

ANNUAL REPORT

2018-19

and

2019-20



NATIONAL COMMISSION FOR SCHEDULED CASTES

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Annual Report 2018-19 and 2019-20



GOVERNMENT OF INDIA

NATIONAL COMMISSION FOR SCHEDULED CASTES

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सत्यमेव जयते



Respected Rashtrapati Ji,

I have the honour to present to you the XII Annual Report of the National Commission for Scheduled Castes. This report covers the period of work done by this Commission and its recommendations on the same for the period April 2018 to March 2020. The major recommendations on important areas of jurisdiction of the Commission have been highlighted in the Chapter IX of the Report.

A large number instances of atrocities on Scheduled Castes were followed up by the Commission during the period of report. In addition to visiting places where atrocities were committed, the Commission held 1102 special hearings in 2019-20 in cases of heinous crimes like murder and rapes against SCs. We have also specifically reviewed the status of implementation of the safeguards to the Scheduled Castes and action taken by States in atrocities on SCs in 6 states. The Commission also undertook monitoring reviews in 10 Central Public Sector Undertakings and 2 Railway zones. Our recommendations on the findings on the same are included in this Report.

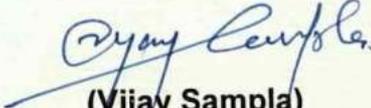
The area of special focus continued to be on the systemic deficiencies that lead to the unfortunate death of safaikarmacharis/labourers during manual cleaning of sewers/septic tanks. We have done an in depth analysis of 57 such cases wherein there were 118 unfortunate fatalities and have pinpointed the issues at hand as well as the corrective measures needed in a special section of this Report.

The major handicap in the proper functioning of this Commission remains the shortage of manpower. We urge the Government to take all steps needed to strengthen the NCSC in order that it is able to discharge its mandate effectively and safeguard the interests of the Scheduled Castes. We solicit your valuable concurrence and endorsement on all the recommendations.

We shall remain grateful if the Report is forwarded to the Government with direction to take further necessary action on the same.

With deep regards,

Yours sincerely,


(Vijay Sampla)

Shri Ram Nath Kovind
President of India,
Rashtrapati Bhawan,
New Delhi.

Overview of the activities of NCSC

During 2018-19 the Commission has:

- Reviewed and monitored the implementation of safeguards and development of Scheduled Castes in the states with the Chief Secretaries / DGPs and other officers of one State Government.(**Paragraph 3.4.1**)
- Dealt with **55729** individual cases¹ of deprivation of rights / other grievances and disposed off **4286** cases. (**Paragraph 4.2.1(a)**)
- Conducted 17 spot visits in atrocity cases. (**Paragraph 4.6**)
- Rendered advice on 10 policy matters (**Paragraph 4.10**)
- Rendered advice on 19 de-reservation proposals (**Paragraph 4.11**)

During 2019-20 the Commission has:

- Reviewed and monitored the implementation of safeguards and development of Scheduled Castes in the states with the Chief Secretaries / DGPs and other officers of 5 State Governments.(**Paragraphs 3.4.2 to 3.4.6**)
- Monitored the progress of implementation of service safeguards of Scheduled Caste employees and outsourced personnel, CSR activities and implementation of public procurement guidelines in 10 CPSUs and 2 Railway zones. (**Paragraph 3.6**)
- **12036** cases were received in 2019-20 (upto 31.01.2020), and disposed off **6359** cases upto. The closing balance of pending cases is 57180 as on 31 January 2020. (**Paragraph 4.2.1(b)**)
- Conducted 18 spot visits in atrocity cases. (**Paragraph 4.6**)
- Rendered advice on 3 de-reservation proposals (**Paragraph 4.11**)

Impact of direct intervention of the Commission in individual cases :

A part of the mandate of the Commission is to look into individual grievances of atrocity and of deprivation of safeguards extended to Scheduled Castes in the socio economic development

¹ **40632** cases carried forward from previous year and **15037** cases received in 2017-18.

sector and in services.

- As a result of the direct intervention of the NCSC in 1162 cases (786 cases in 2018-19 and 376 cases in 2019-20) of atrocities against Scheduled Castes 1035 FIRs (657 in 2018-19 and 378 in 2019-20) were registered, 1248 accused (779 in 2018-19 and 469 in 2019-20) were arrested and 693 charge sheets (439 in 2018-19 and 254 in 2019-20) have been filed. Monetary relief of Rs 2682.60 lakh (Rs, 1250.42 lakh in 2018-19 and Rs. 1612.18 lakh in 2019-20) have been paid to the victims as monetary relief. In addition in 21 cases (06 in 2018-19 and 15 in 2019-20), family members were sanctioned pensions, 14 family members (4 in 2018-19 and 10 in 2019-20) family members got jobs, 14 (03 in 2018-19 and 11 in 2019-20) house/land patta/agriculture land were given to families of victim.
- Spot visits in atrocity matters were conducted in 35 (17 cases in 2018-19 and 18 cases in 2019-20) cases by the Commission. After the visits and intervention of the Commission, registration of 33 FIRs (20 in 2018-19 and 13 in 2019-20) have been ensured under PoA Act, 72 arrests made (50 in 2018-19 and 22 in 2019-20) and 15 charge sheets were filed (10 in 2018-19 and 5 in 2019-20). Total monetary relief of Rs 197.095 lakh (Rs. 105.05 lakh in 2018-19 and Rs 92.045 lakh) was also released to the SC victims. In addition 01 family received a house, 2 were given agricultural land, 5 family pensions (2 in 2018-19 and 3 in 2019-20) were sanctioned and 3 family members were given jobs. Medical airlift charges in one case of Rs 4.60 lakh were also got sanctioned.
- 1348 and 1053 cases dealt in the Commission (Headquarters and State Offices) relating to service safeguards issues were closed in the Commission in 2018-19 and 2019-20. These cases were on issues like denial of promotion/MACP, denial of appointments, denial of appointments on compassionate grounds, non-payment of pension & terminal/pensionary benefits, dismissal/reinstatement cases, harassment in transfer/posting and other harassment cases on caste grounds etc.
- As a result of the intervention of NCSC in 165 (97 of 2018-19 and 68 of 2019-20) 29 persons were promoted, 24 persons received their pension and arrears of Rs 161.76 lakh , 14 persons were appointed in services, 13 persons received compassionate appointments , 20 persons were reinstated after termination / suspension etc and received Rs. 18.74 lakh as miscellaneous payments, 43 persons were transferred or upgraded in posts and

received Rs. 1.49 lakh as arrears , miscellaneous benefits etc were also received by 16 other persons .

- The Commission received a large number of cases in the economic and social development sector and a total of 2940 cases (678 in 2018-19 and 2262 in 2019-20 respectively)relating to this sector were disposed off by the Commission in 2018-19 and 2019-20 .
- In 180 cases of the economic and social sector wing, after the intervention the NCSC, 09 students got admission in courses of their choice, 10 students received due scholarship /tuition fee reimbursement, 20 students received their held back degree / certificates, 70 persons got possession of land / plots /flats, 29 persons received benefits under the various welfare schemes of the Central/ State Governments. 41 persons received miscellaneous benefits like loans etc matters like loans etc, 1 person received a petrol pump, leading to a total monetary benefit of Rs 1041.94 lakh.
- In 2018-19 , 23 cases of deaths due to manual cleaning of sewers / septic tanks /STPs etc were taken up by the Commission, after our intervention, FIRs were lodged against the persons responsible and Rs 1369.91 lakh was paid as compensation to the families of victims. This includes payment made under MS Act, payment made under PoA Act and other payments made on humanitarian grounds. Besides this, in some cases medical expenses of Rs 85.46 lakh were also paid. Families of 3 deceased were offered jobs, pensions were sanctioned in 3 cases and families of three deceased provided land. In 16 of the old cases of Karnataka payment of compensation of Rs 160 lakh was ensured.
- In 2019-20 , 22 cases of deaths due to manual cleaning of sewers / septic tanks /STPs etc were taken up by the Commission, after our intervention, FIRs were lodged against the persons responsible and Rs 538.92 lakh was paid as compensation to the families of victims. This includes payment made under MS Act, payment made under PoA Act and other payments made on humanitarian grounds. Families of 2 deceased were offered jobs and 2 were sanctioned houses.

Some major Recommendations in this report are:

Strengthening the effectiveness of NCSC which include specific recommendations like:

- Provision for imposing monetary penalty on authorities violating the PoA Act. **(Paragraph 9.1.1)**
- Independence of NCSC- in functioning and budget **(Paragraph 9.1.2)**
- Increase of staff strength **(Paragraph 9.1.3)**
- Court cases against the Commission **(Paragraph 9.1.4)**
- Opening of new offices / up-gradation of existing offices **(Paragraph 9.1.5)**

Recommendations on Service Safeguards issues like:

- Recommendations on Reservation: **(Paragraph 9.2.1)**
- Reservation in Promotion **(Paragraph 9.2.2)**
- On use of false Caste Certificates **(Paragraph 9.2.3)**
- Action on recommendations of the Commission **(Paragraph 9.2.4)**
- Treatment of in service persons approaching the Commission **(Paragraph 9.2.5)**
- Consultation with the Commission **(Paragraph 9.2.6)**
- Representation of SCs in Group A **(Paragraph 9.2.7)**
- Representation of SCs in contractual / outsourced personnel **(Paragraph 9.2.8)**

Recommendations regarding Economic and Social Development issues like:

- Recommendations on preventing deaths due to Manual cleaning of sewers/ septic tanks / STPs and help to victims : **(Paragraph 9.3.1)**
- Recommendations on If a person dies during cleaning of sewers/septic tanks (**Paragraph 9.3.2)**
- Consultation with NCSC in the planning process **(Paragraph 9.3.3)**
- Recommendations on Non-payment of Scholarship to SC students (**Paragraph 9.3.4**)
- The Commission's recommendations (**Paragraph 9.3.4.1)**
- Recommendation on National SC/ST Hub Scheme **(Paragraph 9.3.5)**
- Recommendations on CPSBs (**Paragraph 9.3.6)**
- Recommendations on Reiteration of earlier recommendations **(Paragraph 9.3.7)**

- Recommendations on Procurement from SCs as per MSME guidelines (**Paragraph 9.3.8**)
- Modification of GeM Portal in line with the Public Procurement Policy (**Paragraph 9.3.9**)
- Schemes for development of SC Clusters (**Paragraph 9.3.10**)
- Recommendation on CSR (**Paragraph 9.3.11**)
- Recommendations on Central Legislation on SCSP (**Paragraph 9.3.12**)
- Recommendations on SCSP/DAPSC (**Paragraph 9.3.13**)

Specific recommendations regarding handling of Atrocity cases are :

- Recommendations on Lodging of FIRs: (**Paragraph 9.4.1**)
- Recommendations on Incorporating correct sections of IPC , PoA Act etc in FIRs : (**Paragraph 9.4.2**)
- Recommendations on Training for Police and Social Welfare Officers : (**Paragraph 9.4.3**)
- Recommendations on Spot visits by DM/ SSPs (**Paragraph 9.4.4**)
- Recommendations on Specific directions (**Paragraph 9.4.5**)
- Recommendations on Payment of monetary relief : (**Paragraph 9.4.6**)
- Developing online portals to monitor monetary relief payment : (**Paragraph 9.4.7**)
- Exclusive special courts and appointing of special public prosecutors : (**Paragraph 9.4.8**)
- **Supervision of Prosecution (Paragraph 9.4.9)**
- Recommendations for Government of Delhi on handling of monetary relief in atrocity cases: (**Paragraph 9.4.10**)
- Recommendations on meetings of the SLVMC and DLVMC : (**Paragraph 9.4.13**)
- Recommendations on performing of duties by Public Servants (especially Police officers) (**Paragraph 9.4.14**)

Foreword

The present National Commission for Scheduled Castes (the Sixth) was constituted in the month of February 2021. Shri Vijay Sampla is the Chairman, Shri Arun Halder is the Vice-Chairman, Smt. Anju Bala and Shri Subhash Ramnath Pardhi as Members.

The Commission interacted with Scheduled Castes persons, Government, Non-Governments Organisations and people's representatives at various levels and has come to the conclusion that in spite of specific provisions made in the Constitution, several legal and policy initiatives, institutional network and financial allocations, the socio economic conditions of Scheduled Castes remain below the national average as can be seen from the various surveys on socio economic parameters. One of the main instruments for achieving the objective of improving the socio-economic condition is targeted implementation of specific schemes for the socio economic welfare of the SCs, their outcome mapping and handholding of the SC persons undergoing skill development. As of now allocation is made on a notional basis in a large number of Government schemes and SCs do not derive any tangible benefits from the same.

During the period under report, a huge member of complaints/ petitions were handled by the Commission, spot investigations were also conducted on atrocity and land related matters. Working of 6 State Governments in ensuring economic, social and service safeguards to SCs and action taken on atrocities against SCs were reviewed. 12 Departments and CPSUs were also reviewed to monitor their actions wrt service safeguards, implementation of the Government guidelines on purchases from SC entrepreneurs and percentage of help to SCs through their CSR work. This report is based on the observations and conclusions drawn during the reviews and work done by the Commission and the hearings conducted on complaints received in the Commission.

The Commission took special note of the unfortunate deaths of at least 113 safai karamcharies¹ / labourers and 13 safai karamcharies / labourers were injured due to manual cleaning of sewers in the country and the lapses that caused the same. Detailed recommendations have been made on this issue for implementation by States & UTs the Governments.

¹ 61 deaths of safai karamcharies / labourers due to manual cleaning of sewers in 2018-19 and 52 deaths of safai karamcharies / labourers due to manual cleaning of sewers in 2019-20.

Special hearings to gauge the action taken by district police and administration in over 1100 cases of heinous crimes (like murder, rape, gang rape etc.) against SCs were held in 2019-20. We have noticed delay in registration of FIRs by the police and also in payment of compensation and additional assistance by District Administration/Welfare Department of State Governments. A large number of cases are not correctly registered under Scheduled Caste/Scheduled Tribe (Prevention of Atrocities) Act (as amended) because of reluctance on the part of the police officers and also due lack of awareness among the members of these communities about the provisions of the Act. Delay in investigation, collusion with offenders and manipulation of witnesses and evidence all contribute to reduce the effectiveness of the Act. As a result of lack of awareness among the police and the SC people, a large number of cases end up in filing of final reports and often the accused are acquitted. The Central and State Governments should initiate action to promote awareness about the above legislation through special training for police personnel and also display the pertinent material in local languages at all police stations to enhance the information level of general public, especially the SC people. The District Level Vigilance Monitoring Committee (DLVMC) and State Level Vigilance Monitoring Committee (SLVMC) must be set up in every State as per the provisions of Scheduled Caste /Scheduled Tribe (Prevention of Atrocities) Rules 1995 (as amended) and need to be effective and proactive.

To ensure equitable share to the SCs in governance, policy of reservations in appointments and educational institutions was provided in the Constitution. The reservation in appointments would lead to proportionate representation at various levels and would lead to cascading effect of incorporation of the concerns and development needs of these communities in the formulation and implementation of programmes for their socio-economic development. The Commission has noted that the representation of SCs in services continues to be much lower than the prescribed proportion in Group A and Group B services, both under the Government and the Public Sector Undertakings etc.

The Commission therefore, urges that the Central, State & UT Governments should calculate the backlog of the shortfall of SCs and launch special recruitment drives to cover backlog in a time bound manner.

The Commission in its interaction with several State Governments during the period of the report and observed that the States are not allocating funds out of their State Plans to the SCSP in the proportion required, the funds allocated under SCP are either not utilized or diverted to other sectors. This leads to adverse effect on the development of the people belonging to the Scheduled Castes. The Commission is of the view that the funds for SCSP (now called DAPSC) should be released strictly in proportion to the population of SCs and in no case be allowed to lapse or diverted.

As part of its Constitutional obligations the Commission is to prepare Annual Report based on activities undertaken during the year. This report covers the activities that were undertaken by the Commission during 2018-2019 and 2019-20 and its recommendations based on the experience of the. The data and details of work done during 2019-20 are indicative as the unprecedented Covid 19 situation and lockdowns in the country meant all details could not be collated.

It is hoped that the Government will take action to implement the recommendations made by the Commission in this report so that intercuts of the Scheduled Castes are safeguarded.

(Vijay Sampla)
Chairman
National Commission for Scheduled Castes

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 (NCSC) and
- (2) National Commission for Scheduled Tribes (NCST).

The rules of the National Commission for Scheduled Castes were framed by the NCSC and notified on 20 February, 2004 by the Ministry of Social Justice & Empowerment.

The 1st National Commission for Scheduled Castes (NCSC) was constituted on 24.02.2004 and was headed by Shri Suraj Bhan as Chairman, Shri Fakir Bhai Vaghela as Vice Chairman, Shri Phool Chand, Shri V.Devendra and Smt. Surekha Lambature as Members.

The 2nd National Commission for Scheduled Castes (NCSC) was constituted on 25.05.2007 and was headed by Dr. Buta Singh as Chairperson, Shri Narendra M.Kamble as Vice-Chairman, Smt. Satya Bahin, Shri Mahendra Boudh and Shri Mrutyunjaya Nayak as Members.

The 3rd National Commission for Scheduled Castes (NCSC) was constituted on 15.10.2010 and was headed by Dr P.L Punia as Chairperson, Shri Raj Kumar Verka as Vice-Chairperson, Smt Latha Priyakumar, Shri Raju Parmar, Shri M. Shivanna as Members

The 4th National Commission for Scheduled Castes (NCSC) was constituted on 22.10.2013 and was headed by Dr P.L Punia as Chairperson, Shri Raj Kumar Verka as Vice-Chairperson, Shri Raju Parmar, Shri Ishwar Singh and Smt. P. M. Kamalamma as Members.

The 5th National Commission for Scheduled Castes (NCSC) was constituted on 01.06.2017 and is headed by Prof. (Dr.) Ram Shankar Katheria as Chairman, Dr. L. Murugan as Vice Chairman and Shri Keshapagula Ramulu, Dr. Yogendra Paswan and Dr.(Ms.) Swaraj Vidwan as Members.

The present and the 6th National Commission for Scheduled Castes (NCSC) was constituted in the month of February 2021. Shri Vijay Sampla is the Chairman, Shri Arun Halder is the Vice-Chairman, Smt. Anju Bala and Shri Subhash Ramnath Pardhi 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 Article 338 of the Constitution.

Clause 4 of the Article 338 of the Constitution empowers the Commission to regulate its own procedure for meaningful performance. The Rules framed by the Commission under this provision have been notified on 25.03.2009. The Rules of Procedure of the Commission are available at the website of the Commission: www.ncsc.nic.in.

Clause 5 of the Article 338 of the Constitution states that the Commission has the duty to investigate and monitor all matters relating to safeguards provided to the Scheduled Castes under

the Constitution to inquire into specific complaints of violation / deprivations of such safeguards, to participate in the planning process of socio-economic development of the Scheduled Castes and to present Annual Reports on the working of the safeguards including recommendations thereon.

Clause 5 (c) of Article 338 of the Constitution states that, 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 Ayog¹, 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.

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.”

With the formation of the National Commission for Other Backward Classes in 2018, the NCSC has ceased to take cognizance of matters relating to the OBCs and has referred all on going cases related to OBCs to that Commission.

This combined Annual Report 2018-19 and 2019-20 of NCSC , covers the activities of the Commission from April 2018 to March 2020.

¹ Earlier called the Planning Commission

CHAPTER – II Constitutional Safeguards

The Preamble to the Constitution of India provides securing for all 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 243, 330 and 332**
- 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 list 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 (as amended)¹ and the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Rules 1995 (as amended)².
- The Employment of Manual Scavengers and Construction of Dry Latrines (Prohibition) Act, 1993.
- Prohibition of Employment as Manual Scavengers and their Rehabilitation Act, 2013 and Rules thereof.
- 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.
- Other Acts like Child Labour Act, Bonded Labour Act etc.

¹ Vide Gazette notification no. 1 dated 01.01.2016 and Gazette notification no. 39 dated 17.08.2018

² Vide Gazette notification no. 268 dated 14.04.2016 and Gazette notification no. 430 dated 27.06.2018.

CHAPTER III

Meetings of the Commission

From the period starting from 01.04.2018 to 31.03.2020, the following meetings of the Commission were held:

2018-19 and 2019-20

Table 3.1

Dates of Meetings	
4 th Meeting	23.10.2018
5 th Meeting	12.03.2019
6 th Meeting	03.09.2019

State Level Review Meetings

Table 3.2

Date of Review Meeting - 2018-19	
Rajasthan	23.05.2018
Dates of Review Meetings -2019-20	
Maharashtra	29.08.2019 & 30.08.2019
Madhya Pradesh	05.09.2019
Gujarat	16.12.2019
Karnataka	13.02.2020
Bihar	18.02.2020

Review Meetings of Departments/Public Sector Undertakings (PSUs)

Table 3.3

Dates of Review Meetings 2019-20	
Western Railway	29.08.2019
Northern Railway	11.12.2019
GAIL	12.12.2019
Power Grid	13.12.2019

NTPC	19.12.2019
BPCL	19.12.2019
BHEL	26.12.2019
HPCL	27.12.2019
SAIL	08.01.2020
IOCL	09.01.2020
ONGC	28.01.2020
NBCC	28.01.2020

Meeting to monitor disbursement of loans under Mudra and Stand-up India schemes by Public Sector Banks

Table 3.4

Meeting to monitor disbursement of loans under Mudra and Stand-up India schemes by Public Sector Banks	
	19.11.2018

BRIEF SUMMARY OF MAJOR DECISIONS¹:

3.1 Meeting dated 23.10.2018

4th Meeting ²of the National Commission for Scheduled Castes (NCSC) was called for on 22.03.2018 under the Chairmanship of Dr. (Prof.) Ram Shankar Katheria, Chairman, NCSC. The following important agenda items were taken up for discussion & decisions:

- 1(a) Recent judgment of Hon'ble Supreme Court viz. direction in the case of Dr. Subhash Kashinath Mahajan against the Bombay High Court Judgment on misuse of Scheduled

¹ Details are available in the NCSC website : <http://ncsc.nic.in> > Activities (<http://ncsc.nic.in/pages/display/56>)

² Details are available in the NCSC website : <http://ncsc.nic.in> > Meetings of the Commission (<http://ncsc.nic.in/pages/display/15>)

Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 (Amended Act 2015) and

- 1(b) other decision dated 08.12.2017 regarding implementation of Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 (Amended Act 2015).
2. Order issued on 5.3.2018 by UGC on changing the guidelines for reservation in Universities/Colleges despite out Commission letter on 01.11.2017 advising UGC/MHRD to not formulate any policy without consultation of NCSC.
3. Ministry of Social Justice & Empowerment's reference to Amendment of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 (Amended Act 2015).
4. Ministry of Social Justice & Empowerment's reference for further amendments in the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 (Amended Act 2015) and Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Amendment Rules 2016.

The Commission approved to support both the amendment and the further amendments in the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 (Amended Act 2015) and Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Amendment Rules 2016.

3.2 Meeting dated 12.03.2019

5th Meeting of the National Commission for Scheduled Castes (NCSC) was held on 12.03.2019 under the Chairmanship of Dr. (Prof.) Ram Shankar Katheria, Chairman, NCSC. The following Agenda items were taken up for discussion & decisions:

- Approval of the Draft Annual Report 2017-18 of the Commission.
- Approval of inclusion of Namasudra, Pond, Poundra etc. (Bengali displaced persons) community in the list of Scheduled Castes of Uttar Pradesh, proposal sent by the MSJE.
- Approval of draft note for Cabinet regarding “Constitution of Development and Welfare Board for Denotified, Nomadic and Semi-nomadic Communities (DWBDNCs), sent by the MSJE.

- Approval for the Centrally Sponsored Scheme of Rashtriya Gram Swaraj Abhiyan (RGSA) from 01.04.2018 to 31.03.2022 sent by the MSJE.
- Approval for draft note for the Cabinet for creation of one post of Member in National Commission for Karamcharies (NCSK) as Vice-Chairperson sent by the MSJE.
- Approval for draft note for the Cabinet for extension in tenure of the National Commission for Safai Karamcharies-beyond 31.03.2019 for the three years sent by the MSJE.
- Approval for proposal for introduction of the Unaided Private Educational Institutions (Reservation in Admission) Bill, 2019, sent by the MHRD.
- Concurrence on Expenditure Finance Committee (EFC) for revision of the funding pattern under the Centrally Sponsored Scheme, Post Matric Scholarship to students belonging to Scheduled Castes for studies in India-comments, sent by the MSJE.

3.3 Meeting dated 03.09.2019

The Sixth Meeting of the National Commission for Scheduled Castes (NCSC) was held on 03.09.2019 at 3.00 P.M. under the Chairmanship of Dr. (Prof.) Ram Shankar Katheria, Chairman, NCSC. The following important agenda items were taken up for discussion & decisions:

- The Commission did not agree to the proposal of Department of Personnel & Training, to introduce an application/examination fee @ Rs.25% from the Scheduled Castes categories for the examinations and recruitments conducted by the Union Public Service Commission (UPSC).
- Approval of the memorandum for Standing Finance Committee (SFS) for revision of Centrally Sponsored scheme “Pre Matric Scholarship for Scheduled Castes students studying in Classes 9th and 10th”, sent by MSJE.
- Approval of the SFC memorandum for “Provision of Scheme in Dr. Ambedkar International Centre”, sent by MSJE.
- Approval of revision in funding pattern of the Centrally Sponsored Scheme ‘Post Matric Scholarship to students belongs to Scheduled Castes for studies in India (PMS-SC) with effect from 2019-2020, sent by MSJE..

- Concurrence of the Commission on the Jammu and Kashmir Re-organization Act-2019, sent by MHA.
- The Commission decided to get clarification from Government of Odisha with regard to the impact of the removal of area restriction in respect of Mangali Community for entire State of Odisha on the proposal sent by MSJE.
- Ex-post-facto approval of 19 proposals for De-reservation received from Ministry of Culture, CAG and Ministry of Electronics and IT (for 47 posts).
- Decision to hold a public hearing at Bangalore for Exclusion of 04 castes from Scheduled Castes list of Karnataka State.

3.4 Review of State Governments

3.4.1 Rajasthan: The state review meetings of Rajasthan were held on 23.05.2018 in Jaipur with Minister of Social Justice, Government of Rajasthan (GoR), Chief Secretary, Director General of Police, Home Secretary and other senior officers / Police officers of Rajasthan.

Issues regarding:

- implementation of schemes for socio economic development of Scheduled Castes,
- scholarship distribution status,
- gaps in implementation of Central schemes (PMAY , Ujjawala, Mudra , Stand up India , MNREGA etc),
- status of reservation of SC in services,
- action on prevention of atrocities on SCs ,
- action taken by police and administration on cases of atrocities – delays in filing of FIRs, delays in sanction of monetary relief and non sanction of additional relief to victims of atrocities,
- high number of final reports in atrocity cases and low conviction rate

- action taken to prevent deaths due to manual cleaning of sewers and help to the victims thereof ,
 - need for regular meetings of State Level Vigilance & Monitoring Committee and District Level Vigilance & Monitoring Committees
- were discussed in detail.³

The analysis of the Commission on the details furnished by the State Government , observations of the Commission on the same were discussed and detailed recommendations of the Commission were conveyed to the State Government for timely implementation.

3.4.2 Maharashtra: The state review meetings of Maharashtra were held on 29.08.2019 and 30.08.2019 in Mumbai with, Chief Secretary, Director General of Police, Home Secretary and other senior officers / Police officers of Maharashtra.

Issues regarding:

- implementation of schemes for socio economic development of Scheduled Castes- less allocation and low expenditure on SCSP.
- Scholarship distribution status,
- implementation of Central schemes (PMAY , Ujjawala, Mudra , Stand up India , MNREGA etc),
- status of reservation of SC in services,
- delays in cases of false caste certificates,
- action on prevention of atrocities on SCs ,
- action taken by police and administration on cases of atrocities - delays in payment of monetary compensation and non sanction of additional relief to victims,
- low conviction rate in cases of atrocities on SCs ,
- action taken to prevent deaths due to manual cleaning of sewers and help to the victims thereof ,

³ Detailed minutes of the review meetings are available on the website of the Commission: <http://ncsc.nic.in> > State wise reviews (<http://ncsc.nic.in/pages/display/131>).

- meetings of State Level Vigilance & Monitoring Committee and District Level Vigilance & Monitoring Committees
- delays in response by state Government officials to the cases / queries of the Commission. were discussed in detail.⁴

The analysis of the Commission on the details furnished by the State Government , observations of the Commission on the same were discussed and detailed recommendations of the Commission were conveyed to the State Government for timely implementation.

3.4.3 Madhya Pradesh: The state review meetings of Madhya Pradesh were held on 05.09.2019 in Bhopal with Minister for Scheduled Caste Welfare Government of Madhya Pradesh (GoMP), Chief Secretary, Director General of Police, Home Secretary and other senior officers / senior Police officers of MP.

Issues regarding:

- implementation of schemes for socio economic development of Scheduled Castes including steps needed to improve literacy rates,
- Scholarship distribution status - delays in distribution of scholarships,
- implementation of Central schemes (PMAY , Ujjawala, Mudra , Stand up India , MNREGA etc),
- status of reservation of SC in services,
- high number of pending false caste certificate cases (138 cases) ,
- distribution of land pattas to landless SCs,
- action on prevention of atrocities on SCs ,
- action taken by police and administration on cases of atrocities- delays in payment of monetary compensation and non sanction of additional relief,
- action taken to prevent deaths due to manual cleaning of sewers and help to the victims thereof ,

⁴ Detailed minutes of the review meetings are available on the website of the Commission: <http://ncsc.nic.in> > State wise reviews (<http://ncsc.nic.in/pages/display/131>).

- need for regular meetings of State Level Vigilance & Monitoring Committee and District Level Vigilance & Monitoring Committees were discussed in detail.⁵

The analysis of the Commission on the details furnished by the State Government , observations of the Commission on the same were discussed and detailed recommendations of the Commission were conveyed to the State Government for timely implementation.

3.4.4 Gujarat: The state review meetings of Gujarat were held on 16.12.2019 in Ahmedabad with Chief Secretary, Director General of Police, Home Secretary and other senior officers / senior Police officers of Gujarat.

Issues regarding:

- implementation of schemes for socio economic development of Scheduled Castes including steps needed to improve literacy rates,
- Scholarship distribution status,
- implementation of Central schemes (PMAY , Ujjawala, Mudra , Stand up India , MNREGA etc),
- status of reservation of SC in services,
- false caste certificate cases ,
- distribution of land pattas to landless SCs,
- action on prevention of atrocities on SCs ,
- action taken by police and administration on cases of atrocities – delays in payment of monetary compensation and sanction of additional relief ,
- action taken to prevent deaths due to manual cleaning of sewers and help to the victims thereof ,

⁵ Detailed minutes of the review meetings are available on the website of the Commission: <http://ncsc.nic.in> > State wise reviews (<http://ncsc.nic.in/pages/display/131>).

- meetings of State Level Vigilance & Monitoring Committee and District Level Vigilance & Monitoring Committees were discussed in detail.⁶

The analysis of the Commission on the details furnished by the State Government , observations of the Commission on the same were discussed and detailed recommendations of the Commission were conveyed to the State Government for timely implementation.

3.4.5 Karnataka: The state review meetings of Karnataka were held on 13.02.2020 in Bengaluru with Minister for Scheduled Caste Welfare Government of Madhya Pradesh (GoK), Chief Secretary, Director General of Police, Home Secretary and other senior officers / senior Police officers of Karnataka.

Issues regarding:

- implementation of schemes for socio economic development of Scheduled Castes, Scholarship distribution status,
- implementation of Central schemes (PMAY , Ujjawala, Mudra , Stand up India , MNREGA etc),
- status of reservation of SC in services,
- steps to improve implementation of SCSP ,
- action on prevention of atrocities on SCs ,
- action taken by police and administration on cases of atrocities,
- action taken to prevent deaths due to manual cleaning of sewers and help to the victims thereof ,
- meetings of State Level Vigilance & Monitoring Committee and District Level Vigilance & Monitoring Committees were discussed in detail.⁷

⁶ Detailed minutes of the review meetings are available on the website of the Commission: <http://ncsc.nic.in> > State wise reviews (<http://ncsc.nic.in/pages/display/131>).

⁷ Detailed minutes of the review meetings are available on the website of the Commission: <http://ncsc.nic.in> > State wise reviews (<http://ncsc.nic.in/pages/display/131>).

The analysis of the Commission on the details furnished by the State Government , observations of the Commission on the same were discussed and detailed recommendations of the Commission were conveyed to the State Government for timely implementation.

3.4.6 Bihar: The state review meetings of Bihar were held on 18.02.2020 in Patna with Chief Secretary, Director General of Police, Home Secretary and other senior officers / senior Police officers of Bihar.

Issues regarding:

- implementation of schemes for socio economic development of Scheduled Castes,
- less allocation of SCSP funds and even less expenditure ,
- steps to improve implementation of SCSP ,
- delays in Scholarship distribution and backlog of earlier years scholarship payments,
- poor condition of SC hostels,
- implementation of Central schemes (PMAY , Ujjawala, Mudra , Stand up India , MNREGA etc),
- status of reservation of SC in services,
- action on prevention of atrocities on SCs ,
- action taken by police and administration on cases of atrocities – delays in lodging of FIRs and harassment of SC victims ,
- delays in payment of monetary relief to the victims of atrocities ,
- non sanction of additional relief to victims of atrocities,
- action taken to prevent deaths due to manual cleaning of sewers and help to the victims thereof ,
- meetings of State Level Vigilance & Monitoring Committee and District Level Vigilance & Monitoring Committees

Were discussed in detail.⁸

The analysis of the Commission on the details furnished by the State Government , observations of the Commission on the same were discussed and detailed recommendations of the Commission were conveyed to the State Government for timely implementation.

3.5 Meeting to monitor disbursement of loans under Mudra and Stand-up India schemes by 22 Public Sector Banks

3.5.1 The Commission held a Monitoring Meeting⁹ on 19.11.2018 regarding disbursement of loans under Mudra Scheme, Stand-up India scheme and Educational Loans to the Scheduled Castes persons by Nationalized Banks.

The meeting was organised to monitor progress of loans to scheduled castes persons under the newly launched schemes like Stand-up India and Pradhan Mantri Mudra Yojna as these schemes had special emphasis on development of Scheduled Castes entrepreneurs and other underprivileged groups. Discussion was also centered on the issues related to educational loans which effects up-liftment of socio-economic status of Scheduled Castes.

3.5.2 Objectives

The objectives of the meeting were to bring all the Nationalized Banks at one platform to know and monitor progress and methodology adopted to encourage, locate and give loans to SC entrepreneurs under Mudra, Stand-up India scheme and progress of granting Education loan to scheduled caste students. The basic purpose of these schemes is to attain

⁸ Detailed minutes of the review meetings are available on the website of the Commission: <http://ncsc.nic.in> > State wise reviews (<http://ncsc.nic.in/pages/display/131>).

⁹ Detailed minutes of the review meetings are available on the website of the Commission: <http://ncsc.nic.in> > State wise reviews (<http://ncsc.nic.in/pages/display/131>).

development in an inclusive and sustainable manner by supporting and promoting SC entrepreneurs in achieving economic success and financial security.

3.5.3 Conclusions & Recommendations:

- More credit camps may be organised particularly at rural areas through outreach programmes to make new entrepreneurs aware about opportunities in business.
- Associate with public representatives on a regular basis for their training and awareness campaigns.
- The Banks and financial institutions may consider locating and associating with SHGs to encourage SC and women participation in income generation schemes.
- Tie up with State Govt. Departments which have launched schemes like solar rooftop installation, fiber optic installation etc.
- Opening of more training centers at regional levels and focusing on camp and campaigns mode to make rural entrepreneurs aware about availability of loans and hand hold them through loan process.
- Banks need to organize a system to provide handholding support to unemployed youth in preparation of the project. All banks in a district can consider to pool their efforts.
- The Government of India has a central sector scheme- SAMPADA (Scheme for Agro-Marine Processing and Development of Agro-Processing Clusters). The Banks can finance under this scheme to increase investment credit.
- NABARD has prepared area specific model bankable projects. Bankers can take training to evaluate and appraise different types of projects at Bankers Institute of Rural Development (BIRD), Lucknow.

- The Banks may tie up with gramin women Self Help Groups (like Bank Of Maharashtra), with Oil companies (like Indian Bank), OYO (like SBI), NGOs (Bank of Maharashtra) professional / Management colleges, Schemes of e-rickshaw, Solar roof top, fiber net yojna of Govt. (like Andhra Bank) etc. under MUDRA scheme to fulfill the obligation of the Government of the schemes, encourage entrepreneurs as well as to grow/boost their business.
- Tie up with it is, DICCI, NSCFDC etc. and training schools, who teach make up, hair styling etc. for locating entrepreneurs.
- In view of the critical role played by Lead District Managers, it may be ensured that officials posted as LDMs possess requisite leadership skills. They should be competent and go the extra mile to discharge his/her duties effectively.
- Bank Branch Managers should have live contact with the residents of their area. They may identify good prospective borrowers themselves for financing under government sponsored schemes. This will lead to qualitative financing by banks and can make change the districts.
- Banks need to evolve a training schedule to create a favourable ecosystem.
- Rejection of applications on small grounds may be re-looked and efforts be made to arrest rejection rate in future. Automation may be brought into to analyse business applications to reduce possible errors in rejections.
- Education loans : The banks can evolve a short term loans (at lower interest rates) as a bridge loans to SC students studying in Private Colleges/ Universities to tide over the gap between payment of fees to colleges and the fee reimbursement of the same by the State Governments.

3.6 Review of PSUs / departments :

During the review of PSUs and Departments the main points of concern noted by the Commission are as follows:

3.6.1 Representation of SCs in Group A :

Representation of Scheduled Castes in the higher management levels of Group A across all PSUs was found as well below the norms. The PSUs were advised to take steps to ensure that SCs find adequate representation in the higher management levels.

3.6.2 Representation of SCs in contractual / outsourced personnel :

The representation of SCs in the persons working on contract basis / outsourced / daily wage basis was not known to the management in most PSUs / Departments. The Commission drew the attention of the CMDs of all PSUs / GMs of the Railways to the fact that the MHA and DoPT orders¹⁰ regarding contractual personnel reservation rules need to be followed. In case of the outsourced personnel, the spirit of the DoPT orders should be kept in mind and the agreements with the outsourced personnel contractors should incorporate a clause regarding the same. The CMDs of all PSUs / GMs of the Railways have agreed to take necessary steps for the same and keep a database of SCs engaged as contractual / outsourced personnel.

3.6.3 Procurement from SCs as per MSME guidelines :

The Commission observed that the percentage of procurement from SC suppliers / contractors in all PSUs / Departments reviewed was in the range of 0.02 to 0.2 %, or the data was not available with the management. The procurement percentage was negligible when compared to the norms set by the MSME circular of at least 4-5 %.Details of SC vendor development programmes showed lack of serious and concentrated effort made by the PSUs in this aspect. The Commission appreciated the initiative of HPCL in their vendor development efforts, lowering of the first order limits and the hand holding by HPCL to improve the percentage of SC vendors in their organization. The Commission recommended that all PSUs should adopt (with variations) the methodology of HPCL so

¹⁰ MHA OM No. 27/4/67(II)-Estt.(SCT) dated 24.09.1968 and DoPT OM No. 36036/3/2018-Estt. (Res.) dated 15.05.2018.

as to improve the percentage of SC vendors in their respective PSUs. The PSUs may also immediately start by ensuring maximum SC vendors / suppliers in the non- technical works like housekeeping, maintenance, horticulture, office supply etc. and develop vendors for technical work / equipment supply. The CMDs of all PSUs / GMs of the Railways have agreed to take necessary steps for the same.

3.6.4 False caste certificates:

The Commission noted that all PSUs / Department have cases of employees who have been accused of submitting false caste certificates. The enquiries of such cases are pending for long in most cases. The Managements in all organisations stated that reports from the concerned District Magistrates were pending in most cases despite reminders. The Commission recommended that all such cases need to be followed up expeditiously and in case the DMs do not respond within 2 months the PSU should consolidate such matters of each state and take up the matter with the concerned Chief Secretary of the State. Long pending matters where reports have not been received from DMs can also be listed and the Commission informed so that the Commission may take up the issue with the state Governments concerned.

3.6.5 Employee grievances :

Commission noted that there are a number of SC employee complaints of discrimination pertaining to each PSU, pending in NCSC. Lists of pending cases were handed over to the Management and the CMDs of all PSUs / GMs of the Railways have agreed to take necessary steps for resolving the same within next 2-3 months and reporting the action taken to the NCSC. They also agreed to ensure that regular meetings with SC staff associations are held as per rules.

3.6.6 CSR :

Commission noted that most PSUs are doing excellent CSR work. The Commission recommended that the PSUs take up an outcome tracking of all skill development / education related CSR works so that the outcome of such CSR activities in providing gainful employment / improving standard of living etc. can be kept in sight and minor modifications, if any needed, can be made in the CSR programmes to render them more effective. The CMDs of all PSUs / GMs of the Railways have agreed to take necessary steps for the same.

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 programs relating to the Scheduled Caste community. NCSC draws its strength from the Article 338 of Indian Constitution which is the backbone of its functioning.

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 2018-19 is as below.

4.2 Complaint Investigation and resolution in NCSC

The Rules of Procedure of the Commission do not prescribe any time limit for investigation and enquiry of grievances / cases/ individual 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 cases 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 grievances / cases/ individual complaints.

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

- Those related to service matters are handled by Service Safeguards Wing,

- Those related to economic and social development matters are handled by the Economic and Social Development Wing (ESDW),
- The cases related to atrocities, are handled by Atrocities and Protection of Civil Rights Wing (APCR).

The details of grievances / cases handled by the Commission Headquarters and its State Offices are as under:

4.2.1 Grievances / cases handled at the Commission

4.2.1(a): 2018-19

Table 4.1(a)

Nature of cases	Opening Balance as on 1.4.2018	Received during April, 2018 to March.2019	Total case received (col.2&3)	Total cases Disposed	Closing balance as on 01.04.2019
1	2	3	4	5	6
1.Agartala State Office : Jurisdiction - Tripura					
SSW	04	07	11	0	11
APCR	07	02	09	0	09
ESDW	07	03	10	0	10
Miscellaneous	179	04	183	0	183
Total:	197	16	213	0	213
2.Ahmedabad State Office : Jurisdiction-Gujarat, Rajasthan, Daman and Diu, Dadra & Nagar Haveli					
SSW	240	92	332	12	320
APCR	528	373	901	12	889
ESDW	303	178	481	08	473
Miscellaneous	55	15	70	01	69
Total:	1126	658	1784	33	1751
3.Bangalore State Office: Jurisdiction -Karnataka					
SSW	159	73	232	10	222
APCR	166	38	204	18	186
ESDW	199	45	244	12	232
Miscellaneous	77	06	83	03	80

Total:	601	162	763	43	720
4.Chennai State Office: Jurisdiction-Tamil Nadu, Puducherry					
SSW	1645	542	2187	369	1818
APCR	2461	734	3195	784	2411
ESDW	2093	1078	3171	59	3112
Miscellaneous	315	229	544	24	520
Total:	6514	2583	9097	1236	7861
5.Chandigarh State Office: Jurisdiction-Punjab, Haryana, Himachal Pradesh, J&K, Uttarakhand & UT of Chandigarh					
SSW	401	125	526	0	526
APCR	1083	858	1941	0	1941
ESDW	309	54	363	0	363
Miscellaneous	548	133	681	0	681
Total:	2341	1170	3511	0	3511
6.Guwahati State Office: Jurisdiction-Assam, Manipur, Mizoram, Nagaland, Meghalaya and Arunachal Pradesh					
SSW	32	16	48	0	48
APCR	00	1	01	0	01
ESDW	02	0	02	0	02
Miscellaneous	16	22	38	0	38
Total:	50	39	89	0	89
7.Hyderabad State Office: Jurisdiction-Andhra Pradesh, Madhya Pradesh, Chhattisgarh					
SSW	1314	512	1826	12	1814
APCR	1271	544	1815	06	1809
ESDW	1314	460	1774	07	1767
Miscellaneous	0	0	0	00	00
Total:	3899	1516	5415	25	5390
8.Kolkata State Office: Jurisdiction-West Bengal, Odisha, Sikkim and A&N Islands					
SSW	246	164	410	39	371
APCR	277	101	378	69	309
ESDW	147	118	265	51	214
Miscellaneous	152	87	239	48	191
Total:	822	470	1292	207	1085
9.Lucknow State Office: Jurisdiction-Uttar Pradesh					
SSW	763	208	971	0	971
APCR	1355	1311	2666	0	2666

ESDW	2220	913	3133	0	3133
Miscellaneous	438	137	575	0	575
Total:	4776	2569	7345	0	7345
10.Patna State Office: Jurisdiction-Bihar and Jharkhand					
SSW	541	173	714	455	259
APCR	893	408	1301	696	605
ESDW	392	99	491	250	241
Miscellaneous	231	73	304	158	146
Total:	2057	753	2810	1559	1251
11.Pune State Office: Jurisdiction-Maharashtra and Goa					
SSW	1547	154	1701	98	1603
APCR	1177	182	1359	107	1252
ESDW	812	53	865	33	832
Miscellaneous	18	25	43	27	16
Total:	3554	414	3968	265	3703
12.Thiruvananthapuram State Office: Jurisdiction-Kerala and Lakshadweep					
SSW	48	40	88	0	88
APCR	140	303	443	14	429
ESDW	143	120	263	17	246
Miscellaneous	61	46	107	09	98
Total:	392	509	901	40	861
Total (all 12 State Offices of NCSC)	26329	10859	37188	3408	33780
NCSC Headquarters					
APCR	7379	2276	9655	284	9371
ESDW	2036	826	2862	241	2621
SSW-I	2771	795	3566	74	3492
SSW-II	2117	401	2518	279	2239
Total (NCSC Hqrs.)	14303	4298	18601	878	17723
Grand Total (all State Offices + NCSC Hqrs.)	40632	15157	55789	4286	51503

As can be seen 15157 cases were received in 2018-19. The closing balance of pending cases is 51503 as on 31 March 2019.

4.2.1(b): 2019-20

Table 4.1(b)

Nature of cases	Opening Balance as on 01.04.2019	Received during April, 2019 to January 2020	Total case received (col.2&3)	Total cases Disposed	Closing balance as on 31.01.2020
1	2	3	4	5	6
1.Agartala State Office : Jurisdiction - Tripura					
SSW	11	09	20	00	20
APCR	09	05	14	00	14
ESDW	10	05	15	00	15
Miscellaneous	183	05	188	00	188
Total:	213	24	237	00	237
2.Ahmedabad State Office : Jurisdiction-Gujarat, Rajasthan, Daman and Diu, Dadra & Nagar Haveli					
SSW	320	88	408	17	391
APCR	889	184	1073	17	1056
ESDW	473	133	606	08	598
Miscellaneous	69	15	84	01	83
Total:	1751	420	2171	43	2128
3.Bangalore State Office: Jurisdiction -Karnataka					
SSW	222	101	323	05	318
APCR	186	92	278	14	264
ESDW	232	83	315	11	304
Miscellaneous	80	07	87	00	87
Total:	720	283	1003	30	973
4.Chennai State Office: Jurisdiction-Tamil Nadu, Puducherry					
SSW	1818	520	2338	399	1939
APCR	2411	648	3059	606	2453
ESDW	3112	848	3960	504	3456
Miscellaneous	520	179	699	01	698
Total:	7861	2195	10056	1510	8546

5.Chandigarh State Office: Jurisdiction-Punjab, Haryana, Himachal Pradesh, J&K, Uttarakhand & UT of Chandigarh					
SSW	526	611	2552	1	2551
APCR	1941	138	664	1	663
ESDW	363	30	393	14	379
Miscellaneous	681	66	747	0	747
Total:	3511	845	4356	16	4340
6.Guwahati State Office: Jurisdiction-Assam, Manipur, Mizoram, Nagaland, Meghalaya and Arunachal Pradesh					
SSW	48	11	59	00	59
APCR	01	01	02	00	02
ESDW	02	01	03	00	03
Miscellaneous	38	13	51	00	51
Total:	89	26	115	00	115
7.Hyderabad State Office: Jurisdiction-Andhra Pradesh, Madhya Pradesh, Chhattisgarh					
SSW	1814	279	2093	02	2091
APCR	1809	504	2313	83	2230
ESDW	1767	271	2038	96	1942
Miscellaneous	00	0	00	00	00
Total:	5390	1054	6444	181	6263
8.Kolkata State Office: Jurisdiction-West Bengal, Odisha, Sikkim and A&N Islands					
SSW	371	141	512	177	335
APCR	309	148	457	148	309
ESDW	214	39	253	124	129
Miscellaneous	191	70	261	152	109
Total:	1085	398	1483	601	882
9.Lucknow State Office: Jurisdiction-Uttar Pradesh					
SSW	971	112	1083	18	1065
APCR	2666	911	3577	1394	2183
ESDW	3133	1001	4134	1213	2921
Miscellaneous	575	85	660	00	660
Total:	7345	2109	9454	2625	6829
10.Patna State Office: Jurisdiction-Bihar and Jharkhand					
SSW	259	96	355	05	350
APCR	605	393	998	80	918
ESDW	241	114	355	15	340
Miscellaneous	146	85	231	14	217

Total:	1251	688	1939	114	1825
11.Pune State Office: Jurisdiction-Maharashtra and Goa					
SSW	1603	250	1853	71	1782
APCR	1252	348	1600	108	1492
ESDW	832	188	1020	66	954
Miscellaneous	16	96	112	29	83
Total:	3703	882	4585	274	4311
12.Thiruvananthapuram State Office: Jurisdiction-Kerala and Lakshadweep					
SSW	88	46	134	15	119
APCR	429	173	602	8	594
ESDW	246	78	324	81	243
Miscellaneous	98	62	160	3	157
Total:	861	359	1220	107	1113
Total (all 12 State Offices of NCSC)	33780	9283	43063	5501	37562
NCSC Headquarters					
APCR	9371	1327	10698	385	10313
ESDW	2621	541	3162	130	3032
SSW-I	3492	566	4058	112	3946
SSW-II	2239	319	2558	231	2327
Total (NCSC Hqrs.)	17723	2753	20476	858	19618
Grand Total (all 12 State Offices + NCSC Hqrs.)	51503	12036	63539	6359	57180

As can be seen 12036 cases were received in 2019-20 (upto 31.01.2020). The Commission disposed off 6359 cases upto January 2020 .The closing balance of pending cases is 57180 as on 31 January 2020.

4.3 Outcome of cases on Service Safeguard issues

1348 and 1053 cases dealt in the Commission (Headquarters and State Offices) relating to service safeguards issues were closed in the Commission in 2018-19 and 2019-20 . These cases were on issues like denial of promotion/MACP, denial of appointments, denial of appointments on compassionate grounds, non payment of pension & terminal/pensionary benefits, dismissal/reinstatement cases, harassment in transfer/posting and other harassment cases on caste grounds etc.

Out of these, outcome of 165¹ (97 of 2018-19 and 68 of 2019-20) of the interesting and successful cases are tabulated and further detailed below. As a result of the intervention of NCSC in the 165 mentioned cases, 29 persons were promoted, 24 persons received their pension and arrears of Rs 161.76 lakh , 14 persons were appointed in services, 13 persons received compassionate appointments , 20 persons were reinstated after termination / suspension etc and received Rs. 18.74 lakh as miscellaneous payments, 43 persons were transferred or upgraded in posts and received Rs. 1.49 lakh as arrears , miscellaneous benefits etc were also received by 16 other persons .

Table 4.2

Sr no	Subject	Interesting cases at Hqrs.	Interesting cases at State Offices	benefit amount (Rs.)
1	Promotion matters	12	17	Nil
2	Up-gradation of Pay Scales	00	01	33,241/-
3	Appointment matters	00	12	Nil
4	Pensionary/Terminal Benefits matters	07	16	1,55,36,094 + 6,40,000/-
5	Transfer matters	10	21	1,45,602

¹ The details of these cases are available on the website of NCSC : <http://ncsc.nic.in> > Activities (<http://ncsc.nic.in/pages/display/56>)

6	Compassionate appointment matters	05	08	Nil
7	Suspension and re-instatement in services, payment of salary, caste certificate, harrashment and miscellaneous matters.	03	29	18,74,000/-
8	Appointment of Contract workers	00	02	Nil
	Total	37	60	1,82,28,937-

4.4. Economic and Social Development cases :

The Commission received a large number of cases in the economic and social development sector and a total of 2940 cases (678 in 2018-19 and 2262 in 2019-20 respectively)relating to this sector were disposed off by the Commission in 2018-19 and 2019-20.

In 180 cases of the economic and social sector wing², after the intervention the NCSC ,09 students got admission in courses of their choice , 10 students received due scholarship /tuition fee reimbursement , 20 students received their held back degree / certificates , 70 persons got possession of land / plots /flats , 29 persons received benefits under the various welfare schemes of the Central/ State Governments. 41 persons received miscellaneous benefits like loans etc matters like loans etc , 1 person received a petrol pump , leading to a total monetary benefit of Rs 1041.94 lakh.The details are as below :

² The details of these cases are available on the website of NCSC : <http://ncsc.nic.in> > Activities (<http://ncsc.nic.in/pages/display/56>)

Table 4.3

Sr. No.	Subject	NCSC Hqrs		NCSC State Office	
		No. of Interesting cases	Monetary benefit received (in Rs)	No. of Interesting cases	Monetary benefit received (in Rs)
1.	Admission matters	01	-	08	-
2.	Scholarship matters/fee concession	06	12,24,600/-	04	15,95,000
3.	Possession of land/plot/Flat	09	-	61	8,29,70,000/-
4.	Benefit under SC Schemes	01	50,000/-	28	Rs. 20,62,000/-
5.	Allotment of petrol pump	-	-	1	-
6.	Education/Degree and certificate issuance matters	-	-	20	8,26,000/-
7.	Miscellaneous matters like Loan etc	04	20,94,488/-	37	1,33,72,000/-
	Total	21	33,69,088/-	159	10,08,25,000 /-

4.5 Outcome of Atrocity related cases

The Commission received a large number of cases of inaction on atrocities on Scheduled Castes and a total of **4834** cases (**1990** cases of 2018-19 and **2844** cases of 2019-20) relating to this sector were disposed off by the Commission in 2018-19 and 2019-20.

After the intervention of the NCSC in 1162 cases³ (**786** cases in 2018-19 and **376** cases in 2019-20) of atrocities against Scheduled Castes, 1035 FIRs (**657** in 2018-19 and **378** in 2019-20) were registered, 1248 accused (**779** in 2018-19 and **469** in 2019-20) were arrested and **693**

³ The details of these cases are available on the website of NCSC : <http://ncsc.nic.in> > Activities (<http://ncsc.nic.in/pages/display/56>)

chargesheets (439 in 2018-19 and 254 in 2019-20) have been filed. Monetary relief of **Rs 2682.60 lakh (Rs 1250.42 lakh in 2018-19 and Rs 1612.18 lakh in 2019-20)** have been paid to the victims as monetary relief. In addition in 21 cases (06 in 2018-19 and 15 in 2019-20), family members were sanctioned pensions, 14 family members (4 in 2018-19 and 10 in 2019-20) family members got jobs, 14 (03 in 2018-19 and 11 in 2019-20) house/land patta/agriculture land were given to families of victims.

Table 4.4 (a):2018-2019

S. No	Subject	Interesting cases		Monetary relief (Rs. in lakh)		Additional relief sanctioned	
		Hqrs.	State Offices	Hqrs.	State Offices	Hqrs.	State Offices
1.	Rape/Gang rape	05	49	12.225	168.0285	-	-
2.	Grievous hurt/Kidnapping	-	05	-	13.25	-	-
3.	Miscellaneous	10	42	11.50	340.125	-	01 house
4.	Murder/Attempt to murder	20	74	123.125	558.42	03 pension, 01 job, 01 house patta and 01 land patta	02 pension, 03 job
5.	Arson/Robbery	02	-	23.75	-	-	-
	Total:	37	170	170.60	1079.8235		
	Grand Total:	207		1250.4235		05 pension, 04 job, 02 house patta and 01 land patta	

Table 4.4 (b): 2019-2020

S. No.	Subject	Interesting cases		Monetary relief (Rs. in lakh)		Additional relief sanctioned	
		Hqrs.	State Offices	Hqrs.	State Offices	Hqrs.	State Offices
1.	Rape/Gang rape	50	84	156.84	219.45	01 family pension and 01 job	01 job, 02 house and 01 land
2.	Grievous hurt/Kidnapping	13	14	22.75	92.875	-	-
3.	Miscellaneous	17	57	20.125	130.287	-	-
4.	Murder/Attempt to murder	72	67	485.521	476.58	06 pension, 03 job and 02 house	08 family Pension, 05 Job, 02 house and 04 land
5.	Arson/Robbery	01	01	0.75	7.00	-	
	Total:	153	223	685.986	926.192	-	
	Grand Total:	376		1612.178		15 family pension, 10 job, 06 house and 05 land patta	

4.6 Spot Visits

Spot visits⁴ in atrocity matters were conducted in 35 (18 cases in 2018-19 and 17 cases in 2019-20) cases by the Commission. After the visits and intervention of the Commission, registration of 33 FIRs (20 in 2018-19 and 13 in 2019-20) have been ensured under PoA Act, 72 arrests made (50 in 2018-19 and 22 in 2019-20) and 15 chargesheets were filed (10 in 2018-19 and 5 in 2019-20). Total monetary relief of Rs 197.095 lakh (Rs. 105.05 lakh in 2018-19 and Rs 92.045 lakh) was also released to the SC victims. In addition 01 family received a house, 2 were given agricultural land, 5 family pensions (2 in 2018-19 and 3 in 2019-20) were sanctioned and 3 family members were given jobs. Medical airlift charges in one case of Rs 4.60 lakh were also got sanctioned.

Brief details of outcome of the cases are detailed below:

⁴ The details of these spot visits are available on the website of NCSC : <http://ncsc.nic.in> > Activities (<http://ncsc.nic.in/pages/display/56>)

Table 4.5(a) :2018-19

Office	No. of spot visits	Type of atrocity and place	Date of spot visit	Outcome after intervention of NCSC
Head Quarters	01	Murder of Shri Shaktipada Sardar South 24 Parganas, West Bengal	03.08.2018 ⁵	Rs.8.25 lakh sanctioned to widow of victim and gross pension of Rs.10000/- pm sanctioned to her along with subsidy for a grocery shop set up.
Bangalore	01	Murder of Shri. Kariyappa Mandya, Karnataka	25.10.2018 ⁶	Rs 8.25 lakh was sanctioned to the family members.
Chennai	03	3 SC murdered and 5 SCs injured in attack. Katchanatham village, Sivaganga	31.5.2018 ⁷	FIR registered, 13 arrested. Monetary compensation of Rs 12.375 lakh (@Rs.4.125 lakh each to families of 3 murdered victims) and Rs 7.5 lakh (@Rs.1.50 lakh each to the 5 injured persons) was released
		4 SCs killed in police firing Thoothukudi	29.6.2018 ⁸	-
		Murder of an SC male belonging to Krishnagiri, Tamil Nadu at Mandya,	21.11.2018 ⁹	FIR was lodged in Karnataka and on reference received from Karnataka

⁵ By Prof. (Dr.) Ram Shankar Katheria, Chairman, NCSC , Dr. Yogendra Paswan, Member, NCSC and Research Officer, NCSC, Kolkata.

⁶ By Dr. L. Murugan, Vice Chairman, NCSC

⁷ By Dr. L. Murugan, Vice Chairman, NCSC

⁸ By Dr. L. Murugan, Vice Chairman, NCSC

⁹ By Dr. L. Murugan, Vice Chairman, NCSC

		Karnataka		police, Rs.4.125 lakh has been paid as monetary relief to the victim's family
		Problems faced by SCs in Kailasanathar Temple Azhagumalai village, Tiruppur	23.11.2018 ¹⁰	Due to the visit, temple issue relating to SCs has been resolved.
Chandigarh	02	Murder of Shri Ajay Kumar Dona Jalandhar, Punjab	23.01.2019 ¹¹	PoA Act was included in the FIR, 04 accused were arrested and 03 were declared P.O. and the case was chargesheeted
		Atrocities on SCs leading to migration of SCs from Bhagana Village, Haryana	04.12.2018 ¹²	FIRs were registered with the inclusion of PoA Act ,Rs.10.65 lakh compensation was paid to victims , spot verification of the list of persons who had migrated was conducted.
Kolkata	01	Murder of Shri Dharmaraj Hazra Murshidabad, West Bengal	18.07.2018 ¹³	rations provided to the family for three months and full protection to the school going children. Rs 0.15 lakh were also paid
Patna	06	Attempt to rape of an SC girl , making video viral. Jehanabad, Bihar	05.05.2018 ¹⁴	Rs.1.50 lakh paid to the victim and chargesheet submitted on

¹⁰ By Dr. L. Murugan, Vice Chairman, NCSC

¹¹ By Director, NCSC State Office, Chandigarh

¹² By Director, NCSC State Office, Chandigarh

¹³ By Dr. Yogendra Paswan, Member, NCSC , Research Officer, NCSC, Kolkata.

¹⁴ By Dr. Yogendra Paswan, Member, NCSC.

				29.06.2018.
		Arson in village Mallickpur, Vaishali, Bihar	09.06.2018 ¹⁵	Rs 1.50 lakh (@Rs. 25,000/- each to all 6 victims) was sanctioned
		Rape of two SC women In Paradi and Jaitpur Kala under Bhagwanpur P.S. of Kaimur , Bihar	07.07.2018 ¹⁶	Rs. 0.50 lakh was paid to victim in 1 st case and Rs 1.50 lakh to victim in 2 nd case. , chargesheets also submitted in both cases
		Rape and murder of an SC girl of village Lodhi , Rohtas, Bihar	04.09.2018 ¹⁷	Rs. 8.25 lakh was paid to family members of the victim.
		Firing leading to death of an SC woman and 2 injured Nawada, Bihar	13.10.2018 ¹⁸	Rs. 8.25 lakh as financial relief was paid to the family of victim and Rs.1.00 lakh each paid to injured women.
		Gang rape of an SC girl of village Chillauri Tola,	11.02.2019 ¹⁹	Chargesheet has been submitted.

¹⁵ By Dr. Yogendra Paswan, Member, NCSC.

¹⁶ By Dr. Yogendra Paswan, Member, NCSC.

¹⁷ By Dr. Yogendra Paswan, Member, NCSC.

¹⁸ By Dr. Yogendra Paswan, Member, NCSC.

¹⁹ By Dr. Yogendra Paswan, Member, NCSC.

		Jehanabad, Bihar		Proposal for financial relief has already been submitted to the District Magistrate, Jehanabad
Thiruvananthapuram	03	Murder of Shri Ananthu Mohan in Thiruvananthapuram	07.03.2019 ²⁰	FIR was registered, Rs. 4.125 lakh was paid to family members of the victim.
		Shri Vinayabose in Thiruvananthapuram	07.03.2019 ²¹	FIR was registered, Rs. 4.125 lakh was paid to family members of the victim.
		Attingal, Thiruvananthapuram	07.03.2019 ²²	FIR was registered, Rs. 4.125 lakh was paid to family members of the victim.

Table 4.5(b) :2019-20

State Office	No. of Spot Visit	Place of Spot Visit	Date of Spot Visit	Outcome after NCSC intervention
Chennai	01	Murder of Vijay Raghu Tiruchirapalli City, TN	28.01.2020 ²³	FIR was registered ,3 accused were arrested. Monetary relief of Rs.4.125 lakh was paid to family members of victim.
Hyderabad	04	Shri Dhan Prasad Ahirwar , burnt to death in Mothi Nagar ,	21.01.2020 ²⁴	FIR was registered. Rs 4.60 lakh air medivac exenses was met by the State Government. Rs 5.125 lakh monetary relief

²⁰ By Senior Investigator, NCSC, Thiruvananthapuram.

²¹ By Senior Investigator, NCSC, Thiruvananthapuram.

²² By Senior Investigator, NCSC, Thiruvananthapuram.

²³ By Dr. L. Murugan, Vice Chairman, NCSC

²⁴ By Dr L Murugan , VC , NCSC and Director NCSC State office , Hyderabad

		Bhopal ,MP		was provided to family along with other help.
		Murder of 02 children as they were defecating in the open in Shivpuri, MP	01.10.2019 ²⁵	FIR was registered. Monetary relief of Rs 8.25 lakh (@Rs. 4.125 lakh x 2 victims) was paid to each family. 0.5-hectare land in Sy. No. 1699/2, Tekna (V) was assigned to the family along with construction of toilet and other monetary help of 0.30 lakh each was also extended.
		Gang rape and murder of woman in Asifabad, Telangana	05.12.2019 ²⁶	FIR was registered. Accused arrested. Monetary relief of Rs 8.25 lakh, monthly pension of Rs 5000/- pm ,3 acres agricultural land and a 2BHK house was sanctioned to victim's husband. He was also given a government job and her 2 children were admitted to SW residential school at Ichoda, Adilabad.
		Attack on a SC wedding procession leading to death of 1 and injuries to three in Pipalarwa, Dewas, MP	06.06.2019 ²⁷	Monetary relief Rs. 8.25 lakh was paid to family of the deceased victim , the 3 injured were paid monetary relief of Rs. 4.50 lakh (@ Rs. 1.50 lakh x 3 victims) in addition to other help.
Kolkata	04	Murder of 2 SCs and abduction of	14.06.2019 ²⁸	PoA Act, 2015 was added to FIR, all accused have been

²⁵ By Dr L Murugan , VC , NCSC and Director NCSC State office , Hyderabad

²⁶ By Shri K Ramulu , Member, NCSC, and Director, NCSC State Office Hyderabad

²⁷ By Dr L. Murugan, Vice Chairman, NCSC, and Director, NCSC State Office Hyderabad

²⁸ Dr Ram Shankar Katheria , Chairman NCSC, Dr L Murugan , VC , NCSC, Dr Yogendra Paswan , Member

		one SC in Basirhat , North 24 Parganas District, West Bengal		arrested. Families of each of the two deceased were paid Rs. 8.25 lakh through bank transfer and Rs. 2.50 lakh have been given from the Disaster Management Fund. Besides Rs. 11,250/- pension per month has been released in favour of the two widows.
		Social media harrasment leading to suicide of a SC girl in Jagatsinghpur, West Bengal	28.11.2019 ²⁹	Section 376 C IPC, Section 4 of PoA Act and Section 67 of IT Act, 2008 added in the FIR. Allotment of land and house under PMY is under active consideration now. Rs. 0.50 lakh has been paid to victim's mother.
		Rape and murder of a 18 year SC girl in South Dinajpur	12.01.2020 ³⁰	sections 3of PoA Act have been added in the FIR . Monetary relief of Rs. 4.125 lakh has been released to father of victim and all three accused are arrested.
		Land dispute, Bhubaneswar, ,Odisha	23.01.2020 ³¹	Resolved and victim received compensation.
Patna	05	Murder in Raj Kharhor ,Supaul ,Bihar	07.09.2019 ³²	PoA Act sections added in FIR, 3 accused arrested, chargesheet filed .Financial relief Rs. 8.25 lakh was paid to the dependent of deceased. Monthly pension amounting to Rs. 5000/- plus admissible D.A. sanctioned to family

²⁹ Dr Yogendra Paswan , Member , NCSC

³⁰ Dr Yogendra Paswan , Member , NCSC

³¹ By Director, NCSC, Kolkata

³² By Dr Yogendra Paswan , Member , NCSC

		Rape of a minor SC girl in village Kalopur Patna ,Bihar	06.07.2019 ³³	Sections of PoA Act added in FIR, accused arrested, chargesheet filed on. Financial relief Rs. 3.75 lakh was paid to the victim
		Murder in Shiekhpora ,Bihar	28.10.2019 ³⁴	Sections of PoA Act added in FIR and financial relief of Rs. 4.125 lakh was paid to family of victim.
		Murder of a SC woman in village Lakhapur ,Jamui , Bihar.	09.10.2019 ³⁵	Sections of PoA Act added in FIR , financial relief of Rs. 4.125 lakh was paid to family of victim.
		Gang rape and murder of a Scheduled Caste girl in village Rawaich , Patna ,Bihar	22.10.2019 ³⁶	Sections of POCSO Act and PoA Act were added in FIR, all 3 accused arrested, chargesheet filed and financial relief of Rs. 4.125 lakh was paid to family.
Pune	03	Rape of SC girl in Ahmednagar, Maharashtra	11.01.2020 ³⁷	Sections of PoA Act were added in FIR. All the accused were arrested and chargesheet submitted in special court. Monetary relief Rs 1 lakh was provided to victim.
		Gang rape at Sholapur city, Maharashtra	14.02.2020 ³⁸	All the 11 accused were arrested and chargesheet was submitted in special court Monetary relief Rs. 4.125 lakh was paid to the victim along with 3 months ration.
		Murder in the village Khandala Aurangabad, Maharashtra	20.03.2020 ³⁹	Accused arrested and chargesheet submitted in special court , Financial relief of Rs. 4.125 lakh was paid to family of victim.

³³ By Dr Yogendra Paswan , Member , NCSC

³⁴ By Dr Yogendra Paswan , Member , NCSC

³⁵ By Dr Yogendra Paswan , Member , NCSC

³⁶ By Dr Yogendra Paswan , Member , NCSC

³⁷ By Director State Office NCSC , Pune

³⁸ By Director State Office NCSC , Pune

³⁹ Director State Office NCSC , Pune

4.7 Deaths due to manual cleaning of sewer lines/septic tanks /STPs etc :

During 2018-19 the Commission took suo-moto cognizance of 23 cases where there were 61 deaths of Safaikaramcharis / labourers who tragically lost their lives during manual cleaning of sewers/septic tanks etc and 4 were injured. Old cases (57 deaths) of Karnataka were also followed up.

Manual cleaning of sewers/septic tanks etc is prohibited under the “Prohibition of employment as Manual Scavengers and their Rehabilitation Act, 2013” Act (MS Act).

In 2018-19 , 23 cases of deaths due to manual cleaning of sewers / septic tanks /STPs etc were taken up by the Commission⁴⁰, after our intervention, FIRs were lodged against the persons responsible and Rs 1369.91 lakh was paid as compensation to the families of victims. This includes payment made under MS Act, payment made under PoA Act and other payments made on humanitarian grounds. Besides this, in some cases medical expenses of Rs 85.46 lakh were also paid. Families of 3 deceased were offered jobs, pensions were sanctioned in 3 cases and families of three deceased provided land. In 16 of the old cases of Karnataka payment of compensation of Rs 160 lakh was ensured

Table 4.6(a): 2018-19

				Rs. in lakh
Sr. No.	Compensation under	NCSC Hqrs.	NCSC State Office	Total
1.	MS Act, 2013	190.00	490.00	680
2.	Insurance	40.00	109.90	149.90
3.	PoA Act, 1989	37.12	99.00	136.12
4.	Other payments	48.63	89.90	138.53

⁴⁰ The details of these cases are available on the website of NCSC : <http://ncsc.nic.in> > Activities (<http://ncsc.nic.in/pages/display/56>)

5.	Mixed (where bifurcation of compensation not given)	-	179.90	179.90
6.	Medical reimbursement	85.46	-	85.46
	Total	401.21	968.7	1369.91

4.7.1(b) :2019-20

During the year the Commission's Headquarter took suo-moto cognizance of 22 cases where 52 Safaikaramcharis / labourers tragically lost their lives during manual cleaning of sewers/septic tanks etc and 9 were injured.

In these 22 cases taken up by the Commission⁴¹ in 2019-20, after our intervention, FIRs were lodged against the persons responsible and Rs 538.92 lakh was paid as compensation to the families of victims. This includes payment made under MS Act, payment made under PoA Act and other payments made on humanitarian grounds. Families of 2 deceased were offered jobs and 2 were sanctioned houses.

⁴¹ The details of these cases are available on the website of NCSC : <http://ncsc.nic.in> > Activities (<http://ncsc.nic.in/pages/display/56>)

Table 4.6(b): 2019-20

Rs. in lakh				
Sr. No.	Compensation under	NCSC Hqrs.	NCSC State Office	Total
1.	MS Act, 2013	80	110	190
2.	Insurance	-	-	-
3.	PoA Act, 1989	82.50	66	148.50
4.	Other payments	192.42	10	202.42
5.	Mixed (where bifurcation of compensation not given)	-	-	-
6.	Medical reimbursement	-	-	-
	Total	352.92	186	538.92

The cases in brief were :

- **21 deaths and 10 injured in 10 incidents in Delhi :**
 - 03 killed and 2 injured in Hotel Taj Vivanta, New Delhi on 29.04.2018,
 - 05 labourers killed in Moti Nagar, New Delhi on 09.09.2018,
 - 01 labourer killed in Dabri area, Delhi on 14.09.2018,
 - 01 labourer died in Jahangir Puri, Delhi on 21.10.2018,
 - 01 labourer was killed in Sangam Vihar, Jharoda Chowki , Delhi on 20.01.2019,
 - 02 labourers died and 02 workers critically injured in Rajouri Garden, Delhi on 23.03.2019,
 - 02 persons were killed and 03 workers critically injured in Rohini, Delhi on 07.05.2019,
 - 02 persons were killed in Keshavpuram, Delhi on 21.05.2019,

- 03 persons died while cleaning sewers of Delhi Jal Board (DJB) in Khyala, Delhi on 26.06.2019,
- 01 person killed and 03 persons injured in Shakurpur , Delhi on 23.11.2019.
- **05 deaths in 02 incidents in Punjab :**
 - 02 labourers killed in Amritsar on 19.03.2019 and
 - 02 labourers and 1 policeman died in Ferozepur on 03.06.2018.
- **04 deaths in 03 incidents in Karnataka:**
 - 02 labourers died in Shivamogga, Karnataka on 06.08.2018,
 - 01 person killed in Amar International Hotel, INDI, Vijayapura on 02.04.2019 and
 - 01 person killed at Jain Sanga Trust, Bangalore on 25.01.2020 .
- **11 deaths in 05 incidents in Haryana:**
 - 02 labourers killed in Bhiwani on 13.06.2018 ,
 - 03 persons killed in Sonipat on 01.05.2019,
 - 03 labourers killed in Rohtak on 26.06.2019,
 - 01 person killed in Gurugram 28.08.2019 ,
 - 02 persons died in Rewari, Haryana on 14.10.2019
- **06 deaths in 04 incidents in Tamil Nadu:**
 - 02 labourers died in SIPCOT, Thirumazihisai, Thiruvallur on 06.01.2019,
 - 01 person died in Chennai on 13.11.2019,
 - 02 SC labourers were killed at Thiru Nagar in Coimbatore on 22.01.2019,
 - 01 person died in Kumbakonam, Thanjavur on 14.11.2019.
- **08 deaths in 02 incidents in AP :**
 - 01 person died in Vijaywada, Krishna on 20.03.2018,
 - 07 persons were killed in Chittur on 17.02.2018.
- **02 deaths in one incident in Uppal stadium, Hyderabad , Telengana** on 30.05.2018.
- **07 deaths in one incident** at Darshan Hotel in Fartikui, Dabhoi, Vadodara, **Gujarat** on 15.06.2019

- **01 death in one incident in** Anjora, Durg, **Chhattisgarh** on 04.06.2018.
- **02 deaths in one incident** in Sangam Nagar Zone, Indore, **MP** on 02.04.2019.
- **04 deaths in one incident** Udaipur, **Rajasthan** on 28.08.2019,
- **06 deaths in one incident** North 24 Parganas, **WB** on 29.03.2018
- **05 deaths in one incident** in Rayagada, **Odisha** on 02.09.2018
- **10 deaths and 01 injured in 04 incidents in Maharashtra:**
 - 03 persons died in Panvel Navi Mumbai on 11.01.2019,
 - 03 labourers were killed in Govandi, Mumbai on 23.12.2019
 - 02 workers were killed and one worker critically injured in Khetani compound, Mumbai on 27.12.2019
 - 02 persons died in Kurla West, Mumbai on 16.12.2019 .
- **20 deaths and 02 injured in 07 incidents in UP :**
 - 03 labourers died in Behran, Agra on 29.05.2018,
 - 03 labourers were killed in Loni, Ghaziabad on 08.07.2018,
 - 02 labourers of Jal Nigam Ganga Pollution Control unit Varanasi died on 03.03.2019,
 - 02 persons were killed in Noida, GB Nagar on 30.05.2019,
 - 02 persons died in Kanpur on 19.06.2019,
 - 03 workers were killed and 02 workers critically injured in Hapur on 19.07.2019,
 - 05 persons were killed while cleaning sewers at Nandigarm, Ghaziabad on 22.08.2019.

4.8 Hostel Visits

4.8.1 State Office Agartala

The NCSC Team⁴² visited the Babu Jagjibanram Chhatriniwas at Aralia, West Tripura on 20.09.2018. During the visit the officers from NCSC interacted with the Headmaster of the School, Hostel in-charge and few students of the hostel. After visiting the hostel, the team met

⁴² Director, NCSC, Agartala, officers from the Scheduled Castes Welfare Department, Government of Tripura

Secretary, SC Welfare, Government of Tripura and informed him of the problems and requirements of the hostel. The Additional Secretary to GoT, SC Welfare Department in his letter dated 05.04.2019 informed that they have taken necessary action on the matter.

4.8.2 State Office Chennai

NCSC Team⁴³ conducted visits to 3 SC Welfare Hostels in Chennai District and 1 SC Welfare Hostel in Coimbatore during the year 2018-19.No major recommendations were made as situation was found satisfactory.

4.8.3 State Office Kolkata

NCSC team⁴⁴ from State Office, Kolkata, visited the Akanksha, Urban Hostel Complex for Post-matric ST/SC students at Nuagan, Kalinganagar, Nuagan, Odisha on 04.03.2019. During the visit the officers from NCSC interacted with the hostel in-charge superintendent and few students of the hostel. The overall conditions of the hostel were found satisfactory. There were few issues like dirty bathrooms etc. which have been pointed out for rectification.

4.8.4 State Office Thiruvananthapuram

The NCSC team⁴⁵ visited the following hostels :

- i. Post matric girls hostel for SC, Poochedivila, Thiruvananthapuram on 17.10.2018
- ii. Post matric girls and boys hostel for SC, Kozhikde on 16.12.2018
- iii. Government SC Medical College Hostel, Palakkad on 12.2.2019

During the visit NCSC team monitored the infrastructure facilities extended to students and recommended that CCTV cameras be installed for ensuring the safety of students.

⁴³ Dr. L. Murugan, Vice Chairman, NCSC , officers of NCSC, Chennai.

⁴⁴ Officers of NCSC, Kolkata.

⁴⁵ Dr. L. Murugan, Vice Chairman, NCSC , Senior Investigator, NCSC, Thiruvananthapuram.

4.9 Jail Visit

State office: Chennai

NCSC team⁴⁶ visited Central Prison, Puzhal, Chennai on 06.04.2018 to examine the facilities extended to the inmates of prison including SC prisoners. The team also visited the cell where Shri Ramkumar (SC) accused in murder case of Ms. Swathi, allegedly committed suicide.

4.10 Proposals seeking view of Commission on Policy Matters

According to the clause 9 of the Article 338 of the Constitution, “The Union and every State Government shall consult the Commission on all major policy matters effecting Scheduled Castes.”

Three Ministries⁴⁷ had consulted the Commission on 10 policy matters during 2018-19 as per brief details below :

4.10.1 Amendments in Section 3 of the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, regarding committing of any offence specified under relevant sections of the Protection of Children from Sexual Offences (POCSO) Act, 2012.

The proposal received from MSJE was deliberated in detail and approval of the Commission was conveyed vide letter no.3/2/2007-APCR (Pt. File) dated 06.07.2018.

4.10.2 Exclusion of creamy layer from amongst SCs and STs from the purview of benefits of reservation .

⁴⁶ Dr. L. Murugan, Vice Chairman, NCSC ,officers of NCSC, Chennai.

⁴⁷ Ministry of Social Justice & Empowerment (8 matters), Ministry of Human Resource Development and Ministry of Women & Child Development (1 matter each)

The Commission in its meeting resolved that concept of creamy layer should not be applicable for Scheduled Castes. The same was informed to DoPT vide letter no.2/Policy Matter-1/2018/SSW-II dated 27.04.2018..

4.10.3 Draft note of Cabinet to amend the Protection of Children from Sexual Offences (POCSO) Act, 2012.

The proposal received from MWCD⁴⁸ of was deliberated in detail and approval conveyed vide letter no.3/1/2018-APCR dated 17.07.2018.

4.10.4 Promulgation of the Ordinance to enforce validation of all provisions the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989 and subsequent inclusion of Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989 in the Ninth Schedule of Constitution of India.

The proposal received from MSJE was deliberated in detail and approval of NCSC was conveyed vide letter no.3/2/2007-APCR (Pt. File) dated 24.04.2018.

4.10.5 Inclusion of Namasudra, Pond, Poundra etc. (Bengali displaced persons) community in the list of SCs of Uttar Pradesh.

The proposal received from MSJE was deliberated in detail and approval of NCSC was conveyed vide letter no 35/I&E -1/2019 SSW-I dated 14.02.2019.

4.10.6. Draft Note for Cabinet regarding “Constitution of Development and Welfare Board for Denotified, Nomadic and Semi-nomadic Communities (DWBDNCs)

The proposal received from MSJE was deliberated in detail and approval of NCSC was conveyed vide letter no.40/Policy Matter-1/2019/SSW.I dated 21.02.2019.

4.10.7. Centrally Sponsored Scheme of Rashtriya Gram Swaraj Abhiyan (RGSA) from 01.04.2018 to 31.03.2022.

⁴⁸ MWCD : Ministry of Women and Child Development

The proposal received from MSJE Was been deliberated in detail and approval of NCSC was conveyed vide letter no. 4/01/RGSA/2018/ESDW dated 23.04.2018.

4.10.8. Draft note for the Cabinet for creation of one post of Member in National Commission for Karamcharies (NCSK) as Vice-Chairperson.

The proposal received from MSJE was deliberated in detail and approval of NCSC was conveyed vide letter no.4/3/NCSK/2018/ESDW dated 28.06.2018.

4.10.9 Draft note for the Cabinet for extension in tenure of the National Commission for Safai Karamchries-beyond 31.03.2019 for the three years.

The proposal received from MSJE was deliberated in detail and approval of NCSC was conveyed vide letter no.4/3/Cabinet/NCSK/2019-ESDW dated 15.02.2019.

4.10.10 Proposal for introduction of the unaided private educational institutions (Reservation in Admission) Bill, 2019.

The proposal received from MHRD was deliberated in detail and approval of NCSC was conveyed vide letter no.4/5/Unaided Private Education Bill/2019-ESDW dated 15.02.2019.

4.11 De-reservation proposals

In 2018-19 and 2019-20 , the NCSC received 22 de-reservation proposals for advice. The action taken and advice of the Commission are detailed in brief below :

4.11.1 National Archives of India, Ministry of Culture : 01 proposal for de-reservation of a roster point in the post of Archivist.

View of NCSC: The Commission vide its letter dated 18.02.2019 did not agree with the proposal and advised Ministry to fill up the reserved post by another mode available in the Recruitment Rules (RRs) till the SC candidate become eligible.

4.11.2 Ministry of Electronics & Information Technology: 01 proposal for de-reservation of 01 post of Deputy Director.

View of NCSC: The Commission vide its letter dated 16.04.2019 did not agree with proposal of and advised that the post may be filed after 09 months when SC candidate become eligible for promotion.

4.11.3 Ministry of Electronics and Information Technology : De-reservation of 01 roster point for post of Principal Private Secretary.

View of NCSC: The Commission vide its letter dated 19.12.2019 agreed to a temporary de-reservation of the post and condition that the next vacancy arising on 01.04.2020 will be kept for the next eligible SC candidate.

4.11.4 Comptroller and Auditor General of India (C.A.G)- 19 proposals for de-reservation

- **De- reservation of 01 roster point for the post of Assistant Audit Officer in O/o the Principal Director of Audit Central Railway, Hazipur.**

View of NCSC: The Commission vide its letter dated 15.04.2019 did not agree with the proposal and advised to fill up the reserved post by the available mode in the Recruitment Rules (RRs) till the SC candidate become eligible.

- **De- reservation of 05 roster points for the posts of Assistant Audit Officers in O/o Principal Accountant General Audit, Patna, Bihar.**

View of NCSC: The Commission vide its letter dated 11.04.2019 did not agree with the proposal and advised to fill up the reserved posts by the available mode in the Recruitment Rules (RRs) till the SC candidates become eligible.

- **De- reservation of 02 roster points for the post of Audit Officers (Civil) in the O/o the Principal Accountant General Andhra Pradesh, Hyderabad.**

View of NCSC: The Commission vide its letter dated 07.03.2019 did not agree with the proposal and advised to fill up the reserved posts by the available mode in the Recruitment Rules (RRs) till the SC candidates become eligible.

- **De- reservation of 01 roster point of the post of Senior Accounts Officer in Accountant General (AE), Assam.**

View of NCSC: The Commission vide its letter dated 11.04.2019 did not agree with the proposal and advised to fill up the reserved post by the available mode in the Recruitment Rules (RRs) till the SC candidate become eligible.

- **De- reservation of 01 roster point of the post of Audit Officer in the O/o the Accountant General (G&SSA) Tamil Nadu, Chennai.**

View of NCSC: The Commission vide its letter dated 11.04.2019 did not agree with the proposal and advised to fill up the reserved post by the available mode in the Recruitment Rules (RRs) till the SC candidate become eligible.

- **De- reservation of 01 roster point for the post of Senior Accounts Officer in O/o Principal Accountant General (A&E) Haryana, Chandigarh.**

View of NCSC: The Commission vide its letter dated 11.04.2019 did not agree with the proposal and advised to fill up the reserved post by the available mode in the Recruitment Rules (RRs) till the SC candidate become eligible.

- **De- reservation of 06 roster points in the posts Assistant Audit Officers in the O/o the Accountant General (G&SSA) Kerala Thiruvananthapuram.**

View of NCSC: The Commission vide its letter dated 15.04.2019 did not agree with the proposal and advised to fill up the reserved posts by the available mode in the Recruitment Rules (RRs) till the SC candidates become eligible.

- **De- reservation of 04 roster points in the posts of Audit Officers in the O/o the Principal Accountant General (Audit)-I, Maharashtra Mumbai.**

View of NCSC: The Commission vide its letter dated 15.04.2019 did not agree with the proposal and advised to fill up the reserved posts by the available mode in the Recruitment Rules (RRs) till the SC candidates become eligible.

- **De- reservation of 04 roster points in the posts of Audit Officers in the O/o the Principal Accountant General (Economic) & Revenue Sector Audit, Gujarat, Ahmadabad.**

View of NCSC: The Commission vide its letter dated 15.04.2019 did not agree with the proposal and advised to fill up the reserved posts by the available mode in the Recruitment Rules (RRs) till the SC candidates become eligible.

- **De- reservation of 03 roster points of SC for the posts of Divisional Accounts Officers in the O/o the AG (A&E) Uttarakhand Dehradun.**

View of NCSC: The Commission vide its letter dated 09.04.2019 did not agree with the proposal and advised to fill up the reserved posts by the available mode in the Recruitment Rules (RRs) till the SC candidates become eligible.

- **De- reservation of 01 roster point in the post of Senior Audit Officer in the O/o the Principal Director of Audit Southern Railway Chennai.**

View of NCSC: The Commission vide its letter dated 09.04.2019 did not agree with the proposal and advised to fill up the reserved post by the available mode in the Recruitment Rules (RRs) till the SC candidate become eligible.

- **De- reservation of 05 roster points for the posts of Senior Audit Officers in the O/o the Principal Accountant General (Audit)-I Maharashtra, Mumbai.**

View of NCSC: The Commission vide its letter dated 09.04.2019 did not agree with the proposal and advised to fill up the reserved posts by the available mode in the Recruitment Rules (RRs) till the SC candidates become eligible.

- **De- reservation of 01 roster point for the post of Senior Accounts Officer in the O/o the Senior Deputy Accountant General (A&E) Sikkim (Gangtok).**

View of NCSC: The Commission vide its letter dated 24.04.2019 did not agree with the proposal and advised to fill up the reserved post by the available mode in the Recruitment Rules (RRs) till the SC candidate become eligible.

- **De- reservation of 01 roster point for the post of Accounts Officer in the O/o Accountant General (A&E) Maharashtra Mumbai.**

View of NCSC: The Commission vide its letter dated 15.04.2019 did not agree with the proposal and advised to fill up the reserved post by the available mode in the Recruitment Rules (RRs) till the SC candidate become eligible.

- **De- reservation of 01 roster point for the post of Accounts Officer in the O/o the Principal Accountant General (A&E) Gujarat, Rajkot.**

View of NCSC: The Commission vide its letter dated 15.04.2019 did not agree with the proposal and advised to fill up the reserved post by the available mode in the Recruitment Rules (RRs) till the SC candidate become eligible.

- **De- reservation of 01 roster point for the post of Senior Audit Officer in the Principal Accountant General (Audit) Uttrakhand Dehradun.**

View of NCSC: The Commission vide its letter dated 15.04.2019 did not agree with the proposal and advised to fill up the reserved post by the available mode in the Recruitment Rules (RRs) till the SC candidate become eligible.

- **De- reservation of 03 roster points for the posts of Senior Audit Officers in the o/o the A.G. (G & SSA) Kerala, Thiruvanthapuram.**

View of NCSC: The Commission vide its letter dated 15.04.2019 not agreed with the proposal and requested to fill up the reserved posts by another mode available in the Recruitment Rules (RRs) till the SC candidates become eligible.

- **De- reservation of 06 roster points for the posts of Assistant Audit Officers in the O/o the Accountant General (G&SSA) Kerela, Thiruvananthapuram.**

View of NCSC: The Commission vide its letter dated 14.02.2020 did not agree with the proposal and advised to fill up the reserved posts by the available mode in the Recruitment Rules (RRs) till the SC candidates become eligible.

- **De- reservation of 01 roster point for the post of Assistant Accounts Officer in the O/o the Accountant General (A&E) Guwahati, Assam.**

The Commission vide its letter dated 20.02.2020 advised the department to await the final advice of NCSC.

CHAPTER –V

Administration and Coordination

5.1 The Mandate¹

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 present National Commission for Scheduled Castes²(the Sixth) was constituted in the month of February 2021. Shri Vijay Sampla is the Chairman, Shri Arun Halder is the Vice-Chairman, Smt. Anju Bala and Shri Subhash Ramnath Pardhi are the Members.

The NCSC has the mandate to monitor the implementation of the following Acts/ Rules by the State /UT and Central Governments:-

- (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 and The Scheduled Castes & Scheduled Tribes (Prevention of Atrocities) Act as amended³.
- (iv) The Scheduled Castes & Scheduled Tribes (Prevention of Atrocities) Rules, 1995 and The Scheduled Castes & Scheduled Tribes (Prevention of Atrocities) Rules as amended⁴.

¹Refer: 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

²See Annexure I for NCSC Organization Chart

³ Vide Gazette notification no. 268 dated 14.04.2016 and Gazette notification no. 430 dated 27.06.2018.

⁴ Vide Gazette notification no. 268 dated 14.04.2016 and Gazette notification no. 430 dated 27.06.2018.

(v) The Prohibition of Employment as Manual Scavengers and their Rehabilitation Act, 2013 and Rules thereof.

The Commission also monitors the action taken by the State /UT and Central Governments regarding:

- Implementation of Reservations for Scheduled Castes / OBCs in the Central, State and UT Governments and their Public Sector Undertakings.
- Monitoring the welfare schemes for development of Scheduled Castes through the funds for Schemes for the welfare of Scheduled Castes.

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 location and jurisdiction of the 12 State Offices of the Commission are as follows:

Table 5.1

Sl. No.	State	Office (location)	Jurisdiction
1.	West Bengal	Kolkata	West Bengal, Odisha, Sikkim and 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

The State 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 performance 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 State Offices at following locations:

Table 5.2

Sl. No.	Location	Jurisdiction over State(s)
1.	Bhubaneswar	Odisha
2.	Bhopal	Madhya Pradesh
3.	Jaipur	Rajasthan
4.	Dehradun	Uttarakhand
5.	New Delhi	Delhi

6.	Ranchi	Jharkhand
7.	Raipur	Chhattisgarh

The Commission needs these offices in view of manifold increase in representations/ grievance petitions. Large states like Madhya Pradesh, Rajasthan and Odisha have no office of the Commission and the lack of local presence hampers the efficient working and monitoring work of the Commission. The NCSC has also felt need of a State Office in Delhi 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 grave atrocity cases, policy matters, research and analysis etc.

5.2.2 Up-gradation of Offices

Due to the large jurisdiction area and high 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 5.3

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

The revised updated proposals were sent to the Ministry of Social Justice & Empowerment and these proposals are under consideration of the Ministry.

5.3 Issues related to staffing

5.3.1 Staffing at the Headquarters

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. & Coordination 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 wants 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 are headed by Directors / Deputy Directors/ Assistant Directors. However, a large number of such posts including lower functionaries are lying vacant both at Headquarters and State Offices⁵ of the Commission. In the HQs and State Offices, only 123 positions are filled, out of the 222 sanctioned positions as on 31 March, 2019. Recruitment rules have been notified in February, 2018 and action to fill up these vacant posts both by the Ministry of Social Justice & Empowerment (for Group A level posts) and by the Commission for Group –B posts, the action is under process.

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

⁵See Annexures II and III for incumbency position at the NCSC Headquarters and NCSC State Offices

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, Lok Nayak Bhawan, Khan Market, New Delhi. The State Offices of the Commission are located in different States. The location of the State Offices, addresses, other contact details 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 reports, handbook of NCSC, minutes of reviews undertaken and other major decisions that have been 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 System (CMS)

The earlier CMIS system has been upgraded and renamed as CMS. The Complaint Management System (CMS) in Commission has been adopted from basic model of NHRC. CMS is a web based solution for Complaint Management and provides a centralized approach for recording and managing complaints information and generating different kinds of reports.

The system enables the complainants or petitioners to register and track the status of their cases / petitions on-line or through internet. The officers of this Commission can also monitor the cases online and update the data. In the system, SMS facility has also been added and the SMS is sent to the petitioner about the status of complaint.

At present, approximately 100 complaints are being received and entered in CMS daily.

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 Pakhwara” was observed from the 01 to 15 September, 2018. 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 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 between April, 2018 to March, 2019, 916 applications under the RTI Act were received and 662 were disposed off. During the period between April, 2019 to March, 2020, 751 applications under the RTI Act were received and 750 were disposed off. The details of RTI cases received and disposed, appeals received and disposed and CIC cases are given in table:

RTI Cases dealt by the Commission :2018-19

Table 5.4(a)

Name of Office	RTI Cases		RTI Appeals		CIC Cases	
	No. of cases received	No. of replies sent	No. of appeals received	No. of appeals disposed of	No. of hearing in CIC	No. of cases closed
Head Quarters	564	310	46	46	11	00
Agartala	00	00	00	00	00	00
Ahmedabad	08	08	00	00	00	00
Bangalore	19	19	00	00	00	00
Chennai	114	114	10	01	00	09
Chandigarh	35	35	00	00	00	00
Guwahati	00	00	00	00	00	00
Hyderabad	28	28	05	05	01	00
Kolkata	13	13	01	01	-	00
Lucknow	103	103	06	06	-	00
Patna	16	16	05	05	04	00
Pune	08	08	02	02	-	00
Trivandrum	08	08	-	-	-	00
Total(State Offices)	352	352	29	20	06	09
Grand Total	916	662	75	66	17	09

RTI Cases dealt by the Commission :2019-20

Table 5.4(b)

Name of Office	RTI Cases		RTI Appeals		CIC Cases	
	No. of cases received	No. of replies sent	No. of appeals received	No. of appeals disposed of	No. of hearing in CIC	No. of cases closed
Head Quarters	485	485	22	22	09	485
Agartala	00	00	00	00	00	00
Ahmedabad	00	00	00	00	00	00
Bangalore	10	10	00	00	00	00
Chennai	95	95	02	01	00	00
Chandigarh	00	00	00	00	00	00
Guwahati	00	00	00	00	00	00
Hyderabad	34	33	04	04	00	33
Kolkata	10	10	01	00	00	00
Lucknow	75	75	03	03	00	00
Patna	13	13	00	00	00	00
Pune	20	20	04	04	0	00
Trivandrum	09	09	00	00	00	00
Total(State Offices)	266	265	14	12	00	33
Grand Total	751	750	36	34	09	518

5.7 Court Cases Dealt by NCSC Hqrs. & State Offices

A total of 111 Court cases where NCSC has been made a party have been received during the year 2018-19. The details of all pending court cases are appended as below :

Court cases handled during April 2018-March 2019 at Commission

Table 5.5 (a)

Name of Office	No. of Court Cases received	No of cases finally decided	No of cases pending
Head Quarters, New Delhi	31	07	24
State Offices	80	14	66
Total	111	21	90

State Office-wise details of court cases handled during the period: 2018-19

Table 5.5 (b)

Name of office	No. of cases in High Court	Number of cases finally decided	No of cases pending in High Court
Agartala	00	00	00
Ahmedabad	02	00	02
Bangalore	02	02	00
Chennai	08	05	03
Chandigarh	07	01	06
Guwahati	00	00	00
Hyderabad	27	00	27
Kolkata	26	04	22

Lucknow	04	-	04
Patna	02	02	-
Pune	01	-	01
Trivandrum	01	00	01
Total	80	14	66

A total of 115 Court cases where NCSC has been made a party have been received during the year 2019-20. The details of all pending court cases are appended as below :

Court cases handled during April 2019-March 2020 at Commission

Table 5.6 (a)

Name of Office	No. of Court Cases received	No of cases finally decided	No of cases pending
Head Quarters, New Delhi	35	00	35
State Offices	80	11	69
Total	115	11	104

State Office-wise details of court cases handled during the period: 2019-20

Table 5.6 (b)

Name of office	No. of cases in High Court	Number of cases finally decided	No of cases pending in High Court
Agartala	00	00	00
Ahmedabad	00	00	00
Bangalore	01	01	00
Chennai	12	06	06
Chandigarh	00	00	00
Guwahati	00	00	00
Hyderabad	29	00	29
Kolkata	30	03	27
Lucknow	02	00	02
Patna	02	00	02
Pune	04	01	03
Trivandrum	00	00	00
Total	80	11	69

CHAPTER – VI Atrocities on Scheduled Castes

6.1 Relevant Acts:

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 for the empowerment of the SC/ST communities in the country by eradicating the discriminatory practices embedded in the caste system against these communities.

The POA Act 1989 was not stringent enough and many areas/offenses were undefined. It was a long pending recommendation of NCSC and also a demand of the SC/ST people that the Act should be revised. Consequently, the Scheduled Castes and Scheduled Tribes Prevention of Atrocities Act (as amended) in 2016 and 2018 ¹, came into force on 26.01.2016 and the Scheduled Castes and Scheduled Tribes Prevention of Atrocities Rules (as amended) in 2016 and 2018 ² came into effect.

6.2 Crime against Scheduled Castes

Analysis of NCRB data on crimes 2017 & 2018 has been made regarding crime against Scheduled Castes. Additionally the NCRB data from 2015 onwards has also been relied upon for the same. The pendency of cases as compiled by the NCRB, both at the end of police and judiciary, also has been discussed. Moreover, the high acquittal rate vis-à-vis the low conviction rate have also been suitably deliberated.

The State wise comparison of rate of crime against Scheduled Castes, vis a vis the national average pertaining to the largest States in terms of the population of Scheduled Castes has also been made.

¹referred to as POA Act (as amended) in this Report

²referred to as POA Rules (as amended) in this Report

6.2.1 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 is reducing as the cases of atrocities on SCs & STs are being mainly booked under the PoA Act.

6.2.2 Atrocities against Scheduled Castes

40801 cases of crimes against SCs were reported in 2016, this has increased to 43203 cases in 2017 and 42793 in 2018. Uttar Pradesh (11,444 cases in 2017 and 11924 cases in 2018) reported the highest number of cases of atrocities against Scheduled Castes accounting for 26.5% and 27.90% respectively of the cases followed by Bihar with 15.6% and 16.5% respectively (6747 cases in 2017 and 7061 cases in 2018) ,M.P. with 13.6% and 11.1% (5,892 cases in 2017 and 4753 cases in 2018) Rajasthan (4238 cases i.e 9.8% in 2017 and 4607 cases ie 10.8 % in 2018) , AP and Odisha (1969 cases each i.e 4.6%) during 2017 and Maharashtra with 1974 cases i.e 4.6% in 2018.

Crime head-wise cases revealed that assault on women accounted for a large proportion of the cases .Of these 6.41% ie 2771 were victims of rape (2104 victims were women above 18 years and 667 victims were girls below 18 years) during 2017 and 2957 victims during 2018 (2086 victims were women above 18 years and 871 were girls below 18 years).

The state wise figures of crime against Scheduled Castes in 2016 , 2017 and 2018 are given in the table below :

Table 6.1
Incidence and rate of crimes committed against Scheduled Castes during 2017 and 2018

S. No.	State/UT	SC Population (in crore)	Cases in 2016*	Cases in 2017*	Cases in 2018*	% Contribution to All India total 2017	% Contribution to All India total 2018	Rate of crimes 2016	Rate of crimes 2017	Rate of crimes 2018
	1	2	3	4	5	6	7	8	9	10
STATES										
1	Andhra Pradesh	0.84	2335	1969	1836	4.6	4.3	27.6	23.3	21.7
2	Arunachal Pradesh	0.0	0	2	0	0.0	0.0	0	-	-
3	Assam	0.22	4	10	8	0.0	0.0	0.2	0.4	0.4
4	Bihar	1.66	5701	6747	7061	15.6	16.5	34.4	40.7	42.6
5	Chhattisgarh	0.33	243	283	264	0.7	0.6	7.4	8.6	8.1
6	Goa	0.003	11	10	5	0.0	0.0	36.7	39.3	19.6
7	Gujarat	0.41	1322	1477	1426	3.4	3.3	32.5	36.3	35.0
8	Haryana	0.51	639	762	961	1.8	2.2	12.5	14.9	18.8
9	Himachal Pradesh	0.17	116	109	130	0.3	0.3	6.7	6.3	7.5
10	Jammu & Kashmir	0.09	1	0	1	0.0	0.0	0.00	0.0	0.1
11	Jharkhand	0.39	525	541	537	1.3	1.3	13.2	13.6	13.5
12	Karnataka	1.05	1869	1878	1325	4.3	3.1	17.9	17.9	12.6
13	Kerala	0.30	810	916	887	2.1	2.1	26.6	30.1	29.2
14	Madhya Pradesh	1.13	492	5892	4753	13.6	11.1	43.4	51.9	41.9
15	Maharashtra	1.33	1750	1689	1974	3.9	4.6	13.2	12.7	14.9
16	Manipur	0.01	2	0	0	0.0	0.0	2.00	0.0	0.0
17	Meghalaya	0.002	0	0	0	0.0	0.0	0.00	0.0	0.0

18	Mizoram	0.0	0	0	0	0.0	0.0	0.00	0.0	0.0
19	Nagaland	0.0	0	0	0	0.0	0.0			
20	Odisha	0.71	796	1969	1778	4.6	4.2	25.0	27.4	24.7
21	Punjab	0.88	132	118	168	0.3	0.4	1.5	1.3	1.9
22	Rajasthan	1.22	5134	4238	4607	9.8	10.8	42.0	34.7	37.7
23	Sikkim	0.003	1	5	5	0.0	0.0	3.3	17.7	17.7
24	Tamil Nadu	1.44	1291	1362	1413	3.2	3.3	8.9	9.4	9.8
25	Telangana	0.54	1529	1466	1507	3.4	3.5	28.2	27.0	27.7
26	Tripura	0.06	0	1	1	0.0	0.0	0.00	0.2	0.2
27	Uttar Pradesh	4.13	10426	11444	11924	26.5	27.9	25.2	27.7	28.8
28	Uttarakhand	0.19	65	96	58	0.2	0.1	3.4	5.1	3.1
29	West Bengal	2.14	119	138	119	0.3	0.3	0.6	0.6	0.6
	TOTAL STATE(S)	19.81	40743	43122	42748	99.8	99.9	20.6	21.8	21.6
UNION TERRITORIES										
30	A & N Islands	0.0	0	0	0	0.0	0.0			
31	Chandigarh	0.02	1	1	1	0.0	0.0	0.5	0.5	0.5
032	D&N Haveli	0.001	0	0	1	0.0	0.0	0.00	0.0	16.2
33	Daman & Diu	0.001	0	0	0	0.0	0.0	0.00	0.0	0.0
34	Delhi UT	0.28	54	48	36	0.1	0.1	1.9	1.7	1.3
35	Lakshadweep	0.0	0	0	0	0.0	0.0			
36	Puducherry	0.02	3	32	7	0.1	0.0	1.5	16.3	3.6
	TOTAL UT(S)	0.32	58	81	45	0.2	0.1	1.8	2.5	1.4
	TOTAL (ALL INDIA)	20.14	40801	43203	42793	100.0	100.0	20.3	21.5	21.3

Rate of crime has shown an increasing trend from **20.3% in 2016** to **21.5 % in 2017** and **21.3% in 2018**.

6.2.3 Year wise comparison of total number of crime against Scheduled Castes

Analysis of year wise and State wise comparison of total number of crime against Scheduled Castes shows an increase in the crime against Scheduled Castes (43203) in 2017 with respect to (40801) in 2016. In 2018 there was a marginal decrease to 42793.

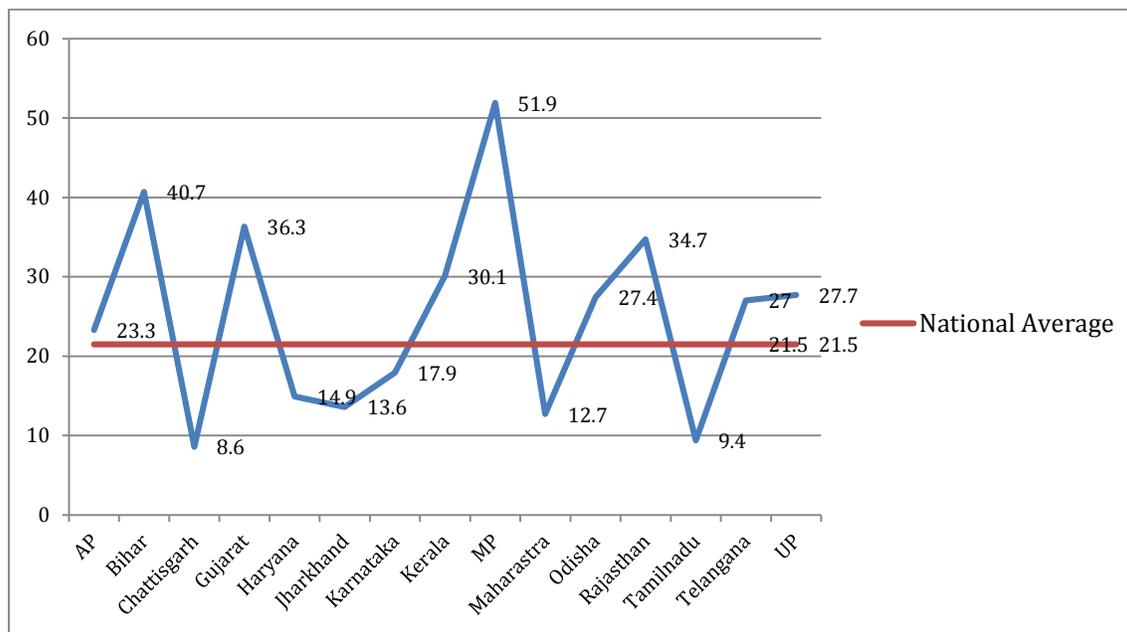
- The five States with highest number of incidents in 2017 were UP (11444), Bihar (6747), MP (5892), Rajasthan (4238) , AP & Odisha both (1969). In 2016 the states with highest number of cases were UP (10426), Bihar (5701), Rajasthan (5134), MP (4922) & Karnataka (1869).
- In 2018 the five States with highest number of incidents were UP (11924) , Bihar (7061) , MP (4753) , Rajasthan (4607) and Maharashtra (1974).

6.2.4 Rate of crime against Scheduled Castes

The analysis³ shows that the rate of crime has increased to 21.5% in 2017 when compared to 20.3% in 2016. In 2018 there is a marginal reduction to 21.3%. The state wise and year wise comparison of rate of crime against Scheduled Castes and the rate of crime in 2017 and 2018 vis-à-vis the National average pertaining to the States with highest population of Scheduled Castes are as follows :

³ As per table no 7A.1 of NCRB Report -Crimes in India 2017& 2016 Statistics

Graph 6.1 (a)
Rate of crimes against SCs (2017) vis a vis National Average⁴

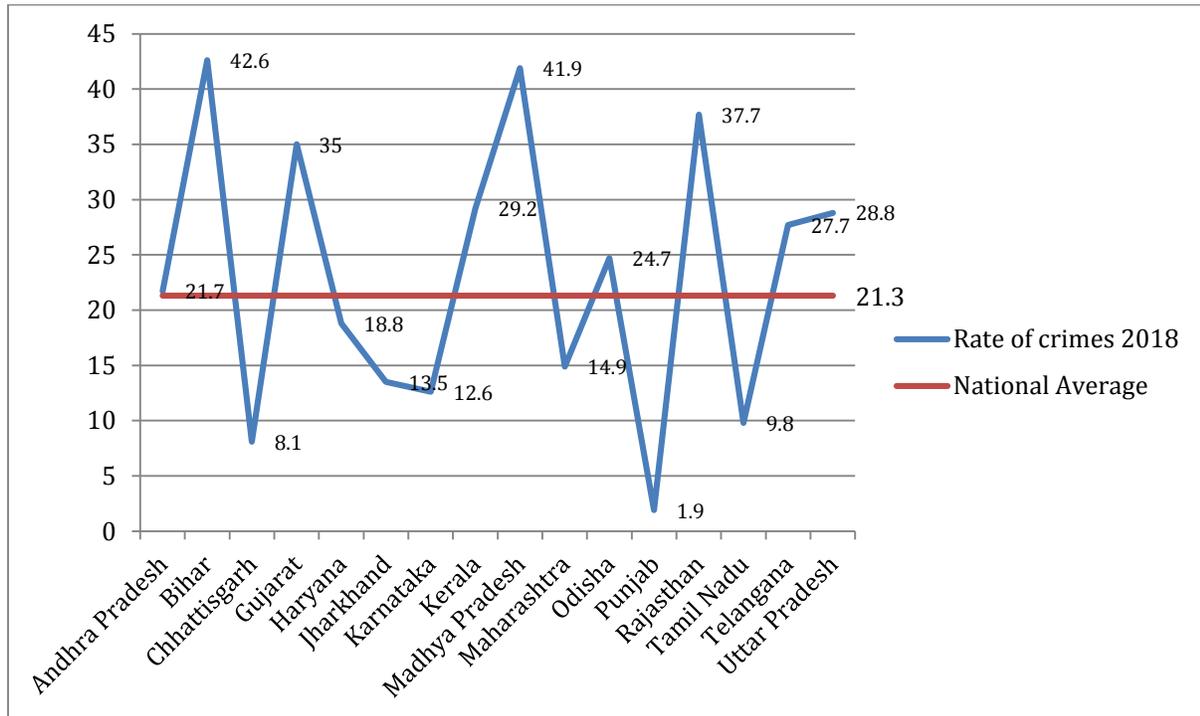


- In 2017, the States with rate of crime higher than the National average (21.5 %) were MP (51.9 %), Bihar, (40.70 %), Gujarat (36.3 %), Rajasthan (34.7 %), Kerala (30.1 %), UP (27.7 %), Odisha (27.4 %), Telangana (27.0 %) and AP (23.3 %).

⁴ As per table no 7A.2 of NCRB Report -Crimes in India 2017 Statistics

Graph 6.1 (b)

Rate of crimes against SCs (2018) vis a vis National Average⁵



- In 2018 the States with rate of crime higher than the National average (21.3 %) were Bihar, (42.6 %), MP (41.9 %), Rajasthan (37.7 %), Gujarat (35%), Kerala (29.2 %) , UP (28.8 %), Telangana (27.7 %), Odisha (24.7 %), and AP (21.7%).

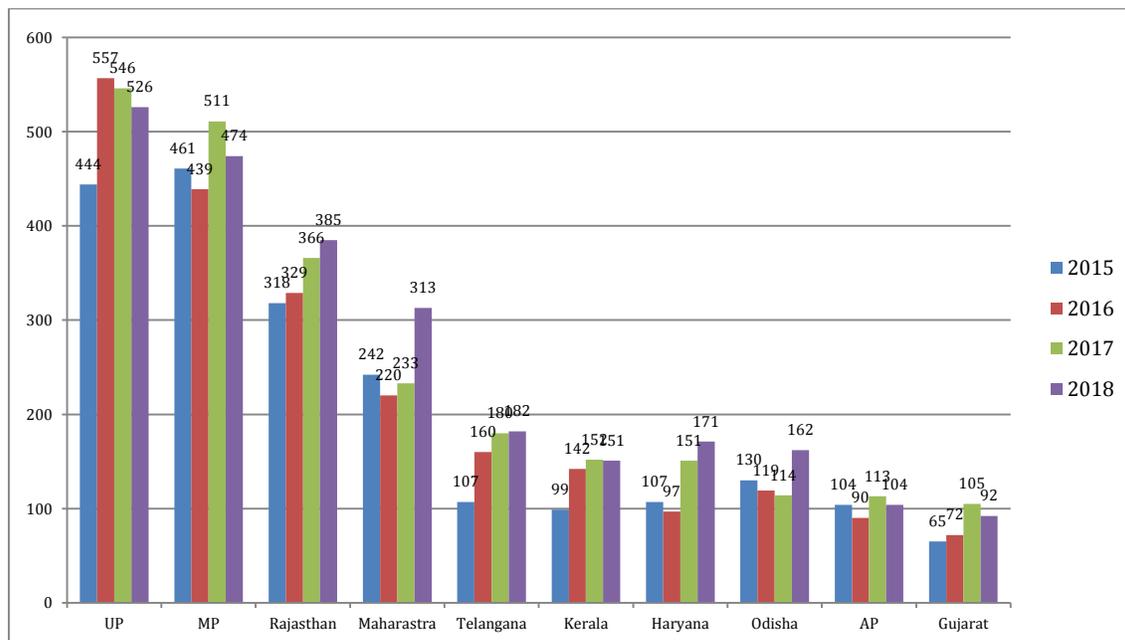
6.2.5 Crime against SC women

- In 2017 the States with highest number of SC rape victims were UP (549), MP (511) and Rajasthan (306).
- In 2018 the States with highest number of SC rape victims were UP (526), MP (474) , Rajasthan (385) and Maharashtra (313) .

The details, state wise are as follows:

⁵ As per table no 7A.2 of NCRB Report -Crimes in India 2018 Statistics

Graph-6.2 (2015 to 2018)
No of SC rape victims⁶



It can be seen that the total number of cases/ victims have decreased in UP and Odisha in 2017 when compared to 2016, whereas in the remaining states the number of cases have increased. In 2018 the total number of cases / victims have decreased in UP , MP, AP and Gujarat when compared to 2017 whereas in the remaining states the number of cases have increased.

6.2.6 Murders

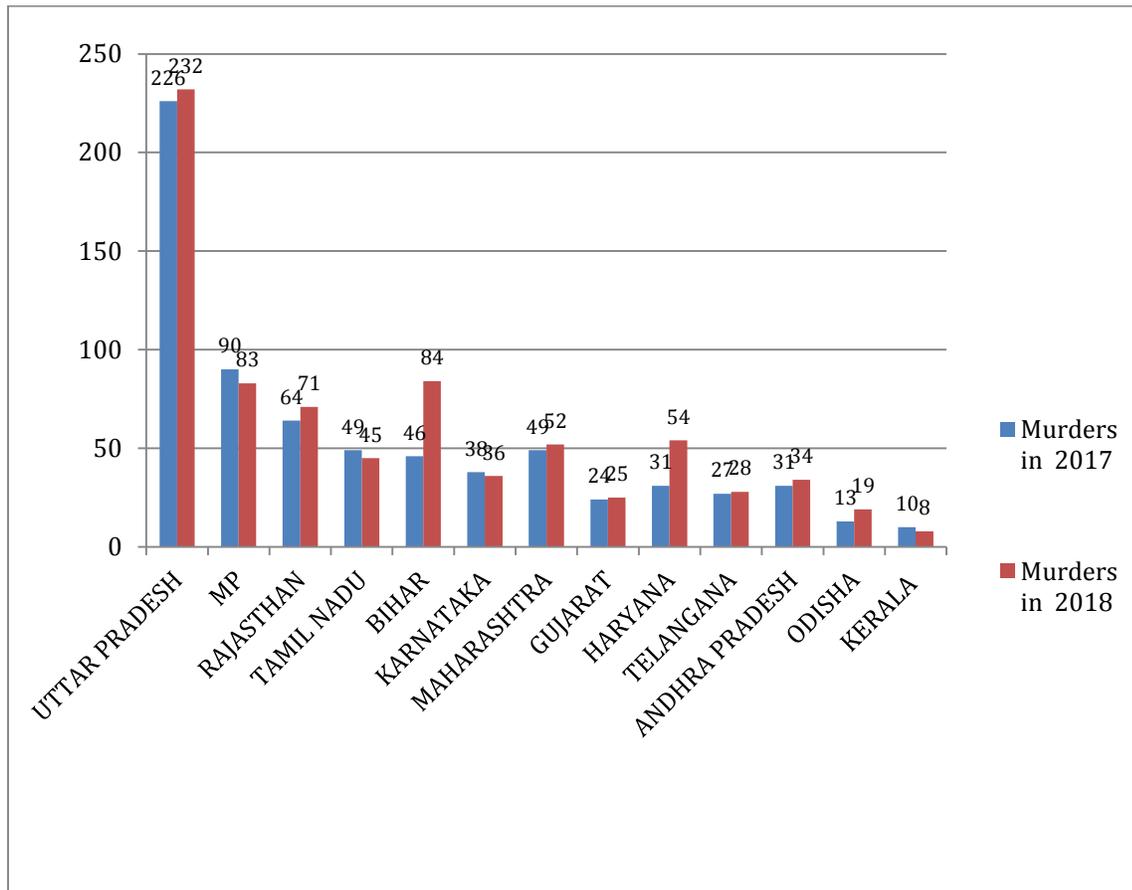
A new analysis of cases / incidents of murders of SCs by non SCs has been added in NCRB 2017.

- There were a total 718 such incidents in 2017 in which there are 748 victims . The analysis shows that UP has reported highest number of incidents of murders (226) followed by MP (90) and Rajasthan (64) with 233, 96 and 65 victims respectively.
- In 2018 , there were a total 798 such incidents in which there are 821 victims. The analysis shows that UP has reported highest number of incidents of murders (232) followed by Bihar (84) , MP (83) and Rajasthan (71) with 239, 86, 87 and 71 victims respectively.

⁶As per table no 7A.2 of NCRB Report -Crimes in India 2017 , 2018 Statistics

Details are in graph 6.3:

Graph-6.3
Incidents of Murder of SCs⁷ 2017 and 2018



6.2.7 City wise comparison.

- City wise details are also available in NCRB, hence a comparison was made ,Lucknow (299),Bengaluru (209), Patna (207), Kanpur (137) and Ahmedabad (119) were the cities with highest incidents in 2017.
- In 2018 Lucknow (229), Jaipur (180) , Ahmedabad (145) Bengaluru (141), Kanpur (137) and Hyderabad (123) were the cities with highest incidents.

⁷As per table no 7A.2 of NCRB Report -Crimes in India 2017 Statistics

- In 2016 Lucknow (262), Patna (241), Jaipur (219), Bengaluru (207) and Hyderabad (239) were the cities with maximum incidents of crimes against Schedule Castes.

Details and analysis are in the table below.

Table 6.2
Cities as per the crimes against Scheduled Castes

Sr	City	2016	2017	2018	Increase/ Decrease 2016 to 2017	Increase/ Decrease 2017 to 2018	Rank based on incidents/ % share (2017)	Rank based on incidents/ % share (2018)
1	Ahmedabad	96	119	145	↑	↑	5	3
2	Bengaluru	207	209	141	↑	↓	2	4
3	Chennai	10	14	5	↑	↓	14	17
4	Coimbatore	3	1	1	↓	-	15	18
5	Delhi	46	34	26	↓	↓	9	13
6	Ghaziabad	64	40	41	↓	↑	8	8
7	Hyderabad	139	78	123	↓	↑	7	6
8	Indore	36	0	38	↓	↑	16	9
9	Jaipur	219	84	180	↓	↑	6	2
10	Kanpur	107	137	137	↑	-	4	5
11	Kochi	35	21	20	↓	↓	13	15
12	Kolkata	9	14	14	↑	-	14	16
13	Kozhikode	29	31	26	↑	↓	11	13
14	Lucknow	262	299	229	↑	↓	1	1
15	Mumbai	30	31	33	↑	↑	11	10
16	Nagpur	29	21	24	↑	↑	13	14
17	Patna	241	207	97	↓	↓	3	7
18	Pune	41	28	31	↓	↑	12	11
19	Surat	19	32	29	↑	↓	10	12
	Total Cities	1622	1400	1340	↓	↓		

6.3 Judicial and police handling of cases against Scheduled Castes

6.3.1 Taking into account all form of crimes against Scheduled Castes during the year 2015 to 2017, it is seen that while total incidences of crime against Scheduled Castes have increased from 38670 in 2015 to 43203 in 2017, the rate of filing of charge sheets⁸ by Police had increased from 78.3% in 2016 to 82.6% in 2017 with but there was a drop to 81.3% in 2018.

The percentage of cases of atrocities pending at the level of police has decreased from 29.6% in 2016 to 27.8% in 2017 and 27.5% in 2018.

In cases of crimes against Scheduled Castes, the conviction rate⁹ had increased from 25.8% in 2016 to 35.3% in 2017 but dropped to 28.5 % in 2018. There is an increase¹⁰ in the pendency rate (from 89.6% in 2016 to 91.7 % in 2017 and 93.5 % in 2018) in Courts

The state wise details are as follows :

Table 6.3 (a)
State wise Pendency and Disposals by Police and Courts 2017

SI	State/UT	Total no of cases investigated	Cases charge sheeted	Cases with final reports filed	Pending cases in courts	Cases resulting in conviction	Cases resulting in acquittal
1	Andhra Pradesh	4414	1243	735	2975	48	816
2	Arunachal Pradesh	2	0	0	0	0	0
3	Assam	13	5	4	8	0	0
4	Bihar	11069	6575	598	32949	101	456
5	Chhattisgarh	327	285	5	851	72	81
6	Goa	20	5	10	21	1	5
7	Gujarat	1630	1349	58	8388	12	411
8	Haryana	865	448	303	874	46	233

⁸As per table no 7A.3 of NCRB Report -Crimes in India Statistics– 2015 to 2018

⁹As per table no 7A.6 of NCRB Report -Crimes in India Statistics 2015 to 2018

¹⁰As per table no 7A.6 of NCRB Report -Crimes in India Statistics 2015 to 2018

9	Himachal Pradesh	140	71	27	338	4	31
10	Jammu & Kashmir	0	0	0	2	0	1
11	Jharkhand	1487	247	127	1535	19	58
12	Karnataka	2723	1498	339	7388	21	568
13	Kerala	1467	605	199	2159	11	177
14	Madhya Pradesh	6380	6070	58	16616	1055	1181
15	Maharashtra	2511	1349	180	8280	79	946
16	Manipur	1	0	0	3	0	0
17	Meghalaya	0	0	0	0	0	0
18	Mizoram	0	0	0	0	0	0
19	Nagaland	0	0	0	0	0	0
20	Odisha	3258	1909	214	8615	8	243
21	Punjab	193	63	34	126	7	32
22	Rajasthan	4759	2357	1908	12232	1673	859
23	Sikkim	6	4	1	3	1	0
24	Tamil Nadu	2004	1171	263	4234	97	671
25	Telangana	2506	845	303	2070	38	430
26	Tripura	1	1	0	1	0	0
27	Uttar Pradesh	13023	9006	1991	40274	1512	533
28	Uttarakhand	133	42	35	139	6	8
29	West Bengal	296	168	18	2797	0	19
	TOTAL STATE(S)	59,229	35,316	7410	152878	4811	7759
UTs							
30	A & N Islands	0	0	0	0	0	0
31	Chandigarh	4	2	1	5	0	0
32	D&N Haveli	0	0	0	2	0	2
33	Daman & Diu	0	0	0	1	0	0
34	Delhi UT	122	38	2	223	0	4
35	Lakshadweep	0	0	0	0	0	0
36	Puducherry	35	34	0	45	0	0
	TOTAL UT(S)	161	74	3	276	0	6
	TOTAL (ALL INDIA)	59,390	35,390	7413	153154	4811	7765

Table 6.3 (b)
State wise Pendency and Disposals by Police and Courts 2018

Sl	State/UT	Total no of cases investigated	Cases charge sheeted	Cases with final reports filed	Pending cases in courts	Cases resulting in conviction	Cases resulting in acquittal
1	Andhra Pradesh	4274	1430	831	3570	47	781
2	Arunachal Pradesh	2	0	0	0	0	0
3	Assam	12	2	2	10	0	0
4	Bihar	10957	6469	585	39133	44	241
5	Chhattisgarh	301	236	1	967	50	68
6	Goa	10	3	2	21	1	1
7	Gujarat	1595	1269	53	9201	14	428
8	Haryana	1075	564	342	1134	54	249
9	Himachal Pradesh	172	111	33	409	2	31
10	Jammu & Kashmir	1	1	0	3	0	0
11	Jharkhand	1650	250	246	1656	29	99
12	Karnataka	2197	1098	323	7874	45	547
13	Kerala	1583	608	169	2594	22	193
14	Madhya Pradesh	5005	4738	41	18723	754	1580
15	Maharashtra	2950	1545	238	8910	79	826
16	Manipur	1	0	0	3	0	0
17	Meghalaya	0	0	0	0	0	0
18	Mizoram	0	0	0	0	0	0
19	Nagaland	0	0	0	0	0	0
20	Odisha	2906	1663	184	10015	8	255
21	Punjab	267	84	44	173	6	26
22	Rajasthan	5101	2407	2113	13265	597	606
23	Sikkim	6	4	1	5	0	2
24	Tamil Nadu	1974	1221	173	4708	99	642
25	Telangana	2863	1046	364	2816	31	260
26	Tripura	1	0	1	1	0	0
27	Uttar Pradesh	13948	9906	2215	47359	1551	1051
28	Uttarakhand	114	65	17	202	0	2
29	West Bengal	226	80	21	521	0	10
	TOTAL	59191	34800	7999	173273	3433	7898

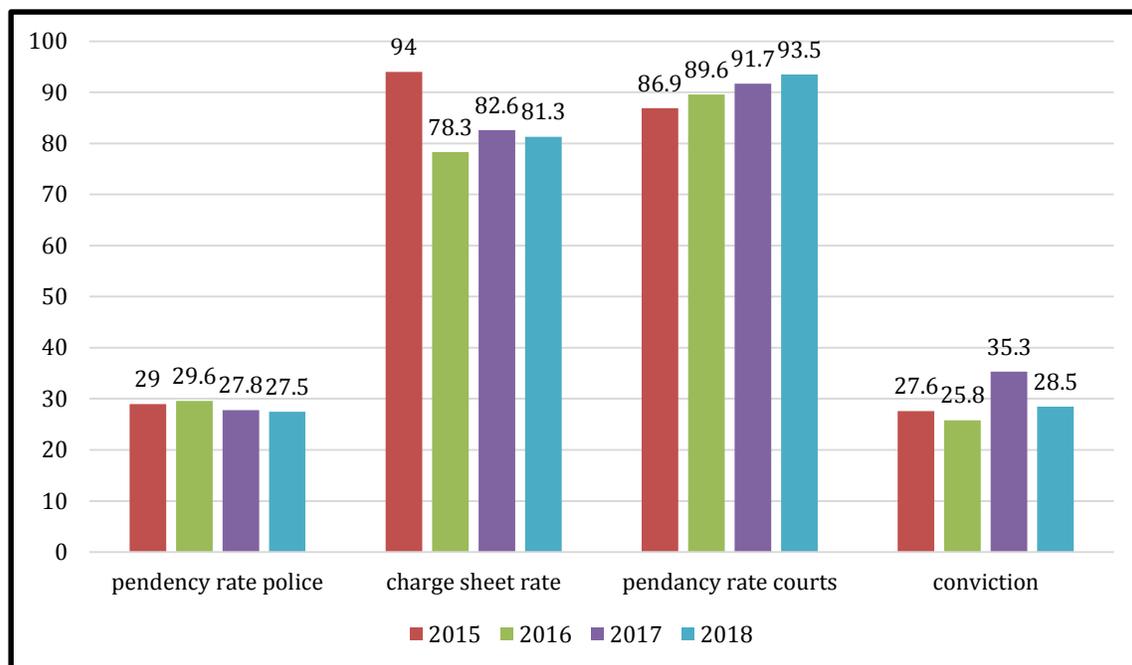
	STATE(S)						
UTs							
30	A & N Islands	0	0	0	0	0	0
31	Chandigarh	2	1	0	4	0	2
32	D&N Haveli	1	0	0	2	0	0
33	Daman & Diu	0	0	0	1	0	0
34	Delhi UT	116	32	6	251	0	1
35	Lakshadweep	0	0	0	0	0	0
36	Puducherry	8	5	0	50	0	0
	TOTAL UT(S)	127	38	6	308	0	3
	TOTAL (ALL INDIA)	59318	34838	8005	173581	3433	7901

The following graph shows the trends related to the pendency and disposal of cases by Police¹¹& Courts¹² (2015-18)

¹¹As per table no 7A.3 of NCRB Report -Crimes in India Statistics 2015 to 2018

¹² As per table no 7A.6 of NCRB Report -Crimes in India Statistics 2015 to 2018

Graph No. 6.4
Pendency and Disposal by Police and Courts¹³ 2015-2018



The following are the main conclusions:

- Conviction rate has increased from 25.8 to 35.3, i.e for 3753 cases in 2016 to 4811 cases in 2017).It has dropped to 28.5 (3433 cases) in 2018.
- Pendency rate of Courts has continuously increased from 89.6 in 2016 to 91.7 cases in 2017 to 93.5 in 2018 (from 129831 cases in 2016 to 153154 cases in 2017 and 173581 cases in 2018).
- Rate of filing of charge sheet has increased from 78.3 in 2016 to 82.6 in 2017 and 81.3 in 2018. (in 31042 cases in 2016 to 35390 cases in 2017 and 34838 cases in 2018).
- 10862 cases have resulted in acquittal in 2016 , 7765 in 2017 and 7901 in 2018.

¹³As per table nos 7A.3 & 7A.6 of NCRB Report -Crimes in India Statistics 2015 to 2018

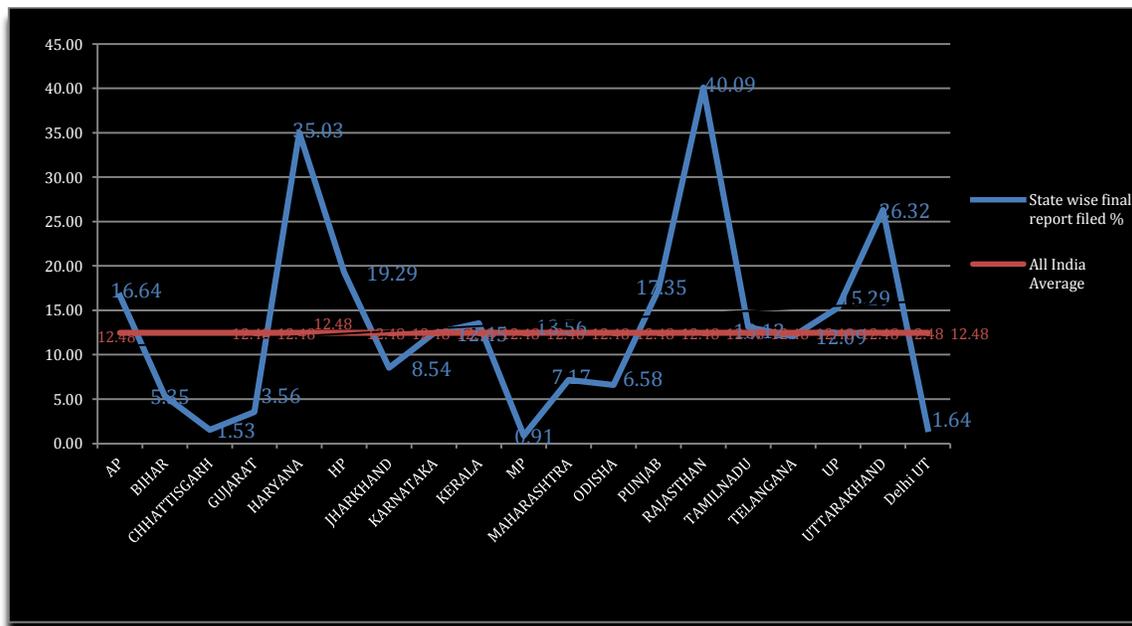
6.3.2 Handling by Police

- States with highest percentage of pendency with police are Jharkhand (74.8%), Delhi (65.6%), Andhra Pradesh (55.2%), Telangana (54%) followed by Punjab (49.5%) in 2017.
- States with highest percentage of pendency with police are Jharkhand (69.9%), Delhi (66.4%), Punjab (51.7%), , Kerela (50.6%) and Telangana (50.5%) in 2018.
- In MP (0.90%), Chhattisgarh (1.5 %), followed by Bihar (5.4 %) the percentage of cases where final reports are filed are low and these states also have high percentage of charge sheets filed by police in 2017.
- States with highest percentage of charge sheets by police were MP (99.1%), Chhattisgarh (98.3%), followed by Gujarat (95.8%), Bihar (91.7%) in 2017 .
- States with highest percentage of charge sheets by police (higher than national average of 81.3 %) were Chhattisgarh (99.6 %), MP (99.1%), Gujarat (96%), Bihar (91.7%), Odisha (90%) followed by TN (87.5 %) Maharashtra (86.6 %) in 2018 .

Details are in Graph 6.5 below.

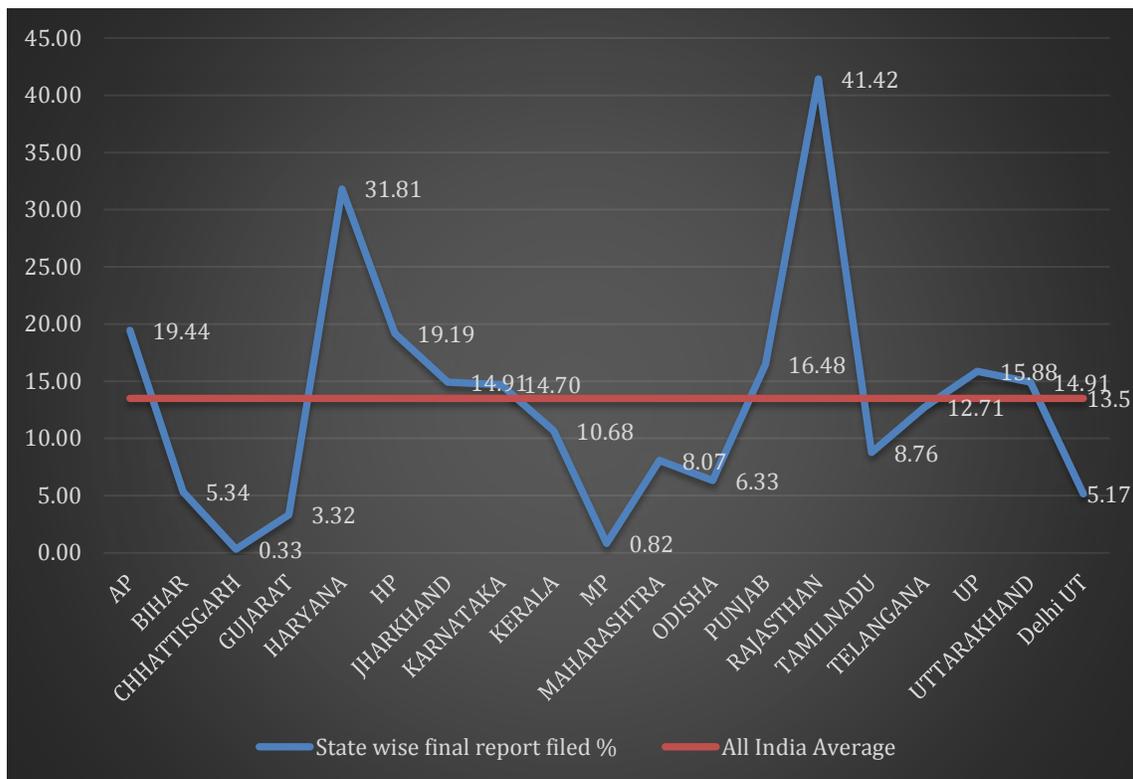
Graph 6.5 (a)

State wise percentage of final reports filed in cases by police-2017



Graph 6.5 (b)

State wise percentage of final reports filed in cases by police-2018



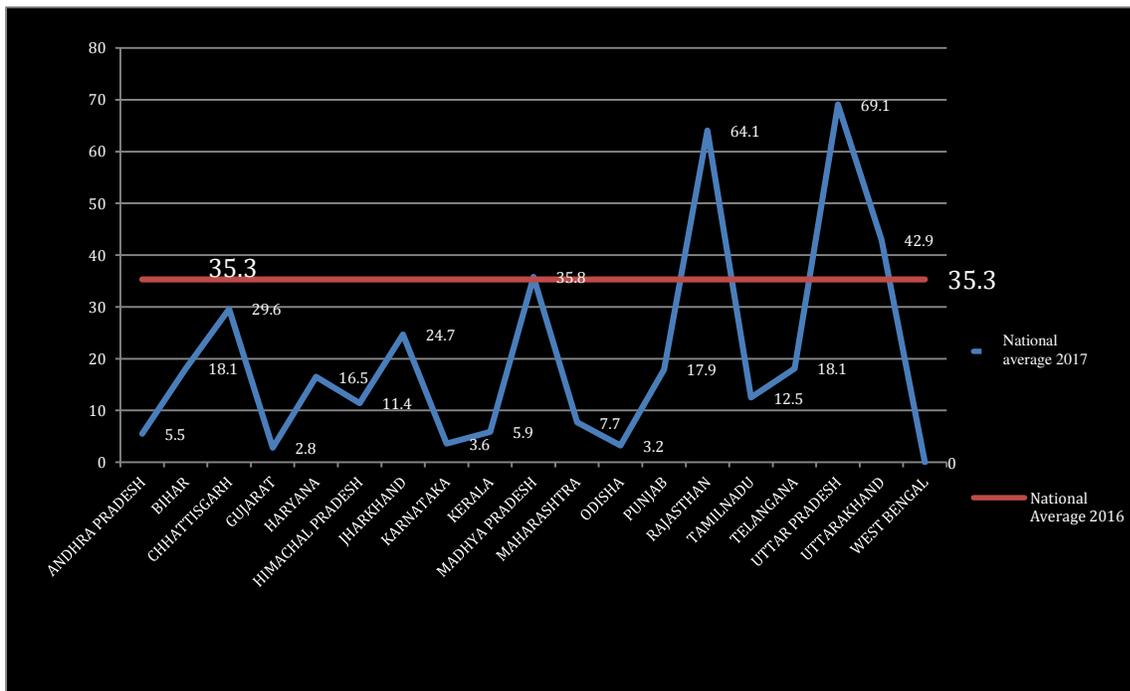
6.3.3 Handling by Courts

- States with conviction rates higher than national average are UP (69.1%), Rajasthan (64.1%) followed by Uttarakhand (42.9%), MP (35.8%) in 2017. The National average is 35.3 %.
- States with conviction rates higher than national average (28.5 %) are UP (55%), Rajasthan (43.6%) followed by Chhattisgarh (41.7 %) MP (38.8%) in 2018. The rates have fallen in all states when compared to 2017.
- Delhi had 0% conviction rate in 2018.
- States with lowest conviction rate in courts are Gujarat (2.8%), Odisha (3.2%) Karnataka (3.6%) followed by Andhra Pradesh (5.5%) and Kerala (5.9%) in 2017.

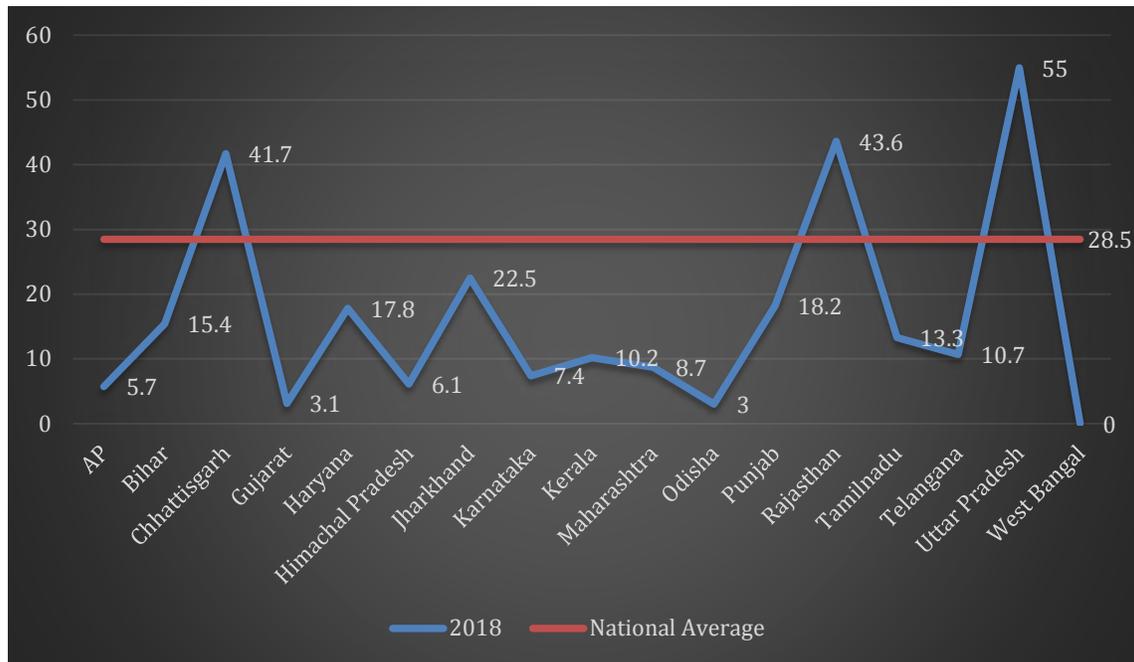
- States with lowest conviction rate in courts are Odisha (3%), Gujarat (3.1%), Andhra Pradesh (5.7%) Karnataka (7.4%) ,Maharashtra (8.7%) in 2018. Karnataka has improved from 3.6 % in 2017 to 7.4% in 2018.

Details are in graph below :

Graph 6.6 (a)
State wise conviction rate in crimes against SCs – 2017



Graph 6.6 (b)
State wise conviction rate in crimes against SCs – 2018



6.4 State & District Level Vigilance and Monitoring Committees

Commission has noted that the mandated State and District Level Vigilance and Monitoring Committee meetings are not being held by most states for the last 2 years.

6.4.1 State Level Vigilance & Monitoring Committee (SLVMC)

The Rule 16 of PoA Rules (as amended) states:-

(1) The State Government shall constitute a high power vigilance and monitoring committee of not more than 25 members consisting of the following, viz.

- (i) Chief Minister or Administrator- Chairman (in case of a State under President's Rule, the Governor shall be the Chairman);
- (ii) Home Minister, Finance Minister and Minister(s) in-charge of welfare and development of the Scheduled Castes and the Scheduled Tribes - Members (in case of a State under the President's Rule, the Advisors shall be Members);

(iii) All elected Members of Parliament and State Legislative Assembly and Legislative Council from the State belonging to the Scheduled Castes and the Scheduled Tribes shall be Members;

(iv) Chief Secretary, the Home Secretary, the Director General of Police, Director/Deputy Director, National Commission for the Scheduled Castes and the National Commission for the Scheduled Tribes shall be Members;

(v) Secretary in-charge of the welfare and development of the Scheduled Castes and the Scheduled Tribes shall be Convener.

(2) The high power vigilance and monitoring committee shall meet at least twice in a calendar year, in the month of January and July to review the implementation of the provisions of the Act, scheme for the rights and entitlements of victims and witnesses in accessing justice, as specified in sub-section (11) of section 15A of Chapter IV A of the Act, relief and rehabilitation facilities provided to the victims and other matters connected therewith, prosecution of cases under the Act, role of different officers or agencies responsible for implementing the provisions of the Act and review of various reports received by the State Government including that of the nodal officer and special officer.

The Commission has noted that:

- Regular meetings of SLVMC were held only in Chhattisgarh, Haryana and West Bengal,
- The SLVMC has not been constituted in Uttarakhand, Andhra Pradesh, Delhi, Goa, Rajasthan and Odisha
- In Assam, Bihar, Chandigarh, Gujarat, HP, Jharkhand, Kerala, MP, Maharashtra, Punjab, TN, Telangana and UP although the SLVMCs have been constituted, no meetings have been held.

6.4.2 District Level Vigilance & Monitoring Committee (DLVMC)

The Rule 17 of the PoA Rules (as amended) state:-

1. In each district within the State, the District Magistrate shall set up a vigilance and monitoring committee in his district to review the implementation of the provisions of the Act , schemes for the rights and entitlements of victims and witnesses in accessing justice , as specified in sub section (11) of Section 15A of chapter IVA of the Act , relief and rehabilitation facilities provided to the victims and other matters connected therewith, prosecution of cases

under the Act, role of different officers/agencies responsible for implementing the provisions of the Act and various reports received by the District Administration.

2. The district level vigilance and monitoring committee shall consist of the elected Members of the Parliament and State Legislative Assembly and Legislative Assembly and Legislative Council, Superintendent of Police, three group 'A' officers/Gazetted officers of the State Government belonging to the Scheduled Castes and the Scheduled Tribes, not more than 5 non-official Members belonging to the Scheduled Castes and the Scheduled Tribes and not more than 3 members from the categories other than the Scheduled Castes and the Scheduled Tribes having association with Non-Government Organizations. The District Magistrate and District Social Welfare Officer shall be Chairman and Member Secretary respectively.

3. The district level committee shall meet at least once in three months.

The Commission noted that :

- Regular meetings of DLVMC were found held only in Chhattisgarh;
- Irregular meetings in some districts of UP, Haryana, Tamil Nadu, Himachal Pradesh, MP, Odisha, Punjab, Rajasthan, West Bengal and Telangana.
- No meetings have been held in Andhra Pradesh (13 districts), Assam (32 districts)

No information, regarding holding of the DLVMC meetings was furnished to the Commission by Gujarat, Goa, Jharkhand, Karnataka, Kerala and Maharashtra.

As a result of the low number of meetings / irregular meetings / non holding of the meetings of these two important Committees , the implementation of the provisions of the Act including payment of compensation to the victims / families of the victims has not been monitored and has adversely affected the interests of SCs. This was observed and recorded by the Commission during its State, Divisional and District level reviews,as well as during hearings / spot visits by the Commission in specific cases of atrocities.

6.4.3 Exclusive Special Courts and appointment of Special Public Prosecutors:

6.4.3.1 Setting up Exclusive Special Courts :

The Section 14 of PoA Act (as amended) states that:

(1) For the purpose of providing for speedy trial, the State Government shall, with the concurrence of the Chief Justice of the High Court, by notification in the Official Gazette, establish an Exclusive Special Court for one or more Districts:

Provided that in Districts where less number of cases under this Act is recorded, the State Government shall, with the concurrence of the Chief Justice of the High Court, by notification in the Official Gazette, specify for such Districts, the Court of Session to be a Special Court to try the offences under this Act:

Provided further that the Courts so established or specified shall have power to directly take cognizance of offences under this Act.

(2) It shall be the duty of the State Government to establish adequate number of Courts to ensure that cases under this Act are disposed of within a period of two months, as far as possible.

6.4.3.2 Appointment of Special Public Prosecutors :

The Section 15 of PoA Act (as amended) states that:

(1) For every Special Court, the State Government shall, by notification in the Official Gazette, specify a Public Prosecutor or appoint an advocate who has been in practice as an advocate for not less than seven years, as a Special Public Prosecutor for the purpose of conducting cases in that Court.

(2) For every Exclusive Special Court, the State Government shall, by notification in the Official Gazette, specify an Exclusive Special Public Prosecutor or appoint an advocate who has been in practice as an advocate for not less than seven years, as an Exclusive Special Public Prosecutor for the purpose of conducting cases in that Court.”.

6.4.3.3 Setting up of Exclusive Special Courts and SPP :

The details¹⁴ of setting up of Exclusive Special Courts and SPP are :

UP, MP, Rajasthan, Tamil Nadu, Karnataka & Bihar have set up some exclusive special courts. The remaining states have designated Special courts, which handle normal cases also. Consequently, there is a huge pendency of cases of crime against Scheduled Castes in courts in most states.

¹⁴ As per information furnished by State Governments to NCSC

Table 6.4
Details of the Special Courts / Special Public Prosecutor

State/UT	No of districts with Exclusive Special Courts	No of districts with Designated Court	No of districts with Exclusive Special Public Prosecutor/ Special Public Prosecutor
Andhra Pradesh	1	13	1/13
Bihar	5	33	5/33
Chhattisgarh	0	11	0/11
Goa	0	2	0/2
Gujarat			
Haryana	0	22	0/22
Himachal Pradesh	0	12	0/11
Jharkhand			
Karnataka	8	22	8/22
Kerala	0	4	4
Madhya Pradesh	8	43	8/43
Maharashtra		36	
Odisha	0	36	0/36
Punjab	0	21	0/21
Rajasthan	25	8	25/8
Tamil Nadu	6	26	6/33
Telangana	1	30	1/31
Uttar Pradesh	40	35	40/35
Uttarakhand	0	13	0/13
West Bengal	0	23	0/23
Delhi	0	13	0/13

6.5. Observations and recommendations on handling of atrocity cases.

The Commission has been closely monitoring large number of individual cases of atrocities against Scheduled Castes and has also intensively taken up details of action taken by Police and District Administration in cases of atrocities during State, Divisional and District reviews. The observations and recommendations of the Commission are as below:

6.5.1. Observations of the Commission:

- 6.5.1.1.** FIRs not being lodged in a large number of cases where FIRs of Scheduled Castes are being lodged only after intervention of this Commission (or other Commissions) or after intervention by courts.
- 6.5.1.2.** Correct sections of the PoA Act (as amended) and other applicable sections of IPC, POSCO Acts etc. are not being included in the FIRs. In many cases the SSPs/SPs/Investigating Officers do not appear to have knowledge of the appropriate sections. This was found specially in Punjab, Haryana, Kerala and West Bengal by the Commission. **In Punjab only sections of the unamended PoA Act were being added in the FIRs even in cases lodged after January 2016.** Since a large number of crimes against SCs/STs have been specifically designated in the amended PoA Act, non-application of the correct section in FIRs / Charge sheets can weaken the case and could be a factor in the low conviction / high acquittal rates.
- 6.5.1.3.** Despite provisions of Rules 6 (1) and 12 (1) of the PoA Rules (as amended), the DMs and SSPs do not visit the spot where even grave atrocities like murder, attempt to murder rape/gang rape or arson occur.
- 6.5.1.4.** The table below Rule 12(4) of the POA Rules (as amended), Serial 40, specifies that on committing offence under IPC punishable with term of 10 years or more, the section 3(2) of the Act is to be invoked with the relevant IPC sections like 302, 307, 326, 366A, 375, 377, 409, 449, 450. The Commission has seen that instead of invoking Section 3(2) of the Act, the authorities have been applying Section 3(2) (va) of the PoA Act (as amended). The appropriate section for the above offences, under above mentioned IPC sections, is 3(2), and not 3(2)(va).
- 6.5.1.5.** There is no rule that stipulates the Investigating Officer (IO) has to take the opinion of the Special Public Prosecutor (SPP) for finalizing the charge sheet. In many states it has been seen that the IO always takes the advise of SPP and in most cases the Special Public Prosecutor deletes the sections of PoA Act without a speaking order regarding reasons for deletion of the Section of PoA Act.
- 6.5.1.6.** Rule 4 of the PoA Rules as amended specifies that the District Magistrate and Director of Prosecution shall review the performance of the Special Public Prosecutors at twice in a year, and submit to the State Government a report on the same. The State Government

has the power to de-notify the underperforming SPPs. The Commission has noted that there such reviews by DMs / Director of prosecution and no action taken by State Governments. This could be a reason / contributing factor for low conviction rate in most states.

- 6.5.1.7.** The Commission has observed that there are many cases where there is willful negligence of duties by Public Servants (especially Police officers) in performing their duties as per the Act . In all such cases action under the Section 4 of the PoA Act needs to be taken. As per Rule 8 of the PoA Rules ,the SC/ST Protection Cell is entrusted with the responsibility of conducting enquiries of willful neglect of duties . However most State Governments (Home Department) / SC/ST Protection Cells do not have any details of the action taken (except in UP).
- 6.5.1.8.** The monetary relief to victims/families of victims even in the grievous crimes like rape, murder etc. are not paid in time and as per the stages of PoA Rules (as amended) i.e. at stage of FIR, Medical report/post mortem/ at stage of charge sheet and at end of trial/conviction. The District Magistrates and SSPs/ SPs of many states expressed ignorance of the rules in most cases and also cited lack of budget head (for pension payment).
- 6.5.1.9.** In most states (except Tamil Nadu, Kerala and in some cases in Telangana and Andhra Pradesh) the payment/additional compensation amount to victims/families of victims as specified in col. No. 46 and 47 of Annexure I of Rule 12(4) regarding norms of relief of the PoA rules (as amended in 2016) are not being adhered to. Only Tamil Nadu¹⁵ and UP¹⁶ have issued clear cut GOs for providing of compensation / additional compensation. MP and Chhattisgarh have issued general orders for payment of compensation.
- 6.5.1.10.** In Delhi, there is no instructions on the process to be adopted and authority responsible for payment of compensation / additional compensation to victims/families of victims as specified in Annexure I of Rule 12(4) regarding norms of relief of the PoA Rules (as amended). The District Magistrates merely state that they are not responsible and are not aware of the guidelines. As a result the victims / families of victims do not

¹⁵ GO Ms No 55 Adi Dravidara and Tribal Welfare (PA2) 28.08.2017

¹⁶ GO no 118/2016/1405/26-3-2016-4(256)1994 dated 14.06.2016 and 292747/26-3-2018 dated 30.11.2018

receive the monetary relief amounts/ or receive incorrect amounts after delays ranging from 3-6 months. The Rules stipulate that the first tranche of relief should be paid within 7 days.

6.5.1.11. In the Chandigarh (UT) , in cases of atrocities against SCs , FIRs are registered with sections of IPC and POA Act against the accused. However, the monetary relief and additional assistance as per the PoA Rules are not being provided to the SC victims who do not have domicile of the UT of Chandigarh. The Union Territory of Chandigarh cites the letter No. 11012/4/2013-PCR(Desk) dated 05.12.2013 of M/o Social Justice & Empowerment, Department of Social Justice and Empowerment which states that *“the offences under the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989, imply offences against only such members of Scheduled Castes/Scheduled Tribes, whose castes/tribes have been specified as a SC/ST, in relation to a State/Union Territory, and thus, for the purpose of the PoA Act, while keeping in view its Section 2(1), it would not be in conformity with provisions of Article 341(1) and 342(2) of the Constitution of India, to consider members of migrant SCs/STs, for registration of a case by them in the State/UT of migration, and qualify for any relief amount as per provisions of the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Rules, 1995”* as the reason for non payment of the monetary relief to the victims. The Commission has also noted that the MSJ&E has not consulted the NCSC prior to issue of the said letter whereas the as per clause 9 of Article 338, consultation with the Commission is mandatory.

The Hon’ble Supreme Court, in the S.Pushpa (2005) case, noted the unique position of the UTs in paras 10 to 12 of the judgement and in para 20 of the said judgement while dealing with the special provisions contained in Article 330-341 of the Constitution , stated that ‘ though a migrant SC/ST person of another state may not be deemed to be so within the meaning of Articles 341 and 342 after migration to another State but does not mean that he ceases to be an SC/ST altogether and become a member of a forward caste.’ The said judgement is in relation to application of reservation, but the spirit of the same will apply for atrocities also.

It is a well settled law of the Apex Court, that the status of the SCs do not change. Hence, even though the UT of Chandigarh may have native SC populations of only 36

SC communities, the Scheduled Castes from other parts of India who are living in Chandigarh for the purposes of study, employment etc , will continue to be SCs . The provisions of the PoA act and Rules thereof will also apply to them in cases of atrocities. The prevention of atrocities is the responsibility of the State/UT Government and any lapse on their part leading to committing of atrocities on SCs in the UT is the responsibility of the UT Government in terms of lodging of FIR, investigation, prosecution and also payment of monetary relief and additional assistance to victims / families of victims of atrocities as defined under the PoA Act , 1989 (as amended). The Commission has taken this issue with the U.T. of Chandigarh vide our letter¹⁷ dated 30.05.2018 and a letter¹⁸ dated 09.05.2018 was also sent to the M/o Social Justice & Empowerment with request to withdraw their letter No. 11012/4/2013-PCR Desk dated 10.12.2013 which adversely affects the payment of monetary relief and additional assistance to victims / families of victims of atrocities as defined under the PoA Act , 1989 (as amended), but no response has been received from them.

6.5.1.12. Section 3(1) (j) of the PoA Act is applicable to be applied on anyone who makes a member of Scheduled Castes to do manual scavenging or employs or permits employment of such member for such purpose. The Commission has observed in numerous cases of deaths of SCs caused due to manual cleaning of sewers/septic tank etc. that either no FIR is lodged or the FIR lodged does not include the section 3(1) (j) & 3(2) (v) of the PoA Act. Hence, the perpetrators went unpunished and the families of victims were deprived of help/ monetary relief as per the PoA Rules.

6.5.1.13. The State Level Vigilance and Monitoring Committee (SLVMC) have either not been formed or do not hold the mandatory meetings twice a year. Chhattisgarh and Haryana are the only two states where the meetings are regularly conducted. In Andhra Pradesh, Delhi, Goa, Rajasthan, Uttarakhand, the SLVMC has not even been constituted.

6.5.1.14. The District Level Vigilance and Monitoring Committee (DLVMC) are supposed to have 4 meetings per year per district as per PoA Rules (as amended). Chhattisgarh is

¹⁷ No. 3/2/2007-APCR (Part File) dated 30.05.2018

¹⁸ No. 3/2/2007-APCR (Part File) dated 09.05.2018

the only state where these meetings are regularly held. In other states either the meetings are irregular or not held at all.

6.5.1.15. The process of setting up of exclusive special courts special courts as per Section 14(1) of PoA Act (as amended), appointment of exclusive special prosecutors is very slow and lax in most States and could be reason for pendency of such cases and low conviction rate in courts.

6.5.2. Recommendations

6.5.2.1. All FIRs should be lodged and IG Police of Zones / equivalent officers of zones should monitor Police Station wise the cases being lodged after order of Court under Section 156 (3).

Action: Ministry of Home Affairs, (MHA) ,Government of India and Home Departments of State Governments/ UTs.

6.5.2.2. Specific instructions and details should be issued to all Police Stations regarding the Sections of the PoA Act (as amended) and other Acts like POCSO etc. which are to be invoked in the FIRs/charge sheets.

Action: MHA, GoI and Home Departments of State Governments/ UTs.

6.5.2.3. Special trainings of Police Officers and District Social Welfare officers / SC /BC Welfare officers need to be conducted on a regular basis. Issues raised at Point 6.5.1.4 of our observations should also be clarified. Ministry of Social Justice and Empowerment (MSJ&E) may also issue clarification on the point.

Action: MHA, GoI, Chief Secretaries of State Governments/UTs and MSJ&E , GoI..

6.5.2.4. The DMs& SPs/SSPs of the districts where atrocities are found to have been committed must be asked to conduct spot visits as per Rules 6 (1) and 12 (1) of the PoA (as amended) Rules and also ensure timely help/payment of immediate relief as per rules to the victim/families of victims. Specific orders regarding the same need to be issued and MSJ&E, GoI needs to take up this issue with the State Governments and monitor progress.

Action: MSJ&E, GoI and Chief Secretaries of State Governments/ UTs.

6.5.2.5. Specific directions on the issue raised at our observations 6.5.1.5 need to be issued by MSJ&E and MHA to all State Governments. MSJ&E, GoI needs to take up this issue with the State Governments and monitor progress.

Action: MHA and MSJ&E, Government of India and Chief Secretaries of State Governments/ UTs.

6.5.2.6. All State / UT Governments should follow the example of Tamil Nadu & Uttar Pradesh and issue specific G.Os for payment of compensation / additional compensation to victims / families of victims including details of heads of accounts to be debited. The GOs may also include details like emergency drawal from treasury in case of lack of budget, ensuring timely additional relief like payment of pension, allotment of house/land, job, education of children etc. Training of District Social welfare Officers needs to be conducted on a regular basis by all State / UT Governments.

The GOs of Tamil Nadu and UP are uploaded on website of NCSC (www.ncsc.nic.in - >what's new) for information and use by other states.

MSJE should also take up with all State Governments to issue clear cut GOs in this respect so that the victims do not suffer.

Action: MSJ&E, Government of India, Chief Secretaries of State Governments/ UTs.

6.5.2.7. The Department of Social Welfare, Government of Rajasthan, has developed an online Portal where payment of monetary relief at each stage is mapped and monitored for timely stage wise payments. Similarly Government of Telangana has set up a victim relief monitoring cell in the Police Headquarters with similar cells in all districts. This has helped in ensuring timely and stage wise payment to the victims / families of victims.

MSJE may take up with all State Governments to also develop their own portal or constitute a cell for monitoring and ensuring timely payment of monetary relief to victims / families of victims.

Action: MSJ&E, GoI and Chief Secretaries of State Governments/ UTs.

6.5.2.8. Exclusive Special Courts and appointing of special public prosecutors should be expediated by all states / UTs.

Action: Chief Secretaries of State Governments/ UTs.

6.5.2.9. Supervision of Prosecution: The District Magistrate and Director of Prosecution should review the performance of the Special Public Prosecutors at twice in a year, as per Rule 4 of the PoA Rules during the DLVMC meetings and submit to the State Government a report on the same. The State Government during the SLVMC meetings should also monitor the same take action such as de-notifying the underperforming SPPs. This could will help in improving conviction rates.

Action: MSJE & MHA, GoI and Chief Secretaries of State Governments/ UTs.

6.5.2.10. In order to reduce the sufferings of the victims / families of victims of the atrocities, Government of National Capital of Delhi (GNCTD) needs to draw up a standard operating procedure and issue instructions regarding the action to be taken by Delhi Police, District Magistrates / Department of SC /ST / OBC welfare regarding timely payment of monetary relief / additional relief at each stage to victims and families of victims of atrocities. MHA, GoI may follow up with the Chief Secretary , GNCTD and Commissioner of Police , Delhi to ensure the above.

Action: MHA, GoI , Chief Secretary / GNCTD and Commissioner of Police , Delhi .

6.5.2.11. The Commission recommends that the MSJ&E , GoI withdraw their letter No. 11012/4/2013-PCR desk dated 10.12.2013, which adversely affects the payment of compensation and additional compensation to victims / families of victims of atrocities as defined under the PoA Act , 1989 (as amended) and also issue a clarification that the payment of monetary relief and additional assistance to victims / families of victims of atrocities as defined under the PoA Act , 1989 (as amended) is the responsibility of the State / UT Government where the atrocity has occurred.

Action: MSJE, GoI.

6.5.2.12. The Commission recommends that in numerous cases of deaths caused due to manual cleaning of sewers/septic tank etc., in case the sufferer/ victim is a member of the Scheduled Castes, the relevant Section 3(1) j & 3(2) (v) of the Scheduled Castes/Scheduled Tribes (Prevention of Atrocities) Act, 1989 (as amended) also needs to be added in all such FIRs. The payment of monetary relief and additional assistance to victims / families of victims as per rules also needs to be ensured.

Action: MSJ&E ,GoI and Chief Secretaries of State Governments/ UTs.

6.5.2.13. Regular meetings of the SLVMC and DLVMC should be held by all states. The SLVMC should also monitor whether DLVMC meetings are regular.

Divisional Commissioners and Chief Secretaries of States / UTs should keep the regularity and output of these DLVMC meetings as a monitorable point in their review meetings of DMs. Chief Secretaries of all States/ UTs should ensure regular meetings of SLVMC in their States.

Action: MSJ&E ,GoI and Chief Secretaries of State Governments/ UTs.

6.5.2.14. In cases where there is willful negligence of duties by Public Servants (especially Police officers) in performing their duties as per the Act , action under the Section 4 of the POA Act needs to be taken . As per Rule 8 of the POA Rules, the SC/ST Protection Cell is entrusted with the responsibility of conducting enquiries of willful neglect of duties .The Rule 9 of the PoA Rules also specify that the state level Nodal Officer is entrusted with responsibility to review the performance of the public servants. The Nodal Officer, should also review the performance of the SC / ST protection cell with respect to the actions taken under Section 4 of the PoA Act so that the action taken is followed up to the logical conclusion.

Action: MSJ&E, GoI and Chief Secretaries of State Governments/ UTs.

CHAPTER – VII Service Safeguards

The framers of the Constitution took note of the fact that certain castes, races or tribes in the country, who occupy the lowest rank in the ritual hierarchy of Indian society, were suffering from extreme social, educational and economic backwardness arising out of age-old practice of untouchability, lack of infrastructure facilities and geographical isolation.

It was felt that special provisions were required for Scheduled Castes and Scheduled Tribes to secure their adequate representation in public services as a part of their accelerated socio-economic development. Accordingly, safeguards for ensuring adequate representation of the Scheduled Castes, Scheduled Tribes and Other Backward Castes in the services and posts under the State are provided in our Constitution.

7.1 Constitutional provisions:

- **Articles 16(4):** This Article provides that “nothing in this Article shall prevent the State from making any provision for reservation in appointments and posts in favour of any backward class of citizens which, in the opinion of the State, is not adequately represented in the services under the State”.
- **Article 16(4A):** This Article was inserted vide the Constitution (Seventy-seventh Amendment) Act, 1995 with the provision: “nothing in this Article shall prevent the State from making any provision for reservation in matters of promotion to any class or classes of posts in this 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”.
- **Further Amendments of Articles 16(4A):** Article 16(4A), was further amended in 2001 to substitute the words “in matter of promotion to any class” by words “in matters of promotions, with consequential seniority, to any class” vide the Constitution (Eighty-Fifth Amendment) Act, 2001. This Amendment was made operative retrospectively from 17.06.1995, i.e. the date of addition of this Article vide the Constitution (Seventy-Seventh Amendment) Act, 1995.

- **Article 16(4B):** This Article inserted vide the Constitution (Eighty-First Amendment) Act, 2000, provides that “nothing in this Article shall prevent the State from considering any unfilled vacancies of a year which are reserved for being filled up in that year in accordance with any provision for reservation made under Clause (4) or Clause (4A) as a separate class of vacancies to be filled up in any succeeding year or years and such class of vacancies shall not be considered together with the vacancies of the year in which they are being filled up for determining the ceiling of fifty percent reservation on total number of vacancies of that year”.
- **Article 335:** This Article stated that “the claims of the member of the Scheduled Castes and the Scheduled Tribes shall be taken into consideration, consistent with maintenance of efficiency of administration, in the making of appointments to services and posts in connection with the affairs of the Union or of a State”. The following provision was added to this Article by the Constitution (Eighty-second Amendment) Act, 2000. “provided that nothing in this Article shall prevent in making of any provision in favour of the members of the Scheduled Castes and Scheduled Tribes for relaxation in qualifying marks in any examination or lowering the standards of evaluation, for reservation in matters of promotion to any class or classes of services or posts in connection with the affairs of the Union or of a State”.

Pursuant thereto, the Government has issued instructions from time to time providing for reservation in matters of employment under the Government, Central Public Sector Undertakings (CPSUs)¹ and other autonomous bodies under the control of the Government.

The compendium of instructions on this subject is available on the website of the Department of Personnel and Training² (DoPT). There has been no amendment to the above mentioned Constitution provisions during the period of this Annual Report.

7.2 Reservation in Services

¹Central Public Sector Undertakings : CPSUs

²Department of Personnel and Training : DoPT

Instructions were issued on 21.09.1947 providing for reservation of 12½ % 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 2/3%. Vide the Ministry of Home Affairs (MHA)³ Resolution No. 42/21/49-NGS dated 13.09.1950, 5% reservation was provided for STs also.

7.2.1 Reservation in Direct Recruitment

The percentage of reservation in direct recruitment on all India basis by open competition for SCs and STs as 15% and 7.5% respectively was fixed vide MHA Resolution No. 27/25/68-Estt. (SCT) dated 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 local area or region, the percentage of reservation for SCs/STs is generally fixed in proportion to the population of SCs and STs in the respective State/UT.

7.2.2 Relaxations and concessions available for SCs/STs

7.2.2.1 Direct Recruitment

Apart from reservation, other relaxations viz, relaxation 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 vide O.M. No. 36012/22/93-Estt. (SCT) dated- 08.09.1993 and 22.10.1993. 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

³Ministry of Home Affairs : MHA

by open competition. As per various judgment of the Supreme Court, total reservation for these communities cannot exceed the limit of 50%.

7.2.2.2 In promotion

- The zone of consideration is extended to five time against the number of vacancies in case suitable SC/ST candidates are not available within the normal zone of consideration;
- Minimum qualifying marks/standards of evaluation are relaxable;
- 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.

7.3 Reservation in Promotion

Vide MHA O.M. No. 5/4/55-SCT (I) dated 4.01.1957, the reservation was provided for SCs and STs in departmental competitive examinations by the Government of India. Reservation in promotion by selection in Group C and Group D was provided vide MHA O.M. No. 01/10/61-Estt. (D) dated 08.11.1963 and in the same year reservation in departmental competitive examination was limited to Class III and Class IV only. The MHA issued O.M. No. 01/12/67-Estt. (C) dated 11.07.1968 regarding 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 7½ % respectively from vide MHA Resolution No. 27/25/68-Estt. (SCT) dated- 25.03.1970. Reservation in promotion by seniority subject to fitness was introduced vide Department of Personnel O.M. No. 27/2/71-Estt. (SCT) dated 27.11.1972 subject to the condition that the element of direct recruitment does not exceed 50 percent. Reservations in promotion by selection from

group C to group B, within group B and from group B to the lowest rung of Group A were introduced vide Department of Personnel and Administrative Reforms O.M. No. 10/41/73-Estt. (SCT) dated 20.7.1974 provided the element of direct recruitment does not exceed 50%. The limitation of the direct recruitment for exceeding 50 % was raised to 66²/₃% in vide Department of Personnel and Administrative Reforms O.M. No. 36021/7/75-Estt, dated 25.02.1976 and raised to 75% vide DoPT O.M. No. 36012/17/88-Estt. (SCT) dated 25.04.1989. Reservation in promotion by non-selection method is available to SCs and the STs in all four groups of services viz. A, B, C and D @ 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 Rs.18,300 (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 vide DoPT O.M. No. 36028/21/2003-Estt. (Res.) dated 29.01.2004.

7.4 OM dated 13.08.1997 quashed on 23.08.2017 and thereafter

- High Court of Delhi quashed DoPT OM No. 36012/18/95-Estt.(Res.)Pt.-II dated 13.08.1997 vide its Judgment dated 23.08.2017, which is the foundation/base O.M. allowing reservation in promotion beyond 1997.
- DOPT filed an SLP (C) No. 31288/2017 against the Hon'ble High Court of Delhi's judgement dated 23.08.17 in the matter of All India Equality Forum & Ors. Vs. Union of India & Ors.
- Hon'ble Supreme Court vide its order dated 14.11.2017 in CA No.4562-4564/2017 in the matter of the State of Tripura & Ors. Vs Jayanta Chakraborty & Ors. and vide its order dated 15.11.2017 in SLP (C) No. 28306/2017 in the matter of State of Maharashtra & Anr Vs. Vijay Ghogre & Ors referred the issue to the Constitutional Bench as to whether M. Nagaraj Judgement needs reconsideration.

- As per latest development, the Hon'ble Supreme Court in SLP(C) No. 30621/2011 in the matter of Jarnail Singh & Ors. V/s. Lachhmi Narain Gupta & Ors. and connected matters, has passed the following Order on 17.05.2018:

“It is directed that the pendency of this Special Leave Petition shall not stand in the way of Union of India taking steps for the purpose of promotion from ‘reserved to reserved’ and ‘unreserved to unreserved’ and also in the matter of promotion on merits.”.

- Further, in the matter related to SLP(C) No. 31288/2017, connected to Special Leave to Appeal (C) No. 28306/2017 titled the State of Maharashtra & Anr. Vs Vijay Ghogre & Ors., the Hon'ble Supreme Court held on 05.06.2018 as under:

“Heard learned counsel for the parties. Learned ASG has referred to order dated 17.05.2018 in SLP(C) No. 30621 of 2011. It is made clear that the Union of India is not debarred from making promotions in accordance with law, subject to further orders, pending further consideration of the matter. Tag to SLP(C) No. 30621 of 2011.”

7.4.1 Action by DoPT:-

DoPT has issued instructions vide their OM No. No. 36012/11/2016-Estt(Res-I) {Pt-II} dated 15.06.2018 advising Cadre controlling authorities of Central Government Ministries, Departments and Union Territories to carry out promotions in accordance with the directions of the Hon'ble Supreme Court orders dated 17.05.2018 and 05.06.2018 based on existing seniority/select lists. Further, it has also been mentioned that every promotion order must clearly mention the stipulation that the promotion shall be subject to further orders, which may be passed by the Hon'ble Supreme Court.

7.5 Reservation in outsourcing of work of and projects etc.

The Commission during its monitoring meetings on implementation of reservation policy in States , PSUs and also during hearings had observed that reservations for SCs in projects last for more than 45 days, in appointment of young professionals, Research Associates, Consultants, Interns and Data Entry Operators etc. is not being implemented by Ministries/Departments of Government of India⁴ (GoI) and State Governments as well as CPSBs, CPSUs , State PSUs and autonomous bodies etc. as per MHA OM No. 27/4/67(II)-Estt.(SCT) dated 24.09.1968 and DoPT OM No. 36036/3/2018-Estt. (Res.) dated 15.05.2018. The OM should be implemented.

7.6 False Caste Certificates

The Commission has been receiving complaints ⁵ regarding non Scheduled Caste persons who have obtained service on basis of fake caste certificates thus, depriving the genuine Scheduled Castes. The Commission observed that the Vigilance Committees and Caste Scrutiny Committees set up in the States and UTs as per the guidelines of Hon'ble Supreme Court do not act promptly. The officers do not exercise all possible vigilance prior to issue of SC caste certificates. No strict and exemplary fast action appears to have been taken by appointing authorities / other authorities where false caste certificate are detected.

The Commission has also observed that due to the delay at the level of Appointing Authorities and concerned caste certificates issuing authority in Districts of States/Uts, genuine candidates remain deprived and non eligible persons continue to take advantage of their false certificates.

The Commission has also written to all the Chief Ministries of States⁶ in this connection recommending steps to be taken by the Governments in such cases.

7.7 Legislation on Reservation:

⁴Government of India : GoI

⁵ some examples , case file nos 17/2/UP/2017/ESDW, /8/UP/2018/ESDW, UP/727/2018/APCR, UP/733/2018/APCR, 17/3/UK/2017/ESDW, 17/1/UP/2017/ESDW

⁶ vide D.O. letter No. 38/Misc-2/2017/SSW-I dated 16.01.2018

Reservations for Scheduled Castes and Scheduled Tribes have been provided for through instructions and executive orders and not through Legislation. The scheme of reservation as formulated by the DoPT and MHA earlier is basically applicable to services under the GoI. Reservations in the services under the CPSBs and CPSUs are governed by separate instructions issued by the Banking Division of Ministry of Finance(MoF)⁷ and by the Department of Public Enterprises(DPE)⁸ and the concerned administrative ministries. There are many other establishments, which are either statutory or non-statutory, where reservations are provided through executive instructions.

The history of Independent India and its development proves that the Constitutional provisions have increased the representation of Scheduled Castes employees in posts and services in Government and its organizations. The degree of implementation of the provisions varies from State to State, according to population of the Scheduled Castes in the particular State. The service safeguards and provisions have played a very significant role in the economic development of the Scheduled Castes in the country. Those groups who were more vigilant, and active have benefited more and those remained ignorant or were the weakest were less benefitted from these provisions. To improve the representation of Scheduled Castes in posts and services and to bring uniformity in the implementation of the policy, there is strong and urgent need to pass a bill on reservation for Scheduled Castes and Scheduled Tribes in the posts and services under the Government .The Bill should contain provisions for punitive measures against the non-implementing organizations and individuals.

The Commission has observed during various review meetings for implementation of reservation policies in different Central/State/Government Offices/CPSUs and CPSBs as well as in its hearings that the reservation policy is not being followed scrupulously in the absence of such a legislation which could provide for any deterrent and penal action against defaulters.

⁷ Ministry of Finance: MoF

⁸ Department of Public Enterprises : DPE

The DoPT vide letter No. 41018/1/2004-Estt. (Reservations) dated 7/12/2004 had sent a draft bill on Reservation for the SCs, STs and OBCs in civil posts and services under the GoI. This Commission had considered the bill and had furnished its suggestions to DoPT vide its letter No. 4/3/2004-SSW V dated 13/12/2004 and 14/12/2004.

In its suggestions the Commission had pressed for inclusion of a penal clause viz, “any appointing Authority or official or employee entrusted with the responsibility covered under clause 11 of the Bill and contravening any of the provisions of the Bill shall on conviction be punishable with imprisonment which may be extended upto six months or fine of not less than Rs 5000/- or both. The fine shall be payable from his/her salary.” The Commission had also expressed its views to the Chairman of the Department Related Parliamentary Standing Committee and to the Rajya Sabha Secretariat on 09.03.2005.

7.8 Recommendations:

In light of the issues highlighted above , the Commission reiterates the following recommendations of its Annual Report 2017-18 :

7.8.1 On Reservation:

- The Legislation on reservation Bill may be redrafted including the recommendations of the Commission sent vide letter no. 4.3.2004-SSW-V dated 13.12.2004 and 14.12.2004. The opinion of the Commission may also be sought on the redrafted Bill as per the provisions of Article 338(9) of the Constitution.
- That reservation should be strictly implemented in all the projects of Government which last for more than 45 days and also in on engagement of young professionals, research associates, consultants, interns and data entry operators etc by government departments, CPSUs, CPSBs and autonomous organizations etc. The rule of reservation should be strictly followed in such engagements as per MHA OM No. 27/4/67(II)-Estt.(SCT) dated 24.09.1968 and DoPT OM No. 36036/3/2018-Estt. (Res.) dated 15.05.2018.
- Reservation rosters should be strictly maintained and followed to ensure

adequate representation of SCs in services as per DoPT O.M. No. 36011/1/76-Est. (SCT) dated- 06.03.1976.

- Special Recruitment Drives should be launched by government departments, CPSUs, CPSBs and autonomous organizations etc to clear backlog vacancies as per instructions of the DoPT OM No. 36038/1(i)/2013-Estt (Res)} dated- 21.6.2013.
- All the instructions issued by DoPT to safeguard the interest of the Scheduled Castes like appointment of Liaison Officers, setting up of SC/ST Cell for grievances, maintenance of grievances registers, inspection of rosters, quarterly meetings with representatives of SC Association etc. must be followed. These instructions are contained in DoPT O.M. No. 43011/153/2010-Estt. (Res.) dated- 04.01.2013, DoPT O.M. No. 8/8/71-Est. (SCT) dated- 22.04.1971, DoPT O.M. No. 36022/5/76-Estt. (SCT) dated- 27.05.1976 & Department of Personnel and Administrative Reforms O.M. No. 36022/5(i)/76-Estt. (SCT) dated- 28.5.1976.
- Steps should be laid down to improve the percentage of SCs in Group 'A' and 'B' in Central/State Governments/ UTs.and CPSUs/CPSBs etc.
- Grouping of posts of the same cadre, same qualification and pay scale should be completed and declared as single cadre so that representation of SCs is improved. The same is covered under DoPT O.M. No. 36011/17/85-Estt. (SCT) dated 23.07.1985.
- Pre-recruitment and pre-promotional training should be imparted to the SC Employees by all the departments, as per DoPT O.M. No. 28/8/72-Estt. (SCT) dated- 02.03.1972&DoPT O.M. No. 36022/23/93-Estt. (SCT) dated- 27.07.1993.

7.8.2 On promotion :

- As per DoPT OM No. No. 36012/11/2016-Estt(Res-I) {Pt-II dated 15.06.2018, reservation in promotion may be continued to be implemented in all the Central/State Governments ,PSUs and PSBs.
- The Government should consider a Constitutional amendment for putting in place reservation in promotion.

7.8.3 On false Caste Certificates:

- The Vigilance Committees and Caste Scrutiny Committees set up in the States and UTs as per the guidelines of Hon'ble Supreme Court should act promptly and officers concerned should exercise all possible vigilance prior to issue of SC caste certificates. Strict and fast exemplary action may be taken wherever false caste certificate are detected.
- A standard operating procedure laying down the action to be taken by caste issuing authority when a case of verification is referred to them should be issued by DoPT / State and UT Governments. The responsibility to complete the verification work in a time bound manner of 1-3 months, cancelling the false caste certificate, if any, and informing the employer Department/Organization within the specified time frame of 1-3 months, must be given to the concerned District Collector/District Magistrate.
- The State Governments should take disciplinary action and also action under Section-4 of the PoA Act (as amended) against the officers responsible for the issue of the false caste certificates, as the genuine candidates of Scheduled Castes are deprived of their legitimate appointment due to the issue of the fake Caste certificates. Necessary instructions need to be issued by the DoPT / State and UT Governments/ Departments.
- For employers (Governments, CPSUs, CPSBs, autonomous bodies etc.) a time frame to complete the action in such cases is necessary as well as introduction of a penal provision to recover the full pay & allowances paid, along with interest from the employees found to have benefitted from production of false caste certificates.

7.8.4 Action on recommendations of the Commission:

The Commission while investigating service related matters different Departments and PSUs found that some of the departments/PSUs ignore the recommendations of the Commission.

In some of the cases ⁹ of harassment, discrimination and arbitrary action by Departments / Authorities / PSUs / PSBs where the Commission has found clear discrimination / harassment and issued its recommendations, it has been seen that the Departments/ Authorities /PSUs /PSBs

⁹ File nos J-9/DoPT-II/2016/SSW-II, R-10/Delhi-32/2005/SSW-I, P-4/UP-18/2017/SSW-II, D-1/UP-33/2017/SSW-II, V-2/UP-23/2016/SSW-II

concerned had totally ignored the recommendation. They did not submit any action taken report (ATR) nor did they respond to the Commission or petitioner. As a result the grievance of the petitioners remains unsolved and he/she is forced to approach the Commission or Courts again. There are clear orders of DoPT dated 01.01.1998 and 30.11.1998 wherein the Departments/ Ministries/PSUs etc have been advised to consider the recommendation/ or suggestions of NCSC in light of Government policies. The recommendations of the Commission are issued when discrimination / arbitrary action against Scheduled Castes are found during investigations / hearings of the Commission. Hence the Departments/Authorities/PSUs/PSBs need to consider them and issue speaking and clear orders on the same under intimation to the Commission and individual petitioner concerned.

In view of the ignoring of the recommendations of the Commission by many Departments/ Authorities /PSUs /PSBs , the Commission recommends that the DoPT reiterate its earlier instructions/orders issued vide O.M. No. 36036/2/97-Estt.(Res) dated 01.01.1998 and 30.11.1998 to all Ministries/Departments. to extend maximum cooperation to the Commission in the discharge of its roles and to give due consideration/weightage to all its recommendations/suggestions. In the rare cases where the Departments/ Authorities /PSUs /PSBs may not be in a position to implement recommendations of the Commission speaking orders mentioning the relevant rules and reasons that restrict implementation may be communicated to the Commission and the petitioner within a specific time frame.

7.8.5 Treatment of in service persons approaching the Commission

- The Commission reiterates its recommendation that the Central/State Govt. & UTs should issue strict instructions to the concerned departments under their control that SC officials/officers are not harassed for approaching the Commission for protection and the safeguards provided under Constitution of India or any other Law in force. The DoPT orders No. 36024/5/97-Estt. (Res.) dated 05.01.1998 states that the SC employees can directly approach the Commission and there is no need to seek prior approval.

7.8.6 Consultation with the Commission:

- The Union and State Government must consult the Commission on policy matters affect the interest of Scheduled Castes as per the provisions of Article 338 (9) of Constitution of India.

CHAPTER – VIII

Social and Economic Development

The Scheduled Caste constitutes about 16.6 *per cent* (20.14 crore) of the total population of India as per 2011 census. These communities are still subjected to social discrimination by other sections of society. This has resulted into denial of educational, economical, social, political and cultural deprivation to these communities. To bridge this gap created due to the inherent age old practice of untouchability against Scheduled Castes (SCs) and bring equality and to undo this historical oppression the founding fathers of Constitution felt an imperative need for the economic empowerment of Scheduled Castes and Scheduled Tribes. The Article 46 of the Constitution of India aimed at the social economic empowerment of Scheduled Castes and Scheduled Tribes. The 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 percent of Scheduled Caste population was below the poverty line. Hence the framers of Constitution and the government has shown special concern and commitment for the well-being of the Scheduled Castes who occupy the lowest rank in the ritual hierarchy of Indian society, suffering from extreme social, educational and economic backwardness arising out of age old practice of untouchability, lack of infrastructure facilities and geographical isolation, and who needs special consideration for safeguarding their interest and for their accelerated socio economic development. The Government brought in special schemes and later the Scheduled Caste Sub Plan (SCSP) to show their commitment to the socio economic development of the Scheduled Castes. As per details available (as on 26.10.2017) 1284 castes are specified as SCs in the country as per table given below:

Table 8.1

State/UT-wise number of castes specified as Scheduled Castes

SI. No.	State/UT	Number of Castes	Total Population	SC Population	% of SC Population
1.	Andhra Pradesh	61	84580777	13878078	16.41
2.	Arunachal Pradesh	0	1383727	0	0.00
3.	Assam	16	31205576	2231321	7.15
4.	Bihar	23	104099452	16567325	15.91
5.	Chhattisgarh	44	25545198	3274269	12.82
6.	Goa	05	1458545	25449	1.74
7.	Gujarat	36	60439692	4074447	6.74
8.	Haryana	37	25351462	5113615	20.17
9.	Himachal Pradesh	57	6864602	1729252	25.19
10.	Jammu & Kashmir	13	12541302	924991	7.38
11.	Jharkhand	22	32988134	3985644	12.08
12.	Karnataka	101	61095297	10474992	17.15
13.	Kerala	69	33406061	3039573	9.10
14.	Madhya Pradesh	48	72626809	11342320	15.62
15.	Maharashtra	59	112374333	13275898	11.81
16.	Manipur	07	2570390	97042	3.78
17.	Meghalaya	16	2966889	17355	0.58
18.	Mizoram	16	1097206	1218	0.11
19.	Nagaland	0	1978502	0	0.00
20.	Odisha	95	41974218	7188463	17.13
21.	Punjab	39	27743338	8860179	31.94
22.	Rajasthan	59	68548437	12221593	17.83
23.	Sikkim	04	610577	28275	4.63
24.	Tamil Nadu	76	72147030	14438445	20.01
25.	Telengana	59	3.52 crores	54.09 Lakhs	38.88 %
26.	Tripura	34	3673917	654918	17.83
27.	Uttar Pradesh	66	199812341	41357608	20.70

28.	Uttarakhand	65	10086292	1892516	18.76
29.	West Bengal	60	91276115	21463270	23.51
30.	A & N Islands	0	380581	0	0.00
31.	Chandigarh	36	1055450	199086	18.86
32.	D & N Haveli	04	343709	6186	1.80
33.	Daman & Diu	05	243247	6124	2.52
34.	NCT of Delhi	36	16787941	2812309	16.75
35.	Lakshadweep	0	64473	0	0.00
36.	Puducherry	16	1247953	196325	15.73
INDIA		1284	1210569573	201378086	16.63

From the above table, it is observed that Karnataka (101) has maximum number of castes specified as SCs followed by Odisha (95) and Tamil Nadu (76).

8.2 Socio Economic Status of Scheduled Castes

Constitutional directives, number of legislative and executive measures taken by the Government are in place but there still remains a huge gap between the human development indicators like early childhood mortality rates, employment, distribution of monthly income, MGNREGA, enrolment and ratio in education, dropout rates in education, land owned etc. in general population and those of Scheduled Castes. The successive Plans have attempted to reduce these gaps and while there is some evidence of convergence, the disparity is still vast.

Table 8.2.1

**PERCENTAGE OF ALL CATEGORIES AND SCHEDULED CASTES
POPULATION LIVING IN RURAL AND URBAN AREA¹**

Year	Category	% of Population Living in	
		Rural Area	Urban Area
2001	All	72.2	27.8
	SCs	79.6	20.4
2011	All	68.8	31.2
	SCs	76.4	23.6

There were 76.4% SCs living in rural areas in 2011 compared to 79.6% in 2001.

Table 8.2.2

**LITERACY RATE FOR SCHEDULED CASTES (SCs) AND TOTAL POPULATION²
(in %)**

Year	Total	SCs	Total Male	SC Male	Total Female	SC Female
1961	28.3	10.27	40.4	16.9	15.4	3.3
1971	34.5	14.67	46.0	22.4	22.0	6.4
1981	43.6	21.38	56.4	31.1	29.8	11
1991	52.2	37.41	64.1	50	39.3	24.1
2001	64.8	54.7	75.3	66.6	53.7	41.9
2011	73.0	66.1	80.0	75.2	64.6	56.5

While there is a steady increase in the SC literacy rate (both for SC females and males) the % is still below the overall literacy rate.

8.3 Allocation for Welfare of Scheduled Castes (AWSC) / Scheduled Caste Sub Plan (SCSP)

- As per consolidated guidelines of Scheduled Caste Sub Plan (SCSP) issued by the then Planning Commission in October, 2005 and December, 2006; all the States/

¹ Source: Handbook on Social Welfare Statistics, 2018, M/SJ &E (Census of India, 2011)

² Source: Handbook on Social Welfare Statistics, 2018, M/SJ &E(Census of India, 2011)

Ministries/Departments to earmark funds under SCSP out of their Plan outlay, in proportion to the percentage of SC population in the States/Country. (SCs constitute 16.62% of the country's population as per Census, 2011).

- The NITI Aayog issued revised guidelines vide O.M. No. M-11011/08/2015-SJ&EW dated 20.04.2015 on SCSP/AWSC and stated that the Inter-Ministerial Committee has taken note of the detailed guidelines in the year 2013 relating to the SCSP for the Scheduled Caste, issued by the Central Government from time to time.
- The Scheduled Castes Sub Plan (SCSP) is the plan for Scheduled Caste persons to channelize funds and benefits through family oriented identified scheme by providing resources for filling the critical gaps and for providing missing vital inputs. The SCSP, which contains details of financial and physical targets, is expected to form an integral part of Plan documents of Government 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, sharecroppers, fishermen, sweepers and scavengers, urban unorganized labourers below the poverty line, and so on. Since the schemes / programmes for SCs depend upon the local occupational pattern and the economic activities available, the States/UTs have been given full flexibility in utilizing SCA with the only condition that it should be utilized in conjunction with SCP and other resources available from other sources like various Corporations, financial institution etc, within the overall frame work of the scheme.
- In addition, the SCSP 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 workplaces, and common facility centers and so on.
- The SCSP has proposed a paradigm shift from 'post-facto accounting' to 'pro-active planning' approach with regard the sub plans. SCSP should be an integral part of Annual 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.

- Despite a number of specific schemes implemented for the SCs by the State Governments, the condition of SCs on the human development index remains below that of the rest of the population.

After announcement of Budget for 2017-18, the nomenclature of Scheduled Caste Sub Plan (SCSP) has been changed to Allocation for Welfare of Scheduled Castes (AWSC). Ministry/Department-wise total Plan allocation (BE/RE) under SCSP and Actual expenditure for 2011- to 2018-19 is given below:

Table 8.3.1

(Rs. In Crore)

Sl. No.	Year	SCSP of All Ministries/ Departments (B.E.)	R.E	Actual Expenditure of SCSP	% of Actual Exp. w.r.t. R.E
1	2016-17	38832.63	40919.70	34333.67	83.90
2	2017-18	53392.55	52719.00	46950.39	89.05
3	2018-19	56618.50	62473.86	53592.82	85.78

Source: Ministry of SJ&E, Annual Report 2018-19.

- A total of 29 Ministries/Department have been allocating funds under different schemes for the Welfare of Scheduled Castes.

Table 8.3.2

Status of Implementation of SCSP (renamed as AWSC) from 2016-17 to 2018-19

(Rs. In Crore)

Items	2016-17	2017-18	2018-19
No. of Schemes	237	270	304
No. of Dept./ Ministries	23	26	29
SCSP Allocation (RE)	40919.70	52719.00	62473.86
Actual Expenditure	34333.67	46950.39	53592.82

Source: Ministry of SJ&E, Annual Report 2018-19.

- Cabinet Secretariat has issued revised Allocation of Business Rules wherein the Ministry of Social Justice & Empowerment has been entrusted the task of Monitoring of Scheduled Caste Sub Plan based on the overall framework designed by the NITI Aayog from the year 2017-18. NIC cell of the Department has prepared the portal for online capturing of data from various Ministries/Departments on the financial, physical and outcome based monitoring indicators as per the formats designed by the NITI Aayog and is in place.
- According to the Budget Document for year 2018-19, three new Departments/Ministries namely D/o Consumer Affairs, D/o Culture and M/o Food Processing Industries have been added to the Allocation for Welfare of Scheduled Castes (AWSC) programme.

8.4 National SC/ST Hub Scheme:

Review of National SC/ST Hub Scheme and KVIC SC Sub Plan on 21.12.2018.

The Commission held a meeting on 21.12.2018 with senior officers of the Ministry of Micro, Small and Medium Enterprises (MSME) to get a detailed status report on action taken on progress of work as on date, funds allocation and expenditure on the National SC/ST Hub and KVIC SC Sub Plan during the period 2015-16 to 2017-18.

The NCSC had organized this meeting to be briefed about the main objectives of the SC/ST Hub, its planning, funding, expenditure and progress of the scheme.

The Secretary-MSME, GoI made a presentation highlighting the schemes, action taken and future plans on National SC/ST Hub.

8.5 Recommendations of the NCSC

- A detailed report of the conclaves conducted by the MSME may be submitted to the Commission. NSSH State Conclaves being organized should be monitored more effectively.
- The Ministry of MSME may give details of the conclaves, their effects, results on motivation of SC/ST entrepreneurs under the scheme, what support was provided to the SC/ST participants etc.

- The details of the outcome of the conclaves for Scheduled Caste entrepreneurs may be given to the Commission.
- The Commission recommended that the SC/ST officers may be given a chance in the offices of the SC/ ST Hub.
- The Commission advised that review and evaluation of the SC/ST entrepreneurs may be conducted after the conclaves so that the progress of the scheme could be evaluated and further course of action can be taken.
- The Commission recommended that infrastructure facilities may also be provided to all the SC/ ST entrepreneurs.
- The Commission advised that these conclaves should be organized in the industrial areas of the States and the SC/ST cluster districts.
- The Commission advised that the contracts of organizing conclaves may also be provided to the SC/ST entrepreneurs.
- The separate category for SC / ST entrepreneurs in GeM is not functioning. The Ministry was advised to take up the matter and ensure the same becomes functional.
- Performance of the programme should be evaluated by a third party to ascertain the benefits of the scheme.

8.6 Status of Manual Scavenging

Eradication of dry latrines and manual scavenging and rehabilitation of manual scavengers in alternative occupation have been areas of high priority of the Government. To achieve the above objectives, legislative and programmatic interventions have been undertaken from time to time. In order to liberate the manual scavengers from their traditional occupation and to provide rehabilitation to them ‘the Prohibition of Employment as manual Scavengers and their Rehabilitation Act,2013’ (MS Act,2013) was passed by the Parliament and has come into force from 06.12.2013 with target dates of implementation of the same.

The Commission noted that despite the prohibition of manual scavenging and manual cleaning of sewers by the Act, the same continued to be violated with impunity. Unfortunately the violations come to notice, only when tragedies occur while manual cleaning of sewers.

In majority of such cases, the Commission conducted spot investigations and hearings were also held. This issue was also discussed in State Level Review Meetings held during the period under report.

It was observed that though there is complete ban of manual cleaning of sewers/septic tanks by the Hon'ble Supreme Court of India and the MS Act, the State Governments have failed to check occurrence of such cases. It appears that the State Governments have failed to adhere to the guidelines laid down in the MS Act and Rules, PoA Act and Rules and the guidelines of the Hon'ble Supreme Court.

8.6.1 The position as per Acts/Rules are as follows:

Prohibition of Employment as Manual Scavengers and their Rehabilitation Act, 2013 (MS Act, 2013)

Government responsibility

- Under this Act every local authority and other agency is to use appropriate technological appliance for cleaning to sewers, septic tanks and other space within their control with a view to eliminating the need for the manual handling of excreta in the process of their cleaning. (Provision 33(1) of MS, Act, 2013).
- Government to promote, through financial assistance, incentives and otherwise, the use of modern technology, as mentioned above.
- Where any offence under this Act has been committed by a company and it is proved that offence has been committed with the consent or connivance of, or is attributable to, any neglect on the part of, any director, manager, secretary or other officer of the company, such director, manager, secretary or other officer shall be deemed to guilty of that offence and shall be liable to be proceeded against and punished accordingly. (Provision 23 (2) of MS, Act).
- The Central Government shall, by notification, publish model rules for the guidance and use of State Governments; and (provision 37 (a) of MS, Act)
- In case the State Government fails to notify the rules under section 36 of this Act within the period of three months specified therein, then the model rules as notified by the Central

Government shall be deemed to have come into effect, mutatis mutandis, in such State, till such time as the State Government notifies its rules. (provision 37 (b) of Ms Act)

Prohibition of employment as Manual Scavengers and their rehabilitation Rules 2013 (PEMSR Rules 2013)

- No person shall be allowed to clean a sewer manually, without the protective gear and safety devices under these rules and local authority shall ensure the same Rules 3 (1), (4) & (5).

Hon'ble Supreme Court Guidelines

- The Supreme Court in its order dated 27.03.2014, in Contempt Petition No. 132/2012 in WP (Civil) No. 583/2003 directed that entering sewer lines without safety gears should be made a crime even in emergency situations. The practice of manual scavenging has to be brought to a close and also to prevent future generations from the inhuman practice of manual scavenging, rehabilitation of manual scavengers will need to include:-
For eventual death while cleaning sewers, in each such death, compensation of Rs. 10 lakhs should be given to the family of the deceased.

Relief/Compensation

- As per Supreme Court order in, Contempt Petition No. 132/2012 in WP (Civil) No. 583/2003 compensation of Rs. 10 lakhs should be given to the family of the person who died while manually cleaning sewers, septic tanks etc.
- As per Rule 7 (v) of the PEMSAR, Rules, 2013, employer was to ensure that the assigned person has life insurance policy of at least Rs. 10 lakh and the premium of such shall be paid by the employer. If the employer has failed to ensure the Life Insurance Policy in this case, the liability of accused may be borne by the employer. The Life Insurance policy payment may also be made to the families of the victims in addition to the compensation amount to be paid.

PoA Act and Rules

- If the victim belongs to Scheduled Castes then FIR may be lodged under PoA Act along with MS, Act, 2013. The family of victims may be provided relief/ compensation of Rs. 8.25 lakh (Rs 4.125lakh on FIR / post-mortem stage & balance after filing the charge sheet) under the PoA, Rules. The family of victim may also be rehabilitated and relief like house, education to children of victims, job to one member of the family etc. are to be provided as per the PoA Rules.

8.7 Some of the cases of death due to manual cleaning of sewer lines / sewage tanks / STPs etc taken up by the NCSC HQ during 2018-19 and 2019-20 are as follows:

During 2018-19 and 2019-20 the Commission took note of 45 cases (23 in 2018-19 and 22 in 2019-20) cases in which 113 labourers/ safai karamcharies (61 in 2018-19 and 52 in 2019-20) lost their lives due to manual cleaning of sewer lines / sewage tanks and STPs etc in the Country. In these 45 incidents, 13 safai karamcharies/ labourers were injured (4 in 2018-19 and 9 in 2019-20). The cases have been discussed in detail in section 4.7 of Chapter IV of this report and the up to date status of the action taken by the authorities has been indicated. The cases in brief are:

- **21 deaths and 10 injured in 10 incidents in Delhi :**
 - 03 killed and 2 injured in Hotel Taj Vivanta, New Delhi on 29.04.2018,
 - 05 labourers killed in Moti Nagar, New Delhi on 09.09.2018,
 - 01 labourer killed in Dabri area, Delhi on 14.09.2018,
 - 01 labourer died in Jahangir Puri, Delhi on 21.10.2018,
 - 01 labourer was killed in Sangam Vihar, Jharoda Chowki , Delhi on 20.01.2019,
 - 02 labourers died and 02 workers critically injured in Rajouri Garden, Delhi on 23.03.2019,
 - 02 persons were killed and 03 workers critically injured in Rohini, Delhi on 07.05.2019,
 - 02 persons were killed in Keshavpuram, Delhi on 21.05.2019,
 - 03 persons died while cleaning sewers of Delhi Jal Board (DJB) in Khyala, Delhi on 26.06.2019,

- 01 person killed and 03 persons injured in Shakurpur , Delhi on 23.11.2019.
- **05 deaths in 02 incidents in Punjab :**
 - 02 labourers killed in Amritsar on 19.03.2019 and
 - 02 labourers and 1 policeman died in Ferozepur on 03.06.2018.
- **04 deaths in 03 incidents in Karnataka:**
 - 02 labourers died in Shivamogga, Karnataka on 06.08.2018,
 - 01 person killed in Amar International Hotel, INDI, Vijaypura on 02.04.2019 and
 - 01 person killed at Jain Sanga Trust, Bangalore on 25.01.2020 .
- **11 deaths in 05 incidents in Haryana:**
 - 02 labourers killed in Bhiwani on 13.06.2018 ,
 - 03 persons killed in Sonipat on 01.05.2019,
 - 03 labourers killed in Rohtak on 26.06.2019,
 - 01 person killed in Gurugram 28.08.2019 ,
 - 02 persons died in Rewari, Haryana on 14.10.2019
- **06 deaths in 04 incidents in Tamil Nadu:**
 - 02 labourers died in SIPCOT, Thirumazhisai, Thiruvallur on 06.01.2019,
 - 01 person died in Chennai on 13.11.2019,
 - 02 SC labourers were killed at Thiru Nagar in Coimbatore on 22.01.2019,
 - 01 person died in Kumbakonam, Thanjavur on 14.11.2019.
- **08 deaths in 02 incidents in AP :**
 - 01 person died in Vijaywada, Krishna on 20.03.2018,
 - 07 persons were killed in Chittur on 17.02.2018.
- **02 deaths in one incident in Uppal stadium, Hyderabad , Telengana** on 30.05.2018.
- **07 deaths in one incident** at Darshan Hotel in Fartikui, Dabhoi, Vadodara, **Gujarat** on 15.06.2019
- **01 death in one incident in Anjora, Durg, Chhattisgarh** on 04.06.2018.
- **02 deaths in one incident** in Sangam Nagar Zone, Indore, **MP** on 02.04.2019.
- **04 deaths in one incident** Udaipur, **Rajasthan** on 28.08.2019,
- **06 deaths in one incident** North 24 Parganas, **WB** on 29.03.2018

- **05 deaths in one incident** in Rayagada, **Odisha** on 02.09.2018
- **10 deaths and 01 injured in 04 incidents in Maharashtra:**
 - 03 persons died in Panvel Navi Mumbai on 11.01.2019,
 - 03 labourers were killed in Govandi, Mumbai on 23.12.2019
 - 02 workers were killed and one worker critically injured in Khetani compound, Mumbai on 27.12.2019
 - 02 persons died in Kurla West, Mumbai on 16.12.2019 .
- **20 deaths and 02 injured in 07 incidents in UP :**
 - 03 labourers died in Behran, Agra on 29.05.2018,
 - 03 labourers were killed in Loni, Ghaziabad on 08.07.2018,
 - 02 labourers of Jal Nigam Ganga Pollution Control unit Varanasi died on 03.03.2019,
 - 02 persons were killed in Noida, GB Nagar on 30.05.2019,
 - 02 persons died in Kanpur on 19.06.2019,
 - 03 workers were killed and 02 workers critically injured in Hapur on 19.07.2019,
 - 05 persons were killed while cleaning sewers at Nandigarm, Ghaziabad on 22.08.2019.

8.8 Observations of Commission in these cases:

- The actions prescribed in the Acts/ Rules and Hon'ble Supreme Court guidelines have not been taken by the State Governments / UT Governments.
- It is observed during spot enquiries, hearings and review meetings conducted by the Commission with the State Governments that the MS Act, 2013 and Rules, 2013 have not been implemented properly by the State Governments / UT Governments. In some cases even compensation of Rs. 10 lakh has not been provided to the families of the victims/safai karamcharies who have lost their lives.
- During Review Meeting with the States the Commission pointed out that the Rs. 10 lakh on account of insurance has not been paid in most cases. In number of cases no steps have been taken up for rehabilitation of the families of victims.
- In case the victims are Scheduled Castes the action was also to be taken under the provision of PoA Act and Rules. The compensation under the PoA Rules were to be paid to the family

of SC victims. The additional relief measures like providing a house, education to the children of victims, job to one member of family etc. were also not provided in such cases.

8.9 Recommendations of the Commission:

From the above, it appears that most of the States have not notified the MS Act and PEMSR Rules and even where notified, the same are not being applied in letter and spirit. The Commission has shown grave concern that even after implementation of the “MS Act 2013 and PEMSR Rules 2013, the State Governments have failed to check incidents of manual cleaning of sewers etc and deaths due to the same. Hence the Commission recommends that all the State / UT Governments need to take action/issue instructions to ensure that:

- All officers and staff of the concerned Departments, Municipal Corporations, Town area Municipal Councils, gram and zila Panchayats, Jal Sansthan/Jal Boards etc and private contractors employed by such Departments/Corporations/Councils/Gram Panchayats etc. are continuously trained/retrained to handle issues of cleaning of blocked sewers, sewage/septic tanks etc. without humans entering the same.
- State Governments should conduct awareness/training programme/workshops for Tehsil level/district level officers of the State to make the officers (including police officers) aware of the provisions of the MS Act, PEMSR Rules 2013, PoA Act and Rules, guidelines of the Hon’ble Supreme Court in this regard and action to be taken by officers as per same.
- The advisory and circulated SOPs of the MoUD regarding the subject vide letter no Z-16025/3/2018-CPHEEO dated 12.07.2019, to Chief Secretaries of all States / UTs need to be followed and implemented by all State Governments/UTs. MoHUA should monitor the implementation on a quarterly basis.
- 100 percent cleaning of sewage lines, septic tanks etc by using machines/robots etc should be ensured and sufficient numbers of the machines and robots need to be purchased on a priority. State Governments need to take steps to provide sufficient budgetary support for the same.
- MoHUA has also given details of machines / robots for cleaning of the sewers in their letter dated 12.07.2019 , the State governments need to issue instructions to all ULBs etc to take action to purchase and use machines only for cleaning purposes.

- That comprehensive guidelines/circulars may be issued to all the relevant departments of the State Governments, owners of private buildings, RWA of housing societies/ complexes regarding preventive measures to be taken and safety devices to be used while cleaning the septic tanks or STPs.
- In order that tragedies do not occur, immediate institutional steps are needed regarding strict compliance of provisions of the PEMSR Rules, 2013 with respect to the cleaning of sewers etc and spreading awareness of the provisions of the MS Act 2013. State Level awareness programmes need to be arranged.
- The labourers/safaikaramcharies should be periodically medically checked and all medical facilities be given to them.
- It is also advised that all the above relevant sections of the Rules and Act are be incorporated in agreements and adherence to same is ensured whenever a contractor is engaged for cleaning of sewers/septic tanks etc.

8.10 If a person dies during cleaning of sewers/septic tanks, the following steps are to be taken:

- FIR should be lodged under the relevant sections of IPC, the relevant section 7/9 of MS Act and also under section 3(1) j of PoA Act, in case victim is a SC.
- All out efforts are to be made immediately to arrest the accused persons and trace the absconding accused if any.
- The departments concerned should immediately constitute departmental enquiries against officers responsible, find out the lapses and take action against the officers found guilty.
- Government/Employer should bear costs of medical treatment, if any of victims.
- Rs. 10 lakh compensation needs to be given as per guidelines of Hon'ble Supreme Court within 7-10 days.
- It may also be ensured all the labourers/safaikaramcharies should be covered under the life insurance of Rs. 10 lakh as per rules and the payment of the same to be released within 7 to 10 days in case of tragedies.
- In case victim is a Scheduled caste, then monetary relief (Rs. 8.25 lakh per victim) and additional relief as per provisions of the PoA Rules (column 46 in Annexure-I of PoA Rules) should also be sanctioned.

- The families of the victims may be rehabilitated as per the provisions of MS Act, 2013 and under the scheme of self-employment for rehabilitation of manual scavengers for a life of dignity.
- The Government should also design a monitoring system to avoid any delays for extending relief and rehabilitation of the families in case of any such tragedies and all help to victims/families of victim.
- It is the duty of the State Government that no manual cleaning of sewers, sewer lines, septic tanks, STPs etc is allowed in any part of the State to avoid occurrence of such incidences. It may also be ensured that all the sewer lines, sewers, tanks and STPs should be cleaned mechanically. In case of emergency, the labourers should be provided all the safety measures, fire brigade, and ambulance should be kept ready while cleaning under the supervision of the officers of the concerned Department. In case any incidence of death occurs while cleaning the sewer lines, septic tanks or STPs then the concerned officers should held responsible and action should be taken.
- During spot enquiry, the Commission noticed that the cleaning of Effluent Treatment Plants is not defined/covered under the MS Act, 2013. There are hazardous substances likely to cause environmental pollution, chemical gases due to industrial hazardous substances and it is harmful for environment as well as health hazardous to the life of human beings involved in cleaning such plants in private Shopping Complexes/ Residential Complexes/ Hotels/ Restaurants etc. Approximately 90% of persons belonging to SC Safaikaramcharis are engaged in these cleaning work of the Effluent Treatment Plants. No compensation and Rehabilitation is provided to SC persons died during the cleaning of such Effluent Treatment Plants. Therefore NCSC is of the view that cleaning of Effluent/ Hazardous plants in industry/ private building/restaurants/shopping complex may also be included under the MS Act, 2013 and the Act needs to be amended accordingly so that SC persons died during cleaning of such plans could get the compensation and rehabilitation.

8.11 Recommendations of the Commission on Socio-economic development

8.11.1 Planning Process

Article 338 of the Constitution of India states that:

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

In 2018-19 and 2019-20 no proposal for advice on planning process of socio- economic development of SCs was received by NCSC from any State Government . Advice of NCSC was also not sought on planning DAPSC / AWSC expenditure by any Ministry / Department of the Union or of the States. NCSC again recommends that the Government of India issue an OM reiterating the provisions of Article 338(9) wherein the concerned Ministries / Departments of the Government of India and State / UT governments shall invariably consult with NCSC in planning process for schemes for welfare of Scheduled Castes.

8.11.2 Non-payment of Scholarship to SC students.

The Commission and its State Offices have been receiving a large number of grievances / cases of non-payment of scholarship and tuition fee reimbursement to the Scheduled Caste students. The Commission has taken up all the cases with the concerned Principal Secretaries, Social Welfare Department of State Governments / District Magistrates and District Social Welfare Officers. The Commission is also receiving complaints from the SC students that recognized Private institutions are not giving admission to SC students as per revised guidelines of the MSJE in Post Matric Scholarship scheme (2017-18 to 2019-20).

The following type of rejection reasons were seen as cause of non payment of scholarships / tuition fee reimbursement:-

- response not received from the Bank and data not digitally signed by DWO.
- the matter is pending at the level of Directorate of Welfare .
- under process, amount has been sanctioned and will be transferred in the bank account of students.
- bank account in-operative/Rejected by PFMS.
- due to filling up of wrong IFSC code of bank.

Hence it appears that many applications are rejected due small errors which are rectifiable.

8.11.3 Recommendations:-

- The Governments are advised to improve their online Scholarship /Tuition fee application system by incorporating timely reminders to the institutions which have not uploaded data or uploaded incomplete data . Further checks and balances in the system may be included to ensure complete , accurate and timely data entry so that Scheduled Caste students do not suffer.
- After admission of the students, the college/institutes/District level officers dealing with scholarships may ensure that all these applications are checked/ verified before uploading the data so that their applications are not rejected.
- There should be inbuilt system of warnings/reminders to ensure rectifications/corrections in time for any shortcomings in the applications.
- There should be a provision of SMS alerts to the stake holders such as Institutions and students at various stages of processing which can highlight any minor shortcomings and allow timely rectifications in the applications.
- Online system should incorporate a provision for issue of reminders to all such Institutions which have not uploaded the data in time. These reminders should be sent 15 days prior to closing date.
- Lists of applications with minor defects may be generated/uploaded and sent to the concerned Institutes for time bound rectification.
- The cases rejected by the District Scholarship Committees may be cross checked on a test basis for cases where minor rectifications/verifications are possible so that the scholarships may be released as per rules after corrections and scrutiny.
- Due to error in bank IFSC code or wrong account no. scholarships have not been released in many cases. Due to the lack of awareness a number of students have missed out on receiving their scholarships / fee reimbursements when the online process was just started. Hence in such cases pertaining to 2017-18 and 2018-19, a one-time exemption may be considered and the account no./IFSC code may be confirmed from the students and the institutions and such scholarships may be released in 2020-21 as a one-time measure .

- An inbuilt system where the students/institutions can view /track the status of their application with Temporary ID/ Permanent ID/ Aadhar number/ Bank account number may be designed.
- Current guidelines for Post-Matric Scholarship for 2017-18 to 2019-20 may be amended so that SC students may get admission on zero fee in the recognized private institutes as in the past.
- Commission reiterates its recommendation made in report in 2016 on “Problems faced by Scheduled Caste Students in obtaining Scholarship”.
- Old left out scholarship cases of 2014 onwards should be examined by all State Governments and all eligible students should be paid scholarships and fee reimbursement due to them, within a time frame of 6 months.

8.11.4 SC /ST hub :

- The Commission recommends that SC/ST officers may be given a chance to work in the offices of the SC/ ST Hub.
- The Commission recommends that review and evaluation of the SC/ST entrepreneurs may be conducted after the conclaves so that the progress of the Scheme may be evaluated and further course of action for improvement in the scheme may be taken.
- The Commission recommends that infrastructure facilities may also be provided to all SC/ST entrepreneurs.
- The Commission recommends that conclaves should be organized in the industrial area of the State and SC/ST cluster districts so that SCs may be benefitted.
- The Commission recommends that the contract of organizing conclaves may be provided to the SC/ST entrepreneurs only.
- Performance of the programmes for welfare of SCs should be evaluated by a third party to ascertain the benefits being offered by the Hub.

8.11.5 Modification of GeM Portal:

Mandatory norms have already been set by the Public Procurement Policy³ of at least 4% of annual procurement from SC/ ST entrepreneurs. However GeM (Government E- Marketplace) the largest public procurement portal used by all government ministries , departments , subordinate offices , CPSUs ,CPSBs and even by many state governments / departments does not have working enabling functions for the purchaser to identify the SC vendors who are L1. Also the function to divert 25% of a purchase from L1 vendor to an SC vendor at L1 price is needed. The Commission recommends that these functionalities should be made functional immediately so that the benefit of Public Procurement Policy is extended to the SC vendors registered with GeM.

8.11.6 Schemes for development of SC Clusters:

Specific schemes are needed for development of SC clusters / SC dominated clusters of SC farmers, SC self help groups and SC entrepreneurs in the clusters. The schemes need to be designed and implemented for ensuring skill development, hand holding, access to markets and capital under the SCSP by the Ministries of GoI and State Governments. Ministry of MSME has indicative lists of such SC clusters / SC dominated clusters and the same should be shared by them with all Ministries and State Governments.

The Commission reiterates its earlier recommendations given in its Annual Report 2017-18 (para 8.5, pages 286-287).

³ Public Procurement Policy for Micro and Small Enterprises Order, 2018 notified on 09.11.2018 and applicable from 01.04.2019.

CHAPTER – IX Recommendations

9.1 Recommendations on strengthening the effectiveness of NCSC

The Commission has made several specific recommendations regarding strengthening of the effectiveness of the Commission in its previous Annual Reports¹. The Government was to take action on the same. It is seen that so far no action has been taken on any of these past recommendations, as a result of which the effectiveness of the Commission is adversely affected. Hence the Commission strongly makes the following recommendations:

9.1 Strengthening of Commission

9.1.1 Provision for imposing monetary penalty on authorities violating the PoA Act.

Article 338, of the Constitution 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”. This status of the NCSC is however 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.

As a consequence the authorities often do not follow the recommendations of the Commission even when there are clear-cut cases of atrocity and discrimination. While the repercussions of the non compliance in service matters are unfortunate, the non compliance of provisions of the PoA Act and Rules by the authorities, in cases of atrocities, means that the victims do not get any justice, help or compensation. The Commission has noted that even the Central Information Commission

¹ Annual Reports 2017-18 , 2016-17 , 2015-16 , 2014-15 , 2013-14 and 2012-13 etc

has been granted the power to impose penalties on the authority not complying with the provisions of the RTI Act ² but this Commission which oversees the monitoring of the PCA Act and PoA Act has no powers to ensure compliance even on cases violation of the Acts and PoA Rules.

To overcome this anomaly and to ensure the Commission has a role to play in ensuring justice to the victims of atrocities , the Commission recommends that in line with the clause 20 (1) of the RTI Act, the following should be considered :

For strengthening the functioning of the Commission and for monitoring the constitutional safeguards provided for Scheduled Castes more effectively, the authorities of Central and State Government , as the case may be, who are responsible for implementing the provisions contained in the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989(as amended) and Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Rules, (as amended) and, have failed in their constitutional duty to redress the grievances of a Scheduled Castes persons or has not taken any action as per aforesaid Act and Rules, a monetary penalty clause may be added to the Article 338 with respect to sub-clause (a) (b) & (f) of clause (5) and sub-clauses (a) to (f) of clause (8) of Article 338 as under:-

“Where the National Commission for Scheduled Castes, at the time of deciding any complaint or appeal on the cases of grave atrocities like murder, rape, kidnapping, arson, exodus etc., is of the opinion that the concerned authorities of the Central Government or State Government, as the case may be, without any reasonable cause, have failed in their constitutional duty and has not taken any action as mandated in the provisions contained in the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, (as amended) and the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Rules (as amended) or not acted as per the recommendation of the Commission regarding timely and proper implementation of the above Act and Rules or has not furnished reports within the prescribed time or knowingly given incorrect, incomplete or misleading information or refused to attend in person in the Commission for examination or obstructed in any manner in the enquiries of the Commission as per its mandate and in the discharge of its duties also embodied in sub-clause (a) or sub-clause (b) or sub-clause(f) or clause (5) and sub-clause (a) to (f) of clause (8) of the Article 338, it shall impose a penalty of fine as may be prescribed.

² RTI Act – Right to Information Act 2005.

Provided that the authority of the Central Government or State Government, as the case may be, shall be given a reasonable opportunity of being heard before any penalty is imposed on him;

Provide further that the burden of proving that he acted reasonably and diligently shall be on the Authority of the Central Government, as the case may be.

The above amendment may be incorporated under clause (8) (f)”

Accordingly, an amendment in Article 338 of the Constitution has been proposed to be inserted as clause (8) (g) under the Article 338. A communication on this proposal has been sent to the Cabinet Secretariat vide D.O. letter No. 17/10/NCSC/2017-C.Cell dated 03.10.2017.

The Commission, therefore, again recommends the Government may take all necessary actions to strengthen the Commission. The Commission should be suitably empowered so that it can effectively function and oversee that the safeguards to Scheduled Castes as guaranteed under the Constitution are implemented in letter and spirit. The Commission recommends that a penalty clause for erring authorities should be inserted under clause (8) (f) under Article 338 of the Constitution of India as proposed in the above lines.

Action: Ministry of Social Justice and Empowerment, Department of Social Justice and Empowerment, Cabinet Secretariat, Government of India.

9.1.2 Independence of NCSC- in functioning and budget

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, Comptroller and Auditor General of India, Election Commission and even the Niti Ayog, which is a non-Constitutional body draw their funds from an independent head of account.

This Commission is a Constitutional body set up under Article 338 of the Constitution, and has also been given the powers 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 demands for grant.

The independent functioning of the Commission is adversely affected as the Commission has to refer to and take sanction / approval to the Ministry of Social Justice & Empowerment for even small things like engaging consultants or data entry operators, filling of CSSS posts etc. The

Commission is not able to work fearlessly and independently due to this anomaly and needs independence in its day to day working by allowing it to decide on its own administrative, financial and legal matters.

The 14th Lok Sabha Committee on the Welfare of Scheduled Castes and Scheduled Tribes (2008-2009) in its Report had also made recommendations on a similar line. The response on this recommendation has been that the Ministry of Finance has not agreed to the same.

The Commission again recommends that the issue of NCSC being given independence in its day to day working by allowing it to decide on its own administrative, financial and legal matters . The Commission should have its own separate budget instead of its budget being a part of the budget of Ministry of Social Justice and Empowerment. In order to increase the effectiveness of the Commission and also to ensure its independence as envisaged in the Constitution, above recommendations should be considered afresh by the Government.

Action: Ministry of Social Justice and Empowerment and Ministry of Finance, Government of India.

9.1.3 Increase of Staff strength

The 14th Lok Sabha Committee had also observed that with the increase of population and awareness amongst the Scheduled Castes people and the increased outlay by the Government of India and State Governments on SC specific schemes, the workload in the Commission has increased significantly. Despite the increased workload, the number of sanctioned staff in the Commission has remained static.

The Commission recommends that considering the increased volume of work and varied nature of its work, the Commission should have the power to reassess its staff requirement with studies by appropriate professional bodies and take up the matter independently with the DoPT and the Department of Expenditure / MoF, for creation of the necessary posts. Also since the actual incumbency is much lower than the sanctioned strength , the Commission should be free to mitigate the gap between the sanctioned strength and persons in position by way of outsourcing/ hiring retired personnel / consultants so that the work of the Commission does not suffer.

Action: Ministry of Social Justice and Empowerment, Department of Social Justice and Empowerment, Ministry of Personnel, Public Grievances and Pensions, Department of Personnel and Training and Ministry of Finance, Department of Expenditure, Government of India.

9.1.4 Court cases against the Commission

It has been seen that many Government Departments/Public Sector Undertakings (PSUs) have a tendency to file writ petitions in various Hon'ble Courts against the recommendations of the NCSC or even against the letters of the Commission desiring the presence of top officials of the Government /PSUs to assist the Commission in its inquiries. 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 , while both are entrusted with the same responsibility of ensuring justice and equity to the Scheduled Caste persons .

9.1.4.1 In view of above, Commission strongly recommends intervention of Government for issue of an order that if the departments/PSUs have reservation or problems in implementing any recommendation of NCSC , they should approach Courts contesting recommendations given by the NCSC only after first approaching the NCSC again with full facts and seeking a review of the recommendation rather than directly seek intervention of the Hon'ble Courts.

9.1.4.2 There are number of court cases against the Commission are being mainly dealt with Hon'ble Courts in Delhi, Lucknow, Allahabad, Chennai and Bengaluru. The system for engaging a counsel for the Commission is to go through the Ministry of Law and Justice through the Ministry of Social Justice and Empowerment for nomination of a suitable counsel. This process leads to number of different counsels representing the Commission even in the same court. Also many of the opposing parties are also Departments of Government of India, Central PSUs, Central Public Sector Banks etc., and their counsels are also from the same panel of Central Government counsels and a conflict of interest cannot be ruled out. Hence, the Commission requires its own panel of lawyers.

The Commission again strongly recommends that like other Commission's/Constitutional bodies viz, Union Public Service Commission (UPSC), University Grants Commission

(UGC), Comptroller and Auditor General of India (CAG) etc., the Commission may be allowed to engage its own counsel.

Action: Ministry of Social Justice and Empowerment and Ministry of Law & Justice, Department of Legal Affairs, Government of India.

9.1.5 Opening of new offices / up-gradation of existing offices

The existing NCSC State Offices at Ahmedabad, Chandigarh, Patna, Kolkata, Guwahati and Hyderabad deal with more than one State. The number of complaints/grievances handled in these offices is very high and the large geographical spread of their area of coverage also tends to reduce the effectiveness and monitoring of the schemes and plans of the respective States by our 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), Jharkhand (at Ranchi), Uttarakhand (at Dehradun), Chhattisgarh (at Raipur), Haryana (at Gurgaon) 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 effectively with the State Governments.

Also the follow up and monitoring and effective interaction with senior officers in State Governments, requires a higher level of officers than sanctioned in many of the state offices of NCSC. The proposal to upgrade four NCSC State Offices of Assam, Gujarat, Tripura and Kerala to the level of Director from the level of Deputy Director has therefore been proposed. Both these proposals i.e. to open up 8 more offices and upgrading four State Offices to the level of Director along with required staff, need to be operationalised expeditiously.

Therefore, the Commission again recommends that the proposals of opening of new offices of the NCSC and upgradation of some of its offices may be expedited.

Action: Ministry of Social Justice and Empowerment, Department of Social Justice and Empowerment, Ministry of Finance, Department of Expenditure, Government of India.

9.2 Recommendations on Service Safeguards

The issues and recommendations arising out of them on service related matters have been discussed in detail in Chapter VII of this Report. The recommendations arising out of the issues have been summarized below.

9.2.1 On Reservation:

- The Reservation Bill may be redrafted including the recommendations of the Commission sent vide letter no. 4.3.2004-SSW-V dated 13.12.2004 and 14.12.2004. The opinion of the Commission may also be sought on the redrafted Bill as per the provisions of Article 338(9) of the Constitution.
- Reservations should be strictly implemented in all the projects of Government which last for more than 45 days and also in on engagement of young professionals, research associates, consultants, interns and data entry operators etc. by government departments, CPSUs, CPSBs and autonomous organizations. The rules of reservations should be strictly followed in such engagements as per MHA OM No. 27/4/67(II)-Estt.(SCT) dated 24.09.1968 and DoPT OM No. 36036/3/2018-Estt. (Res.) dated 15.05.2018.
- Reservation rosters should be strictly maintained and followed to ensure adequate representation of SCs in services as per DoPT O.M. No. 36011/1/76-Est. (SCT) dated 06.03.1976.
- Special Recruitment Drives should be launched by government departments, CPSUs, CPSBs and autonomous organizations , to clear backlog vacancies as per instructions of the DoPT OM No. 36038/1(i)/2013-Estt (Res)} dated 21.6.2013.
- All the instructions³ issued by DoPT to safeguard the interest of the Scheduled Castes like appointment of Liaison Officers, setting up of SC/ST Cell for grievances, maintenance of grievances registers, inspection of rosters, quarterly meetings with representatives of SC Association etc. must be followed.

³ Vide DoPT O.M. No. 43011/153/2010-Estt. (Res.) dated- 04.01.2013, DoPT O.M. No. 8/8/71-Est. (SCT) dated- 22.04.1971, DoPT O.M. No. 36022/5/76-Estt. (SCT) dated- 27.05.1976 & Department of Personnel and Administrative Reforms O.M. No. 36022/5(i)/76-Estt. (SCT) dated- 28.5.1976.

- Steps should be laid down to improve the percentage of SCs in Group ‘A’ and ‘B’ in Central/State Governments/ UTs.and CPSUs/CPSBs etc.
- Grouping of posts of the same cadre, same qualification and pay scale should be completed and declared as single cadre⁴ so that representation of SCs is improved.
- Pre-recruitment and pre-promotional training should be imparted to the SC Employees by all the departments, as per DoPT O.M. No. 28/8/72-Estt. (SCT) dated- 02.03.1972&DoPT O.M. No. 36022/23/93-Estt. (SCT) dated 27.07.1993.
- A large number of SC employees approach the Commission with grievances related to discrimination, mainly with respect to denial of promotions, downgrading of APARs etc. The Commission has noticed that most of these issues could be resolved with impartial reconsideration. In order that such issues are resolved at the Department / CPSU / CPSB level itself rather than by the SC employee approaching the Commission, it is recommended that an internal SC grievance redressal committee may be formed at each Department / CPSU / CPSB headquarters and all such cases referred to this committee. This internal SC grievance redressal committee, formed on the lines of the internal complaints committee to deal with sexual harassment at workplace cases , may have 5 members (with at least 3 members being from SC community and at least one lady member) and can be tasked to examine and resolve the grievances in a time bound manner. The SC employees may be asked to approach this committee with their grievances. Cases that are not resolved by this committee may then be taken up by the Commission if the SC employee wishes to approach the Commission.

9.2.2 On Promotion:

- As per DoPT OM No. No. 36012/11/2016-Estt(Res-I) {Pt-II dated 15.06.2018, reservation in promotion may be continued to be implemented in all the Central/State Governments ,PSUs and PSBs.
- The Government should consider a Constitutional amendment for putting in place reservation in promotion.

⁴ covered under DoPT O.M. No. 36011/17/85-Estt. (SCT) dated 23.07.1985.

9.2.3 On false Caste Certificates:

- The Vigilance Committees and Caste Scrutiny Committees set up in the States and UTs as per the guidelines of Hon'ble Supreme Court should act promptly and officers concerned should exercise all possible vigilance prior to issue of SC caste certificates. Strict and fast exemplary action may be taken wherever false caste certificate are detected.
- A standard operating procedure laying down the action to be taken by caste issuing authority when a case of verification is referred to them should be issued by DoPT / State and UT Governments. The responsibility to complete the verification work in a time bound manner of 1-3 months, cancelling the false caste certificate, if any, and informing the employer Department/Organization within the specified time frame of 1-3 months, must be given to the concerned District Collector/District Magistrate.
- The State Governments should take disciplinary action and also action under Section-4 of the PoA Act (as amended) against the officers responsible for the issue of the false caste certificates, as the genuine candidates of Scheduled Castes are deprived of their legitimate appointment due to the issue of the fake Caste certificates. Necessary instructions need to be issued by the DoPT / State and UT Governments/ Departments.
- For employers (Governments, CPSUs, CPSBs, autonomous bodies etc.) a time frame to complete the action in such cases is necessary as well as introduction of a penal provision to recover the full pay & allowances paid, along with interest from the employees found to have benefitted from production of false caste certificates.

9.2.4 Action on recommendations of the Commission :

The Commission while investigating some of the cases ⁵ of service related matters of different Departments and PSUs, found that some of the departments/PSUs ignore the recommendations of the Commission, even where the Commission has found clear discrimination / harassment and pointed it out in its recommendations. The Departments / PSUs also did not submit any action taken report (ATR) nor did they respond to the Commission or petitioner. As a result the grievance of the petitioners remains unsolved and he/she is forced to approach the Commission or Courts again. There are clear orders of DoPT dated 01.01.1998 and 30.11.1998 wherein the Departments/

⁵ File nos J-9/DoPT-II/2016/SSW-II, R-10/Delhi-32/2005/SSW-I, P-4/UP-18/2017/SSW-II, D-1/UP-33/2017/SSW-II, V-2/UP-23/2016/SSW-II

Ministries/PSUs etc have been advised to consider the recommendation/ or suggestions of NCSC in light of Government policies. Hence the Departments/Authorities/PSUs/PSBs need to consider them and issue speaking and clear orders on the same under intimation to the Commission and individual petitioner concerned.

In view of the above, the Commission recommends that the DoPT reiterate its earlier instructions/orders issued vide O.M. No. 36036/2/97-Estt.(Res) dated 01.01.1998 and 30.11.1998 to all Ministries/Departments to extend maximum cooperation to the Commission in the discharge of its roles and to give due consideration/weightage to all its recommendations/suggestions. In the rare cases where the Departments/ Authorities /PSUs /PSBs may not be in a position to implement recommendations of the Commission speaking orders mentioning the relevant rules and reasons that restrict implementation may be communicated to the Commission and the petitioner within a specific time frame.

9.2.5 Treatment of in service persons approaching the Commission

The Commission reiterates its recommendation that the Central/State Govt. & UTs should issue strict instructions to the concerned departments under their control that SC officials/officers are not harassed for approaching the Commission for protection and the safeguards provided under Constitution of India or any other Law in force. The DoPT orders No. 36024/5/97-Estt. (Res.) dated 05.01.1998 states that the SC employees can directly approach the Commission and there is no need to seek prior approval.

9.2.6 Consultation with the Commission:

The Union and State Government must consult the Commission on policy matters affect the interest of Scheduled Castes as per the provisions of Article 338 (9) of Constitution of India.

9.2.7 Representation of SCs in Group A:

Representation of Scheduled Castes in the higher management levels of Group A across all PSUs and was well below the norm. The PSUs were advised to take steps to ensure that SCs find adequate representation in the higher management levels.

9.2.8 Representation of SCs in contractual / outsourced personnel :

In the review by the Commission of Departments CPSUs, it was seen that the representation of SCs in the persons working on contract basis / outsourced / daily wage basis was not known to the management in most PSUs / Departments. The Commission drew the attention of the CMDs of all

PSUs / GMs of the Railways to the fact that the MHA and DoPT orders⁶ regarding contractual personnel reservation rules need to be followed. In case of the outsourced personnel, the spirit of the DoPT orders should be kept in mind and the agreements with the outsourced personnel contractors should incorporate a clause regarding the same. While the CMDs of all PSUs / GMs of the Railways have agreed to take necessary steps for the same and keep a database of SCs engaged as contractual / outsourced personnel, the Commission recommends that this needs to be formalized with the issue of an OM. Hence the MSJE, DoPT and DFS and DPE may coordinate and issue a formal OM outlining the same so that there is uniformity in the implementation of the same across all Departments, CPSUs and CPSBs.

Action: MSJE, DoPT , DPE& DFS.

9.3 Recommendations regarding economic and social development

The issues regarding the economic and social development of Scheduled Castes has been discussed in detail in Chapter VIII of this report. The recommendations on the economic and social development aspects arising out of those issues are summarized below :

9.3.1 Manual cleaning of sewers / septic tanks / STPs

Most of the States have not notified the MS Act and PEMSR Rules and even where notified the same are not being applied in letter and spirit. Hence the Commission recommends that all the State / UT Governments need to take action/issue instructions to ensure that:

- All officers and staff of the concerned Departments, Municipal Corporations, Town area Municipal Councils, gram and zila Panchayats, Jal Sansthan/Jal Boards etc and private contractors employed by such Departments/Corporations/Councils/Gram Panchayats etc. are continuously trained/retrained to handle issues of cleaning of blocked sewers, sewage/ septic tanks etc. using mechanical means , without humans entering the same.

⁶ MHA OM No. 27/4/67(II)-Estt.(SCT) dated 24.09.1968 and DoPT OM No. 36036/3/2018-Estt. (Res.) dated 15.05.2018.

- State Governments should conduct awareness/training programme/workshops of Tehsil level/district level officers of the State to make the officers (including police officers) aware of the provisions of the MS Act, PEMSR Rules 2013, PoA Act and Rules, guidelines of the Hon'ble Supreme Court in this regard and action to be taken by officers in such cases.
- The advisory and circulated SOPs of the MoUD regarding the subject vide letter no Z-16025/3/2018-CPHEEO dated 12.07.2019, to Chief Secretaries of all States / UTs need to be followed and implemented by all State Governments. MoHUA should monitor the implementation on a quarterly basis.
- 100 percent cleaning of sewage lines, septic tanks etc by using machines/robots etc should be ensured and sufficient numbers of the machines and robots need to be purchased on a priority. State Governments need to take steps to provide sufficient budgetary support for the same.
- MoHUA has also given details of machines / robots for cleaning of the sewers in their letter dated 12.07.2019 and the State governments need to issue instructions to all ULBs etc to take action to purchase and use such machines expeditiously.
- Comprehensive guidelines/circulars may be issued to all the relevant departments of the State Governments, owners of private buildings, RWA of housing societies/ complexes regarding preventive measures to be taken and safety devices to use while cleaning the septic tanks or STPs.
- In order that such tragedies do not occur immediate institutional steps are needed regarding strict compliance of provisions of the PEMSR Rules, 2013 with respect to the cleaning of sewers . For spreading awareness of the provisions of the MS Act 2013, state / district and municipality level awareness programmes need to be arranged.
- The Labourers/Safaikaramcharies should be periodically medically checked and all medical facilities be given to them.
- It is also advised that the above relevant sections of the Rules and Act are incorporated in the agreement and adherence to same is ensured whenever a contractor is engaged for cleaning of sewers/septic tanks etc.

9.3.2 If a person dies during cleaning of sewers/septic tanks, the following steps are to be taken by the State / UT Governments / departments / autonomous bodies concerned:

- FIR should be lodged under the relevant sections of IPC, the relevant section 7/9 of MS Act and also under section 3(1) j of PoA Act, in case victim is a SC.
- All out efforts are to be made immediately to arrest the accused persons who were responsible for ordering the manual cleaning and trace the absconding accused if any.
- The departments concerned should immediately constitute departmental enquiries against officers responsible for ordering the manual cleaning, find out the lapses and take action against the officers found guilty.
- Government/Employer should bear costs of medical treatment, if any, of victims.
- Rs. 10 lakh compensation as per guidelines of Hon'ble Supreme Court should be paid to families of victims within 7-10 days.
- It may also be ensured all the labourers/safaikaramcharies are covered under the life insurance of Rs. 10 lakh as per rules and the payment of the same to be released within 7 to 10 days in case of tragedies.
- In case victim is a Scheduled Caste, then monetary relief (Rs. 8.25 lakh per victim) and additional relief as per provisions of the PoA Rules (column 46 in Annexure-I of PoA Rules) should also be sanctioned.
- The families of the victims may be rehabilitated as per the provisions of MS Act, 2013 and under the scheme of self-employment for rehabilitation of manual scavengers for a life of dignity.
- The Government should also design a monitoring system to avoid any delays for extending relief and rehabilitation of the families in case of any such tragedies and all help to victims/families of victim.

It is the duty of the State Government that no manual cleaning of sewers, sewer lines, septic tanks, STPs etc is allowed in any part of the State to avoid occurrence of such incidences. It may also be ensured that all the sewer lines, sewers, tanks and STPs should be cleaned mechanically. In case of emergency, the labourers should be provided all the safety measures, fire brigade, and ambulance should be kept ready while cleaning under the supervision of the officers of the concerned Department. In case any incidence of death occurs while cleaning the

sewer lines, septic tanks or STPs then the concerned officers should held responsible and action should be taken.

Action : State / UT Governments / departments / autonomous bodies

Hazardous Cleaning:

During spot enquiries the Commission noticed that the cleaning of Effluent Treatment Plants (ETPs) is not defined/covered under the MS Act, 2013. There are hazardous substances likely to cause environmental pollution, chemical gases due to industrial hazardous substances and it is harmful for environment as well as a health hazard to the life of human beings involved in cleaning such plants in private Shopping Complexes/ Residential Complexes/ Hotels/ Restaurants etc. The majority of these ETPs discharge their waste into sewers and the possibility of the sewers being blocked due to waste discharge from these ETPs and the subsequent build up of toxic gases cannot be ruled out/ Approximately 90% of persons belonging to SC Safaikaramcharis are engaged in these cleaning work of the Effluent Treatment Plants. No compensation and Rehabilitation is provided to SC persons died during the cleaning of such Effluent Treatment Plants. Therefore NCSC is of the view that cleaning of Effluent/ Hazardous plants in industry/ private building/restaurants/shopping complex may also be included under the MS Act, 2013 and the Act needs to be amended accordingly so that SC persons died during cleaning of such plans could get the compensation and rehabilitation.

Action: MSJE

9.3.3 Planning Process

Article 338 of the Constitution of India states that:

The Union and every State Government shall consult the Commission on all major policy decision affecting Scheduled Castes. In 2018-19 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 DAPSC expenditure by any Ministry / Department of the Union or of the States. Hence NCSC reiterates its recommendation that the Government of India may issue an OM reiterating the provisions of Article 338(9) wherein the concerned Ministries / Departments of the Government of India and State / UT governments shall consult with NCSC in planning process for schemes wherein the socio-economic welfare of Scheduled castes is affected.

9.3.4 Non-payment of Scholarship to SC students.

The Commission and its State Offices have been receiving a large number of cases of non-payment of scholarship and tuition fee reimbursement to the Scheduled Caste students. The Commission has taken up all the cases with the concerned Principal Secretaries, Social Welfare Department of State Governments / District Magistrates and District Social Welfare Officers. The Commission is also receiving complaints from the SC students that recognized Private institutions are not giving admission to SC students as per revised guidelines of the Ministry of Social Justice & Empowerment in Post Matric Scholarship scheme (2017-18 to 2019-20).

9.3.4.1 Recommendations:-

- The Governments are advised to improve their online Scholarship /Tuition fee application system by incorporating timely reminders to the institutions which have not uploaded data or uploaded incomplete data . Further checks and balances in the system may be included to ensure complete , accurate and timely data entry so that Scheduled Caste students do not suffer.
- After admission of the students, the college/institutes/District level officers dealing with scholarships may ensure that all these applications are checked/ verified before uploading the data so that their applications are not rejected.
- There should be inbuilt system of warnings/reminders to ensure rectifications/corrections in time for any shortcomings in the applications.
- There should be a provision of SMS alerts to the stake holders such as Institutions and students at various stages of processing which can highlight any minor shortcomings and allow timely rectifications in the applications.
- Online system should incorporate a provision for issue of reminders to all such Institutions which have not uploaded the data in time. These reminders should be sent 15 days prior to closing date.
- Lists of applications with minor defects may be generated/uploaded and sent to the concerned Institutes for time bound rectification.

- The cases rejected by the District Scholarship Committees may be cross checked on a test basis for cases where minor rectifications/verifications are possible so that the scholarships may be released as per rules after corrections and scrutiny.
- Due to error in bank IFSC code or wrong account no. scholarships have not been released in many cases. Due to the lack of awareness a number of students have missed out on receiving their scholarships / fee reimbursements when the online process was just started. Hence in such cases pertaining to 2017-18 and 2018-19, a one-time exemption may be considered and the account no./IFSC code may be confirmed from the students and the institutions and such scholarships may be released in 2020-21 as a one-time measure .
- An inbuilt system where the students/institutions can view /track the status of their application with Temporary ID/ Permanent ID/ Aadhar number/ Bank account number may be designed.
- Current guidelines for Post-Matric Scholarship for 2017-18 to 2019-20 may be amended so that SC students may get admission on zero fee in the recognized private institutes as in the past.
- Commission reiterates its recommendation made in report in 2016 on “Problems faced by Scheduled Caste Students in obtaining Scholarship”.
- Old left out scholarship cases of 2014 onwards should be examined by all State Governments and all eligible students should be paid scholarships and fee reimbursement due to them, within a time frame of 6 months.

9.3.5 SC/ST Hub Scheme

- A detailed report of the conclaves conducted by the MSME may be submitted to the Commission. NSSH State Conclaves being organized should be monitored more effectively.
- The Ministry of MSME may give details of the conclaves, their effects, results on motivation of SC/ST entrepreneurs under the scheme, what support was provided to the SC/ST participants etc.
- The details of the outcome of the conclaves for Scheduled Caste entrepreneurs may be given to the Commission.

- The Commission recommended that the SC/ST officers may be given a chance in the offices of the SC/ ST Hub.
- The Commission advised that review and evaluation of the SC/ST entrepreneurs may be conducted after the conclaves so that the progress of the scheme could be evaluated and further course of action can be taken.
- The Commission recommended that infrastructure facilities may also be provided to all the SC/ ST entrepreneurs.
- The Commission advised that these conclaves should be organized in the industrial areas of the States and the SC/ST cluster districts.
- The Commission advised that the contracts of organizing conclaves may also be provided to the SC/ST entrepreneurs.
- The separate category for SC / ST entrepreneurs in GeM is not functioning. The Ministry was advised to take up the matter and ensure the same becomes functional.
- Performance of the programme should be evaluated by a third party to ascertain the benefits of the scheme.

9.3.6 Recommendations for CPSBs

- More credit camps may be organised particularly at rural areas through outreach programmes to make new entrepreneurs aware about opportunities in business.
- Associate with public representatives on a regular basis for their training and awareness campaigns.
- The Banks and financial institutions may consider locating and associating with SHGs to encourage SC and women participation in income generation schemes.
- Tie up with State Govt. Departments which have launched schemes like solar rooftop installation, fibre optic installation etc.
- Opening of more training centres at regional levels and focussing on camp and campaigns mode to make rural entrepreneurs aware about availability of loans and hand hold them through loan process.
- Banks need to organize a system to provide handholding support to unemployed youth in preparation of the project. All banks in a district can consider to pool their efforts.

- The Government of India has a central sector scheme- SAMPADA (Scheme for Agro-Marine Processing and Development of Agro-Processing Clusters). The Banks can finance under this scheme to increase investment credit.
- NABARD has prepared area specific model bankable projects. Bankers can take training to evaluate and appraise different types of projects at Bankers Institute of Rural Development (BIRD), Lucknow.
- The Banks may tie up with gramin women Self Help Groups (like Bank Of Maharashtra), with Oil companies (like Indian Bank), OYO (like SBI), NGOs (Bank of Maharashtra) professional / Management colleges, Schemes of e-rickshaw, Solar roof top, fiber net yojna of Govt. (like Andhra Bank)etc. under MUDRA scheme to fulfill the obligation of the Government of the schemes, encourage entrepreneurs as well as to grow/boost their business.
- Tie up with it is, DICCI, NSCFDC, etc and training schools, who teach make up, hair styling etc. for locating entrepreneurs.
- In view of the critical role played by Lead District Managers, it may be ensured that officials posted as LDMs possess requisite leadership skills. They should be competent and go the extra mile to discharge his/her duties effectively.
- Bank Branch Managers should have live contact with the residents of their area. They may identify good prospective borrowers themselves for financing under government sponsored schemes. This will lead to qualitative financing by banks and can make change the districts.
- Banks need to evolve a training schedule to create a favourable ecosystem.
- Rejection of applications on small grounds may be re-looked and efforts be made to arrest rejection rate in future. Automation may be brought into to analyse business applications to reduce possible errors in rejections.

9.3.7 Reiteration of earlier recommendations:

- The Commission also reiterates its earlier recommendations given in its Annual Report 2017-18.

9.3.8 Procurement from SCs as per MSME guidelines:

The Commission observed in its reviews that the percentage of procurement from SC suppliers / contractors in all PSUs / Departments was in the range of 0.02 to 0.2 % , or the data was not available with the management. The procurement percentage was negligible when compared to the mandatory norms set by the Public Procurement Policy⁷ of at least 4% of annual procurement from SC/ ST entrepreneurs. Details of SC vendor development programmes showed lack of serious and concentrated effort made by the PSUs in this aspect. The Commission appreciated the initiative of HPCL in their vendor development efforts, lowering of the first order limits etc and also the hand holding by HPCL to improve the percentage of SC vendors in their organization. The Commission recommends that all PSUs should adopt (with variations) the methodology of HPCL so as to improve the percentage of SC vendors in their respective PSUs. The PSUs may also immediately ensure maximum SC vendors / suppliers in the non- technical works like housekeeping, maintenance , horticulture , office supply etc and develop vendors for technical work / equipment supply . While the CMDs of all PSUs / GMs of the Railways have agreed to take necessary steps for the same this needs to be formalized and monitored regularly by the DPE and the Ministry of Micro, Small and Medium Enterprises.

Action: DPE and Ministry of MSME.

9.3.9 Modification of GeM Portal in line with the Public Procurement Policy:

Mandatory norms have already been set by the Public Procurement Policy⁸ of at least 4% of annual procurement from SC/ ST entrepreneurs. However GeM (Government E- Marketplace) the largest public procurement portal used by all government ministries , departments , subordinate offices , CPSUs ,CPSBs and even by many state governments / departments does not have working

⁷ Public Procurement Policy for Micro and Small Enterprises Order, 2018 notified on 09.11.2018 and applicable from 01.04.2019.

⁸ Public Procurement Policy for Micro and Small Enterprises Order, 2018 notified on 09.11.2018 and applicable from 01.04.2019.

enabling functions for the purchaser to identify the SC vendors who are L1. Also the function to divert 25% of a purchase from L1 vendor to an SC vendor at L1 price is needed. The Commission recommends that these functionalities should be made functional immediately so that the benefit of Public Procurement Policy is extended to the SC vendors registered with GeM.

Action: CEO – GeM , DGS&D , Ministry of Electronics and Information Technology and Ministry of Commerce & Industry.

9.3.10. Schemes for development of SC Clusters :

Specific schemes are needed for development of SC clusters / SC dominated clusters of SC farmers, SC self help groups and SC entrepreneurs in the clusters. The schemes need to be designed and implemented for ensuring skill development, hand holding, access to markets and capital under the SCSP by the Ministries of GoI and State Governments. Ministry of MSME has indicative lists of such SC clusters / SC dominated clusters and the same should be shared by them with all Ministries and State Governments.

9.3.11 CSR:

The Commission recommends that the PSUs take up an outcome tracking of all skill development / education related CSR works so that the outcome of such CSR activities in providing gainful employment / improving standard of living etc can be kept in sight and minor modifications, if any needed, can be made in the CSR programmes to render them more effective. The DPE may issue the necessary OM for the same.

9.3.12 Central Legislation on SCSP:

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.

9.3.13 SCSP/DAPSC:

The Commission strongly reiterates its recommendation that there should be formulation of such specific schemes for the benefit of the SCs which will increase the employability (both in the Ministries of GoI and States / UTs) schemes which fulfill 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 areas majorly inhabited by the scheduled castes.
- Those schemes should be included in the DAPSC 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 Ministries of GoI/ State government departments 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. The budget for these schemes should not be re appropriated by the Ministries / State government departments for other general schemes without the specific approval of the DoE (in GoI) or the finance departments of the states
- Social Audit of the expenditure needs to be conducted in each district.
- 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 DAPSC/SCSP head on general schemes like road construction, electrification, development of civil airports, buildings as it was found booked in by many States and Union Territories.

9.4 Recommendations regarding handling of Atrocity cases

The Commission has been closely monitoring large number of individual cases of atrocities against Scheduled Castes and has also intensively taken up details of action taken by Police and District Administration in cases of atrocities during State, Divisional and District reviews. The observation handling of atrocity cases by the authorities and the consequent recommendations on the same have been discussed at length in Chapter VI Of this report. Our recommendations are summarised as below:

9.4.1 All FIRs should be lodged and IG Police of Zones / equivalent officers of zones should monitor Police Station wise the cases being lodged after order of Court under Section 156 (3).

Action: Ministry of Home Affairs, (MHA), Government of India and Home Departments of State Governments/ UTs.

9.4.2 Specific instructions and details should be issued to all Police Stations regarding the Sections of the PoA Act (as amended) and other Acts like POCSO etc. which are to be invoked in the FIRs/charge sheets.

Action: MHA, GoI and Home Departments of State Governments/ UTs.

9.4.3 Special trainings of Police Officers and District Social Welfare officers / SC /BC Welfare officers need to be conducted on a regular basis. Issues raised at Point 6.5.1.4 of our observations should also be clarified. Ministry of Social Justice and Empowerment (MSJ&E) may also issue clarification on the point.

Action: MHA, GoI, Chief Secretaries of State Governments/UTs and MSJ&E, GoI..

9.4.4 The DMs & SPs/SSPs of the districts where atrocities are found to have been committed must be asked to conduct spot visits as per Rules 6 (1) and 12 (1) of the PoA (as amended) Rules and also ensure timely help/payment of immediate relief as per rules to the victim/families of victims. Specific orders regarding the same need to be issued and MSJ&E, GoI needs to take up this issue with the State Governments and monitor progress.

Action: MSJ&E, GoI and Chief Secretaries of State Governments/ UTs.

9.4.5 Specific directions on the issue raised at our observations 6.5.1.5 need to be issued by MSJ&E and MHA to all State Governments. MSJ&E, GoI needs to take up this issue with the State Governments and monitor progress.

Action: MHA and MSJ&E, Government of India and Chief Secretaries of State Governments/ UTs.

9.4.6 All State / UT Governments should follow the example of Tamil Nadu & Uttar Pradesh and issue specific G.Os for payment of compensation / additional compensation to victims / families of victims including details of heads of accounts to be debited. The GOs may also include details like emergency drawal from treasury in case of lack of budget, ensuring timely additional relief like payment of pension, allotment of house/land, job, education of children etc. Training of District Social welfare Officers needs to be conducted on a regular basis by all State / UT Governments.

The GOs of Tamil Nadu and UP are uploaded on website of NCSC (www.ncsc.nic.in - >what's new) for information and use by other states.

MSJE should also take up with all State Governments to issue clear cut GOs in this respect so that the victims do not suffer.

Action: MSJ&E, Government of India, Chief Secretaries of State Governments/ UTs.

9.4.7 The Department of Social Welfare, Government of Rajasthan, has developed an online Portal where payment of monetary relief at each stage is mapped and monitored for timely stage wise payments. Similarly Government of Telengana has set up a victim relief monitoring cell in the Police Headquarters with similar cells in all districts. This has helped in ensuring timely and stage wise payment to the victims / families of victims.

MSJE may take up with all State Governments to also develop their own portal or constitute a cell for monitoring and ensuring timely payment of monetary relief to victims / families of victims.

Action: MSJ&E, GoI and Chief Secretaries of State Governments/ UTs.

9.4.8 Exclusive Special Courts and appointing of special public prosecutors should be expediated by all states / UTs.

Action: Chief Secretaries of State Governments/ UTs.

9.4.9 Supervision of Prosecution: The District Magistrate and Director of Prosecution should review the performance of the Special Public Prosecutors at twice in a year, as per Rule 4 of the PoA Rules during the DLVMC meetings and submit to the State Government a report on the same. The State Government during the SLVMC meetings should also monitor the same take action such as de-notifying the underperforming SPPs. This could will help in improving conviction rates.

Action: MSJE & MHA, GoI and Chief Secretaries of State Governments/ UTs.

9.4.10 Recommendations for Government of Delhi: In order to reduce the sufferings of the victims / families of victims of the atrocities , Government of National Capital of Delhi (GNCTD) needs to draw up a standard operating procedure and issue instructions regarding the concerted action to be taken by Delhi Police , District Magistrates / Department of SC /ST / OBC welfare regarding timely payment of monetary relief / additional relief at each stage to victims and families of victims of atrocities. MHA, GoI may follow up with the Chief Secretary, GNCTD and Commissioner of Police, Delhi to ensure the above.

Action: MHA, GoI , Chief Secretary / GNCTD and Commissioner of Police , Delhi .

9.4.11 The Commission recommends that the MSJ&E , GoI withdraw their letter No. 11012/4/2013-PCR desk dated 10.12.2013, which adversely affects the payment of compensation and additional compensation to victims / families of victims of atrocities as defined under the PoA Act , 1989 (as amended) and also issue a clarification that the payment of monetary relief and additional assistance to victims / families of victims of atrocities as defined under the PoA Act , 1989 (as amended) is the responsibility of the State / UT Government where the atrocity has occurred.

Action: MSJE, GoI.

9.4.12 The Commission recommends that in numerous cases of deaths caused due to manual cleaning of sewers/septic tank etc., in case the sufferer/ victim is a member of the Scheduled Castes, the relevant Section 3(1) j & 3(2) (v) of the Scheduled Castes/Scheduled Tribes (Prevention of Atrocities) Act, 1989 (as amended) also needs to be added in all such FIRs.

The payment of monetary relief and additional assistance to victims / families of victims as per rules also needs to be ensured.

Action: MSJ&E, GoI and Chief Secretaries of State Governments/ UTs.

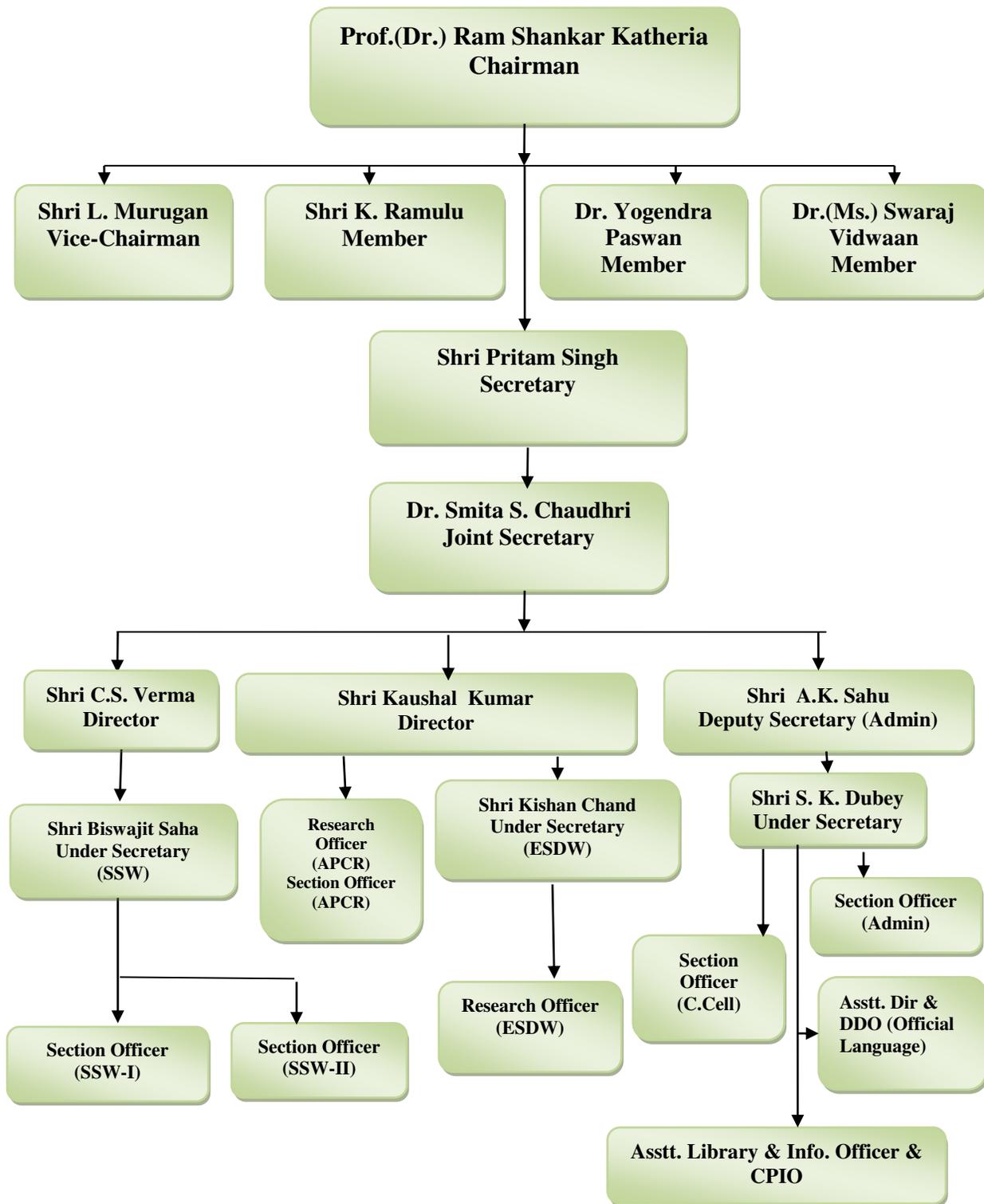
9.4.13 Regular meetings of the SLVMC and DLVMC should be held by all states. The SLVMC should also monitor whether DLVMC meetings are regular.

Divisional Commissioners and Chief Secretaries of States / UTs should keep the regularity and output of these DLVMC meetings as a monitorable point in their review meetings of DMs. Chief Secretaries of all States/ UTs should ensure regular meetings of SLVMC in their States.

Action: MSJ&E ,GoI and Chief Secretaries of State Governments/ UTs.

9.4.14 In cases where there is willful negligence of duties by Public Servants (especially Police officers) in performing their duties as per the Act, action under the Section 4 of the POA Act needs to be taken. As per Rule 8 of the POA Rules, the SC/ST Protection Cell is entrusted with the responsibility of conducting enquiries of willful neglect of duties .The Rule 9 of the PoA Rules also specify that the state level Nodal Officer is entrusted with responsibility to review the performance of the public servants. The Nodal Officer, should also review the performance of the SC / ST protection cell with respect to the actions taken under Section 4 of the PoA Act so that the action taken is followed up to the logical conclusion.

Action: MSJ&E, GoI and Chief Secretaries of State Governments/ UTs.

ORGANISATIONAL CHART (2018-19 and 2019-20)

Annexure –II(a)

INCUMBENCY POSITION AT THE NCSC HEADQUARTERS

(As on 31.03.2019)

S.No.	Name of Post	Group	Strength	Incumbency	Name of Incumbent S/Shri/Smt	Vacancy
1	Secretary	A	1	1	Shri Pritam Singh	-
2	Joint Secretary	A	1	1	Dr.(Smt)Smita Chaudhri	-
3	DIG of Police	A	1	-	-	1
4	Director	A	1	2	Kaushal Kumar, C.S.Verma	+1
5	Dy Secretary	A	1	1	Ajit Kumar Sahu	
6	Sr.PPS		NIL	1	Smt.Kiran Jolly	-
7						
8	Under Secretary	A	2	2	S.K. Dubey, B.Saha	-
9	Law Officer	A	1	-	-	1
10	PPS	A	3	2	Ram Rattan, Smt. Sudhha R.Sharma	1
11	Dy Director (Jt Cadre)	A	1	-	-	1
12	Asstt. Director (Jt Cadre)	A	1	-	-	1
13	A. D.(Prog)	A	1	-		1
14	ALIO	A	1	-		1
15	Asstt Director (CSOL)	A	1	1	MangeRam	-
16	Section Officer(CSS)	B	4	4	Austin Jose T. P Gopalakrishna Bhat D.K.Gupta S. S.Venkatesan Jasvir Singh	-
17	P.S.(CSSS)	B	5	1	Sanjeev Kr.Anand	4
18	Research Officer	B	3	2	P.S. Mehta A.P. Gautam	1
19	Assistant	B	1	0	-	1

Annexures

	P.R.O.					
20	Senior Investigator	B	4	-		4
21	Sr Hindi Translator (CSOL)	B	1	1	Jonita Bali	
22	Accountant	B	1	-	-	1
23	Investigator	B	1	1	Smt.Ashu Nawani	
24	Assistant S.O (CSS)	B	5	4	R.R.Verma J. Minz Dhiraj Singh Bharat Raj	1
25	Personal Assistant(CSS S)	B	2	1	J.N. Meena	1
26	Stenographer Gr. 'D'(CSSS)	C	5	3	NidhiKumari Sandeep Kumar Inderpal	2
27	Sr.Sect.Asstt	C	3	3	N.S.Negi R.D. Nimesh CH VS.Madhavi	
28	Jr.Sectt.Asstt	C	1	1	Harish Chander	
29	Receptionist	C	1	-	-	1
30	Staff-Car-Driver	C	6	6	Chander Pal Ram Lal Mahender Kumar Tara Chand Ramkesh Bidhuri Pratap Chand	
31	Despatch Rider	C	1	0	-	1
32	MTS (Gestner Operator)	C	1	1	Sarju Prasad	-
33	MTS (Senior Peon)	C	2	2	S.N. Singh ShyamVir Singh	
34	MTS (Daftary)	C	2	-	-	2
35	MTS (Peon)	C	16	14	SurajLal K.T.Rao Ramvir Singh BalKishan L.R. Sharma S.C.Sharma	2

					Khem Karan Ram Singh Raj Kumar ShyamLal Kailash Ram Jagdish Kumar Vinod Kumar Amar Babu	
36	MTS (CCF)	C	1	1	Prem Singh	
37	MTS (Safai Karamchari)	C	1	1	Pradeep Kumar	
	Total:		83	57		28

Note: One Director and One S.O. excess strength

Annexure –II(b)

INCUMBENCY POSITION AT THE NCSC HEADQUARTERS

(As on 31.03.2020)

S.No	Name of Post	Group	Strength	Incumbency	Name of Incumbent S/Shri/Smt	Vacancy position
1	Secretary	A	1	1	Shri Pritam Singh	-
2	Joint Secretary	A	1	1	Dr.(Smt)Smita Chaudhri	-
3	DIG of Police	A	1	-	-	1
4	Director	A	1	2	Kaushal Kumar C.S.Verma	+1
5	Dy Secretary	A	1	1	Ajit Kumar Sahu	-
6	Sr.PPS		NIL	1	Smt.Kiran Jolly	-
7						
8	Under Secretary	A	2	3	S.K. Dubey Biswajit .Saha Kishan Chand	+1
9	Law Officer	A	1	-	-	1
10	PPS	A	2	-	-	2
11	Dy Director (Jt Cadre)	A	1	-	-	1

Annexures

12	Asstt. Director (Jt Cadre)	A	1	-	-	1
13	A. D.(Prog)	A	1	-		1
14	ALIO	A	1	-		1
15	Asstt Director (CSOL)	A	1	1	Pradeep Rai	-
16	Section Officer(CSS)	B	4	6	P Gopalakrishna Bhat D.K.Gupta S. Venkatesan Jasvir Singh Dhiraj Singh R.R. Verma	+2
17	P.S.(CSSS)	B	5	2	Sanjeev Kr.Anand Jitendra	3
18	Research Offic	B	3	2	P.S. Mehta A.P. Gautam	1
19	Assistant P.R.O.	B	1	0	-	1
20	Senior Investigator	B	4	1	Ashu Nawani	3
21	Sr Translation Officer (CSOL)	B	1	1	Jonita Bali	
22	Accountant	B	1	-	-	1
23	Investigator	B	1	-	-	1
24	Assistant S.O (CSS)	B	5	1	J. Minz	4
25	Personal Assistant(CSSS)	B	2	1	J.N. Meena	1
26	Stenographer Gr. 'D'(CSSS)	C	5	3	NidhiKumari Sandeep Kumar Inderpal	2
27	Sr.Sect.Asstt	C	3	2	N.S.Negi CH VS.Madhavi	1
28	Jr.Sectt.Asstt	C	1	1	Harish Chander	-
29	Receptionist	C	1	-	-	1
30	Staff-Car-Driver	C	6	5	Chander Pal Mahender Kumar Tara Chand Ramkesh Bidhuri Pratap Chand	1
31	Despatch Rider	C	1	0	-	1
32	MTS (Gestner	C	1	0	-	1

	Operator)					
33	MTS (Senior Peon)	C	2	2	S.N. Singh ShyamVir Singh	
34	MTS (Daftary)	C	2	2	-	2
35	MTS (Peon)	C	16	13	SurajLal K.T.Rao BalKishan L.R. Sharma S.C.Sharma Khem Karan Ram Singh Raj Kumar ShyamLal Kailash Ram Jagdish Kumar Vinod Kumar Amar Babu.	3
36	MTS (CCF)	C	1	1	Prem Singh	-
37	MTS (Safai Karamchari)	C	1	1	Pradeep Kumar	caretaker
	Total:		82			35

Annexure – III**1. INCUMBENCY POSITIN IN THE STATE OFFICE, NCSC, AGARTALA***(As on 31.03.2019)*

S. No.	Name of Post	Group	S/Strength	Name of Incumbent S/Shri	Whether S.C./S.T./O.B.C.	No. of Vacancy
1.	Deputy Director	A	1	-	-	01
2.	Research Officer	B	1	Vacant	--	1
3.	Sr. Investigator	B	1	Vacant	--	1
4.	Investigator	B	2	-	--	2
5.	U.D.C	C	1	Sasim Acharya	No.	Nil
6.	L.D.C	C	1	--	-	01
7.	Staff-Car-Driver	C	1*	-	-	-
8.	MTS	C	03	Ram Pal Singh Abhijeet Das	SC SC	1
	Total		10	3		07

2. INCUMBENCY POSITION IN THE STATE OFFICE, NCSC, AHMEDABAD

(As on 31.03.2019)

S. No	Name of Post	Group	S/Strength	Name of Incumbent S/Shri	Whether S.C./S.T./O.B.C.	No. of Vacancy
1.	Director/ Dy Director	A	1	-	-	1
2.	AD/RO	A	1	-	-	1
3	Sr. Investigator	B	1	-	-	1
4.	Investigator	C	2	-	-	2
5.	Office Supdt.	B	1	-	-	1
6.	P.A/Steno	C	1	-	-	1
7.	U.D.C.	C	1	Sh. M. Y. Patel	General	-
8.	L.D.C.	C	2	-	-	2
9.	MTS	C	3	Sh. D. S. Rathor	SC	-
				Sh. M.L. Dagra	ST	-
				-		1
	Total		13	03		10

3. INCUMBENCY POSITION IN THE STATE OFFICE, NCSC, BENGALURU*(As on 31.03.2019)*

S. No.	Name of Post	Group	S/Strengh	Name of The Incumbent S/Shri	Whether S.C./S.T. / O.B.C.	No. of Vacancy
1.	Director	A	1	-	NA	1
2.	Assistant Director	A	1		OBC	-
3.	Sr. Investigator	B	1	B.Ajayakumar	NA	NA
4.	Investigator	B	2	-	NA	2
5.	Office Superintendent	B	1	-	NA	1
6.	Upper Division Clerk	C	1	B.Kalaimathi	OBC	-
7.	Lower Division Clerk	C	1	D.C.Anjanamurthy	SC	1
8.	Staff Car Driver	C	1	K.Shiva	OBC	-
9.	MTS	C	4	-	NA	4
	Total		13			9

4. INCUMBENCY POSITIN IN THE STATE OFFICE, NCSC, CHANDIGARH

(As on 31.03.2019)

S. No	Name of Post	Group	S/Strength	Name of Incumbent S/Shri	Whether S.C./S.T./O.B.C.	No. of Vacancy
1.	Director	A	01	Rajkumar Chhanena	SC	-
2.	Research Officer	B	01	Rakesh Kumar Sharma	-	-
3.	Sr. Investigator	B	02	-	-	02
4.	Investigator	B	01	-	-	01
5.	Office Supdt.	C	01	-	-	01
6.	UDC	C	02	-	-	02
7.	Steno	C	01 working as ad-hoc	Vijay Kumar	SC	-
8.	LDC	C	02	-	-	02
9.	Driver	C	01	Suresh Kumar	SC	-
10.	MTS	D	04	Bihari Lal	-	03
	Total		16	5		11

5. INCUMBENCY POSITION IN THE STATE OFFICE, NCSC, CHENNAI*(As on 31.03.2019)*

S. No.	Name of Post	Group	S/Strength	Name of Incumbent S/Shri	Whether S.C./S.T./O.B.C.	No. of Vacancy
1.	Director	“A”	1	-	-	1
2.	Asst. Director or Research Officer	“A” “B” Gaz.	1	-	-	1
3.	P.A. to Director	“B” Non Gaz.	1	-	-	1
s4.	Sr. Investigator	“B” Non Gaz.	1	1.A.Inian 2.S.Lister	NA OBC	- -
5.	Investigator	“B” Non Gaz.	2	-	-	2
6.	Office Supdt.	“B” Non Gaz.	1	Smt.S.Jayashree	NA	-
7.	U.D.C	“C”	1	-	-	1
8.	L.D.C.	“C”	2	R.Ramaprabhu	NA	1
9.	Staff Car Driver	“C”	1	-	-	1
10.	M.T.S.	“C”	4	T.Sekar Smt.P.V.Amaravathy	SC SC	2
	Total		15	6		10

6. INCUMBENCY POSITION IN THE STATE OFFICE NCSC, GUWAHATI

(As on 31.03.2019)

S. No.	Name of Post	Group	S/Strength	Name of Incumbent S/Shri	Whether S.C./S.T. / O.B.C.	No. of Vacancy
1.	Director	A	01	S.K.Singh, (Addl. Charge)	No	01
2.	Research Officer	B	01	Nil	-- No	01
3.	Sr. Investigator	B	01	Debojit Deb	No	-
4.	Investigators	B	02	---	----	02
5.	Stenographer	C	01	----	--	01
6.	UDC	C	01	---	No	01
7.	LDC	C	02	N.Kalita B.K. Nath	---	Nil
8.	Staff Car Driver	C	01	R. Boro	ST	Nil
9.	MTS	C	04	P.R. Das	ST	03
	Total		14	6		09

7. INCUMBENCY POSITION IN THE STATE OFFICE, NCSC, HYDERABAD*(As on 31.03.2019)*

S. No.	Name of Post	Group	S/Strengh	Name of Incumbent S/Shri	Whether S.C./S.T. / O.B.C.	No. of Vacancy
1.	Director	A	1	Vacant	-	1
2.	Research Officer	B Gazetted	1	B. Ajay Kumar	OBC	0
3.	Sr .Investigator	B Non Gazetted	1	Vacant		1
4.	Investigator	B Non Gazetted	2	Ms. Vidya Khobrekar	SC	1
5.	Office Superintendent	B Non Gazetted	1	Ms. Subhangi Laxmi Mrs. D. Madhavi Latha	- SC	0
6.	Personal Assistant	B Non Gazetted	1	Sh. Chokkam Navin Kumar	OBC	0
7.	U.D.C.	C	1	-		1
8.	L.D.C.	C	2	Sh. P. Eshwaraiah	SC	1
9.	Staff-Car-Driver	C	1	Sh. R Ramesh Babu	OBC	0
10.	Daftry	C	1	K. Rammoorthy Naik	ST	0
11	MTS	C	2	-		2
12	Chowkidar-cum-Farash	C	1	Sh. B. Sreeniwashulu	SC	0
	Total		15	9		7

8. INCUMBENCY POSITIN IN THE STATE OFFICE, NCSC ,KOLKATA

(As on 31.03.2019)

S. No	Name of Post	Group	S/Strength	Name of Incumbent S/Shri	Whether S.C./S.T. / O.B.C.	No. of Vacancy
1.	Director	A	01	S.K.Singh, (Addl. Charge)	No	01
2.	Research Officer	B	01	1.. D.K. Bala 2. A. Bhattacharyya	SC No	Nil
3.	Sr. Investigator	B	01	--	---	01
4.	Investigators	B	02	---	----	02
5.	Office Superintendent	C	01	----	---	01
6.	Personal Assistant	C	01	G. Ramadas, Steno	--	Nil
7.	UDC	C	01	N.K. Bandyopadhyay	No	Nil
8.	LDC	C	02	---	---	02
9.	Staff Car Driver	C	01	Santosh Debnath	OBC	Nil
10	MTS	C	04	Gopal Bala (Night Guard)	SC	03
	Total		15			09 (as 1 RO adjusted with S.I/Inv.)

9. INCUMBENCY POSITIN IN THE STATE OFFICE, NCSC ,LUCKNOW*(As on 31.03.2019)*

S. No.	Name of Post	Group	S/Strength	Name of Incumbent S/Shri	Whether S.C./S.T./ O.B.C.	No. of Vacancy
1.	Director	A	1	-	-	1
2.	Dy. Director	A	1	-		1
3.	Assistant Director/ R.O.	A	1	Sh. Tarun Khanna	Gen	-
4.	Sr. Investigator	B	1	-	-	1
5.	Investigator	B	2	-	-	2
6.	Office Superintendent	B	1	Sh. Madhur Mohan	SC	-
7.	Steno(ad-hoc)	C	1	Smt. Sarika	Gen	-
8.	U.D.C.	C	02(one posted against the post of L.D.C.)	Sh. Ram Saran	S.C.	-
				Sh. G.S. Singh	Gen	
9.	L.D.C.	C	2	Sh. Shiv Shankar	Gen	-
10	Staff Car Driver	C	1	Sh. Sher Ali	Gen	-
11	MTS	D	3	Sh. Amber Prasad	Gen	2
	Total		16	8		7

10. INCUMBENCY POSITIN IN THE STATE OFFICE, NCSC ,PATNA

(As on 31.03.2019)

S. No.	Name of Post	Group	S/Strengt h	Name of Incumbent S/Shri	Whether S.C./S.T./ O.B.C.	No. of Vacancy
1.	Director	A	1	Shri S. K. Singh	-	-
2.	R.O.	B	1	Shri Sunil Kr. Singh	-	-
3.	Sr. Inv.	B	1	-	-	1
4.	Inv.	B	1	-	-	1
5.	O.S.	B	1	Shri Binod Choudhary	S.C.	-
6.	P.A.	C	1	-	-	1
7.	UDC	C	1	Shri S.K. Rawani	OBC	-
8.	LDC	C	1	-	-	1
9.	S.C. Driver	C	1	Shri R.D. Sah	OBC	-
10	MTS	C	3	-	-	3
	Total		12	5		7

11. INCUMBENCY POSITIN IN THE STATE OFFICE, NCSC, PUNE*(As on 31.03.2019)*

S. No.	Name of Post	Group	S/Strength	Name of Incumbent S/Shri	Whether S.C./S.T./ O.B.C.	No. of Vacancy
1.	Director	A	1	Dr. O.A. Bedekar	SC	1
2.	Assistant Director	A	1	Mrs. Anuradha Dusane	OBC	-
3.	Sr Investigator	B	1	-	-	1
4.	Investigator	B	2	-	-	2
5.	Office Superintendent	B	1	Sh. Rajesh Barapatre	-	1
6.	Steno/ Personal Assistant	C	1	-		1
7.	U.D.C.	C	1	Sh. G.R. Gaikwad	ST	-
8.	L.D.C.	C	2	-	SC	1
9.	Staff Car Driver	C	1	-	-	1
10.	MTS	C	4	B.K. Bamble	SC	2
	Total		15	5		10

12. INCUMBENCY POSITION, NCSC, THIRUVANANTHAPURAM

(As on 31.03.2019)

S. No.	Name of Post	Group	S/Strength	Name of Incumbent S/Shri	Whether S.C./S.T./O.B.C.	No. of Vacancy
1.	Deputy Director	A	1	-	-	1
2.	Asstt. Director/ Research Officer	A	1	-	-	1
3.	Sr. Investigator/ Investigator	B	1	Smt. G. Dhanya	-	-
4.	Stenographer	C	1	-	-	1
5.	U.D.C.	C	1	Smt. K. Jayalaxmi	-	-
6.	L.D.C.	C	1	-	-	1
7.	Staff-Car Driver	C	1	-	-	1
8.	MTS	C	2	-	-	2
	Total		9	2		7

State Offices of NCSC

Sl. No.	Address and Telephone Nos.	State Offices and Jurisdiction
1.	Tripura SC Finance Corporation Building, 3 rd Floor, Pragati Road, Lake Chowmohani, Agartala-799001. (Tripura West) 0381-2223140, 2315967	Agartala (Tripura)
2.	2 nd Floor, Mavlankar Haveli, Vasant Chowk, LalDarwaja, Ahmedabad-380001. 079-25509762, 25510717	Ahmedabad (Gujarat, Rajasthan, Daman and Diu, Dadra & Nagar Haveli)
3.	3 rd Floor, 'D' Wing, Kendriya Sadan, Koramangala, Bengaluru- 560034 080-25537155, 25527767	Bengaluru (Karnataka)
4.	6 th Floor, Kendriya Sadan, Sector-9-A, Chandigarh-160017 0172-2742561, 2743784	Chandigarh (Haryana, Punjab, HP, J&K, Uttarakhand & Chandigarh UT)
5.	2 nd Floor, Block-5, Shastri Bhawan, Chennai-600006 044-28276430, 28312851	Chennai (Tamil Nadu & Pondicherry)
6.	7, Nilamani Phukan Path, Christian Basti, Dispur, Guwahati-781005 0361-2347040, 2346885	Guwahati (Assam, Arunachal Pradesh, Nagaland, Meghalaya, Mizoram & Manipur)
7.	National Commission for Scheduled Castes, Room no. 005, ground floor, CGO Towers, Kabdiguda, Hyderabad-500080 040-23734907(Fax), 23754908	Hyderabad (Andhra Pradesh, Madhya Pradesh & Chhattisgarh)
8.	Mayukh Bhawan, (Ground Floor), Salt Lake City, Kolkata-700091 033-23370977, 23213259	Kolkata (West Bengal, Orissa, Sikkim, Andaman and Nicobar Islands)
9.	5 th Floor, Kendriya Bhawan, Sector-H, Aliganj, Lucknow-226024 0522-2330288 (Fax), 2323860	Lucknow (Uttar Pradesh)
10.	Karpuri Thakur Sadan, Kendriya karamchari Prishar, 5 th floor, F wing, Ashiana-Digha Road, Patna-800001 0612-2540285	Patna (Bihar & Jharkhand)
11.	Kendriya Sadan, 'A' Wing, First Floor, Opp. Akurdi Rly. Station, Nagdi Pradhikaran, Pune 411044 020-27658033, 27658973 27655580(Fax)	Pune (Maharashtra & Goa)
12.	TC-24/547(1), Sastha Gardens Residency Road, Near Govt. Guest House, Thycaud, Thiruvananthapuram-695014, 0471-2327530	Thiruvananthapuram (Kerala & Lakshadweep)

Toll Free No. 18001800345 (for all State Offices of the NCSC)

Annexure - V

**LIST OF CPIOs AND 1ST 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 st Appellate Authority and his/her designation
1.	National Commission for Scheduled Castes, Pragati Road, Lake Chowmohani, Agartala-799001.	Shri Sasim Acharjee, UDC (Tel: 0381-2223140,011.2315967)	Shri Sanjay Kumar, Director/Incharge
2.	National Commission for Scheduled Castes, 2 nd Floor, Mavlankar Haveli, Vasant Chowk, Lal Darwaja, Ahmedabad-380001	Shri M.Y. Patel, UDC (Tel:079-25509762 25510717)	Shri O.A. Bedekar, Director/Incharge (Tel:079-25509762 25510717)
3.	National Commission for Scheduled Castes, 3 rd Floor, 'D' Wing, CGO Complex, Kendriya Sadan, Koramangala, Bangalore-560034	Shri A. Sathyanarayana, Assistant Director, (Tel:080-255509762, 2527767)	Shri Ajit Kumar Sahu, Deputy Secretary(Hqrs.) and Incharge (Tel: 011-24606850, Fax:011-24624731)
4.	National Commission for Scheduled Castes, 6 th Floor, Kendriya Sadan, Sector-9-A, Chandigarh-160017	Shri Rakesh Kumar Sharma, Research Officer,(Tele Fax: 0172-2742561, 2743784	Shri Raj Kumar Chhanena, Director (Incharge) Fax: 0172-2742561, 2743784
5.	National Commission for Scheduled Castes, 2 nd Floor, Block-5, Shastri Bhawan, Chennai-600006.	Shri A. Inion, Senior Investigator (Tel:044-28276430, 28312851)	Shri M. Madhiazhagan, Director (Tel:044-28276430, 28312851)
6.	National Commission for Scheduled Castes, 7, Nilamani Phukan Path, Christian Basti, Dispur, Guwahati-781005	Shri D. Deb, Senior Investigator, (Tel: 0361-2347040, 2346885)	Shri Sanjay Kumar Singh, Director/Incharge (Tel: 0361-2347040, 2346885)
7.	Room no. 005 ,ground floor , CGO Towers, Kabdiguda, Hyderabad-500080	Shri B. Ajay Kumar, Research Officer, (Tel:040-23734907,	Shri Ajit Kumar Sahu, Deputy Secretary(Hqrs.) and Incharge (Tel: 011-24606850, Fax:011-

		23754808)	24624731)
8.	National Commission for Scheduled Castes, Mayukh Bhawan, (Ground Floor), Salt Lake City, Kolkata-700091	Shri D.K. Bala, Research Officer (Tel:033-233370977, 23213259)	Shri Sanjay Kumar Singh, Director/Incharge (Tel:033-233370977, 23213259)
9.	National Commission for Scheduled Castes, 5 th Floor, Kendriya Bhawan, Sector-H, Aliganj, Lucknow-226024	Shri Madhur Mohan, Office Supdt. (Tel:0522-2330288 2323860)	Shri Tarun Khanna, Assistant Director (Tel:0522-2330288 2323860)
10.	National Commission for Scheduled Castes, Karpuri Thakur Sadan, Kendriya Karamchari Prishar, 5 th Floor, F Wing, Ashiana-Digha Road, Patna-800001	Shri Sunil Kumar Singh, Research Officer (Tel: 0612-2540285)	Shri Sanjay Kumar Singh, Director (Tel: 0612-2540285)
11.	National Commission for Scheduled Castes, Kendriya Sadan, 'A' Wing, First Floor, Opp. Akurdi Rly. Station, Nagdi Pradhikaran, Pune-411044	Smt. Anuradha Sacheen Dusane, Assistant Director (Fax):020-24337510, Tel:020-24336124	Dr. O.A. Bedekar, Director, (Fax):020-24337510, Tel:020-24336124
12.	National Commission for Scheduled Castes, TC-24/547(1), Sastha Gardens Residency Road, Near Govt. Guest House, Thycaud, Thiruvananthapuram-695014	Smt. G. Dhanya, Investigator (Tel:0471-2327530)	Shri M. Madhiazhagan, Director/Incharge (Tel:0471-2327530)

Annexure-VI

Details of amendments in the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 and Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Rules, 1995

• **Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989**

Amendments	Name of the Act	Notification No. and date
Original	Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989	No. 33 Extra Ordinary Part II Section 1 of the Gazette of India dated 12.09.1989
First	Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) amendment Act, 2015	No. 1 Extra Ordinary Part II Section 1 of the Gazette of India dated 01.01.2016
Second	Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) amendment Act, 2018	No. 39 Extra Ordinary Part II-Section 1 of the Gazette of India dated 17.08.2018

• **Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Rules, 1995**

Amendments	Name of the Act	Notification No. and date
Original	Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Rules, 1995	No. 145 Extra Ordinary Part II-Section 3-Sub Section (i) of the Gazette of India dated 31.03.1995
First	Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Amendment Rules, 2014	No. 331 Extra Ordinary Part II-Section 3-Sub Section (i) of the Gazette of India dated 23.06.2014
Second	Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Amendment Rules, 2016	No. 268 Extra Ordinary Part II-Section 3-Sub Section (i) of the Gazette of India dated 14.04.2016
Third	Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Amendment Rules, 2018	No. 430 Extra Ordinary Part II-Section 3-Sub Section (i) of the Gazette of India dated 27.06.2018

Annexure VII

List of 121 atrocity Cases

Sl. No.	File No.	Sl. No.	File No.	Sl. No.	File No.
1	Delhi/280/2018-APCR	48	UP/667/2018	95	Har/97/2018-APCR
2	UP/413/2018-APCR	49	UP/54/2018	96	Har/19/2018-APCR
3	UP/320/2018-APCR	50	UP/700/2018-APCR	97	Har/131/2018-APCR
4	UP/211/2018-APCR	51	UP/90/2018	98	UP/533/2018-APCR
5	UP/229/2019	52	UP/353/2019	99	UP/287/2019-APCR
6	UP/167/2018	53	UP/588/2018	100	UP/194/2019
7	UP/131/2019	54	UP/560/2018 UP/527/2018	101	UP/736/2019
8	UP/454/2019	55	UP/334/2018	102	UP/147/2019
9	UP/746/2018	56	UP/604/2018	103	UP/719/2018
10	UP/523/2018	57	UP/117/2018	104	UP/468/2018
11	UP/369/2018	58	UP/208/2019	105	UP/310/2018
12	UP/151/2019	59	UP/475/2019 & UP/570/2019	106	UP/678/2019
13	UP/271/2018	60	UP/567/2018	107	UP/253/2019
14	UP/247/2018	61	UP/693/2018	108	UP/43/2018
15	UP/193/2018	62	UP/560/2018 and UP/527/2018	109	UP/467/2018
16	UP/23/2018	63	UP/265/2018	110	UP/692/2018
17	UP/178/2019	64	UP/319/2019	111	UP/484/2018
18	UP/228/2019	65	UP/782/2019	112	UP/199/2018
19	UP/274/2019	66	UP/658/2019	113	UP/688/2018
20	UP/27/2019	67	UP/883/2019	114	UP/42/2019
21	UP/755/2019	68	UP/666/2018	115	UP/466/2019
22	UP/554/2019	69	UP/528/2018	116	Har/172/2019-APCR
23	UP/701/2019	70	UP/292/2019	117	Har/171/2019-APCR
24	UP/518/2018	71	UP/411/2019	118	Raj/25/2019-APCR
25	UP/189/2018	72	UP/766/2019	119	Har/222/2018-APCR
26	UP/116/2018	73	UP/378/2018	120	Har/58/2018-APCR
27	UP/267/2019	74	UP/390/2018	121	UP/589/2019
28	UP/80/2019	75	UP/754/2019		
29	UP/545/2018	76	UP/564/2019		
30	UP/676/2019	77	UP/436/2019		
31	UP/31/2019	78	UP/394/2018		
32	UP/549/2019	79	UP/119/2020		

33	UP/562/2019	80	UP/74/2019
34	UP/552/2019	81	UP/732/2019
35	UP/628/2019	82	UP/75/2018
36	UP/742/2019	83	UP/343/2019
37	UP/237/2018	84	UP/711/2018
38	Bihar/20/2018-APCR	85	UP/112/2019
39	Har/66/2018-APCR	86	UP437/2018
40	Har/20/2018-APCR	87	Bihar/4/2019-APCR
41	UP/193/2018-APCR	88	Bihar/40/2018-APCR
42	Delhi/361/2018-APCR	89	Jharkhand/15/2018
43	UP/208/2018-APCR	90	Uttarkhand/47/2018-APCR
44	UP/284/2019	91	Har/27/2019-APCR
45	UP/113/2018	92	Har/48/2019-APCR
46	UP/219/2019	93	Har/185/2018-APCR
47	UP/516/2018	94	Har/224/2018-APCR

Annexure VIII

Suo-Motu/WhatsApp cases dealt in Hyderabad State Office during the year 2018-19 under report:

Telangana: 1. F. No. 3/23/18/TS-RU, 2. F. No. 3/24/18/TS-RU, 3. F. No. 3/32/18/TS-RU, 4. F. No. 3/44/18/TS-RU, 5. F. No. 3/45/18/TS-RU, 6. F. No. 3/54/18/TS-RU, 7. F. No. 3/55/18/TS-RU, 8. F. No. 3/57/18/TS-RU, 9. F. No. 3/59/18/TS-RU, 10. F. No. 3/61/18/TS-RU, 11. F. No. 3/67/18/TS-RU, 12. F. No. 3/69/18/TS-RU, 13. F. No. 3/70/18/TS-RU, 14. F. No. 3/71/18/TS-RU, 15. F. No. 3/74/18/TS-RU, 16. F. No. 3/75/18/TS-RU, 17. F. No. 3/77/18/TS-RU, 18. F. No. 3/78/18/TS-RU, 19. F. No. 3/79/18/TS-RU, 20. F. No. 3/81/18/TS-RU, 21. F. No. 3/84/18/TS-RU, 22. F. No. 3/87/18/TS-RU, 23. F. No. 3/90/18/TS-RU, 24. F. No. 3/92/18/TS-RU, 25. F. No. 3/93/18/TS-RU, 26. F. No. 3/94/18/TS-RU, 27. F. No. 3/96/18/TS-RU, 28. F. No. 3/97/18/TS-RU, 29. F. No. 3/98/18/TS-RU, 30. F. No. 3/99/18/TS-RU, 31. F. No. 3/100/18/TS-RU, 32. F. No. 3/102/18/TS-RU, 33. F. No. 3/103/18/TS-RU, 34. F. No. 3/107/18/TS-RU, 35. F. No. 3/109/18/TS-RU, 36. F. No. 3/2/19/TS-RU, 37. F. No. 3/6/19/TS-RU, 38. F. No. 3/9/19/TS-RU, 39. F. No. 3/14/19/TS-RU, 40. F. No. 3/22/19/TS-RU,

Andhra Pradesh: 41. F. No. 3/24/18/AP-RU, 42. F. No. 3/25/18/AP-RU, 43. F. No. 3/37/18/AP-RU, 44. F. No. 3/47/18/AP-RU, 45. F. No. 3/59/18/AP-RU, 46. F. No. 3/69/18/AP-RU, 47. F. No. 3/75/18/AP-RU, 48. F. No. 3/77/18/AP-RU, 49. F. No. 3/78/18/AP-RU, 50. F. No. 3/84/18/AP-RU, 51. F. No. 3/86/18/AP-RU, 52. F. No. 3/92/18/AP-RU, 53. F. No.

3/93/18/AP-RU, 54. F. No. 3/94/18/AP-RU, 55. F. No. 3/95/18/AP-RU, 56. F. No. 3/97/18/AP-RU, 57. F. No. 3/98/18/AP-RU, 58. F. No. 3/99/18/AP-RU, 59. F. No. 3/103/18/AP-RU, 60. F. No. 3/105/18/AP-RU, 61. F. No. 3/112/18/AP-RU, 62. F. No. 3/3/19/AP-RU, 63. F. No. 3/5/19/AP-RU, 64. F. No. 3/9/19/AP-RU, 65. F. No. 3/10/19/AP-RU, 66. F. No. 3/14/19/AP-RU,

Madhya Pradesh: 67. F. No. 3/23/18/MP-RU, 68. F. No. 3/24/18/MP-RU, 69. F. No. 3/25/18/MP-RU, 70. F. No. 3/27/18/MP-RU, 71. F. No. 3/28/18/MP-RU, 72. F. No. 3/29/18/MP-RU, 73. F. No. 3/30/18/MP-RU, 74. F. No. 3/31/18/MP-RU, 75. F. No. 3/32/18/MP-RU, 76. F. No. 3/33/18/MP-RU, 77. F. No. 3/35/18/MP-RU, 78. F. No. 3/58/18/MP-RU, 79. F. No. 3/77/18/MP-RU, 80. F. No. 3/78/18/MP-RU, 81. F. No. 3/79/18/MP-RU, 82. F. No. 3/80/18/MP-RU, 83. F. No. 3/81/18/MP-RU, 84. F. No. 3/82/18/MP-RU, 85. F. No. 3/84/18/MP-RU, 86. F. No. 3/85/18/MP-RU, 87. F. No. 3/88/18/MP-RU, 88. F. No. 3/89/18/MP-RU, 89. F. No. 3/90/18/MP-RU, 90. F. No. 3/91/18/MP-RU, 91. F. No. 3/92/18/MP-RU, 92. F. No. 3/93/18/MP-RU, 93. F. No. 3/95/18/MP-RU, 94. F. No. 3/96/18/MP-RU, 95. F. No. 3/97/18/MP-RU, 96. F. No. 3/100/18/MP-RU, 97. F. No. 3/101/18/MP-RU, 98. F. No. 3/102/18/MP-RU, 99. F. No. 3/103/18/MP-RU, 100. F. No. 3/104/18/MP-RU, 101. F. No. 3/108/18/MP-RU, 102. F. No. 3/109/18/MP-RU, 103. F. No. 3/111/18/MP-RU, 104. F. No. 3/112/18/MP-RU, 105. F. No. 3/113/18/MP-RU, 106. F. No. 3/114/18/MP-RU, 107. F. No. 3/116/18/MP-RU, 108. F. No. 3/124/18/MP-RU, 109. F. No. 3/125/18/MP-RU, 110. F. No. 3/126/18/MP-RU, 111. F. No. 3/127/18/MP-RU, 112. F. No. 3/128/18/MP-RU, 113. F. No. 3/129/18/MP-RU, 114. F. No. 3/132/18/MP-RU, 115. F. No. 3/133/18/MP-RU, 116. F. No. 3/148/18/MP-RU, 117. F. No. 3/150/18/MP-RU, 118. F. No. 3/152/18/MP-RU, 119. F. No. 3/153/18/MP-RU, 120. F. No. 3/154/18/MP-RU, 121. F. No. 3/155/18/MP-RU, 122. F. No. 3/159/18/MP-RU, 123. F. No. 3/167/18/MP-RU, 124. F. No. 3/173/18/MP-RU, 125. F. No. 3/175/18/MP-RU, 126. F. No. 3/176/18/MP-RU, 127. F. No. 3/177/18/MP-RU, 128. F. No. 3/1/19/MP-RU, 129. F. No. 3/2/19/MP-RU, 130. F. No. 3/9/19/MP-RU, 131. F. No. 3/10/19/MP-RU, 132. F. No. 3/11/19/MP-RU, 133. F. No. 3/14/19/MP-RU, 134. F. No. 3/15/19/MP-RU, 135. F. No. 3/16/19/MP-RU, 136. F. No. 3/17/19/MP-RU, 137. F. No. 3/18/19/MP-RU, 138. F. No. 3/19/19/MP-RU, 139. F. No. 3/20/19/MP-RU, 140. F. No. 3/22/19/MP-RU, 141. F. No. 3/24/19/MP-RU, 142. F. No. 3/26/19/MP-RU, 143. F. No. 3/27/19/MP-RU, 144. F. No. 3/28/19/MP-RU, 145. F. No. 3/29/19/MP-RU,

Chhattisgarh: 146. F. No. 3/17/18/CG-RU, 147. F. No. 3/18/18/CG-RU, 148. F. No. 3/24/18/CG-RU, 149. F. No. 3/30/18/CG-RU, 150. F. No. 3/2/19/CG-RU

List of Abbreviations

Ministry/Department	
MHA	Ministry of Home Affairs
MSJE	Ministry of Social Justice & Empowerment
MoD	Ministry of Defence
MoMSME	Ministry of Micro, Small and Medium Enterprises
MoF	Ministry of Finance
MoCA	Ministry of Corporate Affairs
MoCAF&PD	Ministry of Consumer Affairs, Food and Public Distribution
MoA&FW	Ministry of Agriculture & Farmers Welfare
MoRD	Ministry of Rural Development
MoPR	Ministry of Panchayati Raj
MoL&J	Ministry of Law and Justice
MoC	Ministry of Communications
MoFPI	Ministry of Food Processing Industries
MEA	Ministry of External Affairs
MHRD	Ministry of Human Resource Development
MoTA	Ministry of Tribal Affairs
MoW&CD	Ministry of Women and Child Development
MoH&FW	Ministry of Health and Family Welfare
MoES	Ministry of Earth Sciences
MoS&T	Ministry of Science and Technology
MoEF&CC	Ministry of Environment, Forest and Climate Change
MoR	Ministry of Railways
MoC&I	Ministry of Commerce and Industry
MoP&NG	Ministry of Petroleum and Natural Gas
MoS	Ministry of Steel
MoMA	Ministry of Minority Affairs
MoPA	Ministry of Parliamentary Affairs
MoAHD&F	Ministry of Animal Husbandry, Dairying and Fisheries
MoJS	Ministry of Jal Shakti
MoL&E	Ministry of Labour and Employment
MoMSME	Ministry of Micro , Small and Medium Enterprises
MoYA&S	Ministry of Youth Affairs and Sports
MoH&UA	Ministry of Housing and Urban Affairs
DoPT	Department of Personal Training
DPE	Department of Public Enterprises
DFS	Department of Financial Services
NCSC	National Commission for Scheduled Castes
NCST	National Commission for Scheduled Tribes
NCRB	National Crime Records Bureau
NHRC	National Human Rights Commission

NCM	National Commission for Minorities
NCW	National Commission for Women
NCBC	National Commission for Backward Classes
VC	Vigilance Commission
PC	Planning Commission
NCDR	The National Consumer Disputes Redressal Commission
Public Sector Undertakings	
NTPC	National Thermal Power Corporation
ONGC	Oil and Natural Gas Corporation
SAIL	Steel Authority of India Limited
BHEL	Bharat Heavy Electricals Limited
IOCL	Indian Oil Corporation Limited
HPCL	Hindustan Petroleum Corporation Limited
CIL	Coal India Limited
GAIL	Gas Authority of India Limited
BPCL	Bharat Petroleum Corporation Limited
POWERGRID	Power Grid Corporation of India
BEL	Bharat Electronics Limited
CONCOR	Container Corporation of India
EIL	Engineers India Limited
HAL	Hindustan Aeronautics Limited
MTNL	Mahanagar Telephone Nigam Limited
NALCO	National Aluminium Company
NBCC	National Buildings Construction Corporation
NMDC	National Mineral Development Corporation
NLCIL	NLC India Limited
OIL	Oil India Limited
PFC	Power Finance Corporation
RINL	Rashtriya Ispat Nigam Limited
REC	Rural Electrification Corporation
SCI	Shipping Corporation of India
AAI	Airport Authority of India
BCCL	Bharat Coking Coal Limited
BDL	Bharat Dynamics Limited
BEML	Bharat Earth Movers Limited
BSNL	Bharat Sanchar Nigam Limited
LIC	Life Insurance Corporation of India
Central & State Government	
GoI	Government of India
UTs	Government of Union Territories
GoAP	Government of Andhra Pradesh
GoArP	Government of Arunachal Pradesh
GoA	Government of Assam
GoB	Government of Bihar

List of Abbreviations

GoCHH	Government of Chhattisgarh
GoG	Government of Goa
GoGuj	Government of Gujarat
GoH	Government of Haryana
GoHP	Government of Himachal Pradesh
GoJ&K	Government of Jammu and Kashmir
GoJH	Government of Jharkhand
GoKar	Government of Karnataka
GoKer	Government of Kerala
GoMP	Government of Madhya Pradesh
GoMah	Government of Maharashtra
GoMan	Government of Manipur
GoMeg	Government of Meghalaya
GoMiz	Government of Mizoram
GoN	Government of Nagaland
GoO	Government of Odisha
GoP	Government of Punjab
GoR	Government of Rajasthan
GoS	Government of Sikkim
GoTN	Government of Tamil Nadu
GoTel	Government of Telangana
GoTri	Government of Tripura
GoUP	Government of Uttar Pradesh
GoUK	Government of Uttarakhand
GoWB	Government of West Bengal
GoA&NI	Government of Andaman and Nicobar Islands
GoCN	Government of Chandigarh
GoD&NH	Government of Dadar and Nagar Haveli
GoDD	Government of Daman and Diu
GoNCT	Government Of National Capital Territory Of Delhi
GoL	Government of Lakshadweep
GoP	Government of Puducherry
GoLad	Government of Ladakh
Designation	
PM	Prime Minister
CM	Chief Minister
CS	Chief Secretary
HS	Home Secretary
PS	Principal secretary
SoI	Secretary of India
PPS	Principal Private Secretary
JS	Joint Secretary
DS	Deputy Secretary
US	Under Secretary
CMD	Chairman and Managing Director

DM / DC	District Magistrate / District Collector
DGP	Director General of Police
IGP	Inspector General of Police
DIG	Deputy Inspector General of Police
CP	Commissioner of Police
SSP	Senior Superintendent of Police
SP	Superintendent of Police
SIO	Senior Investigation Officer
RO	Research Officer
SPP	Special Public prosecutor
IO	Investigation Officer
Acts and Laws	
PoA Act	The Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 (as amended)
PoA Rules	The Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Rules, as amended
POCSO	Protection of Children from Sexual Offences
PCR Act	Protection of Civil Rights Act
Banks	
BoB	Bank of Baroda
BoI	Bank of India
BoM	Bank of Maharashtra
CB	Canara Bank
CBoI	Central Bank of India
IB	Indian Bank
IOB	Indian Overseas Bank
P&SB	Punjab and Sind Bank
PNB	Punjab National Bank
SBI	State Bank of India
UB	UCO Bank
UBoI	Union Bank of India
Others	
SC	Scheduled Castes
ST	Scheduled Tribes
SLVMC	State Level Vigilance Monitoring Committee
DLVMC	District Level Vigilance Monitoring Committee
SCSP	Scheduled Castes Sub Plan
FIR	First Information Report
IPC	Indian Penal Code
Cr PC	Criminal Procedure Code
GOs	Government Orders
UGC	University Grants Commission
SC	Supreme Court of India
HC	High Court

