon'ble Supreme Court has not been properly implemented.

In 2013-14 there were 4 deaths and in 2016 also there were 4 tragic deaths during manual cleaning of sewers .

Payment made by GHMC is Rs 1 lakh , and Rs 6.21 lakh(hospitalization expenses in 2013-14 cases . Details of Compensation paid in 2016 cases not known.

Actual due Rs 10 lakh / death from principal employer & Rs 10 lakh from the insurance policy plus compensation as per the SC/ST POA Rules if victims are SCs.

GHMC has taken a policy of Rs 6 lakh sum insured , it has to be Rs 10 lakh as per Hon'ble Supreme Court's directions.

Detailed discussions:

Literacy & education:

In the detailed discussions the Commission desired to know measures taken by the State Government to improve literacy rates , reduce drop out rates & why enrolment in schools is going down.

Response of GoT :

Special Chief Secretary (Education) informed the Commission that literacy and dropout are combated by the Government and steps are already initiated. The figures reflected in the booklet are of 2011, whereas as by 2018 adult illiteracy has drastically come down by at least 50%, as per National Open Education Society's data. Illiteracy is seen mainly in population aged 15 years and above, that is why adult education is given importance through Sakshar Bharat programme, with a large no. of adult education centres(approx. 30%) in SC dominated areas. There are new Welfare residential schools being opened for SC students from KG to PG level which are doing very well.

The Commission had visited Telangana State SC Welfare Residential Educational Institutions Residential School/Junior College at Gowlidoddi, Hyderabad on 20 February 2018 and places on record its appreciation of the academic, residential and health facilities in the school. The Greenguru concept, viz., senior students taking tuitions and earning Rs. 3,500/- per week was unique and needs to be emulated in other states.

The presentation made by the Secretary TSWREIS on the Telangana State SC Welfare Residential Educational Institutions Residential Schools was also appreciated.

Regarding issues raised by NCSC like: large difference between the actual no of SC students in class 9 & 10 and those registered for premetric scholarship, jump of SC students enrolled in classes IX & X in 2017-18 (582538) from those in enrolled in 2016-17 (181182), in 2016-17 only 162066 SC students (11.9% of total students) receiving Post Matric scholarship, whether the students left over from 2014- 15 to 2016-17 , have now received the PMS etc , the officers gave an assurance to examine the same and submit a point wise report within 1 month.

Expenditure on Schemes for welfare of SCs :

Only Rs 7177 crore out of Rs 14375 crore was stated as spent on the schemes as on 15 February 2018. It was seen that departments like Energy , Panchayat Raj, Rural water supply & sanitation, TSWREIS, Rural development , MA&UD , WD&CD,H&FW, Weaker section Housing,SC development, Municipal administration, irrigation , Transport etc had not spent approx 50% of the allocation to date (15 February 2018).

Response of GoT

The various Departments explained the constraints regarding the low expenditure. The reduced expenditure of some departments is also due to many schemes being run in mission mode outside the budget eg.:

-) Mission Bhagiratha - aimed to give water to each and every household, the allocation of Rural water supply & sanitation deptt is not being spent.
-) The Janani suraksha funds (health) are not being utilized due to the better aid being given through KCR kits (where Government gives assistance for two deliveries in Government institutions).
-) Instead of PMAY - the 2 BHK scheme will be implemented once the planning & funding is finalised. In the 2 BHK scheme (Rs 16700 crore outlay) , there will be proportionate representation for SCs. In PMAY also 19,715 houses are targeted this year @ Rs. 1,20,000/- per unit.

The Finance Secretary stated that unspent money is now being carried over to next fiscal year due to the Act.

The CS and other senior officers committed to ensure speedy expenditure , improved planning & regular monitoring in the next year regarding schemes for welfare of SCs.

Swachh Bharat : Secretary, MA&UD informed that 1,45,000 toilets have been constructed so far. 75 towns are ODF free. GHMC Commissioner informed that instead of manual collection, SHGs are given vehicles to collect garbage from door to door.

Implementation of GoI schemes on employment & skill/ entrepreneurship development :

MNREGA : only 23 days of employment / year are being ensured against a target of 100 days / year. The Govt. will examine the data and give an update as well as steps taken to increase the no of days employment / person.

Mudra loan :

In 2016-17 against loans of Rs. 3878.38, SC coverage was only Rs. 244.11. Similarly during 2017-18, of Rs. 2341.05 loans given , loans to SCs were only Rs. 117.29. This is very low and state Govt needs to monitor whether Banks are implementing the scheme properly. Data on how many SCs have received loans of Rs 10 lakh, how many between Rs 5-9 lakh & how many below Rs 1 lakh need to be collected and analysed.

The CS indicated that a scheme called T -pride for SC enterprenuers is in operation & details of scheme and the progress on the scheme as well as data asked for on Mudra loan will be intimated to the Commission.

Ujjawalayojna , PM JandhanYojna , Stand up scheme, Education loans:

No data on SC beneficiaries of **Ujjawalayojna , PM JandhanYojna , Stand up scheme** (which has special provision that each Bank branch will select at least 1 SC/ ST and 1 woman to sanction loan) and **education loans** to students by banks was made available to the Commission . The data may be collected ,analysed and sent to NCSC.

Commission desired that the implementation by Banks / Oil PSUs of these important schemes be monitored by GoT regularly so as to ensure that SC beneficiaries are being benefitted. Data on how many bank branches have given Stand up scheme loan to SCs / SC women out of total no. of bank branches in 201-17 & 2017-18, how many SCs had applied for the loan ,average loan size etc need to be collected and analysed and sent to the Commission within 1 month.

Response of GoT:

CS/Telengana assured that a monitoring mechanism will be put in place and data collected from implementing banks & sent to NCSC within 1 month.

MD, SC Finance Corporation added here that the Corporation is giving training to unemployed youth thoroughskill development programmes . He gave an example of a scheme of Rs. 4 croresfor para-medical staff training through Apple Medicit.

Principal Secretary, R&B informed that Commission that NAC is giving training to SCs as well.

Reservation of industrial plots for SCs:

To the queries of Commission regarding reservations in SEZs and allocation done to SCs , Secretary, Industries informed that 15% reservation is made in TSSIC, but no information is available on SEZ for SCs and assured to send information within a month.

Assigning of land to landless SCs :

Chief Secretary added that Government is duty bound to protect Government land and assigned lands are not be allowed to be sold and resumption is done only when original assignees do not enjoy the land.

Action to reduce Atrocities and status of compensation to Victims / families:

The Commission emphasized a few aspects needing the attention of the CS , PS (home) , PS (SCDD) and District Magistrates :

Timely and proper payment of financial compensation as per the amended SC/ ST Prevention of Atrocity (PoA) Rules 2016 :

-) There is a huge gap between the compensation to be paid to victims and the amount actually paid from 2014 to December 2017 . Victims / dependents of even heinous crimes like murder, rape & arson are not receiving the compensation amount and additional help as defined under the Rules. Eg : As per data furnished the families of 3 murder cases (out of 15 murders) in 2014, 5 murder cases (out of 17 murders)in 2015 , 18 murder cases (out of 32 murders)in 2016 and 9 murder cases (out of 12 murders)of 2017 are yet to receive any compensation . Similar is the case of victims of rape / gang rape , arson and other crimes. As per calculations of the Commission at least Rs 13.94 crorecompensation is due to be paid to victims/ dependents from 2014-2017. **The Government should regularly monitor the same and ensure the step wise compensation is paid timely.**
-) **State Level Vigilance & Monitoring Committee (SLVMC)**under the Chairmanship of Chief Minister needs to be constituted and meet twice in a year as per Rule 16(2) of the POA Rules.
-) **District Level Vigilance And Monitoring Committee (DLVMC)**meetings are to be held every quarter .
-) Steps need to be taken set up Exclusive Special Courts in all districts under sub section (1) of section 14 of the SC/ST Prevention of Atrocities Act (PoA) (as amended 2015) & regular monitoring of the work of the Special Public Prosecutors is needed as the conviction rate of Telengana is very low as compared to the national average.

-) In heinous crime cases , proposals for compensation component from Dr. Ambedkar Foundation/Jagjivan Ram Foundation and for GoIVictim Compensation Scheme should be sent by district authorities in order to assist the victims.

Response of GoT

CS stated that due to reorganisation of the districts these issues were pending , but assured action on all the above points. CS and PS(SCDD) also committed to regularly monitor the timely and correct payment of compensation and send proposals for assisting victims on heinous crimes to Dr. Ambedkar Foundation and under Victim Compensation Scheme.

Implementation of Prohibition of Manual Scavenging Act :

The Commission had found that the above Act & the judgement of Hon'ble Supreme Court has not been fully implemented. The amount paid to families of 8 victims is less than stipulated and GHMC has taken a policy of only Rs 6 lakh sum insured ,rather than Rs 10 lakh as per Hon'ble Supreme Court's directions.

MD, HMWSSB replied that there were 3 sewage death cases and compensation of Rs. 10/- lakhs were given and contractors were black listed. Manual cleaning of sewers is banned and they are buying 71 machines for clearing sewerage and giving training to staff to use them. Insurance cover has now been raised to Rs. 10/- lakhs. Full implementation of the Act as well as addition of the relevant section of the MS Act and the SC/ST POA Act in FIRs will be ensured.

Summing up the discussions the Chairman - NCSC appreciated the efforts of officers , he emphatically & clearly pointed out that as there are short comings in implementation of Government Schemes, Centrally Sponsored Schemes etc. which were pointed out during the review , there is need to

regularly monitor the same to ensure that the benefits of these schemes reach the target SC population and help in their economics and social upliftment. He urged Chief Secretary to review SCSP and action taken under the POA Rules regularly, issue necessary instructions and also take steps to immediately constitute the State Level Vigilance & Monitoring Committee. He desired that the details asked for by the Commission may be compiled and sent to the Commission in the committed time frame.

Chief Secretary / Telengana assured the Commission that action as desired by Commission on various issues will be taken and the detailed reports as asked for will be submitted to the Commission in the time frame as fixed.

NATIONAL COMMISSION FOR SCHEDULED CASTES

List of officers present in the Telengana State Review by
NCSC held at 10.30 a.m. on 21.02.2018

S. No.	Name & Designation	Name of Department	Ph. No./ Mobile No.
1.	Shri S.K. Joshi, IAS	Chief Secretary	
2.	Dr. Buddhaprakash, IAS	Secretary, SCDD Department	
3.	Shri P. Karunakar	Director, SCDD	
4.	Shri V.V. Srinivasa Rao, IPS	Commissioner of Police, Hyderabad City Police	9490616000
5.	Shri T. Murali Krishna, IPS	Hyderabad City Police	9490616100
6.	Dr. R.S. Praveen Kumar, IPS	TSWREIS	9989997430
7.	Dr. M. Jagan Mohan, IAS	Commissioner of Agriculture	9878987770
8.	Shri Sunil Sharma, IAS	Principal Secretary, Roads & Buildings	9603269399
9.	Shri Shashank Goel, IAS	Labour, Employment & Training	9868188562
10.	Shri B. Shivadhar Reddy	Police Department	9490618994
11.	Shri S. Manikandan	DGM, SBI, LHO, Koti, Convenor, SLBC	8008235500
12.	Shri B. Janardhan Reddy, IAS	Commissioner, GHMC	9849908576
13.	Shri Lachiram B.	VC & MD SC Corporation	9573210005
14.	Shri Devanand	Additional Commissioner, Industries	9640909838
15.	Mrs. Santhi Kumari, IAS	Health, Nutrition & FU	
16.	Mrs. Chitra Ramachandran, IAS	Housing	
17.	Shri Munindra	Forest Department	9666400099
18.	Shri Ajay Mishra, IAS	Energy, Spl. Chief Secretary	9848822299
19.	Shri Srinivasa Rao	JMD, TS TRANCO	9440812839
20.	Shri A. Sudhakar Rao	VC & MD TS REDCO	9490894488
21.	Shri G. Kishan, IAS	C & D SE	9515129617

22.	Smt. RanjeevAcharya, IAS	Spl. Chief Secretary, Education	
23.	Dr. A Ashok, IAS	Commissioner of Intermediate Education	998992622
24.	Smt.ViziendiraBoyi, IAS	Women & Child Welfare Department	9849900897
25.	Shri Mohamed Abdul Azeem, IAS	Youth Services	9849302207
26.	Shri V. NiranjanaRao, IAS	Law Secretary	9848785123
27.	Smt. T.K. Sreedevi, IAS	CDMA	8978311550
28.	Shri C.V. Anand, IPS	Principal, Secretary, Civil Supplies	9490616127
29.	Smt. Anita Rajendra, IAS	BC Welfare Department	85000800
30.	ShriSandeep , IAS	AHDDCF	7893329992
31.	Shri G.V. RamanaRao	TSRTC	9959224888
32.	Smt. N.T. Visalatchy, IPoS	Director, Heritage	9490493072
33.	Smt. PausamiBasu, IAS	CEO, SERP	9989498214
34.	Shri K. Ramakrishna Rao, IAS	Finance Department	9959334560
35.	Shri J. Venkatesh	Commercial Taxes	9985710249
36.	Shri A. DinakarBabu, IAS	VC & MD Sports	8978844998
37.	Dr. Danakishore, IAS	HMWS&S Board	

