

# ANNUAL REPORT 2014-15



**GOVERNMENT OF INDIA**

**NATIONAL COMMISSION FOR SCHEDULED CASTES**

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Chairman



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National Commission for Scheduled Castes

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*Respected President*

It is our great privilege to present to you the Annual Report 2014-15 of the National Commission for Scheduled Castes. The major recommendations on important areas of jurisdiction of National Commission for Scheduled Castes have been highlighted in the Chapter XI of the Report. This is for your kind information and valuable suggestions, if any, on the Report.

I shall remain indebted if the Report is forwarded to the Government with direction to take further necessary action on the Report.

*with warm regards,*

Yours sincerely,

(P.L. Punia)

**Shri Pranab Mukherjee**  
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## PREFACE

Consequent upon the Constitution (Eighty Ninth Amendment) Act, 2003 coming into force on 19 February, 2004 the erstwhile National Commission for Scheduled Castes and Scheduled Tribes has been replaced by (1) National Commission for Scheduled Castes and, (2) National Commission for Scheduled Tribes. The Rules of the National Commission for Scheduled Castes were notified on 20 February, 2004 by the Ministry of Social Justice and Empowerment.

The tenure of the third Commission ended in October, 2013. The fourth and the present National Commission for Scheduled Castes has been constituted with effect from 22 October, 2013 with **Shri P.L. Punia** as **Chairman** and **Shri Raj Kumar Verka** as **Vice Chairman**. **Shri Raju Parmar**, **Shri Ishwar Singh** and **Smt. P.M. Kamalamma** are **Members**.

As part of its Constitutional obligations the National Commission for Scheduled Castes has to prepare an Annual Report based on activities undertaken by it during the previous year. After the constitution of the fourth Commission on 22 October 2013, the Annual Report 2013-14 was prepared and submitted to the President of India on 13 May, 2015.

The present report covers the activities of the present (fourth) Commission for the period from April 2014 to March 2015.



## CHAPTER – I The Commission , functions and duties

### **1.1 Introduction**

For effective implementation of various safeguards provided in the Constitution for the welfare of Scheduled Castes and Scheduled Tribes (SCs and STs) and in 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 SCs and STs, provided in various statutes, and to report to the President of India on 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 also set up in different parts of the country.

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 mooted for amendment of Article 338 of the Constitution (Forty-sixth Amendment) for replacing the arrangement of one Member system with a Multi-Member system. The Government thereafter through a resolution in 1987 decided to set up a Multi-Member Commission, which was named as National Commission for Scheduled Castes and Scheduled Tribes.

Consequent upon the Constitution (Eighty-Ninth Amendment) Act, 2003 coming into force on 19.02.2004, the erstwhile National Commission for Scheduled Castes and Scheduled Tribes has been replaced by (1) **National Commission for Scheduled Castes** and (2) National Commission for Scheduled Tribes. The Rules of the National Commission for Scheduled Castes was notified on 20 February, 2004 by the Ministry of Social Justice & Empowerment.

The present and the Fourth National Commission for Scheduled Castes (NCSC) was constituted on 23 October 2013 and is headed by Shri P. L. Punia as

Chairman, Shri Raj Kumar Verka as Vice Chairman and Shri Raju Parmar, Shri Ishwar Singh and Smt. K.M. Kamamma as Members.

## **1.2 Functions and duties :**

The functions, duties and powers of the Commission have been laid down in Clauses 4,5 ,8,9 and 10 of the Article 338 of the Constitution .

The Clause 4 of the Article 338 of the Constitution empowers the Commission to regulate its own procedure for meaningful performance. Rules framed by the Commission under this provision have been notified on 25 March 2009. The Rules of Procedure of the Commission are available at the website of the Commission: [www.ncsc.nic.in](http://www.ncsc.nic.in).

**Clause 5 of the Article 338 of the Constitution** states that the Commission has the duty to investigate, monitor all matters relating to safeguards provided to the Scheduled Castes under the Constitution, inquire into specific complaints of violation / deprivations of such safeguards, to participate in the planning process of socio-economic development of the Scheduled Castes, present Annual Reports on the working of the safeguards including recommendations thereon.

**As per the provisions of Clause 5 (c) of Article 338**, the Commission is required to participate and advise on the planning process of socio-economic development of SCs and evaluate the progress of their development under Union and States /UTs. The role of the Commission in these areas would involve interaction at various levels, i.e., with the Niti Ayog<sup>1</sup>, the Central Ministries and the State / UT Governments. The Commission should participate in formulation of policies and the developmental programs for Scheduled Castes, including Special Component Plan for Scheduled Castes.

**Clause 8 of the Article 338 of the Constitution** confers the power of a civil court to the Commission while investigating any matter as laid down under Clause 5.

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<sup>1</sup> Earlier called the Planning Commission

**Clause 9 of the Article 338 of the Constitution** reads as follows:

“The Union and every State Government shall consult the Commission on all major policy matters affecting Scheduled Castes.”

The Constitution has made it mandatory for the Union and every State Government to consult the Commission on all major Policy matters affecting SCs. This is very important function of the Commission, which is to keep track of all the major policy decisions, Legislative or Executive action taken by the Government of India or any State Government.

**Clause 10 of the Article 338 of the Constitution** reads as follows:

“In this article, references to the Scheduled Castes and Scheduled Tribes shall be construed as including references to such other Backward Classes as the President may, on receipt of the report of a Commission appointed under clause (1) of Article 340, by order specify and also to the Anglo-Indian community”

**This Annual Report (2014-15) covers the activities of the Commission from April 2014 to March 2015.**



## CHAPTER – II CONSTITUTIONAL SAFEGUARDS

The Preamble to the Constitution of India provides securing for all the citizens, Social, Economic and Political Justice and equality of status and opportunity. The Directive principles as contained in Article 46 of the constitution provide that “the state 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”. The Constitution under Article 366(24) specifically defined the term Scheduled Castes. The various safeguards and protective measures are sought to ensure for their all-round development and freedom from exploitation and social injustice so that they could form part of the mainstream of the society. These Constitutional safeguards can broadly be categorized as mentioned below:

### **2.1 Safeguards to Scheduled Castes**

**2.1.1 Article 366(24)** “Scheduled Castes” means such Castes, races or tribes or parts of or groups within such castes, races or tribes as are deemed under article 341 to be Scheduled Castes for the purpose of this Constitution.

**2.1.2 Article 341(1)** The President may with respect to any State or Union territory, and where it is a State after consultation with the Governor thereof, by public notification, specify the castes, races or tribes or parts of or groups within the castes, races or tribes which shall for the purpose of this Constitution be deemed to be Scheduled Castes in relation to that State or Union territory, as the case may be.

**2.1.3 Article 341(2)** Parliament may by law include in or exclude from the list of Scheduled Castes specified in a notification issued under clause (1) any caste, race or tribe or part of or group within any caste, race or tribe, but save as aforesaid a notification issued under the said clause shall not be varied by any subsequent notification.

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

- Social Safeguards - **Article 17, 23, 24 and 25 (2) (b)**
- Economic Safeguards - **Article 23, 24 and 46**
- Educational & Cultural Safeguards - **Article 15 (4)**
- Political Safeguards - **Article 232, 230**
- Service Safeguards - **Articles 16(4), 16(4A) and 335**

## **2.2 Statutes and Legislations**

A number of legislations have been enacted for implementation of the Constitutional safeguards to the SCs and STs. Illustrative lists of such legislations are given below:

- The Protection of Civil Rights Act, 1955.
- The Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989.
- The Employment of Manual Scavengers and Construction of Dry Latrines(Prohibition)Act, 1993.
- Prohibition of Employment as Manual Scavengers and their Rehabilitation Act, 2013.
- Acts and regulations in force in different States to prevent alienation of land belonging to SCs/STs. In some States such provision exists in the Land Revenue Code.
- Acts in different States for restoration of alienated land to SCs &STs.

**CHAPTER III  
MAJOR DECISIONS TAKEN IN THE MEETINGS OF THE  
COMMISSION**

From the period starting from 1 April 2014 to 31 March 2015, the Commission under the Chairmanship of Shri P.L. Punia has conducted the Commission meetings<sup>1</sup> on following dates:

<b>Dates of Meetings</b>	
<b>3<sup>rd</sup> Meeting</b>	<b>04/08/2014</b>
<b>4<sup>th</sup> Meeting</b>	<b>02/12/2014</b>
<b>5<sup>th</sup> Meeting</b>	<b>10/02/2015</b>

**BRIEF SUMMARY OF MAJOR ISSUES DISCUSSED AND  
DECISIONS TAKEN IN THE MEETINGS:**

**A. 3<sup>rd</sup> Meeting of the Commission**

The major decisions taken in the **3<sup>rd</sup> Meeting** of the National Commission for Scheduled Castes held on 04/08/2014 were as under :-

**1. Agenda Item : Inclusion of Sarathi, Soot Sarthi, Sahis, Sais and Thanwar Castes and Synonyms of Ghasi, Ghasia, a Scheduled Castes at Sl.No.25 of the list of Scheduled Castes of Chhattisgarh.**

**Action Taken:** The NCSC concurred with the proposal of the State Government of Chhattisgarh for inclusion of Sarathi, Soot Sarthi, Sahis, Sais and Thanwar Castes and Synonyms of Ghasi, Ghasia, a Scheduled Castes at Sl.No.25 of the list of Scheduled Castes of Chhattisgarh. The Ministry of SJ&E was informed accordingly.

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<sup>1</sup> as required under Rules of Procedure formerly notified vide number 17014/12/99-TDR dated 19th February, 2004 with revised Notification dated 25 March, 2009

**2. Agenda Item: Inclusion of Peruvannan as synonym of Mannan, Pathiyan, Perumannan, Vannan, Vela (Sl.No.37) in the list of Scheduled Castes in the list of Kerala.**

**Action Taken:** The NCSC concurred with the proposal of the State Government of Kerala for inclusion of Peruvannan as synonym of Mannan, Pathiyan, Perumannan, Vannan, Vela (Sl.No.37) in the list of Scheduled Castes in the list of Kerala. The Ministry of SJ&E has been informed accordingly.

**3. Agenda Item: Proposal for replacement of the existing entry “Malayan (in the areas comprising the Malabar District) by “Malayan (in the areas comprising Kozhikode, Wayanad, Kannor and Kasaragod)” in the list of Scheduled Castes of Kerala.**

**Action Taken:** The NCSC concurred with the proposal of the State Government of Kerala for replacement of the existing entry “Malayan (in the areas comprising the Malabar District) by “Malayan (in the areas comprising Kozhikode, Wayanad , Kannor and Kasaragod)” in the list of Scheduled Castes of Kerala. The Ministry of SJ&E was informed accordingly.

**4. Agenda Item : Information/data on representation of SCs in Group ‘A’, ‘B’, ‘C’ & ‘D’ posts under State/UTs Govt. Services.**

**Action Taken:** The matter was considered and it was decided that the State-wise data will be compiled on the following items:-

- (a) Representation of SCs in Group ‘A’, ‘B’ ‘C’ & ‘D’ posts.
- (b) On the State SCSP schemes for the year 2012-13.
- (c) On Atrocities

All the data have been collected, collated and compiled.

**5. Other Agenda:** The matter relating to proposal received from the Ministry of SJ&E on modification in the SC list of Odisha - Proposal for deletion of the communities of **Patratanti** (Sl.No. 16), **Bariki** (Sl.No.3) and **Kummari** (Sl.No.49) from the list of Scheduled Castes of Odisha State has been discussed and considered. It was decided that before arriving any decision in the matter, the views of the Chief Secretary, Government. of Odisha obtained by calling him in person before the Commission.

**B. 4<sup>th</sup> Meeting of the Commission**

The major decisions taken in the 4<sup>th</sup> Meeting of the National Commission for Scheduled Castes held on 02/12/2014 were as under :-

**1. Agenda Item: Modification in the SC list of Odisha -Proposal for deletion of the communities of Patratani (S.No.16), Bariki (Sl.No. 3) and Kummari (S.No.49) from the list of Scheduled Castes of Odisha State.**

**Decision Taken:** The Commission approved the proposal.

**2. Agenda Item: Newspaper cutting of “The Times of India, New Delhi Monday, November, 2014” titled as “Muslims, Dalits, Tribals 53% of all prisoners”.**

**Decision Taken:** The Commission noted with grave concern the contents of the Newspaper cutting. The Chairman mentioned that it was earlier decided that the Members should visit the jails in their respective States, after obtaining necessary data in the prescribed format, to examine the status of the SC prisoners. It was also decided that the Commission will conduct the review of the Tihar Jail after obtaining necessary data from the Jail Authorities. It was also decided that status of the Central Jails situated in the concerned cities where State Reviews are conducted should also be reviewed by the Commission.

**3. Agenda Item: Comments of the National Commission for Scheduled Castes on the draft note for the Cabinet Committee on the Economic Affairs for the revision of the scheme of Special Central Assistance (SCA) to Scheduled Castes Sub Plan (SCSP)**

**Decision Taken:** The Commission ratified the comments on the proposal already sent to the Ministry of Social Justice & Empowerment.

### **C. 5<sup>th</sup> Meeting of the Commission**

The major decisions taken in the **5<sup>th</sup> Meeting** of the National Commission for Scheduled Castes held on 10/02/2015 were as under :-

**1. Agenda Item : Final Draft of the Annual Report for the period 2013-14.**

The Draft Annual Report for 2013-14 was taken up for consideration by the Commission. After detailed discussion, the Report was approved with some modifications. Report was submitted to the Hon'ble President on 13/05/2015.

**2. Agenda Item: Proposal received from the Ministry of SJ&E regarding Inclusion of (1) Aheria, Aheri, Heri, Thori, Turi and Hari (2) Rai Sikh Communities in the SC list of Haryana.**

**Decision Taken:** The proposal was approved and MSJE was informed accordingly.

**3. Additional Agenda Item: Proposal received from the Ministry of SJ&E regarding removal of area restriction in respect of Chain Community in the list of SC in West Bengal.**

**Decision Taken:** The Commission noted that earlier Chain Community has been considered as Scheduled Castes in 4 districts of West Bengal. As the proposal now is to remove the area restriction, the Commission decided that Member in-charge of West Bengal may visit and submit his report after consultation with the State Office, State Government. & the public. Agenda Note and letter for organizing the meeting shall be sent to the Government of West Bengal & National Commission for Scheduled Castes State Office at Kolkata to facilitate consultations.

**4. Agenda Item: Other items.**

- (i) It was decided that "percentage of SCSP expenditure to the State Plan Allocation" may be added in the Performa for calling information from the State Governments.
- (ii) The Commission desired to know the latest status of laying of Reports of the Commission in the Parliament. The Commission was apprised that all

Reports up to May, 2010 and other Reports on AIIMS, BHU, Reservation in Judiciary and Reservation in Promotion have been laid before the Parliament. However two Annual Reports i.e. Reports for 2010-11 & 2011-12 , 2012-13) are yet to be laid in the Parliament .

Another report approved by the Commission in 2013 on “The Problems of Migrant SCs in obtaining Caste Certificates” was submitted to President of India along with Annual Report 2013-14 on 13/05/2015.



## CHAPTER-IV ACTIVITIES OF THE COMMISSION

### **4.1 Activities as per Mandate**

The Commission has a wide charter in terms of functioning relating to the overall policy, planning, coordination, evaluation and review of the regulatory framework and developmental programmes relating to the Scheduled Caste community. The Commission draws its strength from the Article 338 of Indian Constitution which is the backbone of its functioning.

2. The Commission as per Article 338 under clause (5) of the Constitution of India has been entrusted the following mandate:

- (a) to investigate and monitor all matters relating to the safeguards provided for the Scheduled Castes under this Constitution or under any other law for the time being in force or under any order of the Government and to evaluate the working of such safeguards;
- (b) to inquire into specific complaints with respect to the deprivation of rights and safeguards of the Scheduled Castes;
- (c) to participate and advise on the planning process of socio-economic development of the Scheduled Castes and to evaluate the progress of their development under the Union and any State;
- (d) to present to the President, annually and at such other times as the Commission may deem fit, reports upon the working of those safeguards;
- (e) to make in such reports recommendations as to the measures that should be taken by the Union or any State for the effective implementation of those safeguards and other measures for the protection, welfare and socio-economic development of the Scheduled Castes; and
- (f) to discharge such other functions in relation to the protection, welfare and development and advancement of the Scheduled Castes as the President may, subject to the provisions of any law made by Parliament, by rule specify.

3. In order to fulfil the above obligations and mandate, the Commission conducts Review meetings, hearings, spot visits, studies etc. A gist of the activities performed during the year 2014-15 is as below.

#### 4.2 State Reviews Conducted:-

During the year under report, the Commission conducted the following State reviews.

Sl. No.	Name of State	Date of Review
1.	Kerala	30.10.2014
2.	Punjab	20.01.2015
3.	Chandigarh	20.01.2015

#### 4.2.1 Kerala State review

The recommendations of the Commission are as:-

##### 4.2.1.1 Atrocities

- **Low rate of conviction and disposal of cases by Courts:** The registration of atrocity cases against Scheduled Castes increased from 1388 in 2012 to 1589 in 2013, the conviction rate is merely 1.7 per cent. Most of the cases were settled out of the court and only 46 cases resulted in conviction.

The Commission suggested that Special Courts to try cases involving scheduled castes, the State Government should survey and analyze the reasons and to minimize the high acquittal rate.

- **Meetings of the State level and District level Vigilance and Monitoring Committees:** Commission noted that no mandatory meeting of the State level Vigilance Monitoring headed by the Chief Minister were held during the current year and during 2013-14 also only one meeting was held. No details have been provided about the mandatory quarterly

meetings held by the District level Vigilance and Monitoring Committees.

- **Details of posting of SC Police Officers and PPs:** The Commission desired to know the number of SC Officers asSPs, PPs and Lawyers in 14 districts. Since Palakkad, Kasargod & Wayanad are very sensitive districts where atrocities against SCs are high Commissionenquired whether the State Government took this aspect in mind and considered posting District Police chiefs or a Station Officer from Scheduled Caste community in such sensitive areas.

- **Cases of False Caste Certificates:**

There are 244 such reported cases in 2009 and during the last five years action has been taken against 7 cases only as current figure is 237. The Commission desired to know the exact status of those cases.

- **Manual Scavenging**

The House Hold survey conducted in 2011 gave certain information about existence of insanitary latrines in Kerala,hence if insanitary latrines exist in the State, information regarding who services such insanitary latrines was called for.

- **Engagement of Safai Karamcharis on Contract basis:**The Commission inquired if the Municipal Karmacharies in the Municipal Corporation/Municipal Board are being engaged on contract or regular service and if this includes the normal sweeping. It was pointed out that in outsourcing there is a chance of exploitation of labourers and lack of job security as payment of salaries depend upon the contractor. A review is required to be conducted on cleaning of sewage and pattern of payment of salaries to contract workers.

The Commission asked if there is any agreement or MOU with the contractor with regard to medical checkup and also if the contract workers have their Bank accounts for deposit of salaries/wages.

#### **4.2.1.2 Service Safeguards**

- **Representation for SCs in services:** The Commissionpointed out that reservation in services for SCs should be 9% instead of 8% i.e. equal to

the population of SCs in the State.

- **Reservation in Promotion:** Commission noted that the State Government has kept no provision for reservation in promotion. Attention was drawn towards the provisions of the Constitution regarding reservation in promotion. The State Government also does not maintain any rosters to monitor reservation in promotion. NCSC strongly recommended making a provision for reservation in promotion and maintenance of two types of rosters for each cadre, one for direct recruitment and the second for promotion.

State Government stated that promotion is being given based on the seniority and other qualification tests conducted by the Public Service Commission. Reservation is maintained only at the entry cadre.

- **Filling up of backlog vacancies:** The number of backlog vacancies was stated as 219 this year and the number of backlog vacancies filled is 19 leaving the balance of 200. But as per information given in the meeting the number of backlog vacancies remaining unfilled is 352.
- **Reservation in Aided Institutes:**  
The Commission pointed out that this issue was in the last Review Meeting also when it was recommended that if it needs a statutory amendment or requirement of a new law, then the State Government should be ready for same. In aided institutions, the Hon'ble Supreme Courts have clearly ruled that reservation is applicable in aided institutions as these institutes are getting public funds. The Commission recommended for consideration of this issue by the State Government.

#### **4.2.1.3 Social and Educational Development issues:**

- **Education:** Commission observed that literacy rate in the State of Kerala, compared to all India level, is high. Kerala achieved literacy rate of 93.91%. which is 20% higher than the national rate. Commission appreciated the efforts of the State Government. However, the State Government should look into the small shortfall of Mahila literacy.
- **Maintenance of Girl Hostels:** The inspection conducted by the State

Office of the Commission showed there were no regular wardens for Girls's Hostels and this is a very serious issue. There are 17 Post-metric hostels and 87 Pre-metric hostels under Scheduled Caste Development Department. Out of these 17 post metric hostels, 7 hostels are for girl students. In pre-metric hostels there is post of warden, suitable recruiters not being available in PSC the wardens are appointed on daily wages. In addition to this there are 90 Nursery schools in the State.. The Commission noted that number of hostels allotted to SC/ST students is not enough and recommended to conduct surveys, identify the shortcomings and Plan to overcome the same.

- **Scholarship:** As per the details provided the State Government has given the scholarship details from the year 2008 to 2014. In 2010-11 number of students was 'nil' and amount allocated was also 'nil' , in 2011-12 & 2012-13 number of students was 'nil' but amount allocated was ₹ 7.88 crore and ₹ 7.13 crore respectively..As scholarships cannot be given unless there are eligible students ,the Commission requested clarification.
- **Residential Schools:** Commission suggested that the State Government can increase the number of residential schools and especially for girls. 100 percent grant is available from the Central Govt. Presently there are only 9 residential schools out of which two for girls and six for boys and one is combined.
- **Coaching Classes:** The Commission desired to know the success rate of candidates who obtain coaching for PSC/UPSC/UB examination from state run coaching center and the number of candidates who are selected for I.A.S/I.P.S through these institutions. Commission further inquired if the State Government runs Model Sports residential Schools and the number of candidates who got job after getting training from there. Secretary, General Administration Department informed that two persons have qualified in IAS main examination and many in the I.E.S/I.R.S etc. The State Government promised to provide further details about this in 2 months.

- **Caste Certificates to migrant SCs:** The Commission pointed out the difficulty being faced by the migrant Scheduled Castes to obtain Caste Certificates. Secretary, Scheduled Castes Development Department stated that the interstate migrants and inter district migrants can claim the SC status if they have filled up a form.
- **Reservation in Devaswom Boards in Kerala:**

The Commission pointed out that there are 5 Devaswom Boards in Kerala. It was brought to the notice of the Commission by the representatives of SCs that despite Government control, reservations are not implemented in the Devaswom Boards. Minister for Welfare of Scheduled Castes, Backward Classes and Tourism informed the Commission that at present, Kerala Government has constituted a new body for recruitment of personnel in the Devaswom Boards and the said body would follow the instructions for the selection process.

## **4.2.2 Punjab Review**

### **4.2.2.1 Socio-economic Development Issues:**

- **Human Development :** Punjab has the highest concentration of SC (31.9%) in the country but the land holding among them is just 4%. Despite the recommendations of the Commission in the last review for allocating surplus land with the government to landless SCs, there is no action so far as 18766 hectares of land is lying vacant. Also out of land holding by SCs (4% of the total Land) most of the land is disputed in various Courts. The Commission also pointed out in Hoshiarpur District 300 Kanal land of SCs is disputed.

On the human development index, the state is below the nation average. Current literacy rate among SC male is 61.51% as compared to national average of 75.17%. SC female literacy rate is 55.01% compared to national average of 78.68%.

- **Hostels** :The Secretary, Welfare of SCs/BCs, Punjab informed that the case of opening of new hostels (each of ₹ 1.00 Crore) is sent to the Government of India for sanction.
- **Coaching Centres** :The coaching centre for SCs are not providing specialized courses.
- **Technical Education** : Secretary, Technical Education informed that the Technical Education Department is working for development of 3000 SC students and over all 2 lacs are targeted for skill development. The skill development will be done at ITI level and training will be provided in PPP Model. The training in short term in different specialization is being provided. Placement rate is 75%. State Government was asked to provide details.
- **Medical Education** :. The Commission enquired about grounds for dereserving 85 seats of the medical college. Secretary informed that the Supreme Court instructions were obeyed as till the 3rd counselling no SC students could qualify but now from this year the Government will conduct State PMT and will not opt for AIPMT.
- **School Education** :Director General, School Education, informed there is sufficient number of schools available in the State and also as per RTE if there is no Government. school in the vicinity of 02 Kms then private schools need to give the admission to EWS students. 70 % of the cooks preparing mid day meals are SC . Further during the last review, the Commission recommended for opening Ashram type schools.
- **School Dropouts** : Dropout rate of SC students is given as 55.07% which is on the very high side. State Government was asked to provide details.
- **BPL** : Out of the total 5.23 lakh below poverty level ( BPL) families in Punjab more than 61.37% BPL families belong to SC families which shows that SC are not getting proper benefit of the Govt. schemes.

Secretary, Social Security, informed the Commission that Aanganwari Centres in Punjab provides food to BPL women and so the figures of the anemia etc. are low in Punjab as compared to All India. He also informed

that the schemes of the social security department are giving benefit to the 85% to the SCs. State Government was asked to provide details.

- **Poverty Alleviation** : No programme has been formulated by Govt for Poverty alleviation. State Government was asked to provide reasons.
- **Housing** :It is shown in information that 18 lakh homes are built for SCs. State Government was asked to provide details.
- **Toilets** :6.48 Lakh SC have no toilet facility , State Government was asked to provide details.
- **Ambedkar Bhawan** :The Commission recommended that Ambedkar Bhawans should be constructed in each district which can be used for the purpose for computer training etc.

#### **4.2.2.2 Scheduled Castes Sub-Plan:**

- **Low Allocation of Funds** :The Commission noted that allocation of SCSP funds is about 28% while it should be 32% i.e. equal to the percentage of population in the State.
- **Low Expenditure** :As per the analysis of the Schemes funded from SCSP fund, the Commission noted that expenditure on SC specific schemes is only 2.12% of the total budget allocation of the State. Remaining funds are spent on general schemes.
- **SCA Expenditure** :Financial assistance of ₹ 434.7 lakhs was released by the Government of India under SCA during 2010. Due to non-submission of Utilisation Certificate of ₹ 2.77 crore since 2011 no further assistance has been received from the Central Government resulting in non-payment of various scholarships to the students.
- Out of ₹ 6432 crore reserved under the Special Component Plan for 2014-15, Punjab has spent just ₹ 1655.98 crore in the first six months. Slow spending is matter of concern.
- SCSP funds are not utilised resulting in unspent funds of ₹ 10287 crore during the last three years.
- Financial Commissioner, Revenue informed that the Planning Commission's guidelines are being followed in this

matter. The Commission advised State Government to make expenditure through SCSP exclusively on SC schemes. Secretary, Welfare informed that the matter will be looked into and necessary action will be taken.

#### **4.2.2.3 Atrocities**

- The Commission pointed out the number of FIR registered under SCs (POA) Act, 1989 are very low as compared to the other States. Discrepancies have been noted in the statement that has been provided by the State and that available in NCRB (2013) figure. The same is as under:

	State Figure	NCRB Figure	State Figure	NCRB Figure	State Figure	NCRB Figure
Total Crime against SCs	2011		2012		2013	
	83	90	53	71	84	126

State Government was asked to provide details. Commission also pointed out that

- Conviction rate was 25%, 12.5% and 21.87% during the year 2011, 2012 and 2013 which is below the national average of 34%. The pendency of the cases is high and the disposal of the cases is low in the State. State Government was asked to provide details.
- The Commission again pointed out the case of a SC Smt. Parveen Kumari which was discussed in last review of , wherein her shop was demolished by higher caste person , POA Act FIR was registered but to pressurize her a false case is registered against her.
- Dates of State Level Vigilance and Monitoring Committee meetings are not provided. As per information available in the Commission last such meeting was held in 2006.
- District Level Vigilance and Monitoring Committee meetings are not held in districts.
- No amount was released by the State Govt. from year 2011-12 to 2013-14 under the SC/ST(POA) Act, 1989 to victims. The sum of ₹ 434.7 lac as monetary relief to the victims of the atrocities for the year 2010-11 to 2013-14 is not released by the State Government.

- ADGP, Crime informed that police department will take all the steps to implement the SC/ST(POA) Act, 1989 properly. He agreed to sensitize the police about procedural lapses by the police. He informed that the at District Level SP(D) is the nodal officer for the Act, but he is overworked being also designated as nodal officer for other services. Investigations with the police department will be cleared early and some are pending due to requirement of the FSL report. He also agreed that there may be some instances where lower staff does the enquiry and DSP sendsthe report.
- The Commission was informed about the community policing where Saanj Kendrasopened in the State due to which people need not to go to police for any complaint. At Saanj Centre on giving any complaint a unique ID is generated and concerned police officer will conduct enquiry within 15 days DDR or FIR will be registered. There is a help line No. 181 where anyone can make complaint. Commission appreciated the work.

#### **4.2.2.4 Service Safeguards**

- The State Government has not provided the reservation in services as per the population percentage of SCs in the State. The representation of the SCs in Group A,B,C&D has shortfalls and there is a mismatch in data provided by the Government,20,000 backlog posts in various departments are to be filled up.
- Reservation in services in direct recruitment is 25% which needs to be increased to 32%. Reservation in promotion which 14% in Group A and B and 20% in Group C and D also need to be increased.
- 85<sup>th</sup> Constitutional amendment has not been implemented by the State. Commission suggested implementation of the same and also the to take back the recent order issued by Personnel Department dated 10.10.2014, which is against this amendment.
- **Pension** : Old age pension is only ₹ 250 and Shagun scheme is ₹ 1500 but in adjoining states it is much higher, it is needed to be raised.

#### **4.2.2.5 Manual Scavengers**

64 manual scavengers are identified in three districts Patiala, Ludhiana & Bathinda. No details of the action taken regarding rehabilitation of the manual scavengers are provided.

### **4.2.3 Union Territory of Chandigarh- Review**

The synopsis of discussion and recommendations were as follows :-

#### **4.2.3.1 Socio-economic Development**

- SC literacy rate is low so the efforts are needed to improve the same.
- SCSP expenditure should be on SC specific schemes.

#### **4.2.3.2 Service Safeguards**

- The reservation in Chandigarh Administration should be 18% as per the population of census 2012.
- The percentage of the representation in services of Group A is 10.46% which is to be improved.

#### **4.2.3.3 Atrocities**

State Level Vigilance & Monitoring Committee is to be re-constituted as per the SCs & STs (POA) Act, 1989 and the meeting are to be conducted regularly basis.

### **4.3 Review Meetings Of Central Public Undertakings And Banks**

During the year, 2014-2015, the Commission undertook 20 review meetings with the Public Sectors Undertaking Government of India in order to assess the implementation of the reservation policy for Scheduled Castes and OBCs and CSR initiatives taken for benefit of SCs. The details of the review meetings and the status of Action taken on the recommendations Administrative Ministrywise are as follows.

#### 4.3.1 Ministry of Petroleum

Name of PSU & Date of Review	Date of issue of minutes	Action Taken /Compliance Reported by PSUs	Report
GAIL, 20/10/1014	10.2.2015	ATR incomplete. Complete ATR is awaited	
EIL, 24/11/2014	27/1/2015		-Do-

#### 4.3.2 Ministry of Power

Name of PSU & Date of Review	Date of issue of minutes	Action Taken /Compliance Reported by PSUs	Report
Power Grid Corporation (PGCIL), 21/10/2014	Issued on 29/1/2015	ATR incomplete. Complete ATR is awaited	
NHPC Ltd., 27/10/2014	Issued on 14/1/2015		-Do-
NTPC, 12/01/2015	Issued on 18/2/2015		-Do-

#### 4.3.3 M/o of Telecommunication & I.T., Department of Telecommunication

Name of PSU & Date of Review	Date of issue of minutes	Action Taken /Compliance Reported by PSUs	Report
TCIL Ltd., 17/11/2014	Issued on 9/1/2015	ATR incomplete. Complete ATR is awaited	
BSNL, 25/11/2014	Issued on 14/1/2015		-Do-
MTNL, 09/02/2015	Issued on 25.3.2015		-Do-

#### 4.3.4 Ministry of Railways

Name of PSU & Date of Review	Date of issue of minutes	Action Taken /Compliance Reported by PSUs	Report
IRCTC, 09/12/2014	Issued on 29/12/2014	ATR incomplete. Complete ATR is awaited	
DMRC, 18/11/2014	Issued on 2.12.2014		-Do-

#### 4.3.5 Ministry of Urban Development

Name of PSUs.	Date of issue of minutes	Action Taken Report /Compliance Reported by PSUs
NBCC Ltd., 13/01/2015	Issued on 10/3/2015	ATR received and being put up.
CPWD, 29/09/2014	Issued on 30/10/2014	ATR incomplete. Complete ATR is awaited

#### 4.3.6 Ministry of Commerce & Industry

Name of PSU & Date of Review	Date of issue of minutes	Action Taken Report /Compliance Reported by PSUs
MMTC, 23/12/2014	Issued on 5/1/2015	ATR incomplete. Complete ATR is awaited
STC Ltd, 08/12/2014	Issued on 14.1.2015	–Do-

#### 4.3.7 Ministry of Micro Small & Industries

Name of PSU & Date of Review.	Date of issue of minutes	Action Taken Report /Compliance Reported by PSUs
NSIC Ltd., 16/02/2015	Issued on 3.3.2015	

#### 4.3.8 Ministry of Financial Services (Banking Division)

Name of PSU & Date of Review	Date of issue of minutes	Action Taken Report /Compliance Reported by PSUs
Punjab National Bank, 24/09/2014	Issued 3.11.2014	ATR incomplete. Complete ATR is awaited
Punjab & Sindh Bank	Issued on 9.1.2015	–Do-

#### 4.3.9 Ministry of Chemical & Fertilizers

Name of PSU & Date of Review	Date of issue of minutes	Action Taken Report /Compliance Reported by PSUs
National Fertilizers Ltd., 11/11/2014	Issued on 14.1.2015	ATR incomplete. Complete ATR is awaited

#### 4.3.10 Ministry of Heavy Industries

Name of PSU & Date of Review	Date of issue of minutes	Action Taken Report /Compliance Reported by PSUs
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BHEL, 06/01/2015	Issued on 28.1.2015	ATR incomplete. Complete ATR is awaited
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#### 4.3.11 Ministry of Food

Name of PSU & Date of Review	Date of issue of minutes	Action Taken Report /Compliance Reported by PSUs
FCI, 05/01/2015	Issued on 28.1.2015	ATR incomplete. Complete ATR is awaited

#### 4.3.12 Ministry of Social Justice and Empowerment

Name of PSU	Date of Review	Date of issue of minutes	Action Taken Report /Compliance Reported by PSUs
National Scheduled Castes Finance & Development Corporation	23.03.2015	15/04/2015	Compliance report received, result of suggested study report awaited.

**4.3.13 In all these reviews** the Commission has observed common action points which are listed below:

##### **Liaison Officers**

- Chief Liaison Officers of appropriate level (DGM level to the least) are needed to be appointed in each CPSU/ Banks.
- The Liaison Officers were not aware about duties of LOs as well as the instructions / Orders of the Government guidelines on the implementation of the reservation policy. Hence, the Commission has recommended the Liaison Officers may be trained.

##### **Complaint Registers**

- Complaint Registers should be opened and complaint received from the SC employees should be resolved within set time frame and regularly monitored.
- The DPCs or other Committees set up for administrative purpose, should have presence of SC officers as per rules.

**Rosters**

- Reservation Rosters should be prepared as per format devised by the DoPT incorporating latest DoPT orders. The same may be uploaded in the website of the individual organization to bring a transparency in calculating reserved vacancies, shortfall, backlogs, if any etc. There are a number of common points of deficiencies in the rosters viz.
- The reservation rosters for various category/posts under Direct Recruitment and Promotion Quota were found not maintained as per the DoPT guidelines/instructions O.M. No. 36022/2/1996-Estt.(Res.) dated 02/07/1997. The reservation rosters have not been maintained in running account and the reserved points were filled up at later stage. No summary was prepared at the end of the roster after every recruitment year hence the backlog positions of the reserved vacancies were not possible to be located.
- The rosters were not checked /inspected by the Liaison Officer for SC/ST.

**Backlog vacancies**

- There were backlog of reserved vacancies in the various category/posts, which were not correctly ascertainable due to incorrect/non maintenance of Rosters and these vacancies remained unfilled. The DoPT guidelines on filling up of the backlog vacancies by launching or special Recruitment Drives were not found to be followed. Therefore, the Commission has recommended that the PSUs may calculate the reserved backlog vacancies and fill up such vacancies by launching a Special Recruitment Drives.

**Percentage of SC & OBC employees:-**

- The Government has issued instructions for providing reservation in services to the SCs and OBCs in Direct Recruitment as 15% and 27%. The Commission observed that in certain cadre posts, the requisite percentage of reservation for SCs and OBCs were below the prescribed reservation of 15% and 27%. The Commission has advised the PSUs to maintain the representation of SCs and OBCs as per the reservation policy of the Govt.

of India. Similarly, in the matter of promotion, the requisite reservation for SCs is not adequate and below the percentage of reservation of 15%.

### **Training**

- Most of the PSUs do not provide pre-recruitment and pre promotion training to Scheduled Castes and OBC candidates. The Commission has recommended that the PSUs follow the Government Guidelines/instructions in the matter

### **CSR Work.**

- Government of India has issued guidelines to all Public Sector undertakings that 2% of the profit should be spent for the welfare of the weaker section including Scheduled Castes under the CSR Scheme/programmes. Hence, the Commission recommended that specific scheme under CSR for Scheduled Castes.

#### **4.3.14. Recommendations for NSCFDC:**

1. NSFDC to request MoSJ&E to consider deducting its overdue amount from the grant-in-aid to concerned States that overdues could be realized.
2. To submit proposal to MoSJ&E to enhance the annual family income of the student of the target group for eligibility of Education Loan Scheme up to ₹ 5.00 lakh.
3. NSFDC will submit a report to the Commission comparing various aspects its performance with the NMDFC.
4. NSFDC would commission a Socio-economic impact evaluation study with an objective to assess the impact its schemes on the socio-economic conditions of beneficiaries.

## **4.4. Complaint Investigation & Resolution in NCSC**

The Rules of Procedure of the Commission do not prescribe any time limit for investigation and enquiry of complaints received in the Commission. Also, as per mandate of the Commission, though the Commission has all the power of Civil Courts trying a suit, the disposal of the complaints depends on both the nature and

gravity of the complaints as well as on the response from the Public Authorities who are entrusted with ensuring that the rights as guaranteed in the Constitution of India regarding Scheduled Castes are safeguarded. Hence the speed and adequacy of response from the Authorities concerned are the defining factors which determine the actual disposal of the complaints.

The complaints received in the Commission (both at headquarters and in State Offices) are classified into three main categories viz:

- (i) Those related to Service Safeguards matters are handled by Service Safeguards Wing,
- (ii) Those related to Economic and Social Development matters are handled by the Economic and Social Development Wing (ESDW),
- (iii) Those related to Atrocities , are handled by Atrocities and Protection of Civil Rights Wing (APCR).

The details of complaints handled by the Commission Headquarters and State Offices are as under:

#### **4.4.1 Complaints Handled at the Commission**

**Table 4.4.1**

<b>Wing</b>	<b>Total cases received during the year 2014-15</b>	<b>Total cases Pending as on 31-03-2015</b>
<b>NCSC HQ</b>	9728	9107
<b>Sate offices</b>	20775	13036
<b>Total</b>	30503	22143

### Wing wise breakup of the Complaints in Commission Headquarters

Table No.4.4.1.1

Wing-wise nature of complaints	Total Files as on 10.4.14 including B/F <sup>1</sup> cases	Received during 01.4.2014 to 31.3.2015	Total cases dealt with	No. of cases closed / disposed off during the period	No. of cases / files pending as on 1 April, 2015
Atrocity & Harassment Related Matters	1952	1670	3622	128	3494
On Economic & Social Development issues	1206	734	1940	148	1792
Service Related Issues	2883	1273	4156	345	3811
<b>Total</b>	<b>6041</b>	<b>3677</b>	<b>9718</b>	<b>621</b>	<b>9107</b>

### 4.4.2 Details of the Complaints handled by the State offices of the Commission

#### 4.4.2.1 Agartala State Office

Statement showing number of cases received, disposed and pending during the year 2014-15.

Table No. 4.4.2.1

Jurisdiction : Tripura						
Sl. No.	Nature of representation	Brought Forward from previous year	Received during the year 2014-15	Total	Disposed off	Pending
(1)	(2)	(3)	(4)	(5)	(6)	(7)
1.	Atrocity Matters	02	00	02	01	01
2.	Economic & Social Development	04	5	09	06	03
3.	Service Matters	08	13	21	19	02
4.	Miscellaneous <sup>2</sup>	202	10	212	08	204
	<b>Total</b>	<b>216</b>	<b>28</b>	<b>244</b>	<b>24</b>	<b>210</b>

<sup>1</sup> B/F : Brought forward from previous year(s)

<sup>2</sup> Miscellaneous Cases including false caste certificate, welfare, employment, health related issues etc.

#### 4.4.2.2 Ahmedabad State Office

Statement showing number of cases received, disposed and pending during the year 2014-15.

**Table No. 4.4.2.2**

**Jurisdiction :Gujarat, Rajasthan, Daman and Diu, Dadra & Nagar Haveli**

Sl. No.	Nature of representation	Brought Forward from previous year	Received during the year 2014-15	Total	Disposed off	Pending
(1)	(2)	(3)	(4)	(5)	(6)	(7)
1.	Atrocity Matters	92	61	153	22	131
2.	Economic & Social Development	169	65	234	11	223
3.	Service Matters	171	99	270	66	204
4.	Miscellaneous <sup>3</sup>	178	61	239	49	190
	<b>Total</b>	<b>610</b>	<b>286</b>	<b>896</b>	<b>148</b>	<b>748</b>

#### 4.4.2.3 Bangalore State Office

Statement showing number of cases received, disposed and pending during the year 2014-15.

**Table No. 4.4.2.3**

**Jurisdiction :Karnataka**

Sl. No.	Nature of representation	Brought Forward from previous year	Received during the year 2013-14	Total	Disposed off	Pending
(1)	(2)	(3)	(4)	(5)	(6)	(7)
1.	Atrocity Matters	92	61	153	22	131
2.	Economic & Social Development	169	65	234	11	223
3.	Service Matters	171	99	270	66	204
4.	Miscellaneous	178	61	239	49	190
	<b>Total</b>	<b>610</b>	<b>286</b>	<b>896</b>	<b>148</b>	<b>748</b>

<sup>3</sup>Miscellaneous Cases including false caste certificate, welfare, employment, health related issues etc.

#### 4.4.2.4 Chennai State Office

Statement showing number of cases received, disposed and pending during the year 2014-15.

**Table No. 4.4.2.4**

**Jurisdiction : Tamil Nadu, Puducherry**

Sl. No.	Nature of representation	Brought Forward from previous year	Received during the year 2013-14	Total	Disposed off	Pending
(1)	(2)	(3)	(4)	(5)	(6)	(7)
<b>Tamil Nadu</b>						
1.	Atrocity Matters	886	71	1684	399	1285
2.	Economic & Social Development	1218	46	2045	108	1937
3.	Service Matters	864	43	1477	105	1372
4.	Miscellaneous	294	54	513	19	494
	<b>Total</b>	<b>3264</b>	<b>214</b>	<b>5719</b>	<b>631</b>	<b>5088</b>

#### 4.4.2.5 Chandigarh State Office

Statement showing number of cases received, disposed and pending during the year 2014-15.

**Table No. 4.4.2.5**

**Jurisdiction : Punjab, Haryana, Himachal Pradesh, J&K, Uttarakhand & UT of Chandigarh**

Sl. No.	Nature of representation	Brought Forward from previous year	Received during the year 2013-14	Total	Disposed off	Pending
(1)	(2)	(3)	(4)	(5)	(6)	(7)
1.	Atrocity Matters	596	554	1150	150	1000
2.	Economic & Social Development	131	115	246	17	229
3.	Service Matters	283	255	549	99	450
4.	Miscellaneous <sup>4</sup>	221	190	411	62	349
	<b>Total</b>	<b>1231</b>	<b>1114</b>	<b>2356</b>	<b>328</b>	<b>2028</b>

<sup>4</sup>Miscellaneous Cases including false caste certificate, welfare, employment, health related issues etc.

**4.4.2.6 Guwahati State Office**

Statement showing number of cases received, disposed and pending during the year 2014-15.

**Table No. 4.4.2.6**  
**Jurisdiction : Assam, Manipur, Mizoram, Nagaland, Meghalaya and Arunachal Pradesh**

Sl. No.	Nature of representation	Brought Forward from previous year	Received during the year 2013-14	Total	Disposed off	Pending
(1)	(2)	(3)	(4)	(5)	(6)	(7)
<b>Assam</b>						
1.	Atrocity Matters	00	01	01	01	00
2.	Economic & Social Development	00	00	00	00	00
3.	Service Matters	09	36	45	41	04
4.	Miscellaneous	12	28	40	38	02
	<b>Total</b>	<b>21</b>	<b>65</b>	<b>86</b>	<b>80</b>	<b>06</b>

**4.4.2.7 Hyderabad State Office**

Statement showing number of cases received, disposed and pending during the year 2014-15.

**Table No. 4.4.2.7**  
**Jurisdiction : Andhra Pradesh, Madhya Pradesh, Chhattisgarh**

Sl. No.	Nature of representation	Brought Forward from previous year	Received during the year 2013-14	Total	Disposed off	Pending
(1)	(2)	(3)	(4)	(5)	(6)	(7)
1.	Atrocity Matters	102	387	489	177	312
2.	Economic & Social Development	149	663	812	384	428
3.	Service Matters	108	917	1025	595	430
4.	Miscellaneous <sup>5</sup>	00	00	00	00	00
	<b>Total</b>	<b>359</b>	<b>1967</b>	<b>2326</b>	<b>1156</b>	<b>1170</b>

<sup>5</sup>Miscellaneous Cases including false caste certificate, welfare, employment, health related issues etc.

#### 4.4.2.8 Kolkata State Office

Statement showing number of cases received, disposed and pending during the year 2014-15.

**Table No. 4.4.2.8**  
**Jurisdiction : West Bengal, Odisha, Sikkim and A&N Islands**

Sl. No.	Nature of representation	Brought Forward from previous year	Received during the year 2013-14	Total	Disposed off	Pending
(1)	(2)	(3)	(4)	(5)	(6)	(7)
1.	Atrocity Matters	124	105	229	162	67
2.	Economic & Social Development	61	83	144	70	74
3.	Service Matters	107	204	311	239	72
4.	Miscellaneous	37	66	103	42	61
	<b>Total</b>	<b>329</b>	<b>458</b>	<b>787</b>	<b>513</b>	<b>274</b>

#### 4.4.2.9 Lucknow State Office

Statement showing number of cases received, disposed and pending during the year 2014-15.

**Table No. 4.4.2.9**  
**Jurisdiction :Uttar Pradesh**

Sl. No.	Nature of representation	Brought Forward from previous year	Received during the year 2013-14	Total	Disposed off	Pending
(1)	(2)	(3)	(4)	(5)	(6)	(7)
1.	Atrocity Matters	331	1404	1735	1443	292
2.	Economic & Social Development	364	1455	1819	1440	379
3.	Service Matters	114	456	570	384	186
4.	Miscellaneous	85	297	382	261	121
	<b>Total</b>	<b>894</b>	<b>3612</b>	<b>4506</b>	<b>3528</b>	<b>978</b>

#### 4.4.2.10 Patna State Office

Statement showing number of cases received, disposed and pending during the year 2014-15.

**Table No. 4.4.2.10**  
Jurisdiction : Bihar and Jharkhand

Sl. No.	Nature of representation	Brought Forward from previous year	Received during the year 2013-14	Total	Disposed off	Pending
(1)	(2)	(3)	(4)	(5)	(6)	(7)
<b>Bihar</b>						
1.	Atrocity Matters	319	360	679	309	370
2.	Economic & Social Development	112	167	279	144	135
3.	Service Matters	216	211	427	227	200
4.	Miscellaneous <sup>6</sup>	43	102	145	55	90
	<b>Total</b>	<b>690</b>	<b>840</b>	<b>1530</b>	<b>735</b>	<b>795</b>

#### 4.4.2.11 Pune State Office

Statement showing number of cases received, disposed and pending during the year 2014-15.

**Table No. 4.4.2.11**  
Jurisdiction :Maharashtra andGoa,

Sl. No.	Nature of representation	Brought Forward from previous year	Received during the year 2013-14	Total	Disposed off	Pending
(1)	(2)	(3)	(4)	(5)	(6)	(7)
1.	Atrocity Matters	85	301	386	249	137
2.	Economic & Social Development	09	134	143	57	86
3.	Service Matters	12	90	102	26	76
4.	Miscellaneous	10	43	53	26	27
	<b>Total</b>	<b>116</b>	<b>568</b>	<b>684</b>	<b>358</b>	<b>326</b>

<sup>6</sup>Miscellaneous Cases including false caste certificate, welfare, employment, health related issues etc.

#### 4.4.2.12 Thiruvananthapuram State Office

Statement showing number of cases received, disposed and pending during the year 2014-15.

**Table No. 4.4.2.11**  
**Jurisdiction :Kerala and Lakshadweep**

Sl. No.	Nature of representation	Brought Forward from previous year	Received during the year 2013-14	Total	Disposed off	Pending
(1)	(2)	(3)	(4)	(5)	(6)	(7)
1.	Atrocity Matters	37	109	146	19	127
2.	Economic & Social Development	34	203	237	29	208
3.	Service Matters	00	12	12	01	11
4.	Miscellaneous <sup>7</sup>	79	23	102	02	100
	<b>Total</b>	<b>150</b>	<b>347</b>	<b>497</b>	<b>51</b>	<b>446</b>

#### 4.5 Some important and successful cases on Service Safeguards

A total of 1249 cases relating to the service safeguard issues were closed in the Commission. These cases relate were issues like denial of promotions, non upgradation of pay scales, appointments not made, non payment of pension & terminal benefits etc. Out of the disposed cases, briefs of some of the interesting and successful cases are mentioned below :

Sr no	Subject	Number of successful cases at HQ	Number of successful cases at State Offices
1	Promotion Matters	5	20
2	Up-gradation of Pay Scales	2	14
3	Appointment Matter	5	2
4	Pensionary/Terminal Benefits Matters	3	6
5	Transfer and harassment Matter	1	17
6	Compassionate appointment matters	1	2
7	Suspension and re-	2	5

<sup>7</sup>Miscellaneous Cases including false caste certificate, welfare, employment, health related issues etc.

	instatement of services Matters		
	<b>Total</b>	<b>19</b>	<b>66</b>

#### **4.5.1 InNCSC Headquarters**

##### **4.5.1.1.1 Promotion Matters:**

- **File No. K-13/Shipping-5/2011/SSW-I** :The petitioner Shri K. Sreedhar Babu, Office Superintendent Visakhapatnam Port Trust complained on 22/11/2010 regarding non filling up of the post of Assistant Information & Public Relation Officer in VPT. After NCSC took up the cases, the M/o Shipping vide its letter dated-7/7/2014 informed that the petitioner has been promoted to the post of Assistant Secretary, equivalent to Assistant Information and Public Relation Officer. w.e.f. 28/11/2013.
- **File No. R-27/UD-2/2014/SSW-I** : The petitioner Shri R.S. Harit, Assistant Engineer (Electrical) DDA, Vikas Minar, ITO, New Delhi alleged denial of promotion to the post of Executive Engineer (Elect.) in DDA on 30/02/2013. The DDA vide its letter dated17/02/2015 informed that the petitioner has been promoted to the post of EE (Elect.) on CDC basis vide E.O. No. 75 dated 12/01/2015.
- **File No. P-18/A.P.-3/2014/SSW-I & File No. D-33/Delhi-106/2012/SSW-I** : The petitioners Dr. P. Kishore Kumar, Civil Assistant Surgeon (Anesthesiology), BIRRD (T) Hospital, TTD, Tirupati dated 01/4/2014 andShri Dipti Mal, TPO, G.B. Pant Polytechnic Okhla, New Delhi dated 27/12/2012 had submitted separate grievances on denial of promotion and denial of benefits of up-graded pay scale as per the recommendations of AICTE, Government of India. In first case, the Executive Officer T.T.D. (Tirupati) vide his letter dated-20.12.2014 informed the Commission that the petitioners has been promoted to the post of Resident Medical Officer in the grade of Deputy Civil Surgeon vide Office Order dated 30.10.2014.

- **File No. B-4/Delhi-30/2014/SSW-I** : The petitioner Shri Bali Ram, Municipal Prosecutor / Assistant Law Officer, NDMC, New Delhi submitted grievances dated 19/2/2014 on denial of promotion to the post of Deputy Law Officer. Afterof hearings, the NDMC vide its letter dated-17.2.2015 informed the Commission that the petitioners has been promoted as Deputy Law Officer vide office order dated 31/12/2014.
- **File No. S-5/Agri-7/2014/SSW-I** :Shri S.P. Singh, Sr. Technical Officer, PDFSR, M/o Agriculture, Meerut, UP had grievance dated 27/5/2014 on denial of promotion to the post of Chief Technical Officer. Afterhearings in the Commission, the DG, ICAR informed that the petitioner has been promoted to the Next higher grade w.e.f. 2.10.2008.

#### **4.5.1.1.2 Up-gradation of Pay Scales:-**

- **File No. A-43/Delhi-105/2012/SSW-I** : Shri Amrik Singh, Training & Placement Officer, Meera Bai Institute of Technology, New Delhi &Shri Dipti Mal, TPO, G.B. Pant Polytechnic Okhla, New Delhi submitted grievances dated 27/12/2012 regarding denial of benefits of up-graded pay scale as per the recommendations of AICTE, Government of India. As a result of hearings held on subsequent dates, the Department of Training and Technical Education vide its letter dated 6/6/2014 informed that the order of granting benefits of upgraded pay scale has been issued on 30/5/2014.

#### **4.5.1.1.3 Appointment Matters :-**

- **File No. M-7/Shipping-2/2014/SSW-I** : Shri M. Shivanna, General Secretary, New Mangalore Port Trust SC/ST Officers Employees and Dock Workers' Association had submitted grievances dated 01/4/2014 on denial of appointment to the post of Traffic Manager to Shri D. Mahadevaiah in New Mangalore Port Trust. After intervention of the Commission, the New Mangalore Port Trust vide its letter dated-31/5/2014 has informed the Commission that the appointment order as

Traffic Manager at New Mangalore Port Trust has been issued vide office order dated-6/5/2014.

- **File No. A-9/Defence-3/2014/SSW-I** :Shri Avinash Gautam R/o-H.No. 115, Saini Mohalla Ex, B-Block, Danghar- Bijvasan New Delhi has submitted grievances dated 27/1/2014 on denial of appointment to the post of Civilian Motor Driver in DGQA, M/o Defence. The DGQA vide its letter dated-12/6/2014 informed that the relevant appointment letter has been issued.
- **File No. N-2/Textile-1/2014/SSW-I** : Ms. Naina Kamal, Junior Assistant NIFT, M/o Textiles Campus Hauz Khas New Delhi had submitted grievances dated 18/3/2014 on denial of appointment on regular basis to the post of Junior Assistant in NIFT, New Delhi. The NIFT vide its letter No. NIFT/HO/Estt.II/Reference from NCSC/2014 dated 13/3/2015 informed the Commission that the petitioner has been appointed on regular basis vide Office Order dated 7/1/2015.

#### **4.5.1.1.4 Pensionary/Terminal Benefit Matters :-**

- **File No. K-10/Delhi-24/2014/SSW-I** :Shri Kamal Singh, UDC (Retried), Delhi Jal Board, New Delhi submitted grievances dated 24/2/2014 regarding denial of benefit of MACP and other pensionary benefits. After intervention of the Commission, the Delhi Jal Board vide its letter dated-13/3/2014 informed that due benefits and payments have been made on 11/3/2014.
- **File No. N-5/Culture-2/2014/SSW-I** : Shri N.R. Solanky, Section Officer (Retired), R/o-Village & PO-Zainabad, District-Rewari, Haryana had submitted his grievances dated 24/01/2014 regarding denial of pensionary benefits. After hearing of the case in the Commission, the ASI vide its letter dated-11/08/2014 informed that the petitioner has been given the due payment.
- **File No. R-29/AP-4/2014/SSW-I** :Shri Raju, DE Technical V.V. Reddy. Nagar, RTPP. APGENCO/KANDAPA District had submitted grievances

dated 12/06/2014 on non-release of arrears towards Pay Fixation, Annual Grade Increments and half leave Pay. After intervention of the Commission, the A.P. Power Generation Limited Hyderabad vide its letter dated 29/12/2014 has informed that the petitioner has been paid full arrears.

**4.5.1.1.5 Transfer and harassment Matters :-**

- **File No. S-14/Rly-14/2011/SSW-I** :Shri Shashi Bhushan, Office Supdt. O/o SSE (EMU), Nizamuddin, New Delhi had submitted grievances dated 07/04/2011 regarding harassment by way of transfer. After hearings in the Commission, the Northern Railway vide its letter No. 220-E/1258/29-NC/SC/DLI/11/RP Cell dated 6/2/2015 has informed that the transfer of the petitioner has been made as per his request.

**4.5.1.1.6 Compassionate appointment matters:-**

- **File No. B-33/Rly-56/2012/SSW-I** : Smt. B. Hemalata W/o Late B. Madhava Rao, Ex-R/Plater GR- IIT No. 40162, Wagon Shops, South Eastern Railway, Kharagpur had submitted grievances dated 19/07/2012 about denial of appointment on compassionate grounds in Railways. After hearing in the case, the South Eastern Railway vide its letter dated-12/2/2015 has informed that the petitioner's son has been considered for appointment.

**4.5.1.1.7 Suspension and re-instatement in service:-**

- **File No. V-8/Tele-9/2013/SSW-I** :Mr. Vasant Avaghade, Associate Director, C-DAC, Pune vide his grievance petition dated 15/04/2013 demanded revocation of suspension and subsequent termination from the services. After hearings of the case in the Commission, the M/o Communications and Information Technology, Department of Electronics and Information Technology vide its letter No. 6(4)/2014-ABCD dated 2/3/2015 informed that the petitioner has been re-instated in service.

- **File No. D-5/Commerce-2/2014/SSW-I** :Shri Dayanand, H.No. 5960, Mochi Mandi, Ambala Cantt. submitted grievances dated 04/4/2014 on termination of services and re-instatement of his son Shri Yogeshwar in FDDI, M/o Commerce and Industry. After intervention by the Commission, the FDDI M/o Commerce vide its letter dated 9/02/2015 has informed that the petitioner has been re-instated.

#### **4.5.1.2 NCSC State Offices**

##### **4.5.1.2.1 State Office, Bangalore**

- **File No: 41/08/2012-Ru:** Shri C. K. Gangadhara Murthy, LIC, Shimoga had submitted a representation dated 11/07/2012 regarding enhancement of duty hours or elevating cadre to full time employee of the Corporation. As perreply dated 28/2/2015 received from the LIC, Bangalore Office, the petitioner was promoted as Record Clerk w.e.f. 7/5/2014.
- **File No:56/4/2015-Ru :** Shri B.Sulochana, Clerk, Canara Bank Bangalore requested for her transfer back to Bangalore. The Canara Bank replied vide letter dated 23/05/2015 stated that she had been posted her place of choice.
- **File No: 41/15/2014-Ru:** Ms.C.Kamalavani, Superintendent, Central Silk Board, Bangalore vide her representation dated 12/06/2014 sought her posting back at Bangalore. Due to intervention of the Commission, the petitioner has been retained in the same place.
- **File No: 44/04/2014-Ru :** Shri Gurupada Babu Raibhaga, Manager, KSSIDC, Mysore vide his representation dated 03/03/2014 requested for his promotion to the post of Assistant General Manager in Karnataka State Small Industries Development Corporation Limited, Bangalore. Due to intervention of the Commission KSSIDC Ltd vide their letter dated 19/12/2014 stated that the petitioner got his promotion retrospectively w.e.f 28/09/2013.
- **File No: 41/2/14-Ru:** Shri M. Dhanraj, President, HAL SC/ST Employees & Officers Association, Bangalore vide his representation dated

27/01/2014 requested for his promotion. After intervention of the Commission, the HAL has promoted him retrospectively w.e.f 01/01/2014

- **File No: 56/01/2014-Ru:** Shri Balakrishna, General Secretary, Dena Bank SC/ST/OBC Employees Association had represented on 30/09/2013 regarding absorption case of Shri Pujar adaily wager in Dena Bank. Due to intervention of the Commission, Dena Bank vide their letter dated 09/02/2015 informed that Shri Pujar is absorbed.
- **File No: 40/15/2013-Ru:** Shri Suresh Naik, Scientist, ISRO approached this office that he was not promoted despite his best track record. With the intervention of the Commission, Sri Suresh Naik got his promotion.
- **File No: 56/18/2014-Ru:** Sri S Revankar, State Bank of Mysore submitted representation dated 27/07/2014 regarding non release of pension and other benefits by State Bank of Mysore, Bangalore. With the intervention of the Commission, the Bank vide their letter dated 15/12/2014 informed that pension and other benefits were paid to the petitioner.
- **File No: 40/36/2013-Ru:** Shri D.Muniyappa, TCH HS-1, CQAL, Bangalore submitted a representation dated 22/07/2013 regarding his promotion. A reply from the Controller of Quality Assurance, Bangalore informed that the petitioner was promoted w.e.f 01/09/2014

#### **4.5.1.2.2 State Office, Chandigarh**

- **File no. 1-HP. 2/2014 :** A complaint was received from petitioner alleging that his MACP was denied by IIT Roorkee where he is working. Due to intervention of the Commission, due MACP was granted to the petitioner.
- **File no. 1-hp/3/2014 :** Petitioner on 22/4/2014 alleged that his due ACP has been denied by Education Department where he is working. Due to intervention of the Commission, the ACP was considered in favour of the SC petitioner.
- **File no. 1chd/6-2014 :** A complaint was received dated 22/05/2014 alleging that petitioner has been demoted by the University where he is

working . Subsequently, the SC petitioner was restored to the post of Associate Professor and salary in the pay scale also ₹ 46,400/- also given.

#### **4.5.1.2.3 State Office, Chennai**

- **F.No: 9/9/2014 Rep. (Rly.)** : Shri.K.Raju, Technician, Grade-I/Signal, Southern Railway, Madurai Division had submitted a representation dated 24/02/2014 alleging that he was been discriminated and harassed by way of transfer and his pay was reduced to ₹ 1900/- from ₹ 2,800/- he was placed in the bottom grade. Due to intervention of the Commission, Shri.K.Raju was considered for promotion to the post of Senior Clerk and posted at Tirunelveli his choice of place.
- **F.No: 7/47/2014 Rep.** : Smt.A.Allirani, Vellore had represented for return of her shop which was forcefully taken up by Non-SC. Subsequently, the petitioner vide her letter dated 17/10/2014 informed that the shop ownership has been restored back to her.
- **File No: 9/9/2013 Rep. (SG)** : Shri.P.Rameshkumar, Driver had sent a representation dated 12/8/2014 with a request to initiate action against the alleged suspension order from service after constant persuasion, the Chief Engineer, Public Works Department, Chennai vide his reply dated 21/11/2014 informed that punishment period stands revoked and the pay and other benefits regularized.
- **File No: 9/51/2013 Rep. (SG)** : Shri. K. Senkodan, Work Inspector, Public Works Department, Irrigation, Erode District vide his representation dated 04/07/2013 alleged that he has been denied promotion to the post of Junior Engineer since 2002. The case was heard in the Commission and the Government of Tamil Nadu informed that he was promoted to the post of Junior Engineer based on revised seniority and monetary benefits w.e.f 06/08/2013 i.e. the date of assumption of charge by the petitioner as Technical Assistant.
- **File No: 9(11/2012 Rep. (Rly.)** : Shri.B.Krishnaraj, Technical, Gr.III, Signal & Telecommunication Workshop, Podanur, Coimbatore vide his representation dated 03/09/2012 alleged that he was facing harassment and

caste based atrocity by non-SC Officials. After follow up the Chief Personnel Officer, Souther Railway, Chennai informed that the major penaly charge memo was withdrawn and Shri.B.Krishnaraj has been promoted to the post of Technician Gr.II (Fitter) w.e.f. 01/11/2013.

#### **4.5.1.2.4 State Office, Kolkata**

- **File No. 6/8/2014- Gen/WB :** Representation dated 27/7/2014 received from shri Jayanta Kumar Das, Jr. Trackman under South Eastern Railway requesting for his transfer to TMZ/Kanthi on domestic grounds. Due to intervention of the Commission, the DRM, Kharagpur vide his letter dated 10/11/2014 informed that the petitioner has been posted at Kanthi, Murshidabad District, West Bengal.
- **File No. 6/14/2014-Gen/WB :**Representation Dated 23/09/2013 was received from Shri Anil Kumar Dhusiya, Chief Commercial Clerk, Santragachi Railway Station, S.E. Rly regarding arbitrary transfer. Due to intervention of the Commission, the Sr.DCM, South Eastern Railway, Kharagpur vide letter dated 05/12/2014 informed that the petitioner has been retained in his original place of posting.
- **File No. 6/15/2014- Gen/WB:** Representation dated 14/11/2014 was received from Smt. Sandhya Naskar, W/o Shri Tapas Kumar Naskar, Assistant Engineer (P), Department of Posts, Kolkata regarding discriminatorytransfer order after completion of tenure in the NE Region for her husband. The Superintending Engineer (P& A) Department of Posts, (CWP Section) subsequently informed that Shri Tapas Kumar Naskar, AE (Civil ) transferred from PCSD, Silchar to Kolkata vide Department's office letter 16/05/2014.
- **File No. 6/20/2014-Gen/WB :**Representation dated 20/12/2013 was received from Shri Rabindra Nath Das, President of Bengal Provincial Depressed Classes League, Kolkata regarding promotion of Shri Mrityunjoy Das, Loco Pilot (Shunting) under HWH Division of Eastern Railway. Due to persuasion by the Commission, the Chief Personnel

Manager, Eastern Railway, Kolkata vide his letter dated 10.06.2014 informed that Shri Mrityunjoy Das has been duly promoted in higher scale.

- **File No. 6/22/2014-Gen-WB** :Representation dated 25/02/2014 received from Shri Ram Krit Yadav regarding arbitrary punishment of Sri Amit Kumar Bhagat, Gate Keeper under Eastern Railway, Howrah. As per a reply received on 15/12/2014 from the Senior Personnel Officer (RP) Eastern Railway, the punishment awarded to Shri Bhagat has been withdrawn.
- **File No. 6/55/2014-Gen/WB** :Representation dated 15/12/2014 received from Shri Balaram Mandal, Depot Superintendent, Government Medical Store Depot (GMSD), Kolkata regarding loss of MACP due to promotion to a merged post with minimum financial benefit. According to a letter from the Senior CMO, Kolkata dated 03.02.2015 the petitioner's name will be accounted for the purpose of the forthcoming MACP Screening Committee Meeting scheduled on 06/02/2015
- **File No. 6/59/2014-Gen.WB** :Representation dated 19/12/2014 received from Shri Joy Das, Hoshangabad, Madhya Pradesh regarding retirement/terminal benefits as admissible under Rules.The Assistant Director (OL), National Test House (ER), Kolkata 700091 vide his letter 37 of Central Civil Service(Pension) Rule, 1972 dated 07/03/2015 informed that the Shri Das is eligible to receive all retirement/terminal benefitswhich are being given..
- **File No. 7/9/2014-Gen/WB** :Representation dated 18/06/2014 received from Shri Dhiman Biswas, District North 24 Paraganas, West Bengal regarding alleged non forwarding of ACRs/APARs for past 5 years to the Dy. Director of Employment Exchange/Under Secretary to the Government of India (EE-III Section), Ministry of Labour & Employment, New Delhi.The SP,Telecommunications, West Bengal vide his letter dated 18/07/2014 informed that the ACRs etc. have been forwarded to the Ministry of Labour & Employment .

- **File No. 7/20/2014/Gen/WB(Housing Board)** : Representation dated 25/09/2014 received from Shri Pradip Mondal, Sr. Assistant, West Bengal Housing Board regarding promotion. The Administrative Officer, West Bengal Housing Board vide Letter dated 01/12/2014, stated that the candidature of Sri Pradip Mondal for the post of Assistant Superintendent has been considered.
- **File No. 8/16/2014-Gen/WB** :Smt. Rikta Chaudhury, UDC, IIM, Joka submitted a representation alleging that although she is senior most SC candidate ,she is deprived from promotion to the post of Senior Assistant. With the intervention of the NCSC, Smt. Chaudhury got promotion to the post of Senior Assistant with retrospective effect.
- **File No. 8/25/2014-Gen/WB** :Shri Prasanta Kumar Saha, ex-Officer of UCO Bank, Zonal Office alleged regarding non-payment of his photography bill by the UCO Bank. Subsequently, the DGM, UCO Bank informed that the SC petitioner was called by the Bank on 03/09/2014 and the bill is settled now.
- **File No. 8/30/2014-Gen/WB** : Shri Susanta Das, ex-Officer, Bangiya Gramin Bank submitted a representation on 09/06/2014 alleging that though he was retired from service on 31/12/2013, his EPF claim has not been credited to his SB Account. Assistant Provident Fund Commissioner, Jangipur informed that the matter has been settled.
- **File No. : 6/8/2014-Gen/OR** : Representation received from Shri Raitar Naik, Ex.-O/S(Mails) Kranjia Sub Division, Odisha regarding financial up-gradation of pay under TBOP Scheme from 30/03/2003 and financial up-gradation of pay under MACP-II Scheme w.e.f. 30/03/2007 ,for fixation pension amount to the tune of ₹ 7465 instead of ₹ 5590/-. As per reply received from the O/o Chief Post Master General, Bhubaneswar dated 11/09/2014 the fixation has been done.
- **File No. : 6/15/2014-Gen/OR** :Representation dated 28/08/2014received from Shri T. Behera, Bhubaneswar Odisha regarding nonpayment of pension, gratuity, PF etc. As per reply received from the Administrative

Officer, O/o the Chief Labour Commissioner, Ministry of Labour & Empowerment dated 18/03/2015, all dues have been cleared.

- **File No. : 6/16/2014-Gen/OR** : Representation was received from Shri Monotosh Hira, Retired PA(SBCO), Jeyopore(k) HO, Odisha regarding reimbursement of medical bills. According to the reply received from the O/o Chief Post Master General, Bhubaneswar vide letter dated 23/01/2015 reimbursements made as per rules.
- **File No. : 6/18/2014-Gen/OR** :Representation dated 09/12/2014 received from Shri P.C.Nayak, MTS, O/o the Supdt. of Salt, Government of India, Humma Salt Circle, Ganjam, Odisha regarding being harassed by higher officer. As per reply received from the Supdt. of Salt, Humma, Odisha stating that the accused officer has been transferred.
- **File No. : 7/17/2014-Gen.OR** : Representation dated 21/10/2014 received from Smt. Snehalata Majhi, Tutor, ANMTC, Dhenkanal, Odisha regarding harassment by the upper caste staff members. As per reply received from Principal, ANM Training Centre Dhenkanal vide letter dated 02/12/201, the matter has been amicably settled to the satisfaction of the petitioner.
- **File No. : 8/6/2014-Gen/OR**: Shri Sridhar Sethy, Senior Accountant (Retd.), Khorda, Odisha vide his petition dated 03/02/2014 alleged that he was reverted after officiating as Junior Accounts Officer since 01/01/2013 for a period of six months just one day before his retirement although 24 other officers of Senior Accountant had retired on officiating post, i.e., J.A.O.. On 11/07/2014, the Chief Accounts Officer informed that the decision in favour of the petitioner has been taken.
- **File No. : 8/14/2014-Gen/OR** : Shri Subhas Chandra Naik, Dumper Operator, MCL submitted a representation alleging that his request for changing his surname from Naik to Pattanayak is lying with MCL Hqrs since 2012. The General Manager(P&IR), MCL informed that an office order has been issued in this regard in favour of Shri Subhas Chandra Naik

#### **4.5.1.2.5 State Office, Patna**

- **File No. 9/57/2014-B** :Shri Bhola Ram, Cashier, Block Office, Gopalganj vide his complaint dated 20/06/2014 alleged non-issuing of Last Pay Certificate and payment of his salary. The District Magistrate, Gopalganj informed that Last Pay Certificate in respect of the petitioner has been issued and problem resolved.
- **File No. 6/4/2014-B** :Shri Arun Kumar Rajak, Village- Daudbigha, PO- Bahadurpur, Patna vide his complaint dated 16/10/2013 alleged regarding excess of management of Central Bank of India by placing him under suspension. The Regional Unit of the Bank informed NCSC that suspension of the petitioner has been revoked and he has been reinstated.
- **File No. 9/70/2013-B** :Shri Ashok Kumar Chaudhary, Instructor, New Govt. Polytechnic, Patna vide his complaint dated 24/09/2013 alleged regarding denial of annual increment and payment of dues. The Principal, New Govt. Polytechnic, Patna informed that all dues admissible to the petitioner had been paid and action initiated to sanction the annual increment.
- **File No. 9/14/2014-B** :Shri Sanjay Kumar, Routine Clerk, Building Division, Motihari vide his complaint dated 04/10/2013 alleged denial of his promotion in his cadre. As per the report received from the Superintending Engineer, Building Division, Motihari, the petitioner has been promoted to the post of Head Clerk.
- **File No. 2/15/2014-B** : Smt. Sarita Kumari w/o Shri Binod Prasad Rajak, Teacher, Primary School, Basantpur, Jandaha, Dist- Vaishali vide her complaint dated 24/04/2014 alleged denial of payment for last 8 months. The District Education Officer, Vaishali informed the Commission that the salary has been duly paid.
- **File No. 2/10/2014-B** :Shri G. Raju, Daulatpur Railway Colony, Jamalpur vide his complaint received on 26/02/2014 requested appointment on compassionate grounds in the Eastern Railways. The Chief Work

Manager, Eastern Railway, Jamalpur has informed that the petitioner has been appointed in E. Rly on compassionate ground.

- **File No. 9/45/2014-B** :Shri Anju Chaudhary, Block Education Officer, Silao, Dist- Nalanda vide his complaint dated 04/07/2014 alleged arbitrary transfer on baseless allegation. The Principal Secretary, Education Department, Government of Bihar, Patna informed that the transfer of petitioner was stayed with immediate effect.
  - **File No. 2/2/2014-B** :Shri Bechan Paswan s/o Late Tanik Paswan, Village- Toralpur, PS- Manikpur, Dist- Lakhisarai vide his complaint dated 29/11/2013 alleged arbitrary removal from the post of clerk. The District Magistrate, Lakhisarai replied that the petitioner has been reappointed to the post of clerk.
  - **File No. 7/18/2014-B** :Shri K. Kiran Patra, Manager, Indian Oil Corporation, Patna vide his complaint dated 30/04/2014 alleged harassment in service by frequent transfers. The petitioner was posted at Patna as per his choice.
  - **File No. 6/52/2014-B** :Smt. Rita Devi, Vidyapuri, Kankarbagh, Patna vide her complaint dated 31/12/2014 requested cancellation of transfer order of his son to Chennai. The Chief Manager, Indian Bank, Chennai replied that son of the petitioner has been posted back at Patna as per his choice.
- File No. 6/16/2014-J** :Shri Arun Kumar Mandal, Deputy Manager, NTPC, Hazaribagh in his complaint dated 29/05/2014 requested for transfer due to his harassment by the General Manager, NTPC. The petitioner has been transferred as per reply received from the General Manager (HR), NTPC, New Delhi to the place of his choice.

#### **4.5.1.2.6 State Office, Pune**

- **NCSC/Pune 94/2014-SSW-I** : Representation received from Dr.D.R.Gadekar, Pune regarding non payment of leave encashment of ₹ 24,257/- . The V.C. Dr. Babasaheb B.Ambedkar University has informed

vide their letter dated 24/07/2014 the amount of leave encashment ₹ 24,257 has been paid by DD dated 21/07/2014.

- **NCSC/Pune/56/2013-SSW-I** :Representation received from Shri Sanjay Thool regarding delayed promotion. The Central Excise Department on 19-07-2013 have informed that 29 reserved employees were given promotion with retrospective effect.
- **NCSC/Pune/ 12/2014-SSW-IV** :Vijay Gaikwad, Latur approached the Commission for denial of increment. Due to intervention of the Commission, the increment has been given.
- **NCSC/Pune/26/2013-SSW-II** :Shri D.C. Mhaske, Pune an employee of FCI complained highlighting the harassment. Due to intervention of the Commission, the department took corrective measures to resolve the problem.
- **NCSC/Pune/24/2014-SSW-IV** :Naresh Chavan, teacher has been suspended by his school on false charges. Due to intervention of the Commission, his suspension has been revoked.
- **NCSC/Pune/26/2014-SSW-IV** - Kailas Jagannath Sawant, Pune was not given salary by his institution. Due to intervention of the Commission he got his payment.
- **NCSC/Pune/62/2014-APCR-I** Shri Vijay Popat Lonare, Pune complained regarding non payment of terminal benefit, medical treatment expenses from Vinze Magnafield Controls Pvt. Ltd, Pune. As per reply received from Labour Commissioner, dated 01/08/2014 all benefits have been given and for other benefits i.e. health and GPF, pension, accident claim the matter has been taken up with Provident Fund Commissioner.

#### **4.5.1.2.7 State Office, Hyderabad**

- **F. No. 1/28/13/CG-SER:** Shri Deepak Kumar Mehara, Assistant, of Rewa Engineering College complained about denial of financial benefits that accrued due to VIPay Commission. Due to intervention of the Commission, he got his dues of.

- **F. No. 1/98/13/AP-SER:** Shri Hazratt Gopicharla got offer of appointment as Assistant Loco Pilot in South Central Railway. His original mark sheets were misplaced by RRB, Secundrabad .Itwas rectified paving the way for his appointment due to intervention of the Commission.
- **F. No. 1/103/13/AP-SER:** Shri Muniswamy, Excise CI complained about denial of promotion. He was promoted as Excise Superintendent due to intervention of the Commission.
- **F. No. 1/336/13/AP-SER:** Shri P. Ravi of Acharya NG Ranga Agricultural University complained about denial of promotion. Shri Ravi was promoted as Executive Engineer by creation of an additional post ,due to intervention of the Commission.
- **F. No. 1/173/13/AP-SER:** Shri Kumar Chandra, SSE of South Central Railway got posting at his place of choice due to intervention of the Commission. He could not secure same relief from CAT earlier.
- **F. No. 1/286/13/AP-Ser.:** Following a representation, the Commission intervened in the recruitment process of Heavy Water Board and stopped them from dereserving SC post in chemistry.
- **F. No. 1/35/14/MP-Ser.:** After the intervention of the Commission, Principal Chief Commissioner of Income Tax, Bhopal communicated APAR of Shri D.R. Latoria, Dy. Commissioner, for the year 2011 and 2012 and he has been promoted. .
- **F. No. 1/61/14/AP-Ser.:** Dr. Shantisree of Singareni Collieries Ltd., Khammam complained about denial of promotion. He has been promoted as Sr. Medical Officer after intervention of the Commission.
- **F. No. 1/137/13/AP-RU:** Shri C.D. Maheswhara Rao of Central Bank of India complained about denial of gratuity. Due to intervention of the Commission, Shri Rao received his gratuity of ₹ 6, 09,401/- .
- **F. No. 1/184/14/AP-SER:** Shri. B. Raghavulu, Electrician of Jawahar Navodaya Vidyalaya complained about dismissal from service. He was re-instated into service due to intervention of the Commission.

- **F. No. 1/8/14/TS-Ser:** Shri G. Mohan Rao of Indian Bank complained about an arbitrary transfer. Due to intervention of the Commission, Shi Rao was retained Hyderabad.
- **F. No. 1/69/14/TS-Ser:** SC Welfare Association, National Academy of Construction, Hyderabad complained about many issues that are not addressed by the Academy. Due to intervention of the Commission, they agreed to fulfill all demands of SC Association.
- **F. No. 1/293/14/AP-Ser:** Shri I. Vijaya Bhaskar Rao of Bank of India, Vijayawada Branch complained against the arbitrary transfer to Tripura, . Due to intervention of the Commission, he was retained at Vijayawada itself.
- **F. No. 1/296/14/AP-SER:** Smt. K. Parimala, ADE, AP Transco complained about denial of promotion. Now due to interference of the Commission, a written assurance has been received from CMD, AP Transco that promotion will be given to Smt. K. Parimala, ADE.
- **F. No. 1/92/14/TS-Ser.:** Smt. Shamantha of SE/irrigation circle, Nizamabad complained about denial of promotion. She has been promoted after the case was pursued by the Office.
- **F. No. 1/249/14/AP-Ser.:** Shri K. Ravi Prasad of Cotton Corporation of India complained about denial of promotion. Shri Prasad subsequently promoted as Senior Assistant due to intervention of the Commission.
- **F. No. 1/178/14-Ser.:** Wife of late E. Suri Babu, MTD complained about denial of family pension. Due to intervention of the Commission, the Airport Authority of India sanctioned family pension to the deceased's wife after constant follow-up.

#### **4.5.1.2.8 State Office, Guwahati**

- **File No. 6/Rep./S/12/2013-RU :** Smt. Anamika Bishaya, Sr. Manager (C), NEEPCO Ltd., Guwahati complained about her transfer to 12 different places in a span of 16 years. On persuasion of the case she has been

retained in Guwahati Office as per reply received from the CMD, NEEPCO, Shillong dated 23/04/2014.

- **File No. 6/Rep./S/9/2014-RU** :MissDolly Das, Dy. Manager (C), NEEPCO Ltd., Guwahati complained about her transfer from Guwahati Office to Shillong Office despite a medical condition. She has also been transferred very frequently to insignificant places. Due to intervention of the Commission, she has been retained at Guwahati as per fresh order dated 22/08/2014 issued in her favour.
- **File No. 6/Rep./H/4/2014-RU & File No. 76/Rep./S/19/2014-RU** :Shri Sandip Chandra Das, CAO/TR, BSNL, Dimapur and Shri D. L. Naskar, CAO/FA, BSNL, Dimapur informed that they were posted in Dimapur for a tenure of 18 months. Even after completion of their tenures, they were not transferred to the place of their choice. Due to intervention of the Commission, both of them have been transferred to Kolkata on 22/09/2014 and on 24/02/2015 respectively.

#### **4.5.1.2.9 State office, Thiruvanthapuram**

- **File No. KL/15/0/35/2014:** The SC petitioner alleged that for the post of jail warden, 69 candidates were selected and none of them is SC. The matter was taken up with the Director General of Prisons for corrective action. In this regard the reply 6 posts were reserved for SCs and SCs appointed.

#### **4.5.2 Economic and Social Development Matters**

A total of 2444 cases relating to the Economic & Social Development issues were closed in the Commission. Consolidated statement of some successful cases is given below followed by brief details of the same.

Sr no	Subject	No. of Success full cases at HQ	No of Successful cases at State Offices
1	Admission matters	3	5
2	Scholarship matters	5	3
3	Land Matters	5	4
4	Benefit under SC Schemes	7	0
5	Miscellaneous matters	13	0
	<b>Total</b>	<b>33</b>	<b>12</b>

#### 4.5.2.1 In NCSC headquarters

##### 4.5.2.1.1 Admission

- **File No. 16/26/Delhi/2014-ESDW** ; Dr. Hemant Kothari, New Delhi vide his complaint dated 21/09/2013 informed that the Rajasthan Public Service Commission Conducted a State Eligibility test but the cut off for SC/ST/OBC are different for different subject and despite higher marks in total than General Candidates, the SC candidates were declared unsuccessful. Due to intervention of the Commission, Secretary, RPSC informed that the matter has been resolved in his favour.
- **File No. 16/128/Delhi/2014-ESDW** :Shri Devender Kumar Pal an OBC candidate, , Delhi vide his representation dated 19/08/2014 complained regarding denial of admission of his child under EWS Category. Subsequently, the Director, Education Govt. of NCT of Delhi informed that the SC petitioner's daughter got admission in the public school under EWS category.
- **File No. 16/121/UP/2014-ESDW** :Shri Mahesh Kumar S/o Shri Sukkhe Lal Ghaziabad, UP submitted his representation dated 05/07/2014 regarding non-release of mark sheet and TC of his two sons and a daughter. The DIOS, Ghaziabad, vide his reply dated 03/03/2015 informed that the mark sheets and TCs of the children has been released by Principal, Dr. R.M.L. Public School. The matter was resolved after intervention of the Commission.
- **File No. 16/152/Kerala/2014-ESDW** : Dr. Anu Prakash Anugrah, Trinandrum, Kerela vide her representation dated 17/11/2014 stated she

got 1<sup>st</sup> All India allotment of admission in Sree Sarojini Naidu Medical College for MS (General Surgery) PG examination conducted by NBE. She joined the College on 25/04/2014. She deposited the fee of ₹ 420000/-, later on she joined the Tirunaveli Medical College but the SSN Medical College did not refund her fee. Due to intervention of the Commission, the Principal, SSN Medical College, Agra (UP) intimated that the tuition fee and caution money has been refunded to the petitioner on 10/02/2015.

- **File No. 16/101/Har/2014-ESDW** :Shri Suresh Kumar S/o Shri Laksmi Chand Panipat, Haryana vide his representation dated 13/08/2014 informed about denial of admission of his son in the Navodaya Vidyalaya Panipat. The Commissioner NV Samiti reported on 15/09/2014 that the son of the petitioner has been admitted in the Jawahar Navodaya Vidhyalaya Panipat.
- **File No. 16/37/UP/2014-ESDW** : Shri Anil Kumar S/o Shri Satya Prakash, Mathura, UP submitted his representation dated 15/10/2013 regarding admission for BTC training in 2012 but the Principal, District Education and Training Institute, Mathura has shown him absent in the final list. Due to intervention of the Commission, the DM, Mathura submitted a report dated 26/05/2014 and informed that petitioner has been included for the training of BTC, 2012.
- **File No. 16/113/UP/2013-ESDW** :Shri Pankaj Kumar, S/o Shri Saharanpur, UP submitted his representation dated 23/12/2013 regarding non return of original certificate and mark sheet of the X and XII Class from Indraprastha Institute of Management & Technology Kota, Saharanpur. The D.M., Saharanpur submitted reply dated 31/05/2014 and intimated that original certificates and mark sheets have been returned.
- **File No. 16/5/UP/2015- ESDW** :Sh P.N. Chaudhary Ghaziabad, UP submitted a representation dated 15/01/2015 and complained that his daughter with 55.7% marks in MBBS from MAMC Delhi was not selected as Junior Resident in the RML hospital and a candidate having foreign

degree with 50% marks was selected The Medical Superintendent, RML, Hospital, New Delhi reported that the petitioner's daughter has been selected as Jr Resident.

#### **4.5.2.1.2 Scholarship:**

- **File No. 16/139/Har/2014-ESDW** : Shri Amity S/o Shri Chander Singh, Haryana submitted his representation dated 24/03/2014 and complained that the SC students of Deen Bandu Chhote Ram University of Science have been denied tuition fee/Scholarship for the year 2012-13 under post-matric scholarship programme. Due to intervention of the Commission, the University vide their letter dated 29/08/2014 reported that an amount of ₹ 17,670/- for post-matric scholarship has been released on 02/05/2014.
- **File No. 16/79/Delhi/2013-ESDW** : Shri Gagan Shekhar, S/o Sh. Chander Shekhar, New Delhi submitted his representation dated 29/08/2013 regarding nonpayment of scholarship in Indian Institute of Tourism and Travel management. He paid ₹ 1,35,000 but the SC/ST/OBC Welfare Department, Government of NCT Delhi has paid only ₹ 54000/ to him and rest of the money has not been released. After intervention of the Commission the Government of NCT Delhi released ₹ 86,000/-to the petitioner.
- **File No. 16/95/Delhi/2013/ESDW** : Shri Shibanji F/o Varun Yadav represented regarding transfer of scholarship from Institute of Engineering & Management, Murthal, Haryana to Bharat Institute of Technology, Murthal, Haryana. Due to intervention of the Commission, the petitioner informed that that his son has received scholarship from his college on 10/03/2014.
- **File No. 24/6/Misc./UP/2015-ESDW** : Shri Netrapal Singh, Aligarh, UP submitted a representation dated 15/01/2015 regarding non return of caution money of his son by NIT, New Delhi. Due to intervention of the

Commission, the due amount has been reimbursed to the son of the petitioner on 13/02/2015.

- **File No. 16/8/Chattisgarh/2015-ESDW** :Sh. Sunil Kumar Ramteke, Durg, Chattisgarh & SAIL SEBI Employees Federation, New Delhi submitted a representation dated 22/01/2015 regarding fee concession for the SC/ST students in the NIT, Raipur. The NIT, Raipur submitted a report that no fee shall be charged at the time of admission from SC/ST students who are eligible for Post Matric Scholarship/ Top Class Scholarships. They are required to deposit the fee with Institute once they receive the scholarship amount; a notification has been issued on 18/07/2014 in this regard.

#### **4.5.2.1.3 Land related :**

- **File No. 14/75/UP/2014-ESDW** :Shri Lokesh and Vipin S/o Shri Gulab Meerut UP submitted representation dated 09/06/2014 regarding land Dispute. The DM, Meerut reported vide letter 20/02/2015 that land is now under possession of the SC petitioner and he is satisfied with the action.
- **File No. 14/131/Har/2014-ESDW** :Smt Suman W/o Sbrri Kulwant and others, Kethal, Haryana submitted a representation regarding allotment of 100-100 Gaz plot. Due to intervention of the Commission, the DC Kethal and stated on 04/09/2014 that land of 100-100 Gaz has been allotted to 22 families including petitioner under Mahatma Gandhi Gramin Basti Yojna..
- **File No. 14/143/UP/2014-ESDW** :Shri Mukesh Sarkar, Ghaziabad submitted his representation dated 20/08/2014 and alleged that his neighbor has illegally constructed one more floor adjacent to his house. This case was discussed in the Commission and the unauthorized encroachment has been demolished and petitioner is satisfied.
- **File No. 14/120/UP/2014-ESDW** :Shri Mahender Singh Kardam S/o late Sh. Patiram, Agra, UP submitted his representation dated 04/08/2014 regarding encroachment of his land. After subsequent persuasion by the

Commission the District Magistrate, Agra informed that the land has been allotted to the petitioner.

#### **4.5.2.2 In NCSC State offices**

##### **4.5.2.2.1 State Office, Agartala**

- **File NO. 54/1/2014-RU** :Smt. Bulti Nama, a student of M.B.B.S. (II year) in Tripura Medical College alleged that the College Authority sent her notice to deposit the late fee of ₹ 12,000/- failing which she may not be able to appear in the II year examination. With the intervention of the Commission, the petitioner was allowed to appear in the II year exam.
- **File NO. 54/3/2014-RU** :Shri Mangal Ch Das , Barjala, Agartala alleged that the authority of Barjala High School illegally collected various fees from the students (class-I to V) without issuing the money receipt. Office took up the matter with the School Education Department, Government of Tripura and the petitioner informed that the matter has been settled.
- **File NO. 54/20/2014-RU** :Smt. Tama Acharjee, a student of Government Music College (II yr), Agartala stays in Girls Hostel run by . But due to her poor economic condition she requested for exemption of hostel charges. Due to intervention of the Commission, her hostel charges were waived .
- **File NO: 54/27/2014-RU** : Shri Subhas Ch. Biswas, Secretary, Abhilasa Welfare Society, College Tilla, Agartala alleged that SC students of Hindi Higher Secondary School, Agartala are not getting Pre & Post Matric Scholarships. After intervention of the State Office of the Commission, scholarship payments have been regularised.
- **F.No. 54/6/2014- RU** : Smt Dipali Sarkar Agartala vide her petitioner dated 26/4/2014 informed she was unable to deposit the allotment fees due to her poor economic condition to regularize allotted khas land by the State Government. On 25-6-2014 Smt. Sarkar informed the Office that the SDM ,Sadar not issued further any notice to her after intervention of the Commission.

##### **4.5.2.2.2 State Office, Bangalore**

- **File No: 45/48/2014-Ru** :Shri K.V.Srinivas, Mysore vide his representation dated 17/9/2014 complained about denial of electricity connection under Ganga Scheme. As per reply received from authority dated 18/02/2015, the electricity connection has been provided at the residence petitioner.
- **File No: 48/09/2012-Ru** :Dr.Ganga, BUMS, Raichur submitted a representation dated 18.10.2012 regarding denial admission into M.D. (Unani) course. Due to intervention of the Commission, the Director, NIUM, Bangalore vide his reply dated 17/03/2015 stated that the SC petitioner has secured admission in M.D. (Unani) course.

#### **4.5.2.2.3 State Office, Kolkata**

- **File No. : 4/4/2014-Gen/WB** :Shri Biswajit Ruhidas, Jr. Research Fellow, Jadavpur University alleged that he has not received fellowship grant for 9 months. Due to intervention of the Commission, the Registrar vide his letter dated 16/07/2014 informed that the fellowship grant has been released
- **File No. 3/3/2014-Gen/OR** :Shri Nandu Patra, Keonjhar submitted a representation alleging that that one non-SC has encroached his allotted land. The District Welfare Officer informed this office that has allotted another plot and helped the SC petitioner to construct a house.
- **File No. 3/4/2014-Gen/OR** :Smt. Yasoda Nayak, Nayagarh submitted representation on 08/04/2014 that she was allotted a house under IAY scheme but the same was not executed due to land dispute. The BDO tookup the matter for taking necessary steps to demarcate of the said land and to construct house under Indira Awas Yojna.
- **File No. 3/18/2014-Gen/OR** ; Shri Banamali Bhoi, Khurda submitted a representation alleging that he allowed his agricultural land for use as brick kiln but there was problem in payment of money as per agreement with General Caste lessee. The District Collector, Khurda informed that

the allegation has been amicably settled in presence of Administrators of two Gram Panchayats.

- **File No. : 8/12/2014-Gen/OR** :Shri G.D. Nayak, Anugul, Odisha alleged that Shri S. Mishra, Branch Manager, ICICI Bank, Talcher Branch cheated him by taking ₹ 20,000/- for opening an account. But actually, ₹ 18,556/- was invested by the Branch Manager to ICICI Prudential policy without informing him. On 02/07/2014, the DGM, ICICI Bank informed that problem has been solved and the petitioner requested to close the matter.

#### **4.5.2.2.4 State Office, Patna**

- **File No. 3/76/2014-B** :Smt. Radhika Devi Vaishali vide her complaint dated 20/11/2013 alleged nonpayment of compensation on account of acquisition of her land. Matter was taken up with the District Magistrate, Vaishali for payment, the petitioner subsequently informed that compensation has been paid.
- **File No. 1/7/2014-B** :Shri Saroj Kumar, Ist Year Student, BIT, Patna vide his complaint dated 05/05/2014 alleged about non-reimbursement of admission and tuition fees. Due to intervention of the commission, the District Welfare Officer, Patna informed that reimbursement has been made.
- **File No. 12/36/2014-B** :Shri Jagdish Ram, Patna vide his complaint dated 13/05/2014 alleged cheating him with regards to land purchase. Due to intervention of the Commission, the SSP, Patna informed that the land has been registered in the name of the petitioner
- **File No. 3/25/2014-B** :Smt. Binda Devi Gopalganj vide her complaint dated 20/02/2014 alleged about dispossession from land which was allotted by Bhudan Committee. The ADM, Gopalganj informed that possession has been provided to the petitioner over his allotted land.
- **File No. 3/76/2014-B** :Smt. Keshri Devi ,Patna vide her complaint dated 20/08/2014 alleged about denial of grains from the PDS shop. Due to intervention of the Commission, the Marketing Officer, Danapur, Patna informed that food grains have been provided to all SC families of the

village. **File No. 3/69/2014-B** :Smt. Malti Kumari , Patna vide her complaint dated 30/06/2014 alleged cheating in purchase of house. The SSP, Patna informed that accused has returned back entire amount to the petitioner.

- **File No. 12/60/2014-B** :Shri Nandan Paswan , Nalanda vide his appeal pleaded for **his treatment free of cost** due to poor economic condition. The Civil Surgeon, Nalanda informed that a medical team has been constituted to extend all medical facilities to the SC petitioner free of cost.
- **File No. 12/62/2014-B** : **Shri Bhulotan Manjhi**, Principal, Baba Bhim Rao Ambedkar Industrial Training Institute, Gopalganj vide his complaint dated 04/08/2014 alleged about non-payment of grant-in-aid. The District Welfare Officer, Gopalganj informed that amount of grant-in-aid has been paid.
- **File No. 3/112/2014-B** :Shri Vijay Paswan, Gopalganj vide his complaint dated 28/12/2014 alleged about eliminating his name from his land by upper castes. The SP, Gopalganj informed that the petitioner has got possession over his land and FIR has been lodged against the accused.

#### **4.5.2.2.5 State Office Pune**

- **NCSC/Pune/12/2014-ESDW** :Shri Bhawrao Deorao Wakode, Buldhana complained regarding denial of financial assistance by the District Collector, Buldhana due to agriculture loss. Due to intervention of the Commission, the petitioner received financial assistance from the District Collector ,Buldhana as per norms.
- **NCSC/Pune/ 41/2013-SSW-III** :Representation received from Shri R.B.Burud, BDO (Agri.) regarding not given scholarship for the year 2012-13. The State Govt. intimated the Commission vide their letter dated 03/06/2014 that the scholarship has since been paid to the SC petitioner.

#### **4.5.2.2.6 State Office, Hyderabad**

- **F. No. 6/8/14/AP-RU**: Shri Dharmendrakumar of Andhra Pradesh complained about withdrawal of IOC licence resulting immediate

cancellation of petrol pump dealership. Due to intervention of State Office the petitioner got quick relief by way of restoration of licence.

- **F. No. 5/1/15/TS-RU:** Shri Anil Kumar, Telangana complained about non-issuance of licence by the Pollution Control Board of Telangana. With the intervention of the Commission, the Pollution Board solved licence issue of the petitioner helping him set up plant.
- **F. No. 5/5/15/TS-RU:** Kum. Vandana, Balanagar, Hyderabad complained about refusal of her employer to return her original certificates. Due to intervention of the Commission, she got her original certificates back from her employer.
- **F. No. 5/2/14/CG-RU:** Shri Prabhudas Meshram, student of Pandit Ravisankar University complained regarding non-release of certificates by the Ravi Shankar University. After intervention of the Commission, the petitioner received his certificates.

#### **4.5.2.2.7 State Office, Thiruvananthapuram**

- **File No. KL/15/O/27/2013/:** Shri. Chandranathan, Trivandrum requested the Commission for release of financial assistance from the SC/ST Development Corporation. After intervention of the Commission, Government issued directions to MD, Kerala State Development Corporation for SC /ST to implement the Government Order dated 29/02/12 regarding loan assistance to SC/ST petroleum dealer applicants.
- **File No. KL/15/O/46/2014:** Shri. N.L. Anoop, Trivandrum submitted a petition requesting for allotment him a Akshaya centre under IT Mission as no centre was allotted to SC. Principal Secretary, Information Technology Department, informed that the Government has decided to increase 10% weightage to the SC/ST entrepreneurs to enable them to succeed in the selection process.

#### **4.5.2.2.8 State Office, Chennai**

- **F.No.8/47/2014 Rep. :** Shri Kumar, Panathoppu, Salem District has represented regarding non-sanction of TAHDCO loan by Indian Bank,

Thalaivasal Branch. The General Manager (MSME), Indian Bank, Corporate Office, Chennai informed that the petitioner was sanctioned a loan of ₹ 1.50 lakh on 07/04/2014.

- **F.No: 8/109/2014 Rep.** : Smt.H. Kalaiselvi, Guindy, Chennai has submitted a representation dated 18/06/2014 alleging that she was facing unwarranted delay in sanction of SJSRY loan by the Branch Manager, Indian Bank, Saidapet Branch, Chennai. Due to subsequent persuasion, the Assistant General Manager, Indian Bank informed that petitioner has been sanctioned a loan under SJSRY Scheme to the tune of ₹ 75000/-.
- **File No: 8/60/2014 Rep.** : Shri.A.Kannan, Edamanagar, Chennai requested for sanction of TAHDCO loan by Union Bank of India, Madhavaram. Due to intervention of the Commission, the petitioner vide his letter dated 22/12/2014 has informed that he was sanctioned with TAHDCO loan by Union Bank of India.
- **F.No: 4/56/2014 Rep.** : Shri.V.Narayanan, Chettipunniyam, Kancheepuram District had sent a representation dated 09/06/2014 with a request seeking admission to his daughter into XI Standard in St. Mary's Higher Secondary School, Chengalpet. Subsequently, Shri.V.Narayanan, Chettipunniyam informed that his daughter has been admitted in the school of their choice.

### **4.5.3 AtrocityMatters**

Consolidated statement of some important successful cases is given below followed by brief details of the same.

<b>Sr no</b>	<b>Subject</b>	<b>No. of Success full cases at HQ</b>	<b>No of Successful cases at State Offices</b>
1	Harassment	1	15
2	Rape	2	3
3	Greivious Hurt	2	7
4	Land Conflict	1	2

5	Temple entry/Social Byocott	0	5
	Murder	1	5
	Arson/Robbery	0	1
	<b>Total</b>	<b>06</b>	<b>38</b>

#### 4.5.3.1 In NCSC Headquarters

- **File No. UP/155/2012-APCR** :Shri Ramsumiran, Barabanki, Uttar Pradesh had complained that on 13/7/2011 his wife and two children died due to faulty electrical wiring in a room allotted by the a Member of Gyan Mandir Trust at Punjab. Due to intervention of the Commission, compensation of ₹ 3,00,000 (@₹ 1,00,000 per deceased) was given by Punjab Government .
- **File No. UP/242/2013** : Smt. Anita Devi, Hathras, U.P. has complained on 03/07/13 that she was forcibly abducted and raped. With the intervention of the Commission all the accused were arrested, final report filed and 1<sup>st</sup> installment of compensation of ₹ 60,000 was granted to the petitioner.
- **File No. UP/139/2014** :Shri Shyam Babu, Allahabad, Uttar Pradesh, complained that on 14/02/2014, his left hand got cut while working on the cutting machine in the ND Industries, Udyog Nagar Mudrika, New Delhi. His employer however, neither gave him promised compensation of 1.5 lakh nor provided medical expenses that have been incurred. With the intervention of the Commission, ₹ 41,565/- as disability benefit handed over to petitioner and a sum of ₹ 5,300/- P.M. (approx.) has been fixed by ESIC as monthly pension to Petitioner besides paying ₹ 13,000/- as arrears.
- **File No. UP/156/2014** :Shri Kalicharan and some other villagers of , Bulandshehar, Uttar Pradesh have alleged that Plot No. 297 in Village Kalandargarhi was allotted to them by Gram Panchayat. However, the boundary walls were forcibly broken by some men and theywere being threatened. After intervention of the Commission, the DM, Bulandsahar

informed that the demarcation on the spot has been done and possession of land to the SC and other land allottees made.

- **File No. Har/78/2013** : Shri Ran Singh, Kaithal, Haryana has complained that on 05/08/2013 his brother was hit by motor cycle of and concerned doctor and police ASI, took the side of the accused. With the intervention of the Commission, the SSP, Kurushetra informed that the accused have been arrested and charge sheet filed in the court.
- **File No. UP/292/2015** :Initiating suo *moto* action on the rape of minor SC girl in Badaun., the Commission discussed the matter with the S.S.P., Badaun. The accused was arrested,charge sheeted and financial assistance of ₹ 90,000 was paid to the victim.

#### **4.5.3.2 In NCSC State offices**

##### **4.5.3.2.1 State Office, Bangalore:**

- **File No: 23/07/2014-Ru** : Shri S.Mohan, SC Welfare Association, Thiruvalluvar had enclosed a press cutting published in Tamil daily news paper ‘The Hindu’ regarding Dalit boy thrashed and beaten up by the priest for entering the Temple at Nelamangala, Bangalore. The Office took up the matter and DSWO, Bangalore Rural district. vide their letter dated 15/04/2015 statedthat the victim had been paid ₹ 1,25,000/- along with the medical expenses of ₹ 25,000/- and the case is under trial.

##### **4.5.3.2.2 State Office, Chandigarh**

- **File no.2-chd/1-2014** :Shri Subhash ,Chandigarh vide his complaint dated 31/03/2014 alleged that he has been subject to harassment by his neighborhood due to caste reasons. After intervention of the Commission, the SC petitioner informed there has been a compromise.
- **File no.2-chd/5-2014** :Shri Surender Kumar vide his complaint dated 10/06/2014 informed that he has been harassed by his employer and denied salary. The authority subsequently informed the Commission that due salary has been paid to the SC petitioner and both the parties now have compromised.

- **File no.2-chd/15-2014** :S/Shri Sh.Ashok & Joginder vide their complaint dated 21/10/2014 alleged that they have been subjected to caste based atrocities by upper castes. The case was taken up and subsequently a case registered ,3 accused arrested and the victims of atrocities given employment under MNREGA besides a house under IAY scheme.

#### **4.5.3.2.3 State Office, Kolkata:**

- **File No. : 2/10/2015-GEN/WB** :Shri Haradhan Naskar, South 24 Parganas alleged forceful occupation of his land. The matter was taken up and reply received from S.P. District South 24 Parganas dated 13/03/2015 stating that the issue was resolved.
- **File No. : 2/30/2014-GEN/WB** :Shri Bamapada Khetrapal & Others, , Burdwan alleged about atrocity on land matter. The matter was taken up with the SP, Burdwan and as per reply received vide dated 05/02/2015, a case under POA Act was lodged for forceful possession of paddy land by the non-SC accused.
- **File No. : 2/35/2014-GEN/WB** :Shri Ashok Kr. Hela, Hooghly alleged atrocity by the upper castes. The matter was taken up with the SP, Hooghly District and as per reply received dated 23/03/2015, action has been taken under CrPC against both of the accused persons.
- **File No. 2/1/2014-Gen/OR** :Shri Raghunath Mahananda, Boudh complained regarding murder of his minor and partially blind son by upper castes. Due to intervention of the Commission, the S.P., Boudh informed that all accused have been arrested and charge-sheeted.
- **File No. 2/9/2014-Gen/OR** :National Federation of Dalit Organizations, Bhubaneswar complained about murder of Shri Avinash Behera on 15/07/2013 by non-SCs and inaction by Police. S.P., Jagatsighpur vide reply dated 23/05/2014 informed that all accused arrested on 05/08/2013. Monetary relief of ₹ 2,50,000/- as compensation has also been provided to the victim's family.
- **File No. 2/24/2014/Gen-OR** :Shri Haladhar Sethy, Odisha vide his petition dated 21/07/2014 complained about physical assault on Shri Nihar

Ranjan Sethy, Advocate, Odisha Bar Association by police. As per report received from the Police Commissioner, Bhubaneswar- a case was registered and the hospitalized victim has been provided medical treatment free of cost.

- **File No. 2/29/2014-Gen/OR** :Shri Raghunath Suna , Boudh alleged that the dispute raised between two village Ex Sarpanch (SC) and OBC caused burning , looting of SC houses. S.P Boudh informed that 11 FIRs have been registered against accused as per IPC and POA Act ,financial compensations to each victim as per damage assessed ranging from ₹ 1, 05,000/- to ₹ 2500/-.
- **File No. 2/42/2014-Gen/OR** :Shri Pruthiraj Behera, Bhubaneswar alleged that he and his father have been brutally assaulted by an upper caste. CP, Bhubaneswar-Cuttack Police vide reply dated 08/02/2015 informed that a case has been registered under IPC and POA Act ,the accused arrested.
- **File No. 2/50/2014-Gen/OR** :Shri Ranjan Kumar Das ,Kendrapara vide his letter dated 05/11/2014 complained that he was brutally attacked by 7-8 bikers at the behest of one non-SC . S.P., Kendrapada vide report dated 01/01/2015 informed that the criminals involved in the assault case have been nabbed and arrested
- **File No. 2/52/2014-Gen/OR** :Shri Jalandhara Bagh ,Rayagada alleged murder of his son by upper castes. S.P., Rayagada vide reply dated 17/01/2015 informed that all accused have been arrested and charge-sheeted.
- **File No. 3/6/2014-Gen/OR** : Shri Prasanta Kumar Mallick, Coordinator, Odisha Dalit Adhikar Manch, Bhubaneswar submitted representation alleging that 40/50 persons belonging to General Caste of Village Damodarpur attacked SC Pana community of the same village. Police is maintaining peace in the area.

#### **4.5.3.2.4 State Office, Patna**

- **File No. 11/24/2014-B** :Shri Moti Khalifa, Vaishali complained on 16/9/2013 regarding police atrocity. S.P., Vaishali informed the Commission that the problem of the petitioner has been resolved.
- **File No. 11/58/2014-B** :A complaint dated 16/9/2013 was received from Shri Bifan Ravidas, Patna regarding inaction of police in the incident of atrocity. . SSP, Patna has informed the Commission that FIR has been registered against the accused from and punitive action had been taken.
- **File No. 11/63/2014-B** : A complaint dated 26/2/2014 was received from Shri Ram Vilas Paswan and othes Staff of Railway, Danapur Division, regarding atrocity by the Station Manager, Bena,.. As per report received the concerned Station Manager now has been transferred.
- **File No. 14/5/2014-B** :The incident of gangrape of SC minor girl in Jigna Moraptti village , Gopalganj district was taken up *suo moto* with the DM and SP, Gopalganj. As per report received, all accused have been arrested and charge sheet filed. The victim has been paid the admissible financial relief.
- **File No. 11/271/201-B** :A complaint dated 16/9/2013 was received from Smt. Rakhi Devi Gaya incident of atrocity on the petitioner. The matter was taken up with SSP, Gaya for proper action under SC/ST (PoA) Act and payment of financial relief. As per report received, charge sheet submitted and relief provided.
- **File No. 11/249/2013-B** :Shri Ramchandra Manjhi , Patna vide his complaint dated 05/09/2013 alleged beating while asking for labour payment. As per reply received FIR is registered and charge sheet filed.
- **File No. 11/68/2014-B** :Smt. Kanchan Devi , Bhagalpur vide her complaint received on 11/03/2014 alleged attempt torape and beating. The SP, Naugachia informed that the problem of petitioner has been resolved.
- **File No. 11/230/2013-B** : Shri Mahavir Ram, ,Rohtas vide his complant dated 19/07/2013 demanded lodging of FIR against the accused persons who assaulted and abused the complainant SP has informed that a FIR has been lodged against the accused persons and investigations started .

- **File No. 11/81/2013-B** :A complaint dated 26/03/2013 was received from Ms. Sheokumari Devi ,Vaishali on 26/03/2013 regarding incident of gangrape. As per report from S.P. Vaishali, action against all the accused has been taken under SC/ST (PoA) Act and financial relief provided.
- **File No. 11/91/2014-B** :Smt. Rani Devi, Patna vide her complaint dated 01/04/2014 alleged police inaction on beating and abuse of SC persons. The SSP, Patna informed that the the charge sheet has been submitted.
- **File No. 11/367/2013-J** :Shri Surendra Ram, Giridih vide her complaint dated 19/12/2013 about alleged insult in public place and inaction by the police. Due to intervention of the Commission, the SP, Giridih informed that FIR has been registered against the accused.

#### **4.5.3.2.5 State Office, Pune:**

- **File No. NCSC/Pune/25/2014-APCR-I** :Shri Manoj Moriti Sonawane, Pune vide his complaint informed that the police has not registered a case against an upper caste. Due to intervention of the Commission, his complaint has been registered and charge sheet filed.

#### **4.5.3.2.6 State Office, Hyderabad:**

- **F. No. 2/103/11/AP-RU**: Narsapuram Ravider complained regarding non-registration of FIR. Due to intervention of the Commission, SP Karimnagar informed of FIR registration and disciplinary proceedings against CI and SI who did not register FIR u/s of POA Act.
- **F. No. 3/6/13/AP-RU**: After the intervention of the Commission, Police added POA Act in the case relating to death of three students at Hathnoora (V) of Medak District and enhanced relief given.
- **F. No. 3/146/13/AP-RU**: Monetary relief ₹ 3.75 lakh was sanctioned to wife of murder victim Shri Anil Kumar, SR Nagar, Hyderabad after intervention of the Commission.

- **F. No. 20/4/14/TS-RU:** Government of Telangana issued Government Order No. 8 dated 01/05/2015 regarding enhancement of compensation to atrocity victims after pursuance by the Commission.
- **F. No. 2/16/12/AP-RU:** After reference from the Commission, police registered a case under POA Act in a land case of Shri Namdev, Lingalapapply Village, Jukkal Mandaland Collector sanctioned ₹ 80,000/- to the victim .

#### **4.5.3.2.7 State Office ,Thiruvananthapuram:**

- **File No. KL/31/47/2013/:** Shri. K.K.SureshKumar ,Palakkad District submitted a petition for taking action against accused polluting the drinking water source of SC Colony . SP, Palakkad, replied thatthe case has been registered under POA Act ,accused arrested and charge sheeted.
- **File No. KL/31/18/2014:** Shri Rageeth, Kozhikode ,submitted,petition for taking necessary action against accused who prevented his family from entering the place of worship and assaulted them. SP, Kozhikode responded that a case has been registered POA Act &IPC and the accused is charge sheeted.
- **File No. KL/31/21/2014:** Shri. Babu & Smt. Geetha Babu, Thrissur requested for necessary action on threatto kill them and caste based abuse. SP, Thrissur,replied that a case was registered POA Act and accused charge sheeted.
- **File No. KL/15/O/12/2014:** Shri Sakthivel V, Assistant Professor, NIT Calicut, Kozhikode petitioned for necessary action on attack by a group of students. The Director, NIT replied that disciplinary action has been taken by the Director against erring students.

#### **4.5.4 Miscellaneous Matters**

##### **4.5.4.1 InNCSC Headquarters ;**

- **File No. 24/65/UP/2014-ESDW :**Shri Soni, Agra, UP petitioned againstFCI not giving appointment letter due to change in nomenclature in

caste certificate. The FCI vide their reply dated 16/07/2014 informed that appointment letter was issued to the petitioner.

- **File No. 13/2/Press Clipping/2014-ESDW :**”. On the basis of news The Commission took suo moto cognizance on reports of ‘Sawa So Dalit Parivar Gaon Se Bahishkrit’ with the Collector, Rajsamand, Rajasthan who vide reply dated 07/04/2015 informed that the issue now is settled and presently there is no tension.
- **File No. 24/61/Misc/Haryana/2013-ESDW :**Smt. Teji, Hathin, Haryana complained on 21/01/2013 on non supply of water to SC family in Village-Kaundal, Palwal. The Deputy Commissioner, Palwal reported vide letter dated 20/01/2015 that the drinking water is now supplied to the village.
- **File No. 24/74/Misc/UK/2013-ESDW :**Sh. Govind Lal and others Srinagar, Uttarakhand petitioned for construction of road and water pipeline. The D.M., Pauri Garhwal vide reply dated 20/03/2015 intimated that work is in progress.

#### **4.5.4.2 In NCSC State Offices**

##### **State Office: Kolkata**

- **File No. : 11/1/2014-Gen/WB:** Shri Sunil Kumar Mondal, Head Constable, BSF , Siliguri vide his representation alleged that the BSF has not accepted his Caste certificate even after the verification report by the concerned SDO. In their reply, the BSF informed that the matter has been settled
- **File No. : 11/9/2014-Gen/WB:** Shri Nabyendu Sukla Baidya, Jalpaiguri submitted a representation on 13/10/2014 alleging that Caste Certificate for his daughter applied on 24/09/2013 has not been issued in spite of numbers of visits made with the authority. SDO Sadar, Jalpaiguri informed on 10/11/2014 that the certificate has been issued and received by the petitioner.
- **File No. : 4/10/2014-Gen/WB :** KuParbati Gain, North 24 Parganas submitted a representation intimating that she is not been able to submit

applications for job in absence of Scheduled Caste Certificate. The SDO, Bongaon vide his reply dated 20/01/2015 informed that the caste certificate has been issued.

- **File No. : 10/27/2014-GEN/OR:** Smt. Shantilata Tandia, Jharsuguda, Odisha vide her complaint alleged that some non-SC persons preventing her roadway private bus from entering in to Sundargarh Bus Terminal. SP, Sundargarh vide reply of 25/07/2015 stated that the bus is now plying smoothly.
- **File No. : 10/29/2014-GEN/OR:** Shri Shankar Das, Jagatsinghpur, Odishapetitioned for C.C. Road in SC dominated village areas. District Welfare Officer, Jagatsinghpur vide letter dated 11/03/2015 intimated that the proposal has been approved by the Collector and submitted to OSFDC , Bhubaneswar for sanction & release of fund.
- **File No. : 10/55/2014-GEN/OR :**Shri Naraendra Kona Hari, Puri submitted a representation regarding land grabbing of SCs by upper caste people. Commissioner, Puri Municipality vide reply dated 27/03/2015 intimated that the encroachers will be rehabilitated under Rajiv Awas Yojana and will be provided houses in Puri town

#### **4.6 Spot Visits On Atrocity Matters**

36Spot Visit on atrocity matters were conducted in 7 cases by the Commission's HQ and 29 cases by State Offices. After visit of the Commission,registration of FIRs have been ensured under POA Act and total monetary compensationof ₹ 1,20,08,947/- was released to the SC victims.

Consolidated statement of the spot visits made by the commission is given below followed by brief details on some of the cases recorded as successful.

Sr no	Subject	No. of Success full cases at HQ	No of Successful cases at State Offices
1	Rape	1	8
2	Grievous Hurt	1	7
3	Murder	1	8
4	Arson/Robbery	2	5
5	Temple entry/Social Boycott/Kinapped/Harassment	2	1
	<b>Total</b>	<b>07</b>	<b>29</b>

#### 4.6.1 By NCSC Headquarters

- **FileNo. Har/33/2014-APCR:** The Commission took suo-moto cognizance of the case of kidnapping of 4 SC girls and gang rape in Bhagana , Hisar, Haryana.

At the instance of the Commission, following actions were taken by the District Police and Civil Administration:

- i. Medical examination conducted which confirmed rape against two girls.
  - ii. All the five accused arrested and FIRs registers under IPC & POA act.
  - iii. Adequate security arrangements made for the victim and their families.
  - iv. Financial compensation of ₹ 6,10,000/-wasgiven to the victims
  - v. 100-100 Sq. yard plots have been allotted to 222 eligible families of village Bhagana under MGGBY scheme.
- **File No. Har/95/2014-APCR :**NCSC took *suo moto* notice of the incidence of beating and burning of property of SCs in Village Tigaon, District Faridabad, Haryana and conducted a spot investigation on 12/07/2014.

As a result of the visit the following action was taken by the District Administration:-

1. All the accused were arrested and charge sheet was filed, POA Act also applied.
2. Measures were taken to maintain peace in the area as well as to ensure security of SC persons.
3. Monetary compensation of ₹ 22,500/-(each) to four victims provided.

- **File No. UP/216/2014 :**

The Commission took suo-moto notice of murder of three SC Persons in village Veeranpur, Gabhana.District Aligarh ,Uttar Pradesh on 23/07/2014. A team headed by Chairman NCSC conducted on the spot investigation of the case on 23/07/2014,

The following action was taken in the case by the authorities after the spot investigation:

Chargesheet was filed against all the accused including against the State Government officers from the Revenue Department, for their failure to protect the SCs and accused officers transferred. Compensation of ₹ 15,90,000/-was provided to the victims families.

- **File No. UP/161/2014-APCR :** NCSC took *suo moto* notice of the incidence of removal of loudspeaker from the Burdge of Shiva Temple, Village Naya Goan. Moradabad (UP) conducted a spot investigation on 1/7/2014.As a result of the visit, 8 arrested SCs were released on bail granted by the Court.

- **File No. UP/130/2014-APCR :** NCSC took *suo moto* contingence of the Media Reports about the incidence of gangrape and murder of two minor cousin sisters at Village Katra Sadatganj, PS Usehat, District Badaun, U.P. conducted a spot investigation on the night of 27-28 May, 2014.

As a result of the visit the following action was taken by the District Administration:-

1. All the accused were arrested.
2. Case was transferred to CBI for further investigation

- **File No. UP/342/2014-APCR** : NCSC took *suo moto* notice of the incidence of atrocity committed on SC member of Village Khaira, Jhansi (UP) and conducted a spot investigation on 27/09/2014. As a result of the visit the following action was taken by the District Administration:-  
All the accused were arrested and chargesheet was filed, POA Act applied, monetary, assistance proposal sent to the Social Welfare Officer.
- **File No. UP/94/2014/APCR** : NCSC took *suo moto* notice of the incidence of beatings, arson, burning and demolition of the property of Scheduled Castes in Kanawani village, Gautam Buddha Nagar District (UP) and conducted a spot of investigation on 04/05/2014. Due to visit of the Commission, all accused have been arrested, chargesheet filed, and compensation of ₹ 4,65,000/- was granted.

#### **4.6.2 By NCSC State Offices**

##### **4.6.2.1 State Office, Pune**

- **F. No. NCSC/Pune/1/2014-RU-II & F. No. NCSC/Pune/132/2013-APCR-I** : The Commission took cognizance of two complaints on murder and harassment and team accordingly have visited the village Kudje District Pune on 23/07/2014. Due to intervention of the Commission, both the cases ended in charge sheet and financial compensation have been paid.

##### **4.6.2.2 State Office, Lucknow**

- **F. No. 14/1(3)/2014-RU Barabanki (UP)** ; An incidence on arson of 85 houses belong to Scheduled Castes in village Juranda, District and taking a cognizance of the complaint, a team visited the village on 01/04/2014. Due to intervention of the Commission ₹ 3000/- for house construction and ₹ 2700/- as interim relief provided to each family and free rations for three days was provided.
- **F. No. 14/1(1)/2014-RU Varanasi (UP)** : Taking *suo moto* cognizance of news report regarding rape of a SC on 03/04/2014 in village Badailly Kala

District Varanasi, a team from Commission visited the village on 05/04/2014 Due to intervention of the Commission, a case was registered and the victim paid ₹ 1,87,000/-as compensation.

- **F. No. 14 1(3)/2014-RU Gorakhpur (UP)** : Taking suo moto cognizance of news report on murder of two Scheduled on 05/04/2014 in village Mallawan, District Gorakhpur, a team from Commission visited the village on 08/04/2014. Due to intervention of the Commission, the case resulted in a charge sheet and ₹ 3,75,000/- and ₹ 1,87,500/-have been paid to the victim's family members separately.
- **F. No. 3/196/2014-Gen Azamgarh (UP)** : Responding to a complaint regarding murder of a SC youth in village Khushampur, District Azamgarh, a team from the Commission visited the village on 06/06/2014. Due to intervention of the Commission,, the case resulted in a charge sheet and an amount of ₹ 1,87,500/-was paid to the members of victims' family.
- **F. No. 14/1(2)/2014-RU Hardoi (UP)** : Taking suo moto cognizance of news report about beating of two SC girls in village Jharianpurwa, District Hardoi, the officials from the Commission visited the village on 08/06/2014 and ensured that the case resulted in a charge sheet and an amount of ₹ 15,000/-was paid to each victim separately.
- **File No. 14/1(2)/2014-RU Rampur (UP)** : Taking suo moto cognizance of news report regarding raping of a SC girl on 16/06/2014 in village Raghunathpur, District Rampur, a team from the Commission visited the village on 23/06/2014 and ensured that the case is ended with filing of a charge sheet and an amount of ₹ 60,000/-was also paid to the victim.
- **File No. 3/468/2014-Gen Jhansi (UP)** : Responding to a representation regarding rape of a SC girl in Azad Nagar Hansari, District Jhansi, a team from the Commission visited the place on 25/06/2014. Due to intervention of the Commission, a case was registered and charge sheeted on 02/07/2014; an amount of ₹ 1,87,500/-was also paid to the victim.
- **File No. 14/1(3)/2014-RU Allahabad (UP)** : Taking suo moto cognizance of news report regarding beating up of a a SC girl in village Pur Gogai,

District Allahabad, a team from the Commission visited the village ensured that a case registered, charge sheeted on 10/09/2014 and an amount of ₹ 1,87,500/-was paid to the victim.

- **File No. 14/1(2)/2014-RU Ambedkar Nagar (UP)** :Taking suo moto cognizance of news report regarding rape of a SC girl in village Larpur, District Ambedkar Nagar, a team from the Commission visited the village on 25/07/2014. Due to intervention of the Commission, a case registered, charge sheeted and an amount of ₹ 60,000/-was paid to the victim.
- **File No. 14/1(3)/2014-RU Jhansi (UP)** : According to a press news forwarded by the Commission's Headquarters regarding beating of a SC boy in Bramh Nagar Colony, District Jhansi, a team from the Commission visited the place on 25/09/2014. Due to intervention of the Commission, a case registered, charge sheeted and an amount of ₹ 22,500/-was paid to the victim.
- **File No. 3/1113/2014-Gen Badaun (UP)** : Responding to a representation regarding beating of a SC boy in village Karanpur, Dist. Badaun, a team from the Commission visited the place on 27/09/2014 and ensured that a case is registered, charge sheeted and an amount of ₹ 22,500/-was paid to the victim.
- **File No. 3/19/2015-Gen Barabanki (UP)** : Responding to a representation regarding beating of a SC boy in village Gobrahra, District Barabanki., Considering the seriousness of the matter, a team from the Commission visited the place on 27/09/2014 and ensured that a case is registered, charge sheeted and an amount of ₹ 60,000/-was paid to the victim.

#### **4.6.2.3 State Office, Patna**

- **F. No. 14/27/2014-B** :According to a new report appeared in a local daily, a SC person was murdered at Pachaina village District. Responding to the news, a team from the Commission visited the village on 27/08/2014 and ensured that a case is registered, offenders are arrested and financial relief provided as per norms.

- **F. No. 14/23/2014-B** : A news report appeared in local daily intimating murder of a SC woman in village Neori ,Patna District. Taking cognizance of the new report, the officers from the Commission visited the village on 27/08/2014. Due to intervention of the Commission, the accused has been arrested and financial compensation provided.

#### **4.6.2.4 State Office, Chennai<sup>8</sup>**

- **File No. 3/18-A/Theni/2014 Res.** :Commission took suo moto cognizance of reports of seven SC houses being set on fire and 5 SCs were injured on 06/04/2014 at Melmangalam village ,Theni District, Tamil Nadu and conducted Spot investigation on 10/05/2014. Due to intervention of the Commission, accused were arrested, , damaged houses were repaired and financial compensation paid at the tune of - ₹ 5,000/- each totwo families whose huts were burnt and ₹ .2,500/- each to 7 families whose huts suffered partial damage / burnt.
- **File No. 3/23/Cuddalore/2014 Res.:** Commission took suo moto cognizance of reports of atrocity on SCs at Vadakkumankudi village, Cuddalore District and conducted Spot investigation on 29/05/2014, 10/07/2014 & 11/07/2014. Due to intervention of the Commission, following actions / reliefs were provided by the Government:
  - a. Injured admitted in the hospital., 60 non-SC accused were also arrested
  - b. 8 injured victims have been provided with.₹ 40,000/- each for and ₹ 5,000/- for 6 houses burnt partially were disbursed
  - c. Immediate relief in the form of groceries, clothes, textbooks for the children etc were distributed to the affected victims
- **File No. 3/25/Villupuram/2014 Res.** : Commission took suo moto cognizance of reports of atrocity on SCs at Periya Andapattu,Villupuram where 4 SC persons were attacked by a non-SC mob and conducted Spot

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<sup>8</sup>Due to intervention of State Office of NCSC at Chennai, the following amount were paid to the victims  
On account of Murder : ₹ 29.06 lakh  
On account of Rape/ Molestation & Murder : ₹ 7.275 lakh

investigation on 30/05/2014. Due to the investigation, 21 non-SCs involved in the attack were arrested.

- **File No. 3/30/2014 Res – Tirunelveli:** Commission took suo moto cognizance of reports regarding murder of 3 SCs in Udappankulam village, Tirunelveli and conducted Spot investigation on 09/06/2014. Due to intervention of the Commission, the following actions / reliefs were provided by the Government:
  - a. a case under POA Act, 1989 has also been registered
  - b. financial compensation of ₹ 3.75 lakhs paid to the 3 families
  - c. Bus service to the SC area has been restored and ration shop in SC locality re-opened.
- **File No. 3/32/Thoothukudi/2014 Res. :**Commission took suo moto cognizance of reports regarding attack on SCs in the liquor shop in Manakkarai Village, Thoothukudi and conducted Spot investigation on 10/06/2014. As a result adequate Police pickets have been posted in village.
- **File No. 3/37/Kancheepuram/2014 Res :**Commission took suo moto cognizance of reports regarding the burning down of 23 houses belonging to SCs in Nukumbal village, Kancheepuram and conducted Spot investigation.

The following actions / reliefs were provided by the Government:

- a. monetary relief of ₹ 5000/- each to the affected SC household
  - b. Groceries, clothes and utensils were distributed to the 13 families
  - c. duplicate pattas issued and 9 families were issued duplicate ration cards
- **File No. 3/39/Karur/2014 Res. :**Commission took suo moto cognizance of reports regarding rape and murder of a 17 year old SC girl on 20/6/2014 in K. Pitchampatti village, Karur District and conducted Spot investigation on 26/06/2014. The following actions / reliefs were provided by the Government:
    - a. a case was filed under POA Act, 1989
    - b. monetary relief of ₹ 1,87,500/- was paid to family on the same day

- **File No. 3/56/Tirunelveli/2014 Res. :** Commission took suo moto cognizance of reports regarding murder of two SCs on 28/10/2014 namely Shri.Mahesh (26 years) and Shri.Marimuthu (18 years)in Kommarthanallur village,TirunelveliDistrict and conducted Spot investigation on 01/11/2014. The following actions / reliefs were provided by the Government:
  - a. a case was filed under Sec.3(2)(v) of SC/ST (POA) Act, 1989
  - b. monetary relief of ₹ 5,62,500/- was paid to the two families.The team also recommended for aid unders Chief Minister Relief Fund and relief under Dr.Ambedkar Foundation Scheme, provision of bus facility to area, strengthening of Police patrol and to declare the area as atrocity prone
- **File No. 3/1/Madurai/2015 Res. :**Commission took suo moto cognizance of reports regarding a scuffle between SCs & Non-SCs ensued resulting injuries to Scheduled Castes and 1 death at Kurayur Village, Madurai and conducted Spot investigation on 20/01/2015. The following action / reliefwere provided by the Government:
  - a. 4 accused arrested
  - b. monetary relief of ₹ 75,000/- was paid to the two victims.
- **File No. 3/2/Dindigul/2015 Res. :**Commission took suo moto cognizance of reports regarding rape of a minor SC girl on 20/01/2015 at Kuraiyur village, **Dindigul**District and conducted Spot investigation on 20/01/2015. Due to intervention, monetary relief of ₹ 1,80,000/- was paid to the victim
- **File No. 3/8/Krishnagiri/2015 Res. :** Commission took suo moto cognizance of reports regarding non SCs urinating in a SC youth's mouth on 02/03/2015 at Kuravanur village, **Krishnagiri**District and conducted Spot investigation on 23/03/2015. The following action / relief were provided by the Government:
  - a. monetary relief of ₹ 22,500/- each was paid to the 2 victims.
  - b. chargesheet was also filed in the Court
  - c. Police patrolling was being done.

#### **4.6.2.5 State Office, Chandigarh**

- **File No. 25/18/2014-Res** :Commission took suo moto cognizance of reports regarding SC brothers were gunned down by police at and Vice Chairman , NCSC conducted Spot investigation on 23/03/2015. The following action / relief were provided by the Government:
  1. ₹ 5 lakh paid to the victim's family members
  2. the accused police persons were suspended
- **File No. 25/7/2015-Res** :Commission took suo moto cognizance of reports regarding dalit rape victim ending life in Biblian, Sonipat and Vice Chairman , NCSC conducted a Spot investigation on 20/03/2015. The following action / relief were provided by the Government:
  - I. accused was arrested.
  - II. financial compensation of ₹ 371250 was paid to the victim's family
- **File No. 25/8/2015-Res.** Commission took suo moto cognizance of reports regarding gangrape of SC women in the Jind and Member , NCSC conducted a Spot investigation on 12/03/2015. The following action / relief were provided by the Government:
  - i. accused was arrested.
  - ii. financial compensation of ₹ 90,000 was paid to the victim's family

### **4.7 Jail Visits**

The Commission visited Jails in Gujarat, Rajasthan, West Bengal, Madhya Pradesh, Chhattisgarh and Central Jail , Bangalore<sup>9</sup> to examine the conditions of SC inmates prisoned in the different jails in above States.

There are 1387 jails in the country with 1,31,517 convicted prisoners and 2,82,879 undertrial prisoners. 21.3% of the (27,997) convicted prisoners belonged to Scheduled Castes and 20.2% (57,045) of undertrials belonged to Scheduled Castes.

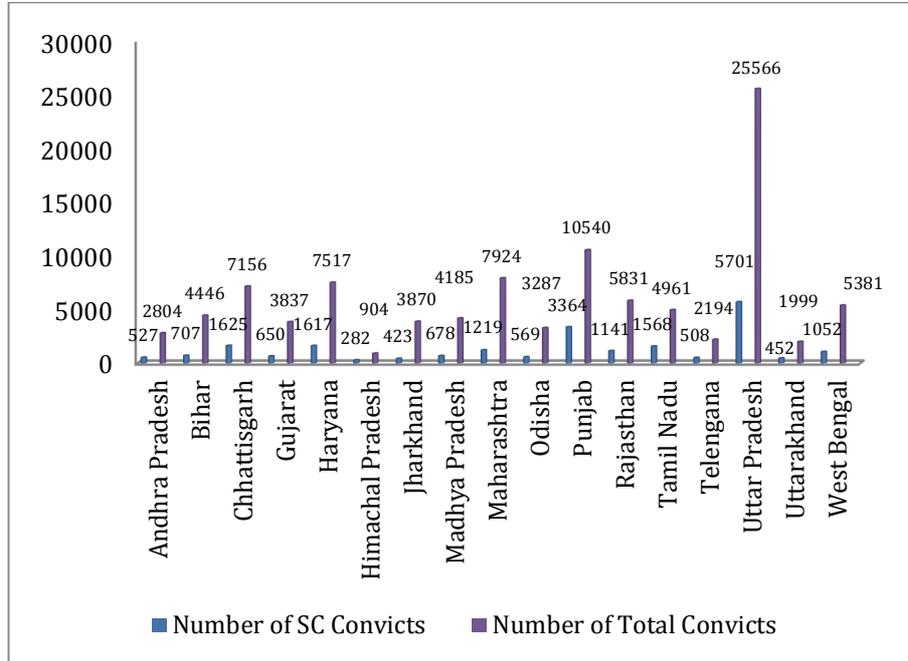
The state wise details of the SC inmates v/s total inmates, State-wise are as shown in the Charts<sup>10</sup> 4.7. 1.1 to 4.7.1.3 and 4.7.2.1 to 4.7.2.3 & 4.2.

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<sup>99</sup> On 19/06/2014

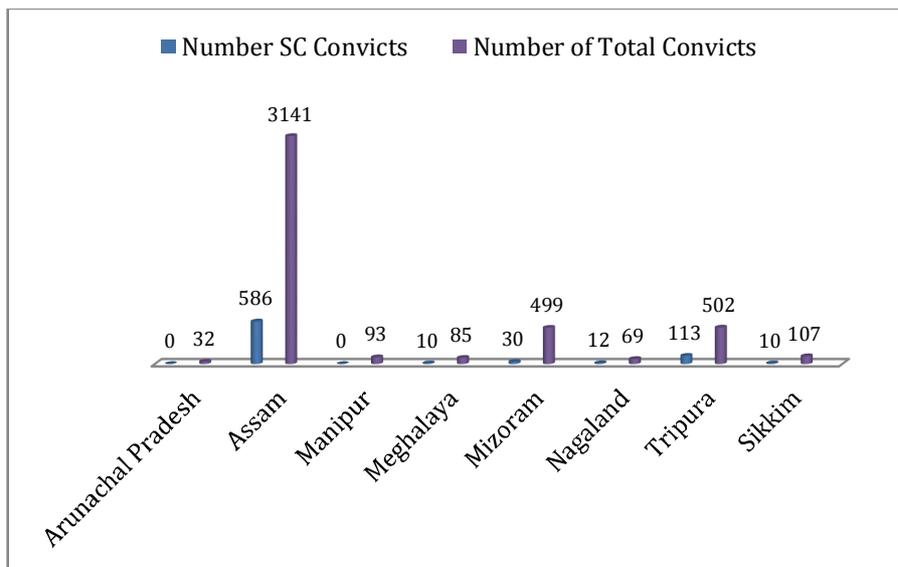
**Chart 4.7.1.1**

**Number of Convicted SCs in Prison in States**



**Chart 4.7.1.2**

**Number of Convicted SCs in Prison in NE States**



<sup>10</sup> NCRB Prison Report, 2014

Chart 4.7.1.3

Number of Convicted SCs in Prison in UTs

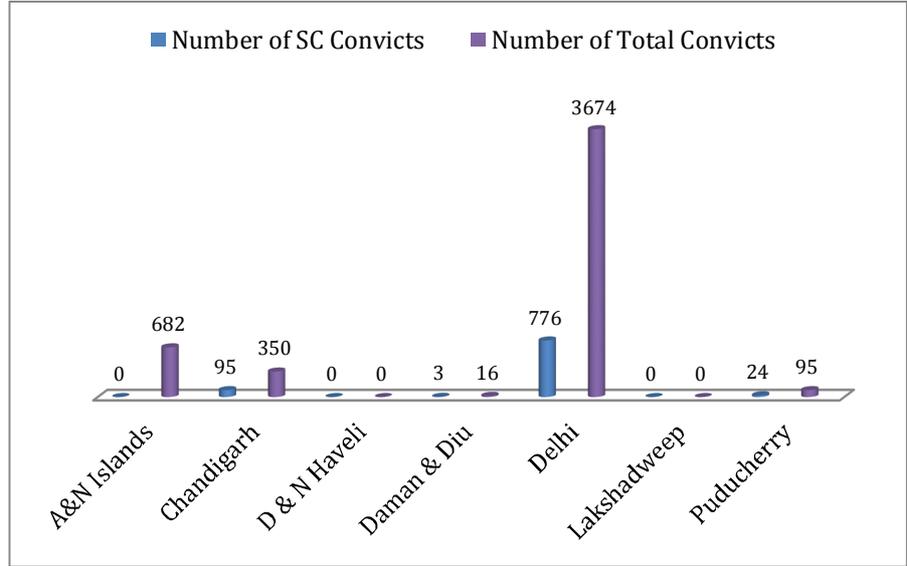
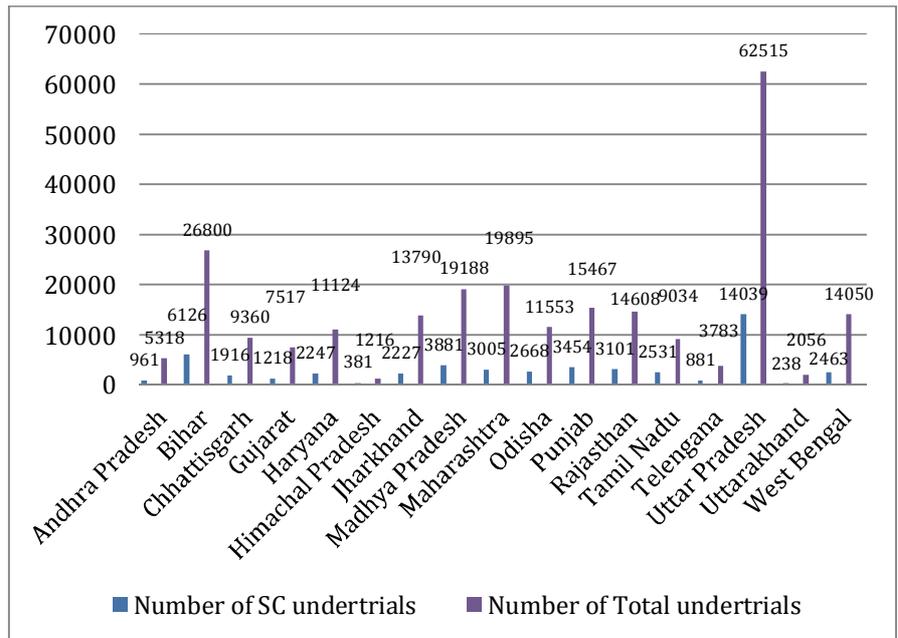


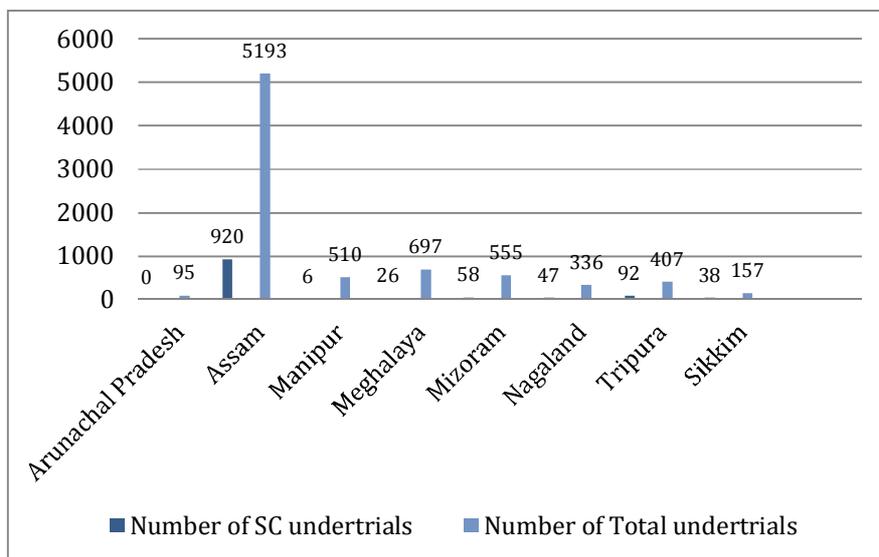
Chart 4.7.2.1

Number of Undertrials SCs in Prison in States



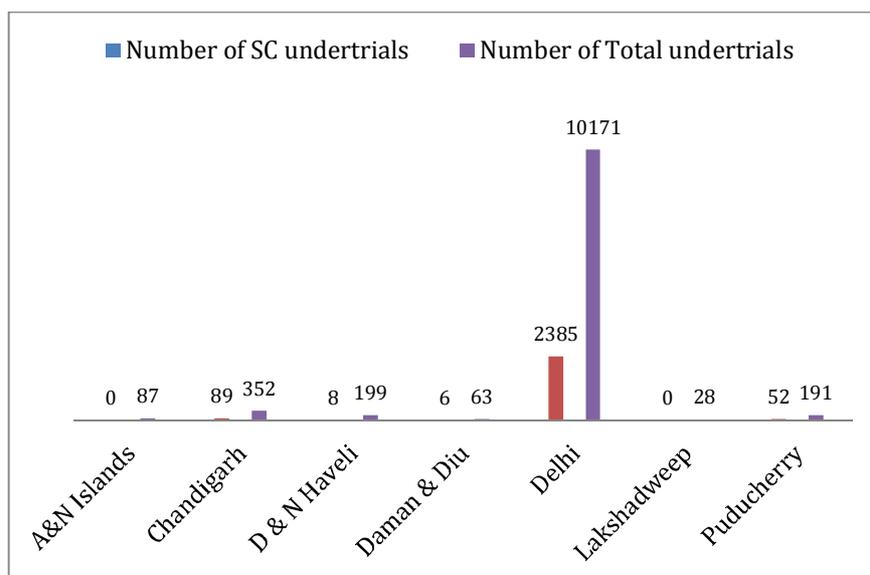
**Chart 4.7.2.2**

**Number of Undertrials SCs in Prison in NE States**



**Chart 4.7.2.3**

**Number of Undertrials SCs in Prison in UTs**



Uttar Pradesh has highest number of SC prisoners.

The recommendations made by the Commission to improve upon conditions of SC prisoners summarised in para 9.6 in the Chapter IX (Recommendations).

#### **4.8 Hostel Visits**

The Commission visited the Hostels for Scheduled Castes students in Gujarat, Rajasthan, Madhya Pradesh and Chattigarh. The recommendations made are detailed in para 9.4.7 in the Chapter IX.

Other findings of visits made in Karnataka and Chennai are as follows :

##### **4.8.1 State Office, Bangalore**

The Commission took suo moto notice of news regarding the alleged misbehavior of Principal of the Kittur Rani Girls Hostel of Social Welfare Department Anekal Bangalore housing 145 girls and made a spot investigation on 03/07/2014 and 07/07/2015.

##### Findings .:

- the rooms did not have padlocks compromising safety for the girls.
- the Principal was arrested and suspended. the hostel shifted to a Government building on 01/06/2015 onwards.
- the girls who were harassed have now completed their X and left the hostel

##### **4.8.2 State Office, Chennai**

The Commission took suo moto notice of news regarding 2 SC girls being hurt as concrete roof fell on students in Adi Dravidar Welfare Girls Hostel in Chennai. The observations were

- i. The hostel building is dilapidated condition and surroundings filthy.
- ii. The sanitation / hygiene is very poor due to which there is mosquito menace.

- iii. The supply of food is inadequate and scanty to the inmates & the matron and the cooks are not taking care of the inmates and the cooks are behaving in a rude manner.
- iv. The hostel windows are broken, temporarily closed with plywood, rooms lack proper ventilation with seepage of rainwater.
- v. The bathrooms and toilets are not properly maintained and there is water scarcity.
- vi. The District Adi Dravidar & Tribal Welfare Officer, Chennai should be sensitized about the issue.

#### **4.9 Proposals seeking Commission's views on Policy matters**

According to the Clause 9 of the Article 338 of the Constitution, "The Union and every State Govt. shall consult the Commission on all major policy matters effecting Scheduled Castes".

Accordingly, eight Ministries had consulted the Commission on 13 policy matters. Details in brief are:

- **4.9.1 Subject** : Draft Cabinet Note on "The National Commission for Safai Karamcharis (NCSK) Bill, 2014" in Parliament.  
M/o Social Justice & Empowerment  
The Commission suggested four additions viz, addition of a sub clause under Clause 8, an additional clause in Chapter III, replacement of Clause 10 and replacement of the word Central Government by the Government of India.
- **4.9.2 Subject** : Draft Cabinet Note on the proposal for enhancing the reservation for women in Panchayats.  
M/o Social Justice & Empowerment.  
The Commission supported the proposal.
- **4.9.3 Subject** : EFC Proposal for introduction of a new Central Sector Scheme, viz National Young Leaders Programme (NYPL).  
M/o Youth Affairs and Sports

The Commission supported the proposal with the suggestion that some mechanism may be put in place in order to extend due representation to the youth from Scheduled Castes community.

- **4.9.4 Subject** : EFC Proposal for Enhancement of Authorized Share Capital of National Scheduled Finance and Development Corporation (NSFDC) from ₹ 1,000 Crore to ₹ 2,000 Crore.

M/o Social Justice & Empowerment

The Commission supported the proposal of the Ministry to enhance the share capital of NSFDC

- **4.9.5 Subject**: Memorandum for Expenditure Finance Committee (EFC) for the scheme of Venture Capital Fund for Scheduled Castes Entrepreneurs.

M/o Social Justice & Empowerment.

The Commission supported the proposal with the suggestions that :

- i. Due representation should be given to the SC Women Entrepreneurs
- ii. A Central Level Committee should be constituted to select the SC Entrepreneurs. A representative from Commission may be one of the Members of that Committee.

- **4.9.6 Subject** : Amendment to Article 243ZC (2) of Part IX-A of the Constitution consequent upon the enactment of Gorkhaland Territorial Administration Act, 2011

Ministry of Urban Development

The Commission supported the proposal

- **4.9.7 Subject** : Memorandum for Standing Finance Committee (SFC) for the Scheme of Credit Enhancement Guarantee Scheme for Young and Start-Up Entrepreneurs belonging to Scheduled Castes.

Ministry of Finance

The Commission supported the Proposal with the suggestions that:

1. Due representation should be given to the SC Women Entrepreneurs.
2. A Central Level Committee should be constituted to select the SC Entrepreneurs. A representative from Commission may be one of the Members of that Committee.

- **4.9.8 Subject** : Draft Cabinet Note on Amendments to the Medical Termination of Pregnancy (MTP) Act, 1971

M/o Health & Family Welfare

The Commission supported the proposal with comments :The interest of the Scheduled Caste persons should be suitably protected by Health department by developing modalities for private sector hospitals.

- **4.9.9 Subject** : Central Advisory Committee (CAC) for Pradhan Mantri Adarsh Gram Yojana (PMAGY)

M/o Social Justice & Empowerment

The Commission suggested the following points:

- The Director/In-charge, State office of the Commission may be a member of state level Steering Cum -Monitoring Committee
- Monitoring of the scheme may be done at National, State, District, Block and Village levels on yearly basis. Shortcomings in the scheme may be brought to the Central/State Govt. for improvement.
- Performance under the scheme may be reviewed by the Central Level and State Level Steering Cum-Monitoring Committee quarterly basis.
- Being exclusive scheme meant for development of more than 50% SCs population of the village, the SCSP funds may be utilized in the PMAGY scheme as the SCSP funds are neither divertable nor lapsable. Hence the accumulated SCSP funds since 1979 should be spent on PMAGY scheme.
- 15% SC population States may also be covered in this scheme.
- Efforts may be made to rope in Public Sector Undertaking (PSUs) and also the Private Sector, in the development of selected villages and to dovetail their initiatives under Corporate Social Responsibility (CSR) with PMAGY.
- Community Centers in SC Abadi (populated area) may be constructed.

- **4.9.10 Subject** : Draft Memorandum for Standing Finance Committee on Mission Organic Farming North East.

M/o Development of North East Region

The Commission supported the proposal with the following suggestions :

i) As it is a women centric proposal due representation of SC women equivalent the SC population in each state under North Easter Region should be given in the scheme.

ii) Necessary training in new techniques like integration of farming system (IFS) approach with allied activities like horticulture, live stock, animal husbandry etc. and creation of local input production infrastructure including high quality local multiplication, primary processing and post harvest facilities at cluster councils should be provided to the SC women.

- **4.9.11 Subject** :Draft Memorandum for Standing Finance Committee (SFC) for the Construction of the Dr. B.R.Ambedkar Memorial.

M/o Social Justice & Empowerment

The Commission supported the proposal with the observations that the “Ministry may also try to take over the adjoining houses to add to the grandeur of the memorial at 26 Alipur Road, Delhi”.

- **4.9.12 Subject** : Draft Cabinet note on “Mission Organic Farming- North East (MOF-NE)” scheme of Ministry of DoNER.

M/o Development of North East Region

The Commission supported the draft with the suggestions that :

(i) As a women centric proposal, due representation from SC women equivalent to SC population in each NER State should be given.

(ii) Necessary training in various farming, etc techniques should be provided to the SC women.

- **4.9.13 Subject** : EFC Memo for Implementation of separate scheme for textile promotion for the benefit of Scheduled Castes and Scheduled tribes.

M/o Textiles

The Commission supported the proposal of EFC memo.

**4.10 Proposals relating to Inclusion /Exclusion of communities as Scheduled Castes**

The Commission received seven proposals regarding inclusion / exclusion of entries in the SC Lists. They are :

- **4.10.1** Replacement of the existing entry Malayan (in the areas comprising the Malabar district) by “Malayan (in Kozhikode, Wayanad, Kannur and Kasaragod)”.
- **4.10.2** Inclusion of Peruvannan as synonym of Mannan, Pathiyan, Perumannan, Vannan, Vela(Sl. No. 37) in the list of SC in the list of Kerala.
- **4.10.3** Proposal regarding inclusion of Sarathi, Soot Sarathi, Sahis, Sais and Thanwar Castes and synonyms of Ghasi, Ghasia, a Scheduled Castes at Sl. No. 25 of the list of Scheduled Castes of Chhatisgarh.
- **4.10.4** Modification of the list of Scheduled Castes of Orissa regarding deletion Partantanti), Bariki and Kummari communities from the list of Scheduled Castes of Odisha
- **4.10.5** Amendment to the list of Authorities empowered to issue caste/community certificate in West Bengal..
- **4.10.6** Proposal for Inclusion of (1) Aheria, Heri, Thori, Turi and Hari (2) Rai Sikh Communities in the SC list of Haryana.
- **4.10.7** Proposal regarding removal of area restriction in respect of Chain Community in the list of Scheduled Castes of West Bengal.

The Commission after due consideration, which included a public hearing in one case, approved of the proposals and sent its concurrence to the MoSJE.

#### **4.11 De-reservation Proposals**

NCSC received eight de-reservation proposals during 2014-15 for advice, they included two proposals from Cabinet Secretariate, three proposals from Ministry of Home Affairs, one from Central Administrative Tribunal, one from Government of NCT for Delhi Accounts Service and one from Ministry of Defense. The Commission had given its consent and advice in 6 cases and sought further details in the remaining two cases.

## CHAPTER –V ADMINISTRATION AND COORDINATION

### 5.1 The Mandate<sup>1</sup>

The National Commission for Scheduled Castes (hereafter referred to as ‘NCSC’ or ‘the Commission’) was established under the Article 338 of the Constitution. The Commission has a wide charter relating to the overall policy, planning, coordination, evaluation and review of the regulatory framework and developmental programs relating to the Scheduled Caste community. The jurisdiction of the Commission extends to all the states in India except the state of Jammu and Kashmir.

The fourth National Commission for Scheduled Castes<sup>2</sup> is headed by Dr. P.L. Punia, the Chairperson. There is a Vice Chairman, three members and officials<sup>3</sup>.

**The NCSC is responsible for monitoring the implementation of the following Acts/ Rules :-**

- (i) The Protection of Civil Rights (PCR) Act, 1955
- (ii) The PCR Rules, 1977
- (iii) The Scheduled Castes & Scheduled Tribes (Prevention of Atrocities) Act, 1989.
- (iv) The Scheduled Castes & Scheduled Tribes (Prevention of Atrocities) Rules, 1995.
- (v) Implementation of Reservations for SCs in the Central, State and UT Governments.
- (vi) Monitoring the welfare schemes for development of SCs through SCSP funds.

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<sup>1</sup> Refer: Clause(s) 5, 8 and 9 of the Article 338, Constitution of India to get further details on the functions, duties and power of the Commission

<sup>2</sup> See Annexure 1 for NCSC Organization Chart

<sup>3</sup> Dr. Raj Kumar Verka - Vice-Chairperson

Shri Raju Parmar - Member

Shri Ishwar Singh - Member

Smt.M. Kamalamma - Member

Dr. Vinod Aggarwal, Secretary

Dr Smita s chaudhri , Joint Secretary (for details of Members and officials please visit: [www.ncsc.nic.in](http://www.ncsc.nic.in))

## 5.2 Offices

The headquarters of the Commission is at Delhi. Secretary to the Government of India is its administrative Head and is assisted by officers at the level of Joint Secretary, Directors and Deputy Secretaries.

The Commission has 12 state offices:

**Table No. 7.1**

Sl. No.	State	Office (location)	Jurisdiction
1.	West Bengal	Kolkata	West Bengal, Odisha, Sikkim & Andaman & Nicobar Islands
2.	Gujarat	Ahmedabad	Gujarat, Rajasthan and Dadra & Nagar Haveli
3.	Tripura	Agartala	Tripura
4.	Kerala	Thiruvanthapuram	Kerala
5.	Punjab	Chandigarh	Punjab, Haryana, Himachal Pradesh, Chandigarh and Uttarakhand
6.	Uttar Pradesh	Lucknow	Uttar Pradesh
7.	Maharashtra	Pune	Maharashtra and Goa
8.	Bihar	Patna	Bihar and Jharkhand
9.	Tamil Nadu	Chennai	Tamil Nadu and Puducherry
10.	Karnataka	Bangaluru	Karnataka
11.	Andhra Pradesh	Hyderabad	Andhra Pradesh, Telengana, Madhya Pradesh and Chattisgarh
12.	Assam	Guwahati	Assam, Arunachal Pradesh, Manipur, Mizoram, Nagaland and Meghalaya

Above offices of the Commission are headed by the officers of the rank of Director / Deputy Director / Assistant Director and function under the overall supervision of one of the Members as per allocation of work.

### 5.2.1 Proposal for opening new offices

In order to strengthen its performances throughout the country and in view of the volume of complaints / grievances petitions that are received in the Commission, a proposal has been moved for creation of new States Offices at following locations:

**Table No. 7.2**

Sl. No.	Location	Jurisdiction over State(s)
1.	Bhubaneswar	Odisha
2.	Bhopal	Madhya Pradesh
3.	Jaipur	Rajasthan
4.	Gurgaon	Haryana, Himachal Pradesh
5.	Dehradun	Uttarakhand
6.	New Delhi	Delhi
7.	Ranchi	Jharkhand
8.	Raipur	Chhattisgarh

The Commission needs these offices in view of manifold increase in representation/ grievance petitions and absence of regional offices of NCSC. Large states like Madhya Pradesh, Rajasthan and Odisha have no regional offices of the Commission. The NCSC has also felt need of a State Office in Delhi and Haryana respectively due to large number of representations received from SCs living in NCR and also to enable the Headquarters of NCSC to concentrate on larger issues including policy matters, research, analysis etc.

### **5.2.2 Up gradation of Offices**

Due to the larger jurisdiction area and work load, the Commission has also proposed up-gradation of four (04) existing State Offices from the Office of the Deputy Director to the Office of the Director in respect of following States offices:

**Table No. 7.3**

Sl. No.	State	Office (location)	Proposal to upgrade to the level/post of
1.	Assam	Guwahati	Director Level
2.	Gujrat	Ahmedabad	Director Level
3.	Tripura	Agartala	Director Level
4.	Kerala	Thiruvanthapuram	Director Level

The above proposals are under consideration of the Ministry of Social Justice & Empowerment.

## **5.3 Issues related to staffing**

### **5.3.1 Staffing at the Headquarters<sup>4</sup>**

<sup>4</sup> Please see Annexure-2 for incumbency position at the NCSC headquarters (As on 31<sup>st</sup> March, 2015)

The NCSC headquarters has the following Wings/Divisions:

- Atrocities & Protection of Civil Rights Wing (APCR)
- Economic & Social Development Wing (ESDW)
- Service Safeguard Wing (SSW) and
- Administration/Coordination Wing (Admn & C. Cell)

Each wing has a specialized role to play and as per necessity relating to the extent of work handled by the respective wings, the Commission proposes that each Wing should be manned by the following officials:

- One Deputy Secretary/ Director and
- One Under Secretary/Deputy Director (Branch Officer).

The Headquarters of the Commission has sanctioned strength of one Director (Jt. Cadre), one Deputy Secretary (CSS cadre) and one DIG/IG under central staffing scheme.

State Offices for the purpose of administration are headed by Directors / Deputy Directors. However, a large number of such posts including lower functionaries are lying vacant both at Headquarters and State Offices<sup>5</sup> of the Commission. In the State Offices, only 95 positions are filled out of the 156 positions as on 31 March, 2015. Process is on to fill up these vacant posts both by the Ministry of Social Justice & Empowerment (for Group A level posts) and the Commission.

### **5.3.2 Other Vacant Positions**

As suggested by the Ministry of Home Affairs and in view of difficulties in posting an officer of the level of Deputy Inspector General of Police, a proposal for up gradation of the post to that of Inspector General of Police is under consideration by the Ministry. The proposal on filling up vacant Joint Cadre posts has also been taken up with the Ministry of Social Justice & Empowerment during the period of this report.

## **5.4 Accommodation**

The office of the Commission is located at 5th Floor, Loknaya Bhawan, Khan Market, New Delhi. The State Offices of the Commission are located in different

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<sup>5</sup>See Annexure-3 for incumbency position at the NCSC state offices

States. The location of the State Offices and their jurisdiction is given in **Annexure – IV**.

## **5.5 Use of Technology for Administrative purposes**

### **5.5.1 E-governance**

The website of National Commission for Scheduled Castes has been up-graded and redesigned. Basic information about the activities of the NCSC and its programs, annual report, handbook of NCSC, Major decisions that have taken by the Commission are available on the web-site. New bilingual and user friendly website of NCSC has been launched w.e.f December, 2012.

### **5.5.2 Complaint Monitoring Information System (CMIS)**

**CMIS:** A Complaint Monitoring Information System (CMIS) in Commission is functional. Improvements are contemplated in the functioning of CMIS.

**Functions of the CMIS:** The system enables the complainants or petitioners to register and track the status of their cases / petitions on-line, through internet, from anywhere. The officers of this Commission also monitor the cases online and update the data instantly.

At present, approximately 100 complaints are being received and entered in CMIS daily. The Commission is working to improve its functioning to make the system easier and bilingual for the petitioners/complainants.

## **5.6 Compliance with other Mandates**

### **5.6.1 Use of Hindi**

The NCSC strictly followed the instructions on official language and issued all important orders/notifications bilingually. “Hindi Fortnight” was observed from the 14 to 30 September, 2014. Several competitions were organized during the week and prizes were also distributed to promote use of Hindi in official working. The Unit is headed by one Assistant Director (OL). Use of Hindi is monitored through holding monthly meeting and inspections.

### **5.6.2 National Integration Week**

The NCSC observed the “*Quami Ekta Week*” (National Integration Week) from 19 to 25 November, 2014 to foster the spirit of patriotism, communal harmony and national integration.

### 5.6.3 Vigilance Unit

The Joint Secretary is appointed as part-time Chief Vigilance Officer (CVO). She was assisted by a U.S./Vigilance Officer, who discharges these functions, in addition his normal duties. The NCSC observed the Vigilance Awareness Week from 12 to 16 November, 2014 and banners are put up at different places.

### 5.6.4 Right to Information Act, 2005

In accordance with the provisions of section 4(1) (b) of the Right to Information Act, 2005, the NCSC has designated Central Public Information Officers (CPIOs) & First Appellate Authorities for each division/State Offices under the RTI Act, 2005 (**Annexure – V**)

During the period from April, 2014 to March, 2015, 1420 applications under the RTI Act were received and disposed off.

#### **RTI Cases dealt by the Commission:**

**Table No. 7.4**

Name of Office	RTI Cases		RTI Appeals		CIC Cases	
	no. of cases received	replies sent	no. of appeals received	no. of appeals disposed of	No. of hearing in CIC	Case closed
Head Quarter	999	999	31	31	136	136
Agartala	1	1	0	0	0	0
Ahmedabad	6	6	1	1	1	1
Bangalore	22	22	0	0	0	0
Chennai	89	89	7	7	1	1
Chandigarh	61	61	6	6	1	1
Guwahati	2	2	0	0	0	0
Hyderabad	43	43	3	3	1	1
Kolkata	25	25	3	3	0	0
Lucknow	95	49	4	3	3	3
Patna	18	18	2	2	1	1
Pune	52	50	6	6	0	0
Trivandrum	7	7	0	0	0	0
Total	1420	1372	63	62	144	144

### 5.7 Court Cases Dealt by NCSC Hqrs. & State Offices

Total 44 Court cases have been received where NCSC has been made a Party during the year. The details are appended as below :

Table No. 7.5

Name of Office	No. of Court Cases received	No of cases finally decided	No of cases pending
Head Quarter	7	0	7
State Offices	37	3	34
<b>Total</b>	<b>44</b>	<b>3</b>	<b>41</b>

State Office-wise court cases handled during 2014-15 :

Table No. 7.6

Name of office	No. of cases in High Court	Number of cases finally decided	No of cases pending in High Court
Agartala	0	0	0
Ahmedabad	1	0	1
Bangalore	9	0	9
Chennai	10	0	10
Chandigarh	4	3	1
Guwahati	0	0	0
Hyderabad	10	0	10
Kolkata	4	0	4
Lucknow	3	0	3
Patna	2	0	2
Pune	1	0	1
Trivandrum	0	0	0
<b>Total</b>	<b>37</b>	<b>3</b>	<b>34</b>

### 5.8 Budget

The NCSC has a Non-Plan budget of ₹ 1,549.00 lakh for the year 2014-15. A statement is given at **Annexure – VI**. Out of ₹ 15.49 Crore budget, approximately ₹ 11 Crore is spent on salary i.e. Committed expenditure.



## CHAPTER – VI SERVICE SAFEGUARDS

Various provisions have been made under the Constitution to eradicate untouchability in any form and special provisions were also made for Scheduled Castes and Scheduled Tribes to secure their adequate representation in public services. Reservation is a form of affirmative action designed to improve the well-being of backward and underprivileged communities defined primarily by their 'caste', wherein a certain percentage of total available vacancies in educational institutes and government jobs are reserved for people from Scheduled Castes (SC), Scheduled Tribes (ST) and Other Backward Classes (OBC). The objective of providing reservations of the Scheduled Castes (SCs), Scheduled Tribes (STs) and Other Backward Classes (OBCs) in services is not only to give jobs to persons belonging to these communities but also its basically aims at empowering them and ensuring their participation in the decision making process of the State. Public Employment also gives a certain status and power, besides the means of livelihood.

The main objective of the reservation system is to increase the opportunities for enhanced social and educational status of the underprivileged communities and, thus, enable them to take their rightful place in the mainstream of Indian society. The reservation system exists to provide opportunities for the member of the SC.STs to increase their representation in every field of life.

### **6.1 Constitutional Provisions for Reservation**

The Constitution of India in Article 15(4) states : “All citizens shall have equal opportunities of receiving education. Nothing herein contained shall preclude the State from providing special facilities for educationally backward sections (not “communities”) of the population.”[Emphasis and parentheses added.] It also states that “The State shall promote with special care the educational and economic interests of the weaker sections of society (in particular, of the Scheduled Castes and aboriginal tribes), and shall protect them from social “injustice” and all forms of exploitation. “The Article further states that nothing in

Article 15(4) will prevent the nation from helping SCs and STs for their betterment [betterment' up to the level enjoyed by the average member of other communities].

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 appointment or posts in favor 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 come into force on 19/08/1995 vide the Constitution (77<sup>th</sup> Amendment) Act, 1995 and Article 16 (4B) which has been incorporated in the Constitution vide the Constitution (81<sup>st</sup> 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.

In 1982, the Constitution specified 15% and 7.5% of vacancies in public sector and government – aided educational institutes as a quota reserved for the SC and ST candidates respectively for a period of five years, after which the quota system would be reviewed. This period was extended by the succeeding governments. The Supreme Court of India ruled that reservations cannot exceed 50 *per cent*.

### **6.2 Reservation in services**

After Independence, instructions were issued on 21/09/1947 providing for reservation of 12 ½ per cent of vacancies of SCs in respect of recruitment made by open competition. In case of recruitment other than by open competition this percentage was fixed at 16 and 2/3 per cent. After the Constitution was promulgated on 13/09/1950, five *per cent* reservation was provided for STs apart from the percentage fixed for SCs already in force.

### **6.3 Reservation in Direct Recruitment**

The percentage of reservation in direct recruitment on all India basis by open competition for SCs and STs in 15% and 7.5% respectively was fixed on

25/03/1970. Direct recruitment on all India basis otherwise than by open competition reservation for SCs and STs is 16.66% and 7.5% respectively. In respect of direct recruitment to Group C and D posts which normally attract candidates from a locally or a region, percentage of reservation for SCs/STs is generally fixed in proportion to the population of SCs and STs in the respective State/UT.

#### **6.4 Relaxations available for SCs/STs in Direct Recruitment**

Other relaxations like those of upper age limit by five years, Exemption from payment of examination/application fees, separate interview for SC/ST, standards of suitability, payment of TA and relaxation in experience at discretion of UPSC/Competent Authority are available for the SCs/STs in direct recruitment.;

The Government in 1993 introduced 27% reservation for Other Backward Classes in direct recruitment. After introduction of reservation for OBCs, total reservation for SCs, STs and OBCs comes to 49.5% in case of direct recruitment on all India basis by open competition and 50% in case otherwise than by open competition. As per various judgment of the Supreme Court, total reservation for these communities cannot exceed the limit of 50%.

Where recruitment is made for zones or circles or regions consisting of more than one State, the percentage of reservation for SCs and STs is generally fixed on the basis of the promotion of SCs and STs in the respective zones/circles/regions and reservation for OBCs is fixed keeping in view their proportion in the population of the respective zones/circles/regions subject to limit of 27 *per cent* and total reservation for SCs, STs and OBCs should not exceed 50 *per cent*.

#### **6.5 Reservation in Promotion**

In the year 1957, reservation was provided for SC and ST in departmental competitive examinations by the Government of India. Reservation in promotion by selection in Group C and Group D was provided in 1963 and in the same year reservation in departmental competitive examination was limited to Class III and Class IV only. In the year 1968 when reservation in limited department examination to Class II, III, and IV and promotion by selection to Class II, III and Class IV were subjected to a condition that element of direct recruitment should

not exceed 50 percent. The percentage of reservation for SCs and STs was increased from 12 ½ % to 15% and 5% to 7 ½ % respectively from 25/02/1970. Reservation in promotion by seniority subject to fitness was introduced in 1972 subject to the condition that the element of direct recruitment does not exceed 50 percent. In 1974, reservations in promotion by selection from C to B, within B and from B to the lowest rung of Group A were introduced provided the element of direct recruitment does not exceed 50%. The limitation of the direct recruitment for exceeding 50 percent was raised to 66 and 2/3 percent in 1976 and 75% in the year 1989. Reservation in promotion by non-selection method is available to SCs and the STs in all groups of services viz. A, B, C and D, at the rate of 15% and 7.5% respectively. In promotion by selection method reservation is available up to lowest rung of Group A at similar percentage.

In promotion by selection to posts within Group A which carry an ultimate salary of ₹ 18300 (pre revised) or less there is no reservation, but the Scheduled Caste/Scheduled Tribe officers who are senior enough in the zone of consideration from promotion so as to be within the number of vacancies for which the select list is to be drawn up, would be included in that list provided they are not considered unfit for promotion.

### **6.5.1 Orders of the Hon'ble Supreme Court**

**6.5.1.1** The Supreme Court of India has given judgement in the case of Sh. Rohtas Bhanekar & Ors vs U.O.I. & Others on 15 July, 2014 vide CIVIL APPEAL Nos. 6046-6047 OF 2004 regarding relaxing standards in the case of Scheduled Castes/Tribes candidates in departmental competitive examinations and in departmental confirmation examinations and upheld the constitutional validity of the Constitution (Seventy-Seventh (Amendment) Act, 1995; the Constitution (Eighty-first Amendment) Act, 2000; the Constitution (Eighty-second Amendment) Act, 2000 and the Constitution (Eighty-fifth Amendment) Act, 2001.

**6.5.1.2** The Supreme Court has passed a Judgment in the case Civil Appeal No. 209 of 2015 (arising out of Special Leave Petition (Civil) No. 4385 of 2010) in the case of Chairman & Managing Director, Central Bank of India & Others

Versus Central Bank of India SC/ST Employees Welfare Association & Others, that in public sector banks reservation for Scheduled Caste is permissible in posts from scale-I till scale-VI.

A bench held that though there was no provision for reservation in promotions in banks for officers from scale-I onwards but an office memorandum issued by Department of Public Enterprises in November 2004 permitting quota up to scale-VI.

The bench inferred that "the policy of no reservation in the matter of promotion is applicable only from Scale-VII and above. It, therefore, clearly follows that in so far as promotion from Scale-I to Scale-II, Scale-II to Scale-III, Scale-III to Scale-IV, Scale-IV to Scale-V, Scale-V to Scale-VI are concerned, reservation is to be provided".

The bench said: "It is clarified that at present there is no provision for reservation in promotion by selection only in respect of those posts which carry an ultimate salary of 5,700/- per month (revised to 18,300 and 20,800/- per month in respect of those public sector undertakings following IDA pattern). Qua (with regard to) appellant Banks, that would be in respect of Scale-VII and above. Therefore, to carry out promotions from Scale-I upwards up to Scale-VI, reservation in promotion in favour of SC/ST employees has to be given."

The court passed the order on a bunch of appeals filed by banks challenging the Madras HC order directing them to provide reservation on the ground that there is no adequate representation of SC/ST category of officers in Group-IV and above.

The apex court held that HC in its verdict of 2009 has gone by the lofty ideals enshrined in Articles 15 and 16 of the Constitution as well as the fact that in these banks there is no adequate representation of SC/ST category of officers in Group-IV and above.

Clarifying its verdict, the bench said, it would have the effect of allowing the writ petitions with directions to the appellant banks to make provision for reservations while carrying out promotions from scale-I to scale-II and upward up to scale-VI. The Public Sector Banks have currently filed a review petition in the Hon'ble Supreme Court against the above judgment.

### **6.6 Relaxations available to SCs in promotion**

- a) The zone of consideration is extended to five times against the number of vacancies in case suitable SC/ST candidates are not available within the normal zone of consideration;
- b) Minimum qualifying marks/standards of evaluation are relaxable;
- c) Upper age limit to be relaxed by five years where upper age limit for promotion is prescribed not exceeding fifty years, etc.

Reservation till 01/07/1997 was computed on the basis of number of vacancies filled. After that post based reservation was introduced w.e.f. 02/07/1997. The 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.

### **6.7 Revised instructions on reservation roster for implementation of reservation in small cadre.**

The Department of Personnel & Training has sent a proposal regarding revised instructions on reservation roster for implementation of reservation in small cadre for the comments of the National Commission for SCs as per following points:

Department of Personnel and Training vide OM No. 36012/2/96-Estt (Res.), dated 02/07/1997, in implementation of the Supreme Court judgment in the case of R.K. Sabharwal Vs. State of Punjab, introduced post-based reservation rosters by replacing vacancy based roster. Two rosters were devised. One for cadre having more than 13 posts and another less than 14 points L shaped roster for cadres having 2 to 13 points. In 14 point reservation roster, Scheduled Castes and Scheduled Tribes have been allotted one point each i.e. point No. 07 and point No. 14 respectively. It was observed that despite having the 15% share in reservation, Scheduled Caste is getting only one slot i.e. point No. 7 in L-shaped roster, while Scheduled Tribe having 7.5% reservation also gets one point i.e. point No. 14. To rectify the lacunae it was proposed to prescribe a 200 point-roster for cadre having 2 to 13 posts. In a 200 point roster STs will get 15 points (i.e. 7.5%) and SCs will get 30 points (i.e. 15%).

Reservation for Scheduled Castes and Scheduled Tribes is provided at the rate of 15% and 7.5% respectively. The instructions contained in O.M. No. 36012/2/1996-Estt.(Res) dated 02/07/1997 provide that while drawing model roster, the method for making a roster is to multiply each post by the prescribed percentage of reservation for the different reserved categories. The point at which the multiple for a community gets a complete number or oversteps the number will be reserved for that community. Thus in 14 point L-shaped roster [SC-14x15%=2.10] [ST-14x7.5%=1.05] there should be two points earmarked reserved for SCs instead of one as provided in the present L-shaped roster.

The issue that as to how one more point be earmarked to SCs in L-shaped 14 point roster. For the purpose the following two options were proposed for consideration:-

- (i) 14 point L-shaped roster be extended to 15 point and point 15<sup>th</sup> may be earmarked to SC candidate, or
- (ii) The L-shaped roster may be done away with and 200 point post based roster be operated for cadres having 13 or less than 13 points. The reservation to be provided on rotation basis as is already being done in case of L-shaped roster.

The Commission has recommended with the option No. (ii) of DoPT proposal to replace L-Shaped Roster with 200 point post based roster be operated for cadres having 13 or less than 13 points also but as a running vacancy roster. The reservation to be provided on rotation basis as is already being done in case of L-Shaped roster.

### **6.8 Representation of SCs & OBCs, in the Central Government**

Information furnished by 52 Ministries / Departments show that out of 18,00,620 Central Government Employees, 3,09,933 are SCs and 3,23,612 are OBCs. The details are as follows :

**Table 6.1**

**Statement Showing the Representation of SCs & OBCs, in the Central Government under different Ministries/Departments as on 01.01.2014 (uploaded by 52 Ministries/Depts.)**

<b>Group</b>	<b>Total Employees</b>	<b>No. of SCs in position</b>	<b>Percentage of SC employees</b>	<b>No. of OBCs in position</b>	<b>Percentage of OBC employees</b>
<b>1</b>	<b>2</b>	<b>3</b>	<b>4</b>	<b>5</b>	<b>6</b>
<b>A</b>	41996	4730	11.26	3958	9.42
<b>B</b>	107388	17827	16.68	9608	8.95
<b>C (Excluding Safai Karamchari)</b>	1609772	272228	16.91	304847	16.94
<b>C Safai Karamchari</b>	41464	15148	36.53	5199	12.54
<b>Total</b>	<b>1800620</b>	<b>309933</b>	<b>17.21</b>	<b>323612</b>	<b>17.97</b>

It is observed that the SC & OBC employees have not reached the prescribed percentage of 15 *per cent* and 27 *per cent* respectively in the Group A posts despite a number of Special Recruitment Drives conducted by the various Departments of Government of India. The percentage of OBCs employees is very low in the Group B and C also. The Commission once again recommends that Special Recruitment Drives may be conducted to fill up all backlog posts in the Government of India.

**6.8.1** Information received regarding representation of SCs & OBCs in the Central Public Sector Undertakings show that out of 13,49,493 Employees, 2,38,845 are SCs and 2,06,083 are OBCs. The details are as follows :

**Table 6.2**  
**Statement Showing the Representation of SCs, in the Central Public Enterprises under different Ministries/Departments as on 31.03.2014**

Groups	Total Employees	SCs employees in position	OBC employees in position	Percentage of SC employees	Percentage of OBC employees
<i>1</i>	<i>2</i>	<i>3</i>	<i>4</i>	<i>5</i>	<i>6</i>
<b>A (Managerial/Executive Level)</b>	270539	39855	34598	14.73	12.79
<b>B (Supervisory Level)</b>	130345	19432	17555	14.91	13.47
<b>C (Workers skilled)</b>	673164	136112	113806	20.21	16.90
<b>D (Unskilled)</b>	275445	43446	40124	15.77	14.57
<b>Total</b>	<b>1349493</b>	<b>238845</b>	<b>206083</b>	<b>17.70</b>	<b>15.27</b>

It can be seen that the percentage of SC employees in Managerial level (Group-A) and Supervisor Level (Group-B) are below the prescribed percentage and similarly, percentage of OBC in all cadre posts are less than the prescribed percentage. The Commission in its review of the safeguards extended by CPSUs has recommended that special efforts be made to fill up the backlog vacancies and the percentage of SCs & OBCs be brought at par with the prescribed percentage in all levels especially senior managerial levels.

### **6.9 Reservation scenario in the State Governments**

The Commission collected information on representation of SCs in State/ UT Governments and Public Sector Undertakings under control of State / UT Governments. Sixteen States / UT<sup>1</sup> have given both categories of information as desired by the Commission regarding representation of Scheduled Castes in the State / UT Governments as on 31 March, 2015. The same is detailed below<sup>2</sup>.

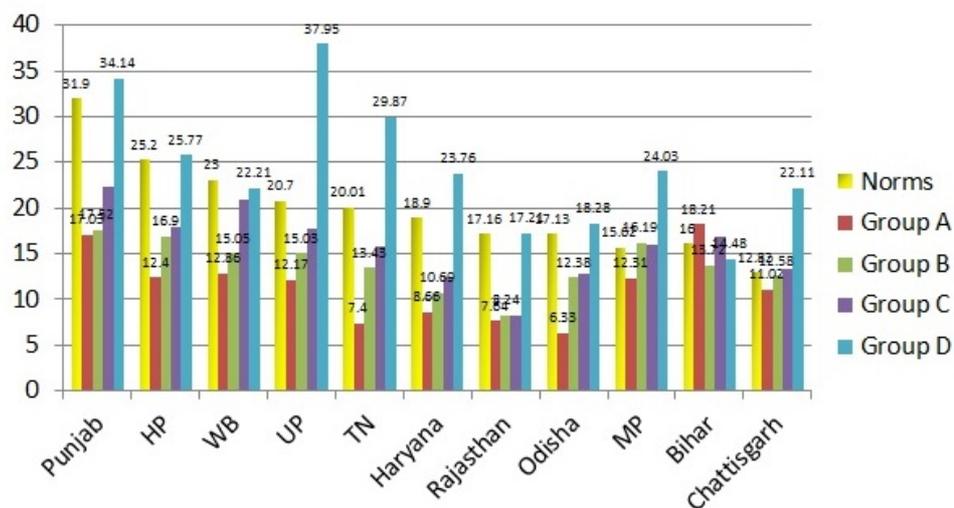
The summary of the representation of SCs in State/UT Government & Public Sector Undertakings is given below:-

<sup>1</sup> Andhra Pradesh, Bihar, Gujarat, Haryana, Himachal Pradesh, Jharkhand, Karnataka, Kerala, Odisha, Union Territory of Puducherry and Uttar Pradesh.

<sup>2</sup> The percentage calculation in terms of SC employees occupying in office, have been made based on total employees in position. It is not clear from the statements supplied by State / UT Government as to how many SC posts are vacant amongst total sanctioned posts / vacant posts.

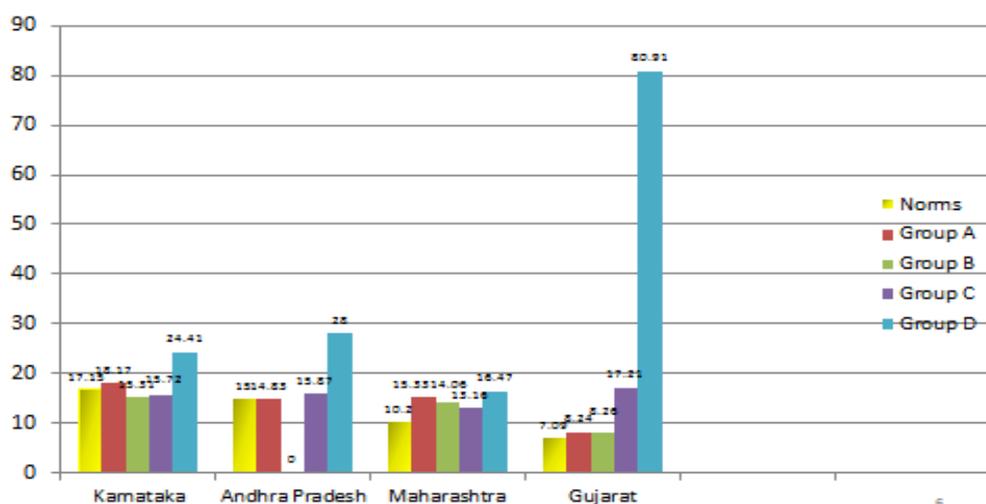
Graph 6.1

**Representation of Scheduled Castes in State Govts.**  
(States where representation is less than norms)



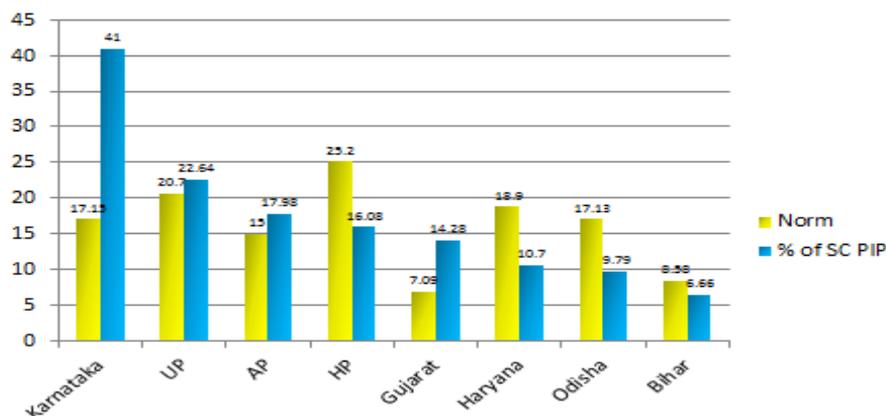
Graph 6.2

**Representation of Scheduled Castes in State Govts.**  
(States where representation at par with norms)



Graph 6.3

**Representation of Scheduled Castes in PSUs**

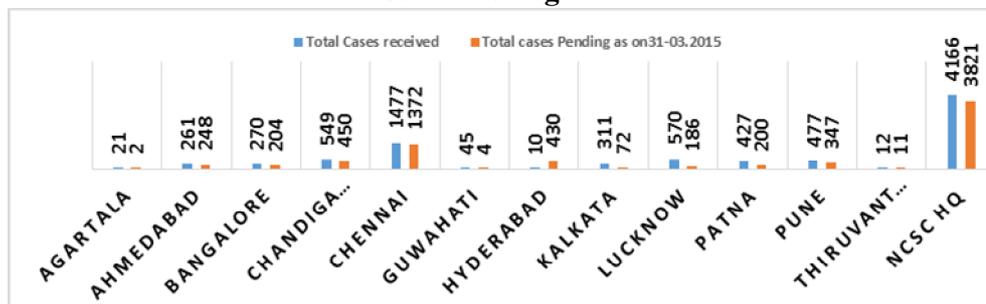


**6.10 Cases in the Commission on Service safeguard matters**

The Commission has received 8596 cases during the year on service safeguard related issues and 7347 cases were pending as on 31-03-2015. The details of the cases is as shown below;

Graph 6.4

**Cases received in the Commission related with the Service Safeguard**



## **6.11 Recommendations**

**6.11.1** The Commission reiterates its earlier recommendation made to the DoPT vide No. G-6/HFW-80/2010/SSW-II on 10/12/2013 to replace L-Shaped Roster with 200 point post based roster be operated for cadres having 13 or less than 13 points as a running vacancy based roster. The reservation is to be provided on rotation basis as is done in case of L-Shaped roster.

**6.11.2** The Commission recommends that “Reservation in Promotion” may be continued by all the State Governments. All the backlog posts should be filled by launching Special Recruitment drives in time bound manner.

**6.11.3** The Commission re-iterates its earlier that reservation provided for in judicial appointments below the High Courts needs to be implemented to fulfil the prescribed reservation percentage.

**6.11.4** Regarding recognition of SCs/STs Association, the Commission reiterates its recommendation that Government must consider that SC/ST employees association not on caste basis but on the basis of a class representing the deprived section of the society. As far as grant of facilities is concerned, they must be given facilities as are being provided in M/o Railways and Unions.

**6.11.5** The Commission reiterates its recommendation that Central Government/State Government/UTs to issue strict instructions to the concerned departments under their control to ensure that officials/officers belonging to Scheduled Castes are not harassed for approaching the Commission for protection and safeguards as provided in the Constitution of India, or any other law in force.

**6.11.6** During 2014-2015, the Commission had conducted 21 review meetings with the Central Public Sectors Undertakings to assess the implementation of the reservation policy for Scheduled Castes and OBCs. The observations of these review meetings have been detailed in Chapter IV(Activities of the Commission) and some recommendations are briefly reiterated below :-

- Reservation in posts should be equivalent to the percentage of SC population in the State.
- Reservation rosters should be maintained and followed strictly which will ensure adequate representation of the SCs in services.

- Backlog vacancies should be filled through Special Recruitment Drives.
- Necessary instructions of DoPT like appointment of Liaison Officers, setting up grievance cells for SCs , inspection of rosters , regular meetings with SC associations etc. should be strictly followed.

**6.11.7** The representation of the SC and OBC officers in Group A and Group B in Central Government is low and steps are needed to be taken to improve the percentage of SC & OBC representation as per reservation norms .

**6.11.8** It is recommended to Group the Posts of the same cadre, same qualification, same pay scale because it is observed that departments are not grouping the Posts so the post is declared as Single Cadre and hence no reservation is provided.

**6.11.9.** As the Governments are resorting to engagement of large number of Consultants, Research Associates, Young Professionals, Interns and Data Entry Operators, the rules of reservation should also be followed in such engagements.

**6.11.10 Service safeguards - other Recommendations**

- The Government should consider a Constitutional amendment for putting in place reservation in promotion.
- The Government should consider introducing a Bill on reservation in Services.
- The Government should consider setting up of All India Judicial service as per Article 312 of the Constitution.



## CHAPTER –VII

### ECONOMIC DEVELOPMENT

The Scheduled Castes constitute about 16.2 *per cent* (20.138 crore) of the total population as per the 2011 census. Despite 68 years after Independence, the Scheduled Castes are still subjected to practices like untouchability and social discrimination by some sections of society. This has resulted in denial of education, as well as economic, social, political and cultural deprivation to them. In order to bridge this gap the founding fathers of the Constitution added the Article 46 of the Constitution for enabling the economic empowerment of Scheduled Castes and Scheduled Tribes. This Article states “The State 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”.

At the time of Independence about 95 *per cent* of Scheduled Caste population was below the poverty line. Hence the government has shown special concern and commitment for the well-being of the Scheduled Castes who suffer due to their social and economic backwardness and relative isolation. While the figure-wise allocations of the funds for welfare look handsome, but actual allocation to this sector is not sufficient to cater to the needs of the scheduled caste population. As a result, the social and economic development of the Scheduled Castes has not been improved as per expectation since Independence.

#### 7.1 Status of Scheduled Castes

Despite Constitutional directives and a number of legislative and executive measures taken by the Government since independence, there are huge gaps between the human development indicators of the general population and those of Scheduled Castes. Successive Five Year Plans have attempted to reduce these gaps and while there is some evidence of convergence, the gaps still remain at a huge level. In the XII Five year Plan ₹1,306 crore were allocated under

SCSP by Department of Social Justice and Empowerment and State Governments were to allocate funds to SCSP in proportion to their SC population.

However as can be seen from the data below the gaps between SC and others remain:

**Table 7.1**  
**Data representing the Gap between SCs and Other Castes<sup>1</sup>**

	All India	SCs
Literacy rate	73.0	66.1
Poverty ratio(Rural)	33.8	42.2
Infant mortality (NFHS,2005-06)	41.5	50.7
% of households with access to basic amenities like Toilets Electricity	42.3 75	23.7 66.4 Out of households who do not have electricity ( 1.96 lakh ) , SC households are 37.24 % (73,293 )
Employment status 2009-2010 Self employed Regular wages/salaried Casual Labour	34.7 39.7 13.4	26.2 39.4 25.1 The data of Employment statistics also show that the SCs are still working as a casual labourers ( 52% % in rural areas & 21% in urban areas ) as compared to the other categories (21.6% in rural areas & 5.9% in urban areas )

- Poverty is higher in case of SCs ( average 38.3% SC as compared to 16% of others)
- Land holding of SCs is 1.37 % as compared to the All India holdings.
- 12.6 % of SC population is deprived of drinking water facility.
- Only 58% of SC populations have pucca houses whereas the general population has 78 % pucca houses. The SC population having kuccha houses is 2.8 times more<sup>2</sup> than others.

The persistence of socio-economic backwardness of the SCs in spite of the development efforts have warranted a special and focused strategy, inter alia, to enable them to share the benefits of overall economic growth in a more equitable

<sup>1</sup> Census of India, GOI, 2011

<sup>2</sup> SC population with kuccha houses : 18.7% , others with Kuchha houses : 6.81%

manner. This has been sought to be achieved through the budgeting for Scheduled Caste Sub Plan.

## **7.2 Scheduled Castes Sub-Plan (SCSP)**

The prime objective of Scheduled Caste Sub Plan is to channelize funds and benefits through identified schemes, for which the States/UTs and Union Ministries have to earmark funds in proportion to the SC population in the State/UTs and the country respectively. The Scheduled Castes Sub Plan which contains details of financial and physical targets is expected to form an integral part of Plan documents of States/UTs and Center. Some of these schemes are envisaged to help the poor SC families through composite income generating programs covering all major occupational groups amongst Scheduled Caste such as agricultural labourers, small and marginal farmers, share croppers, fishermen, sweepers and scavengers, urban unorganized labourers below the poverty line, and so on.

In addition, the Special Component Plan seeks to improve the living conditions of Scheduled Castes through provision of drinking water supply, link roads, house-site and housing improvements, establishment of such services as primary schools, health centers, veterinary centers, panchayatghars, community halls, nutrition centers, extension of electricity, common work places, common facility centers and so on.

The broad objectives of the Special Component Plan which is the present nomenclature used for Scheduled Castes Sub Plan are:-

1. Earmarking of funds for SCSP in the total Plan at least in proportion to the SC population.
2. Placing the earmarked funds under a separate budget head.
3. Making the Department concerned with SC welfare in State the nodal Department for formulation and implementation of SCSP.
4. Making the SCSP funds non-divertible and non-lapsable.
5. Emphases on beneficiary oriented schemes and only those community schemes which are exclusively for the benefit of Scheduled Castes.

The indicators in the table above show that despite a number of specific schemes implemented for the SCs & SCSP by the State Governments, the condition of SCs on the human development index remain below that of the rest of the population.

The Commission had written to the States vide d.o. letter No. 5/1/SCSP/2012/ESDW dated 11/09/2014 expressing concern on the low allocation for SC specific schemes and even lower actual expenditure, had listed some apparently general schemes and ambiguous schemes listed under SCSP and sought clarification from all States to confirm whether these are actually SC specific scheme. NCSC had also sought supporting documents like Scheme guidelines / objectives etc in support of the schemes being booked under SCSP.

**7.2.1** The latest guidelines of the then Planning Commission vide No.N-11016/14(1)/2010-PC dated 11/02/2014 has emphasized the followings:

“.....all Ministries/Departments identified for earmarking outlays for SCSP and TSP may estimate gaps, prioritise development needs; of the SCs/STs and orient the schemes to bridge the gaps. The schemes designed under SCSP and TSP; should yield; direct and quantifiable benefits to SC/ST individuals, SC/ST households and/or SC/ST habitations. In the outlays to be earmarked for SCSP/TSP, the percentages indicated should be considered only the minimum and as a floor. For earmarking outlays for SCSP/TSP, Central Ministries/Departments may propose allocations beyond the minimum/floor percentages required. The funds so earmarked shall be non-divertible.”

**7.2.2** Keeping in view the above guidelines issued by the Government of India, the National Commission for Scheduled Castes had asked the State and UT Governments to furnish figures regarding allocations and expenditures on schemes under SCSP budget head. Although many States and UTs have not responded, but as far as relevant data that have been collected from other sources revealed that there is a gap between allocations vis-à-vis expenditures under SCSP head. Moreover, allocations have neither made for schemes exclusively beneficial for the Scheduled Castes neither it was in consonance with proportionate SC percentage the State / UT has.

The following table with the analysis made at NCSC reaffirms the above. The copies of the table at next page have also been sent to all the State Governments by the Commission vide vide D.O letters No. 5/1/SCSP/2012/ESDW dated 27/05/2014 and 11/09/2014, for their comments.

Table 7.2<sup>3</sup>

Percentage of expenditure under SCSP to the Total State Plan Expenditure,

(Rs. in Crore)

Sl.No.	State	% Population	Total State Plan Allocation	Total State Plan Exp.	SCSP Outlay	SCSP Exp. Actual	% age of SCSP allocation to the State Plan allocation
	1	2	3	4	5	6	7
1	Punjab	31.94%	14000.00	9895.71	4039.00	2725.65	28.85
2	Chhattisgarh	12.80%	23480.35	16520.95	2219.20	1876.23	9.45
3	Himachal Pradesh	25.20%	3722.79	3756.92	914.64	838.72	24.62
4	Haryana	20.17%	14500.00	12520.87	2843.34	2187.18	19.16
5	Uttarakhand	18.80%	8200.00	6089.19	1478.27	499.81	18.03
6	Kerala	9.10	14010.00	12585.60	1289.21	1188.30	9.20
7	Assam	7.20	10500.00	7875.00	191.00	153.03	1.82
8	Puducherry	15.70	1392.00	1272.39	140.94	118.73	10.13
9	Chandigarh	18.90	620.00	616.19	106.65	106.65	17.31
10	Delhi	16.80	15000.00	13229.00	2760.46	2729.57	18.40
11	Gujarat	6.70	50599.00	N.A	2849.32	2440.93	5.63
12	Goa	1.70	2884.29	1712.06	36.45	4.60	1.26
13	Bihar	15.90	25203.54	26351.19	4427.22	3957.38	17.57
14	Tripura	17.80	1980.01	1782.83	470.00	342.08	23.74
15	Madhya Pradesh	15.60	28000.00	N.A	4284.00	3879.15	15.30
16	Rajasthan	17.80	37382.13	32611.37	6286.64	4935.50	16.82
17	Maharashtra	11.80	45000.00	35867.00	4590.00	3236.59	10.20
18	Uttar Pradesh	20.70	57800.00	49787.13	12223.00	8407.91	21.15
19	Tamil Nadu	20.00	28000.00	28000.00	6108.61	5405.12	21.82
20	Andhra Pradesh	16.40	48935.00	38854.01	8369.08	4467.48	17.10
21	Karnataka	17.10	42030.00	42100.00	5125.00	4198.51	12.19
22	West Bengal	23.50	N.A	N.A	5241.48	5298.53*	-
23	Jharkhand	12.10	16300.00	11309.76	1824.53	NA	11.19
24	Odisha	17.10	18839.17	15484.91	2423.91	2423.91	15.12
25	Manipur	3.80	3500.00	2641.67	70.66	61.63	-
26	Sikkim	4.60	1877.00	1369.05	5.15	5.15	0.27

<sup>3</sup>Data compiled based on reports received from the State / UT Governments in the year 2012 & 2013

\*Anticipated

**Total Plan Exp. and Total SCSP Expenditure (2012-13)**

% age of SCSP Exp. to the State Plan Exp.	General scheme under SC				% of SC specific scheme Exp. to the total SCSP Exp.	% of allocation of funds under SC Specific scheme to the total state plan allocation	% of Exp. under SC specific schemes to the total State Plan Exp.	% of Exp. on SC Specific schemes to the total plan allocation
	Allocation	Exp.	Allocation	Exp.				
8	9	10	11	12	13	14	15	16
27.54	3822.06	2594.41	216.94	131.24	4.81	1.55	1.33	0.94
11.36	1833.37	1841.18	42.86	35.05	1.89	0.18	0.21	0.15
22.32	632.07	576.14	282.57	282.57	33.69	7.59	7.52	7.59
17.47	1309.90	1147.09	1533.44	1040.09	47.55	10.52	8.31	7.17
8.21	1297.54	308.04	180.73	191.77	38.37	2.20	3.15	2.34
9.40	1238.61	1137.70	50.60	50.60	4.26	0.36	0.40	0.36
1.94	39.84	37.37	41.02	27.93	18.25	0.39	0.35	0.27
9.33	103.43	95.76	37.51	22.97	19.34	2.69	1.81	1.65
17.31	100.26	100.26	6.39	6.39	5.99	1.03	1.03	1.03
20.63	2199.51	2203.08	560.95	526.50	19.29	3.74	3.98	3.51
-	2362.70	2005.25	486.62	435.68	17.85	0.96	-	0.86
0.27	34.05	4.58	0.60	0.02	0.43	0.02	0.00	0.00
15.02	3641.56	3259.49	785.66	697.89	17.64	3.12	2.65	2.77
19.18	470.02	342.08	7.18	6.17	1.80	0.36	0.35	0.31
-	3190.69	3037.10	876.88	842.05	21.70	3.00	-	3.00
13.20	6045.13	4709.58	241.51	225.92	4.58	0.65	0.69	0.60
9.02	1227.75	837.32	2088.80	1587.18	49.03	4.64	4.43	3.53
16.89	11071.50	7491.22	1151.50	916.68	10.96	1.99	1.84	1.59
19.30	-	-	516.01	421.37	7.79	1.84	1.50	1.50
11.50	7011.50	3494.91	1357.58	972.57	21.77	2.77	2.45	1.99
9.93	3616.58	2870.39	1508.42	1311.39	31.36	3.59	3.11	3.12
-	5132.01	5179.60	109.47	118.93*	2.24	-	-	-
-	NA	NA	NA	NA	-	-	-	-
15.65	2771.00	2347.11	76.80	76.80	3.17	0.14	0.50	0.41
2.33	76.38	34.13	0.72	-	-	-	-	-
0.38	3.31	3.31	1.84	1.84	35.73	0.10	0.13	0.10

**7.2.3** The Commission has also analysed some other scheme wise allocation and expenditure and noticed that the SCSP funds have been utilized in various schemes which are not linked directly with the welfare of Scheduled Castes *per se*. Details of a few such schemes and analysis thereof, State-wise are given as under:

**7.2.3.1 Tamil Nadu**

**Scheme: Girl child education incentive scheme**

Objective of the Scheme:

1. To increase the literacy level among the girl children.
2. To reduce the drop out of the girl children by giving incentives of monthly payments to girl children

**As this is a general scheme** applicable for all the girl children and not SC specific hence no justification for including under **SCSP**:

**Scheme : 2 – Supply of Bicycles**

Objective: To provide one free bicycle to encourage the rural girls and boys to continue schooling especially from upper primary level by using the cycles. **As this is a general scheme** applicable for all children and not SC specific hence no justification for including under **SCSP**:

**Scheme: 3 – Provision of toilet facilities in the Schools** -this is also a general scheme but included in SCSP.

**Scheme: 4 – Road and Bridges** – That are actually implemented by Government for all the beneficiaries including SCs and therefore, this is also a general scheme.

**Scheme: 5 – Supply of laptop and text books on free of cost**

Objective: To attract the students to continue their engineering, any professional course to all the Government and aided professional colleges and this is yet again a general scheme that is included in SCSP.

**7.2.3.2 Karnataka**

- **Sainik School, Koodige.** For this scheme ₹90 lakhs is allotted in the year 2013-14 out of SCSP funds. The amount is meant to be utilized for activities of the school like construction of school building all students being beneficiaries – this is General scheme included under SCSP.

- **Payment of rent/electricity bill/telephone bill/water bill for college hostels and DSWO/TSWO offices:** In 2013-14 the SCSP allocation is ₹800 lakhs with a Physical target of 621 offices. This is General scheme included under SCSP.
- **Udyogini:** Under this scheme subsidy is being extended to women to take up self-employment and a subsidy amount of ₹10000/- to SC/STs and ₹7,500/- to other women beneficiaries is provided. ₹194 lakhs allocated under SCSP funds for 2012-13. Only the extra differential amount of ₹500/- given to SC women can be booked to SCSP as it is a general scheme.
- **Krishimela :** In 2012-13, sum of ₹300 lakhs was allocated to Krishimela. The objective of the scheme is to create awareness among the farming community on diversified farming activities. All sections of farmers including those belonging to Scheduled castes benefit hence this is General scheme included under SCSP.
- **UHS, Bagalkote under Horticulture Department:** ₹58.66 lakhs allotted in 2012-13. Funds are allocated for construction of college buildings and other infrastructure facilities which will benefit all communities hence this is General scheme included under SCSP.

#### 7.2.3.3 Telangana:

- **National Agricultural Scheme:** The Scheme intended to give financial support to farmers in the event of drought, cyclone, pest and diseases, etc, and ₹698.87 lakhs allocated under SCSP. Since the scheme includes all farmers including share croppers, tenant farmers, etc hence this is General scheme included under SCSP..
- **Integrated Nutrient Management:** The Scheme envisages to improve deteriorated soils, since the scheme includes all farmers hence this is General scheme included under SCSP. **Farm Mechanization:** The Scheme is intended to provide power utility per hectare to bring farm power efficiency. ₹15.44 crore is provided to distribute 6,586

implements under SCSP, since the scheme includes all farmers hence this is General scheme included under SCSP..

- **VaddileniRunalu (Interest free loans):** Interest free loans are provided upto one lakh. An amount of ₹ 30.88 lakhs allocated under SCSP, since the scheme includes all farmers hence this is General scheme included under SCSP..
- **National Food Security Mission:** The objective of the scheme is to increase production of rice, pulses, cereals, etc. and this is not an individual oriented programme. An amount of ₹ 1238.88 lakhs allocated under SCSP since the scheme includes all farmers hence this is General scheme included under SCSP,

#### **7.2.3.4 Andhra Pradesh:**

- **Seed Village Programme:** Under the scheme, supply of quality seed to farmers in time at their places at affordable prices is envisaged. ₹ 5194.89 lakhs allocated under SCSP. Since the scheme includes all farmers hence this is General scheme included under SCSP,
- **Post-Harvest Technology and Management:** The main objective is to introduce improved or newly developed equipment to help farmers to process their produce and secure additional income. An amount of ₹ 100 lakhs allocated under SCSP. Since the scheme includes all farmers hence this is General scheme included under SCSP,
- **Stree Nidhi:** This is a new scheme intended to meet the timely credit needs of SHG members for emergent situations of medical and educational requirements. ₹ 600.67 crore were disbursed during 2013-14 Since the scheme includes all categories hence this is General scheme included under SCSP,,.
- **AP Rural High Voltage Distribution System:** This project is external aided and intended to reduce power shortage through replacement of low voltage network with high voltage network. This is a scheme which cannot be bifurcated only for SCs, whereas ₹ 2844.53 lakhs was allocated under SCSP. Since the scheme includes all farmers hence this is General scheme included under SCSP,

#### **7.2.3.5 Madhya Pradesh:**

- **Extension of electrical lines**, upto wells of cultivators was allocated ₹ 2500 lakh under SCSP. Since the scheme includes all farmers hence this is General scheme included under SCSP,
- Establishment of Permanent **Public Court** was allocated ₹ 930 lakhs, since the scheme benefits all hence this is General scheme included under SCSP.
- **Research and Development** has SCSP outlay of ₹ 400 lakh, Since the scheme is for general benefit hence this is General scheme included under SCSP,.

#### **7.2.3.6 Chhattisgarh:**

- **Krishak Samgrha Vikas Yojana**: SCP allocation is ₹ 540 lakh during 2013-14. Since the scheme includes all farmers hence this is General scheme included under SCSP.
- **State Sugarcane Development Programme**: Under this scheme, productivity of sugarcane is envisaged with component such as purchase of seed, tissue culture plant, transport subsidy, seed treatment and equipment's. Since the scheme includes all farmers hence this is General scheme included under SCSP.
- **Ram til Utpadan Prothsahan Yojana**: This is also subsidy oriented scheme and has components such as purchase of breeder seed, subsidy to certified seed, seed distribution, demonstration in blocks, distribution of fertilizers, seed treatment and farmers training. Since the scheme includes all farmers hence this is General scheme included under SCSP.
- **Grant-in-aid to NGOs**: ₹ 30 lakhs is provided under the scheme during 2013-14, this is General scheme included under SCSP.
- **Khalihan Agni Durghatana Yojana**: Ten lakhs is proposed to be provided to farmers against post-harvest crop losses due to fire. Since the scheme includes all farmers hence this is General scheme included under SCSP

- **Rehabilitation of Degraded Forest:** ₹ 7000 lakh allocated in 2013-14 under rehabilitation of degraded forest, this is General scheme included under SCSP

#### **7.2.3.7 Bihar**

- **Food Storage and Warehousing:** The main objective of the scheme is to assist the farmers to create storage capacity at the farm or homestead level. During the year 2014-15 total outlay under this scheme was ₹ 32 crore out of which ₹ 5.12 crore were earmarked under SCSP. The number of SC beneficiaries under this scheme is not available.
- **RCD Roads:** Under this scheme the State Government proposes to upgrade the road network in the State to the best National Standards. **In 2014-15 , Out of ₹ 4000 crore total allocation, allocation under SCSP was ₹ 640 crore , which is not as per Planning Commission norms.**
- **Forestry and Wildlife:** The scheme broadly involves three aspects viz. forestry related aspect, wildlife related aspect and environment related aspect. During the year 2014-15 total outlay under this scheme was ₹ 100 crores out of which flow to SCSP was ₹ 16.00 crores. This scheme is area approach and not based on individual approach which is not as per Planning Commission norms..
- **Major and Medium Irrigation Scheme:** Under this scheme the objective is to create additional irrigation potential and to restore the lost irrigation potential. During 2014-15 total outlay under this scheme was ₹ 669.61 crore out of which flow to SCSP was ₹ 107.13 crores, which is not as per Planning Commission norms..
- **Fire Services:** The main objective of the scheme is to construct the fire services and Home Guards Building. During the year 2014-15 total outlay under this scheme was ₹ 40 crore out of which flow to SCSP was ₹ 6.40 crore. This scheme is not at all meant for SC persons.

#### **7.2.3. 8 Jharkhand**

- **Purchase of Machine & Equipments etc.:** An outlay of ₹ 115.30 crore for purchase of machine and equipment, furniture, materials of different

hospitals, flow to SCSP was ₹ 30 crore. It is not an exclusive scheme for benefitting scheduled castes.

- **Godown Construction/Renovation:** Under this schemes godowns are being constructed at district and block headquarters as per requirement. During 2014-15 total outlay under this scheme was ₹ 18.31 crore out of which flow to SCSP was ₹ 2.70 crore. It is not an exclusive scheme of SCs.
- **Roadside Plantation and Urban forestry:** . This scheme primarily aims at creation of green belts in and around urban plantation along the State/National Highways and other roads and in institutional premises. During 2014-15 total outlay under this scheme was ₹ 70.95 crore out of which flow to SCSP was ₹ 19.44 crore. It is not the scheme meant for SCs.
- **Transmission of energy:** Under this scheme transmission lines are constructed on sectoral basis. During 2014-15 total outlay under this scheme was ₹ 235 crore out of which flow to SCSP was ₹ 28.20 crore. This is not an exclusive scheme for SCs.
- **Flood Control:** During 2014-15 the outlay of ₹ 8 crore to take up the flood control works. Out of this an amount of ₹ 2.50 crore was earmarked as flow to SCSP. And not SC specific.

Some other schemes which prima facie do not appear SC specific but included in SCSP are:-

**Table 7.3<sup>4</sup>**

Sl No.	Name of the States	Illustration/Schemes found not SC specific schemes but included in SCSP
1	Bihar	1. Research/Seminar/Sports Training 2. Skill Development Programme 3. Direction and Administration
2	Haryana	1. <u>Agriculture Department</u> (i). Scientific Bee Keeping quality honey product for farmers (ii). Safe and Scientific storage of food grains 2. <u>Community Development</u> Pavement of Streets scheme 3. <u>Industries &amp; Commerce</u>

<sup>4</sup> Data compiled from the reports received from the State / UT Governments in the year 2012 & 2013

		Health Insurance Scheme
3	Uttar Pradesh	<p>1. <u>PANCHAYATIRAJ:-</u>  Assistance to Panchayat Raj Institution  <u>Rural Electrification Power</u>  UP Power Corporation Ltd.  <u>Industrial Development</u>  (i). Village and Small Industries Small Scale Industries  (ii). Technology Upgradation and Common facilities center for Mooraha craft of Grahmukteshwar (Ghaziabad)  Other Expenditure:-  To provide incentives to girl students studying in classes 9<sup>th</sup> and 10<sup>th</sup> for providing them book bank.</p>
4	Gujarat	<p>1. <u>Education</u>  (Diploma Course) for purchasing educational equipments etc.  2. <u>ECONOMIC UPLIFTMENT</u>  High Skill Training  Training for Airhostess, Hospitality &amp; Travel Management  3. <u>HEALTH HOUSING &amp; OTHERS</u>  Awareness Centers  Pujya Swami TejanandKarmkand Training.</p>
5	Punjab	<p>JawaharLal Nehru National Urban Renewal Mission (JNNURM)  Basic services to urban poor (BSUP) (50:20:30)</p>
6	Himachal Pradesh	<p>1. <u>Agriculture</u>  Crop insurance scheme  RashtriyaKrishiVikasYojana  2. <u>Horticulture</u>  Development of mushrooms  Estt. Maintenance of Govt. Orchard/Nurseries  3. <u>Soil Conservation</u>  RIDF  Adoption of precision farming practices (Poly House)  Protective afforestation and Soil Conservation  4. <u>Animal Husbandry:</u>  Estt. of Semen lab  Registration of cattle.  5. <u>Forest &amp; Wild Life</u>  Other afforestation scheme/Improvement of tree cover.  13<sup>th</sup> Finance Commission ward</p>

		<p>6. <u>Cooperation</u> Managerial Subsidy to PACs</p> <p>7. <u>Elementary Education</u> Mid-day meal.</p>
7	Maharashtra	<p><b>Schemes:-</b></p> <p>(i) Financial Assistance to newly married couples under the Scheme “KanyadanYojana”.</p> <p>(ii) Financial Assistance to Co-operative Housing Societies.</p> <p>(iii) Scheme of Award to the best institution under Social justice Department.</p>
8	Madhya Pradesh	<p>(i) Employee/Officers Training Programme</p> <p>(ii) Scout &amp; Guides</p> <p>(iii) Research and Valuation</p> <p>(iv) Publicity &amp; Printing</p> <p>(v) Area Development Programme</p>
9	Karnataka	<p>(i) Direction and Administration</p> <p>(ii) Grant-in-aid to private hostels</p> <p>(iii) Ganga Kalyana</p> <p>(iv) Justice A.J.Sadashiva Commission of Enquiry</p> <p>(v) Construction of Cultural Bhavans through Kannada and Culture Deptt.</p>
10	Tamil Nadu	<p><b>Education</b> Construction of community Hall</p> <p><b>Agricultural Engineering Department</b> (i). Crop and Plant Protection (ii). Oil Palm Development Programme</p> <p><b>Horticulture Department</b> Development of Horticulture in Districts</p> <p><b>Health Department</b> Chief Ministers Comprehensive Health Insurance Scheme</p> <p><b>Social Security Net-Pension to Deserted Wives</b> (i). Widows, differently able and Old Age Pensioners’ Free Ration schemes (ii). Distress Relief Scheme</p> <p><b>Rural Development and Panchayat Raj Department</b> Solar Powered Green House Scheme</p> <p><b>Education Department</b> (i). Expenditure on National Service scheme in Universities and Colleges (ii). Expenditure on National Service scheme in Higher Secondary Schools</p>
11	Rajasthan	<p>(i) Assistance to Gram Panchayat</p> <p>(ii) Rajasthan State Handloom Development Corporation.</p> <p>(iii) Rajasthan AkshyaUrja Corporation.</p> <p>(iv) Survey and Statistics</p> <p>(v) Amar Singh JassanDistributory</p> <p>(vi) Investment in Jodhpur VidyutVitaran Nigam Limited.</p> <p>(vii) Development of Tourist Places.</p>
12	Odisha	<p><b>Education</b> National Service Scheme</p> <p><b>Health</b> Malaria</p> <p><b>Agriculture</b> (i) Establishment of Regional Coconut Nursery (ii) Management of Acidic soil. (iii) Restructuring SERIFED</p>

13	West Bengal	No SC specific schemes. As they have not provided the details of the schemes.
14	Andhra Pradesh & Telangana	No SC specific schemes. As they have not provided the details of the schemes.

Analysis of the illustrations above, it revealed that:

SCSP Allocation : The States of Punjab, Karnataka and Chhattisgarh have SC population of 31.94%, 17.1% and 12.08% respectively as per Census, 2011. However, from the Table 7.2 it is seen that the SCSP allocations have been made at the tune of 28.85%, 12.19% and 9.45% of the State Plan.

SCSP Expenditure :

- There are States like Chhattisgarh and West Bengal where almost 100% of SCSP budget is booked under General Schemes. And two States namely Bihar and Madhya Pradesh had spent 90.5 and 95% respectively on General Schemes and booked the same under SCSP whereas the States like Himachal Pradesh and Andhra Pradesh had spent up to 50% in General Schemes and booked the amount under SCSP.
- As per analysis done on expenditure pattern under SCSP, it has been noticed most of the States have spent only 1 to 4% on SC specific schemes to the total State Plan Allocation. Thus, majority of the expenditure was on General Schemes and SCSP fund was utilized for general schemes instead of Scheduled Castes specific schemes.

### **7.3 Status of Manual Scavengers**

#### **7.3.1 Effective implementation of “Prohibition of Employment as Manual Scavengers and their Rehabilitation Act, 2013”**

"The Prohibition of Employment as Manual Scavengers and their Rehabilitation Act, 2013" was enacted to ensure manual scavenging is prohibited and the persons previously engaged in manual scavenging are rehabilitated . The objective of this Act is three fold i.e. (i) identify and eliminate the insanitary latrines (ii) Prohibit: (a) Employment as Manual Scavengers and (b) Hazardous

manual cleaning of sewer and septic tanks and (iii) Survey of Manual Scavengers and their rehabilitation. Action on these activities was to be taken by authorities under each State Govt./ UTs within prescribed time limits .

Time bound surveys of manual scavengers and of Insanitary latrines were to be carried out as per section 11(2) & 14, and 4(1)(a) of the Act along with a host of other time bound activities like :

- (i). Demolishing the insanitary latrines or convert them into a sanitary latrines within in six months from the commencement of the Act.
- (ii). Construction of Community latrines within 9 months from the date of commencement of the Act
- (iii). Municipalities, Cantonment Boards and Railways authorities were also required to construct adequate number of sanitary community latrines, within the period not exceeding three years.
- (iv). States were required to frame rules under the Act within three months failing which the Rules notified by the Central Government shall become applicable.
- (v). After identification of the Manual Scavengers the Vigilance Committees headed by the District Magistrate is required to issue Photo-Identity Card, one time compensation, Scholarship, allotment of House, Training, Stipend ₹ 3000/- per month and subsidy/loan.

**All scheduled time frames prescribed in the Act have ended.**

### **7.3.2 Status – Survey of insanitary latrines ( 16 major States):**

Only 10 States have identified 3,44,603 insanitary latrines in the urban areas and 9 States 1,56,068 in rural areas. No action appears to have been taken to construct sanitary latrines as mandated in the Act. ( Table -7.4 )

- (i) Only 7 states viz, Andhra Pradesh, Chhattisgarh, Karnataka, Odisha, Tamil Nadu, Telangana, Uttar Pradesh have completed the activities for survey of insanitary latrines in Urban Area.

- (ii) Only 6 States viz, Chhattisgarh, Karnataka, Odisha, Tamil Nadu, Uttar Pradesh and West Bengal have completed activities for Survey in rural areas.

### **7.3.3 Status - Survey of Manual Scavengers & Rehabilitation:**

17 States have reported no Manual Scavenger in Urban Areas and the remaining 13 States have identified only 5141 Manual Scavengers with Uttar Pradesh reporting the maximum of 2404.(Table -7.5)

For Rural areas, out of 7 States only Uttar Pradesh has reported 7612 Manual Scavengers. This figure appears to be too low in comparison to the earlier surveys conducted accordingly which the number of Manual Scavengers is much higher i.e. around 4,15,000.

- (i) 14 States viz, Andhra Pradesh, Bihar, Chhattisgarh, Gujarat, Haryana, Karnataka, Maharashtra, Odisha, Punjab, Rajasthan, Tamil Nadu, Telangana, Uttar Pradesh and West Bengal have completed the activities of survey of Manual scavengers in Urban areas.
- (ii) Only 4 states namely Chhattisgarh, Karnataka, Odisha and Uttar Pradesh have completed the activities in rural areas.

### **7.3.4 Rehabilitation**

No steps appears to have been taken to rehabilitate identified Manual Scavengers except giving one-time cash assistance of ₹ 532.8 lakh to 1332 persons in four states i.e. Chhattisgarh, Karnataka, UP and West Bengal.

### **7.3.5 Central schemes**

The following specific welfare schemes have been introduced by MSJE for rehabilitation of manual scavengers and their families.

Pre-Matric scholarship to the children of those engaged in 'Unclean' occupations. Under the scheme 100% Central assistance is provided to State Government/UT Administrations from the Govt. of India. The object of the scheme was to provide financial assistance to children whose parents/guardian who are either presently engaged in manual scavenging, Tanners and Flayers.

### 7.3.6 Self-employment scheme for Rehabilitation of manual Scavengers (SRMS)

As per updated numbers, reported by States/ UTs, after launch of the Scheme, 1.18 lakh manual scavengers and their dependents in 18 States/UTs were identified for implementation of the Scheme.

The details of fund provided under the scheme are as follows:

**Table – 7.4<sup>5</sup>**

Year	B.Ein ₹	R.Ein ₹	Expenditurein ₹
2009-10	100.00	100.00	50.00
2012-13	100.00	100.00	20.00
2013-14	570.00	70.00	35.00
2014-15	448.00	-	Nil (Till15 <sup>th</sup> January 2015)

It is seen that the expenditure for the last 3 years is negligible under the scheme.

**Table -7.5<sup>6</sup>**

#### Survey of Insanitary Latrines in Urban/ Rural Area.

S. No	State/UT	Urban	Rural
1	Andhra Pradesh	65,117	
2.	Chhattisgarh	4,391	Nil
3	Karnataka	24,468	890
4	Odisha	25	Nil
5	Tamil Nadu	82,147	Nil
6	Telangana	21,459	
7	Uttar Pradesh	Nil	1,55,178
8	Dadra & Nagar Haveli	Nil	Nil
9	Daman & Diu	26,809	Nil
10	NCT of Delhi	3,44,603	Nil
11	West Bengal		Nil
	<b>Total</b>	<b>3,44,603</b>	1,56,068

<sup>5</sup> Source : Ministry of Social Justice & Empowerment

<sup>6</sup> Source : Ministry of Social Justice & Empowerment

**Table -7.6<sup>7</sup>**

**Survey of Manual Scavengers in Urban/ Rural Area.**

S. No.	State/UT	Urban	Rural
1	Andhra Pradesh	89	
2	Arunachal Pradesh	Nil	
3	Bihar	137	
4	Chhattisgarh	3	Nil
5	Goa	Nil	
6	Gujarat	Nil	
7	Haryana	Nil	
8	J&K	119	
9	Karnataka	302	Nil
10	Kerala	Nil	
11	Maharashtra	139	
12	Manipur	Nil	
13	Meghalaya	Nil	
14	Mizoram	Nil	
15	Odisha	386	Nil
16	Puducherry	Nil	
17	Punjab	64	
18	Rajasthan	284	
19	Sikkim	Nil	
20	Tamil Nadu	979	
21	Telangana	Nil	
22	Tripura	Nil	
23	Uttar Pradesh	2,404	7,612
24	Uttarakhand	137	
25	West Bengal	98	
26	A&N Islands	Nil	
27	Chandigarh	Nil	Nil
28	Dadra and Nagar Haveli	Nil	Nil
29	Daman & Diu	Nil	
30	NCT of Delhi	Nil	Nil
	<b>Total</b>	<b>5,141</b>	<b>7,612</b>

**7.4 Specific complaints on Socio Economic issues received in the NCSC**

During the year 2013-14 and 2014-15 the details of the cases dealt by the NCSC Hqrs. and State Offices is given below:

<sup>7</sup> Source : Ministry of Social Justice & Empowerment

Table 7.7

Sl. No.	Received <sup>8</sup> during the year 2013-14	Received during the year 2014-15	Total
NCSC Hqrs.	1519	1940	3459
State Office Agartala	11	09	20
State office Ahmedabad	284	160	444
State Office Bangalore	168	234	402
State Office Chandigarh	143	246	389
State Office Chennai	1351	2045	3396
State Office Guwahati	02	00	02
State Office Hyderabad	325	812	1137
State Office Kolkata	96	144	240
State Office Lucknow	2469	1819	4288
State Office Patna	188	279	467
State Office Pune	102	143	245
State Office Thiruvanthapuram	36	237	273
Total	6694	8068	14762

Analysis of above data reveals that the complaints on socio-economic issues to NCSC have increased by 20.52 % in 2014-15 when compared 2013-14. The majority of complaints relate to Uttar Pradesh .

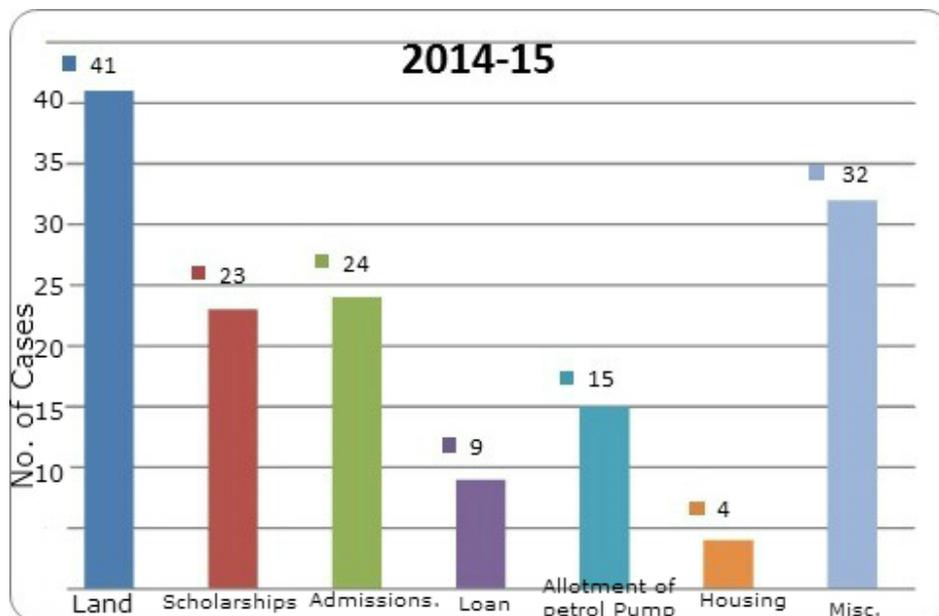
#### 7.4.1 Trends in types of complaints in the NCSC HQ

It has been noticed that the complaints on land disputes are maximum followed by complaints on issues like denial of scholarships or admissions in schools, colleges, universities, technical institutions etc. A graphical presentation of above trend is shown in following graph.

<sup>8</sup>Source: Data from the NCSC Hqrs. & State Offices

**Graph 7.1**

**Pattern of Complaints Received in NCSC Hqrs.**



## **7.5 RECOMMENDATIONS**

### **7.5.1 Economic and Social Development**

#### **7.5.1.1 Planning Process**

Article 338(5) of the Constitution of India mandates NCSC

To investigate and monitor all matters relating to the safeguards provided for the Scheduled Castes and to evaluate the working of such safeguards.

To inquire into specific complaints with respect to the deprivation of rights and safeguards of the Scheduled Castes.

To participate and advise on the planning process of socio-economic development of the Scheduled Castes and to evaluate the progress of their development.

In 2014-15 no proposal for advice on planning process of socio-economic development of SCs was received by NCSC from any State Government and no advice of NCSC was sought on planning SCSP expenditure by any Ministry / Department of the Union or of the States.

Hence NCSC recommends that:

- Government of India may issue an OM reiterating the provisions of Article 338 wherein the concerned Ministries / Departments of the Government of India and State / UT governments consult with NCSC in planning process for schemes wherein the socio-economic welfare of Scheduled castes is affected.

#### **7.5.1.2 Recommendations on SCSP**

The Inter-Ministerial Committee<sup>9</sup> has taken note of the detailed guidelines relating to the Scheduled Caste Sub Plan (SCSP) for the Scheduled Castes, issued by the Central Government from time to time. The basic objective of the SCSP has been to channelize the flow of outlays and benefits from the general sectors in the Plan of States for the development of Scheduled Castes, at least in proportion to their population, both in physical and financial terms. It has been observed that several State Governments have not been earmarking adequate funds to SCSP, proportionate to the share of SCs in the population. It is therefore reiterated that Scheduled Caste Sub-Plans should be an integral part of Annual Plans as well as Five Year Plans, making provisions therein non-divertible and non-lapsable, with the objective of substantial reduction in poverty and unemployment among SCs and for bridging the gaps in their socio-economic development.

The Commission has noted that the Committee report states that there has been poor utilization of the allocated funds for the welfare of SCs and STs. In some cases, it has been reported that funds meant for SCSP have been diverted and/or used in sectors not benefiting SC population directly. In some instances the line departments have been allocating funds for the schemes/projects meant for SCs but they do not have enough scope for tailor made projects and schemes suitable to their specific needs. There is no focus on entrepreneurship, employment and skill development projects.

The Commission therefore, strongly favours the formulation of such specific schemes for the benefit of the SCs which will increase employability of the

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<sup>9</sup>(No.M-11012/03/2013-SJ&SW) Planning Commission (SJ & E Division) : Revised Guidelines for Implementation of Scheduled Castes Sub-Plan (SCSP) by the States/UT

beneficiaries. The SCSP should include only such existing schemes or new schemes which full-fill the following norms:-

The schemes which have the potential to accelerate the pace of development of the SCs and to bridge the socio-economic development indicators between SCs as compared to the advanced sections of the society.

The schemes should secure quantifiable benefits to the scheduled caste households or are as majorly inhabited by the scheduled castes.

Those schemes should be included in the SCSP that enhance the incomes of the target group and lead to the development of assets such as those related to sectors like agriculture, animal husbandry, dairy development, fisheries, and Agriculture/allied sectors.

The States should give priority to schemes which provide basic minimum services like primary education, health, drinking water, nutrition, rural housing, and link roads and electrification to SC villages.

**Legislation :**

As the basic objective of SCSP is to channelize the flow of outlays and benefits from Plans of States for development of Scheduled Castes, in proportion to their population, the Commission recommends that a Central Legislation should be considered on the same to regulate allocation of funds for SCSP, preparation of Scheduled Castes specific schemes and monitor the expenditure with the Scheduled Castes population of 2011 census as base. Such legislation can be on lines of the legislations passed the State of Andhra Pradesh and Karnataka.

The States/UTs having SC population may fix clearly defined targets, based on parameters like educational status, enrolment, occupation, health indicators, per capita income, access to basic amenities like drinking water, housing etc. taking into account the national targets. Efforts should be made to achieve the assigned targets and not to spend funds from SCSP head on general schemes like road construction, electrification, rural telephone connection as it done by many States<sup>10</sup> and Union Territories<sup>11</sup>.

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<sup>10</sup> Punjab, West Bengal, Haryana, Odisha, Kerala, Delhi etc.

<sup>11</sup> UTs of Chandigarh, Puducherry

Out of 68 Ministries/Departments 43 Ministries have no obligation to earmark funds under SCSP because funds allocated for irrigation projects under AIBP, shown as Central Assistance to State/UTs in Statement 16 of Expenditure Budget. 10 Ministries/Departments are earmarking SCSP funds less than 15% of Plan Outlay. 9 Ministries/Departments are earmarking SCSP funds between 15 to 16.2% of Plan Outlays. 6 Ministries/Departments are earmarking SCSP funds more than 16.2% of Plan Outlays.

The overall earmarking of funds under SCSP was 14.30% during the year 2010-2011, whereas it should have been at least 15% of the total budget allotted to the Central Ministries/ Departments by the Government of India as per percentage of the Scheduled Castes in the country.

**7.5.1.3 Recommendation on Educational Development:**

- There should be a quality education by providing Aganwadi in each and every habitation of SCs/STs, residential schools at every block level and centre of excellence in every District Headquarter. The expenses should be met out of Scheduled Castes Sub Plan.
- Free and compulsory education in Hindi, English and Mother Tongue upto Class XII.
- Twenty-five *per cent* of budgetary allocation of education Primary, Secondary and Higher education shall be reserved for the educational advancement of Scheduled Castes students
- Cent per cent Grant-in-aid shall be extended to the NGOs of scheduled castes for the educational advancement of Scheduled Castes students including school/college buildings
- More hostel buildings with better infrastructure should be built in every *talukas*.
- On the lines of Ashram Schools, Residential Schools should be opened where 50 *per cent* seats should be reserved for children of *Safai Karamcharis*/Manual Scavengers and the students should be given preference in the same.
- Hostels for Scheduled Caste women should be built around the Education Hubs in the Country.

- The Commission further recommends that income ceiling from existing ₹ 2.50 lakhs to ₹ 4.00 lakhs may be increased due to price rise so as to enable the SC students to avail scholarship facilities to pursue higher studies.

#### **7.5.1.4 Recommendation on Business Development**

- There should be relaxation for SCs for establishment of business centre.
- It should be free of taxes including Service Tax.
- Setting up of an exclusive bank for SC/ST can be considered by the Government to galvanise the SC/ST entrepreneurs.
- The Government should provide the collateral security to SC loan seekers.
- For industrial growth in the State, land is given to the corporate groups under SEZ concept. The interest of SCs and other marginalized societies should be taken care of.
- Lead bank should be directed to protect the interest of SCs .
- Creamy layer concept should be removed in case of allocation of fund to SC entrepreneurs.

### **7.6 Ministry-wise recommendations of the National Commission for Scheduled Castes**

#### **7.6.1 Skill Development for revision of National Policy on Skill Development (NPSD)**

**Concerned Ministry/ Department:** Ministry of Social Justice & Empowerment.

Recommendations of Commission are as under:

- There should be level playing field for SCs proportionate to their population in every States/UTs in the activities of NPSD as stake holders in view of the 10% SCSP funds being earmarked for the same.
- The SCs who have certain traditional skills like shoe making but due to technological advancement. They are losing their employment. These SCs should be further trained with computer proficiency for making patterns and tuning themselves with modern machines so that they keep pace with time.

#### **7.6.2 National Skills Qualifications Framework (NSQF)**

**Concerned Ministry/ Department:** Ministry of Social Justice & Empowerment.

Recommendations of Commission are as under:

- Special dispensation should be made in the draft NSQF for providing prior training to SC to ensure them to equate with the general category person to fit the requirement of learner in broad categories of competence i.e. professional knowledge, professional skills and core skill.
- It should also be specifically mentioned in the draft NSQF that relaxed standard should be adopted while selecting candidates belonging to SC category

### **7.6.3 Dr. Ambedkar scheme for Social Integration through Inter-Caste Marriages**

**Concerned Ministry/ Department:** Ministry of Social Justice & Empowerment.

Recommendations of Commission were as under

- Physical Target may be fixed on the basis of percentage share of SC population, as per 2011 Census instead of 2001 Census (year 2001 has been mentioned in para 1.4 and 5.1 while year 2011 has been mentioned in para 6.3).
- The word “Public Programme” may be replaced by Public Marriage Programme.
- The word “values of equality, fraternity etc.” may be replaced by “Constitutional values of liberty, equality, fraternity etc.”.
- The word “Consultant “in para 6.2 may be replaced by “Non-Government Organizations” (NGO’s).

It is suggested that 50% incentive amount may be given to the married couple after getting marriage registered and the balance 50% incentive amount may be kept in fixed deposit in the Joint Bank Account of the married couple for the period of five years in order to ensure stability of the married life.

- Wide publicity of the scheme should be made in the print and electronic media.
- Further the Commission’s recommendation be applicable not only on Ambedkar Foundation but also on all the states who are providing incentive for promoting Inter caste Marriages. There should be no ceiling/no cap of 500 for any number. Rather money should be no issue if more and more people are going for Inter Caste Marriages.

### **7.6.4 Proposal for re-structuring the existing Centrally Sponsored Schemes (CSSs), being implemented by the Department of Social Justice and Empowerment for the development of the Scheduled Castes by merging them**

**into a single umbrella scheme namely, “Scheme for Development of Scheduled Castes (SCs)”**

**Concerned Ministry/ Department:** Ministry of Social Justice & Empowerment.

Recommendations of Commission were as under:

- An attested copy of caste certificate to be issued by the Revenue officer not below the rank of Tehsildar.
- A Special Officer under a Scholarship Grievance Redressal Cell may be appointed at district level as well as state level instead of designated grievance redressal officer (GROs) to redress students scholarship-related grievances.
- Disburse the Central assistance to the States/UTs for making payments in the Bank Account of the Institutions under intimation to the student concerned.
- The Scheduled Castes students those covered under the prescribed income ceiling limit must be admitted on zero-fee-basis. No fee should be charged from the students at the time of admission. It shall be duty of the institutions to obtain the necessary documents from the student at the time of admission for claiming scholarship or fee reimbursement etc.
- If the fee amount is higher than scholarship amount the balance amount may be paid by the States/UTs under SCSP directly to the institutions under intimation to the student concerned.
- The students belonging to the SC community admitted under EWS category in the private unaided schools may also be covered under the pre matric scholarship for SC students studying in class I to X under the Educational Development Component – I of the “Scheme for Development of Scheduled Castes (SCs)”.
- Joint Secretary /Director /Deputy Secretary, National Commission for Scheduled Castes may be a member of the Steering Community constituted for effective monitoring and review the construction of hostels.

#### **7.6.5 Revision of National Service Scheme (NSS)**

**Concerned Ministry/ Department:** Ministry of Youth Affairs and Sports.

Recommendation of Commission are as under:

National Commission for Scheduled Castes supported the EFC Proposal for Revision of National Service Scheme of the Ministry of Youth Affairs and Supports, Department of Youth Affairs.

#### **7.6.6 Youth Hostel Scheme-continuation of the scheme during the 12<sup>th</sup> Plan and other matters-Meeting of the Standing Finance Committee (SFC)**

**Concerned Ministry/ Department:** Ministry of Youth Affairs and Sports.

The Commission supports the proposal but suggested to introduce some mechanism for involvement of SC youth in the programme.

#### **7.7 Prohibition of Employment on Manual Scavengers & Rehabilitation Act, 2013.**

- The State Level Vigilance & Monitoring Committee should be immediately constituted and meetings shall be held as per the Manual Scavenging Act.
- The District Magistrate should be declared as the Nodal Officer / Reviewing Officer and State Level awareness programmes are to be arranged.
- If Person dies during cleaning of sewers, septic tanks etc. ₹ 10 Lakhs compensation need to be given as per direction of Supreme Court.
- Welfare departments in States / UTs should develop Schemes for manual scavengers and normal schemes like Indira Awas Yojana, Old Age pension schemes etc. should also be made available.
- For clearance of sewerage, mechanized machines have to be provided.
- States may adopt Central Rules or can come out with new State Rules.
- Every manual scavenger is SC but not all s
- *Safai Karmacharis* are manual scavengers. Therefore, identity cards should be issued to *Safai Karmacharis*.
- Derogatory words for the SCs in the State list should be substituted by 'Balmiki' etc.
- Organizations like Banks who outsource the services of *Safai Karamcharis*, also need to be monitored by the District Level Vigilance & Monitoring Committees.



## CHAPTER – VIII ATROCITIES ON SCHEDULED CASTES

### 8.1 Relevant Acts

#### 8.1.1 Introduction

The Government of India has enacted two special acts viz, the Protection of Civil Rights Act, 1955 (PCR Act) and the Scheduled Castes and Scheduled Tribes Prevention of Atrocities Act 1989 (PoA Act) and corresponding rules thereof, to provide an equal treatment and justice to the Scheduled Castes and Scheduled Tribes. The objective of both these Acts was affirmative action to empowerment of the SC/ST communities in the country by eradicating the discriminatory practices against these communities embedded in the caste system. The Parliament initially passed the **Untouchability (Offences) Act, 1955**,<sup>1</sup> in order to give effect to the declaration made in Article 17 of the Constitution. 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."

Although the Untouchability (Offences) Act, 1955 had helped the process of eradication of untouchability, it was that there was still enough scope and reasons to amend the same. The Parliament amended the Act of 1955 in November, 1976, renaming it as the Protection of Civil Rights Act<sup>2</sup>, 1955. In the Act 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 committed under Act were 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 considerable enhanced.

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

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<sup>1</sup>came into force on 01.06.1955

<sup>2</sup>Protection of Civil Rights Act came into force from 19.11.1976.

PCR Act, though was broad-based as an expressed charter of civil rights for all citizens, and not focused exclusively on the Scheduled Castes and Scheduled Tribes. The PCR Act, 1955 provides for exemplary punishment for practices of untouchability, in various forms, that have been declared unconstitutional under Article 17 of the Constitution. As a social legislation, PCR Act, 1955 partially succeeded in creating social awareness and in the eradication of socio-economic and religious disabilities imposed through various forms of practices of untouchability in a traditional Indian society.

Section 15-A of the PCR Act, 1955 imposes the statutory duty on the State Governments, to ensure that the rights for the benefit of the discriminated/weaker sections of the society are implemented and social, economic and political discrimination by branding them as untouchables ends. Under the PCR Rules, 1976, States are also under obligation to set up special Courts for trials, appointment of officers for due supervision over prosecutions in the cases, set up district level committees and periodic assessment of the working of the Act and identification of areas where persons suffer from various discriminations due to the practice of untouchability.

The PCR Act, 1955 was not effective enough to reduce the atrocities on Scheduled Castes due to low punishments ranging between 1 month and up to six months imprisonment. These were the major reasons why another Act with stricter punishment provisions was needed. Accordingly, the SCs & STs (POA) Act<sup>3</sup> was passed in 1989.

The POA Act, 1989 defines atrocity as an offence punishable under section 3(1) and (2) of the Act and lists 22 criminal offences relating to various patterns of behavior inflicting or 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 higher than under the Indian Penal Code (IPC) for atrocities on SCs and STs, except for the offence of rape where the level of punishment under IPC is higher than those in the POA Act. Apart from penal measures, the act also endeavors to ensure prevention of

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<sup>3</sup>Scheduled Castes & Scheduled Tribes (Prevention of Atrocities) Act, 1989.

atrocities and seeks to provide legally justifiable 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 POA Rules<sup>4</sup>, 1995, apart from various steps like provision of legal aid to the victims, maintenance allowance during investigation and trial, identification of atrocity prone areas, etc.

The basic conditions for taking cognizance under the Act is that the offender/accused should not be a members of SC & ST, that the victim should be a member of SCs/STs and the offence so committed should be made with prior knowledge of the caste background of the victims. While all the offences under sections 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 POA Act, 1989. Under the 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 out within 30 days by an officer not below the rank of Deputy Superintendent of Police 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 the Acts to be achieved through the precautionary and preventive measures, rehabilitative measures, punitive measures enacted for the purpose.

There are conflicting views about the impact of these two Acts on the overall crime scenario of the country. At the level of ideology, caste as a system has considerable weakened but perhaps has assumed newer forms particularly in the wake of implementation of the Report of Mandal Commission in the nineties. It cannot be denied that older forms and practices of untouchability have waned but perhaps assumed newer/more subtle form however atrocities committed on SCs & STs by local dominant groups of castes/people, have, increased in absolute number. The reason behind this apparent reality lies in the tensions within the social, economic and political fabric of the India 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.

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<sup>4</sup>Scheduled Castes & Scheduled Tribes (Prevention of Atrocities) Rules, 1995.

### 8.1.2 Data Analysis

The data on crimes against SCs/STs were compiled with provision for state-wise reporting of these crimes during the year 2014. Data from the year 2010 onwards have also been taken into consideration for doing an analysis on crime against Scheduled Castes. Besides, pendency of cases as compiled by the NCRB<sup>5</sup> both at the end of police and judiciary also has been discussed. Reasons of high acquittal rate vis-à-vis low conviction rate have also been suitably discussed.

#### 8.1.2.1 Fact Sheet of crimes against Scheduled Castes

For the purpose of analyzing crime against Scheduled Castes, data provided by NCRB has been relied upon. Going by the available statistics, the number of crimes registered under the PCR Act are reducing as the cases of atrocities on SCs & STs are being increasingly booked under the POA Act, 1989 and less and less under the PCR Act after January 1990.

The analysis of crimes against SCs<sup>6</sup> show an increase in the number of crimes and the rate of crime in 2014 as compared to 2013 details. The total number of cases has increased to 47064 in 2014 from 39408 in 2013 and the rate of crime has increased to 23.4 % from 19.6% in 2013. The state wise figures are given in the table below :

**Table No. 8.1  
Incidence and rate of crimes committed against Scheduled Castes during 2014<sup>7</sup>**

Sl. No.	State / Union Territories	SC Population as of 2011 (In lakhs)	Incidence	Percentage Contribution to All-India Total	Rate of Total Cognizable crimes
(1)	(2)	(5)	(3)	(4)	(6)
<b>STATES:</b>					
1	Andhra Pradesh	84.5	4114	8.7	48.7
2	Arunachal Pradesh	0.00	0	0.0	-
3	Assam	22.3	2	0.0	0.1
4	Bihar	165.7	7893	16.8	47.6
5	Chhattisgarh	32.7	1066	2.3	32.6
6	Goa	0.3	17	0.0	66.8
7	Gujarat	40.7	1130	2.4	27.7
8	Haryana	51.1	830	1.8	16.2

<sup>5</sup>National Crime Records Bureau

<sup>6</sup> As per National Crime Records Bureau Report, 2014

<sup>7</sup> National Crime Records Bureau Report, 2014

9	Himachal Pradesh	17.3	122	0.3	7.1
10	Jammu & Kashmir	9.2	0	0.0	0.0
11	Jharkhand	39.9	903	1.9	22.7
12	Karnataka	104.7	2138	4.5	20.4
13	Kerala	30.4	816	1.7	26.8
14	Madhya Pradesh	113.4	4151	8.8	36.6
15	Maharashtra	132.8	1768	3.8	13.3
16	Manipur	1.0	1	0.0	1.0
17	Meghalaya	0.2	0	0.0	0.0
18	Mizoram	0.0	0	0.0	0.0
19	Nagaland	0.0	0	0.0	-
20	Odisha	71.9	2266	4.8	31.5
21	Punjab	88.6	123	0.3	1.4
22	Rajasthan	122.2	8028	17.1	65.7
23	Sikkim	0.3	10	0.0	35.4
24	Tamil Nadu	144.4	1546	3.3	10.7
25	Telangana	54.3	1694	3.6	31.2
26	Tripura	6.5	49	0.1	7.5
27	Uttar Pradesh	413.6	8075	17.2	19.5
28	Uttarakhand	18.9	61	0.1	3.2
29	West Bengal	214.6	159	0.3	0.7
	<b>Total (States)</b>	<b>1981.6</b>	<b>46962</b>	<b>99.8</b>	<b>23.7</b>
<b>UNION TERRITORIES:</b>					
30	A&N Islands	0.00	0	0.0	-
31	Chandigarh	2.0	1	0.0	0.5
32	D&N Haveli	0.1	0	0.0	0.0
33	Daman & Diu	0.1	0	0.0	0.0
34	Delhi UT	28.1	87	0.2	3.1
35	Lakshdweep	0.0	0	0.0	-
36	Puducherry	2.0	14	0.0	7.1
	<b>Total (UTs)</b>	<b>32.2</b>	<b>102</b>	<b>0.2</b>	<b>3.2</b>
	<b>TOTAL (ALLINDIA)</b>	<b>2013.8</b>	<b>47064</b>	<b>100.00</b>	<b>23.4</b>

The total number of crimes against Scheduled Castes is very high in Uttar Pradesh followed by Rajasthan and Bihar. As far as rate of crime<sup>8</sup> is concerned, the major States are Rajasthan (65.7%), Andhra Pradesh (48.7%), Bihar (47.6%), Madhya Pradesh (36.6%), Chhattisgarh (32.6%) Odisha (31.5%), Telangana (31.2%), Gujarat (27.7%), Kerala (26.8%), which have rate of crime above the national average (23.4%).

<sup>8</sup>rate of crime= Number of crime incidence against Scheduled Castes in the state/Total Scheduled Caste population in the state

**8.1.2.2 Disposal of cases by Courts**

The rate of conviction<sup>9</sup> (28.8 per cent) is very low vis-à-vis acquittal rate (71.2 per cent) out of total cases which came to trial. A large number of cases (1,25,952) are pending in courts across the country.

**Table No. 8.2  
Disposal of cases by Courts for crimes committed against Scheduled Castes during 2014<sup>10</sup>**

Sl. No.	Crime Head	Total No. of Cases For Trial Including Pending Cases from previous year	Cases Withdrawn by Govt.	No. of Cases				
				Compounded Or Withdrawn	In which Convicted	Trials Completed or Discharged	Total {(6)+(7)}	Pending Trial at the end of the year
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)
1	MURDER (Sec. 302 IPC)	3015	0	1	189	206	395	2619
2	RAPE (Sec. 376 IPC)	6528	0	1	418	781	1199	5328
3	KIDNAPPING & ABDUCTION (Sec. 363-369, 371-373 IPC)	1879	0	0	102	177	279	1600
4	DACOITY (Sec. 395-398 IPC)	168	0	0	3	16	19	149
5	ROBBERY (Sec. 363-369, 371-373 IPC)	289	0	0	6	19	25	264
6	ARSON (Sec. 435, 436, 438 IPC)	789	0	2	24	73	97	690
7	GRIEVOUS HURT (Sec. 323-333, 335-338 IPC)	8418	0	115	451	980	1431	6872
8	PCR ACT, 1955 FOR SCs	609	0	0	3	55	58	551
9	SC/ST PREV. OF ATROCITIES ACT, 1989 FOR SCs	119526	2	691	4716	11911	16627	102206
10	OTHER IPC CRIMES AGAINST SCs	6928	1	278	354	622	976	5673

<sup>9</sup> Rate of Conviction = (Convicted/Total)\*100; i.e. {Column (6)/Column (8)}\*100

<sup>10</sup> National Crime Records Bureau Report, 2014

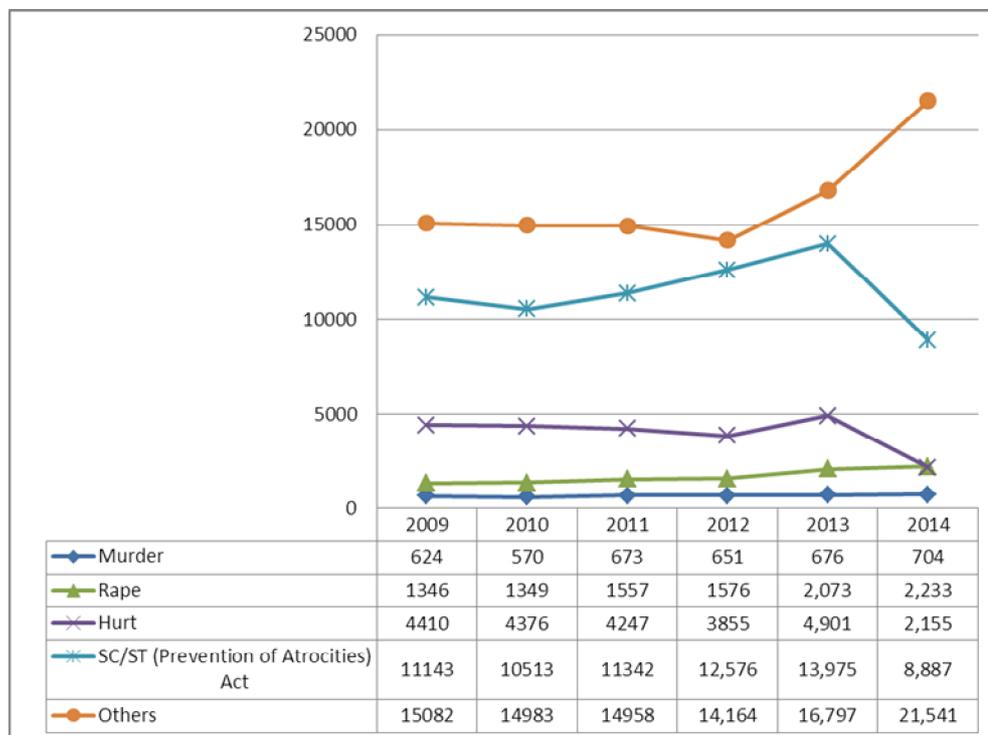
Sl. No.	Crime Head	Total No. of Cases For Trial Including Pending Cases from previous year	Cases Withdrawn by Govt.	No. of Cases				
				Compounded Or Withdrawn	In which Trials Completed			Pending Trial at the end of the year
					Convicted	Acquitted or Discharged	Total {(6)+(7)}	
11,	MANUAL SCAVENGERS & CONSTRUCTION OF DRY LATRINES PREVENTION ACT, 1993	0	0	0	0	0	0	0
	<b>TOTAL</b>	<b>148149</b>	<b>3</b>	<b>1088</b>	<b>6266</b>	<b>14840</b>	<b>21106</b>	<b>125952</b>

### 8.1.2.3 Analysis of the types of crimes :

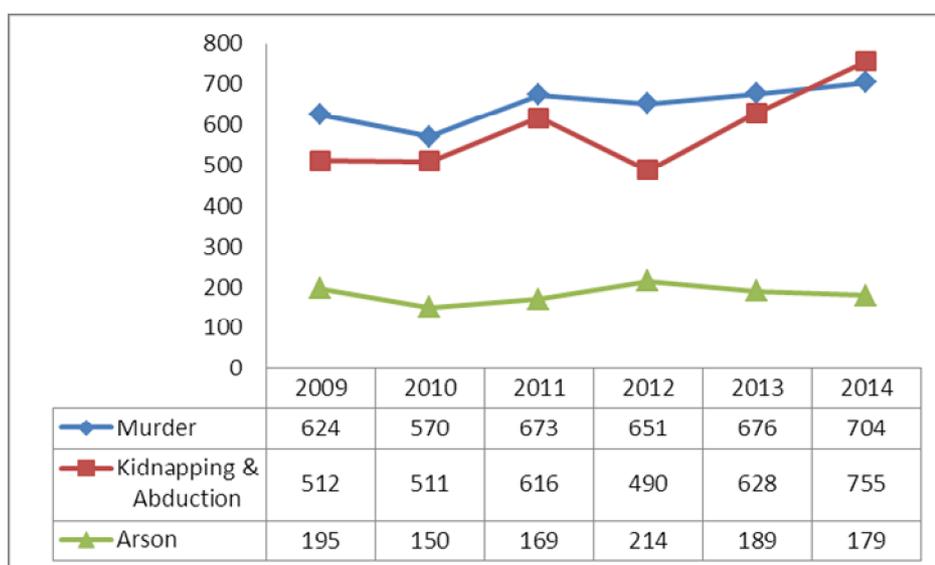
Analyzing the crimes, decline of 36.4 *per cent* has been witnessed in terms of cases registered under SC/ST (Prevention of Atrocities) Act, 1989 only during the year 2014 comparing the year 2013 although there has been an increase of 7.7 *per cent* in rape cases during the same period. The cases on murder, kidnapping & abduction and other crimes against Scheduled Castes have been increased although the cases of hurthas shown a lower percentage rate<sup>11</sup> between 2013 and 2014. The details are as under:

<sup>11</sup> Murder (+) 4.1 *per cent*, kidnapping and abduction (+) 20.2 *per cent*, other crimes (+) 28.24 *per cent*, hurt (-) 56.02 *per cent* have been decrease / increase from 2013 to 2014

**Graph No. 8.1**  
**Incidence of crimes on Scheduled Castes<sup>12</sup>**



**Graph No. 8.2**  
**Incidence of crimes on Scheduled Castes<sup>13</sup>**



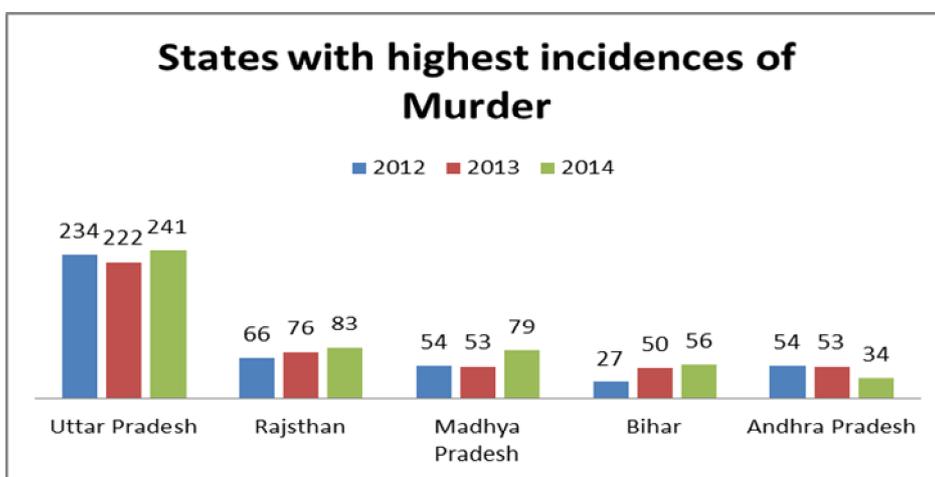
<sup>12</sup>National Crime Records Bureau Report, 2010-2014

<sup>13</sup>National Crime Records Bureau Report, 2010-2014

### 8.1.2.4 Murder

A total of 704 cases of murder were reported in the country during the year 2014 as compared to 676 cases in the year 2013 - an increase of 23.5 *per cent* during the period 2010 to 2014 has been observed. Uttar Pradesh has accounted for 30.4 *per cent* of the total murder cases (214 out of 704 cases) followed by Madhya Pradesh 11.78 *per cent* (83 out of 704 cases) and Madhya Pradesh 11.22*per cent* (79 out of 704 cases).

**Graph No. 8.3**  
Incidence of crime (Murder)<sup>14</sup>

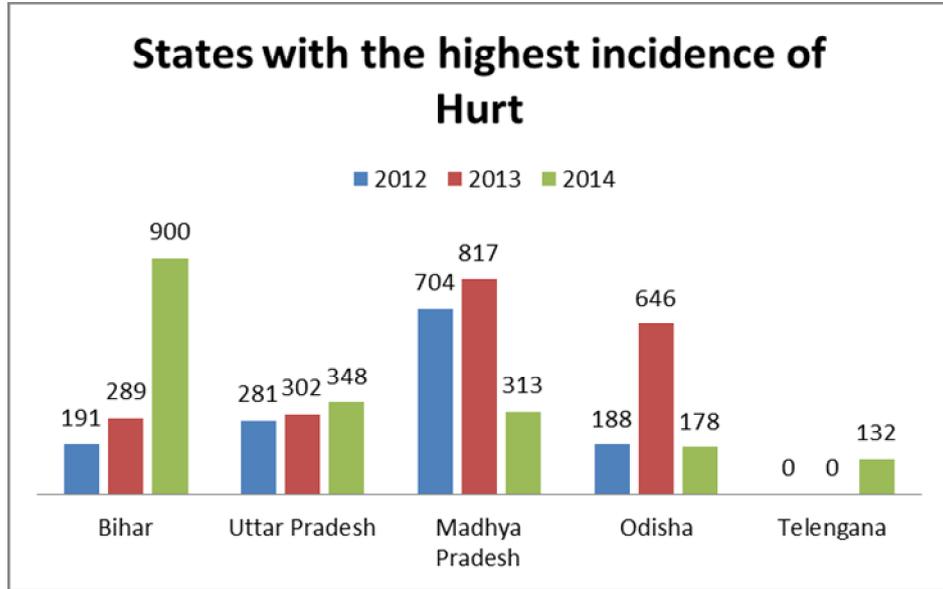


### 8.1.2.5 Hurt

A total of 2155 cases of hurt were reported during the year 2014 as compared to 4376 cases in the year 2010 in the country, i.e. an decrease of 50.75 *per cent* have witnessed during the period 2010 to 2014. However, Bihar State has witnessed a large number of hurt cases (900) followed by Uttar Pradesh (348), Madhya Pradesh (313) and Odisha (178) cases together accounted for 80.69 *per cent* out of total reported hurt cases during the year 2014.

<sup>14</sup> National Crime Records Bureau Report, 2012-14

**Graph No. 8.4**  
**Incidence of crime (Hurt)<sup>15</sup>**



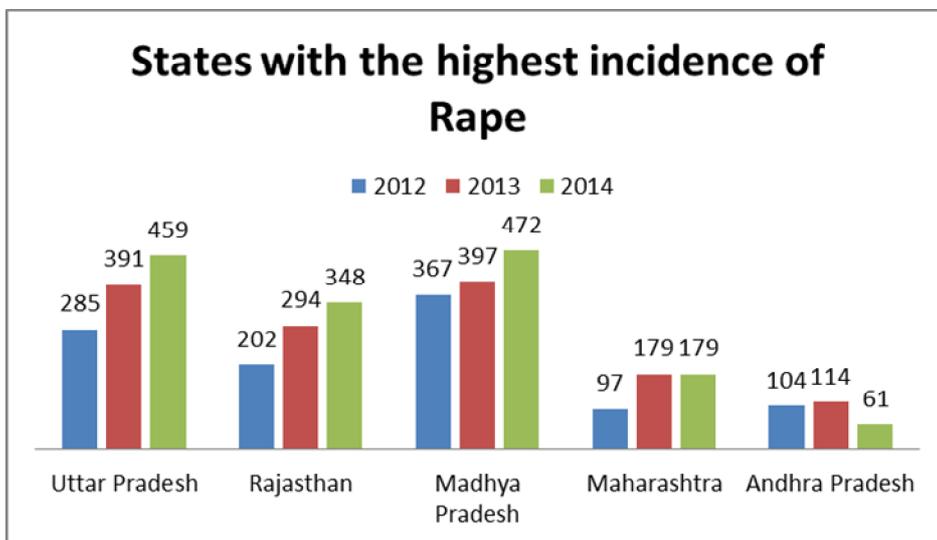
#### 8.1.2.6 Rape

A total of 2,233 cases of rape of women belonging to Scheduled Castes were reported in the country during the year 2014 as compared to 1,349 cases in the year 2010, an increase of 39.58 *per cent* has been recorded. Doing an analysis on five States with the highest incidences of Hurt<sup>16</sup>, Madhya Pradesh has reported 472 cases accounting for 21.13 *per cent* of the total 2233 cases reported in the country followed by Uttar Pradesh 20.5 *per cent* (459 cases) and Rajasthan with 15.58 *per cent* (348 cases).

<sup>15</sup> National Crime Records Bureau Report, 2012-14

<sup>16</sup> For the purpose of ease of data analysis, while populating this graph, the Commission has considered the data of the National Crime Records Bureau pertaining to the 15 largest States in terms of population of Scheduled Castes: Uttar Pradesh, West Bengal, Bihar, Tamil Nadu, Telengana, Andhra Pradesh, Maharashtra, Rajasthan, Madhya Pradesh, Karnataka, Punjab, Odisha, Haryana, Gujarat, Jharkhand

Graph No. 8.5  
Incidence of crime (Rape)<sup>17</sup>



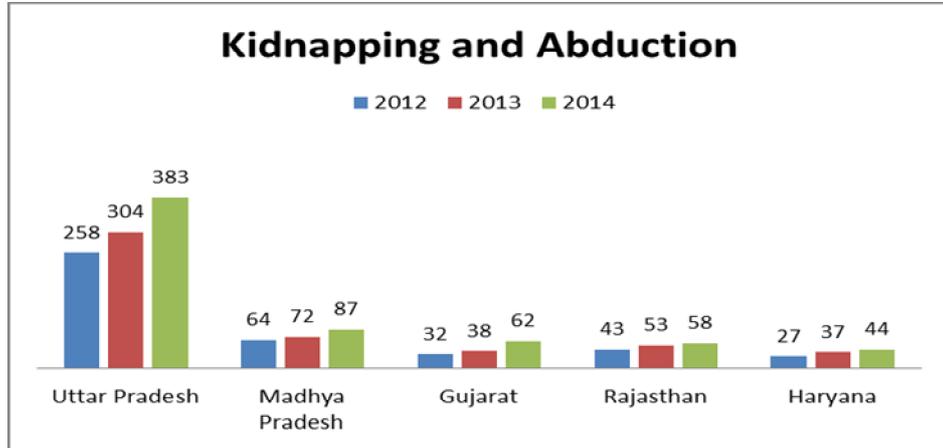
#### 8.1.2.7 Kidnapping and Abduction

A total of 755 cases of Kidnapping and Abduction of persons belonging to Scheduled Castes were reported during the year 2014 as compared to 616 cases in the year 2010, an increase of 18.2 *per cent*. Doing an analysis of this crime in five States with the highest incidences of Kidnapping and abduction<sup>18</sup> reported, Uttar Pradesh has reported 48.4 *per cent* (383 out of 755 cases) of such incidences during the year 2014.

<sup>17</sup> National Crime Records Bureau Report, 2012-14

<sup>18</sup> For the purpose of ease of data analysis, while populating this graph, the Commission has considered the data of the National Crime Records Bureau pertaining to the 15 largest States in terms of population of Scheduled Castes: Uttar Pradesh, West Bengal, Bihar, Tamil Nadu, Telengana, Andhra Pradesh, Maharashtra, Rajasthan, Madhya Pradesh, Karnataka, Punjab, Odisha, Haryana, Gujarat, Jharkhand

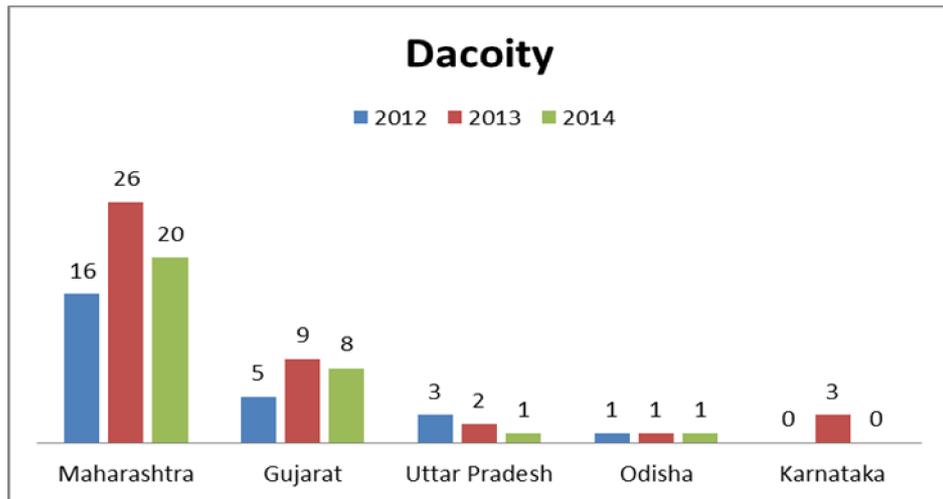
**Graph No. 8.6  
Incidence of crime (Kidnapping and Abduction)**



**8.1.2.8 Dacoity**

A total of 32 cases of Dacoity were reported during the year 2014 as compared to 42 cases in the year 2010, thus decrease in crime trends has been noticed. Calculation highest number of crimes reported from first five States<sup>19</sup>, Maharashtra has reported the highest number of 20 such cases, accounted for 62.5 per cent of total cases reported at National level during 2014.

**Graph No. 8.7  
Incidence of crime (Dacoity)<sup>20</sup>**



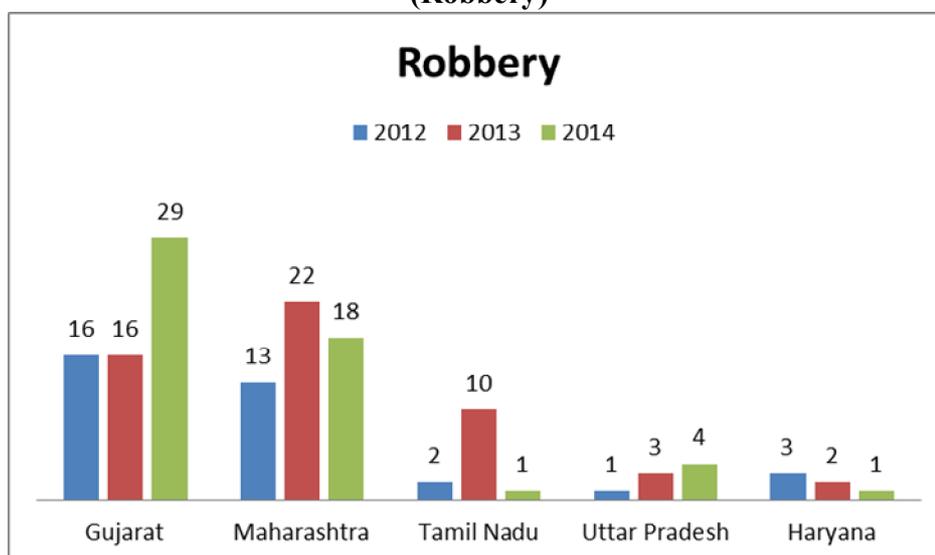
<sup>19</sup>For the purpose of ease of data analysis, while populating this graph, the Commission has considered the data of the National Crime Records Bureau pertaining to the 15 largest States in terms of population of Scheduled Castes: Uttar Pradesh, West Bengal, Bihar, Tamil Nadu, Telengana, Andhra Pradesh, Maharashtra, Rajasthan, Madhya Pradesh, Karnataka, Punjab, Odisha, Haryana, Gujarat, Jharkhand

<sup>20</sup>National Crime Records Bureau Report, 2012-14

### 8.1.2.9 Robbery

A total of 25 cases of robbery were reported during the year 2014 as compared to 75 cases in 2010 i.e. a decrease of 66.66 *per cent* recorded. According to the NCRB records, three States with the highest incidences of Robbery<sup>21</sup> recorded are Gujarat (29), Maharashtra (18) and Chhattisgarh (10) incidences each in their respective States. Incidentally, it may be informed that except two States namely Gujarat and Uttar Pradesh, incidence like robbery is now declining when compared to the year 2013 and 2014.

**Graph No. 8.8<sup>22</sup>**  
**Incidence of crime**  
**(Robbery)**



### 8.1.2.10 Arson

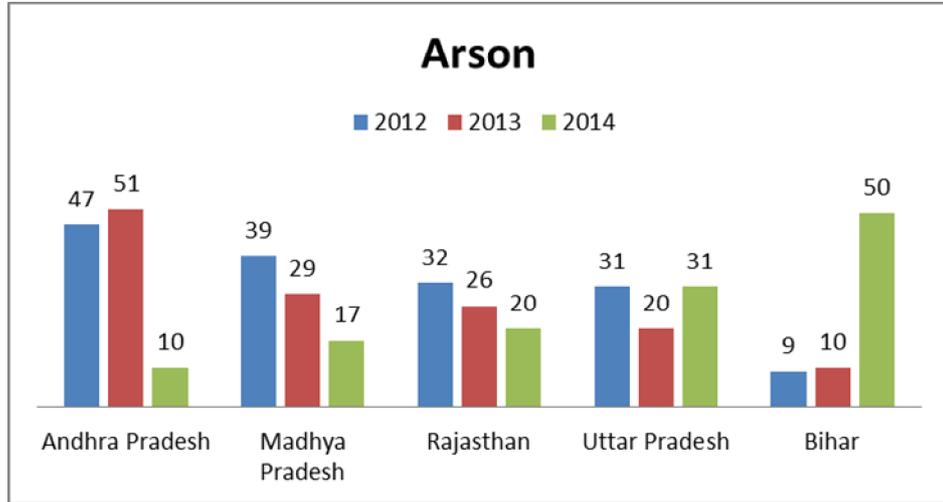
A total of 22 cases of arson were reported during the year 2014 as compared to 150 cases in the year 2009 thus there is a decline of 83.33 *per cent*. Based on data available, it has seen that first five States with the highest incidences of Arson<sup>23</sup> are Bihar (50), Uttar Pradesh (31), Rajasthan (20), Madhya Pradesh (17) and Andhra Pradesh (10).

<sup>21</sup> For the purpose of ease of data analysis, while populating this graph, the Commission has considered the data of the National Crime Records Bureau pertaining to the 15 largest States in terms of population of Scheduled Castes: Uttar Pradesh, West Bengal, Bihar, Tamil Nadu, Telangana, Andhra Pradesh, Maharashtra, Rajasthan, Madhya Pradesh, Karnataka, Punjab, Odisha, Haryana, Gujarat, Jharkhand

<sup>22</sup> National Crime Records Bureau Report, 2012-14

<sup>23</sup> For the purpose of ease of data analysis, while populating this graph, the Commission has considered the data of the National Crime Records Bureau pertaining to the 14 largest States in terms of population of Scheduled Castes: Uttar Pradesh, West Bengal, Bihar, Tamil Nadu, Andhra Pradesh, Maharashtra, Rajasthan, Madhya Pradesh, Karnataka, Punjab, Odisha, Haryana, Gujarat, Jharkhand

**Graph No. 8.9**  
**Incidence of crime (Arson)<sup>24</sup>**



### 8.1.3 Trend Analysis on Crime against Scheduled Castes

The scheduled caste population in the decade of 2001 to 2011 has risen by 20.8 per cent, while the crime against Scheduled Castes increased by approximately 0.7 per cent. For the purpose of data analysis, the Commission has considered the data of the National Crime Records Bureau pertaining to the 15 largest States in terms of population of Scheduled Castes: Uttar Pradesh, West Bengal, Bihar, Tamil Nadu, Telengana, Andhra Pradesh, Maharashtra, Rajasthan, Madhya Pradesh, Karnataka, Punjab, Odisha, Haryana, Gujarat, Jharkhand.

The following table shows the nature of crime against scheduled caste in the decade of 2001 to 2011.

**Table No. 8.3**  
**Crime against Scheduled Castes in the decade of 2001 to 2011<sup>25</sup>**  
**(Crime-head wise)**

Crime Head	2001	2011	Percentage change
<b>Murder</b>	763	673	-11.8
<b>Rape</b>	1316	1557	18.3
<b>Kidnapping &amp; Abduction</b>	400	616	54.0
<b>Dacoity</b>	41	36	-12.2
<b>Robbery</b>	133	54	-59.4
<b>Arson</b>	354	169	-52.3
<b>Hurt</b>	4547	4247	-6.6
<b>PCR Act</b>	633	67	-89.4

<sup>24</sup> National Crime Records Bureau Report, 2012-14

<sup>25</sup> National Crime Records Bureau Report, 2001-11

<b>SC/ST(Prevention of Atrocities) Act</b>	13113	11342	-13.5
<b>Others</b>	12201	14958	22.6
<b>Total</b>	<b>33501</b>	<b>33719</b>	<b>0.7</b>

The above data suggests that while there has been a growth in the trends of Kidnapping & Abduction (54 *per cent*), with a considerable decline in registered crime against Scheduled Castes under many of the heads such as the PCR Act (89.4 *per cent*), Robbery (59.4 *per cent*), Arson (52.3 *per cent*) etc. in between the decade of 2001 and 2011.

However, the data relating to incidence of crime against Scheduled Castes for the last three years (2012 and 2014) reflected a different picture. While in the 10 years between 2001 and 2011 the incident of crime against Scheduled Caste increased by 0.7 *per cent*, the same has increased by 08.91 *per cent* in the span of 3 years between 2012 and 2014. Details are shown as under:

**Table No. 8.4**  
**Crime against Scheduled Castes in the decade of 2012 to 2014<sup>26</sup>**  
**(Crime-head wise)**

<b>Crime Head</b>	<b>2012</b>	<b>2014</b>	<b>Percentage change</b>
<b>Murder</b>	651	704	(+) 8.14
<b>Rape</b>	1576	2233	(+) 41.68
<b>Kidnapping &amp; Abduction</b>	490	755	(+) 54.08
<b>Dacoity</b>	27	32	(+) 18.51
<b>Robbery</b>	40	67	(+) 67.50
<b>Arson</b>	214	179	(-) 16.35
<b>Hurt</b>	3855	2155	(-) 44.09
<b>PCR Act</b>	62	101	(+) 62.90
<b>SC/ST(Prevention of Atrocities) Act</b>	12576	8887	(-) 29.33
<b>Other IPC Crimes</b>	14164	21541	(+) 52.08
<b>Total</b>	<b>33655</b>	<b>36654</b>	<b>08.91</b>

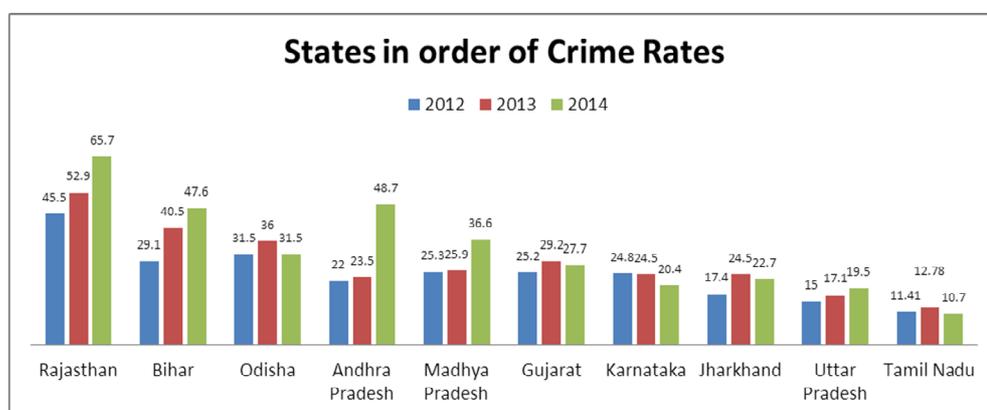
In the span from 2012 to 2014, the registered cases of incidences of rape has increased by 41.68 *per cent*, that of kidnapping & abduction by 54.08 *per cent*, while cases registered under the SC/ST (Prevention of Atrocities) Act have decreased by 29.33 *per cent*. In fact, with the exception of the cases registered under hurt and arson categories, there has been a growth in crime against the Scheduled Caste population under all crime heads in the past 3 years.

<sup>26</sup> National Crime Records Bureau Report, 2001-11

### 8.1.3.1 Rate of crime<sup>27</sup>

As far as rate of crimes against Scheduled Caste population are concerned, Rajasthan, Bihar and Orissa are states (from among the 15 states with highest number of Scheduled Caste population<sup>28</sup>) with the highest crime rates against the Scheduled Castes. The following table shows the states with the highest crime rates against Scheduled Castes<sup>29</sup>:

**Graph No. 8.10<sup>30</sup>**  
**Rate of Crime**



Doing an analysis on States by Rates of Crime<sup>31</sup> against Scheduled Caste Population<sup>32</sup>, it has seen from the above graph that Rajasthan, Andhra Pradesh, Bihar, Madhya Pradesh, Odisha and deserve special attention in terms of

<sup>27</sup>rate of crime = Number of crime incidence against Scheduled Castes in the state/Total Scheduled Caste population in the state

<sup>28</sup> For the purpose of ease of data analysis the Commission has considered the data of the National Crime Records Bureau pertaining to the 15 largest States in terms of population of Scheduled Castes: Uttar Pradesh, West Bengal, Bihar, Tamil Nadu, Telangana, Andhra Pradesh, Maharashtra, Rajasthan, Madhya Pradesh, Karnataka, Punjab, Odisha, Haryana, Gujarat, Jharkhand

<sup>29</sup> Data as per: [ncrb.gov.in/tables](http://ncrb.gov.in/tables): Incidence & Rate of Crime Against Scheduled Castes (State & UT-wise) – 2012, 2013, 2014

<sup>30</sup> National Crime Records Bureau Report, 2012-14

<sup>31</sup> Crime against scheduled Castes as taken by NCRB are categorized as : murder , rape , kidnapping and abduction , dacoity , arson , robbery, hurt, PCR Act violations, SC/ST Act violations

<sup>32</sup> For the purpose of ease of data analysis, while populating this graph, the Commission has considered the data of the National Crime Records Bureau pertaining to the 15 largest States in terms of population of Scheduled Castes: Uttar Pradesh, West Bengal, Bihar, Tamil Nadu, Telangana, Andhra Pradesh, Maharashtra, Rajasthan, Madhya Pradesh, Karnataka, Punjab, Odisha, Haryana, Gujarat, Jharkhand

eradication of crimes against Scheduled Castes. The observations that have been made are as follows:

- Rajasthan and Bihar, have very high average of both incidences and rate of crimes against Scheduled Castes during 2012, 2013 and 2014.
- In Odisha, while the incidences of crime against SCs have been the sixth highest in the country, the average crime rate against SCs for 2012,2013,2014 has been in higher side.
- U.P. has the highest number of incidences of crime against Scheduled Castes but the rate of crime is below the National average.

## **8.2 Judicial and administrative handling of Cases related to the Scheduled Castes**

Taking into account all form of crimes against Scheduled Castes during the year 2010 and 2014, it is seen that total incidences of crime against Scheduled Castes has increased from 32712 in 2010 to 47064 in 2014 i.e. an increase of 43.87 *per cent*. At the same time, the rate of filing of Charge Sheets<sup>33</sup> by Police has slightly increased from 90.7 *per cent* in 2010 to 92.3 *per cent* in 2014. The percentage of cases of atrocities pending at the level of Police has decreased from 27.7 *per cent* in 2010 to 24.42 *per cent* in 2014<sup>34</sup>. The conviction rate<sup>35</sup> has however, come down from 35.0 *per cent* in 2010 to 28.8*per cent* in 2014 coupled with an increase<sup>36</sup> in the pendency rate in Courts incases of crimes against Scheduled Castes.

The following graph shows the trends related to the Pendency and Disposal of Cases by Police<sup>37</sup> & Courts<sup>38</sup> (2010-14):

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<sup>33</sup> Nrb.gov.in/tables: Disposal of Cases for Crimes Committed Against SCs by Police (Crime Head wise) – 2010,2014

<sup>34</sup> Ibid.

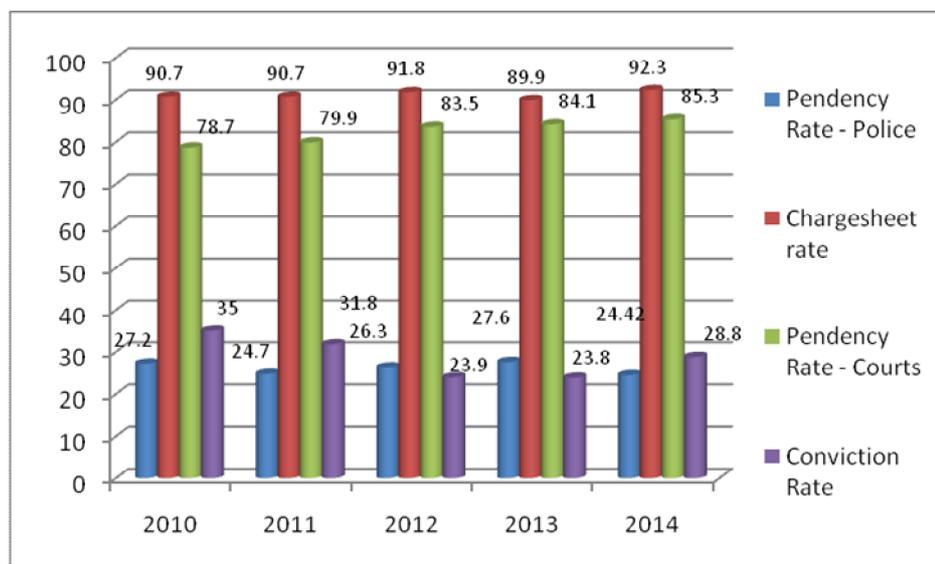
<sup>35</sup> Data as per:ncrb.gov.in/tables: Disposal of Cases for Crimes Committed Against SCs by Courts (State/UT-wise) – 2010,2014

<sup>36</sup> increase from 78.7 *per cent* in 2010 to 85.3 *per cent* in 2014

<sup>37</sup> Data as per: nrb.gov.in/tables: Disposal of Cases for Crimes Committed Against SCs by Police (Crime Head wise) – 2010,2011,2012,2013& 2014

<sup>38</sup> Data as per nrb.gov.in/tables: Disposal of Cases for Crimes Committed Against SCs by Courts (State/UT-wise) – 2010, 2011,2012,2013 & 2014

**Graph No. 8.11**  
**Pendency and Disposals by Police and Courts<sup>39</sup>**



### 8.3 Some recent trends in atrocity cases

#### 8.3.1 Complaints of Denial of entry in temples:

- i) In the Bilaspur District, **Chhattisgarh**, a case regarding denial of Scheduled Castes in a private temple private temple was reported. The matter was taken up with DC Bilaspur and subsequently, FIR also registered against the owner of the temple.
- ii) An SC boy was thrashed and beaten up by the priest for entering the Temple at Nelamangala, Bangalore, **Karnataka**. The case is under trial.
- iii) A representation was received from SC persons from Nilakanthapur, Kendrapada, **Odisha** regarding alleged practices on untouchability in three Odisha village temples namely at (1) Bhagabati Temple, (2) Budhijagulai Temple and, (3) Gopinath Temple under Kendrapada District, Odisha. The SC complainant alleged that the concerned priests prevented them to offer pujas and refuse to distribute prasado to them and other SC family members. The concerned State Office

<sup>39</sup>National Crime Records Bureau Reports, 2010 to 2014.

of the Commission took up the matter with the S.P. Kendrapada who is now monitoring the matter.

- iv) Complaint was received in the Bagvadar Police Station, Porbandar District, **Gujarat** that one upper caste resident of Katvala prevented an SC person from the same village to enter in village temple on 25/09/2014. Based on the complaint received, the police has registered a case vide CR No. 92/2014 u/s 3(1)10 of POA Act, 1989 and 3(1)(A) of PCR Act, 1995. The case is charge sheeted on 9/10/2014.
- v) Complaint was received that upper caste resident near Varasarda Temple, Porbandar prevented an SC person from entering in the village temple on 03.10.2014. The police registered a case u/s 3(1)(A) of PCR Act, 1995. The case was chargesheeted on 28/10/2014.
- vi) Two complaints were received that an upper caste resident of Nagel, Banaskantha, **Gujarat** prevented an SC from entering the village temple on 02/07/2014 and also threatened him with dire consequence in case he enters the Mandir to perform pooja. regarding one The police registered a case u/s 3(1)10 of POA Act, 1989 and IPC Act. The case was charge sheeted on 15/09/2014.
- vii) In Gir-Somnath, **Gujarat** two non-SC persons, prevented one SC on 17/08/2014 from entering the village temple on the occasion of Janmashthami to perform pooja. Based on the complaint received, a case was registered u/s 3(1)10 of POA Act, 1989.

### **8.3.2 Hate Crime against Scheduled Castes**

- Incidence : 3 Dalits burnt alive in Nagaur , **Rajasthan**

On 19/02/15, some men set fire hut of a Scheduled Castes with an intention to kill the entire family. He and his son got serious burns and his mother died in the incident. While the charges have been proved against 5 accused as per investigation of the local police ,no accused has been arrested although a considerable time has been elapsed.

- Incidence :Beating up and urinating in mouth of a Dalit youth Krishnagiri , **Tamil Nadu**

On 19/3/15, there was a Caste based atrocity of physical assault and forcible urination in the mouth of a youth belonging to SC. Arrests have been made and investigation is ongoing.

### **8.3.3 Increase in crime against SC women**

Rape Cases are on the increase and especially rape of minor girls in school hostels in Odisha. Recent trend shows large number of cases of rape accompanied with murder.

Some of the incidences that are reported in the Commission are as follows:

- **Incidence** :Rape of a minor girl in Gohana, **Haryana**.  
On 7/2/15, a minor girl was raped in the fields of village Bilbillan, of Gohana in Haryana. With the intervention of NCSC, charge sheet has been filed against the accused.
- **Incidence** :Rape of a minor girl in Aligarh, **U.P.**  
The daughter of SC villager of village Atari of Aligarh of U.P. was raped in 2013. The SC petitioner filed a case against the accused which was closed by filing a Final Report. However, this minor girl was again abducted and raped by the accused after closure of the previous case.

### **8.3.4 Crime against SCs who have entered into Inter-Caste marriages**

While the states encourage inter-caste marriages , here are increasing incidents that show that such marriages still lead to crimes and problems. The cases reported to the Commission on issues of inter-caste marriages are as follows.

- **File no-2-HP/10/2013:-** An SC boy from the village Nand District Solan, **Himachal Pradesh** married to girl from upper caste in spite of the opposition from her parent. After marriage the dispute regarding caste increased and the SC boy was booked in a false dowry case and parents of the girl threatened the boy with dire consequences. The matter was taken up with concerned authority and a FIR was registered.
- **File No. 2-Chd/14/2014:-** An SC youth from the village Dhujana, Jhajjar, **Haryana** working as a Constable in IRB, Chandigarh married a general caste girl. But due to opposition from girl's parents, they could not stay

together after marriage. The petitioner alleged that two FIRs were registered against him. The matter was taken with concerned authority.

- **2-Chd/15/2015:-** An SC girl living in **Chandigarh** submitted a representation stating that she got married with general caste boy but the in-laws began harassing and abusing her by caste remarks. The matter now has been settled amicably.
- **File No. 2-Pb/7/2015 :-** An SC lady of village Mullanpur, Mohali, Punjab presented about harassment after inter-caste marriage.

#### **8.4 State & District Level Vigilance and Monitoring Committees, meetings during 2014-15**

During the year under report, very few States<sup>40</sup> reported on timely conduct of both State and District Level Vigilance and Monitoring Committee meetings.

Some of the major decisions that were taken in such meetings are given as under:

1. In order to eradicate untouchability people awareness camps to be conducted in villages and cities.
2. Conducting of information programme among police officials, Revenue Officials and NGOs.
3. To issue instructions to the District Administration to publish the news items regarding the cases of conviction under PoA Act in leading newspapers and other media.
4. To issue instructions to the District Administration to take immediate action on the petitions received from the Social Justice and Human Rights NGOs / individuals.
5. In order to curb the problems between the SCs/STs and other sections of the Society, the following steps may be taken.
  - a. To implement Socio economic development Schemes for the Welfare of SCs and STs
  - b. Provision of drinking water facility and overhead tank facilities to SCs/STs.
  - c. Provision of street light facilities

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<sup>40</sup>Tamil Nadu, Odisha, West Bengal, Karnataka, Chhattisgarh and Madhya Pradesh

- d. Construction of group houses to the poor and homeless SCs/STs
  - e. Pathways to burial ground
  - f. To take preventive measures in respect of temple entering cases
  - g. To ensure effective implementation of Schemes meant for SCs/STs through other Departments.
6. To impart skill development training to Scheduled Castes youth through SC Finance Development Corporation.
7. To allot additional funds for the implementation of Scheduled Castes / Scheduled Tribes who are taking atrocities under SCSP.

### **8.5 Recommendations regarding improvement of functioning under the SC/ST (POA) Act, 1989**

The Commission has noted with concern that instances of procedural lapses are frequent while dealing atrocity cases by both police; civil and judicial administrations. The Commission, therefore, identified lacunae commonly noticed during police investigation, judicial dealings as also preventive / curable actions the civil administration can take. NCSC recommends the following for improvement of application of SC/ST (PoA) Act, 1989 and Rules of 1995 thereon.

#### **8.5.1 Registration of FIR**

The Commission has observed that the police often resort to preliminary investigation upon receiving complaint in writing before lodging the actual FIRs. As a result, the SC victims have to resort to seeking directions from courts for registration of FIRs u/s 156(3) of Cr.P.C. Hon'ble Supreme Court has also on more than one occasion emphasized about registration of FIR first. This Commission also reemphasizes that the State / UT Governments should enforce prompt registration of FIRs.

The Commission recommends the followings:

**8.5.1.1** FIR registration may be made web-enabled also so as to make the SC complainant able to register FIR in website of district police for automatic registration of FIR at concerned Police Station. Alternatively, branches of designated banks and all post offices may be authorized to receive such FIRs from

complainant and forward them to Police for FIR registration. System can be similar to receipt of passport applications in Banks and Post Offices.

**8.5.1.2** There is need to develop a Mobile App for reporting of the atrocity incidents and monitoring.

**8.5.1.3** Non-registration of FIR and non-registering of atrocity complaint under appropriate provision of PoA Act may be made punishable under Section 4 of the Act.

**8.5.1.4** Registration of counter cases to frustrate the very purpose of registering a case under PoA needs to be reviewed and checked. If the number of cross cases in a particular Police Station area / District are on higher side, it may be reviewed in the District level Vigilance Committee Quarterly meeting and considered views be taken to neutralize such counter cases.

**8.5.1.5** The passing of the bill on amendment of the SC & ST (POA) Act 1989 may be expedited.

**8.5.1.6** There is increase in the number of cases registered under Cr.P.C. 156(3), which is not a good sign, as this shows that Police is reluctant to register the SC & ST (POA) Act 1989 FIRs.

**8.5.1.7** Invoking the correct and proper provisions under POA Act to prevent accused from getting bail.

### **8.5.2 Police investigation**

The Commission has observed lacunae in police investigations while dealing atrocity cases. As a result, the acquittal rate noted to be in higher side in many States. The Commission therefore, suggests the followings for speedy and quality investigation on atrocity crimes.

**8.5.2.1** Rules mandate completion of investigation in atrocity cases in 30 days. In practice, it is however, noticed that it takes much longer time even couple of years. The Commission therefore, suggests that provisions as made in the Rule be followed scrupulously.

**8.5.2.2** Pre-occupation of Dy. SP in other official activities often cited as the reason for delay in atrocity investigation. The same however, should be done away with.

**8.5.2.3** Swift action needs to be taken against negligent police officers for dereliction of duties.

### **8.5.3 Judicial proceedings**

Commission has noted that in absence of Exclusive Courts and engagement of Exclusive Public Prosecutors, the atrocities cases are either prolonged or ended in acquittal due to faulty prosecution procedure. Instances are numerous wherein it has been noticed that the witnesses of the cases are withdrawn at crucial stage of the case. Keeping in view such instances, the Commission recommends the followings:

**8.5.3.1** Exclusive Courts are to be set up to trial only atrocity cases and Exclusive Public Prosecutors of high eminence are to be engaged so as to minimize acquittal rate.

**8.5.3.2** Till the time Exclusive Courts are set up and where number of atrocity cases is less existing District Judge/Additional Distt. Judge may be earmarked as Special Judge to try atrocity cases. However, in such situation, atrocity cases should top the cause list for hearing so that unnecessary adjournments are avoided.

**8.5.3.3** Trial in atrocity cases may be concluded in three months by the Special / Designated Courts.

**8.5.3.4** Based on the data received from the National Crime Records Bureau on pending investigation by police, acquittal, conviction rates; and if State(s) seen to have lower performance comparing the national average, this matter may be reviewed in the half-yearly State Level Vigilance & Monitoring Committee Meeting supposedly chaired by the Chief Minister of the State with an inter-district analysis.

**8.5.3.5** If atrocity incidences in particular districts are large, then steps be taken to change the public prosecutor and in case of repeated poor performance by police personnel, administrative action may be initiated.

**8.5.3.6** Performance of the Special Public Prosecutor also need to be monitored to ensure no laxity so far as dealing of atrocity cases in courts.

### **8.5.4 Compensation to the witness in Judicial Proceedings and Economic Rehabilitation of victims**

The Commission has observed that the States do not pay compensation to the victim(s) of caste atrocity as a rule. Instances are there wherein the compensations are paid only when the Commission intervenes or the matter followed by the family of the victim rigorously. In the cases where compensation paid but long term rehabilitation of the victim of atrocity however, has not been considered. The Commission therefore, observes the followings for improvement of compensation to witness in judicial proceedings and economic rehabilitation of atrocity victims.

**8.5.4.1** Quantum of payment of traveling and maintenance expenses to the witnesses and the victims may be linked to the prevailing NREGA wages to the least.

**8.5.4.2** Compensation amount may be paid to the witness on the very day when the witness turns up in court so that the loss of wages / earning for the day is compensated.

**8.5.4.3** In case of murder, rape and grievous injury, monetary compensation must be disbursed as per amendment of POA Rules, 1995.

#### **8.5.5 Capacity building measures**

The Commission has also noted that atrocity cases are delayed due to lack of sensitivity and clarity on implementation of POA Act of 1989. The Commission therefore, suggests that:

**8.5.5.1** Police, Civil and Judicial authorities at various levels need to be sensitized on implementation of provision of PoA Act by imparting training through orientation / refresher courses.

**8.5.5.2** Transparency, accountability and change in mind set is necessary to prevent crimes of atrocity. Efforts may be made for generation of awareness amongst all stake holders namely general public, police, civil administration, public prosecutors and judiciary to minimize the occurrence of atrocities on Scheduled Castes.

**8.5.5.3** Mass awareness camps should be organized to tackle the crimes on Scheduled Castes at social level also along with administrative/ police actions. There is an urgent need to involve civil societies NGOs to eradicate evils.

**8.5.5.4** All provisions under the POA Rules, 1995 shall be followed rigorously to ensure zero tolerance in atrocity cases.

### **8.5.6 Statutory Amendments**

Commission is of the opinion that there is a need to revamp the provisions contained in the SC/ST (POA) Act, 1989 and Rules 1995 for better implementation of the Act. The Commission, suggests periodic review and revamping the Act to include issues like :

- Majority of crimes under PoA Act carries punishment of less than seven years resulting in grant of bail by Courts. Enhancement of punishment may be considered to deny bail to the accused.
  
- Manual Scavenging should also be made part of the PoA Act.
- Denial of forest Rights to ST should also be covered atrocity.
- Offences under IPC punishable with imprisonment for a term of ten years or more as mentioned in section 3 (2)(v) need to be elaborated.
- Scope of externment needs to be expanded and extended to non-scheduled areas.

## CHAPTER – IX RECOMMENDATIONS

### **9.1 Recommendations on strengthening effectiveness of NCSC**

#### **9.1.1 Conferring the regular Status of Civil Court**

Article 338, states that “the Commission shall, while investigating any matter referred to in sub-clause (a) or inquiring into any complaint referred to in sub-clause (b) of clause (5), have all the powers of a civil court trying a suit. The Commission however, has noted that this status of the NCSC is limited to that of summoning and enforcing attendance of any person including examination of witnesses under oath and examining documents and has no other powers of a civil court. This limited role of NCSC as civil court has also been confirmed by the Hon’ble Supreme Court in the case of All India Overseas Bank SC and ST Employees Welfare Association and others Vs. Union of India & Others wherein it has been stated that the power of civil court for granting injunctions temporary or permanent do not rest with the Commission, nor can such a power be derived from the clause (5) of Article 338 of the Constitution.

The Commission is of the view that while at one hand the Commission has been given power to investigate matters as civil court but on the other hand, its observations are being treated as mere advisory in nature. This adversely impacts the effectiveness of NCSC as a watchdog of the safeguard for the SC community, since the authorities are free to ignore the recommendations of NCSC. The Commission, therefore, recommends the Government may take all necessary actions to make recommendations of the NCSC as binding. The Commission should functions with greater judicial powers on the line of powers of civil court so that it can oversee that the safeguards to Scheduled Castes guaranteed under the Constitution are implemented in letter and spirit.

### **9.1.2 Initiation of appointing process for new Commission**

It has been noticed that between the completion of the tenures of one Commission and appointment of a new Commission, there is a vacuum. During this gap, the functioning of the Commission is adversely affected.

It is recommended that the process of appointing a new Commission is designed in a way to avoid this void.

### **9.1.3 Budget of NCSC**

The expenditure for the National Commission for Scheduled Castes in the Union Budget is reflected in Demand No. 88 under major Head "2225" under the Ministry of Social Justice & Empowerment which is a voted expenditure. It has been observed that other Constitutional bodies like UPSC, CAG, EC and the Planning Commission ( now Niti Ayog), which is a non-Constitutional body are drawing their funds from an independent head of account. Since National Commission for Scheduled Castes is a Constitutional body set up under Article 338 of the Constitution and was given power of the Ministry /Department of the Government of India vide S.No. 15 under Ministry of Home Affairs in the Schedule II of the DFP Rules, 1978, it stands to reason that the Commission should have separate and independent budget head and demand for grant.

The same is in line with the 14<sup>th</sup> Lok Sabha Committee on the Welfare of Scheduled Castes and Scheduled Tribes (2008-2009) Chaired by Shri Ratilal Kalidas Varma in its Report on working of National Commission for Scheduled Castes which was presented to Lok Sabha on 18/02/2009 and laid in Rajya Sabha on 18/02/2009. The Committee observed the followings:

“The Committee has noted that Commission has powers of the Ministry of the Central Government under the Delegation of Financial Powers Rules, 1978, the General Financial Rules, 1963; the Fundamental and Supplementary Rules; the Central Civil Services (Leave) Rules 1972; the Central Services (Joining Time) Rule, 1979; the General Provident Fund (Central Services) Rules, 1960, Contributory Provident Fund and similar other Rules. The Committee, however, regret to observe that the Commission does not have full autonomy in regard to

financial and administrative matters and has no powers in matters relating to creation of posts, re-appropriation of funds from one head to another; purchase of vehicles; and permitting officers of the Commission to participate in Seminars, Conferences or Training abroad. The Committee is also dismayed by the fact that the Commission, which has been given statutory status and powers of the Ministry of Central Government in certain matters, has to project its requirements to the Ministry of Social Justice and Empowerment for provision to be made in Budget Estimates. The Committee regret to observe that the proposal for separate Demand for Grant for National Commission for Scheduled Castes has also not been agreed to by the Ministry of Finance (Department of Expenditure). The Committee wonders as to why the Ministry of Finance (Department of Expenditure) have objected to proposals for separate Demand for Grants for the Commission and allowed to have only Budget Head within the Demands for Grants for Ministry of Social Justice and Empowerment. The Committee are distressed that even the statutory status does not entitle National Commission for Scheduled Castes to have a separate entity. The Committee are of the firm opinion that when it was decided to bifurcate National Commission for Scheduled Castes and Scheduled Tribes, it was never envisaged that National Commission for Scheduled Castes would function as a part of the Ministry of Social Justice and Empowerment. If it was so, there was no need to bifurcate the erstwhile Commission into two separate statutory bodies. It could have continued to function as a non-statutory body as earlier. National Commission for Scheduled Castes would not be able to work fearlessly and independently unless it is given independence in its day to day working by allowing it to decide on its own administrative, financial and legal matters.”

The Commission therefore again recommends that as the Commission is a Constitutional body, the budget for NCSC therefore, be given under a separate head of accounts in a separate demand of Grants instead of being a part of the Demand for Grants of the Ministry of Social Justice & Empowerment.

#### **9.1.4 Increase of staff strength**

14<sup>th</sup> Lok Sabha Committee had farther observed that with the increase of population and awareness amongst the Scheduled Caste people, the increased

outlay by the Government of India and State Governments on SC specific schemes, the work load in the Commission has increased significantly. Despite the increased work load, the number of sanctioned staff in the Commission has not increased correspondingly and the incumbency position is much lower than the sanctioned strength.

The Commission is also of the same view and, recommends that considering the increased volume and various nature of work, appropriate staff requirement should be considered. Further steps can be taken to mitigate the gap between the sanctioned strength and persons in position by way of outsourcing so that the work of the Commission does not suffer. Timely promotions to the officers and staff both at State Offices and at NCSC Hqrs. / NCST Hqrs. / MSJE also need to be considered to avoid stagnation.

#### **9.1.5 Opening of new offices / up-gradation of existing offices**

With the bifurcation of the Commission from NCSCST to NCSC and NCST in as per the 89<sup>th</sup> Amendment of the Constitution, the 18 State Offices of the erstwhile NCSCST which had acted as 'eyes and ears' of the Commission got divided in to 2:1 ratio in 'as it where is basis'. While 12 State Offices came to NCSC, 06 State Offices went to NCST with staff, infrastructure thereon. The jurisdiction of the State Offices was also divided accordingly.

Hence the operational jurisdiction of the NCSC State Offices have further been extended in the aftermath of bifurcation and NCSC State Offices at Ahmedabad, Chandigarh, Lucknow, Patna, Kolkata, Guwahati, Hyderabad, Thiruvanthapuram and Chennai deal with more than one State. The number of complaints handled in these offices are very high. The large geographical spread of their area of coverage also tends to reduce the effectiveness and monitoring by these State Offices. Consequently, the need has been felt for opening new State Offices particularly for Orissa (at Bhubaneswar), Madhya Pradesh (at Bhopal), Rajasthan (at Jaipur), Haryana and Himachal Pradesh (at Gurgaon), Jharkhand (at Ranchi), Uttarakhand (at Dehradun), Chattisgarh (at Raipur) and at New Delhi. The concentration of Scheduled Castes is relatively high in these areas and the NCSC has no visible presence in such States leading to NCSC's inability to monitor

effectively the large number of cases and liaison with the State Governments in more effective manner.

It has also been seen that for effective liaisoning with State Governments and effective interaction with Authorities , NCSC requires a higher level of Officers. The proposal to upgrade 4 NCSC State Offices i.e. Assam, Gujarat, Tripura and Kerala to the level of Director from the level of Deputy Director therefore has been planned for effective delivery of Constitutional mandate the NCSC has been made responsible to fulfill.

The proposal, submitted by the Commission to open up eight new more offices and upgrading four State Offices to the level of Director needs to be considered expeditiously.

## **9.2 Recommendations on Service Safeguards**

**9.2.1.1** The Commission reiterates its earlier recommendation made to the DoPT vide No. G-6/HFW-80/2010/SSW-II on 10/12/2013 to replace L-Shaped Roster with 200 point post based roster be operated for cadres having 13 or less than 13 points as a running vacancy based roster. The reservation is to be provided on rotation basis as is done in case of L-Shaped roster.

**9.2.1.2** The Commission recommends that “Reservation in Promotion” may be continued to be implemented by all the State Governments. All backlog posts should be filled up by launching Special Recruitment Drives in time bound manner.

**9.2.1.3** The Commission re-iterates its recommendations made in its earlier reports that reservation provided for in judicial appointments below the High Courts needs to be implemented to fulfil the prescribed reservation percentage.

**9.2.1.4** Regarding recognition of SCs/STs Association, the Commission reiterates its recommendation that Government must consider that SC/ST employees associations on the basis of a class representing the deprived section of the society. As far as grant of facilities is concerned, they must be given facilities as are being provided in M/o Railways and Unions.

**9.2.1.5** The Commission reiterates its recommendation that Central Government/State Government/UTs to issue strict instructions to the concerned departments under their control to ensure that officials/officers belonging to

Scheduled Castes are not harassed for approaching the Commission for protection and safeguards as provided in the Constitution of India, or any other law in force.

**9.2.1.6** During 2014-2015, the Commission had conducted 21 review meetings with the Central Public Sectors Undertakings to assess the implementation of the reservation policy for Scheduled Castes and OBCs. The observations of these review meetings have been detailed in Chapter IV (Activities of the Commission) and some recommendations are briefly reiterated below:-

- Reservation in posts should be equivalent to the percentage of SC population in the State.
- Reservation rosters should be maintained and followed strictly which will ensure adequate representation of the SCs in services.
- Backlog vacancies should be filled through Special Recruitment Drives.
- Necessary instructions of DoPT like appointment of Liaison Officers, setting up grievance cells for SCs, inspection of rosters, regular meetings with SC associations etc. should be strictly followed.

**9.2.1.7** The representation of the SC and OBC officers in Group A and Group B in Central Government is low and steps are needed to be taken to improve the percentage of SC&OBC representation as per reservation norms.

**9.2.1.8** It is recommended to Group the posts of the same cadre, same qualification, same pay scale because it is observed that departments are not grouping the Posts so the post is declared as Single Cadre and hence no reservation is provided.

**9.2.1.9** As the Governments are resorting to engagement of large number of Consultants, Research Associates, Young Professionals, Interns and Data Entry Operators, the rules of reservation should also be followed in such engagements.

### **9.2.2 Recommendations on functioning of Central PSUs**

During the year, 2014-2015, the Commission undertook 20 review meetings with the Public Sectors Undertaking Government of India in order to assess the implementation of the reservation policy for Scheduled Castes and OBCs and CSR initiatives taken for benefit of SCs. The synopsis of advises the Commission has made are enlisted below;

## **On General Issues related to Service Safeguards of SCs**

### **Appointment of Liaison Officer**

- Chief Liaison Officers of appropriate level (DGM level to the least) are needed to be appointed in each CPSU/ Banks.
- The Liaison Officers for Scheduled Castes were not aware about duties of LOs as well as the instructions / Orders of the Government guidelines on the implementation of the reservation policy. Hence, the Commission has recommended the Liaison Officers may be trained.

### **Complaint Registers**

- Complaint Registers should be opened and complaint received from the SC employees should be resolved within set time frame and regularly monitored.
- The DPCs or other Committees set up for administrative purpose, should have presence of SC officers as per rules.

### **Rosters**

- Reservation Rosters should be prepared as per format devised by the DoPT<sup>1</sup> incorporating latest DoPT orders. The same may be uploaded in the website of the individual organization to bring a transparency in calculating reserved vacancies, shortfall, backlogs, if any etc. There are a number of common points of deficiencies in the rosters viz.
- The reservation rosters for various category/posts under Direct Recruitment and Promotion Quota were found not maintained as per the DoPT guidelines/instructions O.M. No. 36022/2/1996-Estt.(Res.) dated 02/07/1997. The reservation rosters have not been maintained in running account and the reserved points were filled up at later stage. No summary was prepared at the end of the roster after every recruitment year hence the backlog positions of the reserved vacancies were not possible to be located.
- The rosters were not checked /inspected by the Liaison Officer for SC/ST.

### **Backlog vacancies**

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<sup>1</sup> Department of Personnel & Training

- There were backlog of reserved vacancies in the various category/posts, which were not correctly ascertainable due to incorrect/non maintenance of Rosters and these vacancies remained unfilled. The DoPT guidelines on filling up of the backlog vacancies by launching or special Recruitment Drives were not found to be followed. Therefore, the Commission has recommended that the PSUs may calculate the reserved backlog vacancies and fill up such vacancies by launching a Special Recruitment Drives.

**Percentage of SC & OBC employees:-**

- The Government has issued instructions for providing reservation in services to the SCs and OBCs in Direct Recruitment as 15% and 27%. The Commission observed that in certain cadre posts, the requisite percentage of reservation for SCs and OBCs were below the prescribed reservation of 15% and 27%. The Commission has advised the PSUs to maintain the representation of SCs and OBCs as per the reservation policy of the Govt. of India. Similarly, in the matter of promotion, the requisite reservation for SCs is not adequate and below the percentage of reservation of 15%.

**Training**

- Most of the PSUs do not provide pre-recruitment and pre promotion training to Scheduled Castes and OBC candidates. The Commission has recommended that the PSUs follow the Government Guidelines/instructions in the matter

**CSR Work.**

- Government of India has issued guidelines to all Public Sector undertakings that 2% of the profit should be spent for the welfare of the weaker section including Scheduled Castes under the CSR Scheme/programmes. Hence, the Commission recommended that specific scheme under CSR for Scheduled Castes.

**9.2.3 Service safeguards - other Recommendations**

- The Government should consider a Constitutional amendment for putting in place reservation in promotion.

- The Government should consider introducing a Bill on reservation in Services.
- The Government should consider setting up of All India Judicial service as per Article 312 of the Constitution.

### **9.3 Recommendations on Economic and Social Development**

#### **9.3.1 Consultation with NCSC on Planning**

Article 338(5) of the Constitution of India mandates NCSC:

To investigate and monitor all matters relating to the safeguards provided for the Scheduled Castes and to evaluate the working of such safeguards.

To inquire into specific complaints with respect to the deprivation of rights and safeguards of the Scheduled Castes.

To participate and advise on the planning process of socio-economic development of the Scheduled Castes and to evaluate the progress of their development.

In 2014-15, no proposal for advice on planning process of socio- economic development of SCs was received by NCSC from any State Government and no advice of NCSC was sought on planning SCSP expenditure by any Ministry / Department of the Union or of the States.

#### **Hence NCSC recommends that:**

- Government of India may issue an OM reiterating the provisions of Article 338 wherein the concerned Ministries / Departments of the Government of India and State / UT governments consult with NCSC in planning process for schemes wherein the socio-economic welfare of Scheduled castes is affected.

### **9.3.2 Recommendations on SCSP**

The Inter-Ministerial Committee<sup>2</sup> has taken note of the detailed guidelines relating to the Scheduled Caste Sub Plan (SCSP) for the Scheduled Castes, issued by the Central Government from time to time. The basic objective of the SCSP has been to channelize the flow of outlays and benefits from the general sectors in the Plan of States for the development of Scheduled Castes, at least in proportion to their population, both in physical and financial terms. It has been observed that several State Governments have not been earmarking adequate funds to SCSP, proportionate to the share of SCs in the population. It is therefore reiterated that Scheduled Caste Sub-Plans should be an integral part of Annual Plans as well as Five Year Plans, making provisions therein non-divertible and non-lapsable, with the objective of substantial reduction in poverty and unemployment among SCs and for bridging the gaps in their socio-economic development.

The Commission has noted that the Committee report states that there has been poor utilization of the allocated funds for the welfare of SCs and STs. In some cases, it has been reported that funds meant for SCSP have been diverted and/or used in sectors not benefiting SC population directly. In some instances the line departments have been allocating funds for the schemes/projects meant for SCs but they do not have enough scope for tailor made projects and schemes suitable to their specific needs. There is no focus on entrepreneurship, employment and skill development projects.

The Commission therefore, strongly favours the formulation of such specific schemes for the benefit of the SCs which will increase employability of the beneficiaries. The SCSP should include only such existing schemes or new schemes which full-fill the following norms:-

The schemes which have the potential to accelerate the pace of development of the SCs and to bridge the socio-economic development indicators between SCs as compared to the advanced sections of the society.

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<sup>2</sup>*(No.M-11012/03/2013-SJ&SW) Planning Commission (SJ & E Division) : Revised Guidelines for Implementation of Scheduled Castes Sub-Plan (SCSP) by the States/UT*

The schemes should secure quantifiable benefits to the scheduled caste households or are as majorly inhabited by the scheduled castes.

Those schemes should be included in the SCSP that enhance the incomes of the target group and lead to the development of assets such as those related to sectors like agriculture, animal husbandry, dairy development, fisheries, and Agriculture/allied sectors.

The States should give priority to schemes which provide basic minimum services like primary education, health, drinking water, nutrition, rural housing, and link roads and electrification to SC villages.

### **Legislation**

As the basic objective of SCSP is to channelize the flow of outlays and benefits from Plans of States for development of Scheduled Castes, in proportion to their population, the Commission recommends that a Central Legislation should be considered on the same to regulate allocation of funds for SCSP, preparation of Scheduled Castes specific schemes and monitor the expenditure with the Scheduled Castes population of 2011 census as base. Such legislation can be on lines of the legislations passed the State of Andhra Pradesh and Karnataka.

The States/UTs having SC population should fix clearly defined targets, based on parameters like educational status, enrolment, occupation, health indicators, per capita income, access to basic amenities like drinking water, housing etc. taking into account the national targets. Efforts should be made to achieve the assigned targets and not to spend funds from SCSP head on general schemes like road construction, electrification, rural telephone connection as it done by many States<sup>3</sup> and Union Territories<sup>4</sup>.

Out of 68 Ministries/Departments 43 Ministries have no obligation to earmark funds under SCSP because funds allocated for irrigation projects under AIBP, shown as Central Assistance to State/UTs in Statement 16 of Expenditure Budget. 10 Ministries/Departments are earmarking SCSP funds less than 15% of Plan Outlay. 9 Ministries/Departments are earmarking SCSP funds between 15 to

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<sup>3</sup> Punjab, West Bengal, Haryana, Odisha, Kerala, Delhi etc.

<sup>4</sup> UTs of Chandigarh, Puducherry

16.2% of Plan Outlays. 6 Ministries/Departments are earmarking SCSP funds more than 16.2% of Plan Outlays.

The overall earmarking of funds under SCSP was 14.30% during the year 2010-2011, where as it should have been at least 15% of the total budget allotted to the Central Ministries/ Departments by the Government of India as per percentage of the Scheduled Castes in the country.

### **9.3.3 Recommendation on Educational Development:**

- There should be a quality education by providing Aganwadi in each and every habitation of SCs/STs, residential schools at every block level and centre of excellence in every District Headquarter. The expenses should be met out of Scheduled Castes Sub Plan
- Free and compulsory education in Hindi, English and Mother Tongue upto Class XII.
- Twenty-five *per cent* of budgetary allocation of education Primary, Secondary and Higher education shall be reserved for the educational advancement of Scheduled Castes students
- Cent per cent Grant-in-aid shall be extended to the NGOs of scheduled castes for the educational advancement of Scheduled Castes students including school/college buildings
- More hostel buildings with better infrastructure should be built in every *talukas*.
- On the lines of Ashram Schools, Residential Schools should be opened where 50 *per cent* seats should be reserved for children of *Safai Karamcharis*/Manual Scavengers and the students should be given preference in the same.
- Hostels for Scheduled Caste women should be built around the Education Hubs in the Country.
- The Commission further recommends that income ceiling from existing ` 2.50 lakhs to ` 4.00 lakhs may be increased due to price rise so as to enable the SC students to avail scholarship facilities to pursue higher studies.

### **9.3.4 Recommendation on Business Development**

- There should be relaxation for SCs for establishment of business centre.
- A tax moratorium including Service Tax should be considered.
- Separate and exclusive bank for SC/ST can be planned by the Government as the same will go a long way in galvanizing the SC/ST entrepreneurs.
- The Government should provide the collateral securities to the SC loan seekers.
- For industrial growth in the State, land is given to the corporate groups under SEZ concept. The interest of SCs and other marginalized societies should be taken care of.
- Lead bank should be directed to protect the interest of SCs and other weaker sections.
- Creamy layer concept should be removed in case of allocation of fund to SC entrepreneurs.

### **9.3.5 Ministry-wise recommendations of the National Commission for Scheduled Castes**

#### **9.3.5.1 Skill Development for revision of National Policy on Skill Development (NPSD)**

**Concerned Ministry/ Department:** Ministry of Social Justice & Empowerment.

Recommendations of Commission are as under:

- There should be level playing field for SCs proportionate to their population in every States/UTs in the activities of NPSD as stake holders in view of the 10% SCSP funds being earmarked for the same.
- The SCs who have certain traditional skills like shoe making but due to technological advancement. They are losing their employment. These SCs should be further trained with computer proficiency for making patterns and tuning themselves with modern machines so that they keep pace with time.

#### **9.3.5.2 National Skills Qualifications Framework (NSQF)**

**Concerned Ministry/ Department:** Ministry of Social Justice & Empowerment.

Recommendations of Commission are as under:

- Special dispensation should be made in the draft NSQF for providing prior training to SC to ensure them to equate with the general category person to fit the requirement of learner in broad categories of competence i.e. professional knowledge, professional skills and core skill.
- It should also be specifically mentioned in the draft NSQF that relaxed standard should be adopted while selecting candidates belonging to SC category

### **9.3.5.3 Dr. Ambedkar scheme for Social Integration through Inter-Caste Marriages**

**Concerned Ministry/ Department:** Ministry of Social Justice & Empowerment.

Recommendations of Commission were as under

- Physical Target may be fixed on the basis of percentage share of SC population, as per 2011 Census instead of 2001 Census (year 2001 has been mentioned in para 1.4 and 5.1 while year 2011 has been mentioned in para 6.3).
- The word “Public Programme” may be replaced by Public Marriage Programme.
- The word “values of equality, fraternity etc.” may be replaced by “Constitutional values of liberty, equality, fraternity etc.”.
- The word “Consultant “in para 6.2 may be replaced by “Non-Government Organizations” (NGO’s).

It is suggested that 50% incentive amount may be given to the married couple after getting marriage registered and the balance 50% incentive amount may be kept in fixed deposit in the Joint Bank Account of the married couple for the period of five years in order to ensure stability of the married life.

- Wide publicity of the scheme should be made in the print and electronic media.
- Further the Commission’s recommendation be applicable not only on Ambedkar Foundation but also on all the states who are providing incentive for promoting Inter caste Marriages. There should be no ceiling/no cap of 500 for any number. Rather money should be no issue if more and more people are going for Inter Caste Marriages.

**9.3.5.4 Proposal for re-structuring the existing centrally Sponsored Schemes (CSSs), being implemented by the Department of Social Justice and Empowerment for the development of the Scheduled Castes by merging them into a single umbrella scheme namely, “Scheme for Development of Scheduled Castes (SCs)”**

**Concerned Ministry/ Department:** Ministry of Social Justice & Empowerment.

Recommendations of Commission were as under:

- An attested copy of caste certificate to be issued by the Revenue officer not below the rank of Tehsildar.
- A Special Officer under a Scholarship Grievance Redressal Cell may be appointed at district level as well as state level instead of designated grievance redressal officer (GROs) to redress student's scholarship-related grievances.
- Disburse the Central assistance to the States/UTs for making payments in the Bank Account of the Institutions under intimation to the student concerned.
- The Scheduled Castes students those covered under the prescribed income ceiling limit must be admitted on zero-fee-basis. No fee should be charged from the students at the time of admission. It shall be duty of the institutions to obtain the necessary documents from the student at the time of admission for claiming scholarship or fee reimbursement etc.
- If the fee amount is higher than scholarship amount the balance amount may be paid by the States/UTs under SCSP directly to the institutions under intimation to the student concerned.
- The students belonging to the SC community admitted under EWS category in the private unaided schools may also be covered under the pre matric scholarship for SC students studying in class I to X under the Educational Development Component – I of the “Scheme for Development of Scheduled Castes (SCs)”.
- Joint Secretary /Director /Deputy Secretary, National Commission for Scheduled Castes may be a member of the Steering Community constituted for effective monitoring and review the construction of hostels.

**9.3.5.5 Revision of National Service Scheme (NSS)**

**Concerned Ministry/ Department:** Ministry of Youth Affairs and Sports.

Recommendations of Commission are as under:

National Commission for Scheduled Castes supported the EFC Proposal for Revision of National Service Scheme of the Ministry of Youth Affairs and Supports, Department of Youth Affairs.

**9.3.5.6 Youth Hostel Scheme-continuation of the scheme during the 12<sup>th</sup> Plan and other matters-Meeting of the Standing Finance Committee (SFC)**

**Concerned Ministry/ Department:** Ministry of Youth Affairs and Sports.

The Commission supports the proposal but suggested to introduce some mechanism for involvement of SC youth in the programme.

**9.4 Recommendations on the findings of hostel visits in the States of Gujarat, Rajasthan, Madhya Pradesh and Chhattisgarh by the Commission.**

During 2014-15 the National Commission for Scheduled Caste visited the Hostels for Scheduled Castes in the State of Tamil Nadu ,Gujarat, Rajasthan, Madhya Pradesh and Chattigarh to understand the basic conditions in SC both boys and girls hostels.

Hostels are a help in education advancement of SCs in India, as envisaged under Article 15(4) of Constitution. A number of hostels have been visited by the Commission in the States of Gujarat, Rajasthan, Madhya Pradesh , Tamil Nadu and Chattisgarh. A schematic questionnaire was used to evaluate the functioning of hostels.

. Main observations / recommendations are as under:

1. The hostel premises need proper maintainence barring few hostels where general infrastructure at outside seemed to be good.
2. The minimum facilities in hostel rooms like, 3'x6' bed, chair, table and book self, the ceiling fans, night lamp etc were found either not available orin dilapidated and unusable condition.
3. Toilet facilities and cleanliness needs to be improved.
4. Hostels should have attached Computer Labs with Wi-Fi, as computer oriented education has become inevitable today's digital world.

5. Electrical points are to be checked up periodically to avoid accidents, regular electricity supply to be ensured or alternate arrangements ought to be made by the Governments including installing of solar panels .

The quality of food items should be good and efforts should be made to provide adequate and whole some fresh food every day to the children.

6. Fresh drinking water and running water for bathing should be ensured in hostels.
7. Cleanliness in kitchen needs to be improved and dishes / utensils should be washed with detergents regularly as many hostel kitchens they were found to be in filthy condition.
8. The authority should arrange morning / evening special coaching classes in hostels for SC students so as to enable them to compete in classes.
9. Health check-ups, is only in name and remedial measure should be evolved.
10. The hostels should have outdoor and indoor game arrangements like, cricket, football, volleyball, basketball, badminton, kabadi, khokho, chess etc. to ensure overall growth of the SC students.
11. PTAs in hostels are not effective and needs to be energized.
12. Due to paucity of staff, many wardens are given in-charge of two or three hostels, this should be avoided and each hostel should have a warden with support staff.
13. Each girls hostel should have a Lady Warden with supportive staff to ensure safety and security of the girls students.
14. A Movement Register shall be maintained to record incoming and outgoing of visitors and also students. CCTV should be installed at the entry points to record movement of the people. Hostels should be given phone connectivity.
15. The hostels should be well guarded through high wall to prevent any intrusion or unwelcome gestures from outsiders..
16. If Government can evolve specialized hostels on the line of Prayas Hostels, the achievement in education will become miraculous.

17. Though Integrated Hostels ashoused in one campus, there is lack of administrative coordination due to budgetary control by different departments, such as BC Welfare, Tribal Welfare and SCs Welfare. So such hostels should be brought under single administrative set up.

### **9.5 Prohibition of Employment on Manual Scavengers & Rehabilitation Act, 2013.**

- The State Level Vigilance & Monitoring Committee should be immediately constituted and meetings shall be held as per the Manual Scavenging Act.
- The District Magistrate should be declared as the Nodal Officer / Reviewing Officer and State Level awareness programmes are to be arranged.
- If Person dies during cleaning of sewers, septic tanks etc. ₹ 10 Lakhs compensation need to be given as per direction of Supreme Court.
- Welfare departments in States / UTs should develop Schemes for manual scavengers and normal schemes like Indira Awaz Yojana, Old Age pension schemes etc. should also be made available.
- For clearance of sewerage, mechanized machines have to be provided.
- States may adopt Central Rules or can come out with new State Rules.
- *Safai Karmacharis* are manual scavengers. Therefore, identity cards should be issued to *Safai Karmacharis*.
- Derogatory words for the SCs in the State list should be substituted by 'Balmiki' etc.
- Organizations like Banks who outsource the services of *Safai Karamcharis*, also need to be monitored by the District Level Vigilance & Monitoring Committees.

### **9.6 Recommendations regarding improvement of functioning under Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989**

The National Commission for Scheduled Castes has noted with concern that instances of procedural lapses are frequent in terms of dealing of atrocity cases by both police; civil and judicial administrations are concern. The Commission, therefore, identifies lacunae that are prevailing in police investigation, judicial dealings and preventive / curable actions the civil administration need to take and recommends the followings for improvement of application of SC/ST (PoA) Act, 1989 and Rules of 1995 thereon.

It is also observed that the Police come in to proper action only after the Visit of the Commission. If the Police follow the provisions of the Act then there is no need of the visit of the Commission.

#### **9.6.1 Registration of FIR**

The Commission has observed that the police often resort to preliminary investigation upon receiving complaint in writing before lodging the actual FIRs. As a result, the SC victims have to resort to seeking directions from courts for registration of FIRs u/s 156(3) of Cr.P.C. Hon'ble Supreme Court has also in its' judgments in more than one occasion has emphasized about registration of FIR first. The Commission too reemphasize that the State / UT Governments enforce the same.

The Commission recommends the followings:

**9.6.1.1** FIR registration may be made web-enabled also so as to make the SC complainant able to register FIR in website of district police for automatic registration of FIR at concerned Police Station. Alternatively, branches of designated banks and all post offices may be authorized to receive such FIRs from complainant and forward them to Police for FIR registration. System can be similar to receipt of passport applications in Banks and Post Offices.

9.5.1.2 There is need to develop a Mobile App for reporting of the atrocity incidents and monitoring.

**9.6.1.2** Non-registration of FIR and non-registering of atrocity complaint under appropriate provision of PoA Act may be made punishable under Section 4 of the Act.

**9.6.1.2** Registration of counter cases to frustrate the very purpose of registering a case under PoA needs to be reviewed and checked. If the number of cross cases in

a particular Police Station area / District are on higher side, it may be reviewed in the District level Vigilance Committee Quarterly meeting and considered views be taken to neutralize such counter cases.

### **9.6.2 Police Investigation**

The Commission has observed lacunae in police investigations while dealing atrocity cases. As a result, the acquittal rate noted to be in higher side in many States. The Commission therefore, suggests the followings for speedy and quality investigation on atrocity crimes.

**9.6.2.1** Rules mandated completion of investigation in atrocity cases in 30 days. In practice, it is however, noticed that it takes much longer time even couple of years. The Commission therefore, suggests that provision as made in the Rule be followed scrupulously.

**9.6.2.2** Pre-occupation of Deputy Superintendent of Police (DSP) in other official activities often cited as the reason for delay in atrocity investigation. The same however, should be done away with.

### **9.6.3 Judicial proceedings**

Commission has noted that in absence of Exclusive Courts and engagement of Exclusive Public Prosecutors, the atrocities cases are either prolonged or ended in acquittal due to faulty prosecution procedure. Instances are numerous wherein it has been noticed that the witnesses of the cases are withdrawn at crucial stage of the case. Keeping in view such instances, the Commission recommends the followings:

**9.6.3.1** Exclusive Courts are to be set up to trial only atrocity cases and Exclusive Public Prosecutors of high eminence are to be engaged so as to minimize acquittal rate.

**9.6.3.2** Till the time Exclusive Courts are set up and where number of atrocity cases is less existing District Judge/Additional District Judge may be earmarked as Special Judge to try atrocity cases. However, in such situation, atrocity cases should top the cause list for hearing so that unnecessary adjournments are avoided.

**9.6.3.3** Trial in atrocity cases may be concluded in three months by the Special / Designated Courts.

**9.6.3.4** Based on the data received from the National Crime Records Bureau on pending investigation by police, acquittal, conviction rates; and if State(s) seen to have lower performance comparing the national average, this matter may be also be reviewed in the half-yearly State Level Vigilance & Monitoring Committee Meeting chaired by the Chief Minister of the State with an inter-district analysis.

**9.6.3.5** If atrocity incidences in particular districts are large, then steps be taken to change the public prosecutor and in case of repeated poor performance by police personnel, administrative action may be initiated.

**9.6.3.6** There is increase in the number of cases registered under Cr.P.C. 156(3), which is not a good sign, as this shows that Police is reluctant to register the SC & ST (POA) Act 1989 FIRs.

#### **9.6.4 Compensation to Witness in Judicial Proceedings and Economic Rehabilitation of victims**

The National Commission for Scheduled Castes has observed that the States do not pay compensation to the victim(s) of caste atrocity as a rule. Instances are there wherein the compensations are paid only when the Commission intervenes or the matter followed by the family of the victim rigorously. In the cases where compensation paid but long term rehabilitation of the victim of atrocity however, has not been considered. The Commission therefore, observes the followings for improvement of compensation to witness in judicial proceedings and economic rehabilitation of atrocity victims.

**9.6.4.1** Quantum of payment of travelling and maintenance expenses to the witnesses and the victims may be linked to the prevailing NREGA<sup>5</sup> wages to the least.

**9.6.4.2** Compensation amount may be paid to the witness on the very day when the witness turns up in court so that the loss of wages / earning for the day is compensated.

**9.6.4.3** In case of murder, rape and grievous injury, monetary compensation must be disbursed as per amendment of POA Rules, 1995.

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<sup>5</sup> Mahatma Gandhi National Rural Employment Guarantee Act, 2005

### **9.6.5 Capacity building measures**

The Commission has also noted that atrocity cases are delayed due to lack of sensitivity and clarity on implementation of POA Act of 1989. The Commission therefore, suggests that:

**9.6.5.1** Judges, Public Prosecutors and Investigation Officers need to be sensitized on implementation of provision of PoA Act by imparting training through orientation / refresher courses.

**9.6.5.2** Transparency, accountability and change in mind set is necessary to prevent crimes of atrocity. Efforts may be made for generation of awareness amongst all stake holders namely general public, police, civil administration, public prosecutors and judiciary to minimize the occurrence of atrocities on Scheduled Castes.

### **9.6.6 National Vigilance Monitoring Committee**

Government may consider setting up of a National Vigilance Monitoring Committee under the Prime Minister on same lines of State Level Vigilance & Monitoring Committee under Chief Minister of the States

### **9.6.7 Statutory amendments**

- There is need to expedite the amendment to SC & ST (POA )Act1989.
- Periodical review of the PoA Act after five years is necessary so that additions like the ones mentioned below can be considered:
- Malafide intention (*mens-rea*) may not be considered as a vital yardstick to prove atrocity cases.
- Majority of crimes under PoA Act carries punishment of less than seven years resulting in grant of bail by PS/ Courts. Enhancement of punishment may be considered.
- Manual Scavenging should also be made part of the PoA Act.
- Denial of forest Rights to ST should also be covered atrocity.
- Offences under IPC punishable with imprisonment for a term of ten years or more as mentioned in section 3 (2)(v) need to be elaborated.

- Scope of externment needs to be expanded and extended to non-scheduled areas.

### **9.7 Recommendations for improvement of Jail conditions in relation to SCs in particular**

During the year under report the Commission visited Jails in Gujarat, Rajasthan, West Bengal, Madhya Pradesh and Chhattisgarh to know the conditions of SC jail inmates imprisoned in different jails across the country. The findings and recommendations are :

1. The hygienic conditions of the visited Jails are bad but no discrimination towards Scheduled Castes inmates in Jail noticed.
2. Quality of food that has been provided to the inmates is substandard and seemed to be inadequate with no or little nutritious value.
3. Health conditions of the prisoners including SC prisoners are bad as most of them appear as if suffering from diseases.
4. Sleeping place and toilets are filthy and dirty. No regular washing / cleaning are carried out every day in cells and jail compounds.
5. Presence of large number of Scheduled Caste under trials seen in all jails, languishing in jails for months and years together as cases either pending at police enquiry level or at prosecution level. A large number of SC prisoners booked under petty cases also found to have passed months in jail custody pending enquiry / prosecution.
6. Legal support at Government level for Scheduled Castes under trial inmates seen to be minimal and inadequate. Quality of legal assistance at trial level also not satisfactory as many cases seen to be on going for years together.
7. Most of the SC prisoners reach jail as they do not get proper legal assistance. Even imprisoned cases are not challenged in Court properly by advocates hired by the prisoners. *It is, therefore, recommended to strengthen legal clinics working in Prisons and appoint exclusive advocates for taking up cases of SC prisoners.* NGO involvement for legal assistance to the Scheduled Castes prisoners is recommended.

9. Families of SC prisoners need economic support schemes, while their bread winners are in jail. State Governments may be sensitized to design economic development scheme for SC prisoners through SC Finance Corporations.

10. Land based and Agro based disputes constitute prime reason for imprisonment in majority of cases. Remedy to land disputes should be thought in war footing basis, as this will pave way for solutions to land disputes and result in less crimes.

### **9.8 Study Reports**

The Commission has prepared a report in May, 2013 on the issue "The Problems of Migrant SCs in Obtaining Caste Certificates". This report has been submitted on 13.5.2015 . Action Taken Report on the Recommendations of the Commission in this report has been requested.

### **9.9 Strengthening the National Commission for Other Backward Classes :**

The Commission recommends that handling of OBC grievances under Article 338(10) to be given to National Commission for Backward Classes.

### **9.10 Increasing court cases against NCSC :**

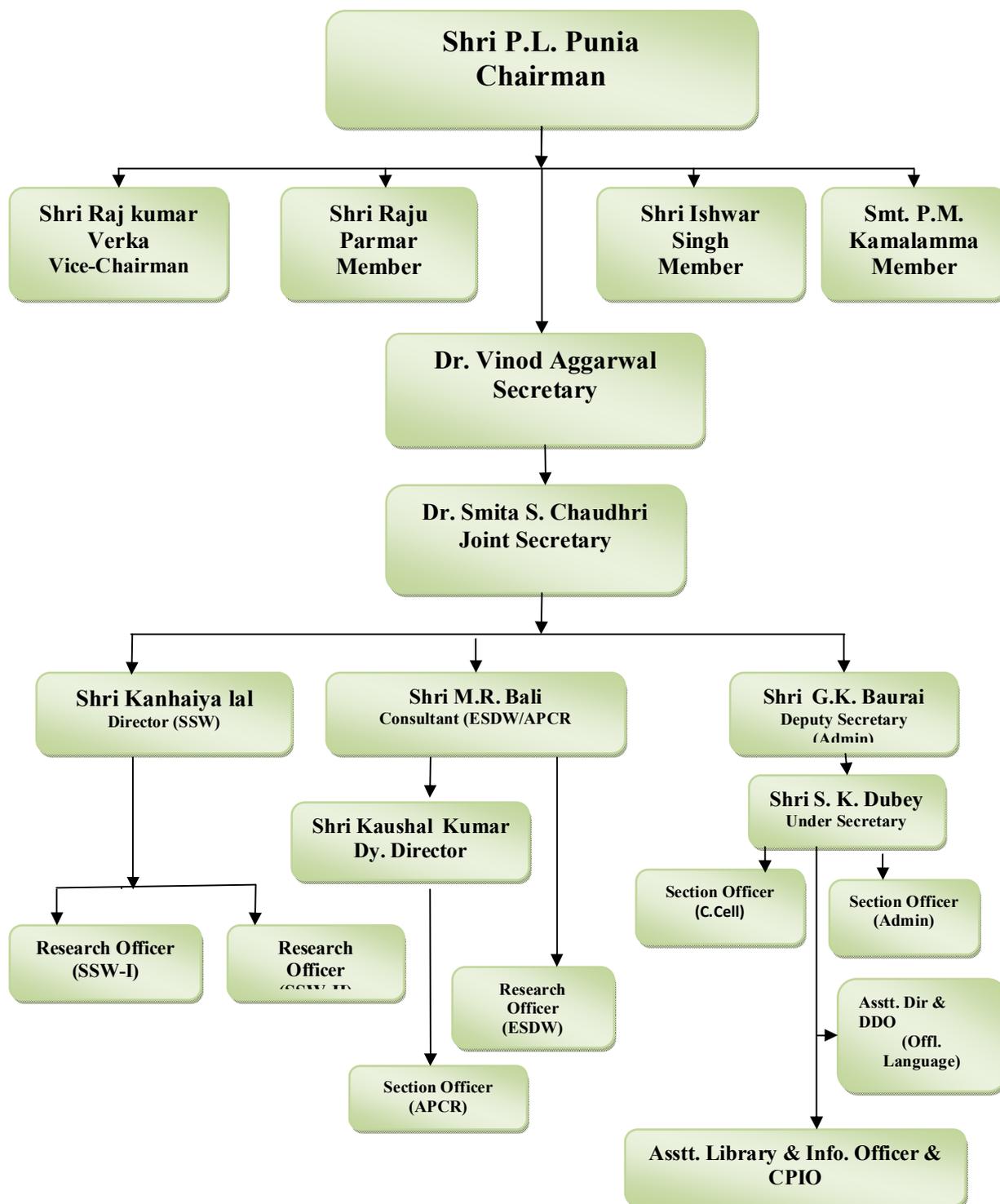
It has been seen that many Government Departments / PSUs have filed writ petitions in various Hon'ble Courts against the recommendations of the NCSC. This is ironical as recommendations of NCSC are only advisory and department / PSUs have no need to resort to taking matter to Courts, since the same complicates and delays final delivery of justice as well as burdens the exchequer with legal fees. This is a glaring example of different wings of State fighting against the State in the Court of law.

In view of above, Commission strongly recommends intervention of Government for issue of an order that departments / PSUs should not approach Courts

contesting recommendations given by the NCSC. If the Departments / PSUs have reservation or problems in implementing any Recommendation of NCSC, they may approach NCSC again with full facts and seek a review of the recommendations rather than approach the Courts.



## **ORGANISATIONAL CHART**



**Annexure –II**

**INCUMBENCY POSITION AT THE NCSC HEADQUARTERS**

(As on March, 2015)

Sl. No	Name of Post	Group	Sanctioned Strength	Incumbency	Vacancy
1.	Secretary	A	1	1	-
2.	Joint Secretary	A	1	1	-
3.	DIG of Police	A	1	-	1
4.	Director (Jt Cadre)	A	1	-	1
5.	Dy Secretary (CSS)	A	1	1	-
6.	Sr. P.P.S. (CSSS)	A	1	-	1
	Under Secretary (CSS)	A	2	2	-
7.	Law Officer	A	1	-	1
8.	PPS	A	1	1	-
9.	Dy Director (Jt Cadre)	A	1	1	-
10.	Asstt Director (Jt Cadre)	A	1	-	1 (Since 1.3.13)
11.	A. D.(Programming)	A	1	-	1
12.	Asstt Library & Information Officer	A	1	1	-
13.	Asstt Director (OL)	A	1	1	-
14.	Section Officer(CSS)	B	4	1	3
15.	P.S.(CSSS)	B	5	3	2
16.	Research Officer (Jt Cadre)	B	3	3 <sup>^</sup>	-
17.	Assistant P.R.O.	B	1	-	1
18.	Senior Investigator (Jt Cadre)	B	1	-	1
19.	Sr. Hindi Translator (CSOL)	B	1	1	-
20.	Accountant	B	1	-	1
21.	Investigator (Jt. Cadre)	B	2	1	1
22.	Assistant (CSS)	B	5	5	-
23.	Personal Assistant (CSSS)	B	3	2	1
24.	Stenographer Gr. 'D' (CSSS)	C	4	2	2
25.	U.D.C. (CSCS)	C	3	3	-
26.	L.D.C. (CSCS)	C	3	3	-
27.	Receptionist	C	1	-	1
28.	Staff-Car-Driver	C	7	7 <sup>*</sup>	-
29.	Dispatch Rider	C	1	1	-
30.	Gestetnor Operator	C	1	1	-
31.	Multi-Tasking Staff (Erstwhile named as Gestetnor Operator, Senior Peon, Daftry, Peon, Chowkidar-cum- Farash, SafaiKaramchari)	C	22	24 <sup>#</sup>	
	<b>Total</b>		<b>83</b>	<b>64<sup>#</sup></b>	<b>19</b>

<sup>^</sup> Working as Research Officer (Adhoc)

<sup>\*</sup> 1 Post transferred along with the incumbent from the State Office, Agartala.

<sup>#</sup> Includes two posts transferred from State Office, Ahmedabad.

**Annexure - III**

**INCUMBENCY POSITION IN THE STATE OFFICES, NCSC**

**1. AHMEDABAD**

Sl. No.	Name of Post	Group	Sanction -ed Strength	Name of Incumbent S/Shri	Whether S.C./S.T./ O.B.C.	No. of Vacancy
1.	Deputy Director	A	1	-		1
2.	Assistant Director	A	1	Anuradha Ghorkhande		-
3.	Sr. Investigator	B	1			1
4.	Investigator	B	2	-		2
5.	U.D.C.	C	1	V.M. Mudaliar	-	-
6.	L.D.C.	C	2	M.Y. Patel		1
7.	Staff-Car-Driver	C	1	R.B. Gohil	-	-
8.	MTS	C	1	D.S. Rathod	S.C.	-
9.	MTS	C	*2	--		-*
10.	MTS	C	1	M.L. Majira		-
	<b>TOTAL</b>		<b>13</b>	<b>6*</b>	-	<b>5</b>

\* 2 Posts of MTS is being utilized in the HQ. Actual incumbent number is 7.

**2. BENGALURU**

Sl. No.	Name of Post	Group	Sanction -ed Strength	Name of The Incumbent S/Shri	Whether S.C./S.T./ O.B.C.	No. of Vacancy
1.	Director	A	1	Girija P.		-
2.	Assistant Director	A	1	Sheela Narayanaswamy	-	-
3.	Sr. Investigator	B	1	-	-	1
4.	Investigator	B	2	-	-	2
5.	Office Superintendent	B	1	E. Usha Devi	-	-
6.	Personal Assistant	C	1	-	-	1
7.	U.D.C.	C	1	-	-	1
8.	L.D.C.	C	2	B. Kalaimathi	OBC	1
9.	Staff Car Driver	C	1	K. Shiva	OBC	-
10.	MTS	C	1	Venkateshaiah	S.C.	-
11.	MTS	C	3	Y.Papana	S.C.	-

				D.C.Anjanamurthy G.Venkatesh	S.C S.C.	
	<b>TOTAL</b>		<b>15</b>	<b>9</b>		<b>6</b>

Incumbency Position.....(contd)

### **3. CHANDIGARH**

Sl. No.	Name of Post	Group	Sanction -ed Strength	Name of Incumbent S/Shri	Whether S.C./S.T./ O.B.C.	No. of Vacancy
1.	Director	A	1	RK Chhanena	-	-
2.	Research Officer	B	1	-	-	1
3.	Sr .Investigator	B	1	RK Sharma	-	-
4.	Investigator	B	2	-	-	2
5.	Office Superintendent	B	1	-	-	1
6.	Personal Assistant	C	1	-	-	1
7.	U.D.C.	C	1	Kiran Sehjpal	- -	-
8.	L.D.C.	C	2	Gajadhar Singh	S.C	1
9.	Staff Car Driver	C	1	Vijay Kumar	S.C.	-
10.	MTS	C	3	Bihari Lal Suhru Ram	S.C S.C.	1
	<b>TOTAL</b>		<b>14</b>	<b>7</b>		<b>7</b>

### **4. KOLKATA**

Sl. No.	Name of Post	Group	Sanctioned Strength	Name of Incumbent S/Shri	Whether S.C./S.T./ O.B.C.	No. of Vacancy
1.	Director	A	1	--	-	1
2.	Research Officer	B	1	Arunabh Bhattacharya	-	-
3.	Sr. Investigator	B	1	D.K.Bala	S.C.	-
4.	Investigator	B	2	-	-	2
5.	Stenographer	C	1	-	-	1
6.	U.D.C.	C	1	T.K. Dey	-	-
7.	L.D.C.	C	2	1.A.K. Patra 2. N.K. Bandyopadhyaya	S.C. -	-
8.	Staff Car Driver	C	1	S. Debnath	-	-
9.	MTS	C	3	1.S.R. Mondal 2.D.N. Majhi	S.C. S.C.	-

				3. G.C. Bala	S.C.	
	<b>TOTAL</b>		<b>13</b>	<b>09</b>		<b>4</b>

Incumbency Position.....(contd)

## 5. LUCKNOW

Sl. No.	Name of Post	Group	Sanctioned Strength	Name of Incumbent S/Shri	Whether S.C./S.T./O.B.C.	Total No. of Vacancy
1.	Director	A	1	-	-	-
2.	Assistant Director	A	1	Tarun Khanna	-	-
3.	Sr. Investigator	B	1	-	-	1
4.	Investigator	B	2	--	-	2
5.	Office Superintendent	B	1	Chanchal Singh	-	--
6.	Personal Assistant	C	1	-	-	1
7.	U.D.C.	C	1	Madhur Mohan	S.C.	-
8.	L.D.C.	C	2	1. G.S. Singh 2. Ram Sharan *3. SC Srivastava	- -	-
9.	Staff Car Driver	C	1	Sher Ali	-	-
10.	MTS	C	4	Sahdev Prasad Amber Prasad Bipul Kumar Shiv Shankar	-	-
	<b>TOTAL</b>		<b>15</b>	<b>12*</b>		<b>4</b>

\*Shri Srivastava, LDC adjusted against vacant posts of Investigators.

## 6. PUNE

Sl. No.	Name of Post	Group	Sanctioned Strength	Name of the Incumbent S/Shri	Whether S.C./S.T./O.B.C.	No. of Vacancy
1.	Director	A	1	-	-	1
2.	Assistant Director	B	1	-	-	1
3.	Sr Investigator	B	1	-	-	1
4.	Investigator	B	2	Vidya Khobrekar -	SC	1
5.	Office Superintendent	B	1	-	-	1
6.	Personal Assistant	C	1	-	-	1
7.	U.D.C.	C	1	Rajesh N. Barapatra	ST	-

8.	L.D.C.	C	2	G.R. Gaikwad	SC	1
9.	Staff Car Driver	C	1	Suresh Dixit	-	-
10.	MTS	C	4	1. S.A.Kadam 2. A.P.Salve 3. B.K. Bamble	SC	1
<b>TOTAL</b>			<b>15</b>	<b>8</b>		<b>8</b>

Incumbency Position.....(contd)

## **7. PATNA**

Sl. No.	Name of Post	Group	Sanction -ed Strength	Name of Incumbent S/Shri	Whether S.C./S.T./ O.B.C.	No. of Vacancy
1.	Director	A	1	-	-	1
2.	Research Officer	B	1	-	-	-
3.	Sr. Investigator	B	1	S.K. Singh	-	-
4.	Investigator	B	2	-	-	2
5.	Office Superintendent	B	1	-	-	1
6.	Personal Assistant	C	1	1	-	1
7.	U.D.C.	C	1	Binod K. Chaudhary	SC	-
8.	L.D.C.	C	1	Sanjay K. Rawani	OBC	-
9.	Staff-Car Driver	C	1	Ram Dayal Shah	OBC	-
11.	MTS	C	3	1.Mathura Ram 2. Uman Gope	S.C. OBC	1
<b>TOTAL</b>			<b>13</b>	<b>7</b>		<b>6</b>

## **8. THIRUVANANTHAPURAM**

Sl. No.	Name of Post	Group	Sanction -ed Strength	Name of Incumbent S/Shri	Whether S.C./S.T./ O.B.C.	No. of Vacant
1.	Deputy Director	A	1	-	-	1
2.	Asstt. Director	A	1	S. Sathayanarayan	-	-
3.	Investigator	B	1	G. Dhanya	-	-
4.	Stenographer	C	1	G.Ramdas	-	-
5.	U.D.C.	C	1	-	-	1
6.	L.D.C.	C	1	Jayalaxmi	-	-
7.	Staff-Car Driver	C	1	NP Balakrishnan Nair	-	-
8.	MTS	C	2	1. C.K. Ravi	SC	-

				2. R.Vijay Kumar		
	<b>TOTAL</b>		<b>9</b>	<b>7</b>		<b>2</b>

Incumbency Position.....(contd)

## 9. AGARTALA

Sl. No.	Name of Post	Group	Sanctioned Strength	Name of Incumbent S/Shri	Whether S.C./S.T./O.B.C.	No. of Vacancy
1.	Research Officer	B	1	-		1
2.	Sr. Investigator	B	1	-		1
3.	Investigator	-	2	-		2
4.	Stenographer	C	1*	-		-
5.	U.D.C	-	-	-		-
6.	L.D.C	C	1	1.Kamal Bhattacharya 2.Sasim Acharjee*	- -	(-) 1
7.	MTS	C	2	1.Ram Pal Singh 2.Abhijeet Das	S.C. S.C	-
	<b>TOTAL</b>		<b>6</b>	<b>4</b>		<b>2</b>

\* One LDC adjusted against the post of Stenographer.

## 10. CHENNAI

Sl. No.	Name of Post	Group	Sanctioned Strength	Name of Incumbent S/Shri	Whether S.C./S.T./O.B.C.	No. of Vacancy
1.	Director	A	1		-	1
	Asstt. Director	A	--*	P. Ramaswamy	-	-
2.	Research Officer	B	1	C. Chandraprabha	-	-
3.	Sr .Investigator	B	1	-		1
4.	Investigator	B	2	1. M. Lister 2. A. Inian	-	-
5.	Office Superintendent	B	1	-	-	1
6.	Personal Assistant	C	1	-	-	1
7.	U.D.C.	C	1	Smt. S. Jayashree	-	-
8.	L.D.C.	C	2	R. Ram Prabhu		1
9.	Staff Car Driver	C	1	S. Kannan	SC	-
10.	MTS	C	4	1. T. Sekhar 2. P. Amaravathy 3. K. Palani	SC SC SC	1

	<b>TOTAL</b>		<b>15</b>	<b>10</b>		<b>5</b>
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\* Adjusted against the vacant post of Director

Incumbency Position.....(contd)

### **11. HYDERABAD**

Sl. No.	Name of Post	Group	Sanctioned Strength	Name of Incumbent S/Shri	Whether S.C./S.T/ O.B.C.	No. of Vacancy
1.	Director	A	1	D. Hanumantharaya	-	-
2.	Assistant Director	A	1	-	-	1
3.	Sr .Investigator	B	1	B. Ajay Kumar	-	-
4.	Investigator	B	2	-	-	2
5.	Office Superintendent	B	1	Subhangi Laxmi	-	-
6.	Personal Assistant	C	1	Navin Kumar	SC	-
7.	U.D.C.	C	1	Madhavi Latha	-	-
8.	L.D.C.	C	1	-	-	1
9.	Staff-Car-Driver	C	1	R Ramesh Babu	-	-
10.	MTS	C	4	1. K. Rammoorthy Naik 2. R. Eshwaraiah 3. B. Sreeniwashulu	-	1
	<b>TOTAL</b>		<b>14</b>	<b>9</b>		<b>5</b>

### **12. GUWAHATI**

Sl. No.	Name of Post	Group	Sanctioned Strength	Name of Incumbent S/Shri	Whether S.C./S.T/ O.B.C.	No. of Vacancy
1.	Deputy Director	A	1	-	-	1
2.	Research Officer	B	1	-	-	1
3.	Sr .Investigator	B	1	-	-	1
4.	Investigator	B	1	D. Deb	-	-
5.	Office Superintendent	B	1*	-	-	-
6.	PA	C	1	-	-	1
7.	U.D.C.	C	1	-	-	1
8.	L.D.C.	C	2	N.Kalita	S.C	1
9.	Staff-Car-Driver	C	1	R. Bodo	S.T.	-
10.	MTS	C	4	1.B.K. Nath 2.P.R.Das 3.R.M. Kalita	SC SC S.T	1

	<b>TOTAL</b>		14 – 01= <b>13</b>			<b>7</b>
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\*The post stood transferred to NCSC, Ahmedabad Office

**Annexure - IV**

**LIST OF CPIOs AND 1<sup>ST</sup> APPELLATE AUTHORITIES IN RESPECT OF NCSC HQRS.  
AND STATE OFFICES OF NCSC**

Sl. No.	Address & Telephone Nos. OF Public Authorities	Name of CPIO and his/her designation	Name of 1 <sup>st</sup> Appellate Authority and his/her designation
1.	Pragati Road, Lake Chowmohani, Agartala-799001. (Tripura West) <b>0381-2223140, 2315967</b>	Shri A.Bhattacharyya, Research Officer, NCSC, Kolkata (Addl. Charge)	Shri D. Hanumantharaya Director (Addl. Charge)
2.	2 <sup>nd</sup> Floor, Mavlankar Haveli, VasantChowk, Lal Darwaja, Ahmedabad-380001. <b>079-25509762, 25510717</b>	Ms Anuradha Ghodkhande	Shri Rajkumar Channena, Director (Add;l. Charge)
3.	3 <sup>rd</sup> Floor, 'D' Wing, KendriyaSadana, Koramangala, Bengaluru- 560034 <b>080-25537155, 25527767</b>	Smt. Shella Narayan Swamy, Asst. Director	Smt. Girija, Director
4.	6 <sup>th</sup> Floor, KendriyaSadana, Sector-9-A, Chandigarh-160017 <b>0172-2742561, 2743784</b>	Shri Rakesh Sharma, Sr. Investigator	Shri Rajkumar Channena, Director
5.	2 <sup>nd</sup> Floor, Block-5, Shastri Bhawan, Chennai-600006 <b>044-28276430, 28312851</b>	Smt. C. Chandraprabha, Research Officer	Shri P. Ramasamy, Asstt. Director
6.	24, NilamaniPhukan Path, Christian Basti, Dispur, Guwahati-781005 <b>0361-2347040, 2346885</b>	Shri A.Bhattacharyya, Research Officer, NCSC, Kolkata (Addl. Charge)	Shri D. Hanumantharaya Director (Addl. Charge)
7.	Block 204, MaithryVihar, Ameer Peth, Hyderabad-500038 <b>040-23734907(Fax), 23754908</b>	Shri Ajay Kumar, Sr. Investigator	Shri D. Hanumantharaya, Director
8.	MayukhBhawan, (Ground Floor), Salt Lake City, Kolkata-700091 <b>033-23370977, 23213259</b>	Shri A. Bhattacharyya, Research Officer	Shri D. Hanumantharaya Director (Addl. Charge)
9.	5 <sup>th</sup> Floor, KendriyaBhawan, Sector-H, Aliganj, Lucknow-226024 <b>0522-2330288 (Fax), 2323860</b>	Chanchal Singh, Office Supdt.	Tarun Khanna, Asst Director
10.	189-B, Shrikrishnapauri, Patna-800001 <b>0612-2540285</b>	Shri Sunil Kumar, Sr. Investigator	Shri S.K. Dubey, Under Secretary, NCSC Hqrs. (Addl. Chage)
11.	KendriyaSadana, 'A' Wing, First Floor, Opp. Akurdi Rly. Station, NagdiPradhikaran, Pune 411044 <b>020-27658033,27658973 27655580(Fax)</b>	Ms.Vidya Khobrekar, Investigator	Shri Kanhaialal, Director, NCSC Hqrs. (Addl. Charge)

12.	TC-24/547(1), Sastha Gardens Residency Road, Near Govt. Guest House, Thycaud, Thiruvananthapuram-695014, <b>0471- 2327530</b>	Shri S. Sathayanarayan, Asstt. Director	Smt. P. Girija, Director (Addl. Charge)
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**Annexure-V**

**ALLOCATION OF FUND DURING THE FINANCIAL YEAR 2014-15**

*(Rs. in lakh)*

Sl. No.	Name of Offices	Salaries	Wages	OTA	D.T.E.	O.E.	R.R.T.	Medical	Total
		<i>01.00.01</i>	<i>01.00.02</i>	<i>01.00.03</i>	<i>01.00.11</i>	<i>01.00.13</i>	<i>01.00.14</i>	<i>01.00.01</i>	
1.	Kolkata	71.00	1.20	0.30	4.00	5.00	2.00	1.50	<b>85.00</b>
2.	Ahmedabad	40.00	0.70	0.12	1.50	8.00	2.64	0.50	<b>53.46</b>
3.	Agartala	15.00	0.25	0.10	0.50	2.00	2.00	0.50	<b>20.35</b>
4.	Trivandrum	33.00	0.25	0.10	1.00	3.00	1.63	0.50	<b>39.48</b>
5.	Chandigarh	35.00	0.20	0.10	1.50	4.00	0.00	0.50	<b>41.30</b>
6.	Lucknow	60.00	1.50	0.50	3.00	20.00	0.00	2.00	<b>87.00</b>
7.	Pune	40.00	0.15	0.10	1.50	4.50	0.00	1.00	<b>47.25</b>
8.	Patna	40.00	1.50	0.20	1.50	7.00	2.00	0.50	<b>52.70</b>
9.	Chennai	25.00	0.50	0.10	0.50	2.00	0.00	0.00	<b>28.10</b>
10.	Bangalore	53.00	0.00	0.00	3.00	5.00	0.00	0.60	<b>61.60</b>
11.	Hyderabad	55.22	0.20	0.10	1.75	5.50	4.18	1.00	<b>67.95</b>
12.	Guwahati	40.00	0.70	0.10	1.00	3.00	1.50	0.50	<b>46.80</b>
<b>Total State Offices</b>		<b>507.22</b>	<b>7.15</b>	<b>1.82</b>	<b>20.75</b>	<b>69.00</b>	<b>15.95</b>	<b>9.10</b>	<b>630.99</b>
<b>Hqrs.</b>		<b>592.78</b>	<b>1.35</b>	<b>3.18</b>	<b>79.25</b>	<b>281.00</b>	<b>0.05</b>	<b>10.90</b>	<b>968.51</b>
<b>Total Budget Grants</b>		<b>1100.00</b>	<b>8.50</b>	<b>5.00</b>	<b>100.00</b>	<b>300.00</b>	<b>16.00</b>	<b>20.00</b>	<b>1549.50</b>

**Annexure-VI**

**State Offices of NCSC**

<b>Sl. No.</b>	<b>Address and Telephone Nos.</b>	<b>State Offices and Jurisdiction</b>
1.	Tripura SC Finance Corporation Building, 3 <sup>rd</sup> Floor, Pragati Road, Lake Chowmohani, Agartala-799001. (Tripura West) <b>0381-2223140, 2315967</b>	<b>Agartala</b> (Tripura)
2.	2 <sup>nd</sup> Floor, Mavlankar Haveli, Vasant Chowk, LalDarwaja, Ahmedabad-380001. <b>079-25509762, 25510717</b>	<b>Ahmedabad</b> (Gujarat, Rajasthan, Daman and Diu, Dadra & Nagar Haveli)
3.	3 <sup>rd</sup> Floor, 'D' Wing, Kendriya Sadan, Koramangala, Bengaluru- 560034 <b>080-25537155, 25527767</b>	<b>Bengaluru</b> (Karnataka)
4.	6 <sup>th</sup> Floor, Kendriya Sadan, Sector-9-A, Chandigarh-160017 <b>0172-2742561, 2743784</b>	<b>Chandigarh</b> (Haryana, Punjab, HP, J&K, Uttarakhand & Chandigarh UT)
5.	2 <sup>nd</sup> Floor, Block-5, Shastri Bhawan, Chennai-600006 <b>044-28276430, 28312851</b>	<b>Chennai</b> (Tamil Nadu & Pondicherry)
6.	7, Nilamani Phukan Path, Christian Basti, Dispur, Guwahati-781005 <b>0361-2347040, 2346885</b>	<b>Guwahati</b> (Assam, Arunachal Pradesh, Nagaland, Meghalaya, Mizoram & Manipur)
7.	Block 204, Maithry Vihar, Ameer Peth, Hyderabad-500038 <b>040-23734907(Fax), 23754908</b>	<b>Hyderabad</b> (Andhra Pradesh, Madhya Pradesh & Chhattisgarh)
8.	Mayukh Bhawan, (Ground Floor), Salt Lake City, Kolkata-700091 <b>033-23370977, 23213259</b>	<b>Kolkata</b> (West Bengal, Orissa, Sikkim, Andaman and Nicobar Islands)
9.	5 <sup>th</sup> Floor, Kendriya Bhawan, Sector-H, Aliganj, Lucknow-226024 <b>0522-2330288 (Fax), 2323860</b>	<b>Lucknow</b> (Uttar Pradesh)
10.	189-B, Shrikrishnapauri, Patna-800001 <b>0612-2540285</b>	<b>Patna</b> (Bihar & Jharkhand)
11.	Kendriya Sadan, 'A' Wing, First Floor, Opp. Akurdi Rly. Station, Nagdi Pradhikaran, Pune 411044 <b>020-27658033, 27658973 27655580(Fax)</b>	<b>Pune</b> (Maharashtra & Goa)
12.	TC-24/547(1), Sastha Gardens Residency Road, Near Govt. Guest House, Thycaud, Thiruvananthapuram-695014, <b>0471-2327530</b>	<b>Thiruvananthapuram</b> (Kerala & Lakshadweep)

**Toll Free No. 18001800345** (for all State Offices of the NCSC)

## ANNEXURE - VII

## Annexure VII

## Statement of the representation of the Scheduled Castes in the Public Sector Banks (as on 01.01.2014)

Sl. No.	Name of the Bank	Representation of Employees under Groups A&B or equivalent posts (Officers)			Representation of employees under Group C of Equivalent posts (Clerks)			Representation of employees under Group D of Equivalent posts (excl Safai Karamchairs) (Sub Staff)			Representation of employees under Group D of Equivalent posts (Safai Karamchairs only)			Representation of employees under Group A to Group D of Equivalent posts (incl Safai Karamchairs)		
		Total Empl <sup>y</sup> yees	SC Empl <sup>y</sup> yees	% age	Total Empl <sup>y</sup> yees	SC Empl <sup>y</sup> yees	% age	Total Empl <sup>y</sup> yees	SC Empl <sup>y</sup> yees	% age	Total Empl <sup>y</sup> yees	SC Empl <sup>y</sup> yees	% age	Total Empl <sup>y</sup> yees	SC Empl <sup>y</sup> yees	% age
1.	Allahabad Bank	12428	2247	18.08	8531	1907	22.35	1911	743	38.88	2069	1383	66.84	24939	6280	25.18
2.	Andhra Bank	10493	1795	17.1	5334	818	15.33	3017	765	25.35	1558	556	35.68	20402	3934	19.28
3.	Bank of Baroda	19449	3431	17.64	17850	2644	14.81	7084	2326	32.83	1020	436	42.74	45403	8837	19.46
4.	Bank of India	17847	3000	16.81	18115	3041	16.79	4405	1215	27.58	3285	1554	47.31	43652	8810	20.18
5.	Bank of Maharashtra	5890	914	15.51	6239	978	15.67	2503	941	37.59	1493	368	24.64	16125	3201	19.85
6.	Canara Bank	20736	3643	17.57	18835	3531	18.75	7724	2069	26.79	867	417	48.10	48162	9660	20.06
7.	Central Bank of India	16369	2900	17.72	15562	2846	18.29	6086	1695	27.85	3077	1438	46.73	41094	8879	21.60
8.	Corporation Bank	7614	1131	14.85	7410	1354	18.27	3192	1396	43.73			N.A.	18216	3881	21.31
9.	Dena Bank	5357	982	18.33	5169	690	13.35	1941	613	31.58	353	131	37.11	12820	2416	18.85
10.	Indian Bank	8566	1807	21.10	9304	2010	21.61	1871	647	34.59	670	282	42.09	20411	4746	23.25
11.	Indian Overseas Bank	13286	2215	16.67	12236	2617	21.39	4240	1504	35.47	--	--	--	29762	6336	21.29
12.	Oriental Bank of Commerce	9891	1653	16.71	6307	1446	22.93	3191	1156	36.23	244	129	52.87	19633	4384	22.33
13.	Punjab National Bank	24113	4467	18.52	26808	5163	19.26	9677	2981	30.80	5081	3343	35.79	65679	15954	24.29
14.	Punjab & Sind Bank	5838	798	13.67	1977	331	16.74	755	220	29.14	890	688	77.30	9460	2037	21.53
15.	Syndicate Bank	11499	1883	16.38	10483	2064	19.69	3564	1170	32.83	2182	1218	55.58	27728	6336	22.85

Sl. No.	Name of the Bank	Representation of Employees under Groups A&B or equivalent posts (Officers)			Representation of employees under Group C of Equivalent posts (Clerks)			Representation of employees under Group D of Equivalent posts (excl Safai Karamcharis) (Sub Staff)			Representation of employees under Group D of Equivalent posts (Safai Karamcharis only)			Representation of employees under Group A to Group D of Equivalent posts (incl Safai Karamcharis)		
		Total Empls	SC Empls	% age	Total Empls	SC Empls	% age	Total Empls	SC Empls	% age	Total Empls	SC Empls	% age	Total Empls	SC Empls	% age
16.	Union Bank of India	17421	3051	17.51	10365	2100	20.26	3815	1311	34.36	2470	1107	44.42	34071	7569	22.22
17.	United Bank of India	7526	1326	17.62	6454	1250	19.37	2742	591	21.51	1463	696	47.57	18190	3863	20.67
18.	UCO Bank	11839	1982	16.74	8530	1250	14.65	2744	618	22.52	1708	968	56.67	24821	4818	19.41
19.	Vijaya Bank	6027	1053	17.47	4410	698	15.82	2052	544	26.51	476	188	39.49	12965	2483	19.15
20.	State Bank of India	79780	13640	17.1	103883	17488	16.83	35448	9097	25.66	4225	2625	62.13	223336	42850	19.19
21.	SB of Bikaner & Jaipur	5444	1070	19.65	5190	907	17.47	2126	364	17.12	764	592	77.48	13524	2933	21.68
22.	SB of Patiala	5684	1170	20.58	6309	1625	25.75	3194	1228	38.44	596	205	34.39	15783	4228	26.78
23.	SB of Hyderabad	7245	1188	16.63	7322	1182	16.14	2450	447	18.24	1460	322	22.10	18377	3139	17.10
24.	SB of Mysore	3558	653	18.35	5432	833	15.33	2078	609	29.21	--	--	--	11068	2093	18.91
25.	SB of Travancore	5133	654	12.74	7039	913	12.97	1804	408	22.62	589	151	25.64	14565	2126	14.6
26.	IDBI Bank	14415	1850	12.83	1199	128	10.68	935	232	24.81	100	18	18	16649	2228	13.38
27.	Reserve Bank of India	7864	1133	14.41	3916	586	14.96	4127	1153	27.94	1453	611	42.05	17360	3483	20.06

## Annexure VIII

## Statement of the representation of the Scheduled Castes in the Insurance Companies (as on 01.01.2014)

Sl. No.	Name of the Companies	Representation of Employees under Groups A&B or equivalent posts (Officers)			Representation of employees under Group B of Equivalent posts (Class-II)			Representation of employees under Group C of Equivalent posts (Clerk)			Representation of employees under Group D of Equivalent posts (Safai Karamcharis) (Sub Staff)			Representation of employees under Group A to Group D of Equivalent posts (Safai Karamcharis only)			Representation of employees under Group A to Group D of Equivalent posts (incl Safai Karamcharis)		
		Total Empl yees	SC Empl yees	% age	Total Empl yees	SC Empl yees	% age	Total Empl yees	SC Empl yees	% age	Total Empl yees	SC Empl yees	% age	Total Empl yees	SC Empl yees	% age	Total Empl yees	SC Empl yees	% age
1.	LIC of India	30623	5918	19.33	25881	3847	14.86	54863	9546	17.40	5436	1391	25.59	611	454	71	117414	21136	18.00
2.	Insurance Regulatory & Deve. Authority	118	14	11.86	27	05	18.52	--	--	--	--	--	--	--	--	--	145	19	13.1
3.	Oriental Insurance Co. Ltd.	5019	1100	21.92	1554	176	11.33	5884	1386	23.56	1949	873	44.97	61	61	100	14467	3596	24.86
4.	New India Assurance Com. Ltd.	6571	1393	21.20	2060	191	9.27	8137	1822	22.39	1156	406	35.15	845	531	62.84	18769	4343	23
5.	United India Insurance Com. Ltd.	6380	1384	21.69	1485	161	10.84	7099	1773	24.98	1943	980	50.44	82	65	79.27	16989	4363	25.68
6.	National Insurance Com. Ltd.	5891	1176	19.96	1314	133	10.12	6434	1537	23.89	1109	395	35.62	681	451	66.23	15429	3692	23.93
7.	GIC	329	49	14.89	--	--	--	106	25	23.58	28	7	25	--	--	--	463	81	17.49
8.	AIC Ltd.	252	45	18	Nil	Nil	Nil	23	8	35	4	Nil	0	3	3	100	282	56	20

**Annexure IX****Statement of the representation of the Scheduled Castes in the Financial Institutions (as on 01.01.2014)**

Sr. No.	Name of the Bank	Representation of Employees under Groups A&B or equivalent posts (Officers)			Representation of employees under Group C of Equivalent posts (Clerks)			Representation of employees under Group D of Equivalent posts (excl Safai Karamcharis) (Sub Staff)			Representation of employees under Group D of Equivalent posts (Safai Karamcharis only)			Representation of employees under Group A to Group D of Equivalent posts (incl Safai Karamcharis)		
		Total Empls	SC Empls	Percentage	Total Empls	SC Empls	Percentage	Total Empls	SC Empls	Percentage	Total Empls	SC Empls	Percentage	Total Empls	SC Empls	Percentage
1.	NABARD	2393	369	15.42	671	93	13.86	816	286	35.05	--	--	3880	748	19.27	
2.	National Housing Bank	106	11	10.37	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.	106	11	10.37	
3.	EXIM Bank	310	29	9.35	Exim Bank has no employees in clerical.			There were only 2 employees in Sub-staff category. Both recruited in 1982. No recruitment has occurred in this category since then.					310	29	9.35	
4.	SIDBI	874	137	15.67	100	27	27	66	20	30.03	N.A.	N.A.	1040	184	17.67	
5.	IIFCI	56	5	8.93	--	--	--	1	0	0	--	--	57	5	8.77	