

ANNUAL REPORT

2013-14



GOVERNMENT OF INDIA

NATIONAL COMMISSION FOR SCHEDULED CASTES

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भारत सरकार

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Government of India
National Commission for Scheduled Castes

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D.O. No. 4/1/NCSC/2014-C.Cell

It is our great privilege again to present before you the Annual Report of the National Commission for Scheduled Castes for the year 2013-14. Major recommendations of the Commission have been highlighted in the Chapter XI of the Report.

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

Yours sincerely,

(P.L. Punia)

Shri Pranab Mukherjee
Hon'ble President of India,
Rashtrapati Bhawan,
New Delhi

PREFACE

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coming into force on 19 February, 2004 the erstwhile National Commission for Scheduled Castes and Scheduled Tribes has been replaced by (1) National Commission for Scheduled Castes and, (2) National Commission for Scheduled Tribes.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

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

As part of its Constitutional obligations the National Commission for Scheduled Castes has to prepare Annual Report based on activities undertaken by it during the previous year. After the constitution of the third Commission on 18 October, 2010, three reports including a part report covering the period from October, 2010 to March, 2011, April, 2011 to March, 2012, April 2012 to March 2013 were prepared and submitted to His Excellency President of India as per mandate given to the Commission under Article 338. The present report covers the activities of the third and the present (fourth) Commission for the period from April, 2013 to March, 2014.

CHAPTER – I 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 His Excellency, 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 19.2.2004 the erstwhile National Commission for Scheduled Castes and Scheduled Tribes has been replaced by (1) **National Commission for Scheduled Castes**, and (2) National Commission for Scheduled Tribes. The Rules of the National Commission for Scheduled Castes were notified on 20th February, 2004 by the Ministry of Social Justice & Empowerment.

The present and the Fourth National Commission for Scheduled Castes (NCSC) was constituted on 23rd October, 2013 headed by Dr. P.L.Punia as Chairman. Dr. Raj Kumar Verka as Vice Chairman, Shri Raju Parmar, Shri Ishwar Singh and Smt K.M. Kamalamma as Members have been appointed subsequently.

This Annual Report (2013-14) covers the activities of the Commission from April, 2013 to March, 2014.

CHAPTER – II

CONSTITUTIONAL SAFEGUARDS

The Preamble to the Constitution of India provides securing for all the citizens, Social, Economic and Political Justice and equality of status and opportunity. The Directive principles as contained in Article 46 of the constitution provide that “the state shall promote with special care the educational and economic interests of the weaker sections of the people, and in particular, of the Scheduled Castes and the Scheduled Tribes, and shall protect them from social injustice and all forms of exploitation”. The Constitution under Article 366(24) specifically defined the term Scheduled Castes. The various safeguards and protective measures are sought to ensure for their all-round development and freedom from exploitation and social injustice so that they could form part of the mainstream of the society.

These Constitutional safeguards can broadly be categorised 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 castes, races or tribes which shall for the purpose of this Constitution be deemed to be Scheduled Castes in relation to that State or Union territory, as the case may be.

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

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

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

2.2 Statutes and Legislations

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

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

CHAPTER – III FUNCTIONS AND DUTIES

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

Section (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 has to keep track of all the major policy decisions, Legislative or Executive action taken by the Government of India or any State Government.

As per the provisions of Clause 5 (c) of Article 338, the Commission is required to participate and advise on the planning process of socio-economic development of SCs and evaluate the progress of their development under Union and States /UTs. The role of the Commission in these areas involve interaction at various levels, i.e., with the Planning Commission, the Central Ministries and the State / UT Governments. The Commission and its officers both at Headquarters and the State offices participate in formulation of policies and the developmental programmes for Scheduled Castes, including Special Component Plan for Scheduled Castes.

CHAPTER - IV MAJOR DECISIONS TAKEN IN THE MEETINGS OF THE COMMISSION

From the period starting from April, 2013 to March, 2014 as required under Rules of Procedure formerly notified vide number 17014/12/99-TDR dated 19th February, 2004 with revised Notification dated 25 March, 2009, the Commission under the Chairmanship of Dr. P.L.Punia has conducted meetings on following dates:

Sl. No.	Date of meeting
1.	29.04.2013
2.	17.06.2013
3.	29.07.2013
4.	23.09.2013
5.	09.12.2013
6.	03.03.2014

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

4.1 Issue: Report on problems of Migrant SCs in obtaining Caste Certificate.

(Meeting date 29.04.2013)

Summary of discussion and action taken:

The Commission has prepared a Special Report highlighting the problem the migrant SCs working in Delhi or elsewhere is facing as they do not get Scheduled Caste certificates in the present State / UT where they have migrated and settled.

4.2 Issue: Launching of new website for National Commission for Scheduled Castes and CMIS¹ in National Commission for Scheduled Castes Headquarters / State Offices.

(Meeting date 29.04.2013)

Summary of discussion and action taken:

Initiating an action towards peoples / complainant friendly initiative, the Commission under technical support of National Informatics Centre (NIC),

¹ Complaint Monitoring and Information System

Government of India, has launched new complainant friendly website and started registering complaints on line through CMIS. With the help of 15 digit computer generated unique number on each complaint that has been registered, the individual complainants now are able to find out progress of his/her complaint filed in the Commission on-line.

4.3 Issue: Special Recruitment Drive to fill up the backlog reserved vacancies for SCs/STs / OBCs.

(Meeting date 29.04.2013)

Summary of discussion and action taken:

The Commission has given comments on a Draft Cabinet Note on Special Recruitment Drive to fill up the backlog reserved vacancies for SCs/STs / OBCs. The decision of the Commission also conveyed to the Government for appropriate action.

4.4 Issue: Removal of Pali language from Civil Services Examination.

(Meeting date 29.04.2013)

Summary of discussion and action taken:

The Commission discussed about uselessness of continuation of Pali language in the Civil Services Examination curriculum. The recommendation of the Commission also forwarded to the Union Public Service Commission for taking a view.

4.5 Issue: Restoration of exchange of reserved vacancies for SCs & STs

(Meeting date 17.06.2013)

Summary of discussion and action taken

The Commission in principle did not agree to the proposal for interchange of vacancies between SC & ST and vice-versa.

The observation of the Commission has been referred to the DoPT² vide letter No. P-6/UP-54/2011/SSW-III, dated 26.07.2013.

4.6 Issue: Shortfall / Non-filling of reserved posts by the Union Public Service Commission.

(Meeting date 17.06.2013)

Summary of discussion and action taken:

The Commission has taken up the matter and the same has also been discussed with the UPSC. The decision of the Commission also conveyed to the UPSC for further necessary action.

² Department of Personnel and Training, Government of India

4.7 Issue: Writ Petition filed by the Vice Chancellor, BHU³ against the National Commission for Scheduled Castes and Others.

(Meeting date 29.07.2013)

Summary of discussion and action taken:

The V.C., BHU despite having served eight summons, refused his personal attendance before the Commission instead sent lower functionaries to discuss certain important issues which were regarding violation of reservation policy in the University. As the lower functionaries could not satisfy, the Commission constrained to issue arrest warrant as per provision contained in Article 338 of the Indian Constitution against the V.C., BHU to secure his personal attendance before the Commission. Instead of appear before the Commission, the V.C., BHU however filed the case before Lucknow Bench of High Court of Uttar Pradesh. The Commission, decided to contest the case in the Court.

4.8 Issue: Removal of income ceiling for the purpose of scholarship for students.

(Meeting date 29.07.2013)

Summary of discussion and action taken:

The Commission had observed that income ceiling for post-matric scholarship has been raised by the Government from 2.00 lakh to 2.5 lakh rupees. The Commission however, recommended that income bar for SC students are a deterrent factor and debar many SC students due to income ceiling imposed. The Commission, therefore, conveyed its concern to the Government accordingly.

4.9 Issue: Compilation of exclusive schemes funded by the States/UTs for welfare of SCs

(Meeting date 03.03.2014)

Summary of discussion and action taken:

The Commission in its meeting had observed the Scheduled Caste Sub Plan funds are diverted to other schemes which are not exclusively beneficial for SCs. Such practices kill the very spirit of the SCSP⁴ fund. Accordingly Commission decided that the schemes which are coming under the bracket of 'exclusive schemes' should be identified and letters should be written to the State / UT Governments to provide information on such exclusive schemes, if any being implemented in States.

³ Banaras Hindu University

⁴ Scheduled Castes Sub-Plan

The Secretariat has accordingly written letters to States /UTs for the same and has been following up with the States / UTs; last letter being written on 11.09.2014 vide letter No. 5/1/SCSP/2012-ESDW.

4.10 Issue: Amendment of Guidelines for allotment of petrol pumps to SC beneficiaries as per quota system.

(Meeting date 03.03.2014)

Summary of discussion and action taken:

Amendment of Guidelines for allotment of petrol pumps to SC beneficiaries as per quota system was discussed with three major oil companies along with representative of Ministry of Petroleum & Natural Gas, Government of India on 27.01.2014.

It was decided that the procedure like inviting applications through open advertisement from the prospective dealers is detrimental to the interest of SCs and the Ministry, therefore, was asked to review vide D.O. No. 19/13/Policy/2013/ESDW dated 04.03.2014 guidelines so as to keep interest of Scheduled Castes under consideration.

CHAPTER-V IMPORTANT EVENTS

During the year under reporting, the National Commission for Scheduled Castes had organised following three conferences:

Sl. No.	Name of event	Date on which organised	Venue
1.	National Dialogue on Disparities to the Scheduled Castes	27 August, 2013	Constitutional Club, New Delhi
2.	National Conference on Atrocities	11 September, 2013	Vigyan Bhawan, New Delhi
3.	National Awareness Camp on Empowerment of Scheduled Castes	8-9 October, 2013	Vigyan Bhawan, New Delhi

Major decisions taken in the conferences are as follows:

5.1 National dialogue on disparities to the Scheduled castes

In the **National Level Dialogue on Social Disparities organized by the Commission** at Constitution Club, New Delhi on 27.8.2013. The Hon'ble Minister Social Justice & Empowerment, was the Chief Guest. Eminent speakers from the Central and State Government, Members of Parliament, Members of State Legislative Assemblies and revered dignitaries participated in the Dialogue. Major decisions that were taken in the Dialogue were as under:

5.1.1 It was noted that in spite of Protection of Civil Rights (PCR) Act, 1955 and Scheduled Castes & Scheduled Tribes (Prevention of Atrocities) Act (SC/ST (POA) Act), 1989, the practice of untouchability still prevails in our society, primarily due to the problem in implementation of these Acts and also due to the mind set of those who implement the Law.

5.1.2 It was informed that the Ministry is in process of amending the POA Act to make it more stringent.

5.1.3 It was felt that there is an urgent need for reducing disparities particularly in areas of land holding, education, sports, business activities and reservation in higher Posts.

5.1.4 There is a need to bring a Central Legislation on the line of Andhra Pradesh legislation to prevent misuse of SCSP fund.

5.1.5 Greater coordination between all stake holders of society to eradicate the evil of caste system in our country.

5.1.6 For setting up small scale business, there is need for giving interest free subsidized loans to SC people up to ` 5 lakh.

5.1.7 It was stressed that the SC children are not getting the appropriate opportunities due to which they are lagging behind.

5.1.8 A legislation should be brought for ensuring the right to education, health and other basic things for Scheduled Castes.

5.1.9 The NCSC should be given more powers.

5.1.10 Proposed reservation in judiciary.

5.1.11 It was stated that there is a wide gap in socio-economic condition between SCs and general category. The disparity continues in education, school enrolments, and drop outs. SCs are generally opting for arts courses due to their poor socio-economic condition. Manual scavenging still continues. More than 67 *per cent* of SCs are anemic. In SC Sub Plan, difference is noticed in allocation and expenditure. There is no proper planning and the Schemes are not need based. No proper monitoring and evaluation system is there. SCSP budget was not legally protected. Attention was drawn to the guidelines of Planning Commission on SCSP issued in 2006 & 2011. It was suggested that an apex body should be constituted at State Level and a coordination Committee should be constituted at State Level. The Monitoring Committee and Evaluation Committee should also be constituted at State Level. State Council for monitoring, evaluation, bridging the gaps, reviewing the lapses and proper implementation should be created.

5.1.12 The proceedings of the Dialogue were published in book form and were forwarded to the concerned stake holders for necessary action.

5.2 National Conference on Atrocities

The National Commission for Scheduled Castes had organized a **National Level Conference on Atrocities** at *Vigyan Bhawan*, New Delhi on 11 September, 2013 where State Home Secretaries, Social Welfare Secretaries, DGPs and IG, PCR Cells participated along with distinguished members from political and social spectrum and other government officials. The Conference was inaugurated by Hon'ble Minister of Social Justice & Empowerment. The major concern / decisions that were taken in the Conference were as under:

5.2.1 Low conviction rate 3-4% under SC/ST (POA) Act, 1989 and other IPC crimes which is alarming and anti-deterrent and needs to be looked into urgently.

5.2.2 Emphasis was given on eradication of untouchability, discrimination and atrocities and that the PCR Act¹, 1955 and SC/ST (POA) Act, 1989² were to be implemented by the State Government in their letter and spirit, which unfortunately have not done. Implementing functionaries are responsible for low conviction and high acquittal rates. Emphasise awareness programmes / camps that are to be set up in districts and at block levels. Financial help to the victims should be given promptly. Commission is inundated with complaints every day. Even the Ministry is also forwarding complaints to the Commission. National Commission for Scheduled Castes has limited strength

¹ Protection of Civil Rights Act, 1955

² Scheduled Castes & Scheduled Tribes (Prevention of Atrocity) Act, 1989

to deal with such large number of complaints. Police should visit crime areas and instil sense of confidence in the mind of victims. Many crimes remain unreported due to repressive image of police. The cases either highlighted by Media or National Commission for Scheduled Castes are taken up by the police. It was urged that the implementing agency should be seen by their humane face and they should be made themselves approachable to this vulnerable section of the society.

5.2.3 The Prohibition of Employment as Manual Scavengers and their Rehabilitation Act, 2013 has been passed by the Government recently. Manual Scavenging is a crime and it should be removed completely. There is an urgent need for amending POA Act to make it more effective and strong. More awareness programmes should be organized. There should be an all-out effort to make our society caste free and we need to organize bigger movement for this.

5.2.4 There should be an amendment in existing Prevention of Atrocities Act.

5.2.5 It was informed that the practice of untouchability can be noticed in coastal Odisha where SCs are prevented from entering temples, in Tamil Nadu and Karnataka, separate cups and glasses are kept for SC people. In northern India, the heinous atrocities on SCs are continuing unabated inspite of presence of well geared police and civil administration. In Haryana, the SC groom cannot cross house of upper castes riding horse. It was stated that development does takes place but mind-set of so called upper caste people not been changed.

5.2.6 IPC crimes should be noted with all seriousness and appropriate action should be taken in stipulated time and investigation should be completed within 30 days. Special courts or Exclusive Courts should be set up to handle only atrocity cases on SCs. There is no need to conduct any preliminary investigation before actually registering the case.

5.2.7 The division now stands widened due to extreme disparities in terms of social, economic, cultural and political.

5.2.8 Issues of socio-economic development of the Scheduled Castes need to be redressed effectively. There are Central Acts/State Acts with deterrent punishment provisions but due to improper implementation of such Acts, atrocities on SCs could not be diminished.

5.2.9 There are incidences of forced compromise and settling of cases out of courts. The victim cannot get justice

5.2.10 SCSP funds are mainly used to purchase vehicles for judges of designated courts, meeting up salary of drivers etc. It was urged for review of expenditure of SCSP funds.

5.2.11 Not only implementing agency like police should be held accountable for failure of Acts; the other wings namely Special Public Prosecutor and Judiciary should also be made accountable for large failure of POA Act cases resulting high acquittal.

5.2.12 Denial of FIRs are rampant in the State, improper applications of Acts are even more visible. Anticipatory bails, issuance of stay orders, *ex-parte*

decisions are order of the day as the same are not properly contested in the courts.

5.2.13 There appears to be lack of sensitivity and awareness amongst lower ranks of the police officials. Side by side, there is also need for bringing a holistic development of Scheduled Caste dominated areas so that these areas too develop like any other area in the State.

The proceeding of the Conference was published in book form and was forwarded to the concerned stake holders for necessary action.

5.3 National Awareness Camp on Empowerment of Scheduled Castes

Two days '**National Awareness camp on Empowerment of Scheduled Castes**' was organized on **8-9 October, 2013** in *Vigyan Bhawan*, New Delhi. It was addressed by Union Home Minister, Union Minister for Social Justice & Empowerment, Union Minister of State for Petroleum & Natural Gas, Vice President and General Secretary, AICC, Dy. Chief Minister, Andhra Pradesh,, Chairman, Scheduled Castes Department, AICC and Dr. P.L. Punia, Chairman of the National Commission for Scheduled Castes. Besides others, Awareness Camp was attended by Dr. Raj Kumar Verka, Vice Chairman, National Commission for SCs, Shri Raju Parmar, Member, National Commission for SCs, Shri M. Shivanna, Member, National Commission for SCs, State Ministers, Dr. J.N. Chamber, Secretary, National Commission for SCs and Shri T. Theethan, Joint Secretary, National Commission for SCs along with Hon'ble MPs, MLAs, Ex-MPs & Ex-MLAs, students, Students Leaders and intellectuals with expertise in various disciplines. Topics those were discussed in the Camp are as under:

- Innovative /New Schemes for welfare of SCs especially relating to Business, Employment and Education.
- Effective utilisation of fund under SCP/SCSP; Fixing scope and accountability.
- Need to mitigate the plight of sweepers community – abolition of manual scavenging – need for comprehensive approach.
- Need for residential schools and hostels and also the problems relating to scholarship and fee reimbursement.
- Political empowerment of SCs.
- Effective check on atrocities on SCs and *dalit* women in particular.

5.3.1 Topic: Innovative/New Schemes for welfare of SCs especially relating to Business, Employment and Education.

Discussions have been summarised as under:

5.3.1.1 Business and Employment:

- According to the Economic Survey 2006-07, Scheduled Castes constitute 16.23 *per cent* of the total population of the country but continue to suffer on account of severe socio-economic deprivation arising out of poor asset base, dependence on wage labour, subsistence level of farming, engagement in scavenging and other unclean jobs due to untouchability.
- The research on SC entrepreneurship is absent and there are few in-depth studies on this subject. So there is an urgent need for research on SC entrepreneurship in the post LPG era and there is a need for well recognized National Policy to empower SC people. It will not only help to eradicate poverty from deprived section of the Society, but also make them as productive and capital assets for the growing economy of the country.
- In the post LPG era the government sector has shrunk, a large number of SC educated youth remains unemployed. If Scheduled Castes are to find an honourable living as a part of the larger Indian Society, it is the high time they themselves become economically independent.
- Separate and exclusive bank for SCs can be planned by the Government. That will go a long way in galvanising the SC entrepreneurs.
- Central Government may formulate a clear policy to provide highly subsidised loans with the required gestation period, without seeking any collateral security.
- If still the collateral security is required, the Government should provide the same on behalf of the SC loan seekers.
- iv. For industrial growth in the State, land is given to the corporate groups under Special Economic Zone concept. There should be reservation in this. Dalit Indian Chamber of Commerce & Industries should be involved and the Creamy layer concept should be removed in case of allocation of land to SC entrepreneurs. It is well-known factor that managerial skills and acumen, along with finance, an access to infrastructure and raw material, technical know-how and market is essential for making any entrepreneurial venture successful.
- Reservation in IITs, IIMs, Engineering Colleges and Polytechnics has ensured the availability of SC technical personnel to some extent. Special entrepreneurial courses need to be organised for the SCs to train them for running their own enterprises.
- The Government should encourage SC Entrepreneurs to set up their own educational institutes by providing them land and other infrastructural facilities on concessional rates.

- Trained youth need to be further attached with the well established companies so that they are capable of running their own concerns.
- Central Government showed compassion on farmers by waiving off their loan. They are the ones who own land. The Government should extend their compassion on SCs also, who do not own any land, by giving the same concession to them so that these poor people get rid of debt and find an excess to credit for setting up small units.
- Traditional occupations like shoe making, tannery, handloom and power loom owned by SC entrepreneurs must get impetus in the form of availability of latest technology by the Government through Five Year Plan analysis under SCP. They must have an access to timely and cheap raw material. There should be reservation for SCs in plot allotments for industries and commercial area. Those who prefer to set up agriculture produce small processing units like oil seeds, rice husking mills, fruit and vegetable processing units, fish processing and canning units, poultry and dairy, they should be provided interest free and highly subsidized loans.
- Preferential treatment should be given to the SC industry in government store purchasers. MSME scheme should be implemented without any delay in letter and spirit.
- Marketing skills are required to be imparted to the SC entrepreneurs.
- Dalit Chamber of Industries and Commerce can also play a significant role in developing and helping the new brooding crop of SC youth who want to set up their own concerns.
- There should be reservation in all Government Contracts with estimate cost of rupees one crore; which will go up with time.

5.3.1.2 Education:

Suggestions that have been emerged out from the meeting are as under:

- Only SC/ST and lower OBC children seek admission in Government Basic Schools. Facilities provided for basic education in these schools are not adequate. Government should upgrade the facilities. Quarterly evaluation should be ensured.
- English should be introduced right from the beginning in the basic education. .
- Right to Education Act provides cost free education to the weaker section of students including SC Students. The merit system should not deprive the SC students from taking admission in higher education.

5.3.2 Topic: Effective utilisation of fund under SCP/SCSP; Fixing scope and accountability.

Following suggestions/recommendations were put forward:

5.3.2.1 There should be a sanction of the Parliament on the lines of NREGA on mission mode through a Parliament Act for SCP under the present system of guidelines through OM or Circular by the Planning Commission. The Government of India should come out with an act on the lines of legislation on SCSP passed by the Government of Andhra Pradesh.

5.3.2.2 Such legislation to regulate SCP should have provision of punishment, both imprisonment and fine, depending on gravity of offence, to violators thereof. All officials (irrespective SC/non-SC) in-charge of implementations or enforcement should be held responsible for failures & defaults. Non-compliance of Government Order should attract SC/ST POA Act, 1989.

5.3.2.3 Constitution of Statutory National and State Authorities for Development of SCs within a year. National Scheduled Castes Development Authority (NSCDA) should be there with single window system of SCP funds for effective utilization for the exclusive programmes/projects on need based basis.

5.3.2.4 Since, 1979 – SCP fund accrued (as the same is not divertible and lapsable) should be set aside with the M/o SJ&E and then transferred to the NSCDA.

5.3.2.5 SCSP funds should be spent for the beneficiary oriented schemes, purchase of land for distribution among SC families, education, housing & sanitary, drinking water, health, service safeguards skill development through Coaching Centres and Vocational Training Centres & protection under PCR & POA Act 1989 through NSCDA.

5.3.2.6 SCSP can be gainfully utilized for the upliftment of Scheduled Castes through construction of Residential Schools in every district, Hostels for College Boys and Girls in every district, reimbursement of Self-Financing Course and College Fee, 100% residential colony for SCs with ownership, coaching centres for UPSC, Railways, Banking and State Public Service Commission competitive examinations, Working Women Hostels, Financing the whole fee for CA/ICWA, Law, Medical and Engineering Courses, Pilot Courses, PHC, Land Purchase and distribution to every Landless SC families as per the Governments Committee recommendation and over all Human Development Index Development.

5.3.2.7 The States seldom spent earmarked amount under SCSP, instead divert the fund to other programmes which are not exclusively beneficial for SCs. Therefore, there should be strict monitoring on expenditure under SCSP head. The fund should be made available for the schemes which exclusively benefits Scheduled Castes like dairy farming, fishing, rural agro based industries etc. Through PPP model, exclusive development plan for SCs should be thought of.

5.3.2.8 The expenditure under Plan and Sub-Plan should be monitored by a Nodal Agency in the State with full accountability, authority and responsibility on expenditure.

5.3.2.9 All schemes under SCSP should be routed through NCSC at planning, implementation and monitoring stages.

5.3.2.10 More SCSP fund should be spent on less developed areas first and, then to other areas.

5.3.2.11 SCSP Schemes and provisions / scope there under should be made known to all political / social representatives.

5.3.2.12 The implementation of the scheme should be expedited and defaulters should be brought to book.

5.3.2.13 The SC/ST Welfare Department should be adequately empowered to monitor spending of fund under SCSP head. The Department should also be adequately funded to initiate new schemes and carry out research work to know plight of SCs and other weaker communities in the State.

5.3.2.14 There should be a special plan under SCSP for development of *Sunderban* delta which has highest concentration of SCs in the country.

5.3.3 Topic: Need to mitigate the plight of sweepers' community – abolition of manual scavenging – need for comprehensive approach.

The issues discussed and the recommendations that have been emerged were as under:

5.3.3.1 There should be a Pay Commission for *Safai Karamcharis* at All India level to remove disparities in terms in salary structures in States & UTs. The system of outsourcing/contractual engagement of sweepers should be done away with immediately and there should be uniform pay structure of all sweepers across the country. The contract system for engagement of *Safai Karamchari* should stop forthwith as the workers are getting meagre salary amounting to ` 3000/- in many States.

5.3.3.2 The *Safai Karamcharis* should be given health card free with all medical facilities.

5.3.3.3 Special care should be taken on study loan applications received from the children of *Safai Karamcharis* and they should not be subjected to any kind of harassment during or loan sanction.

5.3.3.4 The *Safai Karamcharis* should be trained by the Government / Private Agencies regarding use of newer safety technologies.

5.3.3.5 Proper rehabilitation of *Safai Karamcharis* may be made on priority basis.

5.3.3.6 Financial compensation should be given to family members of *Safai Karamcharis* in case of his / her death.

5.3.3.7 There should be census on *Safai Karamcharis*.

5.3.4 Topic: Need for Residential Schools and Hostels and also the problems relating to Scholarship and Fee Reimbursement

Following suggestions/recommendations have been made on the subject:

- 5.3.4.1** Single and Uniform School Syllabus upto + 2 classes for whole India.
- 5.3.4.2** There should be a quality education by providing Aganwadi in each and every habitation of SCs / STs, residential schools at every block level and centre of excellence in every district Hqrs. The expenses should be met out of special component plan funds.
- 5.3.4.3** Only CBSE / NCERT to oversee the implementation of this scheme upto class XII for equality in education.
- 5.3.4.4** Free and compulsory education in Hindi, English and Mother Tongue up to class 10 + 2 standard. No separate Board of Exams as per RTE 2005.
- 5.3.4.5** There should be National Education Service for Teachers upto XII Standard.
- 5.3.4.6** Nationalisation of school Education upto + 2 classes with concurrence of all States.
- 5.3.4.7** For higher education, liberal, interest free loan upto ` 5 lakh (for national) and ` 15 lakh (for overseas studies) to SC students.
- 5.3.4.8** There should be permanent revolution in Education in India also as in USA for African, American.
- 5.3.4.9** Reservation in Teachers appointment should be implemented.
- 5.3.4.10** There should be allocation of seats in schools subject wise so as to get higher education in IIT, IISC, IIMs and NLS etc. Now there is no supply and No demand situation.
- 5.3.4.11** 25 *per cent* of budgetary allocation of Education Primary, Secondary and Higher education shall be reserved for the educational advancement of Scheduled Castes students.
- 5.3.4.12** 100 *per cent* Grant-in-aid shall be extended to the NGOs of Scheduled Castes for the educational advancement of Scheduled Castes students including school / college buildings.
- 5.3.4.13** More hostel building with better infrastructures shall be built in every taluk place.
- 5.3.4.14** Nodal Ministry should reimburse / disburse the scholarship at the beginning of admission.
- 5.3.4.15** All Scheduled Castes students should be given Laptops / Note / I-Pad at free of cost.
- 5.3.4.16** Special arrangements to send meritorious SC students for foreign education.
- 5.3.4.17** Merit up-gradation coaching shall be encouraged.
- 5.3.4.18** Transport arrangements in Dalit colonies to pick up the students for schools / colleges.
- 5.3.4.19** Special English coaching for SC students shall be encouraged.
- 5.3.4.20** Crash-courses in computer shall be provided.

5.3.4.21 Quality Education should be imparted at all residential schools and hostels meant for SC students.

5.3.4.22 In each sub division, there should be good school with hostel equipped with all modern facilities and infrastructure.

5.3.4.23 The hostels rates should be uniform and decided keeping in view the rate applicable in IIT Delhi/AIIMS Delhi as the rate provided in other urban/semi-urban/rural areas are far more less than their counter part get in Delhi Mumbai or other metropolis

5.3.4.24 There should be permanent posting of Safai Karamcharies and security guards to ensure hygienic conditions and security of the hostels.

5.3.4.25 It has been observed that hostels are run under the aegis of different Government institutions, namely, Ministry of Social Justice and Empowerment, M/o Women and Child Development, M/o HRD and State Governments. It is suggested that a Nodal agency/Ministry may be given responsibility to look after all educational hostels in the country.

5.3.4.26 A monitoring committee should be set up to see functioning of the hostels across the country.

5.3.4.27 The amount of scholarship should be linked with the price index and the same should be proportionately increased with the price rise.

5.3.4.28 Vice Chancellors and the Head of the Departments should be from SC community so that interest of SC students is adequately addressed.

5.3.4.29 Children of the victims of atrocities should be given priority in School/college admission and their education cost should be provided by the State Government entirely.

5.3.4.30 Infrastructure of Government Schools should be strengthened and SC teachers having good educational background should be inducted with special incentive so as to ensure quality education in Government Schools.

5.3.4.31 It may be ensured that the children of teachers should study in the same Government Schools compulsorily which would enhance quality education in such Government Schools.

5.3.5 Topic: Political Empowerment of Scheduled Castes

It was suggested that the programme to develop Political Empowerment of SC's will be implemented at five levels:

- Capacity building of Scheduled Castes at Village/block level.
- Capacity building of Scheduled Castes at district level.
- Capacity building of Scheduled Castes at state level.
- Capacity building of Scheduled Castes at national level.
- Capacity building of Scheduled Castes at different Political Organization.
- Ongoing support at field level for network formation.

Suggestions/recommendations made by the Group are summed up as under:

5.3.5.1 Efforts should be made for the upliftment of the fellow caste men and women by identifying the constraints in the empowerment of the elected SC members at all levels (Lok Sabha, Legislative Assemblies, PRI³'s and Municipalities).

5.3.5.2 Examine specifically the role of elected SC women members in putting forward the agenda of development and empowerment at all levels (Lok Sabha, Legislative Assemblies, PRI's and Municipalities).

5.3.5.3 Identify the reason for poor participation of some scheduled castes leading to unequal empowerment and attainment of better quality of life.

5.3.5.4 It is expected that the elected scheduled caste persons are able to impact implementation as well as the policy making process. As the elected members are to be in regular contact with their community, the latter are aware of their rights and welfare schemes meant for them. An environment for empowerment is thus created for the elected members as well as for the community at large.

5.3.5.5 Effective representation of SC leaders in every political organizations and their role should be wider.

5.3.5.6 Fit SC leaders in organizational politics and distribute important work to them.

5.3.5.7 Media exposure is important for SC leaders for their empowerment. Every political party must have some SC leaders in their media panel as spokesperson.

5.3.5.8 SC Minister, MPs and MLAs and all the political leaders should give priority to their own community members on the position of Personal Assistant and Private Secretary and ministerial staff so that accessibility to SCs can be easier.

5.3.5.9 Government should appoint young leaders of SC communities in different committees at various ministries at Centre and State level.

5.3.5.10 Catch young SC leaders from colleges/Universities/villages/municipalities for their effective and wider role for political participation. They have to find their space not only from Reserved Seats but they should have to be given ticket on general seats also. So that they became tools for political participation and make effective bargain for political power.

5.3.5.11 There should be a Committee on Dalit Affairs in the Government on the lines of Cabinet Affairs Committees on various matters.

5.3.5.12 Women leaders should be encouraged to come forward and work for the cause without fear of mind.

5.3.5.13 There should be adequate representation for SCs in Rajya Sabha also.

5.3.5.14 The service associations fighting for the cause of SC serving employees should be recognized by the Ministry of Social Justice & Empowerment instead of by the respective institutes / organizations.

³ Panchayat Raj Institutions

5.3.5.15 The SC leaders working in District / State / Block Level should be given due place and respect in the Party officials which often found missing in the Party's rank and the file to empower the entire SC party worker is must. Empowering them by Educating and training in the party by giving various responsibilities. There should be audit of such equal appointments for SCs.

5.3.5.16 Political Parties need to empower their own SC party workers / leaders. Party should not divide SC's further on sub- caste ground but to bring all scheduled caste together under one roof.

5.3.5.17 Political parties should desist from using SCs as a vote Bank.

5.3.6 Topic: Effective check on atrocities on the SCs and Dalit women in particular

Existing legislations on crime against scheduled castes:

- Protection of Civil Rights Act, 1955.
- The Scheduled Caste/Scheduled Tribe (Prevention of Atrocities) Act, 1989 and Rules of 1995
- The Employment of Manual Scavengers and Construction of Dry Latrines (Prohibition) Act, 1993 (Amended in 2012).
- Maharashtra *Devdasi* System Abolition Act, 2005.

Following suggestions/recommendations were given on the issue:

5.3.6.1 Enquiries should be conducted by the officers of appropriate level.

5.3.6.2 Appropriate Sections under both IPC and SC/ST (POA) Act, 1989 should be invoked.

5.3.6.3 Medical Examination of victims within the prescribed time limit be done which is mandatory in medico-legal cases.

5.3.6.4 Submission of Charge-Sheets be done strictly within the prescribed time limit.

5.3.6.5 Exclusive Courts should be set up. Make it mandatory to decide cases within six months.

5.3.6.6 There is a great and urgent need for arranging sensitization programme of police personnel at base level.

5.3.6.7 If minor girl is victim, full rehabilitation of completion of education and economic rehabilitation to be done by the Government Compensation to the dependents of victims to be paid to the Women specially.

5.3.6.8 Compensation to be paid by the accused persons in addition to punishment under Cr.PC, IPC and PoA Act which result in less Atrocities and compromise.

5.3.6.9 Special Courts as per the provisions of the POA should be set up and preferably the Public Prosecutors from SC community should be appointed to defend the cases on behalf of the State.

5.3.6.10 Payment of compensation under PoA Act should be enhanced from ` 2 lakhs to ` 10 lakhs as has been done in the recently passed legislation on rape cases.

5.3.6.11 To encourage inter-caste marriage the SC women should be given incentives like payment of ` 50000, a job reservation to her and her children as it is now extended only to male SC member. This will reduce the honour killing and caste conflict in India.

5.3.6.12 In order to mitigate the atrocity on SCs, every Panchayat should appoint a Nodal Officer from SCs, preferably a woman, to monitor atrocity cases.

5.3.6.13 There should be comprehensive National Level Policy on relief and rehabilitation of atrocity victims in the country.

5.3.6.14 In Tripura, the atrocity cases are not registered even after committing such crime against SCs. It is desired that the National Commission for Scheduled Castes should strengthen its existing set up and liaise with the Government, other stake holders on the matter.

5.3.6.15 It has been stated that in case of crime committed against SC women, there are vast number of cases where the victim compromises with the opponent parties. These were mostly done under the influence of money, muscle power and threat. This should be stopped.

5.3.6.16 Cases of land distribution amongst the victim of atrocities are very less. This is due to some conspicuous reasons and prejudiced mind set of bureaucratic set up in the State Governments. It is demanded that in each atrocity incidence, land should be allotted to the SC victim so as to enable her / him to survive in the distressing economic situation.

5.3.6.17 All Police Stations should be posted with adequate number of police from the SC community.

5.3.7 Miscellaneous issues

Following miscellaneous observations/suggestions were made by the percipients during discussion:

5.3.7.1 Reservation in Media/Information Technology in private, to convey the SC's voice.

5.3.7.2 Empowerment of NCSC to issue orders and give directives.

5.3.7.3 To prepare the policy as such that it should reach to last person who is in villages.

5.3.7.4 Victimization in services should be dealt with strictly as per Section 4 of POA Act.

5.3.7.5 Awareness camp at village level.

5.3.7.6 Non-implementation of Commission's order by the State should be viewed seriously.

5.3.7.7 SC should fight for their right and should not fight with each other on sub-caste basis.

5.3.7.8 Reservation in Food Security bill. MNREGA Schemes⁴ to be mandatory.

The proceeding of the Awareness Camp was published in book form and was forwarded to the concerned stake holders for necessary action.

⁴ MNREGA : Mahatma Gandhi National Rural Employment Guarantee Act

CHAPTER – VI WORK DONE AT COMMISSION'S HEADQUARTERS AND STATE OFFICES

6.1 Complaint Resolution

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

- Related to Service Safeguard matters which handled by Service Safeguards Wing,
- Related to Economic and Social Development matters handled by the Economic and Social Development Wing (ESDW),
- Related to Atrocities , which are handled by Atrocities and Protection of Civil Rights Wing (APCR).

During the year under report, the Commission has handled 25605 complaint files out of which 5817 complaint files have been disposed after successful conclusion leaving 19788 complaint files pending.

The Rules of Procedure of the National Commission for Scheduled Castes do not prescribe any time limit for investigation and enquiry of complaints received in the Commission. Also, as per mandate of the Commission under Article 338(8) of the Constitution, though the Commission has all the power of Civil Courts trying a suit, the disposal of the complaints depends on both the nature and gravity of the complaints as well as on the response from the Public Authorities who are entrusted with ensuring that the rights as guaranteed in the Constitution of India regarding Scheduled Castes are safeguarded. Hence the speed and adequacy of response from the Authorities concerned are the defining factors which determine the actual disposal of the complaints.

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

6.2 Complaints handled at the Commission Headquarters

Table No. 6.1

Wing-wise nature of complaints	Total Files as on 31 March, 2014 including B/F ¹ cases	No. of cases closed / disposed off from 1 April, 2013 to 31 March, 2014	No. of cases / files pending as on 1 April, 2014
Service wing	2640	78	2562
On Economic & Social Development issues	1519	16	1503
Atrocity & Harassment Related Matters	2889	42	2847

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

6.3 Complaints handled by the State offices of the Commission

6.3.1 Agartala State Office

Statement showing number of cases received, disposed and pending during the year 2013-14.

Table No. 6.2

						Tripura
Sl. No.	Nature of representation	Brought Forward from previous year	Received during the year 2013-14	Total	Disposed off	Pending
(1)	(2)	(3)	(4)	(5)	(6)	(7)
1.	Service Matters	12	1	13	1	12
2.	Atrocity Matters	3	0	3	0	3
3.	Economic & Social Development	6	5	11	7	4
4.	Miscellaneous ²	187	5	192	5	187
	Total	208	11	219	13	206

6.3.2 Ahmedabad State Office

Statement showing number of cases received, disposed and pending during the year 2013-14.

Table No. 6.3

						Gujarat
Sl. No.	Nature of representation	Brought Forward from previous year	Received during the year 2013-14	Total	Disposed off	Pending
(1)	(2)	(3)	(4)	(5)	(6)	(7)
1.	Service Matters	322	52	374	00	322
2.	Atrocity Matters	354	57	411	00	354
3.	Economic & Social Development	259	25	284	00	259
4.	Miscellaneous	203	20	223	00	203
	Total	1138	154	1292	00	1138

² Miscellaneous Cases including false caste certificate, welfare, employment, health related issues etc.

6.3.3 Bangalore State Office

Statement showing number of cases received, disposed and pending during the year 2013-14.

Table No. 6.4

Karnataka						
Sl. No.	Nature of representation	Brought Forward from previous year	Received during the year 2013-14	Total	Disposed off	Pending
(1)	(2)	(3)	(4)	(5)	(6)	(7)
1.	Service Matters	191	158	349	38	311
2.	Atrocity Matters	114	49	163	24	139
3.	Economic & Social Development	95	73	168	21	147
4.	Miscellaneous	255	143	398	59	339
	Total	655	423	1078	142	936

6.3.4 Chennai State Office

Statement showing number of cases received, disposed and pending during the year 2013-14.

Table No. 6.5

Sl. No.	Nature of representation	Brought Forward from previous year	Received during the year 2013-14	Total	Disposed off	Pending
(1)	(2)	(3)	(4)	(5)	(6)	(7)
Tamil Nadu						
1.	Service Matters	877	373	1250	400	850
2.	Atrocity Matters	938	557	1495	615	880
3.	Economic & Social Development	882	465	1347	461	886
4.	Miscellaneous	653	262	915	303	612
	Total	3350	1657	5007	1779	3228
Puducherry						
1.	Service Matters	8	10	18	4	14
2.	Atrocity Matters	4	4	8	2	6
3.	Economic & Social Development Matters	1	3	4	0	4
4.	Miscellaneous	5	5	10	0	10
	Total	18	22	40	6	34

6.3.5 Chandigarh State Office

Statement showing number of cases received, disposed and pending during the year 2013-14.

Table No. 6.6

Sl. No.	Nature of representation	Brought Forward from previous year	Received during the year 2013-14	Total	Disposed off	Pending
(1)	(2)	(3)	(4)	(5)	(6)	(7)
Chandigarh						
1.	Service Matters	05	58	63	27	36
2.	Atrocity Matters	03	29	32	19	13
3.	Economic & Social Development Matters	00	13	13	05	08
4.	Miscellaneous	02	32	34	14	20
	Total	10	132	142	65	77
Himachal Pradesh						
1.	Service Matters	01	09	10	07	03
2.	Atrocity Matters	06	14	20	09	11
3.	Economic & Social Development Matters	02	08	10	01	09
4.	Miscellaneous	03	06	09	02	07
	Total	12	37	49	19	30
Uttarakhand						
1.	Service Matters	01	10	11	05	06
2.	Atrocity/Harassment	01	11	12	06	06
3.	Economic & Social Development	00	02	02	01	01
4.	Miscellaneous	01	09	10	05	05
	Total	03	32	35	17	18
Punjab						
1.	Service Matters	16	126	142	27	115
2.	Atrocity Matters	29	268	297	95	202
3.	Economic & Social Development Matters	08	37	45	13	32
4.	Miscellaneous	06	69	75	14	61
	Total	59	500	559	149	410
Haryana						
1.	Service Matters	16	74	90	35	55
2.	Atrocity Matters	31	247	278	159	119
3.	Economic & Social Development Matters	15	58	73	17	56
4.	Miscellaneous	15	73	88	23	65
	Total	77	452	529	234	295

6.3.6 Guwahati State Office

Statement showing number of cases received, disposed and pending during the year 2013-14.

Table No. 6.7

Sl. No.	Nature of representation	Brought Forward from previous year	Received during the year 2013-14	Total	Disposed off	Pending
(1)	(2)	(3)	(4)	(5)	(6)	(7)
Assam						
1.	Service Matters	2	16	18	7	11
2.	Atrocity Matters	--	1	1	0	1
3.	Economic & Social Development Matters	--	2	2	0	2
4.	Miscellaneous	--	33	33	11	22
	Total	2	52	54	18	36
Manipur						
1.	Service Matters	--	--	--	--	--
2.	Atrocity/Harassment	--	--	--	--	--
3.	Economic & Social Development	--	--	--	--	--
4.	Miscellaneous	--	2	2	1	1
	Total	--	2	2	1	1
Meghalaya						
1.	Service Matters	--	--	--	--	--
2.	Atrocity Matters	--	--	--	--	--
3.	Economic & Social Development Matters	--	--	--	--	--
4.	Miscellaneous	--	2	2	1	1
	Total	--	2	2	1	1

Other States namely Mizoram, Arunachal Pradesh and Nagaland have no recorded complaint.

6.3.7 Hyderabad State Office

Statement showing number of cases received, disposed and pending during the year 2013-14.

Table No. 6.8

Sl. No.	Nature of representation	Brought Forward from previous year	Received during the year 2013-14	Total	Disposed off	Pending
(1)	(2)	(3)	(4)	(5)	(6)	(7)
Andhra Pradesh						
1.	Service Matters	90	192	282	162	120
2.	Atrocity Matters	79	110	189	42	147
3.	Economic & Social Development Matters	72	137	209	65	144
4.	Miscellaneous	17	87	104	55	49
	Total	258	526	784	324	460
Madhya Pradesh						
1.	Service Matters	60	167	227	79	148
2.	Atrocity Matters	32	42	74	14	60

Sl. No.	Nature of representation	Brought Forward from previous year	Received during the year 2013-14	Total	Disposed off	Pending
3.	Economic & Social Development Matters	18	56	74	21	53
4.	Miscellaneous	6	12	18	6	12
	Total	116	277	393	120	273
Chattisgarh						
1.	Service Matters	9	47	56	25	31
2.	Atrocity Matters	1	7	8	2	6
3.	Economic & Social Development Matters	1	6	7	2	5
4.	Miscellaneous	3	3	6	0	6
	Total	14	63	77	29	48
Telangana						
1.	Service Matters	--	63	63	30	33
2.	Atrocity Matters	--	14	14	4	10
3.	Economic & Social Development Matters	--	35	35	14	21
4.	Miscellaneous	--	22	22	4	18
	Total	--	134	134	52	82

6.3.8 Kolkata State Office

Statement showing number of cases received, disposed and pending during the year 2013-14.

Table No. 6.9

West Bengal and Odisha						
Sl. No.	Nature of representation	Brought Forward from previous year	Received during the year 2013-14	Total	Disposed off	Pending
(1)	(2)	(3)	(4)	(5)	(6)	(7)
1.	Service Matters	112	193	305	86	219
2.	Atrocity Matters	58	101	159	10	149
3.	Economic & Social Development	31	65	96	23	73
4.	Miscellaneous	31	48	79	12	67
	Total	232	407	639	131	508

6.3.9 Lucknow State Office

Statement showing number of cases received, disposed and pending during the year 2013-14.

Table No. 6.10

Uttar Pradesh						
Sl. No.	Nature of representation	Brought Forward from previous year	Received during the year 2013-14	Total	Disposed off	Pending
(1)	(2)	(3)	(4)	(5)	(6)	(7)
1.	Service Matters	--	649	649	46	603
2.	Atrocity Matters	--	1757	1757	609	1148
3.	Economic & Social Development	--	2469	2469	711	1758
4.	Miscellaneous	--	260	260	44	216
	Total	--	5135	5135	1410	3725

6.3.10 Patna State Office

Statement showing number of cases received, disposed and pending during the year 2013-14.

Table No. 6.11

Sl. No.	Nature of representation	Brought Forward from previous year	Received during the year 2013-14	Total	Disposed off	Pending
(1)	(2)	(3)	(4)	(5)	(6)	(7)
Bihar						
1.	Service Matters	174	195	369	173	196
2.	Atrocity Matters	293	310	603	315	288
3.	Economic & Social Development Matters	57	100	157	86	71
4.	Misc.	53	75	128	68	60
	Total	577	680	1257	642	615
Jharkhand						
1.	Service Matters	25	65	90	70	20
2.	Atrocity Matters	13	56	69	38	31
3.	Economic & Social Development Matters	7	24	31	19	12
4.	Miscellaneous	9	13	22	13	9
	Total	54	158	212	140	72

6.3.11 Pune State Office

Statement showing number of cases received, disposed and pending during the year 2013-14.

Table No. 6.12

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

6.3.12 Thiruvananthapuram State Office

Statement showing number of cases received, disposed and pending during the year 2013-14.

Table No. 6.13

Kerala						
Sl. No.	Nature of representation	Brought Forward from previous year	Received during the year 2013-14	Total	Disposed off	Pending
(1)	(2)	(3)	(4)	(5)	(6)	(7)
1.	Service Matters	57	7	64	11	53
2.	Atrocity Matters	32	20	52	15	37
3.	Economic & Social Development Matters	30	6	36	2	34
4.	Miscellaneous	68	14	82	03	79
	Total	187	47	234	31	203

6.4 Some important and Successful cases

6.4.1 Cases handled in NCSC Headquarters (SSW)

6.4.1.1 File No. N-5/CA-12/2011/SSW-III

Ms. Nidhi Pahadia, D/o Shri R.S. Pahadia, B-142, Duggal Colony, Devli-Khanpur Road, New Delhi-110062 submitted a representation regarding reinstatement in service in the Air India Air Transport Ltd. The matter was taken up with Air India Ltd. After intervention of the Commission, she was reappointed in Air India Transport Services Ltd.

6.4.1.2 File No. B-4/Health-9/2010/SSW-II

Shri Braham Prakash, Supervising Medical Social Service Officer, NDDTC/AIIMS regarding denial of promotion. After the matter was taken

with AIIMS, New Delhi, the case of petitioner was again considered by the Competent Authority and he has been promoted to the post of Chief Medical Social Services Officer.

6.4.1.3 File No.A-6/UA&S-1/2012/SSW-II

Ms. Asha, Hindi Stenographer, posted at Hindi Section, Sports Authority of India (SAI) office at complained regarding fixation of seniority in the Sport Authority of India, New Delhi. The matter was taken with the authority, New Delhi. After intervention of the Commission, the seniority of Smt. Asha was fixed in her favour.

6.4.1.4 File No. A-6/ BHEL-5/2013-SSW-II

Shri A.K. Choudhary, AGM (Block –I, Prod) Staff No.1611593, BHEL, HEPP, Haridwar regarding discrimination in promotion (from Addl. GM to GM) at BHEL Hardwar. The matter was taken up with Bharat Heavy Electricals Limited. After intervention of the Commission, the petitioner was promoted to the post of General Manager.

6.4.1.5 File No.N-4/Haryana-3/2012/ SSW-II

Shri Net Ram, House No.10/318A, Shri Bhim Basti, Near Housing Board Colony, Sector-18 of Old Faridabad, Haryana complained regarding denial of promotion by the Excise & Taxation department, Government of Haryana. The matter was taken up with Excise & Taxation Commissioner, Haryana and after due intervention of the Commission, the petitioner was promoted to the post of Superintendent, Excise & Taxation Department, Government of Haryana.

6.4.1.6 File No.M-26/UP-91/2012/SSW-II

Shri Malkhan Singh, D-96, Patel Nager, Ghaziabad, U.P. regarding denial of retirement benefits. The matter was taken up with the Commissioner Commercial Tax Department, Government of Uttar Pradesh. the petitioner has now been provided pension and all retirement benefits.

6.4.1.7 File No.J-15/UP-48/2011/SSW-II

Shri Jai Kumar, Lecturer, English, Sanatan Dharam Inter College, Kankarkhera, Meerut Cantt regarding promotion. The matter was taken up with the Director, Education Department, Government of U.P., Lucknow, and the petitioner has been promoted to the post of Lecturer w.e.f. 18.11.2011.

6.4.1.8 File No.A-5/Bank-18/2011/SSW-II

Shri Ashok R. Zende, Ex. Asstt. Manager, Union Bank of India, Thane regarding dismissal from services. The matter was taken up with the Union Bank of India. Thereupon the case of petitioner was reviewed by the Bank and the punishment of dismissal from service was modified to the compulsory retirement from the service and he was paid PF & Pension as per rules by the Union Bank of India

6.4.1.9 File No.A-13/CA-16/2007/SSW-II

Shri Amilal, Traffic Supdt. E. N. 201308, Air India, Lucknow regarding harassment. The matter was taken up with the Air India. After intervention of the Commission, the case of petitioner was reviewed by the Air India and

punishment of major penalty was modified to the minor penalty. The petitioner got the financial benefits and would be eligible for further promotion.

6.4.1.10 File No.S-20/Delhi-14/2010/SSW-I

Representation Smt. Sudesh Sant and Others, Nursing Sisters, G.B. Pant Hospital, New Delhi regarding promotion. The Commission has received a representation from the SC employees working in the G.B Pant Hospital, New Delhi regarding denial of promotion to the post of ANS. The Commission took up this matter and conducted hearings as there were violation of rules. Accordingly, the Department was advised to release the promotion orders in favour of the SC petitioners. In compliance with the Department of Health and Family Welfare vide its order dated 10.3.2014 issued promotion orders of the petitioners.

6.4.1.11 File No. R-15/Delhi-44/08/SSW-I

Representation from Smt Tetra Devi W/o Shri Ram Narain Shah, Bailiff ADM Officer (Kotwali), R/o-Gulabi Bagh, New Delhi regarding harassment of her husband Shri Ram Narain Shah. The Commission took up this matter and conducted hearings as violation of rules was observed. Accordingly, the Department was advised to redress the grievances of the SC petitioner. In compliance with, the District Magistrate (Central) has informed that the grievances were resolved by payment of arrears and regularization of leave.

6.4.1.12 File No.M-1/Rly-1/2014/SSW-I

Representation from Smt. Munni W/o Shri Om Prakash, Lucknow regarding request for transfer of her husband Shri Om Prakash, Chief Project Manager, Railway Electrification, Lucknow to South Western Railway (SWR), Hubli. The Commission took up this matter and conducted hearings where some violation of rules were observed. Accordingly, the Department was advised to redressed the grievances of the SC petitioner. In compliance the Railway Board has informed that the transfer order to Hubli has been cancelled and posting of the petitioner has been retained as CPM/RE/Lucknow.

6.4.1.13 File No.K-32/WR-3/2013/SSW-I

Representation from Shri Khem Chand, Assistant, E.A., DTE, CWC Sewa Bhawan, R.K. Puram, New Delhi regarding harassment. The Commission took up this matter and corresponded with the concerned authorities in Central Water Commission. Thereafter, the Central Water Commission has informed the Commission that the petitioners' grievances has been and charges dropped by the Disciplinary Authority. Further the petitioner was also transferred as per his request another department.

6.4.1.14 File No.S-37/Delhi-57/2013/SSW-I

Representation from Shri Satish Kumar, Assistant Engineer (Auto), EDMC, New Delhi regarding promotion. The Commission took up this matter and corresponded with the concerned authority in EDMC and Central Water Commission. Thereafter, the Commission has conducted hearings in the matter and observed violation of rules. Accordingly, the Department concerned was advised to consider for issuing promotion order in favour of the

SC petitioner. In compliance with, the Department has issued promotion order in favour of SC petitioner vide order dated 04.3.2014.

6.4.1.15 File No.P-3/TN-1/2014/SSW-I

Representation dated 20.12.2012 received from Shri P. Manokaran, Selection Grade Assistant General Manager (Marketing), Kanyakumari-DCPMU Limited, K.P. Road, Nagercoil regarding promotion and alleged frequent transfer and request to post him at Chennai Corporate Office, Nandanam in compliance the State Government. has informed the Commission that the petitioner has been promoted and posted as Deputy General Manager (Marketing), at Chennai, his place of choice.

6.4.2 Successful/Important cases on Service matters as recorded in State Offices

6.4.2.1 State Office, Agartala

- Sri Brajendra Sarkar, working as Peon in the Postal Department, R.K.Pur, South Tripura District. He alleged that the Postal Department regularized his service in the year 1992. But since 1992 the Department deprived him from some allowances for which he was entitled as other postal employees serving in the N-E Circle. From 1992 the Department deducted GPF contribution from his salary but suddenly in 2004 the Department has been stopped deducting GPF contribution from his salary and adjusted his service from old pension scheme to new pension scheme. On his appeal the State Office took up the matter with the competent authority. In January, 2014 Sri Sarkar got arrears of all admissible allowances since 1992.

6.4.2.2 State Office, Bangalore

- **File No.41/08/2013-Ru** : Shri M.Narayana, St.No.7872-H, Dep.No.866, Joint Secretary ITI SC/ST EWA, Bangalore sent his representation dated 23.01.2013 stating that he is facing harassment by ITI management, NCSC has took up the matter with the General Manager ITI, Bangalore vide letter dated 05.02.2013. Due to intervention of this office ITI management vide letter dated 06.6.2013 informed that they had withdrawn the case and gave time bound promotion to the petitioner.
- **File No.: 56/11/2013-Ru**:Shri C. Govindharasu, AGM, UBD, RBI, Bangalore had represented to the State Office NCSC, Bangalore stated that after getting promotion to DGM he has not been provided cabin in the office. Through telephonic talk to the RBI this case was solved and the petitioner had been provided a cabin.
- **File No.: 41/05/2013-Ru**:Shri Pochaiiah.D, T.No.10230/230, Crane Driver, HMT MTL Ltd., MBX, Bangalore requested this Commission to take up his transfer case with HMT management through his letter dated 08.01.2013. The State Office, NCSC, Bangalore took up the matter with the Dy.General Manager, HMT, Jallahalli, Bangalore vide letter dated 20.2.2013. By 24.06.2013 the 15 years old case was resolved and the petitioner got transfer to his place of choice.

- **File No.: 40/26/2013-Ru:**Ms.Vijayamma M D/o late Muniswamy, No.58, Gangamma Temple, Jalahalli Post, Bangalore was submitted a representation to this office on 27.05.2013. The case detail is as follows: The petitioner's father Shri Muniswamy, who was a cook in Artillery Centre, Defence Department, Government of India, Hyderabad expired on 20.11.1983. The petitioner's mother who was getting pension also expired on 15.03.2008. Ms. Vijayamma, the petitioner (unmarried lady) is the only survivor in her family and she applied for family pension to the Artillery Centre. Due to intervention of the State Office of NCSC, Bangalore the petitioner got her family pension in January 2014.
- **File No.: 41/35/2013-Ru:**Shri M.Sridhar, District Secretary, SC/ST Employees Welfare Association of BSNL submitted a representation stating that one Shri Hanumaiah, SSS has not received his pension for several months. After approaching the Post Office he found out that the post office had redirected the unclaimed amount for several months to GPO without confirming the death of the pensioner. The matter was taken up with the Chief General Manager, BSNL, Bangalore vide this office letter dated 25.9.2013 and reminder. The petitioner through his letter dated 10.1.2014 thanked the State Office of NCSC Bangalore for timely action.
- **File No.: 44/22/2012-Ru:**This office received a representation from Shri M.Hanumanthappa, Assistant Manager, Kolar Dairy, Kolar regarding promotion. The State Office, NCSC, Bangalore took up the matter with the Secretary , Department of Co-operative, Bangalore and the Commissioner, Social Welfare Department, Bangalore vide letter dated 30.1.2013. After follow up this office received a reply from Kolar-Chikkaballapura District Co-operative Milk Producers Societies Union Ltd dated 27.1.14 stating that the petitioner had been given the desired promotion.
- **File No.: 41/12/2013-Ru:**NCSC, New Delhi forwarded a representation dated 20.11.2012 of Shri K.Suresh Babu, AGM (P), National Seeds Corp. Ltd., UAS Campus, Hebbal, Bangalore regarding his promotion to this office on 1.4.2013. The petitioner has alleged that he had been discriminated by not being promoted and promoting his junior. This office had taken up the matter with the General Manager, NSCL, New Delhi vide letter dated 8.5.2013. After reminder, the State Office, NCSC Bangalore received a reply from NSCL vide letter dated 12.12.2013 that the promotion has been granted.
- **File No.: 42/10/2013-Ru:**Shri Krishnamurthy, Typist, Commercial Tax Department, Karnataka submitted a representation in the month of July 2013 regarding change of cadre from Typist to Second Division Clerk. The State Office of NCSC, Bangalore had taken up the matter with the Commissioner, Department of Commercial Tax, Bangalore and the Commissioner, Social Welfare Officer, Bangalore. Due to intervention of this office Commercial Taxes, Bangalore replied vide letter dated 4.12.13 stated that the Department has changed the cadre to Second Division Clerk from 16.12.2013.

- **File No.: 41/39/2013-Ru:**The petitioner Shri D.Nagesh, General Secretary, Dr.B.R.Ambedkar SC/ST Association, New Mangalore Port Trust Panambur had submitted a representation to this office on 23.08.2013 regarding withheld of his retirement benefit by NMPT. This office had taken up the matter with NMPT vide this office letter dated 24.09.2013 and received a reply vide NMPT letter No.4/9/2013 CPSM.2 dated 16.12.2013 which stated that all his benefits had been settled.
- **File No.: 56/16/2013-Ru:**Shri Vijay Kumar V.N., Emp.No.20246 I.W. Gr.III, Production (Offset), BRBNMPL, Mysore submitted a representation dated 19.7.2013 regarding request for time bound promotion. This office issued CMIS acknowledgement and 1st notice to the General Manager, Bharatiya Reserve Bank Note Mudran (P) Ltd., Mysore dated 12.08.2013. This office received a reply from the management letter dated 19.11.2013 stating that that the SC petitioner has been given promotion w.e.f. 21.1.2009.
- **File No.: 56/10/2013-Ru:**Shri Narayanappa, General Secretary, UCO Bank Scheduled Castes/ Tribes/ OBC Employees Council had represented a transfer case of Shri K.Gopa, Manager vide their letter dated 14.12.received in the office on 1.04.2013. The matter taken up through CMIS vide letter dated 23.5.2013. UCO Bank vide their letter dated 24.06.2013 stated that the petitioner got his transfer.
- **File No.: 40/23/2013-Ru:**Shri Sanjay Kumar, Librarian, Kendriya Vidyalaya, Raichur has given representation to NCSC, New Delhi regarding his relieve from KV to join the new post of Assistant Librarian & Information Officer, NCSC. This office took up the matter with the Joint Commissioner (Admn.), Kendriya Vidyalaya Sangathan, New Delhi and the reply dated 3.7.13 received by this office stated that he had been relieved from service.
- **File No.: 45/63/2013-Ru:**Smt. Sujatha, Senior Assistant, ISCB Ltd represented this office vide her letter dated 29.5.2013 regarding permission to get the assistance of an advocate in connection with domestic enquiry. This office took up the matter with the management on 16.7.2013 and received reply on 29.7.2013 stating that the case is settled. The petitioner also thanked this office for settling her case.
- **File No.: 45/31/2013-Ru:**Representation dated 16.03.2013 received from Shri Sridhar, District Secretary SC/ST Employees Welfare Association, BSNL regarding counting half of the service paid from contingencies with regular service pertaining to casual Mazdoors in BSNL. This office had taken up the matter with the Chief General Manager Telecom, Bangalore vide letter dated 4.4.2013. The Deputy General Manager (HR & Admn), BSNL, Bangalore replied after resolving matter to this office vide letter No.SCT/NC/ST/Stat/KTK/08-09/71 dated 03.07.2013 and the petitioner has also thanked this office for successful intervention in the matter.
- **File No.: 41/18/2013-Ru:**The petitioner Shri Harsha Vardhana Prakash, Qt.No.D-12, Kaiga, NPCIL T/S, Mallapur, Uttarkannada district had submitted a representation to this office on 25.05.2013 regarding harassment, removal from service by NPCIL management. The office

took up the matter with the Station Director, Nuclear Power Corporation of India Limited, Kaiga vide letter dated 17.06.2013. The Management replied vide their letter dated 23/24.09.2013 that the petitioner had been reinstated in service.

- **File No.: 41/17/2013-Ru:**Shri S.Eswara Naik, Assistant General Manager (South), HMT Watches Ltd., 59, Bellary Road, Bangalore submitted a representation dated 15.05.2013 to this office regarding his promotion. This office had taken up his case with the Chairman and Managing Director, HMT Watches, Bangalore vide letter dated 10.6.2013. The HMT Watches Ltd replied to this office vide letter dated 24.6.2013 stating that the petitioner had been given promotion w.e.f. 1.7.2012.
- **File No.: 41/14/2011-Ru:**Smt. Sapna Bhaskar working in BEL represented through her letter dated 16.09.2011 stating that she had been issued charge sheet for suppression of facts at the time of her selection/ joining BEL. After correspondence with the Management the case had been solved. The petitioner thanked this office stating that all the charges had been dropped and she was found not guilty vide an e- mail dated 27.02.2014.

6.4.2.3 State Office, Chennai

- **File No: 9/13/2013 Rep.** Shri.M.Mohan Babu, Assistant, Regional Metrological Centre Chennai had submitted a representation dated 22.3.2013 with a request for retention in Chennai / Bangalore on promotion to the post of Administrative Officer, Grade-III. The case was taken up with the Director General, Metrology, Indian Metrological Department, New Delhi vide this Office letter dated 25.5.2013. Reply was received stating that the request of Shri.M.MohanBabu, Assistant for change of posting from Regional Metrological Centre, Kolkatta to Regional Metrological Centre, Bangalore on promotion to the cadre of Administrative Officer, Grade-III was favourably considered by the Competent Authority.
- **F.No: 8/89/2013 Rep:**Shri.M.Krishnan, Marukampatti Village, Dharmapuri District has requested for nominating him as Member in the Primary Agriculture Co-operative Loan Society of Seliyampatti as per selection. The case was taken up with the District Collector, Dharmapuri on 4.12.2013. The District Collector, Dharmapuri vide his letter dated 21.1.2014 informed that the petitioner has joined the Society as Member on 17.1.2014 as per the selection.
- **F.No: 9/17/2013 Rep (Rly.):** Shri.R.Chairmanraj, Chennai has represented to this Office alleging that his promotion was not considered due to anomaly in the Seniority. The issue was taken up with the General Manager, Southern Railway, Chennai on 6.8.2013 with subsequent reminders. The petitioner Shri. E.Chairman Raj has sent a letter thanking the NCSC for intervention and stating that he got promotion as Senior Section Engineer / Design with a Grade Pay of ` 4600/-

6.4.2.4 State Office, Kolkata

West Bengal

- **File No. 8/36/2012-Gen/WB** : Shri Subhas Chandra Santra, a resident of Nabasan, P.O. & P.S. Bagnan, Dist. Howrah had complained about non-receipt of pension through EPFO, Howrah Division. The State Office, NCSC, Kolkata had taken up the matter with Regional Provident Fund Commissioner and Shri Santra subsequently received pension.
- **File No. 9/12/2012-Gen/WB** : The 14th April Committee, Kolkata vide their representation dated 02.2.2011 highlighted the issue of denial of promotion to the Chief Manager cadre in respect of S/Shri Mukul Ranjan Barai and Bijoy Biswas working in Kolkata Municipal Corporation. Due to sustained intervention of the State Office, NCSC, Kolkata, the authority vide their communication dated 26.3.2013 had informed that the duo was granted promotion with the retrospective effect.
- **File No. 8/13/2012-Gen/WB** : Shri Smarajit Saha, an officer of the rank of Additional General Manager (RIC & CC) working in the Garden Reach Shipbuilders & Engineers Ltd., Kolkata had complained 8.9.2012 that his probation period has been extended by the Company arbitrarily though there was no reason to extend his probation beyond the prescribed period. Acting upon the complaint, the matter was referred to GRSE and the Company vide their communication dated 06.2.2013 had informed that the extension of probation was revoked. Shri Saha assumed his office in GRSE permanently.
- **File No. 7/15/2013-Gen/WB** : The 14th April Committee, Kolkata vide their representation dated 30.7.2013 highlighted the issue of denial of promotion of 10 SC candidates to the post of Inspector in Kolkata Municipal Corporation. Due to intervention of the State Office, NCSC, Kolkata, the authority vide their communication dated 26.12.2013 had informed that the promotions have been given to all left out SC candidates with retrospective effect.
- **File No. 6/4/2013-Gen/WB** : Km Chaina Baidya, MTS vide her complaint 14.4.2013 had informed that she had appeared in an examination to qualify the LGO posts. She complained that though she belonged to reserved class, but no concession was given to her to qualify in LGO examination. Upon receiving the complaint, the matter was referred to CPMG, Kolkata Circle and the CPMG, Kolkata vide their reply dated 07.05.2013 informed that the mistake has been rectified and Km Baidya has been offered appointment w.e.f. the employment year 2010.
- **File No. CMIS 131934217007061/105** : Shri Amit Kr. Bhagat, Gatekeeper under SSE (PW)/BWN (W)/Eastern Railway/Howrah had complained that he had been punished arbitrarily by the Appellate Authority in Eastern Railway by stopping his privilege railway passes. The NCSC, State Office, Kolkata took up the matter with the Eastern Railway. The Chief Personnel Officer (A), Eastern Railway vide a letter informed the State Office NCSC that complaint against Shri Bhagat has been

disposed of and all orders regarding his punishments have been quashed by the railway authority.

- **File No.6/2/2012-Gen/WB** : A representation received from Shri Ratan Kumar Biswas, Casual Labourer, , Prasar Bharati on 12.06.2012. Shri Biswas, the senior most employee working since 1988 belongs to SC, was not regularized though his juniors got. On receipt of the representation the matter was taken up with the Additional Director General, Prasar Bharati (EZ). After hearing of the case by the Hon'ble Member, Shri Raju Parmar on 24.09.2013, services of Shri Biswas were regularized w.e.f. the date of his junior was regularized.
- **File No.9/2/2013-Gen/WB(KMC)** : A representation received on 31.09.2013 from Shri Jatin Das, Chargehand, Kolkata Municipal Corporation(KMC). It is alleged in the representation that he has been deprived from promotion to the post of Foreman. On receipt of the representation, the matter was taken up with the KMC authorities on 25.06.2013. The Municipal Commissioner informed that Shri Jatin Das got promotion to the post of 'Foreman' on 26.07.2013.
- **File No.131934217004412** : A representation received from Shri BinayKumar Sarkar, Labour Officer, Kolkata Port Trust (KOPT) wherein it was alleged that gross injustice done to him by the KOPT authority by awarding illegal punishment of reduction of pay by one stage for one year without cumulative effect. On receipt of the representation, the matter was taken up with the KOPT authority. The KOPT authority informed that Shri Sarkar was charge sheeted on the following charges:

(i) Failing to take appropriate action against unauthorized occupant of Quarter No.38/1.

(ii) Failing to take action for eviction of rank outside from Quarter No.83/18 with police assistance.

After analyzing the whole matter it was observed that the authority has done injustice to Shri Sarkar. Shri Raju Parmar, Hon'ble Member had taken and the KOPT settled the matter by withdrawing the charge-sheet as well as the punishment given to Shri Sarkar.

- **File No.8/27/2012-Gen/WB** : A representation received from the Vice President, Durgapur Sub Divisional Depressed Classes League wherein it was alleged that one Shri A.K. Ambedkar, Asstt. General Manager, Durgapur Steel Plant (DSP) was physically assaulted and humiliated by Shri Suresh Prasad, G.M., DSP.

On receipt of the letter, a letter was issued to the Superintendent of Police, Burdwan and the Chief Executive Officer, DSP, the Manager(Personnel), DSP informed this office that the matter has been amicably settled between Shri A.K. Ambedkar and Shri Suresh Prasad. A letter of Shri Ambedkar addressed to the President, Durgapur Sub Divisional Depressed Classes League and copy endorsed to the State Office of NCSC, Kolkata has also confirmed the same.

- **File No.131934217007931/135** : Shri Lalit Mohan Gayen, Sr. Peon, Calcutta University submitted a representation and alleged that a

promotion to the post of Junior Assistant cum Typist has been issued on 26.06.2013 but the Calcutta University authority issued appointment letter to all the candidates listed in the promotion order except the petitioner without giving any reason.

On receipt of the representation, the matter was taken up with the Calcutta University authority. The matter has been resolved and the promotion order has been issued.

- **File No.8/7/2012-Gen/WB** : Shri A.R. Halder, Technical Assistant of Central Warehousing Corporation posted at Kolkata CFS submitted a representation on 28.02.2013 that he has been transferred to Koksara, Odisha vide Order No.14/2/2013. He is a heart patient and undergone angioplasty operation. He also informed that out of his 22 years of service he was posted in Gujarat region for 10 years and 2.5 years in other regions. He requested to the management to cancel his transfer order but the management did not consider his request.

On receipt of the petition, the matter was taken up with the Deputy General Manager, CWC, New Delhi on 28.02.2013. On 08.08.2013, the General Manager informed that his transfer order has been cancelled.

- **131934217004633/S.E.R./WB** : Zonal General Secretary, All India SC/ST Railway Employees Association, S.E.Rly vide his representation dated 01.7.2013 had complained that one Shri Tulsi Ram Verma, Sr. Section Engineer, Electrical (TRS) posted under Sr. DEE (OP)/KGP was not relieved by his superior despite of orders to enable him to join Rae Bareli where he had opted for his posting.

Shri Raju Parmar, Hon'ble Member, NCSC during his review meeting with the Divisional Railway Manager, Kharagpur, Hon'ble Member directed the Railway to submit compliance report within 15 days. The Railway vide their reply informed that Shri Verma has been accordingly relieved and joined at Rae Bareli.

Odisha

- **File No. 11/5/2012-Gen/OR** : A complaint was received from the Utkal Malha Jatiys Sangram Samiti, Aul-Kanika regarding alleged non-issuing of SC Caste Certificate to "Malha" community by the O/o the Tehsildar, Kanika, Dist. Kendrapara. The matter was referred to the District Collector, Kendrapara subsequently. The District Collector, Kendrapara, in his reply has confirmed that the matter has been sorted out and the "Malha" community people now are getting SC certificates as and when applying for the same.

6.4.2.5 State Office, Patna

- Shri Ravi Kumar of village Patelnagar, P.S.-Mojahidpur, Distt.- Bhagalpur submitted his representation dated 27.06.2011 to the NCSC, Patna regarding release from penal action and promotion of his father Shri Buddhadeo Rajak working as Asstt. Manager in Central Co-operative Bank, Bhagalpur. It was stated in the representation that the bank

authorities has stopped annual increments and transferred his father without any valid reason. He has also been debarred from promotion.

The NCSC, State Office, Patna took up the matter with the Managing Director, Central Co-operative Bank, Bhagalpur as well as with the Principal Secretary, Co-operative Department, Govt. of Bihar, Patna vide its letter dated 13.07.2011 and the relevant papers were examined. It was observed that the grievances of Shri Buddhadeo Rajak were true and justified. With this observation, the concerned authorities were requested to re-examination the penal action and to extend the service benefits to Shri Buddhadeo Rajak. As a result of regular follow up action, Shri Buddhadeo Rajak was released from penal charges and also got promotion.

- Shri Rambabu Kumar of village Gularia, PO- Ghorasahan, Distt.- East Champaran submitted his representation dated 15.02.2012 to the NCSC, Patna regarding transfer and upto date payment of salary to his wife Smt. SaritaKumari working as teacher in Govt. Middle School, BaraiyaTola, Bankatwa, East Champaran. It was stated in the representation that his wife has not been paid salary for 19 months and due to family problems she is facing many difficulties to work in the school which is situated in faraway place from her house. She has requested repeatedly to the District Education authorities for her posting in nearby school and for making payment of her dues salary. But the grievances of his wife could not be redressed.

The NCSC, State Office, Patna took up the matter with the District Magistrate as well as with the District Education Officer, East Champaran, Motihari and requested to solve the problems. The matter was followed up regularly and as a result, the wife of the petitioner got transferred to suitable place and got payment of her salary dues.

- Smt. Sushmita Das w/o Late Mantosh Kumar Das of Mafarganj, Distt.- Katihar submitted her representation dated 26.09.2011 to the NCSC, Patna regarding settlement of family pension. It was stated in the petition that she has been approaching the Departmental authorities since long but the matter is pending for one reason or the other.

The NCSC, State Office, Patna took up the matter with the Chief General Manager, BSNL, Bihar Circle, Patna and requested to take necessary action for redressal of the grievances of the petitioner. The matter was followed up regularly and as a result, the BSNL, Bihar Circle, Patna informed the Commission that the matter has been successfully settled.

- Shri Ramakant Dayal s/o Late Bachhu Ram, village- Mokar, Distt.- Jehanabad has submitted his representation dated 18.01.2012 to the NCSC, State Office, Patna regarding non-payment of monetary benefits after death of his father working as Superintendent in Water Resources Department, Government of Bihar, Patna. It was stated in the representation that his mother is also not alive. He has already submitted all documents to the department but payment of the monetary benefit has not been made.

The NCSC, State Office, Patna took up the matter with the Principal Secretary, Water Resources Department, Govt. of Bihar, Patna for necessary action in the matter. After issuing two reminders the Under Secretary, Water Resources Department, Govt. of Bihar, Patna informed the Commission that the petitioner has already been paid his dues amount along with interest payable after adjusting the loan amount which was taken by his father.

- Smt. Rajkumari Devi, Aanganwadi Sevika, Centre No. 137, Panchayat-Amritpur, Distt.- Vaishali submitted her representation dated nil to the NCSC, State Office, Patna (received on 24-09-2013) regarding termination of her services to the post of Sevika on false allegation. It was stated in the representation that she has been harassed due to her being a member of the Scheduled Castes.

The NCSC, Patna took up the matter with the Principal Secretary, Social Welfare Department, Govt. of Bihar, Patna for necessary action and the matter was also discussed with the Addl. Secretary, Social Welfare Department, Govt. of Bihar, District Program Officer, Vaishali and Child Development Project Officer, Vaishali and related papers were examined. It was observed that the termination of the petitioner was wrong. The NCSC, State Office, Patna suggested the Social Welfare Deptt., Govt. of Bihar, Patna to review the termination case of the petitioner. As a result of regular follow up action, the petitioner has been reinstated in the service.

- Shri JaiprakashVidyarthi, Head Master, Govt. Primary School, Kalyanpura, Distt.- Gopalganj submitted his representation dated 24.12.2012 to the NCSC, State Office, Patna regarding his harassment. It was stated in the representation that he has been suspended on the baseless allegations.

The NCSC, State Office, Patna took up the matter with the District Education Officer, Gopalganj for necessary action in the matter. The District Education Officer, Gopalganj informed the Commission that the suspension of the petitioner has been revoked and process for his promotion has been initiated.

- Smt. Sangeeta Devi and others, MAMTA Workers, Darbhanga Medical College, Darbhanga submitted their representation dated 17.04.2013 to the NCSC, State Office, Patna regarding termination of their services of MAMTA Workers with no reason.

The NCSC, State Office, Patna took up the matter with the Superintendent, Darbhanga Medical College & Hospital, Darbhanga for necessary action. It has been informed by the Superintendent, DMCH, ,Darbhanga that necessary action has already been taken for reinstatement of 24 MAMTA Workers.

- Shri Manohar Paswan, Police/31, Police Centre, Lohardagga (Jharkhand) submitted his representation dated nil to the NCSC, State Office, Patna (received on 03-05-2013) regarding grant of ACP and MACP and promotion to the post of Asstt. Sub Inspector. It was stated in the representation that he is an eligible candidate for promotion to the post of Asstt. Sub Inspector but the department is not promoting him. He has not

been granted the benefit of ACP and MACP for which he fulfilled all requirements.

The NCSC, State Office, Patna took up the matter with the Superintendent of Police, Lohardagga and requested to take necessary action in the matter to protect the interest of a sch. caste employee. The Superintendent of Police, Lohardagga informed the Commission that the petitioner has already been granted 1st ACP and action has also been initiated for grant of 2nd MACP and promotion to the post of Asst. Sub Inspector.

- Shri Naresh Kumar, Personnel Officer, Jharkhand State Electricity Board, Ranchi submitted his representation regarding his promotion to the post of Dy. Director (Personnel). the representation was handed over the JSEB authorities in original during their meeting of Hon'ble Member Shri Shivanna held on 02.02.2013 for redressal of the grievance.

The State Office, NCSC, Patna followed up action in the matter for early redressal of the grievance of Shri Naresh Kumar. The Secretary, Jharkhand State Electricity Board, Ranchi informed the NCSC, State Office, Patna that the petitioner has been promoted to the post of Dy. Director (Personnel).

6.4.2.6 State Office, Pune

- **NCSC/PUNE/72/2013/SSW-I** : Shri Sonwane had submitted the representation on 10/07/2013 to the Commission for non-promotion to the post of Driver Gr.-I. The matter was taken up with the Central Water & Power Research Station (CWPRS), Khadakwasala on 28/08/2013. CWPRS inreply had intimated finally on 03/1/2013 that the due promotion as Driver grade –I was given from 23/10/2013.
- **NCSC/PUNE/46/2012 SSW-III** : Commission received a representation from Smt. Yogita Maru, regarding non-payment of terminal benefits by the O/o the Commissioner Employees State Insurance Scheme. The matter was taken up with the ESICS on 20.11.2012, with subsequent follow-ups. The O/o The ESICS, had finally intimated Vide letter No. Commi./ESIC/YSM/Pen/2014 dated 14.3.2013 that all terminal benefits were provided to the petitioner.
- **NCSC/PUNE/15/2010/SSW-II** : Shri. Mukesh Tukaram Gaikwad, had submitted a representation regarding non promotion to the post of Sr. Driver. The matter was taken up with the BSNL authority on 08/07/2010. BSNL vide letter No. A/HRD/CGL/MD/III/2010- 11/26 dated 04.8.2013 sating that petitioner had joined as a peon in the organization and at the time of appointment in 1992 was made clear that he will not be regularized on the above post. The matter was followed up by the office on the plea that he is working as Driver on continuous basis for last 15years and therefore it may be considered. Finally the BSNL circle Mumbai vide letter dated No. A/HRD-1/CGL/MD-III/2013-14/57 dated 27/12/2013 had intimated that he is regularized since 4/12/1992.
- **NCSC/PUNE/11/2012-SSW-II** : Commission had received a representation from Shri Bhavesh Karkate, AAO (Admin) LIC Satara regarding consideration for his posting/transfer. LIC vide letter No.

CO/ER/R/Res)1/1213/L))# dated 26/04/2012 had intimated that the his modified posting order was considered and posted him accordingly.

- **NCSC/PUNE/26/2012/SSW-III** : State Office, Pune had received a representation from Shri Jawahar Sing regarding revocation of suspension. The matter was taken up with the D/o Home Govt. of Maharashtra on 30.10.2012. The Department of Home, Government of Maharashtra vide letter No. IPS 1512/CR. 368/PO-1 dated 02.2.2012 had intimated that the suspension has been revoked.
- **NCSC/PUNE/38/2012-SSW-II** :Shri. H.S. Moon, had submitted a representation regarding he was being treated as general category employee by NPCIL even despite having a valid SC caste certificate. The matter was taken up with the NPCIL on 04.12.2012. After evaluating the said details the petitioner was considered as Scheduled Caste candidate.
- **NCSC/PUNE/10/2013-SSW-III** : Shri Narayan Pathade had submitted a representation on regarding denial of to the post of Municipal Secretary. The matter was taken up with the BMC Commissioner on 10.1.2013 Commissioners vide his letter No. MPC/5017 dated 10.06.2013 had intimated that on the basis of the merit and superannuation of the Municipal Secretary the petitioner is promoted as Dy. Municipal Secretary w.e.f 05.02.2013.
- **NCSC/PUNE/20/2013/SSW-IV** : Ms. Tara Jadhav had made a complaint that she was declared as surplus but the Education officer had asked to accommodate her in Pratishta Junior College Paithan but the Educational Institute letting her join letting her join. The matter was taken up with the Education Officer Aurangabad on 06.8.2013 and followed up. Finally the Education Officer Aurangabad vide his letter No. Shi. U.S/Kma Vi-1/2012-2013/3472 dated 24th Dec 2013 had intimated that the petitioner has been posted at Marathawada Shikshan Prasarak Mandal, Muktanand Junior College, Gangapur Aurangabad.
- **NCSC/PUNE/37/2013-SSW-III** : Shri Jagdish Sahadu Lingayat, a Driver met with an accident on duty and therefore requested for the alternative employment on the basis of disability. The matter was taken up with the Divisional Controller of MSRTC, Dhule, on 8th July 2013. Divisional Controller MSRTC had intimated vide letter No. ST/DCD/PER/EST/6227 dated 11.12.2013 that the petitioner has been provided the job of cleaner as an alternative post.
- **NCSC/PUNE/20/2013-SSW-III** : A representation received from Ku. Sonalisa Gaikwad, regarding non appointment to the post of LDC. The matter was taken up with the Commissioner R.T.O., Mumbai. Commissioner R.T.O vides his letter No. Ka.8A/Li.D.Bharati-2011/NAGA/(Pra)/13 dated 07.12.2013 had informed that after the petitioner had offered the appointment letter.
- **NCSC/PUNE/27/2010-SSW-I** : Shri. A.N. Mastanrao had submitted a representation regarding non promotion to the Post of Chief Fire Officer. The matter was taken up on 01.11.2010 with Director, BARC. The matter was continuously followed-up for 2 years and finally the BARC vide their letter No. 35/26/2012-SCS dated 5th Dec 2013 had intimated that the

petitioner was given the promotion to the post of Dy. Chief Fire Officer, on 22/10/2013.

- **NCSC/PUNE/66/2013/SSW-III** : Commission had received a representation from Shri D. Mohite regarding correction in seniority. The matter was taken up with the Maharashtra Jeevan Pradhikaran Mumbai on 10/10/2013. The Chief Admin Officer vide his letter No. MJP/2020/DDM/8/E-3 dated 25/11/2013 had intimated that the claim of the petitioner was found true and got corrected.
- **NCSC/PUNE/24/2011/SSW-II** : State Office had received a representation from Shri. B.K. Jogdand, regarding denial of promotion to the post of Assistant Engineer. The matter was taken up with the BMC on 2nd Sept 2011. The matter was followed up vigorously. BMC vide their letter No S.ASP/1018/dated 24/07/2013 had intimated that the promotion to the post of Assistant Engineer is being provided to the petitioner.
- **NCSC/PUNE/13/2013/SSW-II** : Suresh Chandra Poonam Kambale had submitted a representation on 1/6/2013 to the Commission for non-payment of leave encashment. The dues were paid by the BSNL on 10/10/2013.

6.4.2.7 State Office, Hyderabad

- **F. No. 1/336/13/AP-Ser.:** Shri P. Kumara Chandra, SSE of South Central Railway (Kazipet Division) complained of Caste based harassment and discriminatory transfer. The case was taken up and found that CAT has upheld his transfer with certain riders to the SCR. Without following CAT directions SCR picked up whatever is convenient to them in CAT order and chargesheeted the petitioner again denying him natural justice. Therefore, discussions were held with Dy. CPO, SCR and recommendations were given. SCR finally gave him the choice posting and dropped the charge sheet.
- **F. No. 6/27/12/AP-RU:** A petition was received from Shri Siva Kumar of Rudraram Village, Khammam Dist. regarding bogus certificate of Smt. BattiEaswari of Kothagudem. After protracted follow up by this office with Collector, MRO, Khammam conducted enquiry and cancelled the caste certificate.
- **F. No. 42/10/12/AP-Ser.:** Shri N. Pratap, Technical Assistant of DWMA submitted a representation regarding termination of service. The petition was examined and found that he was implicated in an alleged irregularity on flimsy grounds. The allegation was that he performed a particular work in a particular village instead of performing same in a particular village. The work was approved by the Grampanchayat, supervised by MRO, MDO, APO and PO himself. The petitioner who is only a Technical Assistant was made scapegoat in the alleged irregularity even though financial loss to the Government is nil. After a recommendation was issued by this office, PD, DWMA reinstated him in the service.

- **F. No. 45/23/13/AP-RU:** A Watchman from Gooty, Anantapur complained that his children studying in class V & VII were not allowed to go school following harassment by Principal. He submitted that he was terminated from the service, as he was an outsourced service person whereas his children in no way connected to the matter. It was found by this office that disciplinary committee took this inhuman decision only at the behest of the Principal. The matter was notified to Regional Office, KV and they rectified the matter and children were re-admitted.

6.4.2.8 State Office, Thiruvananthapuram

- **FILE NO.KL/12/4/2012(Hqrs) :**Shri K.K. Pulari hails from Ernakulam District submitted his grievance petition through NCSC headquarters requesting to appoint him as Watchman in MPEDA, Cochin. The matter was taken up with the Chairman, MPEDA. In this regard, a reply received from the Secretary, MPEDA stating that in pursuance of the casual labourers scheme of Government of India 1993, all the eligible casual labourers were granted temporary status including the petitioner. Also they have already initiated action for appointing the petitioner on regular basis by relaxing the eligible criteria.
- **FILE NO.KL/12/20/2013(HQrs) :** Shri. Raghavan Koyon, Ship Wright (HS), WTC/Boat Pool, INA Ezhimala, Naval Academy, Kannur submitted a grievance petition for transfer on medical ground. The matter was taken up with the Flag Officer Commanding Chief, HQrs, Southern Naval Command, Cochin for necessary action. A final reply received from them stating that the petitioner was transferred.
- **FILE NO.KL/12/21/2013(HQrs) :** Shri. P.K. Sudhakaran, Head Light Keeper, Ponnani Light House, Malappuram submitted his grievance petition through NCSC headquarters regarding transfer. The matter was taken up with the Director, Light Houses and Light Ships for corrective action. A reply received from the concerned stating that the department posted him to Cochin Office as desired by the Petitioner.
- **FILE NO.KL/12/21/2011 :** Dr. C.T. Sunil Kumar, Food Corporation of India, Trivandrum submitted his grievance petition regarding rating in APAR and allocation of work. The matter was taken up with the Chairman, Food Corporation of India, New Delhi for corrective action. After a continuous follow up with the concerned, a final reply received from them stating that the APAR of the petitioner for the period 3.7.2010 to 31.12.2010 treated as Null and void as the assessed had worked under the reporting Officer for less than three months.
- **FILE NO.KL/12/14/2008 :** The Vice President, Federation of Central Government SC/ST Employees submitted the grievance petition, requesting to take necessary action on harassment and discrimination meted out to a Senior Officer in BPCL, Kochi. The matter was taken up with the Chairman and Managing Director, BPCL and with the Commissioner of Police, Kochi. Finally a letter received from the Commissioner of Police informing that the case was registered under Section 3(i)(ix) of POA Act and Charge sheet filed.

- **FILE NO.KL/12/23/2013(HQrts)** : Shri P.K. Manoharan, Instrumentalist, All India Radio, Thrissur submitted his grievance petition regarding discrepancies in the matter of granting entitled pay scale and grant of ACP/MACP. The matter was taken up with the Director General, All India Radio, New Delhi for necessary action. A final reply received from the Director General intimated that the Petitioner has been granted second financial up gradation under MACP Scheme.
- **FILE NO.KL/12/27/2013** : Shri. Sasikalan Aramban, Southern Naval Command SC/ST Welfare Association submitted a grievance petition requesting to fill up the backlog vacancies in promotions in the Mechanical (HS I) grade of Southern Naval Command. Accordingly the case of 3 SC employees Shri.K.S.Sunoj, Shri.V. Sujith and Shri A.K. Manilal were taken up at the time of Review Meeting of Hon'ble Member Shri.M. Shivanna held at Southern Naval Command and subsequently also followed up. The three SC employees got their promotion vide the letter dated 26.9. 2013.

6.5 Successful cases in Economic and Social Development Wing

6.5.1 Successful cases in NCSC headquarters

The following cases have been recorded as successful cases during the year 2013-14 in respect of ESDW, at Headquarters of Commission.

- **File Number : 24/102/UP/Misc/2013/ESDW** : Bhai Kamal Singh, President Bhujan Samaj Suraksha Sangh, Ghaziabad, Uttar Pradesh regarding displacement of statue of Baba Saheb Ambedkar while Road widening by the Ghaziabad Development Authority

The matter was taken up with the Ghaziabad Development Authority and after intervention of the Commission, the Ghaziabad Development Authority provided a place nearby Park to setup the statue of Baba Saheb Ambedkar.

- **File Number: 16/35/Delhi/2013/ESDW** : Shri N. Paul Divakar, General Secretary, National Campaign on Dalit Human Rights regarding discontinuation of the scheme namely Centre for Study of Social Exclusion and Inclusive Policies from Financial Exclusion and Inclusive Policies from the Financial Year 2013-14.

The matter was taken up with the UGC and after intervention of the Commission, UGC has continued the scheme of Center for Study of Social Exclusion and Inclusive Policies until further orders.

- **File Number: 24/5/Misc/UP/2014/ESDW** : Shri Mayank Katheriya, Sub Contractor of Venturer Engineers, H. No. 120, Sector-1, Ghaziabad, U.P reg. release the payment of contract with Venturer Engineers for IGL.

The matter was taken up with the Indraprastha Gas Limited (IGL) and after intervention of the Commission, the total final amount of 10.54 lakh

was paid by the M/s Venturer Engineers to M/s Kathariya Engineers and constructor.

- **File No. : 15/6/UP/2013/ESDW** : Smt. Anju Bala, R/o H. No. 6/229, Vipul Khand, Gomti Nagar, Lucknow has represented the Commission regarding physical possession of Flat No. 802, HIG, Vasant Kunj, Jarnana Block-1 Pocket D-6, 8th Floor regarding demand of ` 1.76 lac, the cost of furniture and furnishing for the flat by the Delhi Development Authority (DDA). The matter was taken up with the Delhi Development Authority and after intervention of the Commission; DDA has handed over the flat to Smt. Anju Bala without charging the cost of furniture and furnishing.
- **File No. : 16/109/Delhi/2013/ESDW** : Ms. Gagan Bakolia, Ph.D Scholar, Department of Hindi, Jamia Millia Islamia, New Delhi regarding Rajiv Gandhi National Fellowship meant for SC/ST. The matter was taken up with the Jamia Millia Islamia, New Delhi and after intervention of the Commission, she received ` 2.44 lac received scholarship and ` 0.41 lac contingencies.
- **File No. : 16/45/ Delhi /2013/ESDW** : Shri Raman and other students R/o L-71, Shakur Pur, near Anandvas, New Delhi regarding admission in under graduate in language Courses in Delhi University The matter was taken up with the Delhi University and after intervention of the Commission Shri Raman and 5 other students got admission in undergraduate language course in New Delhi.
- **File No. :16/44/ UP /2013/ESDW** : Shri Rajnish Kumar, Student of Sixth Semester, J.K Institute applied Physics and Technology Allahabad University regarding promotion to next semester. The matter was taken up with the Allahabad University and after intervention of the Commission Shri Rajnish Kumar was promoted in the next (7th) Semester.

6.5.2 Successful economic and social development cases in State offices of NCSC

6.5.2.1 State Office, Agartala

- Smt. Bulti Nama Das a 2nd year student of MBBS course under Tripura Medical College alleged that, as she did not get the scholarship amount from the Government of Tripura in time, she could not pay the 5th Semester tuition fee in time to TMC. As a result the TMC authority have given a notice to deposit the late fee of ` 0.12 lac otherwise she will not be able to appear in the 5th Semester examination. The State Office took up the matter with the TMC authority and requested them for exemption of late fee against Smt. Nama Das in view of poor economic condition of her family members. TMC allowed her to appear in the exam and exempted her from the late fee.
- Smt Dipali Sarkar w/o Sri Birendra Sarkar of Barjala (Kalyan Para), Agartala, West Tripura (BPL status) has submitted a representation to the State Office stating that in 2007, their home less family was allotted of

Khas land by the Collector of Sadar Sub-Division, Agatala against payment of ` 0.375 lac. Due to poor economic condition from 2009 to 2011 they paid allotment premium only ` 1500/- out of ` 37,500/-. Thereafter they could not payment further allotment premium to the Government as her husband was injured and unable to earn a living.. In March, 2014 the S.D.M. Sadar issued a Memorandum to them to pay the premium of ` 36,000/- by 31.3.2014 without fail, failing which necessary action will be taken as per law. The State Office took up the matter with the competent authority for exemption of allotment premium to Sri Sarkar and to provide allotted land to this BPL family free of cost. As on now, there has been no eviction or demand for payment of premium.

- Sri Mangal Ch. Das, a SC leader of Barjala constituency represented that the Barjala High School, Agartala illegally collected various fees from the students including SCs without providing any receipts for last few years. The NCSC State Office took up appropriate action and after intervention of the Commission the School authority has stopped the collection of fees from the students as per Sri Das.

6.5.2.2 State Office, Bangalore

- **File No.: 45/87/2013-Ru:** Smt Shivarathna, Founder & President, Karnataka State SC/ST Backward Minorities Social Justice & Empowerment Association, Bangalore submitted a representation to this office on 3.9.2013 regarding request for bus facilities to Igallur, Mallagal, Chennapatna taluk, Ramanagar district. This office had taken up the matter with DC, Ramanagar and the Managing Director, Karnataka State Road Transport Corporation (KSRTC) Bangalore through this office letter dated 23.09.2013 and received a reply from MD, KSRTC vide letter dated 6.1.2014 states that the bus facility is extended to the village.
- **File No.: 45/102/2011-Ru:** Representation was received from Smt Kempakamma, Chakkara Grama, Mallur Hobli, Chennapatna taluk regarding land dispute case on 14.12.2011. This office took up the matter with the Deputy Commissioner, Ramanagara district, The District Social Welfare Officer, Ramanagara and the Panchayat Development Officer, Chennapatna taluk vide on 28.12.2011 and remindes. Finally a reply was received from gram panchayat that the matter was resolved solved and informed to the petitioner on 13.07.2012. The petitioner Smt Kempakamma, Chakkara Grama, Mallur Hobli, Chennapatna taluk submitted a representation regarding request for widow pension vide letter dated 29.05.20113 to this office. This case was taken up with the Tahsildar, Chennapatna taluk, Ramanagar district and reminder also issued. By letter dated 6.8.2013 the Tahsildar replied that the petitioner was sanctioned her widow pension on 20.06.2013.

6.5.2.3 State Office, Chennai

- **F.No: 10/22/2013 Rep:** Shri.G.Samuelvel Raj, Kumarapalayam Village, Namakkal District represented on alleged denial of old age pension. The

case was taken up with the District Collector, Namakkal District on 6.8.2013. The Collector, Namakkal vide his letter dated 5.9.2013 informed that Old Age Pension to the petitioner and his wife Smt.Prema has been sanctioned w.e.f 1.8.2013.

- **F.No: 8/44/2013 Rep:** Shri.P.M.Subramani, S/o. Shri.Marimuthu, Salem District had represented on alleged denial of TAHDCO loan by State Bank of India, Salem. The case was taken up with the AGM, SBI, RASME-CCC. Salem on 23.7.2013. The petitioner, vide his letter dated 27.9.2013 informed that he has been sanctioned TAHDCO loan due to intervention of the Office
- **F. No.6/41/2013 Rep. & 6/51/2013 Rep :** Smt C. Dhananeswari, Kattipattinam Post, Pudukottai District had requested for allotment of 'Green House'. The case was taken up with the District Collector, Pudukottai on 19.9.2013 and 29.10.2013. The District, Collector, Pudukotai vide his letter dated 13.11.2013 informed that the petitioner was allotted the 'Green House'
- **F.No: 4/50/2013 Rep.:** Shri E. Dineshkumar, S/o.Shri Easwaran, Dasampalayam Village, Coimbatore District had sent a representation dated 22.8.2013 with a request for sanction of Scholarship and reimbursement of tuition fees. The case was taken up with the Director, Adi Dravidar Welfare Department, Chennai with endorsement to the District Collector, Coimbatore on 3.9.2013. Replies were received from both the above stating that Shri. E. Dineshkumar was disbursed an amount of ` 51,800/- as scholarship.
- **F.No: 4/73/2013 Rep :** Shri.S.Babu, S/o.Shri.Selvaraji, Madapalli Village, Madavalam Post, Vellore District has represented regarding non-payment of Scholarship to him in B.Ed Course by JMS and Kennedi Education College, Vellore District. The case was taken up with the District Collector, Vellore on 4.12.2013. The petitioner in his letter dated 23.12.2013 informed that he was sanctioned ` 4,770 as Scholarship alongwith 6 other SC candidates due to the Commission's intervention.
- **F.No.4/34/2013 Rep. :** Ms.Divya, D/o.Shri.Sekar, Chennai has submitted a representation with the request for admission into M.Sc Chemistry in Dwaraka Doss GovardhanVaishnav College, Chennai. Her father is an auto rickshaw driver and she hails from a poor family. The issue was taken up with the Principal of D.G Vaishnav College, Chennai vide this Office letter dated 23.7.2013. Her father sent a letter of thanks to NCSC stating that his daughter Ms.S.Divya has got admission in M.Sc., Chemistry course in D.G. Vaishnav College, Chennai.
- **F.No: 8/48/2013 Rep :**Smt.Uma, Gudalore Colony & Post, Vellore District had represented on alleged denial of TAHDCO loan by Central Bank of India, Paranjani Branch. The case was taken up with the Regional Manager, Central Bank of India, Zonal Office, Chennai on 6.8.2013. The Chief Manager, Central Bank of India, Zonal Office, Chennai has replied on 13.2.2014 that the petitioner was sanctioned TAHDCO loan for ` 1.90 lakh.

6.5.2.4 State Office, Kolkata

- **File No. CMIS No. 131934417006980** : Ms Priya Pramanik, D/o Shri Tarani Pramanik had problems in getting caste Certificate from the SDO, Ghatal, Purba Medinipur District. After intervention of the State Office of NCSC, Kolkata, the requisite Caste Certificate was issued to Ms Pramanik on 27.8.2013.
- **File No. CMIS 131933717007420/126** : Shri Sukumar Mondal a student of Class XII had complained that he was not getting his post-matric scholarship from the District Welfare Officer, North 24 Parganas District, West Bengal. Acting on the complaint, the matter was referred to the District Magistrate, North 24 Pgs District. The DWO, North 24 Parganas informed on 21.10.2013 that ShriMondal has been sanctioned post-matric scholarship from the date of his eligibility. .
- **File No. 4/2/2012-Gen/WB** : Ms.Kakali Roy, Asstt. Teacher of Deshbandhu Palli Seva Sangha Santosh Kumari Siksha Niketan at Mayapur, Budge Budge had applied for B.Ed. course as deputed candidate for pursuing the course from Calcutta Girls B.T. College for the session 2012-13. Her candidature was rejected due to time bar. She had complained that while General Castes candidate were allowed to join the course till 04.6.2006 although the last date for joining course was 01.4.2006 in respect of Scheduled Castes candidates. When such anomaly was brought to the notice of the Calcutta Girls B.T. College, the College rectified the mistake and the SC complainant was taken on the strength of B.T. College during 012-2013.
- **File No.11/6/2013-Gen/WB** : Shri Asit Baran Biswas, General Manager of the Shipping Corporation of India submitted a representation on 27.08.2013 alleged that his Caste Certificate issued by the ADM, Nadia was required to be verified by the District Magistrate and his office had sent letter to the District Magistrate, Nadia for verification but no response received. Subsequently the matter was sent to the District Magistrate for verification. The office of the District Magistrate, Nadia verified the same and sent the verification certificate to the Shipping Corporation of India.
- **File No.11/5/2013-Gen/WB** : Shri Ashok Kumar Barai, working in the Shipping Corporation of India, Mumbai submitted representation and informed that his Caste Certificate issued by the ADM, North 24 Parganas require to be verified. In this regard his office has sent letter to the District Magistrate, North 24 Parganas for verification, but the D.M. informed that the Caste Certificate is not available as it is issued in the year 1974. On receipt of the complaint, the matter was taken up with the district Magistrate and after spot enquiry, verification certificate sent by the DM, North 24 Parganas on 29.08.2013 to the Shipping Corporation of India, Mumbai and he was subsequently regularized and promoted.
- **File No. 10/2/2013-Gen/OR** :The villagers of Gopandhu Nagar under P.S. Chandili, P.O. Komtalpeta, Dist. Rayagada had complained that their district had been underdeveloped despite a sizeable number of Scheduled

Castes were living in the village. The matter was taken up with the district civil authorities. Subsequently, the District Welfare Office, Rayagada had informed that the following development works have been accomplished in the village.

- (a) All hamlets have been provided electricity.
 - (b) One tube well has been installed for the supply of safe drinking water in the village.
 - (c) Execution of road work has been taken up under MGNREGA Scheme.
 - (d) Construction of C.C. road has been taken up under 3rd SFC etc.
- **File No. 10/3/2012-Gen/OR** : A representation was received from the Akhil Bharat AnusuchitJatiParishad dated 13.12.2011 regarding alleged non release of full loan amount under PMEGP to ShriBalaram Shah of Hali Block, Muribahal, Dist. Bolangir by local Branch of Bank of Andhra. Upon receiving the complaint the matter was taken up the Regional Head of Andhra bank, Bhubaneswar. The bank vide their reply dated 18.3.2013 replied that full loan has been sanctioned to Shi Balaram Shah and the same also disbursed to his account. .

6.5.2.5 State Office, Patna

- Shri Narendra Kumar submitted petition dated 18-02-2013 to NCSC, State Office, Patna regarding non-recognition of MBA certificate of the NIMS University, Jaipur submitted by Scheduled Caste employees of Life Insurance Corporation, Patna. The NCSC, State Office, Patna took up the matter with the Chairman, LIC of India, Mumbai for suitable action in the matter so as to accord recognition to said MBA certificate/degree to the SC employees of the LIC, Patna. The LIC of India issued necessary instruction for recognition of MBA certificates of the employees of the LIC. .

6.5.2.6 State Office Pune

- **NCSC/Pune/42/2012-ESDW** : Shri Janardan Kambale had submitted a representation regarding non-payment of GOI PMS scholarship. The matter was taken up with the Assistant Commissioner Social Welfare, Raigarh on 17/12/2012 who vide his letter No. VIGISAKAA/RA/BHASSHI/ A/J.Kambale/2012-2013/231 dated 30/1/2013 had intimated that the remaining amount of the PMS Scholarship ` 53411 /- has been forwarded to the College.
- **NCSC/PUNE/62/2013/ESDW** : Shri. BhimraoGaikwad had submitted a representation regarding non providing rehabilitation package. The matter was taken up with the Collector Solapur on 18/09/2013. Collector, vide his letter No. Masha/Karya-4/Jinik/Pr.K.34/1154 dated 06/11/2013 had intimated that the compensation amount ` 2400/- has been paid to the petitioner.

- **NCSC/PUNE/51/2013-APCR-II** :Shri Suresh NivruttiBhosale had submitted a representation stating that from the land of the SC habitat the Forest Officials and the local residents had cut down the 22 trees and 2 trucks of Bamboo's . The matter was taken up with the SP Pune. The petitioner and others had received the compensation amount.
- **NCSC/PUNE/36/2013-ESDW** : Shri BalasahebAbhivant had submitted a representation stating that his land was acquired by the Government for widening of road, but had not paid compensation for the cutting of 19 Mango trees. The matter was taken up with the Collector, Solapur, on 04.9.2013. The Collector Solapur vide his letter No. UBHUSM/5RAMMA/KAVI/321/2013 dated 18/10/2013 had intimated that the amount at the rate of ` 156/- per tree has been paid.
- **NCSC/PUNE/33/2013-ESDW** :Shri S.B.Waghmare had submitted a representation that the CEO Vani is not clearing the pending bill amount ` 9. 46 lakh.The matter was taken up with the Divisional Commissioner, Nagar Parishad Amravati on 4th July 2013. The Div. Commissioner Amravati vide his letter No. PRS.NP/SLEA/Kavi-439/2013 dated 31.10. 2013 intimated that till 01.10.2013 amount ` 5. 0654 lakh has been paid and the process for balance payment has begun.
- **NCSC/PUNE/10/2013-APCR-II** :Shri Mahgade Rangu had submitted a representation regarding non providing the House under SRA Scheme. The matter was taken up with the Commissioner Pune Municipal Corporation and Commissioner of Police both. The Police vide letter No. 6917/2013 dated 14/11/2013 had informed that the Golden Developers are ready given him the House under SRA scheme.
- **NCSC/PUNE/47/2013/ESDW** : Commission had received a representation from Shri. Vijay V. Phule, alleging that the compensation amount is not paid even after the acquisition of the land. Matter was taken up with the Executive Engineer on 11th Sept 2013. Executive Engineer vide his letter No. 2230/Chisha/Bhusampadan/2013 dated 30/09/2013 had informed that the land measuring 0.50 hectares in acquired for the project against which the amount of compensation ` 1.25 lakh was made to petitioner.
- **NCSC/Pune/6/2012/ESDW** :Shri Sambhaji Gaikwad r/o Sonkhed District Nanded had submitted a representation to the NCSC, State Office Pune on 17.2.2012 intimated that the retail outlet was not yet allotted even after his selection. The matter was taken up with Bharat Petroleum on 10th Sep 2012. The petitioner vide his letter dated 30.07. 2013 intimated that the RO outlet at Sonkhed District Nanded was allotted to him by BPCL.
- **NCSC/PUNE23/2013/ESDW** : **Shri** NivruttiBapu Gholap had submitted a representation stating that the MGM college of Engineering had not refunded the tuition fees. The matter was taken up with the Special District Welfare Officer and the Principal of the College on 17.04.2013. Petitioner on 24.06.2013 informed that the tuition fees were funded by the college.

6.5.2.7 State Office, Hyderabad

- **F. No. 2/16/12/AP-RU:** Shri Namdev of Lingalappa (V) in Julkal (M) Adilabad Dist. submitted a representation that his land was alienated forcibly and he was made to do bonded labour and socially boycotted. After taking up the matter by the NCSC, State Office, the District Administration released compensation of ` 1.00 lac and land was restored to him.
- **F. No. 3/113/12/AP-RU:** A petition was received from Shri Madiga Hanumanthu of Halukuru (V), Amarapuram (M) regarding abuse by higher caste person and land grabbing. After taking up of the matter by the NCSC State Office, Collector submitted a detailed report that RDO, Penukonda that someone had fraudulently encroached 2.67 acres of land of the victim. Vide report No. MC1/12332/2012 dated 23.02.2014, Collector restored this 2.67 acres of land to Shri Madiga Hanumanthu duly surveying the entire land and awarded him Pattadar Pass Book and Title Deeds.
- **F. No. 3/22/13/AP-RU:** A press report was noticed regarding death of Shri RangaSwamy R/o. Halukur (V), Amarapuram (M) due to electric shock. After taking up of the matter by the NCSC State Office, Tahsildar Amarapuram sanctioned ` 70,000/- to the wife of the deceased under AamAdmiBheemaYojana Insurance Scheme and 2 acres of agricultural land was also proposed to be given to her.

6.5.2.8 State Office, Thiruvananthapuram

- **FILE NO.KL/12/13/2013 :** Shri N.R.Sasi hails Trivandrum district submitted his grievance petition regarding discrepancies in the licence issued to him. He requested to take necessary corrective action. The matter was taken up with the Regional Transport Officer, Thiruvananthapuram for corrective action. In this regard a reply received from the concerned stating that they have rectified the mistakes committed in the licence issued to petitioner and issued new licence to him with all previous dates.
- **FILE NO.KL/15/0/28/2012 :** Received a representation from Shri Narayanan, Kottayam district requesting to take necessary action to allot land and house as he is facing lot of hardships because of lack of habitable houses. The matter was taken up with the Director, SC Development Department for necessary action. After a continuous follow up with the concerned, a final reply received from the concerned stating that 3 cents of land were allotted to petitioner's son.
- **FILE NO.KL/15/0/70/2012 :** Smt. Manjula hails Trivandrum district submitted a representation to take necessary action to extend financial assistance for renovation of house. The matter was taken up with the Director, SC Development Department for necessary action. A reply

received from the concerned, stating that the petitioner is eligible to get additional amount for completion of her house.

- **FILE NO.KL/31/4/2013(Hqrs)** :Shri Sivanandan Palakkad district submitted his grievance petition requesting necessary action as the school authority has not complied with the decisions taken in connection with death of his son due to drowning during school trip. The matter was taken up the District Police Chief Palakkad. A reply received from the concerned stating that school management agreed to extent employment assistance to mother of the deceased and already they have paid ` 1 lakh as compensation.
- **FILE NO.KL/15/0/38/2012** : Smt. A Jithamol.M.S, Valelmattam veed, Manarcaud P.O, Kottayam district submitted a grievance petition requesting to include her in the land to landless scheme. The matter was taken up with the District Development Officer for SCs, Kottayam under the intimation to Director, SC Development Department. In this regard, a reply received from District Development Officer for SCs stating that block has given financial sanction towards housing and as soon as the petitioner register the land the financial assistance will be given.
- **FILE NO.KL/15/0/49/2012** : Smt. Sarasu hails from Kozhikode district submitted a grievance petition requesting to include her in the land to landless scheme. The matter was taken up with the District Development Officer for SCs, Kozhikode for necessary action. In this regard, a reply received from them stating that Scheduled Caste Development Office was instructed to include petitioner's name in the land to landless scheme and submit the application for selection of beneficiaries.
- **FILE NO.KL/15/0/45/2012** : Shri. Thempamood Sahadevan, Convener, Human Rights Protection Forum, Thiruvananthapuram submitted a grievance petition requesting to take necessary action to improve infrastructural facilities and basic amenities of Pulikkara SC colony. The matter was taken up with the District Collector, Thiruvananthapuram and also with the Director SC Development Department, Thiruvananthapuram. The final reply received from the concerned stating that they have initiated action to extend drinking water facility, housing and sanitation facility to the SC colony.
- **FILE NO.KL/15/O/21/2012** :Shri Shaji.K.V Kottayam District submitted a grievance petition regarding utilization of Special Component Plan fund for road facility towards IHDP SC Colony. The matter was taken up with the District Development Officer for SCs and Deputy Director of Panchayath, Kozhikode. A reply received from the concerned confirming that action has been initiated to construct the road through the colony.
- **FILE NO.KL/E/12/2/2013** : Shri Santhosh Kumar.K.S, Vivekananda Co-Operative College, IInd year BA History, Kasargod District submitted a grievance petition requesting to sanction scholarship amount due to him. The matter was taken up with the Director, SC Development Department. A reply received from the concerned ascertained that the petitioner has received the eligible amount of education assistance.

- **FILE NO.KL/15/7/2012** : A representation received from Shri. Radhakrishnan, S/o Andi Palakkad District regarding request to survey the property and demarcate. The matter was taken up with the Thahsildar, Palakkad for necessary action. This office followed up the matter over phone On 28.10.2013, the Petitioner contacted this office and intimated that his land was surveyed and demarcated.
- **FILE No.KL/15/O/17/2013:** Smt. Sreemathy, Kozhikode District submitted her representation requesting to take necessary action to waive off the loan amount, which taken from the SC/ST Development Corporation. The matter was taken up with the MD, SC/ST Development Corporation, Thrissur for necessary action and the MD decided to write off the loan amount as per her request.

6.6 Cases related to Atrocities and Protection of Civil Rights

During the period under Report, on-the-Spot enquiries were conducted by a Team from the NCSC Headquarters as per the directions of Hon'ble Chairman, Dr. P.L. Punia. The details are:-

6.6.1 Spot visit report of the Team from NCSC Hqrs. and State Office, Chandigarh in respect of incidence of attempt to rape of Scheduled Caste lady at village Nandha, PS Badhra, District Bhiwani, Haryana.

A team consisting of Shri M.R. Bali, Consultant and Shri S.N. Meena, Under Secretary visited District Bhiwani, Haryana on 01.04.2013 to investigate the above referred incidence. Shri Raj Kumar Chhenena, Director, State Office Chandigarh also accompanied the team. Summary of the visit is as under:

Meeting with the DM and the SP and details of the incidence:

The team held a meeting with the DM and the SP to get details of the case. It was informed that an FIR No. 78 of 2013 has been registered at Police Station Badhra on 31.3.2013. As per the FIR details, Smt. Seema wife of Shri Pradeep resident of village Nandha, aged 19 years, who belongs to Scheduled Castes Community, was working in the field on 30.3.2013. At around 12.00-12.30 mid-day, one Satyaparkash @ Kalia son of Raghubir Singh of the same village and belonged to Jat Community, caught her from the back side and cut her on the cheeks and breast and attempted to rape her. However, Smt. Seema cried for help. Her husband, father-in-law and mother-in-law, who working in the field nearby rushed for her help. On seeing them the culprit ran away. The family reported the matter to mother and brother of the culprit who in turn threatened them if any complaint is filed against their deaf and dumb boy.

Registration of FIR:

An FIR No. 78 of 2013 has been registered under Sections 376/511/506 of IPC and Section 3 of SC/ST (PoA) Act. 1989. Culprit has been arrested on 31.03.13 and put in Judicial Jail, Bhiwani. Medical Report of the victim is awaited. Further investigation is on.

Conclusion:

Police has taken quick action for arrest of the culprit. SP was asked to obtain the medical report and after investigation file charge sheet with the prescribed time limit. SP was also asked to forward report to the DM for payment of appropriate compensation to the victim under the provision of the PoA Act 1989.

Action Points:

- Police authorities should complete the investigation and file charge sheet in the prescribed time limit.
- Appropriate compensation under the provision of PoA Act should be paid to the family immediately on receipt of the medical report.

6.6.2 Report of on the Spot visit by team of National Commission for Scheduled Castes into the death of two persons while working on the sewer line in District Bhiwani, Haryana.

A team consisting of Shri M.R. Bali, Consultant & Shri S.N. Meena, Under Secretary from NCSC, New Delhi visited Bhiwani on 3.4.2013 to conduct on the spot inquiry in the above referred incidence.

Meeting with the DM and SP-Brief Facts of the case:

The team met the DM and SP Bhiwani and got details of the incidence. As per the FIR No. 302 registered on 2.4.13 at Bhiwani City Police Station three persons, namely Dharmender, Mitlesh @ Mithun and Gulen were working for Thekedar Rambir Berla for construction of sewer line near New Bus Stand Bhiwani. At around 3-3 ½ some pedestrian informed some other workers, who were working on the sewer line nearby, that their colleagues working near Bus Stand have drowned in sewer. Fire Brigade was called who moved all the three unconscious persons to the Civil Hospital. The workers were not bearing any masks or safety equipments. After reaching the Hospital the doctor declared Dharmender and Mitlesh (both brothers) as dead while Gulen was still breathing and is presently undergoing treatment. FIR has been filed against the contractor under Section 304A of the IPC. It was informed that the contractor has been arrested and further investigation is on.

Meeting with the other Co-workers:

As the deceased persons belong to village Raten, Thana Goghdi Jamalpur, District Khagria, Bihar and no other family members was with them, the team met five of their worker colleagues who were from the same village and working on sewer lines with different contractors in Bhiwani. These five persons were (i) Bablu Mehto S/O Shri Rajender Mehto, (ii) Moti S/O Shri Lakhani Lal Paswan (iii) Sadanand Mehto S/O Shri Rameshwar Mehto (iv) Rudal Tanti S/O Shri Shyam Sunder Tanti and (v) Shambhu Mehto S/O Shri Bhumarat Mehto. They told the team that the deceased belong to a poor family. Deceased Dharmendra was married for three months while Mithlesh was unmarried. They have left behind their mother about 60 years, wife of

Dharmender and two younger brothers. Two sisters are already married. They belong to Mehto (Kurmi) caste which is an OBC and not SC.

Conclusion:

As the deceased did not belong to SC category, provisions of the PoA Act cannot be invoked. However, keeping in view the poor financial condition of the family left behind, the DM assured that case for compensation will be considered under Rajiv Gandhi Yojna for accidental death which will be around two lakhs. Efforts will also be made through court to get compensation from the contractor for his negligence.

Action Points:

- Investigation in the case should be expedited and charge sheet filed against the contractor for getting the sever work done without providing any safety equipment.
- The family of the deceased should be provided appropriate compensation under the existing scheme for accidental death.

6.6.3 Spot visit report of the Team from NCSC Hqrs. and State Office, Chandigarh in respect of incidence of murder of two persons belonging to Scheduled Castes at village Madina Korsan, District Rohtak

Date of visit of the team	01.04.2013
Date of incidence	30.03.2013
Place of Incidence	Village Madina Kosran, PS Meham Distt. Rohtak Haryana
Name of the victims	<ul style="list-style-type: none">• Shri Vikram S/O Shri Khushi Ram Age: 22 years, (dead)• Shri Sudhir S/O Shri Sansar Age: 10 years (dead)• Shri Sandip S/O Shri Zile Singh (injured under treatment in PGIMS, Rohtak)
Name of the accused	18 accused have been named in the FIR but out of those four are stated to be main accused

A team consisting of Shri M.R. Bali, Consultant and Shri S.N. Meena, Under Secretary visited District Rohtak, Haryana on 01.04.2013 to investigate the above referred incidence. Shri Raj Kumar Chhenena, Director, State Office Chandigarh also accompanied the team.

Details of the Incidence:

On arrival, the team held a meeting with Shri Rajesh Duggal, Superintendent of Police, IO of the case and other senior police officers and the senior officers from the District Administration. Briefing the incidence, the IO informed that there was ongoing enmity between the two groups i.e. one belonging to SC and the other to Jat community. In July, 2012, counter FIRs were filed alleging beating and threats. After those FIRs, Police was posted in the village for some time but later on it was withdrawn. However, no action appears to have been taken on those FIRs. PoA Act was also not invoked in the FIR filed in July, 2012 by Vikas son of Shri Khushi Ram.

An FIR has been registered on 30.3.13 under Sections 148/149/302/307/323/120B of IPC, Sections 25/25(54) of Arms Act, 1959 and Section 3/4 of SC/ST (PoA) Act, 1989. As per FIR No. 106 of 30.3.2013, got registered by Shri Sansar Singh S/O Shri Kartar Singh, at about 6.00 PM on 30.3.2013, his family members, namely, Sandip, Vikram, Rajesh, Seema, Puja and Sudhir were coming back from the fields to the village on Bull-Cart (Buggi). Shri Sansar Singh and Shri Khushi Ram were following them on a different Buggi. On the way Bhumi, Mandeep, Dalip, Raj Singh, Pradip, Manjit, Yogi, Dayanand, Satish and some more persons threatened them by saying “*maro in chamaron ko. Ham ineh gaon mei basne nahin denge. Ek ko be jinda nahin chhodenge*” Then Bhumi, Sandip and Dalip who were having pistols in their hands started instant firing killing Vikram on the spot. Sudhir and Sandip were injured and were rushed to PGIMS, Rohtak. Sudhir died on the way. Sandip is under treatment.

Action taken by the Police and Administration:

- Out of 18 accused named in the FIR, eight have been rounded up for interrogation but no arrest has been made so far as the main accused are absconding. (*As per report from the SP one of the main accused Amit S/O Satbir of village Lakhan Majra has been arrested late on 1.4.2013*)
- A temporary Police Chowki, with ten policemen a PCR Van has been established on 31.3.13.
- A Special Investigation Team (SIT), consisting of three police persons, headed by Shri Ram Chander Rathee, HPS, DSP, Beri has been constituted on 31.3.13 by the orders of the IG of Police, Rohtak Range.
- A regular Departmental Inquiry has been instituted against Shri Vijay Kumar, SI for displaying act of gross misconduct, displaying negligence in duty and delaying the investigation of case FIR Nos. 231 and 232 dated 16.7.12.
- On 1.4.13, an award of ` 1,00,000 has been declared for giving information about 3 main accused.
- 1st installment of compensation as per the provisions of SC/ST (POA) Act, 1989 has been paid to the victim's family members. ` 3.75 lakh to the wife of Shri Vikram (deceased), ` 1.87 lakh to father of Sudhir (minor) and ` 1.20 lakh to injured Sandip.

Meeting with the victim Families:

The team met the family members of the deceased and injured persons and paid condolences on behalf of the Commission. They were assured of speedy action by the police and district authorities. During discussion with them it was felt that they are still scared of the terror of the upper caste people and requested for strong police presence. They also resented inaction on the part of the police since the filing of the FIRs in June, 2012. The families are in a poor financial condition having no land holding and only small roughly build houses. All family members are illiterate and doing labour work.

Action Points:

- All efforts should be made by the Police to arrest the accused at the earliest possible.
- After investigation, Charge Sheet should be filed within the prescribed time limit of POA Act.
- Appropriate action should be initiated under Section 4 of the PoA Act against the concerned police personal for not invoking the provisions of SC/ST (PoA) Act, 1989 while registering FIR in July, 2012 and not taking any action on that FIR.
- Keeping in view the insecurity felt by the victim families a permanent police chowki should be set up in the village.
- Keeping in view the financial status of the victim families, the District Authorities should prepare a Rehabilitation Plan for providing these families the status of BPL and allotment of house/land/grants as per existing schemes of the State Government.
- A proposal with the approval of the State Government, for grant of additional compensation, may be sent to Ambedkar Foundation, New Delhi under intimation to the National Commission for Scheduled Castes, New Delhi

6.6.4 Spot visit report of the Team from NCSC Hqrs. led by Shri P.L. Punia, Hon'ble Chairman in respect of incidence of attack and beating of Scheduled Caste people and damage to their property by upper caste people at village Pabnawa, District Kaithal, Haryana

Date of visit of the team	16.4.2013
Date of incidence	16.4.2013
Place of Incidence	Village Pabnawa, Distt. Kaithal . Haryana
Name of the victims	70 Families of Scheduled Caste including four people who injured in the incident
Name of the accused	52 persons as per FIR registered.

Hon'ble Chairman, NCSC, accompanied by a team of officers from NCSC, namely, Shri T. Theethan, Joint Secretary, Shri M.R. Bali, Consultant, Shri Jagjit Singh, Addl. PS to the Chairman and Shri R.K. Chenena, Director Chandigarh State Office visited the above place to inquire into the incidence of attack and beating of Scheduled Caste People and damaging their properties. The place of incidence falls under the jurisdiction of District Kaithal but it being near to Distt. Headquarter of Kurukshetra, meeting with the district authorities of Kaithal was held in Kurukshetra. After the briefing meeting with the District Magistrate, SP and other senior officers of District Kaithal, the team visited the place of incidence and had detailed discussion with the victims. Visit concluded with addressing of the press at the village school.

Details of the Incidence:

Shri Pirthi Singh son of Shri Inder Singh, belonging to Rod Caste of village Pavnawa filed a complaint with Police on 09.4.2013 that on 08.4.2013 Shri Suryakant son of Shri Mahender Singh belonging to Scheduled Caste Community of the same village has abducted his daughter Kumari Meena Devi on the promise of marriage. During investigation, it was found that both these boy and girl had got married on 08.4.2013 in Guru Ravidas Mandir , Samaj Sudhar, Sector-52, Chandigarh. In compliance with the Hon'ble Hight of Punjab and Haryana, the couple has been kept in Safe House under police observation.

In retaliation of the above incidence, on the night of 13/14.4.13, about 300 to 400 elements had attacked the Scheduled Caste people and their houses. Four persons belonging to Scheduled Castes got injured in the incidence. Some police officers/sepoys also got injured in the incidence and were provided medical aid. One person is admitted in PGI, Rohtak. As per the Police, to avoid any recurrence of such incidence, sufficient police personals have been posted in the village and in order to maintain peace and communal harmony they are in constant touch with the persons of both the communities. FIR No. 39 dated 14.4.2013 have been registered at Dhandh Police Station under Sections 148/149/323/452/427/307/395/332/353/186/120B of IPC, 1860, Section 25 of Arms Act, 1959 and Section 3 of SC & ST (PoA) Act, 1989. Out of the 52 culprits named in the FIR, 13 have been arrested and further arrests are in process.

Visit to the Place of Incidence and Discussion with the victims:

The team alongwith the police and civil administration authorities visited the houses of the victims. It was noticed that doors of majority of the houses were broken, food items scattered on the floor, TV, Refrigerators, water tanks, water tap and other household items were damaged. Only a few very old ladies were present in the houses. The team met the male members of the victim families in the village chaupal where all had gathered. Following facts were brought to the notice of the team:

- It was informed that nobody has supported or encouraged the act of inter-caste marriage. Police were informed at around 2.00 pm on 13.4.13 that they fear attack by the upper caste people and requested for police help. Police came and took with them one Sultan Handa who was main trouble

maker. However, under pressure of the upper caste people, police released Handa in the evening. On his arrival to the village he instigated the other people and attacked their houses. Had he not been released the unfortunate incidence could not have happened.

- All women folk and children have been sent out of the village under fear of another attack.
- The attackers have robbed everything from their houses. Assessment of losses done by the revenue authorities is not correct as the lady members are not there to tell the exact loss and many houses are locked. Assessment of loss should be done again when lady members return to their houses.
- They are still feeling insecure and fear further attacks as police has detained only 13 out of 52 persons named in the FIR. The remaining are still roaming free and threatening.
- They have sent their cattle also out and the village dairy is refusing them supply of milk. The authorities should ensure arrangement for supply of milk, ration and food items till the normalcy is restored.
- This is the crop cutting season. They were to earn food grains for the whole year. But in the present circumstances they are not able to earn their livelihood. Therefore, they should be appropriately compensated and rehabilitated for the loss of livelihood.

The Hon'ble Chairman expressing his serious concern on the incidence advised both sides to make efforts to maintain communal harmony and live in a peaceful manner. The incidence is bad but both the sides have agreeable to maintain peace. Commission will ensure that accused are punished, police should act impartially and action is taken against the culprits as per the law. Loss should be compensated and security should be provided.

Action Points:

- As the Dalit people were apprehensive of terror, police authorities should not have released Sultan Handa under pressure of the upper caste people. Commission recommends action against certain police officials if they have deliberately released terror person arrested earlier.
- 13 persons out of 52 named in the FIR have been arrested. Police should make efforts to arrest the remaining persons to avoid any recurrence of such incidence.
- Civil Administration should ensure regular supply of milk, electricity and food items till normalcy is restored.
- Compensation as per provisions of POA Act should be provided to the victims.
- Assessment of loss should done again after the return of the women folk and opening of all the houses.
- Appropriate rehabilitation should be ensured taking into consideration loss of labour in the harvesting season.

- Police should maintain constant vigil on the situation and ensure peace by providing appropriate security to the victim families to enable the remaining families to come back to their houses.
- District Administration should conduct regular quarterly meetings of the Vigilance and Monitoring Committees as per the provision of the SC & ST (PoA) Act, 1989 where apprehension of such incidences among regular items like conviction, disposal of atrocity cases etc. should be discussed.

6.6.5 On-the-spot investigation report of the Team from NCSC Hqrs. in respect of incidence of murder of SC person in District Bhiwani, Haryana

A Team consisting of Shri Kaushal Kumar, Dy. Director and Shri M.R. Bali, Consultant visited District Bhiwani, Haryana regarding incidence of murder of SC person.

Meeting with DM & SP:

The Team met the SP & DM at Bhiwani. The SP informed the Team that Shri Rajpal, Father of late Shri Jaimal given a complaint that his son Jaimal (17 years) was taken forcefully by Praveen alias Lala in his car. Shri Rajpal alongwith his brother Ramkishan tried to follow the vehicle to trace his son. At Dinod Kusumbi Road, they saw that Praveen and Kuldeep were putting his son late Shri Jaimal in the car. When they saw Rajpal and his brother immediately they ran away. They found his son dead in the car. Shri Rajpal has mentioned that Praveen used to have enmity against his son late Shri Jaimal on the issue of Elephant ride on the occasion of a marriage in the family. The SP informed that the case has been registered u/s 302/34 IPC section 3 of (POA) Act, 1989. At Police Station Kusumbhi, PS Sadar Bhiwani on 16/4/2013 at 18:15 hour. The I.O. in this case is Shri Virender Singh (IPS), Dy. SP (Probation), Bhiwani. The accused Praveen alias Lala, s/o Satbir Singh Rajput, R/o Devsar and Kuldeep, s/o Vijender (Dhanak), R/o Devsar has been arrested on 17/4/2013 and investigation is under progress. The DM informed that the compensation to the family has been given as per the provisions of POA Act, 1989.

Visit to victim's village

The Team visited the village of Victim late Shri Jaimal there they met the family members and they informed the Team that this is the third incidence with the Scheduled Castes family by the higher caste Rajput's. In the past:

- The truck was stolen on 16/4/2013, the FIR was registered. The family was alleged that Police has not taken proper action.
- The family members also pointed out about the serious incidents which occurred during a marriage function on 4/12/2011 on issue of elephant ride. According to them there were more than 25 Rajput family upper caste people along-with weapons like Kulhari and Sword who have not allowed the elephant ride by SC family and they developed enmity during this incidence. According to them, they have reported the matter to Police

but all of them were not arrested and no proper action was taken by the Police.

- As a result of above enmity late Shri Jaimal (17 years) has been killed.

Conclusion:

There are approximately 250 SC family and more than 1000 General category families. According to the family members of victim the upper caste Rajput's are having feeling of animosity against SC families after the clash during the marriage ceremony on the issue of elephant ride. According to the family member this murder is a result of this animosity only. The immediate security should be provided to the family members to avoid any further miss happenings.

Action Points:

- The Police should take remedial and correctional measures to build confidence among the Scheduled Castes members of the village.
- A study may be conducted to find out the possibility of declaring this village as atrocity prone as per provisions of POA Act, 1989.
- The Police protection should be provided to the family members to avoid further mishappening.
- A temporary police picket may be created in the village immediately.
- Rehabilitation of the family should be done as per rules.
- The investigation should be expedited and chargesheet should be filed within the time frame.

6.6.6 Spot visit report of the Team from NCSC Hqrs. in respect of incidence of rape of minor SC girl of District Bulandshehar, Uttar Pradesh

A team consisting of Shri Kaushal Kumar, Dy. Director and Shri M.R. Bali, Consultant visited District Bulandshehar, Uttar Pradesh regarding incidence of rape of minor SC girl who was kept in the lock up.

Meeting with Investigating Officer

The Team met the Investigating Officer at Police Line Bulandshehar. The I.O. informed that a case has been registered as FIR No. 230/2013 u/s 376/506 IPC and 3(2)(v) of SCs & STs (POA) Act, 1989. The victim, Baby Tution, age 10 years was sent for Medical Test there are three types of medical test:-

- Medical Test for internal and external injuries.
- Pathological Test.
- Medical Test for Age determination.

The First Report of Medical Test for internal and external injuries has come which is negative but further two reports are yet to come.

6.6.7 Visit to victim's village Meerpur Khwajpur, P.S. Kotwali Nagar, Bulandshahr

The Team has visited the house of the victim Baby Tution and met the father, mother, sister, brother and the victim. The father informed the Team that he is having 10 children and working in a shop and was informed that the accused Harendra alias Bona who belongs to Lodha (Rajput) caste has done wrong act with his daughter. He came to his house and from there he has gone to the Police Station on 7/4/2013 alongwith his wife and son for registration of FIR. The family members informed the Team that the victim had gone to shop in the village to purchase some items in the way when she was coming back to her house the accused Harendra alias Bona has forcefully catch hold on her and forcefully taken to the field behind the (Bitoda) and there he raped her. He also threatened that if she will tell about the incident then he will kill her and throw in the river. The elder sister of the victim informed that her six year daughter had seen that the accused has forcefully taken the victim in the fields behind the (Bitoda). On asking about security of the family, the father of the victim informed that his family has been threaten by two persons who were later on taken into custody by the police. A police party of two policemen has been stationed at the village near the residence of the victim.

The Team had also visited the site of incident the brother of the victim had shown the Team the place where the incident took place. At the place of incident there were other people also and they informed that the victim was plucking the Tomato from the field of Shri Vijay Pal Lodha. He objected to this act of her and he scolded her for this wrong act the family members have made false allegations against the accused.

Meeting with D.M. and S.P.:

The Team had meeting with the DM & SP at the residential office of DM. The DM informed the Team that he is waiting for the results of medical report and as soon as the report will be received he will provide the compensation as per the provisions of POA Act, 1989. He also assured to consider rehabilitation proposal for the victim family as the financial status of the family is not good.

The Team asked the SP that there is news in different channels that the victim was kept in the lock-up in the Police Station by the police officials. The SP informed that after preliminary investigations two constables namely Neeru and Sonia has been suspended with effect from 8/4/2013 and SHO of Mahila Thana Smt. Gayashri Chauhan and S.I. Sarita Diwedi has been transferred to Police Line. An enquiry has been ordered in this case by the City Magistrate in this case.

The accused has been taken in custody for investigation but formal arrested has not been made so far. The IO who was also present in the meeting informed that the accused has been denying the allegations by stating that he has just scolded the child for plucking tomatoes from the fields and the family members have filed a wrong case against him.

Conclusion:

The victim was in a state of shock or appears to be very shy as she has not spoken even a single word before the Team even after asking by her father and mother to tell about the incidence to the Team. She appears to be 5 to 6 years old child from physical growth although the family members have claimed her age as 10 years old child.

The action of the police to keep the victim in lockup is highly condemnable and action should be taken against the police officials in section 4 of SCs & STs (POA) Act, 1989. The accused should have been arrested by the police.

Action Points:

- Action as per the provisions of section 4 of SC & STs (POA) Act, 1989 should be taken against the police officials who are responsible for illegally keeping the victim in the lock up of the police station.
- More Police protection should be provided to the victim and her family.
- The accused should be arrested.
- The compensation should be provided on the receipt of medical report as per rules.
- Rehabilitation of the family should be done as per rules.
- The investigation should be expedited and chargesheet should be filed within the time frame.

6.6.8 Report on Spot visit by the Team of National Commission for Scheduled Castes to inquire into the incident of abduction of four SC persons from village Gammanpura Masra, P.S. Paagwada, District Moradabad, Uttar Pradesh

A Team comprising Shri M.R. Bali, Consultant & Shri S.S. Kanwar, Section Officer from NCSC, New Delhi visited Moradabad, Uttar Pradesh on 6.5.2013 to conduct on the spot inquiry in the above incident.

Meeting with SP, Moradabad and ADM (Sambalpur) -Brief Facts of the case

On reaching Moradabad District the Team was provided with a status report on the incidence. As per the report, on 30.4.2013, at about 11.00 in the night, four persons of village Gammanpura Masra and belonging to Scheduled Caste Community (Jatav Caste), namely, Shri Vijay Singh, Shri Suraj and Shri

Jasbir, all brothers and Shri Manoj Kumar, while watering in their fields have been abducted by some unknown miscreants. On 1.5.2013, an FIR No. 135/13 under Section 364 of IPC has been registered at PS Pakwada, District Muradabad. As per the FIR, 10-15 days ago, the victims had some altercation with one Anish, who threatened the villagers with dire consequences. It was also stated in the FIR that at the spot of incidence one black Tabij and a few traces of blood have been found. The SP informed that three police teams have been formed to trace and arrest the abductors. However, inspite of regular raids at different places and keeping surveillance of mobile conversation, they are not able to arrest the accused. Police has given wide publicity by pasting of photographs of the victims and through electronic media. He assured that all efforts are being made to crack the case. It was also told that the village, where the incidence has taken place, comes under the Revenue jurisdiction District Sambhal. Two ADM level officers of Sambhal District, who participated in the briefing, apprised the team that they are in touch with the victim families for any kind of assistance they require.

Meeting with the families of the victims:

Thereafter, the Team along-with ADMs and SP visited the village of the victims where the incidence had took place. A large gathering of members of the victim families and villagers was there to meet the team. Expressing deep concern of the Commission on the painful incidence, the team briefed the gathering about their discussion with the police and revenue authorities of District Moradabad and Sambhal respectively. They were assured of quick action by the police. The team also shared with them that Report will be submitted before the Hon'ble Chairman of the Commission and will be followed up till the case is concluded. They were also informed that district authorities of Sambhal District will be in touch with the victim families for any financial, medical or livelihood assistance they require. Some of the members of the victim families expressed their concern on the well being of male members and earners of their families and desired the police to unfold the case as early as possible.

Conclusion:

While briefing the press, the team expressed its concern that even after the lapse of six days police authorities are groping in the dark since there is no clue of the culprits. Police should take some concrete steps to crack the case and ensure safe return of the missing persons. Strict action will be recommended if any police personnel are found intentionally negligent in this case. Police and Civil Administration Authorities assured that every effort would be made to trace out the missing persons and also the culprits and also to provide necessary assistance to the victim families.

Action Points:

- The Police Authorities should intensify their efforts to trace and arrest the culprits of this incidence and ensure safe return of the missing persons.
- Civil Administration should provide every possible help to the victim families in this hour of tragedy.

- Adequate police force may be stationed in the village as a confidence building measure and safety of the families of the missing persons.

6.6.9 On-the-Spot enquiry report of the Team from NCSC Hqrs. in respect of incidence of rape and murder of Smt. Rajendari w/o Shri Dharamveer Singh, Village Dhaulary, District Meerut, Uttar Pradesh.

A team consisting of Shri Kaushal Kumar, Dy. Director and Shri M.R. Bali, Consultant visited District Meerut, Uttar Pradesh regarding incidence of rape and murder of Smt. Rajendari, w/o Shri Dharamveer Singh.

Meeting with DM and SSP

The Team met the SSP, Meerut, Shri Deepak Kumar and Shri Beg, SP (Rural) who informed the Team that Shri Dharamveer, husband of late Smt. Rajendari had given complaint that his wife had been raped and murder by Abbas S/o Mohammad Shifteen R/o Rasulpur Holadi and Anis S/o Ajeet, R/o Rasulpur Holadi. FIR No. 227/13 has been registered u/s 302/201/504/506 IPC and 3(2) (v) of SCs & STs (POA) Act, 1989. Both the above accused have been arrested and sent to Jail. The Postmortem Report has been received and according to the Report the cause of death is 'asphyxia as a result of strangulation'. As per the two Slides Test of Rajendari Devi 'no spermatozoa seen'. A copy of FIR, CDR, Postmortem Report and Supplement Report was handed over to the Team by the SSP.

Shri Navdeep Rinva, DM, Meerut informed the Team that compensation as per the provisions of POA Act, 1989 is under process and will be given today. He further informed that he has already sent a proposal to the Special Secretary, Govt. of Uttar Pradesh for providing financial help from the Chief Minister Relief Fund on dated 7/6/2013. The DM had handed over to the Team, a copy of letter dated 7/6/2013 addressed to Special Secretary, O/o the Hon'ble Chief Minister, Govt. of Uttar Pradesh, Lucknow.

The Team advised the DM to send a proposal to Ambedkar Foundation, New Delhi for financial assistance to the victim's family. The SSP was advised to provide police protection to the victim's family as per requirement. He was also advised to identify the other accused if any as per the verbal version of the victim's family and relatives.

Meeting with Brother of the victim late Smt. Rajendari

Shri Satish Kumar, brother of the victim alongwith some other relatives met the Team; he informed that his sister was raped and murdered on 29/05/2013. There are five children in the family all are studying and the economic condition of the family is very poor. He further stressed that there might be more than two persons involved in rape and murder of his sister as she was very healthy and only two men could not have killed her. The culprits have also tried to dispose off the body in a deep pit which must have been dig by

more than two persons only. He has shown his satisfaction over the police action and also desired that other culprits should also be arrested. He was asked to give specific name if any. The brother of the victim was not able to give any specific name. The Team wanted to go to the residence of the victim but it was informed that there is no one at the village as all are participating in a Dharna organized by some political parties near District Collectorate. The brother of the victim was advised to bring the husband of the victim Shri Dharamveer Singh and other important and prominent persons the village and locality to meet the team. However they declined to meet the team at Circuit House. They were not willing to meet the Team at village or at Circuit House as they appeared to be in the hands of some political parties who had organised Dharna.

Conclusion:

The FIR No. 227/13 has been registered u/s 302/201/504/506 IPC and 3(2) (v) of SCs & STs (POA) Act, 1989. Two accused have been arrested whose name were given in the FIR, No other name has been given in writing by the petitioner or his family members and only verbal suspicion has been conveyed for the involvement of some more persons in this case. A proposal for providing financial help from Chief Minister Relief Fund has been sent with the recommendations of DM on 7/6/2013. The compensation is being provided as per the provisions of POA Act, 1989. The DM was advised to send a proposal for financial help to Ambedkar Foundation. The SSP was advised to provide police protection to the family of victim as per the requirement and also to take action if the petitioner or the family members are giving some more names of accused as per law.

Action Points:

- Compensation amount should be provided to the victim;s family without any delay as per the provision of POA Act, 1989.
- Police protection should be provided to the victim's family as the family members have expressed apprehension from the accused persons.
- The matter should be investigated expeditiously and the charge sheet filed within the time frame as per the provisions of POA Act, 1989.
- After assessing the financial status of the family and the liability of the children, appropriate rehabilitation package of providing a house under the Lohia Awas Yojna, funding the education expenses of the children and allotment of land should be considered by the District Administration under the Welfare Schemes of the State Government immediately.
- A proposal for providing financial assistance to the family should be sent to the Ambedkar Foundation, New Delhi and a copy to this Commission for follow-up action.

6.6.10 Spot visit report of the Team from NCSC Hqrs. in respect of incidence of false case against more than 150 scheduled castes

A Team consisting of Shri Kaushal Kumar, Dy. Director and Shri Lokhan Marandi, Under Secretary visited the village Kalan Pur, Badiwala, Chamra Wala, District Muzaffarnagar, Uttar Pradesh.

Visit to Village Badiwala:

At village Badiwala, the Team met a group of more than 100 people. The Pradhan of the village Shri Bunty and people from Sikh community were also present. The Sikhs informed the Team that they have been targeted by the SC community and a School bus was stopped by them. Wherever the Sikhs are alone they are been targeted by SC community. The Team asked the reason of the conflict the Dy. SP Shri Karamveer Singh informed that the incident started with eve teasing of a girl. The Team had gone to the house of the victim Shivani who is studying in 9th Class. The mother of the victim informed that her husband has deserted her when her child was only three years old. She is living with Shivani in her brother's house. The mother and maternal aunty of victim informed the Team that their child have been harassed for a long time for which the Gram Pradhan has also passed an order. Both parties were warned to maintain peace otherwise ` 50,000/- fine will be imposed on the defaulter family. The victim family apprised that they have offered for the marriage of their daughter if the Sikhs are willing to do so. On 12.8.2013, the eve teasing was done by Simmi, S/o Agwan Singh with victim Shivani. Her brother had objected to this and a conflict took place between them. Meanwhile, Gurdeep alias Kakkan, S/o Ajab Singh who is having licensed rifle fired on Sumit. The bullets had hit in the back of Sumit. The another brother of victim Shivani, namely, Ankit was injured by buckshot. The family members informed that they are still getting threats and they have given the name of one Kanak, S/o Gurjeet who is giving such threats. The Police has not taken any proper action. No compensation has been provided to the family. The small house was given to the family under Indira Awas Yojna half of the portion of house is damaged in rain. There is only one small Kachcha house in which the whole family is living.

Visit to Village Chamra Wala:

The Team also visited village Chamra Wala where more than 50 SC community people had gathered. They informed that the Police has filed false cases against more than 150 people of village Chamra Wala, Hari Nagar, Husain Pur, Pallan Pur, Jhabbar Pur, Noor Nagar, Badi Wala, Randawali etc. although these people have not done anything wrong. The villagers informed that the Police have done lathi charge on SC people and later on booked them in false cases. According to villagers, the SC people have celebrated Parinirvan Diwas on 6th December, 2012 and Birthday of Baba Saheb Ambedkar on 14.4.2013 but the Gujars and Sikhs never wanted that such programmes should be organized by SC people. According to them, one Minister of Samajwadi Party Shri Virender Singh who is resident of Shyamli is dead against SC people. The villagers informed that there are other people who are having anti Scheduled Castes attitude and their names have been given in written representation. The villagers requested the Team that the FIR against all the villagers should be cancelled. The anti-social elements of the area should be punished and the peace of the villages should be maintained.

Meeting with Dy. SP and SDM:

The Team met the CEO and Dy. SP, Shri Karamveer Singh who is also Investigating Officer in the instant case. Shri Babu Ram, SDM Sadar Muzaffarnagar was also present who accompanied the Investigating Team during the visit. It was informed by the Investigating Officer to the Team that Shri Sumit S/o Sh. Pappu and Simmi S/o Agwan Singh Study in Janta Inter College, Sherpur. They had tussle on 11.8.2013 because of some girl. After that on 12.8.2013 when Ms. Shivani D/o Sudwi and granddaughter of Brahmpal resident of village Badiwala was coming to home with her brother from school at 12.30, Shri Simmi S/o Agwan Singh resident of village Badiwala passed some obscene remarks against her. When Shri Sumit opposed the same then Simmi and his other family members abused them. Meanwhile, Shri Gurdeep @ Kakkan, S/o Ajab Singh, who had a license pistol, fired at Sumit. The bullet hit on his back. In this regard Brahmpal S/o Kundan resident of village Badiwala P.S. Pukarji Muzaffar Nagar got a case registered in P.S. Pukarji on 12.8.2013 under IPC Section 147, 148, 149, 307, 354, 504 case no. 391/13 and SCs & STs Act 3(2)(5) Vs Simmi and other. In this crime Simmi S/o Agwan Singh and Gurjeet Singh S/o Gurdeep @ Kakkan and Mitta S/o Ajab Singh and Gurdeep Kakkan, S/o Ajab Singh were arrested and sent to jail on dated 14.8.2013.

On 14.8.2013, youths of Dalit Society stopped the bus of children of Sikh Society near Chamrawala and assaulted them. In this incident one Sh. Angrez Singh S/o Balbir Singh wounded and had many injuries. Along with Chaman and other 20 persons of SC community a case no. 396/13 u/s 147,148,149, 342, 323, 324, 506 IPC was registered at Pukarji Police Station, Muzaffar Nagar.

Police force reached at the spot where they were hit by stones by SC community in which 10 constables injured. In this regard H.C.P. 177 Moolchand Sharma, PS Purkaji, Muzaffarnagar registered a case no. 397/13 u/s 147, 148, 149, 342, 332, 353, 307 IPC and 7 Cr.PC in which 25 person's name were registered along with 100-150 other unidentified people.

Considering the tense situation 30-30 persons of both parties have been released on conditional bail. The Police is keeping a constant watch on the situation to maintain Law and order. The Team handed over a bunch of representations pertaining to District Muzaffarnagar to Dy. SP and SDM for sending their parawise comments on each of the representation.

Conclusion:

The incident started with the case of eve teasing of a girl studying in 9th standard. Two brothers of the girl were injured by the Sikhs in firing. One of the brother was hit by two bullets whereas another was injured by buckshot. The SC community appears to have retaliated on this issue against Sikhs. There was a tension in the area. It appears that the incident of stone throwing on Police also took place. The family of victim Shivani and her two brothers has not reached any compensation as per the provisions of POA Act, 1989.

Action Points:

- Monetary compensation, as per the provisions of SCs & STs (POA) Act, 1989, should be provided to the affected family immediately.
- Investigation should be expedited and chargesheet filed within the prescribed time as per the provisions of SCs & STs (POA) Act, 1989.
- Police protection should be provided to the victim and their family.
- The cases filed against Scheduled Castes villagers for stone throwing may be reviewed and the names of innocent people must be deleted from the chargesheet.
- Action as per the provisions of Section 4 of SCs & STs (POA) Act, 1989 should be taken against the Police officials who are found responsible for including the names of innocent SC villagers in false case.
- The damaged house of the victims may be got repaired on top priority basis.
- A proposal for creating Police Picket in the village may be considered.
- Any other monetary help as admissible under the State Law may also be provided to them.

6.6.11 On the spot-enquiry report of the Team from NCSC in respect of incidence of displacement of SC families due to riots in Village Kamalpur, PS Shahpur, District Muzaffarnagar, Uttar Pradesh

The Hon'ble Chairman, NCSC, Dr. P.L. Punia, took cognizance of a complaint regarding desertion of their village Bassi due to communal riots which forced them to take shelter in a Ravidas Temple of village Kamalpur and visited the affected spot on 24.9.2013 and met all the villagers of Bassi who were residing in Guru Ravidas Temple, Kamalpur. He also held Meetings with the District Administration.

It was explained to the Hon'ble Chairman by the villagers of Bassi that one boy named Shri Sonu aged approximately 16 years was called by Shri Murasleen, Gram Pradhan, Basikalan and Irshad @ Nata, Ex-Gram Pradhan during the night on 20.9.2013 for discussions. One girl aged approximately 16 years of Gram Palda made the allegation of rape by the said boy Shri Sonu which he denied. In this regard, the villagers also pointed out that a conspiracy has been hatched against the boy and he has been fixed in a false case.

As per the direction of Hon'ble Chairman, NCSC, a Team consisting of Shri Kaushal Kumar, Dy. Director and Shri Y.K. Bansal, Research Officer, NCSC also visited the Village Kamalpur, PS Shahpur, District Muzaffarnagar, Uttar Pradesh to enquire about the displacement of SC families and their rehabilitation.

Visit to village Kamalpur, PS Shahpur, District Muzaffarnagar

The Team had gone to village Kamalpur where they met the 74 displaced families who are residing in a Guru Ravidas Temple in that village. It was

informed to the Team by the Pradhan of the village Kamalpur Shri Premchand that there are approximately 385 individuals' of 74 families of village Bassi including one family of Kawal village who have left their houses due to fear and are living in the temple from 7.9.2013 midnight. The Team first inquired about the facilities being provided by the District Administration to the affected families. Shri Munish Sharma, SDM, Tehsil Budana informed the Team that adequate arrangements and all facilities like distribution of food, medicines, clothes etc. are being provided to the affected families and there is no lapses on the part of the Administration. The Store Room where the food and other items were kept was shown to the Team, the volunteers have also donated food items and raw material like pulses, rice and flour etc. The SDM informed that the District Administration is trying to counsel them to go back to their houses. The affected families of the Bassi village have reported to the Team that on 7.9.2013, their houses were attacked by the one community and due to fear of loss of their lives, they left their houses with all their family members in midnight of 7.9.2013 and took shelter in the Guru Ravidas Temple of village Kamalpur. The affected families have one pregnant woman and she had delivered a child in the temple itself, the Administration was advised to provide all medical facilities to mother and child. The father of master Brijpal met the Team and informed that the hand of his son got fractured during the night of 7.9.2013 while they were trying to save their lives by running out of the village Bassi, no FIR has been registered by the Police. The District Administration has provided all facilities like foods, clothes, medicines etc. but no action about their rehabilitation has been taken by them.

The affected families are still living in the fear for their future. The affected families do not want to return to their village, Bassi in the light of the threat to lose their life as they are in minority. The village Pradhan has also confirmed the villagers fear and demanded for immediate action for rehabilitation of affected families.

The representative of Babu Jagjivan Ram Samaj Seweak Samiti, Muzaffarnagar Mandal, Saharanpur namely Shri Madho Ram Shastri, General Secretary, Shri Virender Kumar, District President, Shri Bhopal Singh, District Secretary and Shri Rajpal Singh, Thekedar, Social Worker also met the Team and demanded for immediate action about rehabilitation of affected Scheduled Castes families.

Conclusion:

The Team after inspecting the place and listening to the statements made by the affected families, village Pradhan and officials of District Administration was satisfied on the facilities provided by the Administration. However, none of the families were ready to go back to their village Bassi as they are in minority in that village. They have demanded for a house and alternative occupation for their livelihood. The District Administration has assured the Team that they are providing all facilities to affected families and will continue to do so.

Action Points:

- Shri Sonu who falsely has been framed in rape case be immediately released and all the charges against him should be dropped after proper investigation.
- A Police Chowki may be created to bring back the normalcy in the affected area.
- The rehabilitation measures should be immediately taken by the Administration.
- The confidence building measures should be taken by the Administration alongwith the counseling of the affected families so that they can go back to their houses.
- The FIR in the case of fracture of a small boy should be registered immediately and all medical facilities must be provided to the child.
- A baby has been born in the temple, the Administration was advised to provide all Post Natal facilities to the mother and the child.
- The villagers even after counseling if not willing to go back to their houses then the following measures should be taken:-
- The alternative houses should be provided to all the affected Scheduled Castes on top priority.
- The alternative occupation should also be provided to all the affected families so that they can earn their livelihood for themselves and for their family members.

6.7 Successful cases of APCR Wing, Headquarters

6.7.1 File No. Har/77/2012-APCR

On the basis of Newspaper cutting regarding gang rape of a SC girl, Sabna, D/o late Shri Krishan Kumar, Vill. Dabra, District Hisar and suicide by her father in District Hisar, Haryana, the Commission called the detailed report from the DGP, Haryana, Panchkula in the matter.

The DGP, Haryana sent a report and stated that an FIR No. 753, dated 19/09/2012 u/s 376 G/506 IPC and 3(1) SCs & STs (POA) Act has been registered at PS Sadar, Hisar on the complaint of Sabnam against 12 persons for committing rape on her and another FIR No. 752 dated 19/09/2012 u/s 306 IPC and 3(1) SCs & STs (POA) Act has been registered on complaint of Smt. Bimla when her husband was going to police station for reporting the matter regarding gang rape 7 persons forced him not to go to police as a result he committed suicide by consuming poison. A special investigation team has been constituted under Assistant Supdt. of Police, Hisar. 9 accused have been arrested and a compensation of ` 65,000/- has been provided to the victim and 2 accused has been discharged on the statement of victim. Adequate security has been provided to the family of victim.

With the intervention of NCSC his case was solved and relief amount of ` 6.90 lakh has been given. A proposal has also been sent to Ambedkar Foundation for relief.

6.7.2 File No. UP/212/2012-APCR

Shri Manoj Kumar, S/o Shri Ganga Prasad, R/o Manjurgarhi, District Aligarh, Uttar Pradesh submitted a representation and stated that he was a contractor in the Aldua M.K. Meat Factory, Talaspur for the cleaning work and 23 labourer were working in the Factory. The Manager of Factory paid any wages to the labourer. On 28.07.2012, the owner of Factory used derogatory remarks against him and he has not paid any wages for the contract. He has reported the matter to the SSP, Aligarh but the Manger of the Factory with connivance of the local police pressurizing him to settle the matter and threatening him for dire consequences.

After NCSC intervened in this matter, his grievances have been redressed and he has received the balance amount.

6.7.3 File No Har/73/2013-APCR:

Shri Rajveer Singh, S/o Ram Prasad, Vill. Likhi, Tehsil Hodal, Distt. Palwal, Haryana has alleged that on 11.8.2013 around 3-4 PM, S/Shri Bhagat Singh, Om Singh, Bhoop Singh belonging to Thakur caste took him to some farm house where some other persons were also waiting. There they took wine and attacked him. They also passed caste based remarks. His clothes were also torn and a sum of ` 1050/- was also snatched. They beat him so badly that the Petitioner fainted. Later on, he was taken to the B.K. Hospital, Faridabad for immediate treatment. The condition of the Petitioner is still serious as his chest ribs are broken.

The NCSC held a Meeting with the concerned authorities and his grievances have been redressed.

6.7.4 File No. Delhi/293/2013-APCR:

Sh Krishna Dev, Warden Flat, Meghdoot Hostel, University of Delhi, Delhi-110007 has alleged that the Provost of the Meghdoot Hostel, University of Delhi where the wife of the Petitioner works as a Warden has harassed her. She also passed castes based remarks against her. The Petitioner's wife was given the work of the hostel. She was mentally tortured which caused her mental depression.

The NCSC held a meeting with the concerned authorities and intimated that both the parties have reached a compromise and there is now no grievance from the petitioner's side.

6.7.5 File No. Delhi/311/2013-APCR:

Shri Ashok Kumar, S/o Jaggu, R/o Rishpal Colony, Durga Mandir Gali, Vill. Kondli, Delhi-96 has alleged that on 3/9/2013, his neighbour Shri Manoj Kumar entered his house, assaulted him and his sons and also taken away ` 1500/- from his purse. He again entered his house and looted ` 10,000/-, one gold Chain and 1 Gas Cylinder. He also passed caste based remarks against him.

As per the Police Report, it is learnt that the complainant does not want any legal action as the matter has been settled amicably.

6.7.6 File No. Jharkhand/3/2013:

Smt. Shanti Devi, W/o Sahiba Guju, r/o Village Talhasi Semrak, District Latehar, Jharkhand alleged that her daughter Indramani aged about 22-23 years was working through a Placement Agency namely Sony Group Mahavar Nagar, Kotla Mubarakpur, New Delhi as Servant from 2008 onwards with Shri Prikshit Talihan and Geetanjali Talihan, R/o 832A/28, Bharat Colony, Model Town, Rohtak, Haryana.

The Petitioner has alleged that her daughter had not been paid any salary. She has not been allowed to meet her and she has been kept as a bonded labour. The Petitioner has requested the Commission to intervene and get her daughter released from bonded labour alongwith five year salary.

The NCSC held a Meeting with the concerned authorities and intimated that the girl Indramani is happy. She has been paid ` 1,60,000/- till December, 2013 balance salary to be also deposited in the girl's account, DC/SSP Rohtak will keep ensuring the safety of the girl and that the remaining amount is soon paid in girl's account.

6.8 Successful cases of Atrocity matters in the State offices of NCSC

6.8.1 State Office, Bangalore:

6.8.1.1 File No.: 49/39/2012-Ru:

Smt. Vinodhamma, W/o late Dhayananda, Heriyur Taluk, Chitradurga district had submitted a representation dated 30.11.2012 stating that due to some money lending problem some forward caste people had beat her husband and used filthy languages in front of her house. The next day her husband hanged himself in his house. Smt. Vinodhamma requested this Commission to investigate and take action on the culprits who were the causes of her husband' death. NCSC, Bangalore State Office had taken up the matter with Superintendent of Police, Chitradurga with a request to investigate the matter vide letter dated 30.01.2013. The Superintendent of Police vide their letter dated 07.03.2013 stated that the case has been re-opened and booked under POA Act. Due to intervention of this office the case was booked under POA Act.

6.8.2 State Office, Chennai:

Numeric details of successful cases on atrocity related complaints are given below:

No. of atrocity... complaints received during 2013-14	No. of cases recorded as successful cases out of total received cases during 2013-14 and their details thereof				Cases pending investigation by Police
	No. of complaints forwarded to the Police/Home	No. of cases where FIR has been lodged after intervention of Commission	No. of cases where arrests have been made after intervention of Commission	No. of cases where charge-sheets have been submitted	
561	561	50	6	16	518

6.8.3 State Office, Kolkata:

6.8.3.1 File No. 10/14/2012-Gen/WB:

The All India Scheduled Castes / Tribes & Backward Classes Employees' Coordination Council, Kolkata vide their representation dated 18.1.2013 had brought the issue of high handedness of management of prestigious Bellevue Nursing Home, Kolkata towards its Group D employees. The matter was pursued with the Police Commissioner, Kolkata Police. The Kolkata Police accordingly lodged a complaint under various provisions of Indian Penal Code including provisions under SC/ST (POA) Act, 1989. The case also ended in arrest of few culprits and Challan in the competent Court.

6.8.3.2 File No. 2/23/2012-Gen/OR:

Shri Gurubari Das, W/o Shri Bhimsen Das of P.S. Brahmagiri, Dist. Puri in his representation dated 31.10.2012 regarding a complaint on atrocities perpetrated by upper castes by destroying loss of properties like house, household articles, fishing nets etc.. He complained that the matter though reported to the District Magistrate, Puri and Superintendent of Police, Puri but no action is being taken either of them.

Upon receiving the complaint the matter was taken up with the District Authority, Puri and as per Action Taken Report received subsequently from the Collector & District Magistrate, Puri, a has been booked against the perpetrators of crime under various IPC sections and including Section 3(1)(X)(XI) of SC/ST (POA) Act, 1995. In addition a sum of ` 56250/- was paid to the victim towards damage.

6.8.4 State Office, Pune:

6.8.4.1 NCSC/PUNE/42/2013-SSW-IV:

Shri. Balu Bhimrao Gaikwad of Mohod, Solapur had submitted a representation stating that the College Principal is abusing him on caste name and harassing on caste ground by non- payment of salary. The matter was taken up with the Janta Shikshan Prasarak Educational Institute's Chairman on 03.12.2013. The Institute had submitted the detailed report to the Commission wherein it appraised the that the petitioner has been provided the accommodation in the premises of the organization, the Principal who misbehaved with the petitioner is transferred to another Institution and after the intervention in the matter petitioner had joined back.

6.8.4.2 NCSC/PUNE/21/2013-APCR-I:

Dr. Balasaheb Sonwane, r/o Wadgaon Nimbalkar, Baramati Pune had made a complaint regarding non registration of FIR. The matter was taken up with the SP Pune on 04/03/2013. SP Pune vide his letter No Stha/GU. Sha/ 4083/2013 dated 29/04/2013 had intimated that along with IPC section 323, 504.506. POA sections 3(1) (x) and the PCR section 7 (1)(d) is invoked.

6.8.5 State Office, Hyderabad:

6.8.5.1 F. No. 3/60/13/AP-RU:

A petition was received by e-mail that SCs of Rampally Dayara of Ranga Reddy Dist. was attacked in the presence of SI of Police. After ascertaining the basic information, State Office, Hyderabad held a spot visit on 01.05.2013. During the spot visit, the Criminal case was altered into the provisions of PAA of 1989 duly adding Section 3(2)(v) of PAA, 1989. Collector sanctioned monetary relief to 3 victims at enhanced scale..

6.8.5.2 F. No. 2/103/11/AP-RU:

Shri N. Ravinder of Golapally (Vill. & Mandal), Karimnagar Dist. submitted a detailed representation that he was attacked by higher caste and Police did not register a case even though he suffered bleeding injuries. Detailed report was called for from SP, Karimnagar. After examination of the report, it was found that SI of Police derelicted his duties. Therefore it was directed to add POA in the concerned case of 124/2008 of PS Gollapally and launch disciplinary action against CI and SI. SP, Karimnagar agreed consequently, victim became eligible for relief measures also.

6.8.5.3 F. No. 3/44/13/AP-RU:

During a spot visit, it was noticed that Smt. Yadamma, an atrocity victim lost her husband in 2010. Police was unable to confirm the reason for death and even body was not even recovered. Under this circumstances, Collector could not provide her any relief. After interference by this office Section 3(2)(v) was invoked in the FIR. Based on the recommendation of this office, Collector sanction ` 1.50 lakh as compensation and contingency plans like house, land, employment were also proposed.

6.8.6 State Office ,Thiruvananthapuram:

6.8.6.1 FILE NO. KL/15/0/28/2012:

Shri Syamalamurali hails from Kottayam district submitted a representation requesting to take necessary action as the accused person abused her by calling her caste name over land dispute. The matter was taken up with the District Police Chief, Kottayam. The investigation report received from them states that the case was registered under Section 3(i)(x) of POA Act and investigation is on.

6.8.6.2 FILE NO.KL/31/4/2013 (HQrs):

Ms Devaki and others hails from Thrissur district submitted a joint representation requesting to take necessary action as the accused person gives disturbance to their pathway and abuse them by calling their caste name. The matter was taken up with the Superintendent of Police (District Police Chief) Thrissur for necessary action. A final reply received from the Superintendent of Police, Thrissur stating that as per the agreement made between both the parties the accused person allowed the pathway towards petitioner's property and settled the matter amicably.

6.8.6.3 FILE NO.KL/16/1/2012 Res:

The New Indian Express Dated 30.12.2012 reported a rape case of a SC girl at Sreekaryam P.S. Also the SC victim represented this office on 06.05.2013 requesting for necessary action as per the provisions of POA Act and its rules.

The matter was taken up with the Principal Secretary, Home Department and also copies marked to Chief Secretary, DGP, District Collector and also to Secretary SC and ST Development Department for immediate intervention and also for immediate financial assistance to the rape victim. After a continuous follow up with the concerned, a final reply received from the Secretary, SC and ST development Department stating that the case was registered under Section 3(i)(xi) of POA Act, the victim had been given ` 1 lakh from SC Minister's Distress relief fund and ` 60000 as per the provisions of POA Rules, 1995.

6.8.6.4 FILE NO.KL/16/1/2012 Res (Vol.II):

The Hindu Dated 13.07.2013 reported that a SC girl was attempted to rape by the accused, was arrested. The matter was taken up with the District Police Chief, Thiruvananthapuram Rural requesting to register the case with appropriate atrocity Section of POA Act in addition to the IPC Section and also requested to complete the investigation within stipulated time frame specified under Section 7(2) of Rule. A final reply received from the concerned stating that the case was registered under Section 3(i)(xi) of POA Act and also specific instructions has been imparted to complete the investigation within 30 days as per Rule 7(2) of Rules 1995.

6.8.6.5 FILE NO.KL/16/1/2012 Res:

The Mathrubhumi local Newspaper dated 30.11.2012 reported atrocity against SC students in Priyadarshini Institute of Paramedical Science. The matter was taken up with the DGP (State Police Chief) for necessary action as per the Provisions of SC and ST POA Act and its Rules. A final reply received from the concerned stating that the case was registered with 3(i)(x) and 3(i)(v) of POA Act. The accused was also arrested and produced before the Additional Chief Judicial Magistrate Court.

6.8.6.6 FILE NO.KL/16/1/2012 Res (Vol. II):

The Hindu Dated 21.05.2013 reported rape of minor SC girl by former teacher. The matter was taken up with the Commissioner of Police, Thiruvananthapuram City with a request to take necessary action as per provisions of POA Act and its Rules. A final reply received from the Assistant Commissioner of Police stating that the case was registered under Section 3(i)(xi) of POA Act and charge sheeted.

6.8.6.7 FILE NO.KL/31/59/2012:

Shri. Sadasivan, Rejani Nivas, Kollam District submitted his grievance petition requesting for necessary action as the accused person booked false case against him and assaulted. The matter was taken up with the DGP (State Police Chief) and ADGP(PCR) for necessary action as per the provisions of POA Act. A final report received from the concerned revealed that the case was registered under Section 3(i)(x) of POA Act and charge sheeted.

6.8.6.8 FILE NO.KL/31/28/2013:

Smt Rajasree hails from Trivandrum District submitted a grievance petition requesting to take necessary action as the accused person encroached their property illegally and abused them calling their caste name. The matter was taken up with the DGP requesting to take necessary action as per the provisions of POA Act. A final reply received from the concerned stating that the case was booked Under Section 3(i)(x) of POA Act.

6.8.6.9 FILE NO.KL/31/37/2013:

Smt Chandini hails from Pathanamthitta District submitted her grievance petition requesting to take necessary action as the accused person give hindrance to their pathway and abused them calling her caste name. The matter was taken up with the Superintendent of Police, Pathanamthitta District. A final reply received from the Dy. Superintendent of Police stating that both the parties were called together and solved the problem by overcoming the hindrance caused to pathway.

6.8.6.10 FILE NO.KL/15/2/2013:

Shri K.Vijayappan and Smt. Sandhya Vijayappan hails from Kottayam District submitted their grievance petition, requesting to take necessary action as the accused person gives hindrance to their pathway and abused them by calling their caste name. The matter was taken up with the Superintendent of Police (District Police Chief) and District Collector Kottayam for corrective action. In this regard a reply received from the Superintendent of Police, stating that both the parties were called together and solved the problem amicably by instructing the other party to keep the status of the disputed pathway as such.

6.8.6.11 FILE NO.KL/31/9/2013:

Smt. Bindumol, W/o Ramesh O.V, hails from Kasargod District submitted her grievance petition, requesting to take necessary action as the accused person attempt to outrage her modesty. The matter was taken up with the District Police Chief, Kasargod for necessary action as per the provisions of POA Act and its rules for necessary action. A final reply received from the concerned stating that the accused person was arrested and charge-sheeted adding the Section 3(1)(xi) of POA Act.

6.8.6.12 FILE NO.KL/12/22/2013(Hqr.):

Shri. J. PremKumar, TSG (SS), Kendriya Vidyalaya submitted his grievance petition regarding harassment at work place. The matter was taken up with the Deputy Commissioner, Kendriya Vidyalaya Sangathan for corrective action. After continuous follow up with the concerned, a final reply received from the Commissioner, Kendriya Vidyalaya Sangathan, NewDelhi that on basis of investigation report the competent authority has decided to transfer the accused person to Kendriya Vidyalaya, Pattom.

6.8.6.13 FILE NO.KL/31/65/2013(HQrtr):

Shri Anoop hails from Kottayam District submitted his grievance petition, requesting for necessary action as the accused persons assaulted him brutally and abused him caste wise. The matter was taken up with the Superintendent of Police, Kottayam for necessary action as per the provisions of POA Act and

its relevant rules. In this regard, a final reply received from the Superintendent of Police, states that the case was registered under Section 3(i)(xi) of POA Act along with IPC Sections.

6.8.6.14 FILE NO.KL/31/32/2013:

Smt. Saradha, hails from Kottayam District submitted her grievance petition, requesting to take necessary action as per the provisions of POA Act 1989 as the accused person abused her by calling her caste name and insulted by using abusive words in connection with payment for catering. The matter was taken up with the SP, Kottayam for necessary action. The investigation report received from the police revealed that during the course of investigation accused person agreed to give compensation for catering service and solved the matter amicably due to intervention of the office.

6.8.6.15 FILE No.KL//31/64/2013 (Headquarter):

Ms.Yamuna, hails from Ernakulam District submitted her grievance petition, requesting to take necessary action as the accused person exploited her sexually and threatened. The alleged matter was taken up with the Commissioner of Police, Kochi city for necessary action. In this regard a final reply received from the police, stating that the case was registered U/S 3(1) (XI) of POA Act and charge sheeted.

CHAPTER – VII

ADMINISTRATION AND COORDINATION CELL

7.1 The Mandate¹

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

The fourth National Commission for Scheduled Castes² is headed by Dr. P.L. Punia , the Chairperson. There is a Vice Chairman, three members and officials³.

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

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

7.2 Offices

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

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

² See Annexure 1 for NCSC Organization Chart

³ Dr. Raj Kumar Verka - Vice-Chairperson

Shri Raju Parmar - Member

Shri M. Shivanna - Member

Smt.(Late) Latha Priyakumar - Member

Shri J.N. Chamber Secretary

Shri T. Theethan - Joint Secretary (for details of Members and officials please visit: www.ncsc.nic.in)

The Commission has 12 state offices in the following states:

Table No. 7.1

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

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

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

Table No. 7.2

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

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

7.3 Issues related to staffing and position upgradation

7.3.1 Staffing at the Headquarters⁴

The NCSC headquarters has the following Wings/Divisions:

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

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

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

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

State Offices for the purpose of administration are headed by Directors / Deputy Directors. However, a large number of such posts including lower functionaries are lying vacant both at Headquarters and State Offices⁵ of the Commission (In the State Offices, only 101 positions are filled out of the 156 positions). Process is on to fill up these vacant posts both by the Ministry of Social Justice & Empowerment (for Group A level posts) and the Commission.

7.3.2 Upgradation of Offices

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

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

7.3.3 Other Vacant Positions and Up-gradation of Offices:

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

⁴ Please see Annexure-2 for incumbency position at the NCSC headquarters (As on 31st March, 2014)

⁵See Annexure-3 for incumbency position at the NCSC state offices

7.4 Accomodation

The office of the Commission is located at 5th Floor, Loknaya Bhawan, Khan Market, New Delhi. A proposal for renovation / modernization of offices under the Modernization of Offices Scheme being sponsored by Department of Administrative Reforms and Public Grievances has been approved. The proposal has been approved and renovation work has been carried out at the time of submission of this Report. The State Offices of the Commission are located in different States. The location of the State Offices and their jurisdiction is given in **Annexure – IV**.

7.5 Use of Technology for Administrative purposes

7.5.1 E-governance

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

7.5.2 Complaint Monitoring Information System (CMIS)

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

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

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

7.5.3 Compliance with other Mandates

7.5.3.1 Use of Hindi

The NCSC strictly followed the instructions on official language and issued all important orders/notifications bilingually. “Hindi Fortnight” was observed from the 14 to 30 September, 2013. 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.

7.5.3.2 National Integration Week

The NCSC observed the “*Quami Ekta Week*” (National Integration Week) from 19 to 25 November, 2013 to foster the spirit of patriotism, communal harmony and national integration.

7.5.3.3 Vigilance Unit

Shri T. Theethan, Joint Secretary was appointed as part- time Chief Vigilance Officer (CVO). He was assisted by a U.S./Vigilance Officer who is

discharging these functions, in addition to his normal duties. The NCSC observed the Vigilance Awareness Week from 12 to 16 November, 2013 and banners are put up at different places.

7.5.3.4 Right to Information Act, 2005

In accordance with the provisions of section 4(1) (b) of the Right to Information Act, 2005, the NCSC has designated Central Public Information Officers (CPIOs) for each division under the RTI Act, 2005. Shri T. Theethan, Joint Secretary has been designated as the Appellate Authority. The CPIOs and 1st Appellate Authorities in respect of National Commission for Scheduled Castes, Headquarters and State Offices is provided in **Annexure - V**

During the period from April, 2013 to March, 2014, 854 applications under the RTI Act were received and all applications were replied to. All appeals received against the information furnished by the CPIO, NCSC were disposed of by the 1st Appellate Authority.

7.6 Budget

The NCSC has a Non-Plan budget of ` 1,371.00 lakh for the year 2013-14. A statement is given at **Annexure – VI**.

CHAPTER – VIII SERVICE SAFEGUARDS

After independence, while framing the Constitution of India, it was observed that practice of untouchability' is the common form of discrimination due to caste systems and certain castes were exploited. Therefore, various Act, were made under the Constitution to eradicate untouchability in any form and further special provisions were also required for Scheduled Castes and Scheduled Tribes to secure their adequate representation in public services. **Reservation in India** is a form of affirmative action designed to improve the well-being of backward and underprivileged communities defined primarily by their 'caste' (quota-system based on 'gender' or 'religion'). These are laws (both Constitutional and statutory) or merely local rule / regulations / practices (not derived from any Act passed by the Parliament or State-Legislature) wherein a certain percentage of total available vacancies in educational institutes and government jobs are set aside for people from backward communities and others. Scheduled Castes (SC), Scheduled Tribes (ST) and Other Backward Classes (OBC) are the primary beneficiaries of the reservation policies under the Constitution – with the object of ensuring a level playing field. Objective of providing reservations of the Scheduled Castes (SCs), Scheduled Tribes (STs) and Other Backward Classes (OBCs) in services is not only to give jobs to some persons belonging to these communities, it basically aims at empowering them and ensuring their participation in the decision making process of the State Public Employment gives a certain status and power, besides the means of livelihood.

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

8.1 Constitutional Provisions for Reservation

The Constitution of India states in Article 15(4): "All citizens shall have equal opportunities of receiving education. Nothing herein contained shall preclude the State from providing special facilities for educationally backward sections (not "communities") of the population." [Emphasis and parentheses added.] It also states that "The State shall promote with special care the educational and economic interests of the weaker sections of society (in particular, of the Scheduled Castes and aboriginal tribes), and shall protect them from social "injustice" and all forms of exploitation. "The Article further states that nothing in Article 15(4) will prevent the nation from helping SCs and STs for their betterment [betterment' up to the level enjoyed by the average member of other communities].

Accordingly, safeguards for ensuring adequate representation of the Scheduled Castes and Scheduled Tribes in the services and posts under the State are provided in Article 16(4), 16(4A), 16(4B) and 335 of the Constitution, Article 16(4) empowers the State for making any provision for the reservation of

appointment or posts in favour of any backward Class of citizens, which in the opinion of the State is not adequately represented in the services under the state. Article 16 (4A) which come into force on 19.06.1995 vide the Constitution (Seventy Seventh Amendment) Act, 1995 and Article 16 (4B) which has been incorporated in the Constitution vide the Constitution (Eight First amendment) Act, 2000 empowers the State for making any provision for reservation in matters of promotion to any class or classes of posts in the services under the State in favour of the Scheduled Castes and Scheduled Tribes which, in the opinion of the State, are not adequately represented in the services under the State.

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

8.2 Reservation in services

After Independence, instructions were issued on 21.9.47 providing for reservation of 12 ½ per cent of vacancies of SCs in respect of recruitment made by open competition. In case of recruitment other than by open competition this percentage was fixed at 16 and 2/3 per cent. After the Constitution was promulgated on 13.09.1950, five *per cent* reservation was provided for STs apart from the percentage fixed for SCs already in force.

8.3 Reservation in Direct Recruitment

The percentage of reservation in direct recruitment on all India basis by open competition for SCs and STs in 15% and 7.5% respectively was fixed on 25.03.1970. Direct recruitment on all India basis otherwise than by open competition reservation for SCs and STs is 16.66% and 7.5% respectively. In respect of direct recruitment to Group C and D posts which normally attract candidates from a locally or a region, percentage of reservation for SCs/STs is generally fixed in proportion to the population of SCs and STs in the respective State/UT.

8.4 Relaxations available for SCs/STs in direct recruitment

The Relaxations of upper age limit by five years, Exemption from payment of examination/application fees, Separate interview for SC/ST, Standards of suitability, payment of TA and relaxation in experience at discretion of UPSC/Competent Authority are available for the SCs/STs in direct recruitment.;

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

Where recruitment is made for zones or circles or regions consisting of more than one State, the percentage of reservation for SCs and STs is generally

fixed on the basis of the promotion of SCs and STs in the respective zones/circles/regions and reservation for OBCs is fixed keeping in view their proportion in the population of the respective zones/circles/regions subject to limit of 27 *per cent* and total reservation for SCs, STs and OBCs should not exceed 50 *per cent*.

8.5 Reservation in Promotion

In the year 1957, reservation was provided for SC and ST in departmental competitive examinations by the Government of India. Reservation in promotion by selection in Group C and Group D was provided in 1963 and in the same year reservation in departmental competitive examination was limited to Class III and Class IV only. In the year 1968 when reservation in limited department examination to Class II, II, and IV and promotion by selection to Class II and Class IV were subjected to a condition that element of direct recruitment should not exceed 50 percent. The percentage of reservation for SCs and STs was increased from 12 ½ % to 15% and 5% to 7 ½ % respectively from 25.02.1970. Reservation in promotion by seniority subject to fitness was introduced in 1972 subject to the condition that the element of direct recruitment does not exceed 50 percent. In 1974, reservations in promotion by selection from C to B within B and from B to the lowest rung of Group A were introduced provided the element of direct recruitment does not exceed 50%. The limitation of the direct recruitment for exceeding 50 percent was raised to 66 and 2/3 percent in 1976 and 75% in the year 1989. Reservation in promotion by non-selection method is available to SCs and the STs in all groups of services viz. A, B, C and D at the rate of 15% and 7.5% respectively. In promotion by selection method reservation is available up to lowest rung of Group A at similar percentage.

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

8.6 The Relaxations that is available for the SCs/STs in promotions.

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

Reservation till 1.7.1997 was computed on the basis of number of vacancies filled. After that post based reservation was introduced w.e.f. 2.7.1997. 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.

8.7 Revised instructions on reservation roster for implementation of reservation in small cadre.

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

Department of Personnel and Training vide OM No. 36012/2/96-Estt (Res.), dated 02.07.1997, in implementation of the Supreme Court judgment in the case of R.K. Sabharwal Vs. State of Punjab, introduced post-based reservation by replacing vacancy based roster, Two rosters were devised. One for cadre having more than 13 posts and another 14 points L shaped roster for cadres having 2 to 13 points. In 14 point roster Scheduled Castes and Scheduled Tribes have been allotted one point each i.e. point No. 07 and point No. 14 respectively. It was observed that despite having the 15% share in reservation, Scheduled Caste is getting only one slot i.e. point No. 7 in L-shaped roster, while Scheduled Tribe having 7.5% reservation also gets one point i.e. point No. 14. To rectify the lacunae it was proposed to prescribe a 200 point-roster for cadre having 2 to 13 posts. In a 200 point roster STs will get 15 points (i.e. 7.5%) and SCs will get 30 points (i.e. 15%).

Reservation for Scheduled Castes and Scheduled Tribes is provided at the rate of 15% and 7.5% respectively. The instructions contained in O.M. No. 36012/2/1996-Estt.(Res) dated 02.07.1997 provide that while drawing model roster, the method for making a roster is to multiply each post by the prescribed percentage of reservation for the different reserved categories. The point at which the multiple for a community gets a complete number or oversteps the number will be reserved for that community. Thus in 14 point L-shaped roster [SC-14x15%=2.10] [ST-14x7.5%=1.05] there should be two points earmarked reserved for SCs instead of one as provided in the present L-shaped roster.

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

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

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

Table 8.1

Statement Showing the Representation of SCs, in the Central Government under different Ministries/Departments as on 01.01.2013.

Group	Total Employees	No. of SCs in position	Percentage of SC employees	No. of OBCs in position	Percentage of OBC employees
<i>1</i>	<i>2</i>	<i>3</i>	<i>4</i>	<i>5</i>	<i>6</i>
A	69157	9043	13.08	6814	9.85
B	153584	24906	16.22	17720	65.59
C (Excluding Safai Karamchari)	2555461	438724	17.17	468676	18.34
D Safai Karamchari	111878	33536	29.98	22263	19.9
Total	2890080	506209	17.52	515473	17.84

It is observed that the SC & OBC employees have not reached the prescribed percentage of 15 per cent and 27 per cent respectively despite a number of Special Recruitment Drives conducted by the various Departments of Government of India. The National Commission for Scheduled Castes once again recommends that Special Recruitment Drives may be conducted to fill up all backlog posts in the Government of India.

The percentage of Scheduled Castes in Group A is lower than prescribed percentage and percentage of OBCs employees is very low in the Group A & B as can be seen below:

Table 8.2

Statement Showing the Representation of SCs, in the Central Public Enterprises under different Ministries/Departments as on 01.01.2013

Groups	Total Employees	SCs employees in position	OBC employees in position	Percentage of SC employees	Percentage of OBC employees
<i>1</i>	<i>2</i>	<i>3</i>	<i>4</i>	<i>5</i>	<i>6</i>
A (Managerial/Executive Level)	162384	23751	19604	14.63	12.07
B (Supervisory Level)	145356	21204	13553	14.59	9.32
C (Workman Clerical/Level)	465595	91786	80582	19.71	17.31
D (Semi Skilled/ Unskilled Excluding Safai Karamchari)	178494	364409	34002	20.40	19.05
Group D Semi Skilled/ Unskilled Safai Karamchari	7030	5412	411	76.98	5.85
Total	958859	718562	148152		

The statement of representation of scheduled caste in Public Sector Banks as on 01.01.2014 is given at **Annexure VII**. It is noticed that the percentage of SC employees in clerical grade is less than prescribed percentage in Bank of Baroda, Dena Bank, UCO Bank & State Bank of Travancore. In officer's cadre it is less than prescribed percentage in Corporation Bank, Punjab & Sind Bank, IDBI Bank and RBI.

The statement of representation of Scheduled Castes in Insurance Companies as on 01.01.2014 is given at **Annexure VIII**. It is observed that the percentage representation of SCs in Group A & B Officers cadre is less than prescribed percentage in Insurance Regulatory & Development Authority (IRDA) and similarly, prescribed percentage is less in Group B posts in all the Insurance Companies except IRDA.

The statement of representation of Scheduled Castes in the Financial Institutions as on 01.01.2014 is given at **Annexure IX**. It is noticed that percentage of SC employees in group A & B is less than prescribed percentage in National Housing Bank, EXIM Bank¹ & IIFCI² similarly percentage of SC in group C is less than prescribed percentage in NABARD³.

8.8 Reservation scenario in the State Governments

The Commission collected information on representation of SCs in both State/ UT Governments and Public Section Undertakings under control of State / UT Governments. Eleven States / UT⁴ have given both information as desired by the Commission regarding representation of Scheduled Castes in the State / UT Governments as on 31 March, 2014 which is detailed below⁵.

8.8.1 Andhra Pradesh

Table No. 8.3
Representation of Scheduled Castes in State Government
(SC Reservation 15%)

Group	Total No. of Employees	SC PIP⁶	Percentage of SC PIP	Shortfall
Gazetted	57459	8521	14.83	0.17
Non-Gazetted	549744	87242	15.87	00
Class-IV	140136	45924	32.77	00
Others	541602	135476	25.01	00
Sweepers	29694	17988	60.58	00
Total	1318635	295151	22.38	0.17

(Source : Report received from the Government of Andhra Pradesh)

¹ Export Import Bank of India

² India Infrastructure Company Limited

³ National Bank for Agriculture & Rural Development

⁴ Andhra Pradesh, Bihar, Gujarat, Haryana, Himachal Pradesh, Jharkhand, Karnataka, Kerala, Odisha, Union Territory of Puducherry and Uttar Pradesh.

⁵ The percentage calculation in terms of SC employees occupying in office, have been made based on total employees in position. It is not clear from the statements supplied by State / UT Government as to how many SC posts are vacant amongst total sanctioned posts / vacant posts.

⁶ PIP : Person in position

Table No. 8.4
Representation of Scheduled Castes in State PSUs

Group	Total No. of Employees	SC PIP	(SC Reservation 15%)	
			Percentage of SC PIP	Vacancy
Administrative Supervisors	6769	773	11.42	3.58
Technical Supervisors	10216	1444	14.13	0.87
Non-Supervisors/ Administrative	28980	3813	13.16	1.84
Non-Supervisors Technical	13781	2129	15.45	00
Skilled Workers	98610	17252	17.50	00
Un-skilled Workers	93279	19755	21.18	00
Apprentices	1792	366	20.42	00
Sweepers	756	185	24.47	00
Total	254183	45717	17.98	00

(Source : Report received from the Government of Andhra Pradesh)

From the above table, it is seen that in the categories of Administrative Supervisor and Non Administrative Supervisor posts, improvements are necessary.

8.8.2 Bihar

Table No. 8.5
Representation of Scheduled Castes in State Government
(SC Reservation – 8.58%)

Group	Total No. of Employees	SC PIP	Percentage of SC PIP	Shortfall
A	6738	3628	661 (18.21)	3110
B	11722	5836	801 (13.72)	5886
C	16604	6937	1168 (16.83)	9667
D	2915	1422	206 (14.48)	1493
Total	37979	17823	2836(15.91)	20156

(Source:- Report on Status of Backwardness of SCs/STs in Bihar by the SC & ST Welfare Department, Government of Bihar in August, 2012. Position in respect of 44 departments of the Government of Bihar.)

Table No. 8.6
Representation of Scheduled Castes in State PSUs
(SC Reservation – 8.58%)

Group	Total No. of employees	SC PIP	Percentage of SC PIP	Shortfall
A	NA	143	16 (11.18)	NA
B	NA	543	38 (6.99)	NA
C	NA	7384	405 (5.48)	NA
D	NA	9535	714 (7.49)	NA
Total	NA	17605	1173 (6.66)	--

(Source:- Report on Status of Backwardness of SCs/STs in Bihar by the SC & ST Welfare Department, Government of Bihar in August, 2012. Position in respect of 44 departments of the Government of Bihar.)

8.8.3 Gujarat

Table No. 8.7
Representation of Scheduled Castes in State Government
(SC Reservation – 7.09 %)

Category	Total No. of employees	SC PIP	% of SC PIP	SC vacancy
	5993	458	7.64	09
A	18126	1495	8.24	65
B	389484	32174	8.26	53
C	43422	7476	17.21	31
D	3699	2993	80.91	28
Gr. D excluding Safaikaramcharis	5993		7.64	

(Source : Report received from the Government of Gujarat; Figures as on 1.4.2014)

Table No. 8.8
Representation of Scheduled Castes in State PSUs
(SC Reservation – 7.09%)

Category	Total No. of employees	SC PIP	% of SC PIP	SC vacancy
A	3348	212	6.33	10
B	12591	982	7.79	17
C	147571	15636	10.59	53
D	49662	12918	26	41
Safaikaramcharis	974	849	87.17	--

(Source : Report received from the Government of Gujarat; Figures as on 1.4.2014)

8.8.4 Haryana

Table No. 8.9
Representation of Scheduled Castes in State Government
(SC Reservation – 18.90 %)

Group	Total No. of employees	SC PIP	% of SC PIP	SC vacancy
A	5516	478	8.66	172
B	26717	2858	10.69	516
C	232522	29122	12.52	6580
D	66671	15845	23.76	442
Total	331426	48303		7710

(Source : Report received from the Government of Haryana; Information as on 31.1.2012)

Table No. 8.10
Representation of Scheduled Castes in State PSUs
(SC Reservation – 18.90%)

Group	Total No. of employees	SC PIP	% of SC PIP	SC vacancy
A	1496	1109	7.5	187
B	2763	1474	9	304
C	44381	22335	10	4305
D*	12324	7726	15.5	555
Total	60964	32644		5351

Data shown regarding Group A & Group B as percentage of SC PIP and SC vacancies are applicable for direct recruitment only.

* Reservation in Group A & B for promotion is not applicable.

(Source : Report received from the Government of Haryana; Information as on 1.1.2011)

8.8.5 Himachal Pradesh

Table No. 8.11
Representation of Scheduled Castes in State Government
(SC Reservation – 25.20 %)

Group	Total No. of employees	Total PIP	SC PIP	Percentage of SC employees
A	12798	10161	1260	12.40
B	4141	3397	574	16.90
C	160476	126804	22771	17.96
D* (excluding sweepers)	59271	50921	13121	25.77
*Sweepers	2545	2053	1852	90.21

(Source : Report received from the Government of Himachal Pradesh; Information as on 01.01.2013)

Table No. 8.12
Representation of Scheduled Castes in State PSUs
(SC Reservation – 25.20%)

Group	Total No. of employees	Total PIP	SC PIP	Percentage of SC employees
A	3461	2352	224	9.52
B	1741	1291	247	19.13
C	34207	25992	4657	17.92
D* (excluding sweepers)	13424	11023	2743	24.88
*Sweepers	1010	855	792	92.63

(Source : Report received from the Government of Himachal Pradesh; Information as on 01.01.2013)

8.8.6 Jharkhand

Table No. 8.13
Representation of Scheduled Castes in State Government
(SC Reservation – 2.72 %)

Group	Total No. of employees	Total PIP	SC PIP	Percentage of SC employees
A	1314	NA	123	NA
B	7653	NA	776	NA
C	12326	NA	1182	NA
D*	8064	NA	804	NA
Total	29357	NA	2885	NA

*Group D Excluding the Safaikaramachari

(Source: Information received from the Department of Personnel, Administrative Reforms & Rajbhasa, Government of Jharkhand, Ranchi based on data received from 20 departments. Position as on 09-04-2011.)

Table No. 8.14
Representation of Scheduled Castes in State PSUs
 (SC Reservation – 2.72%)

Group	Total No. of employees	Total PIP	SC PIP	Percentage of SC employees
A	1323	NA	133	NA
B	1348	NA	107	NA
C	2996	NA	310	NA
D*	3950	NA	395	NA
Total	9617	NA	945	NA

*Group D Excluding the Safaikaramachari's

(Source: Information received from the Department of Personnel, Administrative Reforms & Rajbhasa, Government of Jharkhand, Ranchi. Position as on 09-04-2011.)

8.8.7 Karnataka

Table No. 8.15
Representation of Scheduled Castes in State Government
 (SC Reservation – 17.15 %)

Group	Total No. of employees	SC PIP	Percentage of SC PIP	SC vacancy
A	18140	2529	18.17	00
B	43201	4397	15.31	-1.84
C	488207	64267	15.72	-1.43
D	78708	13164	24.41	00
Total	628256	84357	16.69	-0.46

(Source : Report received from the Government of Karnataka)

Table No. 8.16
Representation of Scheduled Castes in State PSUs
 (SC Reservation – 17.15%)

Group	Total No. of employees	SC PIP	Percentage of SC PIP	SC vacancy
A	3062	463	15.12	00
B	3972	592	14.90	-2.25
C	48580	7432	15.30	00
D	13547	2485	18.34	00
Total	70597	29454		

(Source : Report received from the Government of Karnataka)

8.8.8 Kerala

Table No. 8.17
Representation of Scheduled Castes in State Government
 (SC Reservation – 9.10 %)

Group	Total No. of employees	SC PIP	Percentage of SC PIP	SC vacancy
A	4295	538	12.5	00
B	--	--	--	--
C	20988	2068	9.85	--
D	5577	770	13.80	--
Total				

(Source : Report received from the Government of Kerala)

Table No. 8.18
Representation of Scheduled Castes in State PSUs
 (SC Reservation – 9.10%)

Group	Total No. of employees	SC PIP	Percentage of SC employees	SC vacancy
A	14	6	--	--
B	64	4	6.25	-2.85
C	408	220	10.7	00
D*	54	53	26.4	00

(Source : Report received from the Government of Kerala)

8.8.9 Odisha

Table No. 8.19
Representation of Scheduled Castes in State Government
 (SC Reservation – 17.13 %)

Group	Total No. of employees	SC PIP	Percentage of SC PIP	SC vacancy
A	15320	11833	6.33	3487
B	24691	20582	12.38	4109
C	411830	299886	12.85	111944
D	79821	59912	18.28	19909

(Source : Report received from the Government of Odisha; Information as on 01.01.2012)

Table No. 8.20
Representation of Scheduled Castes in State PSUs
 (SC Reservation – 17.13%)

Group	Total No. of employees	SC PIP	Percentage of SC PIP	SC vacancy
A	N.A.	493	7.91	NA
B	N.A.	1399	11.94	NA
C	N.A.	7893	8.72	NA
D	N.A.	5180	11.70	NA
Safaikaramcharis		107	86.92	NA

(Source : Report received from the Government of Odisha; Information as on Oct., 2009)

8.8.10 Union territory of Puducherry

Table No. 8.21
Representation of Scheduled Castes in State Government
 (SC Reservation – 16.19 %)

Group	Total No. of employees	SC PIP	Percentage of SC PIP	SC vacancy
A	1624	176	10.84	NA
B	11309	1483	13.11	NA
C	19844	2733	13.77	NA
D*	5313	785	14.78	NA

*Group D excluding Safai Karmachari's

(Source : Report received from the Government of U.T. of Puducherry; Information as on 1.1.2014)

Table No. 8.22
Representation of Scheduled Castes in State PSUs
(SC Reservation – 16.19%)

Group	Total No. of employees	SC PIP	% of SC employees	SC vacancy
A	944	91	9.64	NA
B	1083	75	6.93	NA
C	7172	833	11.61	NA
D*	3637	627	17.24	NA

*Group 'D' excluding Safai Karmachari

(Source : Report received from the Government of U.T. of Puducherry; Information as on 1.1.2014)

8.8.11 Uttar Pradesh

Table No. 8.23
Representation of Scheduled Castes in State Government
(SC Reservation – 20.70 %)

Group	Total No. of employees	SC PIP	Percentage of SC PIP	SC vacancy
A	10755	1309	12.17	NA
B	29453	4427	15.03	NA
C	500971	89017	17.77	NA
D*	248785	94426	37.95	NA
Total	789964	189179	23.95	NA

*Group 'D' excluding Safai Karmachari

(Source: Report received from the Government of Uttar Pradesh; Information as on 31.12.2004)

Table No. 8.24
Representation of Scheduled Castes in State PSUs
(SC Reservation – 20.70%)

Group	Total No. of employees	SC PIP	Percentage of SC PIP	SC vacancy
A	2417	542	22.42	NA
B	3821	910	23.82	NA
C	56132	12535	22.33	NA
D*	26929	6228	23.13	NA
Total	89299	20215	22.64	NA

*Group D excluding Safai Karmachari's

(Source : Report received from the Government of Uttar Pradesh; Information as on 2013)

Eight States⁷ however, have given only one set of data which pertains to representation of Scheduled Castes in State Government. Data / information as received are given here under:

⁷ Assam , Chattisgarh, Madhya Pradesh , Maharashtra , Punjab, Rajasthan , Tamil Nadu , West Bengal

8.8.12 Assam

Table No. 8.25
Representation of Scheduled Castes in State Government
 (SC Reservation – 6.85 %)

Group	Total No. of employees	SC PIP	Percentage of SC PIP	SC vacancy
A	NA	453	5.65	NA
B	NA	437	5.90	NA
C	NA	11,712	5.73	NA
D*	NA	5007	11.22	NA
Fixed/Consolidated Pay	NA	555	6.91	NA
Total	NA	18,164	6.64	NA

* Excluding the Safaikarmacharis

Percentage to total employees (SC, ST, OBC & Others)

(Source : Report received from the Government of Assam)

8.8.13 Chhattisgarh

Table No. 8.26
Representation of Scheduled Castes in State Government
 (SC Reservation – 12.82 %)

Group	Total No. of employees	Total SC employees	SC PIP	SC vacancy
A	2713	408	299	-107
B	11030	1654	1388	-286
C	163895	26175	21892	-4283
D	33944	6431	7508	+2075
Sweepers/ Daily Wagers	178002	47886	28480	-19406

(Source : Report received from the Government of Chhattisgarh)

8.8.14 Madhya Pradesh

Table No. 8.27
Representation of Scheduled Castes in State Government
 (SC Reservation – 15.62 %)

Group	Total No. of employees	Total SC employees	SC PIP	SC vacancy
A	6545	1047	806	241
B	29853	4776	4836	+60
C	347024	55523	55217	306
D	65983	10557	15861	+5304
Total	449405	71903	76720	+4817

(Source : Report received from the Government of Madhya Pradesh)

8.8.15 Maharashtra

Table No. 8.28
Representation of Scheduled Castes in State Government
(SC Reservation – 10.20 %)

Group	Total No. of employees	Total SC employees	SC PIP	Percentage of SC PIP
A	32412	25600	3926	15.33
B	53979	40390	5680	14.06
C	786765	701065	92280	13.16
D*	105708	82973	13667	16.47
Total	978864	850028	115553	13.59

*Group 'D' excluding Safai Karmachari

(Source : Report received from the Government of Maharashtra; Information as on 1.1.2011)

8.8.16 Punjab

Table No. 8.29
Representation of Scheduled Castes in State Government
(SC Reservation – 31.90 %)

Group	Total No. of employees	Total SC employees	SC PIP	SC vacancy
A	16725	10793	17.03	
B	29663	22156	17.52	
C	23113	188189	22.4	
D*	66521	55531	34.14	

*Group 'D' excluding Safai Karmachari

(Source : Report received from the Government of Punjab)

8.8.17 Rajasthan

Table No. 8.30
Representation of Scheduled Castes in State Government
(SC Reservation – 17.16 %)

Group	Total No. of employees	Total SC employees	SC PIP	SC vacancy
A	NA	NA	5993	7.64
B	NA	NA	18126	8.24
C	NA	NA	389484	8.26
D*	NA	NA	43422	17.21

*Group 'D' excluding Safai Karmachari

(Source : Report received from the Government of Rajasthan)

8.8.18 Tamil Nadu

Table No. 8.31
Representation of Scheduled Castes in State Government
(SC Reservation – 20.01 %)

Group	Total No. of employees	Total SC employees	SC PIP	SC vacancy
A	8304	1496	622	874
B	167501	30146	22506	7638
C	674193	121353	106491	14862
D*	241587	43493	72164	28674

*Group 'D' excluding Safai Karmachari's

(Source : Report received from the Government of Tamil Nadu; Information as on 30.6.2007)

8.8.19 West Bengal

Table No. 8.32
Representation of Scheduled Castes in State Government
(SC Reservation – 23 %)

Group	Total No. of employees	Total SC employees	SC PIP	SC vacancy
A	49870	6412	12.86	4559 (9.14%)
B	133793	20136	15.05	9298 (6.95%)
C	140448	29498	21.00	1401 (1.00%)
D*	28378	6302	22.21	--
Others	1036	114	11.00	114 (11.99%)

*Group 'D' excluding Safai Karmachari – Not Available

(Source: Report received from the Government of West Bengal; Information given is provisional)

Analysing the above data, it would reveal that majority of the States / UTs could not fill up reserved posts including lower rank posts like Gr. C & D to the extent of reservation percentage. The Commission thus recommends the following for improvement of SC representations and other service conditions.

8.9 Recommendations

8.9.1 The Commission has recommended to the DoPT vide No. G-6/HFW-80/2010/SSW-II on 10.12.2013 to replace L-Shaped Roster with 200 point post based roster be operated for cadres having 13 or less than 13 points as a running vacancy based roster. The reservation is to be provided on rotation basis as is done in case of L-Shaped roster.

8.9.2 The Commission recommends that “Reservation in Promotion” may be continued by all State Governments. The all backlog posts should be filled up by launching Special Recruitment Drive in time bound manner.

8.9.3 The Commission re-iterates its recommendations made in its earlier reports that reservation provided for in judicial appointments below the High Courts needs to be implemented to fulfill the prescribed reservation percentage. The Commission also re-iterates its recommendation to consider provision of reservation in appointments of Judges to the High Court and Supreme Court of India.

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

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

CHAPTER – IX ECONOMIC DEVELOPMENT

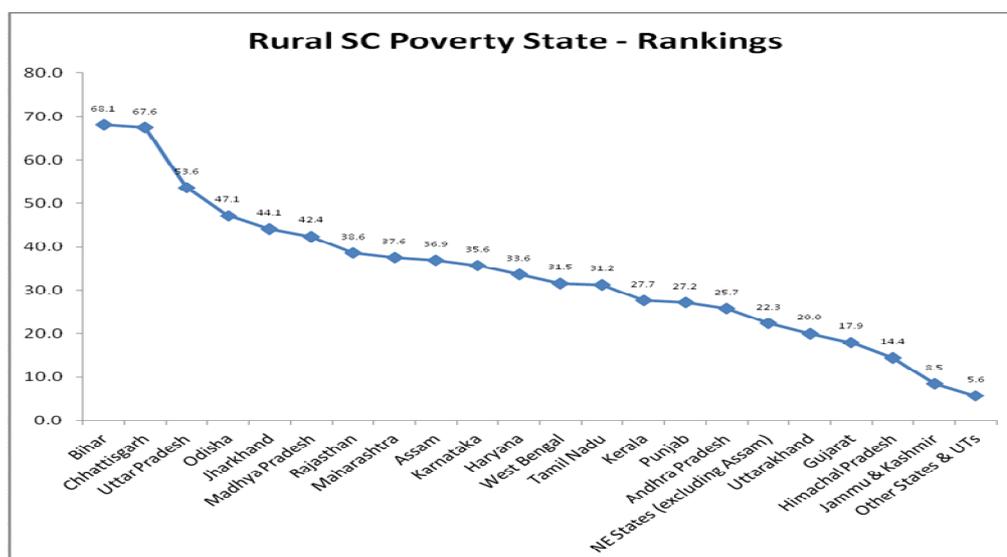
The Scheduled Castes constitute about 16.6 *per cent* (20.14 crore) of the total population as per 2011 census. They are subjected to untouchability and social discrimination by other sections of society. This has resulted in denial of education, as well as economic, social, political and cultural deprivation to them. In order to bridge this gap created due to the inherent practice of untouchability against Scheduled Castes (SCs) the founding fathers of the constitution felt an imperative need for the economic empowerment of Scheduled Castes and Scheduled Tribes and Article 46 of the Constitution has been enshrined with this end in view. As per Article 46 of the Constitution, “The State shall promote with special care the educational and economic interests of the weaker sections of the people, and in particular, of the Scheduled Castes and the Scheduled Tribes, and shall protect them from social injustice and all forms of exploitation”.

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

9.1 Scheduled Caste Poverty (Rural)

It can be observed that in 2009-10, the All India rural poverty ratio was 33.8 while that for the Scheduled Castes was 42.2, a clear indicator of the acute poverty of the Scheduled Castes in India. The following graph shows the ranking of states based on the State-wise Rural Poverty Ratio for Scheduled Caste Population (2009-10):

Graph No. 9.1
Rural SC poverty in States



(Sources: NSS unit level data of Household Consumption Expenditure, 43rd and 66th rounds)

The above data suggests that Bihar, Chhattisgarh, Uttar Pradesh, Odisha and Jharkhand are the states with the highest rural poverty ratio for Scheduled Castes.

9.2 Schedule Caste Population Occupational Split

Understanding the nature of occupational change for the Scheduled Caste population is important to understand occupational and socio-economic mobility of the social group. Data discussed below suggests that there has not been much occupational mobility among the Scheduled Caste between the decade of 2001-2011.

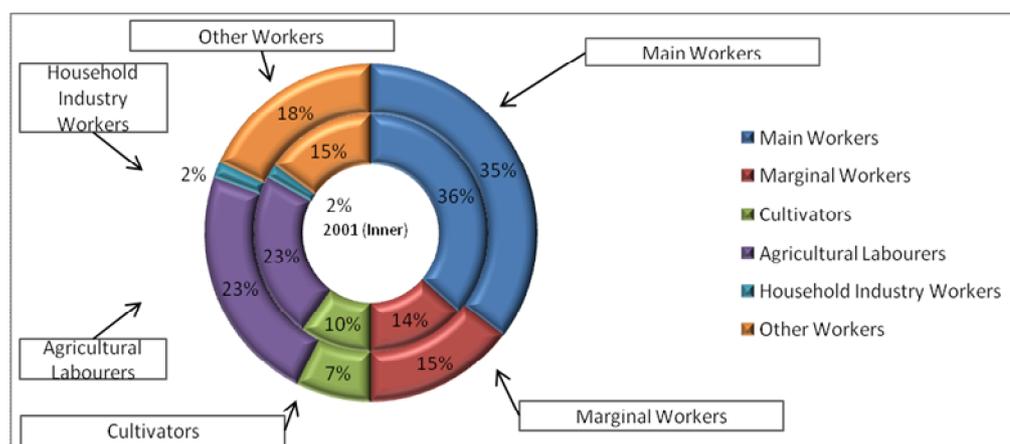
Table No. 9.1
Distribution of population based on work profile of Scheduled Castes

Schedule Caste Population Work Profile	2001	2011
Main Workers	4,91,32,343	5,81,83,356
Marginal Workers	1,82,00,541	2,41,21,249
Cultivators	1,34,58,018	1,21,44,111
Agricultural labourers	3,07,13,370	3,78,01,083
Household Industry Workers	26,29,912	26,52,919
Other Workers	2,05,31,584	2,97,06,492

(Source: Primary Census Abstract for Total population, Scheduled Caste and Scheduled Tribes, 2001-2011 Office of the Registrar General & Census Commissioner, India)

The donut chart below shows a comparison between the work distributions of Scheduled Caste Workers from 2001 (shown in the inner circle) to 2011 (shown in the outer circle):

Graph No. 9.2
Comparative Chart on Work Distribution amongst SC workers



(Source: Primary Census Abstract for Total population, Scheduled Castes and Scheduled Tribes, 2001-2011 Office of the Registrar General & Census Commissioner, India)

As per the above diagram, certain trends emerge –

- The percentage of Scheduled Caste population working as ‘Main Workers’ has reduced by 1 per cent
- While that working as ‘Marginal Workers’ has increased.
- The percentage of Scheduled Caste population working as ‘Cultivators’ has reduced by 3 per cent

- While that working as ‘other workers’ has increased by 3 per cent.
- The Percentage of Scheduled Caste population working in the ‘Household Industry’ and that working as ‘Agricultural Labourers’ has remained the same

The above analysis of trends indicates a downward social mobility of the Scheduled Caste Working population. The problem of landlessness among Scheduled Castes is reflected in the trend of the reduction in the percentage of Scheduled Caste population working as ‘Cultivators’. The reduction in percentage of Scheduled Caste population working as ‘Main Workers’ also indicates towards the shifting of the Scheduled Caste workforce from skilled labour jobs to more unskilled ones reflecting in an increase in the percentage of Scheduled Caste population working as ‘Marginal Workers’ and as ‘other workers’.

Table No. 9.2
Schedule Caste Population Work Participation Gender and Urban-Rural Split

Workers and Work Participation Rate (Males)				
Indicator	Workers		Work Participation Rate	
	2001	2011	2001	2011
Total Population				
Total	27,50,14,476	33,18,65,930	51.7	53.3
Rural	19,87,99,870	22,67,63,068	52.1	53.0
Urban	7,62,14,606	10,51,02,862	50.6	53.8
Scheduled Caste				
Total	4,36,58,975	5,46,19,798	50.7	52.8
Rural	3,53,65,078	4,18,26,734	51.6	52.9
Urban	82,93,897	1,27,93,064	47.4	52.4

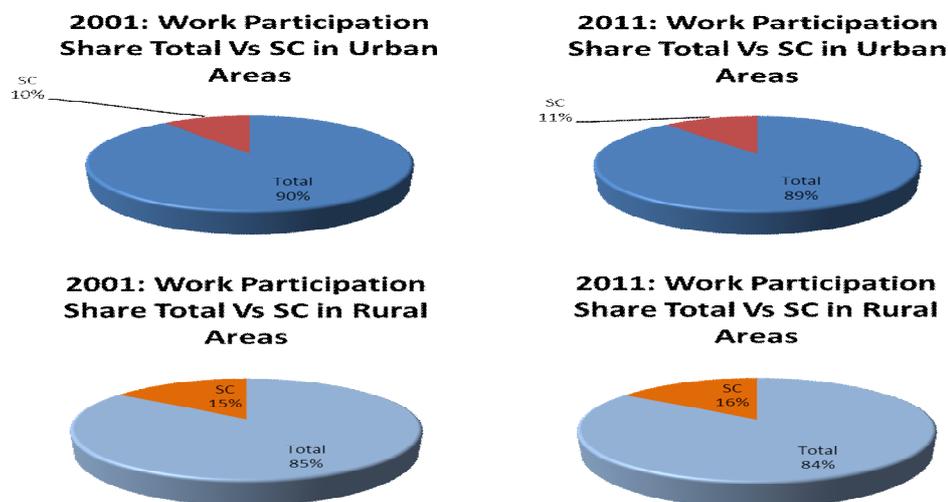
(Source: Primary Census Abstract for Total population, Scheduled Castes and Scheduled Tribes, 2001-2011 Office of the Registrar General & Census Commissioner, India)

Table No. 9.3
Workers and work participation rate (females)

Indicator	Workers		Work Participation Rate	
	2001	2011	2001	2011
Total Population				
Total	12,72,20,248	14,98,77,381	25.6	25.5
Rural	11,10,35,811	12,18,34,467	30.8	30
Urban	1,61,84,437	2,80,42,914	11.9	15.4
Scheduled Caste				
Total	2,36,73,909	2,76,84,807	29.4	28.3
Rural	2,11,61,872	2,34,00,813	32.9	31.3
Urban	25,12,037	42,83,994	15.6	18.5

(Source: Primary Census Abstract for Total population, Scheduled Castes and Scheduled Tribes, 2001-2011 Office of the Registrar General & Census Commissioner, India)

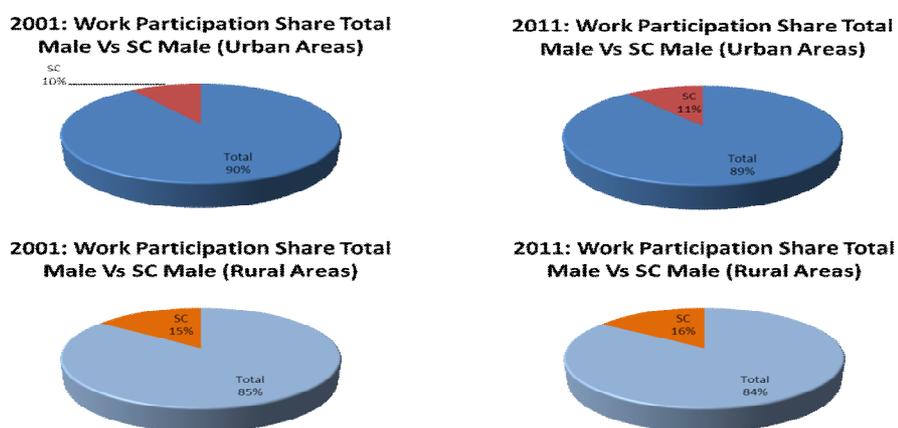
Graph No. 9.3
Comparing Work Participation of Scheduled Castes vis-à-vis the total Population



(Source: Primary Census Abstract for Total population, Scheduled Castes and Scheduled Tribes, 2001-2011 Office of the Registrar General & Census Commissioner, India)

- From the above it is evident that:
- In 2001 the work participation share of the Scheduled Caste population in urban areas compared to the total population was 10:90 while the same in 2011 was 11:89.
- In 2001 the work participation share of the Scheduled Caste population in rural areas compared to the total population was 15:85 while the same in 2011 was 16:84.
- From 2001 to 2011, both urban and in rural areas, the work participation share of the scheduled caste population compared to the total population has remained almost constant and has only marginally increased (by 1 per cent)
- Comparing Work Participation of SC Male population vis-à-vis Total Male population in Urban as well as Rural Sectors respectively.

Graph No. 9.4
Work Participation of SC Male



(Source: Primary Census Abstract for Total population, Scheduled Castes and Scheduled Tribes, 2001- 2011 Office of the Registrar General & Census Commissioner, India)

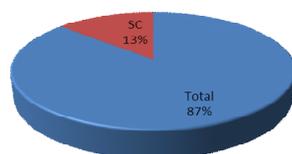
From the above it is evident that:

- In 2001 the work participation share of the Scheduled Caste male population compared to the total male population was 10:90 while the same in 2011 was 11:89.
- In 2001 the work participation share of the Scheduled Caste male population compared to the total male population was 15:85 while the same in 2011 was 16:84.

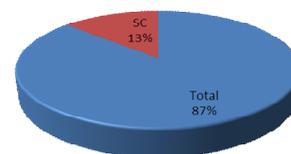
Hence from 2001 to 2011, in both urban and rural areas, the work participation share of the Scheduled Caste male population compared to the total male population has remained almost constant and has only marginally increased (by 1 per cent)

Graph No. 9.5
Work Participation of SC Female

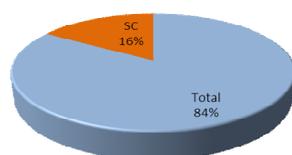
2001: Work Participation Share Total Female Vs SC Female (Urban Areas)



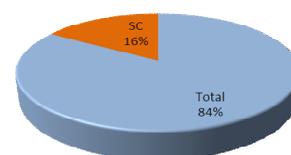
2011: Work Participation Share Total Female Vs SC Female (Urban Areas)



2001: Work Participation Share Total Female Vs SC Female (Rural Areas)



2011: Work Participation Share Total Female Vs SC Female (Rural Areas)



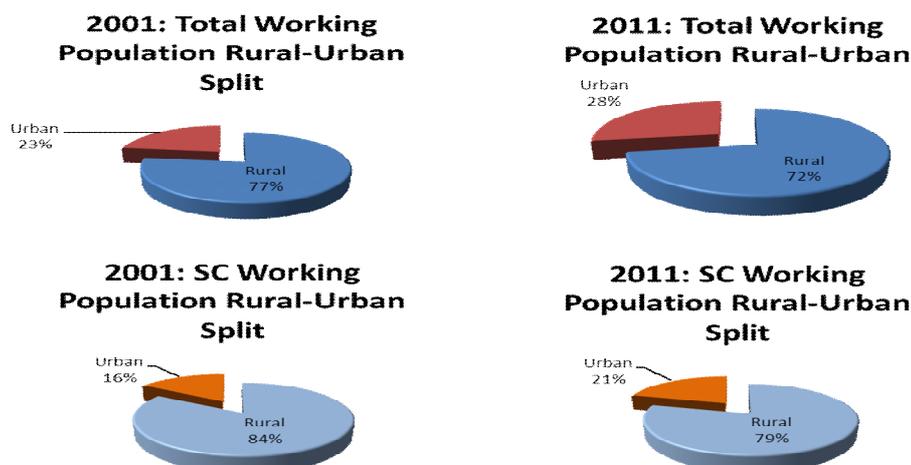
(Source: Primary Census Abstract for Total population, Scheduled Castes and Scheduled Tribes, 2001-2011 Office of the Registrar General & Census Commissioner, India)

From the above data it is evident that:

- In 2001 as well as in 2011 the work participation share of the Scheduled Caste female population compared to the total female population was 13:87 in urban areas.
- In 2001 as well as in 2011 the work participation share of the Scheduled Caste female population compared to the total female population was 16:84 in rural areas.

Hence in both urban and rural areas, the work participation share of the Scheduled Caste female population compared to the total female population has remained constant.

Graph No. 9.6
Rural to Urban Shift of SCs (Total Population)



(Source: Primary Census Abstract for Total population, Scheduled Castes and Scheduled Tribes, 2001-2011 Office of the Registrar General & Census Commissioner, India)

From the above data it emerges that:

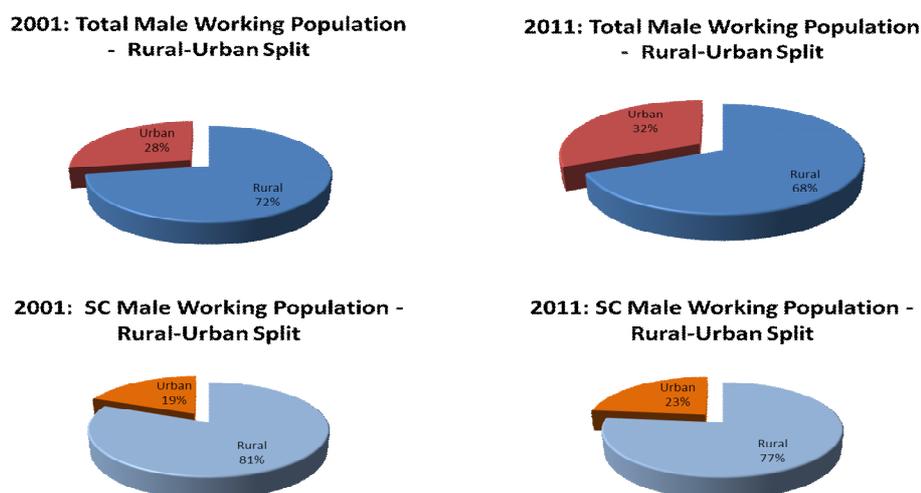
In 2001 : the total Working Population was 23 per cent in urban and 77 per cent rural areas while the Scheduled Caste Working Population was 16 per cent urban and 84 per cent rural areas.

In 2011 : the total Working Population was 28 per cent in urban and 72 per cent rural areas and the Scheduled Caste Working Population was 21 per cent urban and 79 per cent rural areas.

From 2001 to 2011

There was a shift of 5 per cent from rural to urban occupation for both the total population and Scheduled Caste population.

Graph No. 9.7
Rural to Urban Shift of SC Male

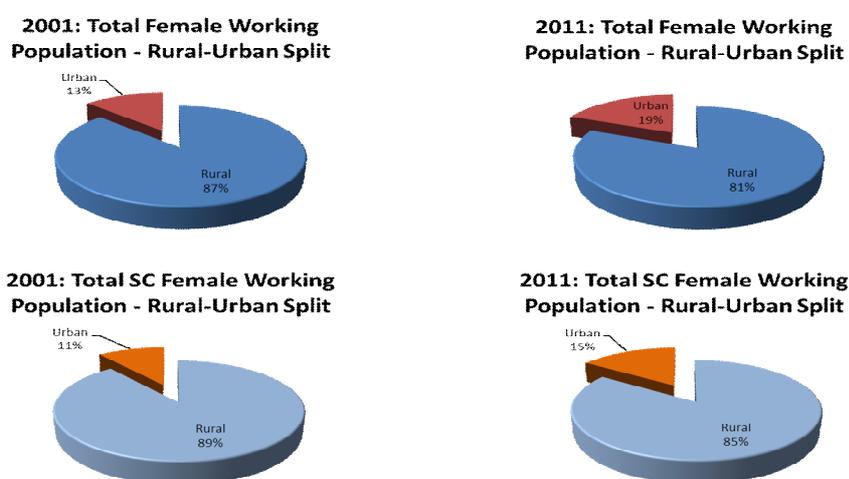


(Source: Primary Census Abstract for Total population, Scheduled Castes and Scheduled Tribes, 2001-2011 Office of the Registrar General & Census Commissioner, India)

From the above data it emerges that:

- In **2001**, the total Male Working Population was 28 per cent urban and 72 per cent rural while the Scheduled Caste Male Working Population was 19 per cent urban and 81 per cent rural areas.
- In **2011**, the total Male Working Population was 32 per cent urban and 68 per cent rural areas while the Scheduled Caste Male Working Population was 23 per cent urban and 77 per cent rural areas.
- There was a similar shift of 4 per cent from rural to urban occupation for the total male population and Scheduled Caste Male population from 2001 to 2011.

Graph No. 9.8
Rural to Urban Shift of SC Female



(Source: Primary Census Abstract for Total population, Scheduled Caste and Scheduled Tribes, 2001-2011 Office of the Registrar General & Census Commissioner, India)

From the above data it emerges that:

- In **2001**, the total Female Working Population was 13 per cent urban and 87 per cent rural and the Scheduled Caste Female Working Population was 11 per cent urban and 89 per cent in rural areas.
- In **2011**, the total Female Working Population was 19 per cent urban and 81 per cent rural while the Scheduled Caste Female Working Population was 15 per cent urban and 85 per cent rural.
- From **2001 to 2011**, there was a shift of 6 per cent from rural to urban occupation for the total female population and the shift from rural to urban occupation for the total Scheduled Caste female population was (approximately) 4 per cent only.

9.3 Scheduled Castes Sub-Plan (SCSP)

Before the Sixth Five Year Plan no clear strategy for the economic development of Scheduled Caste (SC) emerged notwithstanding to the fact that formal decisions were taken for earmarking of outlays in their favour in proportion to their population. The only funds available upto the end of 1979-80 for development of SCs were provided under the Backward Classes sector. It has been reported that only ` 433.24 crore were set for the purpose. Of this amount, 48 per cent was spent on educational schemes, another 26 per cent on

health, housing, drinking water supply and grants-in-aid to voluntary organizations working amongst SCs and STs. The remaining 26 *per cent* was spent on economic development schemes for the SCs.

In other words, only about ` 112.6 crore were spent on economic development of SCs upto the end of 1979-80. It is the State which has taken remedial measures to correct the society's inbuilt discrimination against the SCs. They are trapped in the circle of deprivation due to caste structure. The SCs are usually engaged in unpleasant and menial jobs, their basic disabilities stem from their low social status and are inter-related. It is in this segment of society that one finds greater illiteracy, poorer health, poorer nutrition, poorer housing, as well as exploitation by large land-holders generally the upper and middle level castes, money-lenders, village traders and businessmen. In spite of constitutional directives and a number of legislative and executive measures taken by the Government, the situation of the Scheduled Castes did not improve appreciably during the period prior to Sixth Plan mainly due to lack of economic support.

Sixth Five Year Plan is the first plan which gave due emphasis for the development of SCs in terms of Special Component Plan. Special Component Plan is a Sub Plan of the Annual Plan and Five Year Plan targeting the SC population especially the proportion among the people below the poverty line in the country. In effect any programme for economic development of SCs is a very important part of the poverty-alleviation programme. The Special Component Plan has been formulated as a mechanism for channelizing a due share of benefits in physical and financial terms from the various programmes of every sector in favour of SCs, by earmarking outlay for the development of SCs by all the sectors in all States and UTs except those which have no or negligible SC population and by all Central Ministries.

- 1. The Special Component Plans of the States and Central Ministries (SCP).**
- 2. The Special Central Assistance (SCA) to Special Component Plan (SCP).**
- 3. Scheduled Castes Development Corporations in the States (SCDC)**

The approach in the matter of development of SC families in the Sixth Plan period has been two-fold: cluster approach and saturation approach. Although SC population lives dispersed all over, it is still possible to identify and list out villages in a Block, district and State in the order of one size of the SC population in absolute numbers. In other words, the list includes villages in decreasing order of size of the SC population. Those villages having the largest population of SCs should be at the top in the list. The development programmes should be taken up in that priority. For instance, in the State of Gujarat out of a total of about 18,000 villages nearly 1110 villages have about 50 *per cent* of the total state population of SCs. Hence, executing the development programme, clusters of villages from these 1100 villages should be selected. Secondly, under saturation approach in every village taken up for development among these, all deserving SC families should be covered under one or another suitable programme or a combination of programmes with all necessary linkages and back-up services.

Planning Commission has been seized with the problem that the Ministries/Department and State Government have not understood the

objectives of the SCSP schemes for which this was initiated. Proper planning has not been prepared by the some State Government as per the spirit of the schemes and that the funds relating to these schemes have been utilized/diverted to other schemes neglecting the development programmes of the SC people.

The nomenclature of SCP was changed to SCSP in 2006. Special provisions and safeguards have been provided in the Constitution of India and some initiatives have also been taken by the Government of India for the socio-economic and overall development including the formulation of special schemes under Special Component Plan exclusively for the Welfare and benefit of Scheduled Castes needing intervention at various levels.

In order to make the planned development for SCs tangible one, the NCSC recommends following steps:

- (i) Earmarking of funds for SCSP in the total Plan at least in proportion to the SC population.
- (ii) Placing the earmarked funds under a separate budget head.
- (iii) Making the Department concerned with SC welfare in the State as nodal Department for formulation and implementation of SCSP.
- (iv) Making the SCSP funds non-divertible and non lapsable.
- (v) Emphasis on beneficiary oriented schemes or those community schemes which are exclusively addressing development of Scheduled Castes.

The Ministry of Social Justice & Empowerment being the nodal Ministry for overall development of SCs implements various development schemes for SCs.

In order to make the planned development for SC tangible one, the NCSC recommends following steps:

- There should be a sanction of the Parliament on the lines of MNAREGA on mission mode through a Parliament Act for SCP in place of the present system of through OM or Circular by the Planning Commission.
- Enactment of Law to regulate SCSP with provision of punishment, both imprisonment and fine, depending on gravity of offence, to violators thereof. All officials (irrespective SC/non-SC) in-charge of implementations or enforcement should be held responsible for failures & defaults. Non-compliance of Government Order should attract SC/ST POA Act, 1989.
- Constitution of Statutory National and State Authorities for Development of SCs within a year. National Scheduled Castes Development Authority (NSCDA) should be there with single window system of SCP funds for effective utilization for the exclusive programmes/projects on need based basis.
- The Central Tripartite Committee should be revived (NCSC Planning Commission and Ministry).

- The CAG¹ is doing the review audit of SCP as it was part of Planned and budgeted economic development of the SCs.
- SCP funds should be spent for the beneficiary oriented schemes, purchase of land for distribution among SC families, education, housing & sanitation, drinking water, health, service safeguards, skill development through Coaching Centers and Vocational Training Centers & protection under PCR & POA Act 1989 through National Scheduled Castes Development Authority (NSCDA).
- No income ceiling for SC/ST.
- There should be 35 *per cent* subsidy on loans which bears 4 *per cent* DRI² without any income limit as the same is available for farmer loans.
- The SCSP can be gainfully utilized for the upliftment of Scheduled Castes like Residential Schools in every district, Hostels for College Boys and Girls in every district, reimbursement of Self-Financing Course and College Fee, coaching centers for UPSC, Railways, Banking and State Public Service Commission examinations, Working Women Hostels, Financing the whole fee for CA/ICWA, Law, Medical and Engineering Courses, Pilot Courses, PHC, Land Purchase and distribution to every landless SC families as per the recommendations of the competent authorities and also considering current Human Index Development Report.

In this regard the Commission is of the view of that the SCSP funds which are essentially meant for most deprived sections of the Society, are sometimes used by states for other purposes, thus defeating the intended purpose for which these funds are meant. As per Clause 5 (c) of the Article 338 of the constitution of India, the Commission is required “to participate and advise on the Planning process of socio-economic development of the Scheduled Castes and to evaluate the progress of their development under the Union and any State” and to monitor its progress. Hence all issues pertaining or affecting the interests of the Scheduled Castes should be consulted with National Commission for Scheduled Castes before finalizing them as per clause 9 of Article 338 of the Constitution.

The Commission recommends incorporating all these suggestion/provisions in the guidelines to be followed by all the State Government and the Government of India.

9.4 Revision of Guidelines for implementation of Scheduled Castes Sub Plan by Central Ministries

Special Component Plan (SCP) for Scheduled Castes, now renamed as Scheduled Castes Sub Plan (SCSP), was introduced in 1979-80, to channelize flow of benefits and outlays from the Plan of States and Central Ministries for the development of Scheduled Castes, in proportion to the percentage of SC population, which is 16.2 *per cent* as per Census, 2001. Guidelines on formulation, implementation and monitoring of SCSP have been issued by the Planning Commission from time to time. Consolidated guidelines in this

¹ Comptroller and Auditor General of India

² Direct Rate of Interest.

regard for Central Ministries were last issued to 62 Central Ministries/Departments in December, 2006, for implementation from the Annual Plan, 2007-08. Implementation of the above guidelines by Central Ministries/Departments had not been satisfactory. To rectify the above situation, the Ministry of SJ&E had conveyed certain concrete suggestions to the Planning Commission. Pursuant to this, the Planning Commission, vide its Order dated 4-6-2010, constituted a Task Force under the chairmanship of Dr. Narendra Jadhav, Member, with Secretaries of Ministries of SJ&E and Tribal Affairs and Principal Secretaries of four States³, to re-examine and revise the extant Guidelines for implementation of Scheduled Caste Sub Plan and Tribal Sub-Plan (TSP) by Central Ministries and State Government. The Task Force, submitted its First Report, covering Central Ministries/ Departments, on 25th November, 2010.

Following are some of the important recommendations of the task force:

- (i) Imposing an obligation on 25 Ministries (mainly those dealing with social sectors and poverty alleviation) to earmark plan outlays under SCSP to varying extent, depending on their nature of work, instead of a uniform 16.2 *per cent* obligation on all Ministries, as before, and
- (ii) Since the aggregate SCSP allocation based on the above Ministry-wise allocation may fall short of the level of 16.2 *per cent* of the Plan outlay, by an estimated ` 6000 crore, to keep an amount equivalent to such shortfall, initially under the Planning Commission, in Annual Plan, 2011-12, which may be allocated later to suitable Ministries for SC related programmes, after necessary consultation and examination.

The Planning Commission accepted the first recommendation mentioned above, and issued circular to Ministries/Departments for implementation from Annual Plan and Budget, 2011-12 vide its letter dated 15.12.2010. The Finance Ministry also incorporated necessary instructions about SCSP in its Budget Circular for 2011-12, and the Controller General of Accounts also issued necessary consequential instructions on 15.12.2010.

The Central Ministries/Departments, according to the extent of their plan funds which may be expected to earmark under SCSP under the four categories as mentioned below:

Table No. 9.3

Category	Nature of the Ministries/Department falling in the category	Extent of obligation to earmark funds under SCSP
I	Ministries/Department, which are engaged in regulatory functions, basic scientific research, addressing specific target groups other than SCs implementing large infrastructure projects, whose benefits to SCs may be difficult to quantify, or largely engaged in policy making and running central organizations without any significant beneficiary orientation may not be obliged to earmark plan funds under SCSP. However, they will be encouraged to formulate and implement schemes aimed at benefiting	NIL

³ Maharashtra, Gujarat, Madhya Pradesh and Tamil Nadu.

Category	Nature of the Ministries/Department falling in the category	Extent of obligation to earmark funds under SCSP
	SC concentration areas.	
II	Ministries/Departments, which mainly belong to category I but which also, implement some to earmark less than 15 per cent and 7.5 per cent of their Annual Plan outlay under SCSP.	0-15 per cent
III	Ministries/ Departments which mainly implement beneficiary oriented schemes in the primary sector (agriculture, animal husbandry etc. higher education, skill development etc may be required to earmark 15 to 16.2 per cent of their plan outlay under SCSP (15 per cent will for example, apply to plan expenditure on institutions having 15 per cent reservations for SCs	15-16.2 per cent
IV	Ministries/Depts. Which are implementing poverty alleviation and Social Sector Programmes/schemes of major relevance for the development of SCs may be required to earmark more than 16.2 per cent of their plan outlay under SCSP	> 16.2 per cent

Table 9.4

Categorisation of Central Ministries according to the extent of their Plan Funds which they may be expected to earmark under SCSP

Proposed obligation to earmark under SCSP	Category	List of Ministries in the category	No. of Min/Dept
No Obligation	I-A: Regulatory Ministries/ Departments	Ministries Home Affairs, External Affairs; Personnel, Public Grievances and Pension; Law and Justice; Corporate Affairs; Civil Aviation; Coal; Steel; petroleum & Natural Gas; Mines; and Departments of Chemicals and Petrol Chemicals; Pharmaceuticals; consumer affairs; Economic Affairs, Financial Services, Expenditure, Heavy Industries; Public Enterprises; Fertilizers	19
	I-B: Those addressing specific target groups other than SCs	Ministries of Minority Affairs and Tribal Affairs	2
	I-C: Those engaged in basic scientific research	Ministry of Earth Sciences and Departments of Health Research; Scientific and Industrial Research; Atomic Energy; Space; Agricultural Research and Education	6
	I-D: Implementing large infrastructure projects, whose benefits to SCs are difficult to quantify	Ministries of Railways, Water Resource and Department of Road Transport and Highways, Shipping Telecommunications	5
	I-E: Largely	Ministries of Culture; Information and	11

Proposed obligation to earmark under SCSP	Category	List of Ministries in the category	No. of Min/Dept
	engaged in Policy Making and manning central organizations without any significant beneficiary oriented schemes	Broadcasting, Planning; Statistics and Programme Implementation; Tourism; Urban Development, and Departments of Industrial Policy and Promotion; Biotechnology; Food & public	

Ministry of Water Resources is included in the category of ‘No obligation to earmark Funds under SCSP’ because funds allocated for irrigation projects under AIBP, shown as central assistance to States/UTs in Statement 16 of the Budget.

Table 9.5

Ministry/Scheme-wise proposed earmarking of Plan outlays under SCSP for 2011-12

Sl. No.	Ministry/Department	Earmarking of Funds under SCSP Recommended for the Ministry (In per cent)
Category I		
Ministries/Departments with no obligation for Earmarking Funds under SCSP		
I-A	Regulatory Ministries/Departments (19 Departments)	0.00
I-B	Ministries/Departments Addressing Specific Target Groups (2 Ministries)	0.00
I-C	Ministries/Department Engaged in Basic Scientific Research (6 Departments)	0.00
I-D	Ministries/Departments Implementing large infrastructures Projects, the benefits of which are Indivisible (5Departments)	0.00
I-E	Ministries/Departments largely engaged in Policy Making without any beneficiary oriented schemes (11 Min/ Departments)	0.00
Category II		
Ministries/Departments Required doing Partial Earmarking (less than 15 per cent)		
IIA	Ministries/Departments implementing Infrastructure projects along with specific beneficiary oriented schemes	
IIA-1	Ministry of Power	8.30
IIB	Ministries/Departments largely Engaged in Policy making but also implementing some Developmental Schemes	
IIB-1	Ministry of MSME	12.00
IIB-2	Ministry of Textiles	5.00
IIB-3	Ministry of AYUSH	5.00
IIB-4	Department of Commerce	4.50
IIB-5	Ministry of Environment and Forests	2.20
IIB-6	Ministry of DONER	2.20
IIB-7	Ministry of New & Renewable Energy	3.50
IIB-8	Department of Information Technology	2.00
IIB-9	Department of Science and Technology	2.50
Category III		
Ministries/Departments which will be required to Earmark between 15 to 16.2 per cent of their Plan Outlays		
III-1	Department of Agriculture & Corporation	16.20

Sl. No.	Ministry/Department	Earmarking of Funds under SCSP Recommended for the Ministry (In per cent)
III-2	Department of Animal Husbandry & Dairying	16.20
III-3	Department of Higher Education	15.00
III-4	Ministry of Labour and Employment	16.20
III-5	Department of Land Resources	16.20
III-6	Ministry of Pnachayati Raj	16.20
III-7	Department of Youth Affairs	16.20
III-8	Department of Health and Family Welfare	15.20
III-9	Department of Sports	15.00
Category IV		
Ministries/Departments which will be required to earmark more than 16.2 per cent of their Plan Outlays under SCSP		
IV-1	Department of Drinking Water Supply	22.00
IV-2	Ministry of Housing and Urban Poverty Alleviation	22.50
IV-3	Department of School Education & Literacy	20.00
IV-4	Department of Rural Development	25.00
IV-5	Ministry of Social Justice and Empowerment	72.50
IV-6	Ministry of Women and Child Development	20.00
	Applying these percentages to respective Ministries/Departments' BE 2010-11, the average BE in percentage terms expected to be earmarked under SCSP	14.30

Out of 68 Ministries/Departments 43 Ministries have no obligation to earmark funds under SCSP, 10 Ministries/Departments are earmarking SCSP funds less than 15 per cent of Plan Outlay. 9 Ministries/Departments are earmarking SCSP funds between 15 to 16.2 per cent of Plan Outlays. 6 Ministries/Departments are earmarking SCSP funds more than 16.2 per cent of Plan Outlays. The overall earmarking of funds under SCSP was 14.30 per cent during the year 2010-11.

9.5 Central Sector Schemes

9.5.1 Special Central Assistance to SCSP (SCA)

Special Central Assistance (SCA) to Scheduled Castes Sub Plan (SCSP) is a central scheme under which 100 per cent grant is given to the States/UTs as an additive to their Scheduled Castes Sub Plan (SCSP). The main objective is to give a thrust to family oriented schemes of economic development of SCs below the poverty line, by providing resources for filling the critical gaps. SCA is released to States on the basis of size of SC population, relative backwardness of State and other linked criterion.

Salient features of the scheme

- Funds under the scheme are provided as an additive to States/UTs implementing SCSP
- Main thrust is on economic development of SC population in order to bring them above poverty line through self employment or training
- Amount of subsidy admissible under the scheme is 50 per cent of the project cost, subject to a maximum of ` 10,000/- per beneficiary

- Up to 10 per cent of the total release to State/UT can be utilized for infrastructure development in villages having 50 per cent or more SC population.
- At least 15 per cent of the SCA to be utilized by States/UTs for SC women.

Physical and financial Achievement during the last three years of the scheme of SCA to SCSP.

Table 9.6

Year	Budgeted Allocation (` in crore)	Expenditure (` in crore)	No. of Beneficiaries covered under composite income generating schemes (` in lakh)
2011-12	775.00	656.40	29.74 (based on information received From 20 States/UTs)
2012-13	1200.00	872.05	10.96 (based on information received From 20 States/UTs)
2013-14	1051.00	790.25	Information not received

Source: Annual Report 2013-14, M/SJE

The Ministry of Social Justice and Empowerment carved out special corporations for economic assistance through concessional loans and subsidies for various economic activities for the development of SCs. These corporations impart training to the Scheduled Castes individual entrepreneurs for their sustained development. The two well known organization operated by Ministry of Social Justice and Empowerment are National Scheduled Castes Finance and Development Corporation (NSFDC) and National Safai Karamcharis Finance and Development Corporation (NSKFDC).

9.5.2 National Scheduled Castes Finance and Development Corporation (NSFDC)

The National Scheduled Caste Finance & Development Corporation (NSFDC) was set up by the Government of India in February, 1989 with the objective to provide financial assistance in the form of concession loans to Scheduled Castes families, and skill-cum-entrepreneurial training to the youth of the target group, living below Double the Poverty Line (presently ` 81, 000/- per annum for rural area and ` 1,03,000/- per annum for urban areas) for their economic development.

NSFDC functions through channel Finance system in which concessional loans is routed to the beneficiaries through the State Channelizing Agencies (SCAs) appointed by the respective State Government/Union Territories. The scheme covered by NSFDC are Mahila Kisan Yojna Shilpi Samriddhi Yojna Micro Credit Finance, Mahila Samriddhi Yojna, Educational loan Scheme etc.

NSFDC provides loans upto 90 per cent of Unit Cost and remaining amount is provided by SCAs and/or promoters. In all the self-employment loan schemes, subsidy at the rate ` 10,000/- or 50 per cent of the unit cost, whichever is less, is provided to the Below Poverty Line (BPL) beneficiaries by SCAs from Special Central Assistance (SCA) to Scheduled Castes Sub Plan Funds.

Financial and Physical Achievements

During the financial year 2013-14, the NSFDC has disbursed ` 245.14 crore covering 54975 beneficiaries⁴ up to 31.3.2014.

9.5.3 National Safai Karamchari Finance and Development Corporation (NSKFDC)

NSKFDC was incorporated on 24 January, 1997 as a company and has defined “Safai Karamchari” as a person engaged in, or employed for, manually carrying human excreta or any sanitation work. ”It is an Apex Corporation under the Ministry of Social Justice & Empowerment, Government of India.

The target groups of the Corporation are “Scavengers”, which means persons wholly or partially employed for manual handling of human excreta and their dependents, and “Safai Karamchari” which means persons engaged in or employed for any sanitation work, and their dependents.

The schemes of NSKFDC are being implemented by the State Channelizing Agencies (SCAs) nominated by the concerned State/UT Government. The project proposals are being submitted by the beneficiaries to the concerned District offices. The District Officer analyzes the proposals considering the ground realities and technical, economic and financial viability sent the same to the Head Office of the SCA. The SCA also appraised the proposals and send the same to NSKFDC along with their recommendations. The project proposals as received from the SCAs are being appraised by the Project Appraisal Committee of the Corporation and place before the Board of Directors of NSKFDC for their approval.

Authorised share capital of the Corporation was enhanced from ` 200 crore to ` 600 crore in January 2012. During 2010-11, ` 40.00 crore was released as equity to the Corporation. The paid up capital of the Corporations as on 31.3.2014 was ` 444.99 crore. The Corporation implements schemes to promote self-employment in alternative occupations through concessional finance, and scheme of skill development. Since its inception the Corporation has disbursed ` 827.98 crore covering 2,64,923 lakh beneficiaries, out of which an amount of ` 127.72 crore covering 1,17,263 numbers of beneficiaries were covered in 2013-14.

There are various Ministries Departments of Government of India who also execute various Welfare Schemes for the overall development of Scheduled Castes in the country.

9.5.4 Major Flagship programmes⁵ of other Ministries for the benefit of all poor citizens of the country including SCs

Following are the Central Government major flag ship schemes which are though not exclusively benefiting Scheduled Castes community per se,

⁴ Source Annual Report 2013-14 of Ministry of Social Justice and Empowerment.

⁵ Source: Annual Report 2013-14 of Planning Commission, GOI.

however as Scheduled Castes has significant presence in rural areas, certain benefits are also reaching to them. Such schemes are:

9.5.4.1 Drinking water supply

The Ministry of Drinking Water & Sanitation is responsible for meeting this goal in partnership with the State Government. Against 55,067 uncovered habitations to be covered during the Bharat Nirman period, 54,440 habitations were covered during phase-I. The implementation status of the NRDWP under Bharat Nirman Phase-II shows that all the uncovered habitations envisaged under Bharat Nirman were covered.

9.5.4.2 Electricity

Ministry of Power launched Rajiv Gandhi Gramin Vidyutikaran Yojana (RGGVY) as one of its flagship programme in March 2005 with the objective of electrifying over one lakh un-electrified villages and to provide free electricity connections to 2.34 crore rural BPL households. This programme was brought under the ambit of Bharat Nirman. Under RGGVY, electricity distribution infrastructure is envisaged to establish Rural Electricity Distribution Backbone (REDB) with at least a 33/1 KV sub-station in a block, village Electrification Infrastructure (VEI) with at least a Distribution Transformer in a village or hamlet, and standalone grids with generation where grid supply is not feasible.

9.5.4.3 Housing

Rural Housing is one of the six components of the Bharat Nirman package. The rural housing programme is implemented by the Ministry of Rural Development through the Indira Awas Yojana scheme, which is a centrally sponsored scheme where the cost is shared between the Centre and the States on 75:25 basis. The criteria adopted for allocation of financial resources between the States/UTs gives greater emphasis to the states with higher incidence of shelterlessness. 75 per cent weightage is given to housing shortage and 25 per cent weightage to the poverty ratios prescribed by the Planning Commission for State-level allocations. For district-level allocations, 75 per cent weightage is given again to housing shortage and 25 per cent to SC/ST component of the population. Grant assistance is provided to the extent of ₹ 25,000 per house for normal areas and ₹ 27,500 for hilly areas. Funds are released to the DRDAs in two instalments.

9.6 Educational Development

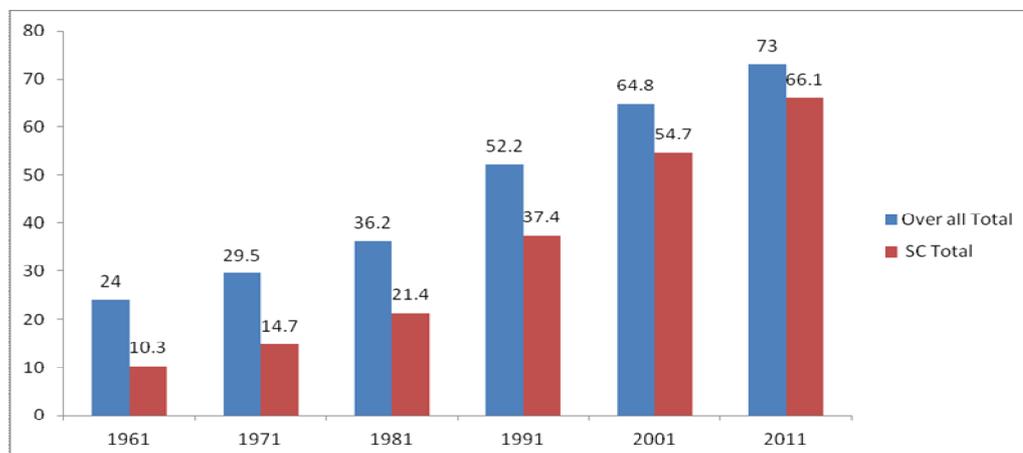
The framers of the constitution took note of the fact that certain castes, in the country were suffering from extreme Educational and Social backwardness arising out of age-old practice of untouchability and social isolation. In order to uplift and bring them at par with other sections of society literacy was felt to be only way for their overall empowerment which would also help in economic upliftment.

Since independence several strategies for sustainable educational development have been evolved and during the last ten five year plan periods several programmes/schemes have been implemented with a view to bridge the educational backwardness of Scheduled Castes and others.

9.6.1 Literacy position of SCs

As per the last five Census Literacy rates separately for SCs and overall population, are presented below:

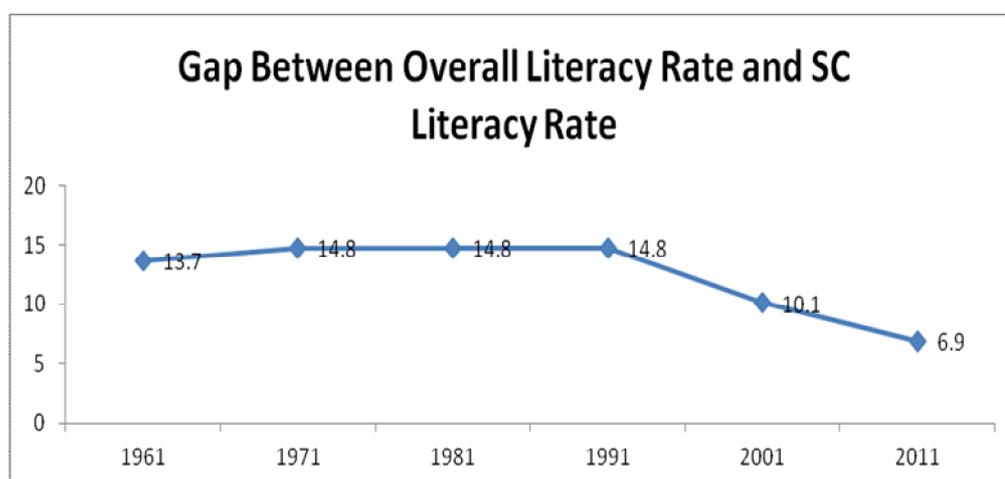
Graph No. 9.9
(per cent age)



(Source: Primary Census Abstract for Total population, Scheduled Castes and Scheduled Tribes, 1961-2011 Office of the Registrar General & Census Commissioner, India)

The overall literacy rate of the Scheduled Caste population has increased from 10.3 per cent to 66.1 per cent from 1961 to 2011. Also, the gap between the literacy rates of the overall population and the scheduled caste population has reduced over time. This trend is shown in the graph below:

Graph No. 9.10

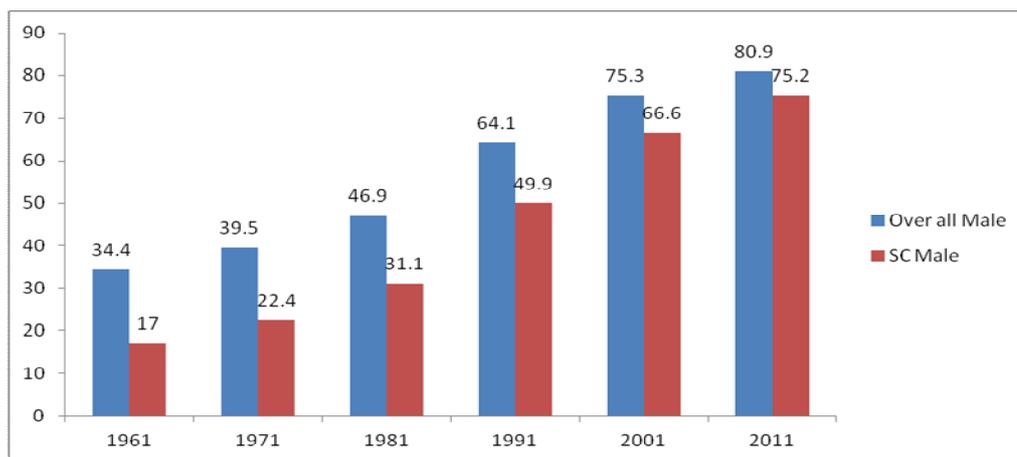


(Source: Primary Census Abstract for Total population, Scheduled Castes and Scheduled Tribes, 1961-2011 Office of the Registrar General & Census Commissioner, India)

The above graph shows that the difference in literacy rates between the overall population and the Scheduled Caste Population that was on a constant wane from 1971 to 2011 (from 13.7 per cent to 6.9 per cent points).

The male literacy rate of the Scheduled Caste Population has increased from 17 per cent to 75.2 per cent from 1961 to 2011 as shown in the graph below:

Graph No. 9.11

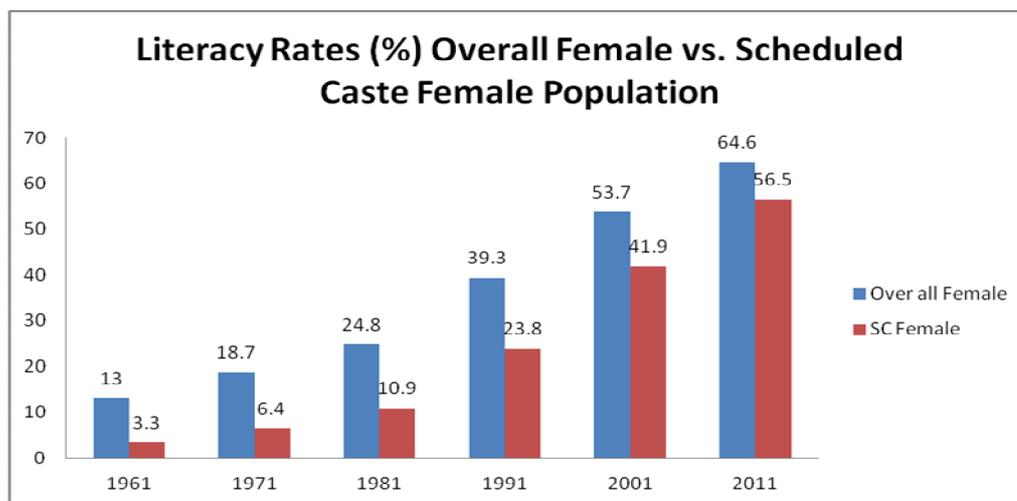


(Source: Primary Census Abstract for Total population, Scheduled Castes and Scheduled Tribes, 1961-2011 Office of the Registrar General & Census Commissioner, India)

Also, the above graph shows a constant reduction in gap between the literacy rates of the overall males and scheduled caste males.

Similarly, the female literacy rates for the Scheduled Caste population have increased considerably from 3.3 per cent in 1961 to 56.5 per cent in 2011, as shown in the chart below:

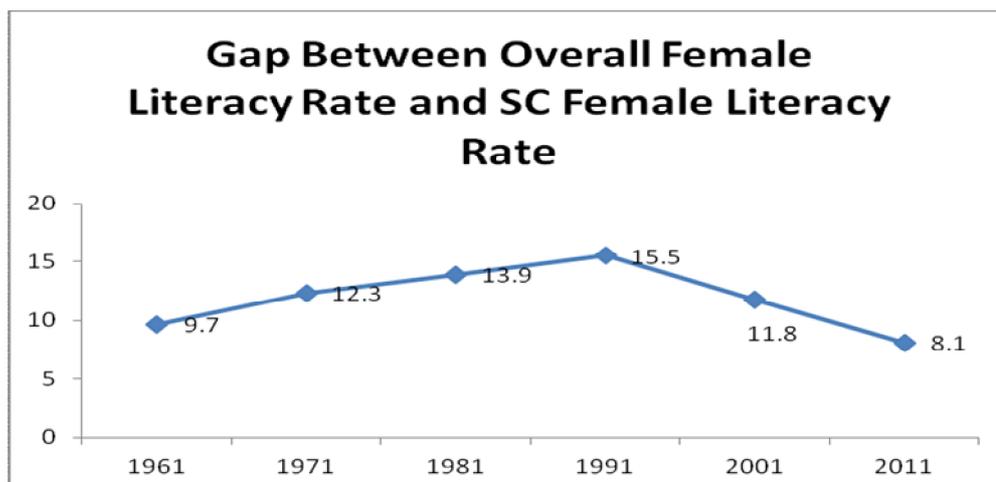
Graph No. 9.12



(Source: Primary Census Abstract for Total population, Scheduled Castes and Scheduled Tribes, 1961-2011 Office of the Registrar General & Census Commissioner, India)

The female literacy rate gap between the overall and SC population has also reduced (8.1 per cent in 2011 from 9.7 per cent in 1961).

Graph No. 9.13



(Source: Primary Census Abstract for Total population, Scheduled Castes and Scheduled Tribes, 1961-2011 Office of the Registrar General & Census Commissioner, India)

Among males, the gap in literacy rates⁶ between Scheduled Caste and overall population are much greater in urban areas than in rural areas, as shown by the following table:

Table No. 9.7
Gap on Literacy Rate (Male)

	Overall Male Literacy (2001)	SC Male Literacy (2001)	Literacy Gap Between overall Male and SC Male (2001)
Rural	70.7	63.7	7
Urban	86.3	77.9	8.4
	Overall Male Literacy (2011)	SC Male Literacy (2011)	Literacy Gap Between overall Male Literacy and SC Male Literacy (2011)
Rural	77.2	72.6	4.6
Urban	88.8	83.3	5.5

(Source: Primary Census Abstract for Total population, Scheduled Castes and Scheduled Tribes, 2001-2011 Office of the Registrar General & Census Commissioner, India)

Similarly, among females⁷, the gap in literacy rates between Scheduled Caste and overall population are much greater in urban areas than in rural areas, as shown by the following graph:

⁶ Literacy Gap Male (Urban) = Literacy Rate of Overall Males in urban areas for the year - Literacy Rate of SC Males in urban areas for the year;

Similarly,

Literacy Gap Male (Rural) = Literacy Rate of Overall Males in rural areas for the year - Literacy Rate of SC Males in rural areas for the year;

⁷ Literacy Gap Female (Urban) = Literacy Rate of Overall Females in urban areas for the year - Literacy Rate of SC Females in urban areas for the year;

Similarly,

Literacy Gap Female (Rural) = Literacy Rate of Overall Females in rural areas for the year - Literacy Rate of SC Females in rural areas for the year;

Table No. 9.8
Gap on Literacy Rate (Female)

	Overall Female Literacy (2001)	SC Female Literacy (2001)	Literacy Gap Between overall Female and SC Female (2001)
Rural	46.1	37.8	8.3
Urban	72.9	57.5	15.4
	Overall Female Literacy (2011)	SC Female Literacy (2011)	Literacy Gap Between overall Female and SC Female (2011)
Rural	57.9	52.6	5.3
Urban	79.1	68.6	10.5

(Source: Primary Census Abstract for Total population, Scheduled Castes and Scheduled Tribes, 2001-2011 Office of the Registrar General & Census Commissioner, India)

Thus, the urban set-up reflects greater inequity in terms of education for the SC and the overall population, in cases of both males and females.

Table No. 9.9
State/UT wise Population of Scheduled Castes and Literacy Rate in India 2011

Sl. No.	State/UT	Total Population	SCs Population	Percentage of SCs to Total population	Literacy Rate		
					Person	Male	Female
1	2	3	4	5	6	7	8
1	Andhra Pradesh	84580777	13878078	16.41	62.3	70.2	54.4
2	Arunachal Pradesh	1383727	0	0.00	0 0.00	0.0	0.0
3.	Assam	31205576	2231321	7.15	77.0	83.2	70.4
4	Bihar	104099452	16567325	15.91	48.6	58.0	38.5
5	Chhattisgarh	25545198	3274269	12.82	70.8	81.7	59.9
6	Goa	1458545	25449	1.74	83.7	89.9	77.7
7.	Gujarat	60439692	4074447	6.74	79.2	87.9	69.9
8	Haryana	25351462	5113615	20.17	66.9	75.9	56.6
9.	Himachal Pradesh	6864602	1729252	25.19	78.9	86.2	71.5
10	Jammu & Kashmir	12541302	924991	7.38	70.2	78.8	60.7
11	Jharkhand	32988134	3985644	12.08	70.8	81.7	59.9
12	Karnataka	61095297	10474992	17.15	65.3	74.0	56.6
13	Kerala	33406061	3039573	9.10	88.7	92.6	85.1
14	Madhya Pradesh	72626809	11342320	15.62	66.2	76.7	54.7
15	Maharashtra	112374333	13275898	11.81	79.7	87.2	71.9
16	Manipur	2570390	97042	3.78	76.2	83.5	68.9
17	Meghalaya	2966889	17355	0.58	68.6	74.9	61.4
18	Mizoram	1097206	1218	0.11	92.4	93.1	91.0
19	Nagaland	1978502	0	0.00	0.0	0.0	0.0
20	Odisha	41974218	7188463	17.13	69.0	79.2	58.8
21	Punjab	27743338	8860179	31.94	64.8	70.7	58.4
22	Rajasthan	68548437	12221593	17.83	59.7	73.8	44.6
23	Sikkim	610577	28275	4.63	77.5	82.8	72.0
24	Tamil Nadu	72147030	14438445	20.01	73.3	80.9	65.6
25	Tripura	3673917	654918	17.83	89.4	92.8	86.0
26	Uttar Pradesh	199812341	41357608	20.70	60.9	71.8	48.9
27	Uttarakhand	10086292	1892516	18.76	74.4	84.3	64.1
28	West Bengal	91276115	21463270	23.51	69.4	77.2	61.2

Sl. No.	State/UT	Total Population	SCs Population	Percentage of SCs to Total population	Literacy Rate		
					Person	Male	Female
29	A& N Island	380581	0	0.00	0.0	0.0	0.0
30	Chandigarh	1055450	199086	18.86	76.5	83.6	68.3
31	D& N Haveli	343709	6186	1.80	89.4	93.1	85.0
32	Daman & Diu	243247	6124	2.52	92.6	96.8	88.1
33	NCT of Delhi	16787941	2812309	16.75	78.9	86.8	70.0
34	Lakshadweep	64473	0	0.00	0.0	0.0	0.0
35	Puducherry	1247953	196325	15.73	77.9	85.2	71.0
	India	1210569573	201378086	16.63	66.1	75.2	56.5

(Source: Primary Census Abstract for Total population, Scheduled Castes and Scheduled Tribes, 2001-2011 Office of the Registrar General & Census Commissioner, India)

In order to achieve education for all, the Government of India enacted an Act and by passing of the Right of Children to Free and Compulsory Education (RTE) Act 2009 marks a historic moment for the children of India. This Act serves as a building block to ensure that every child has his or her right (as an entitlement) to get a quality elementary education, and that the State, with the help of families and communities, fulfils this obligation. As Scheduled Castes have lesser literacy rate compare to the communities, the Act paid a pivotal role in terms of bringing education to all including Scheduled Castes. Glimpse of the Act is as under

9.7 Right to Education Act, 2005

The Right of children to Free and Compulsory Education Act has come into force from April 1, 2010, as from this day the right to education has been accorded the same legal status as the right to life as provided by Article 21A of the Indian Constitution. Every child in the age group of 6-14 years will be provided 8 years of elementary education in an age appropriate classroom in the vicinity of his/her neighborhood.

Any cost that prevents a child from accessing school will be borne by the State which shall have the responsibility of enrolling the child as well as ensuring attendance and completion of 8 years of schooling. No child shall be denied admission for want of documents; no child shall be turned away if the admission cycle in the school is over and no child shall be asked to take an admission test. Children with disabilities will also be educated in the mainstream schools.

All private schools shall be required to enroll children from weaker sections and disadvantaged communities in their incoming class to the extent of 25 *per cent* of their enrolment, by simple random selection. No seats in this quota can be left vacant. These children will be treated on par with all the other children in the school and subsidized by the State at the rate of average per learner costs in the government schools (unless the per learner costs in the private school are lower).

All schools will have to prescribe to norms and standards laid out in the Act and no school that does not fulfill these standards within 3 years will be allowed to function. All private schools will have to apply for recognition, failing which they will be penalized to the tune of ` 1 lakh and if they still continue to function will be liable to pay ` 10,000 per day as fine. Norms and standards of teacher qualification and training are also being laid down by an

Academic Authority. Teachers in all schools will have to subscribe to these norms within 5 years.

The National Commission for Protection of Child Rights (NCPCR) has been mandated to monitor the implementation of this historic Right. A special Division within NCPCR will undertake this huge and important task in the coming months and years. A special toll free helpline to register complaints will be set up by NCPCR for this purpose. NCPCR welcomes the formal notification of this Act and looks forward to playing an active role in ensuring its successful implementation. NCPCR also invites all civil society groups, students, teachers, administrators, artists, writers, government personnel, legislators, of the judiciary and all other stakeholders to join hands and work together to build a movement to ensure that every child of this country is in school and enabled to get at least 8 years of quality education.

9.7.1 Benefits of Right to Education Act (RTE), 2009

RTE has been a part of the directive principles of the State Policy under Article 45 of the Constitution, which is part of Chapter 4 of the Constitution. And rights in Chapter 4 are not enforceable. For the first time in the history of India we have made this right enforceable by putting it in Chapter 3 of the Constitution as Article 21. This entitles children to have the right to education enforced as a fundamental right.

The Right to education Bill has been passed by the Parliament and Right to Education is a fundamental right of a citizen of India. It emphasis on quantity of school and quality of Education has been given but issues related to Scheduled Castes children's have been ignored which has resulted into low education in SC children.

9.7.2 Sarva Shiksha Abhiyan (SSA) Interventions

The SSA promotes diverse strategies, targeting SC/ST children. The Sarva Shiksha Abhiyan seeks to develop context specific intervention to tackle the problems of education of SC/ST children. Some of the interventions of SSA are as follows.

9.7.2.1 Strategies for SC children

- Providing adequate infrastructure for elementary schooling in 61 districts with concentration of SCs population
- Education Guarantee Scheme in remote, sparsely populated region, otherwise ineligible for schools.
- Back to school camps, bridge courses and other alternative schooling facilities for children or migrant families, dropouts, older and never enrolled children and working children.
- Free textbooks to SC students from Class I-VIII
- Provision for special innovative activities to promote education of Scheduled Castes children out of ` 50 lakh per district available for innovation activities.
- Teacher's sensitization programmes to promote equitable learning opportunities and address in class discrimination.

- Statutory representation in Village Education Committee (VEC)/SMC's etc.

The UGC has taken following measures to promote the higher education of SC:-

- The University Grants Commission (UGC) issues guidelines /directives /instructions from time to time for implementation of reservation policy of the Government of India.
- There is relaxation in the minimum qualifying marks for admission for SC/ST/OBC candidates.
- UGC implements the Career Orientation programme for the graduates for gainful employment for all including SC/STs and OBCs.
- UGC provides financial assistance for extension activities to SCs /STs and OBCs.
- UGC has created a Central Pool Database of eligible SC/ST/OBC candidates and recommends their candidature for teaching positions in universities and colleges.

9.7.3 Standing Committee on Scheduled Castes and Scheduled Tribes

To oversee the effective implementation of reservation policy in Universities a standing Committee on SCs/STs was constituted by the UGC in 1997. The Committee was reconstituted by the UGC in 2007. The Committee is represented by academic Experts, Ex-Vice Chancellors and distinguished persons in the field of higher education.

The Standing Committee on SCs / STs met in the month of October, 2010 and considered a number of issues concerning the upliftment and betterment of SCs / STs in the domain of higher education besides the fact the Committee also touched upon proposals received from the universities for establishment of SCs / STs Cells in respective universities and colleges. In addition, the Committee also considered other issues like representative from SCs / STs in the membership of the Commission, flow of funds towards SCs / STs, regional meetings to review the implementation of reservation policy in admission and recruitment etc.

9.7.4 Schemes run by University Grants Commission (UGC) : Remedial Coaching at UG/PG level for SC/ST students

The UGC has been contributing towards social equity and socio-economic mobility of the under privileged sections of the society through special schemes. The Commission, in 1994, introduced one such special scheme namely "Remedial Coaching at the Under-Graduate (UG) and Post-Graduate (PG) level for students belonging to the Scheduled Castes and Scheduled Tribes". The main objectives of the scheme are:

- To improve the academic skills and linguistic proficiency of the students in various subjects.
- To raise the level of comprehension of basic subjects so as to provide a stronger foundation for further academic work.

- To strengthen their knowledge, skills and attitude in such subjects, where quantitative and qualitative techniques and laboratory work are involved, so that necessary guidance and training provided under the programme may enable the students to come-up to the level necessary for pursuing higher studies efficiently.
- To improve overall performance of these students in the examinations.

The tenure of assistance to universities and colleges is five years but initially assistance is provided for first phase i.e. three years. For strengthening and expansion of the scheme for Remedial coaching for students from SC/ST/Minority Communities in higher education, the existing scheme has been reviewed by UGC with representatives of the 4 Central Universities and centrally funded Deemed Universities. Four Universities namely, Aligarh Muslim University, *Maulana Azad National Urdu University*, *Jamia Hamdard* and *Dr. Babasaheb Bhimrao Ambedkar University* have been identified for assistance. Aligarh Muslim University, *Jamia Hamdard* and *Babasaheb Bhimrao Ambedkar University* have started the said Remedial Coaching Centers. An amount of ` 5 crore has been sanctioned to each of the above four Universities.

9.7.4.1 Coaching Classes for SC/ST candidates for preparation for National Eligibility for preparation for National Eligibility Test (NET)

In order to provide an adequate number of qualified SC/ST candidates for recruitment as lecturer's in Universities and Colleges, during 2004-05, the Commission introduced a scheme of Coaching Classes for SC/ST to prepare them for National Eligibility Test (Net), which is an essential eligibility condition for becoming a lecturer in Universities or colleges.

Under this scheme, coaching classes are organized in selected universities for which grant on 100 *per cent* basis is made available. Efforts are being made to approve at least one centre in each State, which can accept the responsibility for NET Coaching and has sufficient number of willing faculty members to provide coaching. The classes in the coaching centre are to be arranged by arranging teachers on honorarium basis.

9.7.4.2 Establishment of Residential Coaching Academics of SC/ST/Minorities and women

The basic objective of this coaching scheme is to prepare students belonging to SC/ST/OBC (non creamy layer) and Minority communities to get gainful employment in Group 'A' 'B' or 'C' Central services, State services or equivalent positions in the private sector. The coaching under the scheme is oriented for particular examinations conducted for selection to services, such as the IAS, State Public Services, Bank recruitment, etc.

9.7.4.3 Post-Graduate Scholarships for students belonging to SCs/STs/Minorities

This scheme has been initiated keeping in view the social background of the candidates from deprived sections of the society and to provide them an opportunity to undertake post-graduate level studies for SC/ST/Minorities

students. The scholarship amount is ` 5,000/- per month for M.Tech Courses and ` 3,000/- per month for Master of Pharmacy and Management courses. The contingency for the above scheme is ` 15,000/- and ` 10,500/- per annum respectively.

For “Central Sector Scheme of Scholarship for Colleges and University Students”, the students belonging to reserved categories/weaker sections/minorities are eligible on the basis of merit, subject to Central Reservation Policy and internal earmarking. The scholarship would be available to students belonging to non creamy layer. At present reservation for the various categories are 15 *per cent* for SC, 7.5 *per cent* for ST, 27 *per cent* for OBC and horizontally 3 *per cent* for physically handicapped in all the categories.

9.7.4.4 Post-Doctoral Fellowship for SCs /STs

The objective of this scheme is to provide financial assistance to 1000 SC/ST candidates to pursue postgraduate level studies in Professional subjects at recognized Indian Universities/Institutions/Colleges.

9.7.4.5 Remedial Coaching at UG / PG level for SC / ST Students

The UGC had introduced the scheme in the 1994 for the students belonging to SCs & STs. The objective of the Scheme was:

- To improve the academic skill and linguistic proficiency of the students in various subjects.
- To raise the level of comprehension of basic subjects so as to provide a stronger foundation for further academic work.
- To strengthen their knowledge, skills and attitude in such subjects, where quantitative and qualitative techniques and laboratory work are involved, so that necessary guidance and training provided under the programme may enable the students to come up to the level necessary for pursuing higher studies efficiently.
- To improve overall performance of these students in the examinations

9.7.4.6 Establishment of Scheduled Caste and Scheduled Tribe Cells in Universities

To safeguard the interest of Scheduled Caste and Scheduled Tribes, the most deprived groups of the Indian Society, the constitution provides reservation in various services under Central and State Government. The main objectives is not to just provide jobs to increase their representation in services but to improve their social and educational status so that they can have their rightful place in the main-stream of the society. As per the constitutional provisions, the reservation for Scheduled Castes is 15 *per cent* and 7.5 *per cent* for Scheduled Tribes respectively at the national level and the reservation in states is provided depending on their population in the concerned state. Towards this, a SC/ST cell has been set up in UGC and also constituted a standing committee for SC/ST to implement and monitor the Reservation Policy for them in Higher Education.

In XI Plan, the following are the objectives of the scheme of “Establishment of SC/ST Cells in Universities” initiated in the year 1983:

- To ensure effective implementation and monitoring of the reservation policy for SC/STs and Programs of the Government of India and UGC in Universities and Colleges.
- To collect data regarding implementation of policies in respect of admissions, appointments to teaching and non-teaching positions etc.
- To take such follow-up measures, this can help in achieving the target laid down for the purpose.

Under the scheme, the assistance for staff positions is on cent percent basis for actual expenditure on staff salary during the first five years of establishment of SC/ST Cells or up to the end of the Plan period during which the cell is established.

Central Universities and deemed Universities which are funded by the UGC may meet the recurring expenditure from the Non-Plan funds. State Universities which have received the approval of the State Government to take over the liberty of recurring grants may continue with state finance after the completion of the plan period. However, they will receive UGC funds for Non-recurring expenditure. In case the liability of recurring grant is not to be taken over by the State Govt., the State University may continue with the functioning of SC/ST Cell by utilizing the development grant available to them from UGC to meet recurring expenditure.

9.7.4.7 Establishment of Equal Opportunity Cells (EOCs)

Decision has been taken by UGC to create Equal opportunity Cell (EOCs) in all universities which have been declared fit to receive grants under sections 12-B of the UGC Act, 1956. One time grant of ` 2.00 lakh is being provided for establishing office of EOC. An amount of ` . 4.09 lakh has been released to the eligible colleges by the UGC. Under the scheme 3987 colleges, 6 Deemed University and 23 Central Universities have been assisted by the UGC. (Source A.R. 2013-14 Ministry of Human Resource Development)

9.7.4.8 Coaching classes for SC/ST candidates for preparation for National Eligibility Test (NET)

In order to provide adequate number of qualified SC /ST candidates for recruitment as lecturers in Universities and Colleges, during 2004-05, the UGC introduce a scheme of coaching classes for SC / ST students to prepare them for NET which is an essential eligibility condition for becoming a lecturer in universities and colleges. Under the scheme, the coaching classes are organized in selected universities for which grant on 100 *per cent* basis is made available.

9.8 Initiatives of Ministry of Human Resource Development

9.8.1 National Merit Scholarship Scheme (NMSS)

There is new scheme entitled ‘National Merit Scholarship Scheme with the objective to support talented students and encourage them to excel academically in studies by giving recognition and financial assistance at post-metric level on state wise merit basis and also separately to talented and

meritorious students in rural areas for Classes IX to X for all categories. The revised rate of scholarship varies from ` 250/- to ` 750/- p.m. depending on the level of education and course of study. The Scheme has been discontinued with effect from April, 2007. However, a New Central Scheme of Scholarship for College and University Students is proposed to be introduced.

9.8.2 National University of Educational Planning and Administration (NUEPA)

It carries out studies, seminars, symposiums, etc. and evaluates ongoing programmes/existing educational programmes. It covers programmes and schemes for scheduled castes and scheduled Tribes. It also generates material for educational institutions.

9.8.3 University Grants Commission

University Grants Commission runs the Remedial Coaching Scheme with a view to improve the academic skills and linguistic proficiency of the Scheduled Caste and Scheduled Tribe students to prepare them for the National Eligibility Test (NET) conducted by UGC/CSIR.

9.8.4 SC/ST Cells

University Grants Commission provides assistance to universities/deemed universities for establishment of Special SC/ST Cells, to ensure effective implementation of reservation policy for SCs/STs in admissions, recruitment both in teaching and non-teaching posts, staff quarters/hostels, fellowships etc.

9.8.5 Engineering Colleges

The higher educational institutions administered by the Central Government including IITs, IIMs, Regional Engineering Colleges, etc. provide reservation to the extent of 15 *per cent* and 7.5 *per cent* for SCs and STs students respectively in admissions. Apart from reservation, there is relaxation in minimum qualifying marks for admission and seats are reserved in hostels for SC/ST students. Reservation percentages vary in institutions run by the State Government as per State Government's policy.

9.8.6 Community Polytechnics

The scheme of Community Polytechnics is in operation since 1978-79 provides platforms for transfer of appropriate technologies to rural masses/local communities. Preference is given in training to rural youths, SCs, STs, women, school dropouts and other disadvantaged groups and helps them to obtain need based gainful employment. It applies Science and technology through skill oriented non-formal training, technology transfer and technical support services.

9.8.7 Upgradation of Merit of SC students

9.8.7.1 Objective

To upgrade the merit of Scheduled Castes students by providing them with facilities for their all-round development through education in residential schools. It is proposed to be done by (i) removing their educational deficiencies (ii) facilitation their entry into professional courses by up-

graduation their merit and (iii) generating self-confidence and self-reliance in them.

9.8.7.2 Target Group

Scheduled Castes students studying from Class IX to class XII.

9.8.7.3 Salient Features

Providing 100 *per cent* Central assistance to the State/UTs through a package grant or ` 15,000/- per student per year. Special allowances like readers allowance, transport allowance, escorts allowance etc. is given to students with disabilities.

9.9 Central Sector Schemes

9.9.1 Rajiv Gandhi National Fellowships for Higher Education

Objective

The scheme provides financial assistance to Scheduled Caste students for pursuing research studies leading to M.Phil, Ph. D and equivalent research degree in universities, research institutions and scientific institutions.

Salient Features

University Grants Commission (UGC) is the nodal agency for implementing the scheme. From the year 2010-11, 2000 Research Fellowship (Junior Research Fellows) per year would be awarded to Scheduled Caste students. In case of non-availability of adequate number of Scheduled Castes candidates, the number of fellowships not availed during a year will be carried forward to the next academic session. In case, the number of candidates exceeds the number of available awards, the UGC select the candidates based on the percentage to mark obtained by the candidates in their Post Graduation examination. There is no income ceiling prescribed under the scheme.

Important Changes

The following important changes have been made in the scheme from 2010-11 and the same remain effective as on 2013-14.

Number fellowships: The number of new fellowships to be awarded each year has been increased from 1333 to 2000 to benefit more Scheduled Caste students.

Rates of fellowship: The rates of fellowship for JRE and SRF will be at par with UGC fellowships. Rate of fellowship under the scheme have been upwardly revised with effect from 1.4.2010 to annual the inflationary effect and make the fellowship more beneficial.

The revised rates of fellowship under the scheme are as follows:-

Table No. 9.10

Sl. No	Stream	Monthly Rate of fellowship (Amount in `)			
		J.R.F		S.R.F	
		Pre-revised	Revised	Pre-revised	Revised
1.	Science, Humanities and Social Sciences	12,000	16,000	14,000	18,000
2.	Engineering and Technology	14,000	18,000	15,000	19,000

Rates of other allowances:

The present rates of other allowances admissible under the fellowship are as follows:-

Table No. 9.11
Other Allowances admissible under the scheme

(Amount in `)

Type of Scholarship	Item of Assistance	Humanities and Social Science	Sciences, Engineering and Technology	Department Assistance	Escorts/Reader Assistance
Junior Research Fellowship	Contingency for first two years	10,000	12,000	3,000/- p.a per student to the host institution for providing infrastructure	2000/- p.m in cases of physically and disabled candidates
Senior Research Fellowship	Contingency for remaining three years (p.a)	20,500	25,000		

The housing Rent Allowance (HRA) will be on the UGC pattern and will be payable to those students who are not provided with hostel accommodation. In case hostel accommodation offered by the University /Institution is refused, the student will forfeit his claim of HRA. The other facilities such as medical facilities, leave including maternity leave will be governed as per the guidelines of the UGC in case of their fellowship programme.

9.9.2 Scholarship Scheme of Top Class Education for SC students

Objective

Objective of the SC home is to promote qualitative education amongst SC students, by providing full financial support for pursuing studies beyond 12th Class.

Salient Features

- There are 181 institutes of excellence spread all over the country in the list of identified institutes. Five new institution namely, IIT-Mandi, IIT-Indore, IIM-Raipur IIM-Rohtak, and IIM-Ranchi have been added in the list during current year 2010-11.
- Notified institutes include all IIMs, IITs, NITs (earlier known as RECs), commercial Pilot License training institutes and reputed Medical/Law and other institutes of excellence.
- A Total of 1250 states are to be granted scholarship every year.
- Coursed of study covered the Engineering, Medicine /Dentistry, Law, Management, Hotel Management, Fashion Technology and other streams.
- SC students whose total family income is up to ` 4.50 lakh per annum are eligible for the scholarship.

9.9.3 Scholarship is awarded for SC students seeking higher education

Full tuition fee and other non-refundable charges (three will be a ceiling of ` 2 lakh per annum per student towards fee in the private institution and ` 3.72 lakh per annum per student in private commercial pilot training institutions).

- Living expenses at the rate of ` 2,220/- per month per student
- Books & Stationary at the rate of ` 3,000/- per annum per students and
- A latest computer with full accessories limited to ` 45,000/- per student as one time assistance. Living expenses cost of book and stationary and computer are subject to actual expenditure.

9.9.4 National Overseas Scholarship

Objective

National Overseas, Scholarship is meant to provide assistance to selected Scheduled Caste, De-notified, nomadic, semi-nomadic tribes, landless agricultural labourers and traditional artisans, students for pursuing higher studies of Master Level course and PhD Programmes abroad in specified fields of study.

Salient Features

The scheme provides for fees charged by institutions as per actual, monthly maintenance allowance, passage visa fee and insurance premium etc., annual contingency allowance, incidental journey allowance. Only one child of the same parents/guardians is eligible to get benefit under the scheme. The prospective awardees should not be more than 35 years of age.

The total number of awards to be given each year is 60 and 30 *per cent* of the awards have been earmarked for women candidates. Financial assistance under the Scheme is provided for a maximum period of 4 years for Ph. D and 3 years for Master's programme. The income from all sources of the employed candidates or his/her parents/guardians should not be more than ` 6.00 lakh per annum.

Rates of admissible allowances

The current rates of allowances admissible under the scheme are summarized below:

Table No. 9.12
Rates of admissible allowances

(Amount in `)

Current Rates of admissible allowances (with effect from 9.7.2007)		
Item	Amount admissible in UK (in great Britain pound)	Amount admissible in US and other countries (in US)
Annual Maintenance Allowance	9900	15400
Annual Contingency Allowance	1100	1500
Incidental Journey Allowance	Equivalent to US	
Poll Tax	Actual Amount	
VISA Free	Actual VISA fee in Indian Rupee	
Fee and Medical Insurance Premium	Actual as charged	
Local Travel	Second or coach class fare	

Important changes

The specified fields of study under the scheme have been revised for the selection year 2013-14 in order to broaden the scope and benefit more students, and following disciplines have been covered under the scheme.

Table No. 9.13

Field of Study	Number of Seats
Engineering and Management	20
Pure Sciences and Applied Science	10
International Commerce, Accounting Finance	10
Agriculture Sciences and Medicine	10
Humanities, Social Science and Five Arts	10
Total	60

(Source : Website of the Ministry of Human Resources Development, GOI)

9.9.5 Free Coaching for SC and OBC students

Objective

Objective of the Scheme is to provide quality coaching for Group A and B examinations conducted by the Union Public Service Commission (UPSC), the Staff Selection Commission (SSC), the Railway Recruitment Boards (PRB) and the State Public Service Commissions; Officers Grade examinations conducted by Banks, Insurance Companies and Public Sector Undertaking (PSUs) and; Finishing courses/job-oriented courses for employment in the private sector like IT, Bio-technology etc. in need soft skill as well.

The scheme is implemented through the reputed coaching institutions/centres run by the State Government/UT Administrations, Universities and the private sector organizations

Eligibility

- The students must have secured percentage of marks in the qualifying examinations as prescribed for the courses/examination for which free coaching is being imparted under the scheme;
- The students should be selected based on merit prepared on the basis of marks obtained by them in the qualifying examinations for appearing in the relevant competitive examinations for which coaching is to be imparted;
- Only students belonging to SCs and OBCs having total family income of ₹. 3.00 lakh per annum will be eligible under the scheme;
- Benefits under the scheme can be availed by a particular student not more than twice, irrespective examination. The coaching institution will also be required to take an affidavit from the students that they have not taken benefit more than twice under the scheme.
- Where examination is conducted in two stages viz. Preliminary and Main, the candidates will be entitled for free coaching for both the examinations. However, coaching for the main examination will be available only to those candidates who have cleared the preliminary examination; and

- The selected students shall have to attend all classes. In the event of any student remaining absent for more than 15 days, without any valid reason, benefits of free coaching to him/her shall be discontinued and another students shall be taken in his/her place.

Quantum of fee

The financial assistance in respect of various courses would be broadly as under:-

Table No. 9.14

Sl. No.	Name of course for which coaching to be provided	Duration of coaching	Maximum ceiling of Coaching fee paid to institution per candidate (in `.)
1.	Civil Service (Preliminary)/State Civil Services (Preliminary)	Minimum 5 months	20,000
2.	Civil Service (Mains)/State Civil Services (Mains)	Minimum 4 months	20,000
3.	Entrance examination for Engineering, Medical MBA and other professional courses	Minimum 4 months	20,000
4.	Other Group A & B examinations conducted by UPSC, State Public Service Commission's (SPSCs), Group B Examinations conducted by SSC and (SPSCs)	Minimum 4 months	15,000
5.	Officers Grade examinations for recruitment in the Banks, LIC, GICs, PSUs	Minimum 4 months	15,000
6.	Finishing job courses	Minimum 3 months	To be decided by the Selection Committee on the basis of proposal and prevailing market rate

(Source : Website of the Ministry of Human Resources Development, GOI)

Ratio of Candidates

The ratio of SC and OBC students to be coached under the scheme will be 70:30. In case of non-availability or inadequate availability of candidates in a particular category, the Ministry of Social Justice and Empowerment can relax this ratio.

Stipend

Stipend will be payable at the rate of ` 1500/- per students per month for local students and ` 3000/- per student per outstation students. The institute would have to pay stipend to each student on monthly basis through ECS or cheque. No. cash payment would be allowed.

Schemes of Educational Empowerment

9.10 Centrally Sponsored Schemes⁸: -

9.10.1 Post Matric Scholarship

The Scheme is the single largest intervention by Government of India for educational empowerment of Scheduled Caste students. The Scheme is in operation since 1944. This is a centrally sponsored scheme. 100 *per cent* Central assistance is released to State Government/ UTs for expenditure incurred by them under the scheme over and above their respective committed liability. The Committed liability of a State/UT is the total expenditure incurred by it under the scheme during the terminal year of the last plan period. North-Eastern states are however, exempted from committed liability.

Objective

The objective of the scheme is to provide financial assistance to Scheduled Castes student studying at post matriculation or post-secondary stage to enable them to complete their education.

Salient features

The financial assistance includes maintenance allowance, reimbursement of non-refundable compulsory fee charged by educational institution, Book Bank facility and other allowances. The scholarships are available for studying in India only and are awarded by the Government of the States/Union Territories to which the applicant actually belongs.

Modification

The scheme was revised in December, 2010. The revision which became effective from 1.7.2010 inter-alia include change in (i) income ceiling from existing ` .2.00 lakh to ` 2.50 Lakh p.a for the academic session 2013-14 (ii) maintenance and other allowances and (iii) regrouping of courses.

9.10.2 Pre-Matric Scholarship for children of those engaged in Unclean Occupations

Introduction

This is also a centrally sponsored scheme, which is implemented by the State Government and Union Territory Administration, which receive 100 *per cent* central assistance from the Government of India for the total expenditure under the scheme over and above their respective Committed Liability. The level of Committed Liability of respective State Government/Union Territory Administration for a year is equivalent to the level of actual expenditure incurred by them under the scheme during the terminal year of the last Five Year period.

Objective

The scheme was started in 1977-78. Initially, the scheme covered only hostellers. Subsequently, in the year 1991 day scholars were also brought within the purview of the scheme. Under the scheme financial assistance is provided for pre-matric education to children of the following target groups

⁸ Annual Report 2013-14 of Ministry of Social Justice & Empowerment, GOI.

viz (i) scavengers of dry latrines, (ii) sweepers having traditional links with scavenging, (iii) tanners, and (iv) flayers (v) manhole and open drain cleaners.

Salient features

Assistance under the scheme consists of two components, viz.

- Monthly Scholarship (for 10 months)
- Annual Ad hoc Grant (to cover incidental expenses like stationery, uniform, etc.)
- There is no income ceiling or caste restriction for eligibility
- There are special provisions for students amongst target group with disabilities.
- The scheme is implemented through State Government.

The scheme was last revised in December 2008. The revision that became effective from 1.4.2008 *inter-alia* includes change in the pattern of Central Assistance and increase in rate of scholarship. The main changes brought out are summarized below:-

Table No. 9.15

(in `)

Sl. No	Component of scheme	Pre-revised			Revised w.e.f. 1.4.2008		
		Class	Day Scholars	Hostellers	Class	Day Scholars	Hostellers
1.	Monthly Scholarship	I-V	40	-	I-II	110	-
		VI	-	-	III-X	110	700
		VIII	60	-			
		III	-				
		VIII	-	300			
		IX-X	75	375			
2.	Annual Ad-hoc Grant (` Per annum)	Day Scholars – ` 550 Hostellers – ` 600			Day Scholars – ` 750 Hostellers – ` 1000		
3.	Pattern of Central Assistance over and above committed liability	50 per cent of State expenditure (100 per cent in case of UTs)			100 per cent of State expenditure		

9.10.3 Babu Jagjivan Ram Chhatrawas Yojana

Objective

The objective of the scheme is to provide hostel facilities to SC boys and Girls studying in middle schools, higher secondary schools, colleges and Universities.

Salient Features

The State Government/ Union Territory Administrations and the Central & State Universities/Institutions are eligible for central assistance, both for fresh

construction of hostel buildings and for expansion of the existing hostel facilities while NGOs and deemed Universities in the private sector can avail the benefit only for expansion of their existing hostel facilities.

Central Assistance for construction/expansion of Hostels for SCs

The following pattern of funding is available for Boys & Girls hostels:

Table No. 9.16

Sl. No.	Institute/ Organisation	Boys Hostels	Girls Hostels	Assistance available
1.	State Government	50 (SG) : 50 (CG)	100 per cent (CG)	New construction and expansion of existing hostel
2.	U.T. Administration	100 per cent (CG)	100 per cent (CG)	do
3.	Central University	90 (CG): 10 (University)	100 per cent (CG)	do
4.	State University/Institute	45 (SG):45 (CG):10 (State University /Institute)	100 per cent (CG)	Do
5.	NGO/Deemed University	45 (SG):45 (CG):10 (NGO/Deemed University)	90 (CG):10 (NGO/ Deemed University)	Only expansion of existing hostel

SG-State Government share; CG= Central Government share NGO = Non-Government Organization

In addition to the admissible central assistance under the scheme, one-time grant of ` 2500 per student would also be provided for making provisions of a cot, a table and a chair for each student.

9.11 Performance of State Government in the matter of Socio-economic development

The Commission collected information on State Allocation *vis-à-vis* Expenditure during the year 2008-09 to 2012-13 though the Commission desired financial information up to the year 2013-14. The six States⁹ have given information from the Financial Year 2008-09 to 2012-13 and eight States / UT¹⁰ given information from the year 2010-11 to 2012-13 and four States/ UT¹¹ have given information pertaining to the years 2010-11 to 2011-12 only. Information as gathered is given in tabulated format along percentage of SC population in the States / UTs to understand percentage of SCSP allocations *vis-a-vis* expenditures State /UT-wise with reference to SC Specific Schemes in particular.

⁹ Andhra Pradesh, Bihar, Chhattisgarh, Gujarat, Jharkhand and Madhya Pradesh.

¹⁰ Assam, Karnataka, Kerala, Punjab, Tripura, Tamil Nadu, Uttar Pradesh and UT of Puducherry.

¹¹ Haryana, Himachal Pradesh and UT of Chandigarh.

9.11.1 Andhra Pradesh

Table No. 9.17
State Allocation vis-à-vis Expenditure during the year 2008-09 to 2012-13
(SC – 16.41 per cent)

(in crore)

Year	Total State Plan Allocation	Total State Plan Expenditure	SCSP Outlay	SCSP actual expenditure	Percentage of SCSP Allocation to the State Plan Allocation	Percentage of SCSP Expenditure to State Plan Expenditure	Percentage of SC Specific Scheme expenditure to the total SCSP Expenditure	Percentage of Allocation under SC Specific Scheme to the total State Plan Allocation
2008-09	44000.00	30617.00	7630.42	3611.44	17.34	11.80	19.87	2.87
2009-10	36635.58	29390.97	5609.30	2764.80	15.31	9.41	18.95	1.68
2010-11	36727.97	32248.71	6132.55	3739.00	16.70	11.60	21.83	2.35
2011-12	43000.00	37629.51	7233.35	4915.21	16.82	13.06	18.98	2.35
2012-13	48935.00	38854.01	8369.08	4467.48	17.10	11.50	21.77	2.77

(Source : Report of Government of Andhra Pradesh)

Analysis of above data will reveal that the State actually has spent very less on SC welfare specific schemes instead utilised maximum SCSP fund on general schemes.

9.11.2 Bihar

Table No. 9.18
State Allocation vis-à-vis Expenditure during the year 2008-09 to 2012-13
(SC – 15.96 per cent)

(in crore)

Year	Total State Plan Allocation	Total Allocation Under SCSP	per cent of SCSP Allocation to total State Plan	Total State Plan Expenditure	SCSP Expenditure	Percentage of SCSP Expenditure to SCSP Allocation	Percentage of SCSP Allocation under total State Plan Allocation
2008-09	12000.00	2430.46	20.25	12510.78	2131.22	87.69	17.76
2009-10	14404.65	2901.21	20.14	14183.51	2497.42	86.08	17.34
2010-11	18351.47	3375.12	18.39	18717.58	1731.85	51.31	9.44
2011-12	21390.00	4001.82	18.71	21018.56	3999.60	99.94	18.70
2012-13	25203.54	4427.22	17.57	26351.19	3957.38	89.39	15.70

(Source : Report of Government of Bihar)

From the above table, it would be seen that percentage of SCSP expenditure to total State Plan Expenditure is quite low and even percentage of SCSP Expenditure to SCSP Allocation is also less than the 100 per cent mark.

9.11.3 Chhattisgarh

Table No. 9.19
State Allocation vis-à-vis Expenditure during the year 2008-09 to 2012-13
(SC – 12.82 per cent)

(in crore)								
Year	Total State Plan Allocation	Total State Plan Expenditure	SCSP Outlay	SCSP Actual Expenditure	Percentage of SCSP Allocation to the State Plan Allocation	Percentage of SCSP Expenditure to State Plan Expenditure	Percentage of SC Specific Scheme Expenditure to the total SCSP exp.	Percentage of Allocation under SC specific scheme to the total State Plan Allocation
2008-09	9599.00	8137.37	1055.25	838.05	10.99	10.30	7.42	0.88
2009-10	10947.02	10281.43	1284.67	978.50	11.74	9.52	3.94	0.37
2010-11	13599.58	10139.67	1612.13	1073.45	12.80	10.59	7.94	0.78
2011-12	16710.25	12484.13	1847.76	1351.98	11.06	10.83	7.15	1.11
2012-13	23480.35	16520.95	2219.20	1876.23	9.45	11.36	6.15	0.52

(Source : Report of Government of Chhattisgarh)

It is observed that allocation of fund for SCSP is not in consonance of the SC population of the State and percentage of SCSP Expenditure to the SCSP Plan Expenditure is abysmally low.

9.11.4 Gujarat

Table No. 9.20
State Allocation vis-à-vis Expenditure during the year 2008-09 to 2012-13
(SC – 7.09 per cent)

(in crore)					
Year	State Plan Outlay	State Plan Expenditure	SCSP Outlay	SCSP Expenditure	Percentage of SCSP Expenditure to State Plan Expenditure
2008-09	21000.00	21763.68	1134.08	870.43	76.75
2009-10	23275.00	22144.19	1294.95	1077.29	83.19
2010-11	30000.00	8901.74	1331.80	1174.75	88.21
2011-12	38000.00	--	2084.04	1577.14	75.68
2012-13	50599.00	--	2849.32	2440.93	85.67

(Source : Report of Government of Gujarat)

As percentage of SCSP Expenditure to SCSP Allocation is not given actual percentage of expenditure incurred on SCSP Plan expenditure could not be assessed.

9.11.5 Jharkhand

Table No. 9.21
State Allocation vis-à-vis Expenditure during the year 2008-09 to 2012-13
(SC – 12.09 per cent)

Year	Total State Plan Allocation	Total Allocation Under SCSP	per cent of SCSP Allocation to total State Plan	Total State Plan Expenditure	SCSP Expenditure	Percentage of SCSP Expenditure to SCSP Allocation	Percentage SCSP Allocation to total State Plan Allocation
2008-09	8015.00	799.16	9.97	6866.17	648.37	81.31	8.09
2009-10	8200.00	773.03	9.43	6528.89	567.21	73.37	6.92
2010-11	9590.00	988.82	10.31	8268.08	740.24	74.86	7.72
2011-12	12232.75	1316.55	10.76	10277.06	810.27	61.54	5.41
2012-13	16300.00	1824.53	11.19	11309.76	NA	NA	NA

(Source : Report of Government of Jharkhand)

From the above table, it is seen that percentage of SCSP expenditure to total State Plan Expenditure is quite low and even percentage of SCSP Expenditure to SCSP Allocation is also less than the 100 per cent mark.

9.11.6 Madhya Pradesh

Table No. 9.22
State Allocation vis-à-vis Expenditure during the year 2008-09 to 2012-13
(SC – 12.09 per cent)

Year	Total State Plan Allocation	Total State Plan Expenditure	SCSP Outlay	SCSP Actual Expenditure	Percentage of SCSP Allocation to the State Plan Allocation	Percentage of SCSP Expenditure to State Plan Expenditure	Percentage of SC Specific Scheme Expenditure to the total SCSP Expenditure	Percentage of allocation under SC Specific Scheme to the total State Plan Allocation
2008-09	14182.52	NA	2209.81	1832.58	15.58	--	19.07	2.52
2009-10	14454.00	NA	2240.37	2144.09	15.50	--	17.92	2.70
2010-11	19000.00	NA	1918.00	2665.24	10.09	--	18.30	2.78
2011-12	23000.00	NA	3575.58	2906.86	15.54	--	32.07	4.05
2012-13	28000.00	NA	4284.00	3879.15	15.30	--	21.70	3.00

(Source : Report of Government of Madhya Pradesh)

From the above table it is seen that even in case of SC specific schemes, the Government of Madhya Pradesh could not spend the entire amount earmarked for SC specific scheme expenditure.

The following States / UT¹² however, have given information pertains to the Financial Year 2010-11 to 2012-13 only.

¹² Assam, Karnataka, Kerala, Punjab, Tripura, Tamil Nadu, Uttar Pradesh and UT of Puducherry.

9.11.7 Assam

Table No. 9.23
State Allocation vis-à-vis Expenditure during the year 2008-09 to 2012-13
(SC – 6.85 per cent)

(in crore)							
Year	Total State Plan Allocation	Total State Plan Expenditure	SCSP Outlay	SCSP Actual Expenditure	Percentage of SCSP Allocation to the State Plan Allocation	Percentage of SCSP Expenditure to State Plan Expenditure	Percentage of Allocation under SC specific scheme to the total State Plan Allocation
2010-11	7645.00	NA	140.27	117.60	1.83	1.54	NA
2011-12	9000.00	NA	165.52	163.56	1.84	1.82	NA
2012-13	10500.00	NA	191.00	191.00	1.82	1.82	NA

(Source : Report of Government of Assam)

The above table highlights very low allocation of budget under SCSP Expenditure which is not commensurate with SC population in the State of Assam.

9.11.8 Karnataka

Table No. 9.24
State Allocation vis-à-vis Expenditure during the year 2008-09 to 2012-13
(SC – 17.15 per cent)

(in crore)								
Year	Total State Plan Allocation	Total State Plan Expenditure	SCSP Outlay	SCSP Actual Expenditure	Percentage of SCSP Allocation to the State Plan Allocation	Percentage of SCSP Expenditure to State Plan Expenditure	Percentage of SC Specific Scheme Expenditure to the total SCSP Expenditure	Percentage of Allocation under SC Specific Scheme to the total State Plan Allocation
2010-11	31000.00	31154.44	3268.03	2926.02	10.54	9.39	36.54	3.59
2011-12	38070.00	38450.00	4633.38	3931.56	12.17	10.23	28.61	3.29
2012-13	42030.00	42100.00	5125.00	4181.78	12.19	9.93	31.36	3.59

(Source : Report of Government of Karnataka)

From the above table it is evident that allocation for SCSP Head is not in consonance of SC population in the State and in case of SC specific schemes, the Government could not spend the entire amount earmarked for SC specific scheme expenditure.

9.11.9 Kerala

Table No. 9.25
State Allocation vis-à-vis Expenditure during the year 2010-11 to 2012-13
(SC – 17.15 per cent)

(in crore)

Year	Total State Plan Allocation	Total State Plan Expenditure	SCSP Outlay	SCSP Actual Expenditure	Percentage of SCSP Allocation to the State Plan Allocation	Percentage of SCSP Expenditure to State Plan Expenditure	Percentage of SC Specific Scheme Expenditure to the total SCSP Expenditure	Percentage of Allocation under SC Specific Scheme to the total State Plan Allocation
2010-11	10025.00	10024.57	983.45	826.6	9.81	8.25	8.25	9.81
2011-12	12010.00	11758.9	1178.2	1205.3	9.81	10.25	10.25	9.81
2012-13	14010.00	12585.6	1289.2	1188.3	9.2	9.4	9.44	9.2

(Source : Report of Government of Kerala)

From the above table it is evident that allocation for SCSP Head is not in consonance of SC population in the State and in case of SC specific schemes, the Government could not spend the entire amount earmarked for SC specific scheme expenditure also.

9.11.10 Punjab

Table No. 9.26
State Allocation vis-à-vis Expenditure during the year 2010-11 to 2012-13
(SC – 31.9 per cent)

(in crore)

Year	Total State Plan Allocation	Total State Plan Expenditure	SCSP Outlay	SCSP Actual expenditure	Percentage of SCSP Allocation to the State Plan Allocation	Percentage of SCSP Expenditure to State Plan Expenditure	Percentage of SC Specific Scheme Expenditure to the total SCSP Expenditure	Percentage of Allocation under SC Specific Scheme to the total State Plan Allocation
2010-11	3300.00	3482.00	834.10	830.40	25.28	23.85	NA	NA
2011-12	11520.00	7457.45	3323.52	2095.04	28.85	28.09	NA	NA
2012-13	14000.00	9895.71	4039.00	2726.65	28.85	27.54	NA	NA

(Source : Report of Government of Punjab)

The above table confirms low share of SCSP allocation to the State Plan Allocation and alarmingly low expenditure under SC specific schemes to the total State Plan Expenditure.

9.11.11 Tripura

Table No. 9.27
State Allocation vis-à-vis Expenditure during the year 2010-11 to 2012-13
(SC – 17.82 per cent)

(in crore)

Year	Total State Plan Allocation	Total State Plan Expenditure	SCSP Outlay	SCSP Actual Expenditure	Percentage of SCSP Allocation to the State Plan Allocation	Percentage of SCSP Expenditure to State Plan Expenditure	Percentage of SC Specific Scheme Expenditure to the total SCSP Expenditure	Percentage of Allocation under SC Specific Scheme to the total State Plan Allocation
2010-11	2035.68	1140.75	365.53	196.57	17.95	17.23	1.74	0.19
2011-12	1805.54	1411.49	272.96	251.98	15.11	17.85	2.61	0.37
2012-13	1980.01	1782.83	375.13	342.08	18.94	19.18	1.8	0.36

(Source : Report of Government of Tripura)

From the above table it is evident that allocation for SCSP Head though in consonance of State SC population but in case of SC specific schemes expenditure, the Government has spend abysmally low amount and percentage of allocation under SC specific scheme to the total State Plan Allocation is also alarmingly low.

9.11.12 Tamil Nadu

Table No. 9.28
State Allocation vis-à-vis Expenditure during the year 2010-11 to 2012-13
(SC – 9.28 per cent)

(in crore)

Year	Total State Plan Allocation	Total State Plan Expenditure	SCSP Outlay	SCSP Actual Expenditure	Percentage of SCSP Allocation to the State Plan Allocation	Percentage of SCSP Expenditure to State Plan Expenditure	Percentage of SC Specific Scheme Expenditure to the total SCSP Expenditure	Percentage of Allocation under SC Specific Scheme to the total State Plan Allocation
2010-11	20068.00	20068.00	4240.73	4210.01	21.13	20.58	94.68	19.07
2011-12	23535.00	23535.00	5007.00	4491.97	21.28	19.09	100.00	21.28
2012-13	28000.00	28000.00	6108.61	5405.12	21.82	19.30	100.00	21.82

(Source : Report of Government of Tamil Nadu)

The above table reveals that allocation and expenditure of funds under SCSP schemes are quite satisfactory as far as Tamil Nadu State is concern.

9.11.13 Union Territory of Puducherry

Table No. 9.29
State Allocation vis-à-vis Expenditure during the year 2010-11 to 2012-13
(SC – 15.70 per cent)

(in crore)

Year	Total State Plan Allocation	Total State Plan Expenditure	SCSP Outlay	SCSP Actual Expenditure	Percentage of SCSP Allocation to the State Plan Allocation	Percentage of SCSP Expenditure to State Plan Expenditure	Percentage of SC Specific Scheme Expenditure to the total SCSP Expenditure	Percentage of Allocation under SC Specific Scheme to the total State Plan Allocation
2010-11	1770.00	1582.55	208.63	207.02	11.79	13.25	63.84	7.47
2011-12	1664.00	1602.90	209.48	208.26	12.59	12.99	44.66	5.59
2012-13	1392.00	1272.39	14.94	118.73	1.13	9.33	19.34	2.69

(Source : Report of Government of Union Territory Puducherry)

The above data shows that allocation of fund was not in conformity with the State SC population and expenditure on SC specific schemes was also remain unsatisfactory.

9.11.14 Uttar Pradesh

Table No. 9.30
State Allocation vis-à-vis Expenditure during the year 2010-11 to 2012-13
(SC – 15.70 per cent)

(in crore)

Year	Total State Plan Allocation	Total State Plan Expenditure	SCSP Outlay	SCSP Actual Expenditure	Percentage of SCSP Allocation to the State Plan Allocation	Percentage of SCSP Expenditure to State Plan Expenditure	Percentage of SC Specific Scheme Expenditure to the total SCSP Expenditure	Percentage of Allocation under SC Specific Scheme to the total State Plan Allocation
2010-11	1770.00	1582.55	208.63	207.02	11.79	13.25	63.84	7.47
2011-12	1664.00	1602.90	209.48	208.26	12.59	12.99	44.66	5.59
2012-13	1392.00	1272.39	14.94	118.73	1.13	9.33	19.34	2.69

(Source : Report of Government of Uttar Pradesh)

It is seen that allocation of funds under SCSP is less than State SC population and expenditure part is poor and even in SC specific schemes, the State Government failed to spend full amount earmarked for the same.

The following States / UT¹³, have given information for the Financial period 2010-11 to 2011-12 only.

¹³ Haryana, Himachal Pradesh and UT of Chandigarh.

9.11.15 Haryana

Table No. 9.31
State Allocation vis-à-vis Expenditure during the year 2010-11 to 2012-13
(SC – 18.90 per cent)

(in crore)

Year	Total State Plan Allocation	Total State Plan Expenditure	SCSP Outlay	SCSP Actual Expenditure	Percentage of SCSP Allocation to the State Plan Allocation	Percentage of SCSP Expenditure to State Plan Expenditure	Percentage of SC Specific Scheme Expenditure to the total SCSP Expenditure	Percentage of Allocation under SC Specific Scheme to the total State Plan Allocation
2010-11	13200.00	11102.64	2599.45	2015.89	19.69	18.61	45.04	8.82
2011-12	14500.00	12520.87	2843.34	2187.18	19.61	17.47	47.55	10.52

(Source : Report of Government of Haryana)

From the above table, it is seen that percentage of SCSP expenditure to total State Plan Expenditure though in conformity of the State SC population but, expenditure on SC specific scheme under total SCSP expenditure is the 100 per cent mark.

9.11.16 Himachal Pradesh

Table No. 9.32
State Allocation vis-à-vis Expenditure during the year 2010-11 to 2012-13
(SC – 18.90 per cent)

(in crore)

Year	Total State Plan Allocation	Total State Plan Expenditure	SCSP Outlay	SCSP a Actual Expenditure	Percentage of SCSP Allocation to the State Plan Allocation	Percentage of SCSP Expenditure to State Plan Expenditure	Percentage of SC Specific Scheme Expenditure to the total SCSP Expenditure	Percentage of Allocation under SC Specific Scheme to the total State Plan Allocation
2010-11	3300.00	3482.00	834.10	830.40	25.28	23.85	32.20	8.14
2011-12	3722.79	3756.92	914.64	838.72	24.62	22.32	33.69	7.59

(Source : Report of Government of Himachal Pradesh)

It is seen that allocation of funds under SCSP though in consonance of State SC population but, expenditure part is poor and even in SC specific schemes, the State Government failed to spend full amount earmarked for the same.

9.11.17 Union territory of Chandigarh

Table No. 9.33
State Allocation vis-à-vis Expenditure during the year 2010-11 to 2012-13
(SC – 18.90 per cent)

(in crore)								
Year	Total State Plan Allocation	Total State Plan Expenditure	SCSP Outlay	SCSP Actual Expenditure	Percentage of SCSP Allocation to the State Plan Allocation	Percentage of SCSP Expenditure to State Plan Expenditure	Percentage of SC Specific Scheme Expenditure to the total SCSP Expenditure	Percentage of Allocation under SC Specific Scheme to the total State Plan Allocation
2010-11	661.89	635.96	115.84	116.34	17.50	18.29	7.76	1.36
2011-12	620.00	616.19	122.79	106.66	19.80	17.31	5.99	1.03

(Source : Report of Government of Union Territory Chandigarh)

The above table shows low share of SCSP allocation to the total State Plan Allocation is low and expenditure under SC specific schemes to the total State Plan Expenditure is not upto the mark.

States including Delhi, Rajasthan, Odisha, Uttarakhand, West Bengal which have not provided requisite information inspite of repeated reminders.

9.12 Advice of the Commission on the policy matters regarding Socio-economic Development of Scheduled Castes to different Ministries during the year 2013-14

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.

The following Ministries / Departments of the Union Government have consulted the National Commission for Scheduled Castes on the policy matters.

9.12.1 Concerned Ministry/ Department

Ministry of Chemical and Fertilizer, Department of Petro Chemicals.

Subject

Cabinet Note-extension of purchase preference policy in respect of 102 medicines.

Comments of the Commission

National Commission for Scheduled Castes concurred with the proposal of the Ministry of Chemical and Fertilizer.

9.12.2 Concerned Ministry/ Department

Ministry of Social Justice and Empowerment.

Subject

The EFC Memo proposing revisions in the Centrally Sponsored Scheme of Pradhan Mantri Adarsh Gram Yojana (PMAGY).

Comments of the Commission

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

9.12.3 Concerned Ministry/ Department

Ministry of Youth Affairs and Sports, Department of Youth Affairs.

Subject

The proposal for formulation and introduction of New Plan Scheme viz National Youth Development Fund (NYDF) by the Department of Youth Affairs.

Comments of the Commission

- The Chairperson of the National Commission for Scheduled Castes may be a Member out of nine eminent persons representing corporate sector, private foundations not for profit voluntary organization and other of the Council constituted by the Central Government for the management and administration of the fund.
- The Secretary /Joint Secretary of the National Commission for Scheduled Castes may be Member out of the five members of the Council to be nominated keeping in view their experience in management and fund raising.

9.12.4 Concerned Ministry/ Department

Ministry of Women and Child Development.

Subject

Cabinet Note Draft National Plan of Action for Children (The National Policy for Children 2013)

Comments of the Commission

- *Anganwadi* at every SC village level.

- High Quality Residential Schools for SC Girls and SC Boys from Class VIII to Class XII should be started at every block level.
- Centre of excellence at every district headquarter for SC Boys and Girls.
- No fees of any type should be charged from SC students from primary to post graduate level, by any Government aided schools or unaided schools and any college/university other institution of higher/professional learning. In respect of private schools and colleges the fee should be paid directly to the schools/Institutions by the Government through DBT and eliminating the need for claiming reimbursement through DBT and maximum fees that every private school, college and other institution of higher education can charge from SC students should be fixed by the Government.
- Compulsory health check-up on yearly basis for SC/ST students
- To prevent untouchability and discrimination with SC children in the schools and mid-day meal and teacher's misbehaviour with SC students in schools, Ministry of Women and Child Development should suitably incorporate appropriate mechanism in the Draft National Plan Itself.

9.12.5 Concerned Ministry/ Department

Ministry of Social Justice and Empowerment.

Subject

Draft Cabinet Note (DCN) on the Scheduled Castes Sub Plan Bill, 2013.

Comments of the Commission

- SCSP funds should be spent exclusively for the beneficiary oriented schemes, purchase of land for distribution among SC families, education, housing & sanitary, drinking water, health, service safeguards skill development through Coaching Centres and Vocational Training Centres & protection under PCR & POA Act 1989 through National Scheduled Castes Development Council (NSCDC).
- The SCSP can be gainfully utilized for the upliftment of Scheduled Castes like Residential Schools in every district, Hostels for College Boys and Girls in every district, reimbursement of Self-Financing Course and College Fee, 100 *per cent* residential colony for SCs with ownership, coaching centers for UPSC, Railways, Banking and State Public Service Commission, Working Women Hostels, Financing the whole fee for CA/ICWA, Law, Medical and Engineering Courses, Pilot Courses, PHC, Land Purchase and distribution to every Landless SC families as per the Government Committee recommendation and over all Human Development Index Development.
- Income ceiling should not be there for SC as Supreme Court also make it clear on many occasions that there is no creamy layer among SC. So removal of income criteria/limits for eligibility under the various Socio-economic and educational schemes for SCs is necessary.
- The Director/officer In-charge, State Office of the National Commission for Scheduled Castes may be a member of the State Scheduled Castes Development Council.

- Establish a comprehensive Management information system to monitor the outcomes.

Business

- There should be relaxation for SCs for establishment of business centre.
- It should be free of taxes including Service Tax.
- Separate and exclusive bank for SC/ST can be planned by the Government as the same will go a long way in galvanizing the SC/ST entrepreneurs.
- The Government should provide the collateral securities to the SC loan seekers.
- For industrial growth in the State, land is given to the corporate groups under SEZ concept. The interest of SCs and other marginalized societies should be taken care of.
- Lead bank should be directed to protect the interest of SCs and other weaker sections.
- Creamy layer concept should be removed in case of allocation of fund to SC entrepreneurs.

Education

- There should be a quality education by providing Aganwadi in each and every habitation of SCs/STs, residential schools at every block level and centre of excellence in every District Headquarter. The expenses should be met out of Scheduled Castes Sub Plan
- Free and compulsory education in Hindi, English and Mother Tongue upto class 10+ 2th standards.
- 25 *per cent* of budgetary allocation of education Primary, Secondary and Higher education shall be reserved for the educational advancement of Scheduled Castes students.
- 100 *per cent* Grant in aid shall be extended to the NGOs of scheduled castes for the educational advancement of Scheduled Castes students including school/college buildings
- More hostel building with better infrastructure should be built in every taluk place.

9.12.6 Concerned Ministry/ Department

Ministry of Social Justice & Empowerment.

Subject

Draft note for Cabinet Committee on Skill Development for revision of National Policy on Skill Development (NPSD), 2009.

Comments of the Commission

- There should be level playing field for SCs proportionate to their population in every States/UTs in the activities of NPSD as stake holders in view of the 10 *per cent* SCSP funds being earmarked for the same.

- The SCs who have certain traditional skills like shoe making but due to technological advancement. They are losing their employment. These SCs should be further trained with computer proficiency for making patterns and ensuring themselves with modern machines so that they keep pace with time.

9.12.7 Concerned Ministry/ Department

Ministry of Social Justice & Empowerment.

Subject

National Skills Qualifications Framework (NSQF) draft note for the Cabinet Committee on Skill Development

Comments of the Commission

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

9.12.8 Concerned Ministry/ Department

Ministry of Social Justice & Empowerment.

Subject

Dr. Ambedkar scheme for Social Integration through Inter-Caste Marriages-Draft Standing Finance Committee (SFC) Memorandum

Comments of the Commission

- Physical Target may be fixed on the basis of percentage share of SC population, as per 2011 Census instead of 2001 Census.
- The word “Public Programme” may be replaced by Public Marriage Programme.
- The word “values of equality, fraternity etc”. may be replaced by “Constitutional values of liberty, equality, fraternity etc”.
- The word “Consultant “ in Para 6.2 may be replaced by “Non Government Organizations” (NGO’s).
- It is suggested that 50 *per cent* incentive amount may be given to the married couple after getting marriage registered and the balance 50 *per cent* incentive amount may be kept in fixed deposit in the Joint Bank Account of the married couple for the period of five years in order to ensure stability of the married life.
- Wide publicity of the scheme should be made in the print and electronic media.
- Further the Commission’s recommendation be applicable not only on Ambedkar Foundation but also on all the states who are providing incentive for promoting Inter caste Marriages. There should be no

ceiling/no cap of 500 for any number. Rather money should be no issue if more and more people are going for Inter Caste Marriages.

9.12.9 Concerned Ministry/ Department

Ministry of Social Justice & Empowerment.

Subject

Proposal for re-structuring the existing Centrally Sponsored Schemes (CSSs), being implemented by the Department of Social Justice & Empowerment for the development of the Scheduled Castes by merging them into a single umbrella scheme namely, “Scheme for Development of Scheduled Castes (SCs)”.

Comments of the Commission

- An attested copy of caste certificate issued by the Revenue officer not below the rank of Tehsildar instead of original certificate as mentioned in para 1.1.12 i) d.
- A Special Officer under a Scholarship Grievance Redressal Cell may be appointed at district level as well as state level instead of designated grievance redressal officer (GROs) to redress students scholarship-related grievances as mentioned in para 1.1.14.(ii) iv.
- Disburse the Central assistance to the States/UTs for making payments in the Bank Account of the Institutions under intimation to the student concerned.
- The Scheduled Castes students those covered under the prescribed income ceiling limit must be admitted on zero-fee-basis. No fee should be charged from the students at the time of admission. It shall be duty of the institutions to obtain the necessary documents from the student at the time of admission for claiming scholarship or fee reimbursement etc.
- If the fee amount is higher than scholarship amount the balance amount may be paid by the States/UTs under SCSP directly to the institutions under intimation to the student concerned.
- The students belonging to the SC community admitted under EWS category in the private unaided schools may also be covered under the pre matric scholarship for SC students studying in class I to X under the Educational Development Component – I of the “Scheme for Development of Scheduled Castes (SCs)”.
- Joint Secretary /Director /Dy. Secretary, National Commission for Scheduled Castes may be a member of the Steering Community constituted for effective monitoring and review the construction of hostels as mentioned in Para 1.5.10.1.

9.12.10 Concerned Ministry/ Department

Ministry of Youth Affairs and Sports.

Subject

EFC proposal for Revision of National Service Scheme (NSS)

Comments of the Commission

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

9.12.11 Concerned Ministry/ Department

Ministry of Youth Affairs and Sports.

Subject

Youth Hostel Scheme-continuation of the scheme during Recommendations

The 12th Plan and other matters

Meeting of the Standing Finance Committee (SFC).

Comments of the Commission

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

CHAPTER – X ATROCITIES ON SCHEDULED CASTES

10.1 Protection of Civil Rights and Prevention of Atrocities on Scheduled Castes population

10.1.1 Introduction

The Government of India has enacted two special and socially meaningful acts viz, the Protection of Civil Rights Act, 1955 (PCR Act) followed, by the Scheduled Castes and Scheduled Tribes Prevention of Atrocities Act 1989 (PoA Act) and corresponding rules thereof, by way of legislations committed to provide an equal treatment and justice to the most deprived sections of the Indian society. The twin objectives of both these Acts were to achieve abolition of untouchability and empowerment of the members of SC/ST communities in the country by eradicating the discriminatory practices against these communities which has been embedded in the caste system. Also as no Law existed on the subject in the wake of the Constitutional provision under Article 17 abolishing Untouchability, as required by sub-clause (a) of Article 35 of the Constitution these Acts on the subject were enacted by the Parliament.

The Parliament passed the **Untouchability (Offences) Act, 1955**,¹ which, was an improved version of the **Untouchability Order, 1950**, in order to give effect to the declaration made in Article 17 of the Constitution. The statement of Objects and Reasons appended to the Bill mentions, among others, that: *"Under Article 17 of the Constitution, untouchability is abolished and its practice in any form is forbidden. The enforcement of any disability arising out of untouchability shall be an offence punishable in accordance with the law."*

Although the Untouchability (Offences) Act, 1955 had brought some effect on the process of eradication of the evil of untouchability, it was felt in the course of its implementation that there was still enough scope and reasons to amend the same. The Parliament amended the Act of 1955 in November, 1976, renaming it as the Protection of Civil Rights Act², 1955. In this Act, the term Civil Rights has been defined as any right accruing to a person by reason of abolition of "Untouchability" by Article 17 of the Constitution. Offences committed under Act were made non-compoundable and summary trials prescribed in every such offence, except where it is punishable with imprisonment for a minimum term exceeding three months. Punishment in a number of offences was also considerable enhanced.

The PCR Act, 1955 sought to demolish the age-old, biased social attitude towards lower castes treating them as untouchables who remained at the receiving end of the lowest rung of the caste ladder. Apart from the declaration in the Constitution of India that untouchability is abolished and its practice in any form is prohibited, the PCR Act, 1955 was enacted to enforce that any disability arising out of untouchability shall be an offence punishable

¹ came into force on 01.06.1955

² Protection of Civil Rights Act came into force from 19.11.1976.

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

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

The PCR Act, 1955 was not of great significance to reduce the atrocities on Scheduled Castes because of it having lesser teeth in the Act which are ranging between 1 month and upto six months imprisonment. These were the major reasons why another Act with stricter punishment provisions was enacted to protect the members of SCs/STs from atrocities. Accordingly, the bill for SCs & STs (POA) Act³ was introduced in the Lok Sabha with following observations:

"Despite various measures to improve the socio-economic conditions of the SCs & STs they remain vulnerable. They are denied number of Civil Rights. They are subjected to various offences, indignities, humiliations and harassment. They have, in several brutal incidents, been deprived of their life and property. Serious crimes are committed against them for various historical, social and economic reasons. Because of the awareness created amongst the Scheduled Castes and the Scheduled Tribes through spread of education, etc, when they assert their rights and resist practices of untouchability against them or demand statutory minimum wages or refuse to do any bonded and forced labour, the vested interests try to cow them down and terrorize them. When the Scheduled Castes and the Scheduled Tribes try to preserve their self-respect or honour of their women, they become irritants for the dominant and the mighty. Occupation and cultivations of even the government allotted land by the SCs and the STs is resented and often these people become victims of attacks by the vested interests. Of late, there has been an increase in the disturbing trend of Commission of certain atrocities like making the Scheduled Castes persons eat inedible substances like human excreta and attacks on and mass killings of helpless Scheduled Castes and Scheduled Tribes and rape of women belonging to the Scheduled Castes and Scheduled Tribes. Under the circumstances, the existing laws like the Protection of Civil Rights Act, 1955 and the normal provisions of the Indian

³ Scheduled Castes & Scheduled Tribes (Prevention of Atrocities) Act, 1989.

Penal Code have been found to be inadequate to check and deter crimes against them committed by non-Scheduled Castes and non-Scheduled Tribes.

The terms 'atrocities' has not been defined so far. It is considered necessary that not only the term 'atrocities' should be defined but also stringent measures should be introduced to provide for higher punishment for committing such atrocities. It is also proposed to enjoin on the States and Union Territories to take specific preventive and punitive measures to protect the Scheduled Castes and the Scheduled Tribes from being victimized and where atrocities are committed, to provide adequate relief and assistance to rehabilitate them."

The POA Act, 1989 defines atrocity as an offence punishable under section 3(1) and (2) of the Act and lists 22 criminal offences relating to various patterns of behaviour inflicting for shattering the self-respect and esteem of the persons belonging to SCs & STs, denial of economic, democratic and social rights, discrimination, exploitation and abuse of the legal process etc. The Act, therefore, imposes exemplary punishment at a scale higher than under the Indian Penal Code (IPC) for atrocities on SCs and STs, except for the offence of rape where the level of punishment under IPC is higher than those in the POA Act. Apart from penal measures, the act also endeavors to ensure prevention of atrocities and seeks to provide legally justifiable rights to the victims of atrocities by way of a well scheduled scale of graded financial assistance to the victims of atrocities and provisions of relief and rehabilitation under Rule 12 (4) of the POA Rules⁴, 1995, apart from various steps like provision of legal aid to the victims, maintenance allowance during investigation and trial, identification of atrocity prone areas, etc.

The basic conditions for taking cognizance under the Act is that the offender/accused should not be a members of SC & ST, that the victim should be a member of SCs/STs and the offence so committed should be made with prior knowledge of the caste background of the victims. While all the offences under sections 3(1) and 3(2) of the POA Act are covered under IPC, these offences have been made non-bailable, cognizable and non-compoundable under the POA Act, 1989. Under the POA Rules 1995, these offences are required to be tried by special Courts in the State designated specifically for the purpose and investigation is to be carried out within 30 days by an officer not below the rank of Deputy Superintendent of Police so as to ensure that more than routine attention is paid by the investigation authorities while carrying out their duties under this socially meaningful piece of legislation. The social objective of both the Acts to be achieved through the precautionary and preventive measures, rehabilitative measures, punitive measures enacted for the purpose.

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

⁴ Scheduled Castes & Scheduled Tribes (Prevention of Atrocities) Rules, 1995.

society but nonetheless, it still can be construed as a sad commentary on the very nature of the civil society of the world's largest democracy.

10.1.2 Data Analysis

The data on crimes against SCs/STs are being compiled with provision for state-wise reporting of these crimes during the year 2013. Data from the year 2009 onwards have also taken into consideration for doing an analysis on crime against Scheduled Castes. Besides pendency of cases as compiled by the NCRB⁵ both at the end of police and judiciary also have been discussed. Reasons of high acquittal rate vis-à-vis low conviction rate have also been suitably discussed.

10.1.2.1 Fact Sheet of crimes against Scheduled Castes

For the purpose of analyzing crime against Scheduled Castes data provided by NCRB has been relied upon. Going by the available statistics, the magnitude of crime registered under the PCR Act has been found to be decreasing particularly after enactment of POA, Act. The cases of atrocities on SCs & STs are being increasingly booked under the POA Act, 1989 and less and less under the PCR Act after January 1990.

Table No. 10.1
Incidence and rate of crimes committed against Scheduled Castes during 2013

Sl. No.	State / Union Territories	SC Population as of 2011 (In lakhs)	Incidence	Percentage Contribution to All-India Total	Rate of Total Cognizable crimes
(1)	(2)	(5)	(3)	(4)	(6)
STATES:					
1	ANDHRA PRADESH	138.78	3270	8.30	23.56
2	ARUNACHAL PRADESH	0.00	0	0.00	-
3	ASSAM	22.31	8	0.02	0.36
4	BIHAR	165.67	6721	17.05	40.57
5	CHHATTISGARH	32.74	242	0.61	7.39
6	GOA	0.25	12	0.03	47.15
7	GUJARAT	40.74	1190	3.02	29.21
8	HARYANA	51.14	493	1.25	9.64
9	HP	17.29	148	0.35	8.56
10	J&K	9.25	0	0.00	0.00
11	JHARKHAND	39.86	978	2.48	24.54
12	KARNATAKA	104.75	2566	6.51	24.50
13	KERALA	30.40	756	1.92	27.87
14	MP	113.42	2945	7.47	25.96
15	MAHARASHTRA	132.76	1678	4.26	12.64
16	MANIPUR	0.97	1	0.00	1.03
17	MEGHALAYA	0.17	0	0.00	0.00
18	MIZORAM	0.01	0	0.00	0.00
19	NAGALAND	0.00	0	0.00	-
20	ODISHA	71.88	2592	6.58	36.06
21	PUNJAB	88.60	126	0.32	1.42
22	RAJASTHAN	122.22	6475	16.43	52.98
23	SIKKIM	0.28	6	0.02	21.22

⁵ National Crime Records Bureau

24	TAMIL NADU	144.38	1845	4.68	12.78
25	TRIPURA	6.55	48	0.12	7.33
26	UTTAR PRADESH	413.58	7078	17.96	17.11
27	UTTARAKHAND	18.93	34	0.09	1.80
28	WEST BENGAL	214.63	115	0.29	0.54
	TOTAL (STATES)	1981.58	39327	99.79	19.85
UNION TERRITORIES:					
29	A&N ISLANDS	0.00	0	0.00	2.01
30	CHANDIGARH	1.99	4	0.01	0.00
31	D&N HAVELI	0.06	0	0.00	16.33
32	DAMAN & DIU	0.06	1	0.00	1.96
33	DELHI	28.12	55	0.14	-
34	LAKSHADWEEP	0.00	0	0.00	10.70
35	PUDUCHERRY	1.96	21	0.05	2.52
	TOTAL (UTs)	32.20	81	0.21	19.57
	TOTAL (ALL-INDIA)	2013.78	39408	100.00	

Sources: 1. Census of India, 2011; 2. National Crime Records Bureau

From the above table, it is observed that percentage of contribution to All India crime against Scheduled Castes is very high in Uttar Pradesh followed by Bihar and Rajasthan. As far as rate of total cognizable crimes are concern, it is noted that major States in this category are, Rajasthan (52.98), Bihar (40.57), Odisha 36.06), Gujarat (29.21), Kerala(27.87) and Madhya Pradesh (25.96).

Table No. 10.2
Disposal of cases by Courts for crimes committed against Scheduled Castes during 2013

Sl. No.	Crime Head	Total No. Of Cases For Trial Including Pending Cases from previous year	Cases With-drawn by Govt.	No. of Cases				
				Compounded Or Withdrawn	In which Convicted	Trials Completed or Discharged	Pending Trial at the end of the year	
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)
1	MURDER (Sec. 302 IPC)	2970	1	0	212	279	491	2479
2	RAPE (Sec. 376 IPC)	6090	0	9	376	861	1237	4844
3	KIDNAPPING & ABDUCTION (Sec. 363-369, 371-373 IPC)	1699	0	4	85	199	284	1411
4	DACOITY (Sec. 395-398 IPC)	164	0	0	3	19	22	142
5	ROBBERY (Sec. 363-369, 371-373 IPC)	312	1	0	6	31	37	275
6	ARSON (Sec. 435, 436, 438 IPC)	882	1	0	33	98	131	751
7	HURT (Sec. 323-333,	15190	6	127	524	2278	2802	12261

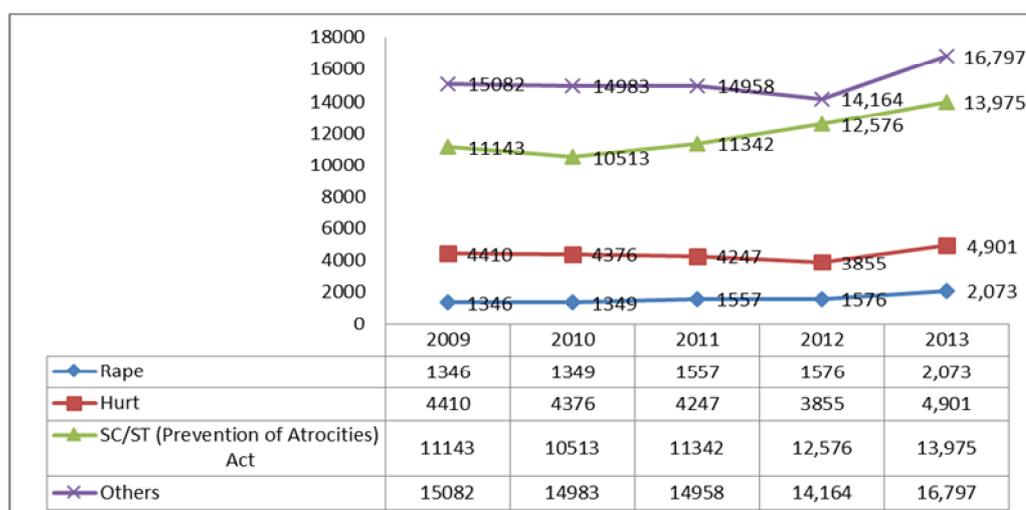
Sl. No.	Crime Head	Total No. Of Cases For Trial Including Pending Cases from previous year	Cases With-drawn by Govt.	No. of Cases				
				Compounded Or Withdrawn	In which Convicted	Trials Completed Acquitted or Discharged	Total {(6)+ (7)}	Pending Trial at the end of the year
	335-338 IPC)							
8	PCR ACT, 1955 FOR SCs	911	1	1	9	93	102	808
9	SC/ST PREV. OF ATROCITIES ACT, 1989 FOR SCs	45531	3	117	984	4848	5832	39582
10	OTHER CRIMES AGAINST SCs	45024	21	385	2102	5162	7264	37375
	TOTAL	118773	34	643	4334	13868	18202	99928

Source: National Crime Records Bureau.

From the above table, it is observed that the rate of conviction⁶ (23.81 per cent) is **very low** vis-à-vis acquittal rate (76.18 per cent). A large number of cases (**99928**) are pending in courts.

Analysing the major crimes, the same would reveal that there has been a 25.42 per cent increase in offences booked under POA Act in 2013 when compared to 2009. Similarly there has been an increase of 54.01 per cent between 2009 and 2013 in rape cases. While the cases of murder, hurt, kidnapping and abduction and other crimes, have shown a lower percentage rate of increase⁷ between 2009 and 2013. The details are as under:

Graph No. 10.1
Incidence of crimes



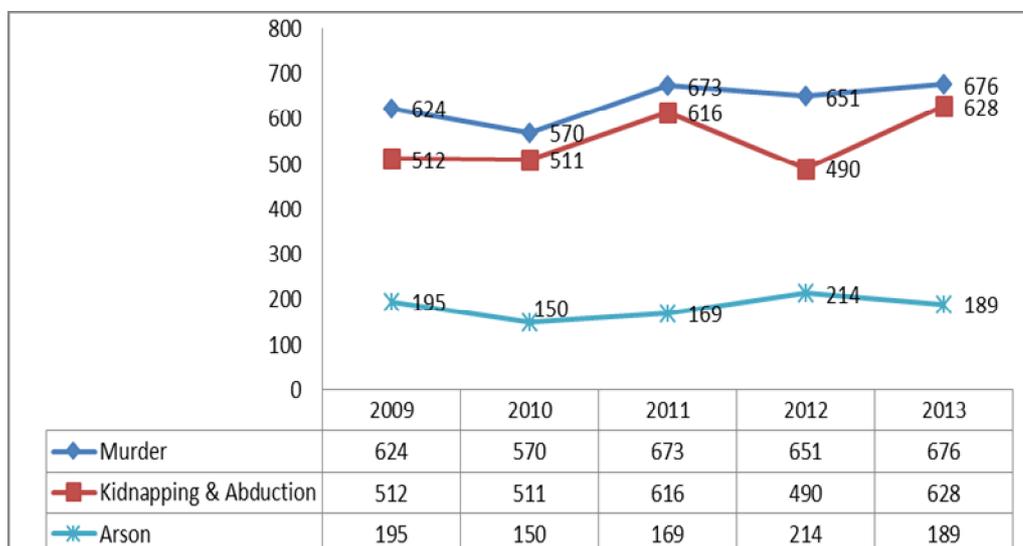
Source: National Crime Records Bureau
(Incidence of Crime against Scheduled Castes 2009-13)

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

⁷ As under 8.33 per cent, hurt 11.13 per cent, kidnapping and abduction 22.66 per cent, other crimes 11.37 per cent increase from 2009 to 2013

Cases of robbery, arson and those registered under PCR Act have decreased in 2013 when compared to 2009 (11.43 per cent, 3.08 per cent and 63.10 per cent respectively):

Graph No. 10.2
Incidence of crimes

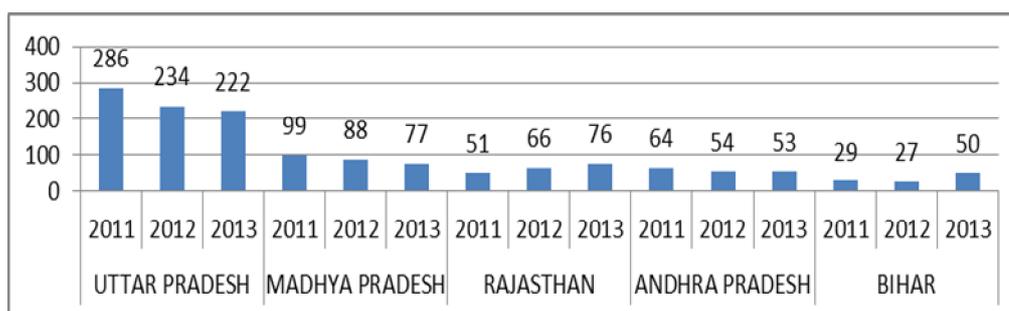


Source: National Crime Records Bureau
(Incidence of Crime against Scheduled Castes 2009-13)

10.1.2.2 Murder

A total of 676 cases of murder were reported in the country during the year 2013 as compared to 624 cases in the year 2009 an increase of 8.33 per cent. Uttar Pradesh has accounted for 32.8 per cent of the total murder cases reported in the country (222 out of 676 cases) followed by Madhya Pradesh 11.4 per cent (77 out of 676 cases).

Graph No. 10.3
Incidence of crime (Murder)



Source: National Crime Records Bureau

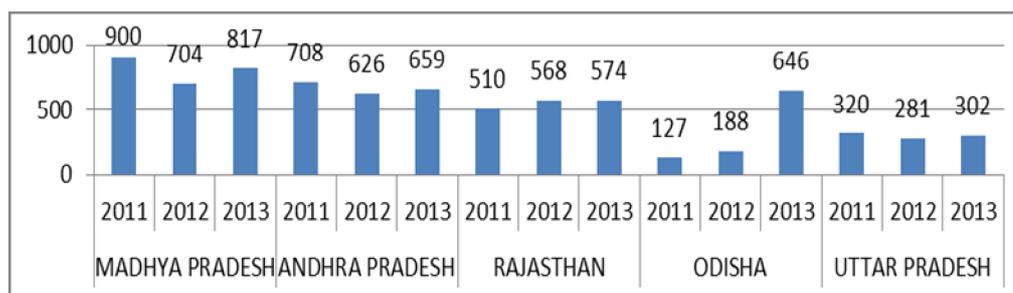
(Five states with highest incidences of Murder of Scheduled Castes⁸)

⁸ For the purpose of ease of data analysis, while populating this graph, the Commission has considered the data of the National Crime Records Bureau pertaining to the 14 largest States in terms of population of Scheduled Castes: Uttar Pradesh, West Bengal, Bihar, Tamil Nadu, Andhra Pradesh, Maharashtra, Rajasthan, Madhya Pradesh, Karnataka, Punjab, Odisha, Haryana, Gujarat, Jharkhand

10.1.2.3 Hurt

A total of 4,901 cases of hurt were reported during the year 2013 as compared to 4410 cases in the year 2009 in the country, an increase of 11.13 per cent during the year 2013 as compared to the year 2009. Madhya Pradesh (817 cases), Andhra Pradesh (659 cases) and Odisha (646 cases) together accounted for 43.3 per cent of the 4,901 such cases reported at national level during the year 2013.

Graph No. 10.4
Incidence of crime (Hurt)



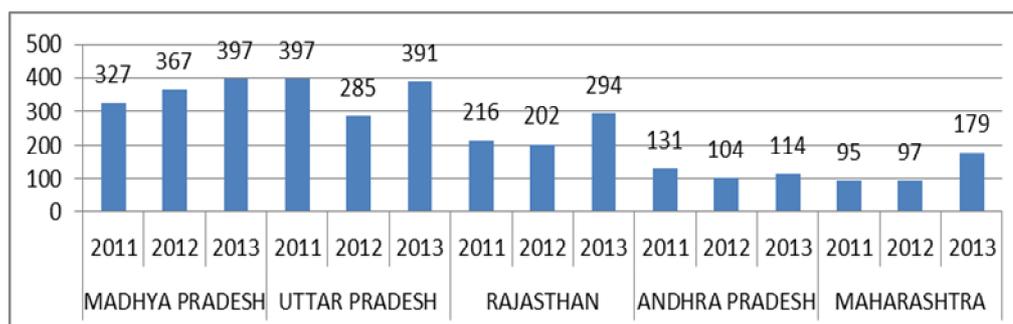
Source: National Crime Records Bureau

(Five states with the highest incidences of Hurt⁹)

10.1.2.4 Rape

A total of 2,073 cases of rape of women belonging to Scheduled Castes were reported in the country during the year 2013 as compared to 1,346 cases in the year 2009, an increase of 54.01 per cent. Madhya Pradesh has reported 397 cases accounting for 19.1 per cent of the total 2073 cases reported in the country followed by Uttar Pradesh 18.9 per cent (391 out of 2,073 cases).

Graph No. 10.5
Incidence of crime (Rape)



Source: National Crime Records Bureau

(Five states with the highest incidences of Rape¹⁰)

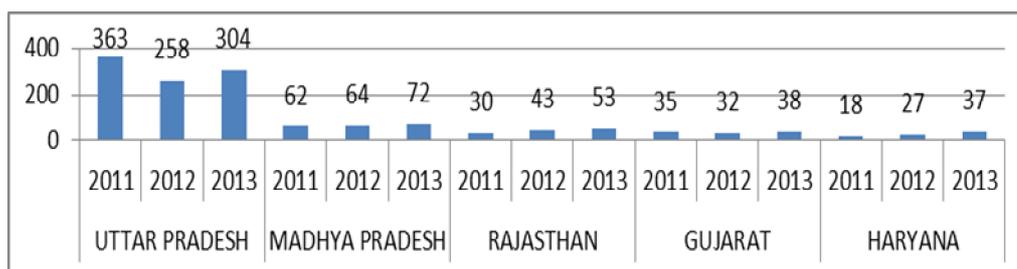
⁹ For the purpose of ease of data analysis, while populating this graph, the Commission has considered the data of the National Crime Records Bureau pertaining to the 14 largest States in terms of population of Scheduled Castes: Uttar Pradesh, West Bengal, Bihar, Tamil Nadu, Andhra Pradesh, Maharashtra, Rajasthan, Madhya Pradesh, Karnataka, Punjab, Odisha, Haryana, Gujarat, Jharkhand

¹⁰ For the purpose of ease of data analysis, while populating this graph, the Commission has considered the data of the National Crime Records Bureau pertaining to the 14 largest States in terms of population of Scheduled Castes: Uttar Pradesh, West Bengal, Bihar, Tamil Nadu, Andhra Pradesh, Maharashtra, Rajasthan, Madhya Pradesh, Karnataka, Punjab, Odisha, Haryana, Gujarat, Jharkhand

10.1.2.5 Kidnapping and Abduction

A total of 628 cases of Kidnapping and Abduction of persons belonging to Scheduled Castes were reported during the year 2013 as compared to 512 cases in the year 2009, an increase of 22.6 per cent. Uttar Pradesh has reported 48.4 per cent (304 out of 628 cases) of such incidences during the year 2013.

Graph No. 10.6
Incidence of crime (Kidnapping and Abduction)



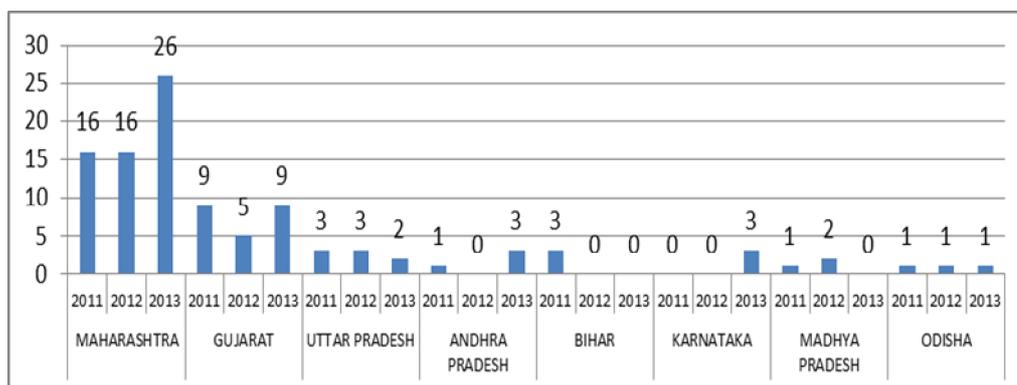
Source: National Crime Records Bureau

(Five states with the highest incidences of Kidnapping and Abduction¹¹)

10.1.2.6 Dacoity

A total of 45 cases of Dacoity were reported during the year 2013 as compared to 44 cases in the year 2009, an increase of 2.27 per cent. Maharashtra has reported the highest number of 26 such cases, accounting for 57.8 per cent of total cases reported at national level during 2013.

Graph No. 10.7
Incidence of crime (Dacoity)



Source: National Crime Records Bureau

(Five states with the highest incidences of Dacoity¹²)

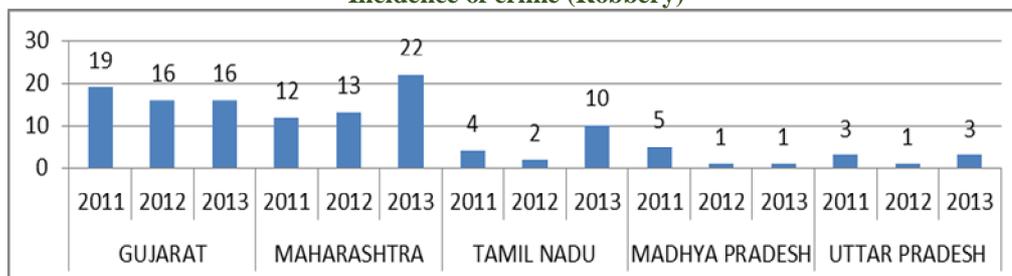
¹¹ For the purpose of ease of data analysis, while populating this graph, the Commission has considered the data of the National Crime Records Bureau pertaining to the 14 largest States in terms of population of Scheduled Castes: Uttar Pradesh, West Bengal, Bihar, Tamil Nadu, Andhra Pradesh, Maharashtra, Rajasthan, Madhya Pradesh, Karnataka, Punjab, Odisha, Haryana, Gujarat, Jharkhand

¹² For the purpose of ease of data analysis, while populating this graph, the Commission has considered the data of the National Crime Records Bureau pertaining to the 14 largest States in terms of population of Scheduled Castes: Uttar Pradesh, West Bengal, Bihar, Tamil Nadu, Andhra Pradesh, Maharashtra, Rajasthan, Madhya Pradesh, Karnataka, Punjab, Odisha, Haryana, Gujarat, Jharkhand

10.1.2.7 Robbery

A total of 62 cases of robbery were reported during the year 2013 as compared to 70 cases in 2009, a decrease of 11.4 *per cent*. Maharashtra (22) and Gujarat (16) together accounted for 61.3 *per cent* of total cases reported in the country.

Graph No. 10.8
Incidence of crime (Robbery)



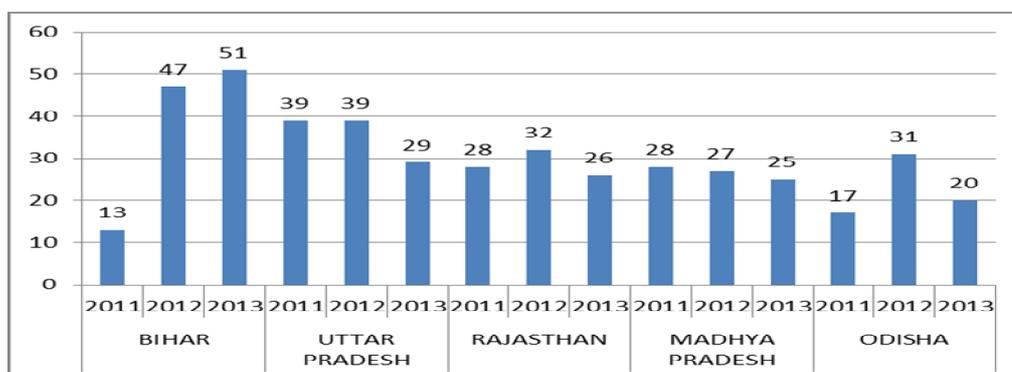
Source: National Crime Records Bureau

(Five states with the highest incidences of Robbery¹³)

10.1.2.8 Arson

A total of 189 cases of arson were reported during the year 2013 as compared to 195 cases in the year 2009 thus there is a decline of 3.07 *per cent*. Bihar has reported the highest number of 51 cases followed by Uttar Pradesh (29 cases) Rajasthan (26 cases), these three States accounted 56.1 *per cent* of total such cases reported in the country.

Graph No. 10.9
Incidence of crime (Arson)



Source: National Crime Records Bureau

(Five states with the highest incidences of Arson¹⁴)

10.1.3 Trend Analysis on Crime against Scheduled Castes

The scheduled caste population in the decade of 2001 to 2011 has risen by 20.8 *per cent*, while the crime against scheduled castes increased by

¹³ For the purpose of ease of data analysis, while populating this graph, the Commission has considered the data of the National Crime Records Bureau pertaining to the 14 largest States in terms of population of Scheduled Castes: Uttar Pradesh, West Bengal, Bihar, Tamil Nadu, Andhra Pradesh, Maharashtra, Rajasthan, Madhya Pradesh, Karnataka, Punjab, Odisha, Haryana, Gujarat, Jharkhand

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

approximately 0.7 per cent . For the purpose of ease of data analysis the Commission has considered the data of the National Crime Records Bureau pertaining to the 14 largest States in terms of population of Scheduled Castes: Uttar Pradesh, West Bengal, Bihar, Tamil Nadu, Andhra Pradesh, Maharashtra, Rajasthan, Madhya Pradesh, Karnataka, Punjab, Odisha, Haryana, Gujarat, Jharkhand.

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

Table No. 10.3
Crime against Scheduled Castes in the decade of 2001 to 2011
 (Crime-head wise)

Crime Head	2001	2011	Percentage change
Murder	763	673	-11.8
Rape	1316	1557	18.3
Kidnapping & Abduction	400	616	54.0
Dacoity	41	36	-12.2
Robbery	133	54	-59.4
Arson	354	169	-52.3
Hurt	4547	4247	-6.6
PCR Act	633	67	-89.4
SC/ST(Prevention of Atrocities) Act	13113	11342	-13.5
Others	12201	14958	22.6
Total	33501	33719	0.7

Source: National Crime Records Bureau

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

However, the data relating to incidence of crime against Scheduled Castes for the recent years (2011 and 2013) reflect a different picture. While in the 10 years between 2001 and 2011 the incident of crime against Scheduled Caste increased by 0.7 per cent, the same has increased by 16.9 per cent in the span of 3 years between 2011 and 2013. Details are as below:

Table No. 10.4
Crime against Scheduled Castes in the decade of 2011 to 2013
 (Crime-head wise)

Crime Head	2011	2013	Percentage change
Murder	673	676	0.4
Rape	1557	2073	33.1
Kidnapping & Abduction	616	628	1.9
Dacoity	36	45	25.0
Robbery	54	62	14.8
Arson	169	189	11.8
Hurt	4247	4901	15.4
PCR Act	67	62	-7.5
SC/ST(Prevention of Atrocities) Act	11342	13975	23.2
Others	14958	16797	12.3
Total	33719	39408	16.9

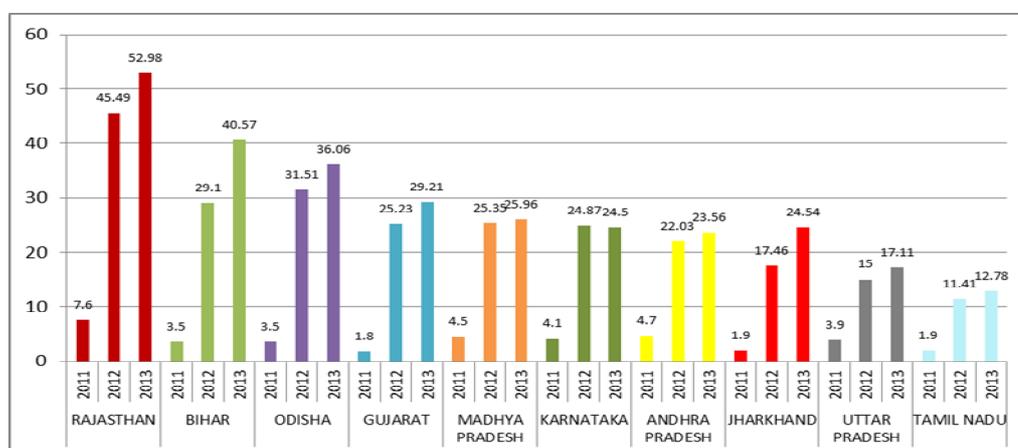
Source: National Crime Records Bureau

In the span from 2011 to 2013, the registered cases of incidences of rape has increased by 33.1 per cent, that of dacoity by 25 per cent, while cases registered under the SC/ST (Prevention of Atrocities) Act have increased by 23.2 per cent. In fact, with the exception of the cases registered under the PCR Act, there has been a growth in crime against the Scheduled Caste population under all crime heads in the past 3 years.

10.1.3.1 Rate of crime¹⁵

As far as rate of crimes against Scheduled Caste population are concerned, Rajasthan, Bihar and Orissa are states (from among the 14 states with highest number of Scheduled caste population¹⁶) with the highest crime rates against the Scheduled Castes. The following table shows the states with the highest crime rates against Scheduled Castes¹⁷:

Graph No. 10.10
Rate of Crimes



Source: National Crime Records Bureau
(States by Rates of Crime¹⁸ against Scheduled Caste Population¹⁹)

It can be seen from the analysis of the above two graphs that Rajasthan, Bihar, U.P. and Orissa are the states that deserve special attention:

- Rajasthan and Bihar, have very high average number of total incidences as well as the average rate of crime against Scheduled Castes in the years of 2011, 2012 and 2013.

¹⁵ Crime Rate= Number of crime incidence against Scheduled Castes in the state/Total Scheduled Caste population in the state

¹⁶ For the purpose of ease of data analysis the Commission has considered the data of the National Crime Records Bureau pertaining to the 14 largest States in terms of population of Scheduled Castes: Uttar Pradesh, West Bengal, Bihar, Tamil Nadu, Andhra Pradesh, Maharashtra, Rajasthan, Madhya Pradesh, Karnataka, Punjab, Odisha, Haryana, Gujarat, Jharkhand

¹⁷ Data as per: ncrb.gov.in/tables: Incidence & Rate of Crime Against Scheduled Castes (State & UT-wise) – 2011, 2012,2013

¹⁸ Crime against scheduled Castes as taken by NCRB are categorized as : murder , rape , kidnapping and abduction , dacoity , arson , robbery, hurt, PCR Act violations, SC/ST Act violations

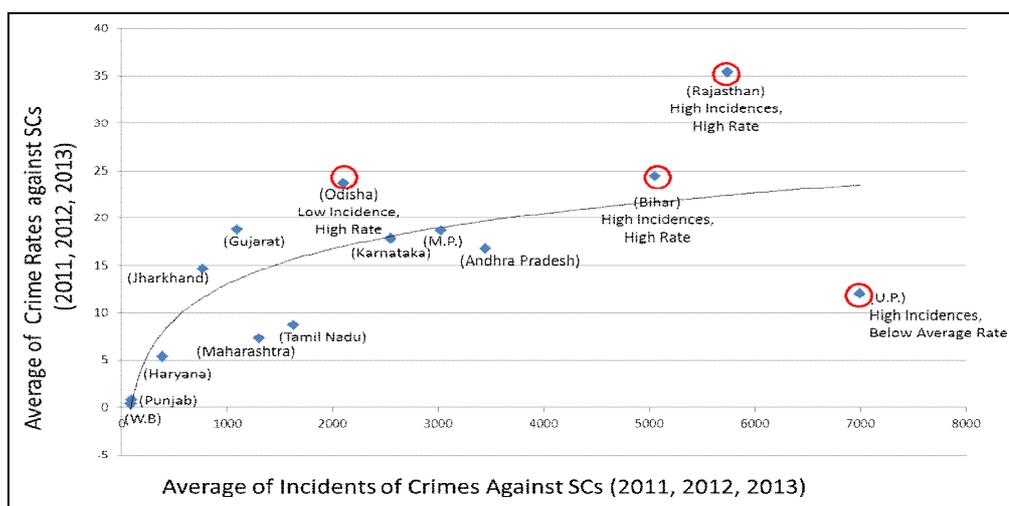
¹⁹ For the purpose of ease of data analysis, while populating this graph, the Commission has considered the data of the National Crime Records Bureau pertaining to the 14 largest States in terms of population of Scheduled Castes: Uttar Pradesh, West Bengal, Bihar, Tamil Nadu, Andhra Pradesh, Maharashtra, Rajasthan, Madhya Pradesh, Karnataka, Punjab, Odisha, Haryana, Gujarat, Jharkhand

- In Odisha, while the incidences of crime against S.C.s has been the sixth highest in the country, the average crime rate against S.C.s for 2011,2012,2013 has been higher, making Odisha the third highest ranking state in terms of crime rates against S.C.s.
- U.P. has the highest number of incidences of crime against Scheduled Castes

The following graph shows the relation between the average incidence of crime against S.C.s and the average crime rate against S.Cs for different states for the years 2011, 2012 and 2013:

Graph No. 10.11

Average range of crimes against SCs



Source: National Crime Records Bureau

10.2 Judicial and administrative handling of Atrocity cases related to the Scheduled Caste population

The incidences of crime against Scheduled Castes²⁰ has increased from 33594 in 2009 to 39408 in 2013, an increase of 17.3 per cent in the same period (2009-13) coupled with an increase of the Scheduled caste population²¹. At the same time the rate of filing of Charge Sheets²² by Police has increased from 88.5 per cent in 2009 to 89.9 per cent in 2013. However, the pendency rate of cases of atrocities committed against Scheduled castes at level of Police has increased from 25.9 per cent in 2009 to 27.6 per cent in 2013²³. The conviction rate against crimes committed against Scheduled Castes²⁴ has come down from 29.6 per cent in 2009 to 23.8 per cent in 2013 coupled with an

²⁰ ncrb.gov.in/tables: Incidence & Rate of Crime Against Scheduled Castes (State & UT-wise) – 2009,2013

²¹ Primary Census Abstract for Total population, Scheduled Castes and Scheduled Tribes, 2001 & 2011, Office of the Registrar General & Census Commissioner, India – *Scheduled Caste population growth trends from 2001 to 2011 taken as a proxy to make the assertion that the Scheduled Caste population grew from the period of 2009 to 2013.*

²² Ncrb.gov.in/tables: Disposal of Cases for Crimes Committed Against SCs by Police (Crime Head wise) – 2009,2013

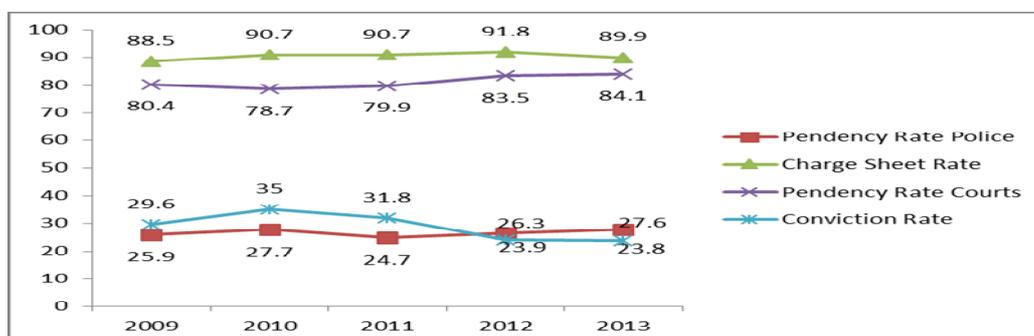
²³ Ibid.

²⁴ Data as per:ncrb.gov.in/tables: Disposal of Cases for Crimes Committed Against SCs by Courts (State/UT-wise) – 2009,2013

increase²⁵ in the pendency rate in Courts of cases of crimes committed against Scheduled Castes.

The following graph shows the trends related to the Pendency and Disposal of Cases by Police²⁶ & Courts²⁷ (2009-13):

Graph No. 10.12
Pendency and Disposals by Police and Courts

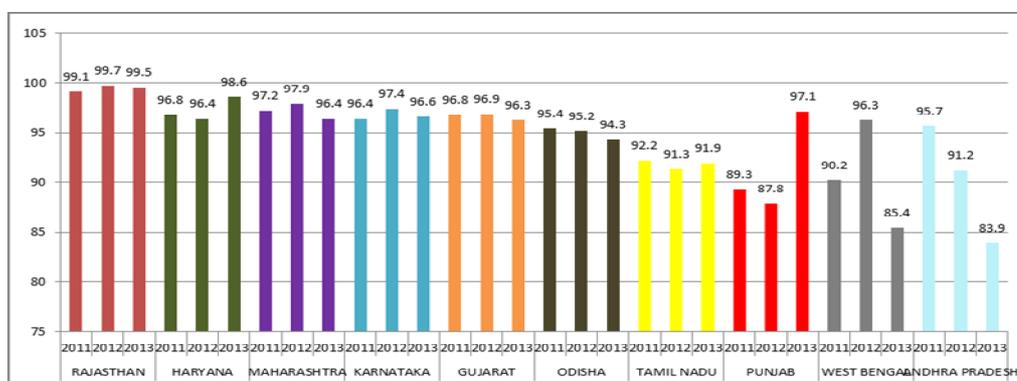


Source: National Crime Records Bureau

10.2.1 Police

Based on the data of the years of 2011, 2012 and 2013, we find that Rajasthan, Haryana and Maharashtra are the states with the highest number of Charge Sheets filed by the police administration²⁸. Table showing the same is given below:

Graph No. 10.13
Charge-sheets submitted by Police



Source: National Crime Records Bureau

(States showing highest rates of filed police Charge Sheet in cases related to Scheduled Castes²⁹)

Based on the data of the years of 2011, 2012 and 2013, we find that West Bengal, Jharkhand and Andhra Pradesh, are the states with the highest

²⁵ increase from 80.4 per cent in 2009 to 84.1 per cent in 2013

²⁶ Data as per: ncrb.gov.in/tables: Disposal of Cases for Crimes Committed Against SCs by Police (Crime Head wise) – 2009,2010,2011,2012,2013

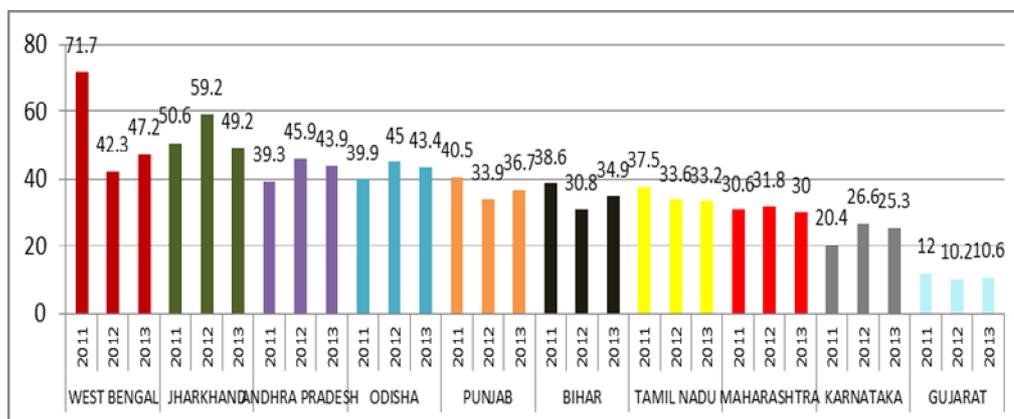
²⁷ Data as per ncrb.gov.in/tables: Disposal of Cases for Crimes Committed Against SCs by Courts (State/UT-wise) – 2009,2010, 2011,2012,2013

²⁸ Data as per: Ncrb.gov.in/tables: Disposal of Cases for Crimes Committed Against SCs by Police (State & UT wise) – 2011,2012,2013

²⁹ For the purpose of ease of data analysis, while populating this graph, the Commission has considered the data of the National Crime Records Bureau pertaining to the 14 largest States in terms of population of Scheduled Castes: Uttar Pradesh, West Bengal, Bihar, Tamil Nadu, Andhra Pradesh, Maharashtra, Rajasthan, Madhya Pradesh, Karnataka, Punjab, Odisha, Haryana, Gujarat, Jharkhand

Percentage³⁰ for cases related to crimes committed against SCs pending at level of the Police. Table showing the same is given below:

Graph No. 10.14
Percentage of crimes against SCs

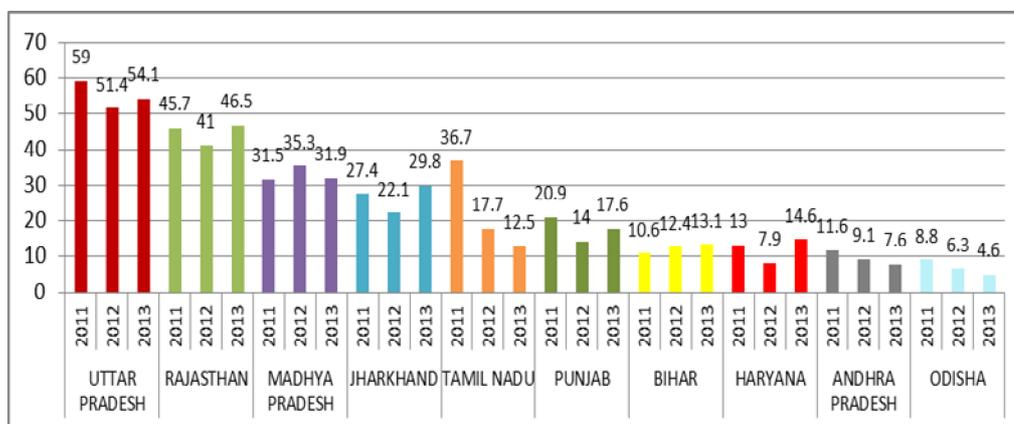


Source: National Crime Records Bureau
(States with highest Percentages of cases related to Scheduled Castes pending at level of Police³¹)

10.2.2 Courts

Based on the data of the years of 2011, 2012 and 2013, we find that U.P., Rajasthan and Madhya Pradesh are the states which have performed well regarding rates of Conviction in crimes committed against SCs³². Table showing the same is given below:

Graph No. 10.15
Conviction by Courts



Source: National Crime Records Bureau
(States showing the highest Conviction Rates in cases related to Scheduled Castes³³)

³⁰ Data as per: Ncrb.gov.in/tables: Disposal of Cases for Crimes Committed Against SCs by Police (State & UT wise) – 2011,2012,2013

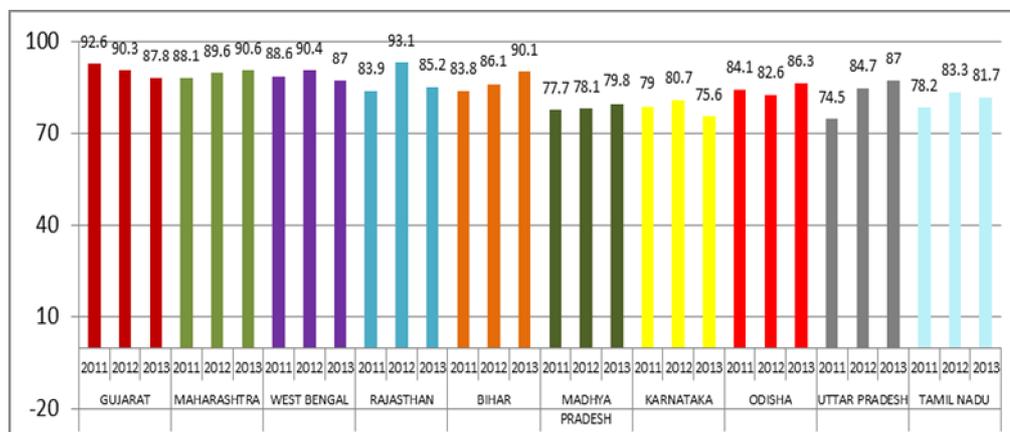
³¹ For the purpose of ease of data analysis, while populating this graph, the Commission has considered the data of the National Crime Records Bureau pertaining to the 14 largest States in terms of population of Scheduled Castes: Uttar Pradesh, West Bengal, Bihar, Tamil Nadu, Andhra Pradesh, Maharashtra, Rajasthan, Madhya Pradesh, Karnataka, Punjab, Odisha, Haryana, Gujarat, Jharkhand

³² Data as per ncrb.gov.in/tables: Disposal of Cases for Crimes Committed Against SCs by Courts (State/UT-wise) – 2009,2010, 2011,2012,2013

³³ For the purpose of ease of data analysis, while populating this graph, the Commission has considered the data of the National Crime Records Bureau pertaining to the 14 largest States in terms of population of Scheduled Castes: Uttar Pradesh, West Bengal, Bihar, Tamil Nadu, Andhra Pradesh, Maharashtra, Rajasthan, Madhya Pradesh, Karnataka, Punjab, Odisha, Haryana, Gujarat, Jharkhand.

Based on the data of the years of 2011, 2012 and 2013, we find that Gujarat, Maharashtra and West Bengal are the states with the highest Pendency³⁴ percentages³⁵ for cases related to crimes committed against SCs. Table showing the same is given below:

Graph No. 10.16
Pendency by Courts



Source: National Crime Records Bureau

(States with highest by Pendency Percentage of cases against Scheduled Castes³⁶)

10.3 Investigations refused and cases withdrawn (NCRB Data)

Table No. 10.5

State-wise data of Investigations refused and cases withdrawn by the Government for the years 2011, 2012 and 2013

STATES	INVESTIGATION REFUSED			CASES WITHDRAWN BY THE GOVERNMENT		
	2011	2012	2013	2011	2012	2013
ANDHRA PRADESH	6	0	2	0	0	0
BIHAR	0	0	0	0	0	0
GUJARAT	6	1	0	3	1	1
HARYANA	0	0	0	0	0	0
JHARKHAND	0	0	0	0	0	0
KARNATAKA	10	3	5	2	0	0
MADHYA PRADESH	0	26	0	0	0	2
MAHARASHTRA	13	9	0	0	2	8
ODISHA	0	0	0	0	0	0
PUNJAB	0	0	0	0	0	0
RAJASTHAN	0	4	0	0	0	0
TAMIL NADU	0	0	0	1	0	0
UTTAR PRADESH	0	0	0	0	0	0
WEST BENGAL	0	0	0	0	0	0

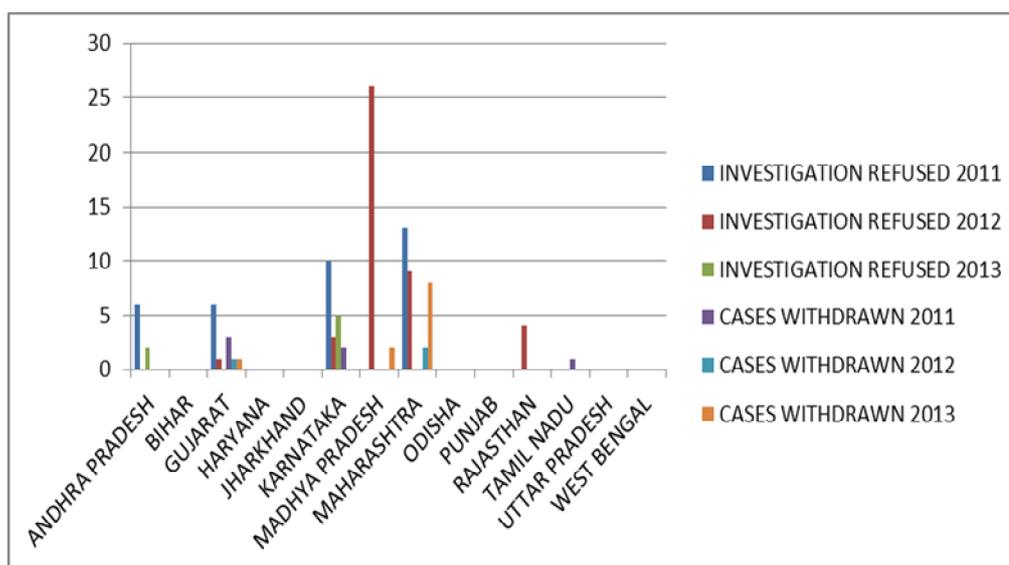
Source: National Crime Records Bureau

³⁴ Data as per ncrb.gov.in/tables: Disposal of Cases for Crimes Committed Against SCs by Courts (State/UT-wise) – 2009,2010, 2011,2012,2013

³⁵ Pendency Percentage = [(Difference in Opening and Closing Balance of the state)/Opening Balance of the State] * 100

³⁶ For the purpose of ease of data analysis, while populating this graph, the Commission has considered the data of the National Crime Records Bureau pertaining to the 14 largest States in terms of population of Scheduled Castes: Uttar Pradesh, West Bengal, Bihar, Tamil Nadu, Andhra Pradesh, Maharashtra, Rajasthan, Madhya Pradesh, Karnataka, Punjab, Odisha, Haryana, Gujarat, Jharkhand

Graph No. 10.17
Investigations refused and cases withdrawn



Source: National Crime Records Bureau

The Commission has an apprehension that cases are withdrawn in two conditions; either through allurement or due to coercing. Besides, like other States, the percentage of acquittal is high and there is low percentage of conviction. Commission, therefore, urged Government of Bihar to be vigilant about these aspects in particular.

10.4 Analysis of Performance of State & District Level Vigilance and Monitoring Committees, State-wise during the year 2013-14

During the year under report, few States³⁷ reported conducting both State and District Level Vigilance and Monitoring Committee meetings.

Some of the major decisions that were taken in such meetings are given as under:

1. In order to eradicate untouchability people awareness camps to be conducted in villages and cities.
2. Conducting of information programme among police officials, Revenue Officials and NGOs.
3. To issue instructions to the District Administration to publish the news items regarding the cases of conviction under PoA Act in leading newspapers and other media.
4. To issue instructions to the District Administration to take immediate action on the petitions received from the Social Justice and Human Rights NGOs / individuals.
5. In order to curb the problems between the SCs/STs and other sections of the Society, the following steps may be taken.
 - a. To implement Socio economic development Schemes for the Welfare of SCs and STs

³⁷ Tamil Nadu, Odisha, West Bengal, Karnataka

- b. Provision of drinking water facility and overhead tank facilities to SCs/STs.
 - c. Provision of street light facilities
 - d. Construction of group houses to the poor and homeless SCs/STs
 - e. Pathways to burial ground
 - f. To take preventive measures in respect of temple entering cases
 - g. To ensure effective implementation of Schemes meant for SCs/STs through other Departments.
6. To impart skill development training to Scheduled Castes youth through SC Finance Development Corporation.
 7. To allot additional funds for the implementation of Scheduled Castes / Scheduled Tribes who are taking atrocities under SCSP

10.5 Recommendations regarding improvement of functioning under the SC/ST (POA) Act, 1989

The National Commission for Scheduled Castes has noted with concern that instances of procedural lapses are frequent in terms of dealing of atrocity cases by both police; civil and judicial administrations are concern. The Commission, therefore, identifies lacunae that are prevailing in police investigation, judicial dealings and preventive / curable actions the civil administration need to take and recommends the followings for improvement of application of SC/ST (PoA) Act, 1989 and Rules of 1995 thereon.

10.5.1 Registration of FIR

The Commission has observed that the police often resort to preliminary investigation upon receiving complaint in writing before lodging the actual FIRs. As a result, the SC victims have to resort to seeking directions from courts for registration of FIRs u/s 156(3) of Cr.P.C. Hon'ble Supreme Court has also in its' judgments in more than one occasion has emphasized about registration of FIR first. The Commission too reemphasize that the State / UT Governments enforce the same.

The Commission recommends the followings:

10.5.1.1 FIR registration may be made web-enable also so as to make the SC complainant able to register FIR in website of district police for automatic registration of FIR at concerned Police Station. Alternatively, branches of designated banks and all post offices may be authorized to receive such FIRs from complainant and forward them to Police for FIR registration. System can be similar to receipt of passport applications in Banks and Post Offices.

10.5.1.2 Non-registration of FIR and non-registering of atrocity complaint under appropriate provision of PoA Act may be made punishable under Section 4 of the Act.

10.5.1.3 Registration of counter cases to frustrate the very purpose of registering a case under PoA needs to be reviewed and checked. If the number of cross cases in a particular Police Station area / District are on higher side, it may be reviewed in the District level Vigilance Committee Quarterly meeting and considered views be taken to neutralize such counter cases.

10.5.2 Police investigation

The Commission has observed lacunae in police investigations while dealing atrocity cases. As a result, the acquittal rate noted to be in higher side in many States. The Commission therefore, suggests the followings for speedy and quality investigation on atrocity crimes.

10.5.2.1 Rules mandate completion of investigation in atrocity cases in 30 days. In practice, it is however, noticed that it takes much longer time even couple of years. The Commission therefore, suggests that provisions as made in the Rule be followed scrupulously.

10.5.2.2 Pre-occupation of Dy. SP in other official activities often cited as the reason for delay in atrocity investigation. The same however, should be done away with.

10.5.3 Judicial proceedings

Commission has noted that in absence of Exclusive Courts and engagement of Exclusive Public Prosecutors, the atrocities cases are either prolonged or ended in acquittal due to faulty prosecution procedure. Instances are numerous wherein it has been noticed that the witnesses of the cases are withdrawn at crucial stage of the case. Keeping in view such instances, the Commission recommends the followings:

10.5.3.1 Exclusive Courts are to be set up to trial only atrocity cases and Exclusive Public Prosecutors of high eminence are to be engaged so as to minimize acquittal rate.

10.5.3.2 Till the time Exclusive Courts are set up and where number of atrocity cases is less existing District Judge/Additional Distt. Judge may be earmarked as Special Judge to try atrocity cases. However, in such situation, atrocity cases should top the cause list for hearing so that unnecessary adjournments are avoided.

10.5.3.3 Trial in atrocity cases may be concluded in three months by the Special / Designated Courts.

10.5.3.4 Based on the data received from the National Crime Records Bureau on pending investigation by police, acquittal, conviction rates; and if State(s) seen to have lower performance comparing the national average, this matter may be reviewed in the half-yearly State Level Vigilance & Monitoring Committee Meeting supposedly chaired by the Chief Minister of the State with an inter-district analysis.

10.5.3.5 If atrocity incidences in particular districts are large, then steps be taken to change the public prosecutor and in case of repeated poor performance by police personnel, administrative action may be initiated.

10.5.4 Compensation to Witness in Judicial Proceedings and Economic Rehabilitation of victims

The Commission has observed that the States do not pay compensation to the victim(s) of caste atrocity as a rule. Instances are there wherein the compensations are paid only when the Commission intervenes or the matter followed by the family of the victim rigorously. In the cases where compensation paid but long term rehabilitation of the victim of atrocity

however, has not been considered. The Commission therefore, observes the followings for improvement of compensation to witness in judicial proceedings and economic rehabilitation of atrocity victims.

10.5.4.1 Quantum of payment of traveling and maintenance expenses to the witnesses and the victims may be linked to the prevailing NREGA wages to the least.

10.5.4.2 Compensation amount may be paid to the witness on the very day when the witness turns up in court so that the loss of wages / earning for the day is compensated.

10.5.4.3 In case of murder, rape and grievous injury, monetary compensation must be disbursed as per amendment of POA Rules, 1995.

10.5.5 Capacity building measures

The Commission has also noted that atrocity cases are delayed due to lack of sensitivity and clarity on implementation of POA Act of 1989. The Commission therefore, suggests that:

10.5.5.1 Police, Civil and Judicial authorities at various levels need to be sensitized on implementation of provision of PoA Act by imparting training through orientation / refresher courses.

10.5.5.2 Transparency, accountability and change in mind set is necessary to prevent crimes of atrocity. Efforts may be made for generation of awareness amongst all stake holders namely general public, police, civil administration, public prosecutors and judiciary to minimize the occurrence of atrocities on Scheduled Castes.

10.5.6 Statutory Amendments

Commission is of the opinion that there is a need to revamp the provisions contained in the SC/ST (POA) Act, 1989 and Rules 1995 for better implementation of the Act. The Commission thus, suggests the followings:

10.5.6.1 Majority of crimes under PoA Act carries punishment of less than seven years resulting in grant of bail by Courts. Enhancement of punishment may be considered to deny bail to the accused.

10.5.6.2 Periodical review of the PoA Act, say after five years is necessary.

10.5.6.3 Manual Scavenging should also be made part of the PoA Act.

10.5.6.4 Denial of forest Rights to ST should also be covered atrocity.

10.5.6.5 Offences under IPC punishable with imprisonment for a term of ten years or more as mentioned in section 3 (2)(v) need to be elaborated.

10.5.6.6 Scope of externment needs to be expanded and extended to non-scheduled areas.

CHAPTER – XI RECOMMENDATIONS

11.1 Recommendations on strengthening effectiveness of NCSC

11.1.1 Conferring the regular Status of Civil Court

Regarding conferring status of ‘Civil Courts’ under Article 338, it has been envisaged that “the Commission shall, while investigating any matter referred to in sub-clause (a) or inquiring into any complaint referred to in sub-clause (b) of clause (5), have all the powers of a civil court trying a suit. The Commission however, has noted that this status of the NCSC is limited to that of summoning and enforcing attendance of any person including examination of witnesses under oath and examining documents and has no other power of a civil court. The limited role of NCSC as civil court has also been observed by the Supreme Court of India in the case of All India Overseas Bank SC and ST Employees Welfare Association and others Vs. Union of India & Others wherein it has been stated that the power of civil court for granting injunctions temporary or permanent do not rest with the Commission, nor can such a power be derived from the clause (5) of Article 338 of the Constitution.

The Commission is of the view that while at one hand the Commission has been given power to investigate matters as civil court but on the other hand, its observations are being treated as mere advisory in nature. This adversely impacts on the effectiveness of NCSC as a watchdog of the safeguards of the SC community, since the authorities are free to ignore the recommendations of NCSC. The Commission, therefore, recommends necessary actions as to make recommendations of the NCSC as binding. The Commission should functions with greater judicial powers on the line of powers of civil court so that it can oversee that provisions for safeguards to Scheduled Castes under the Constitution are implemented in letter and spirit.

11.1.2 Initiation of appointing process for new Commission

It has been often noticed that between the completion of the tenures of one Commission and appointment of a new Commission, there is a vacuum. During this gap, the functioning of the Commission is adversely affected.

It is recommended that the process of appointing a new Commission is designed in a way to avoid this void.

11.1.3 Increasing the strength of members in the Commission

As per the census 2011, the Scheduled Castes population has increased to 16.6 *per cent*. The outlay of Scheduled Castes specific schemes has also increased and the number of cases handled by the Commission has also increased. The Five Members Commission is insufficient to keep an eye on SC specific pan India schemes, and on the cases of safeguard violations being brought to the notice of the Commission. The Commission therefore, strongly recommends that the present strength of the Commission should be increased with a view to assigning each member with a specific job so that he/she may give his/her

undivided attention to find a favorable solution to the problems/difficulties being faced by the distressed SC people.

11.1.4 Budget of NCSC

The expenditure for the National Commission for Scheduled Castes in the Union Budget is reflected in Demand No. 88 under major Head "2225" under the Ministry of Social Justice & Empowerment which is a voted expenditure. Drawing a comparison, it has been observed that the Constitutional bodies like UPSC, CAG, EC - which are Constitutional bodies, and the Planning Commission, which is a non-Constitutional body are drawing their funds from the respective head as charged expenditure and not as voted expenditure. Since National Commission for Scheduled Castes is also a Constitutional body set up under Article 338 of the Constitution and was given power of the 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 Demands for Grants.

The same is in line with the 14th Lok Sabha Committee on the Welfare of Scheduled Castes and Scheduled Tribes (2008-2009) Chaired by Shri Ratilal Kalidas Varma in its Report on working of National Commission for Scheduled Castes which was presented to Lok Sabha on 18.2.2009 and laid in Rajya Sabha on 18.2.2009. The Commission observed the followings:

“The Committee has noted that Commission has powers of the Ministry of the Central Government under the Delegation of Financial Powers Rules, 1978, the General Financial Rules, 1963; the Fundamental and Supplementary Rules; the Central Civil Services (Leave) Rules 1972; the Central Services (Joining Time) Rule, 1979; the General Provident Fund (Central Services) Rules, 1960, Contributory Provident Fund and similar other Rules. The Committee, however, regret to observe that the Commission does not have full autonomy in regard to financial and administrative matters and has no powers in matters relating to creation of posts, re-appropriation of funds from one head to another; purchase of vehicles; and permitting officers of the Commission to participate in Seminars, Conferences or Training abroad. The Committee is also dismayed by the fact that the Commission, which has been given statutory status and powers of the Ministry of Central Government in certain matters, has to project its requirements to the Ministry of Social Justice and Empowerment for provision to be made in Budget Estimates. The Committee regret to observe that the proposal for separate Demands for Grants for National Commission for Scheduled Castes has also not been agreed to by the Ministry of Finance (Department of Expenditure). The Committee wonders as to why the Ministry of Finance (Department of Expenditure) have objected to proposals for separate Demands for Grants for the Commission and allowed to have only Budget Head within the Demands for Grants for Ministry of Social Justice and Empowerment. The Committee are distressed that even the statutory status does not entitle National Commission for Scheduled Castes to have a separate entity. The Committee are of the firm opinion that when it was decided to bifurcate National Commission for Scheduled Castes and Scheduled Tribes, it was never envisaged that National Commission for Scheduled Castes would function as a part of the Ministry of Social Justice and Empowerment. If it was so, there was no need to bifurcate the erstwhile Commission into two separate statutory bodies. It could have continued to function as a non-statutory body as earlier.

National Commission for Scheduled Castes would not be able to work fearlessly and independently unless it is given independence in its day to day working by allowing it to decide on its own administrative, financial and legal matters.”

The Commission, therefore, recommends that as the National Commission for Scheduled Castes is a Constitutional body, the budget for National Commission for Scheduled Castes therefore, be given under a separate Demand of Grants instead of being a part of the Demand for Grants of the Ministry of Social Justice & Empowerment.

11.1.5 Increase of staff strength

14th Lok Sabha Committee had further observed that with the increase of population and awareness amongst the Scheduled Caste people, the increased outlay by the Government of India and State Governments on SC specific schemes, the work load in the Commission has increased significantly. Despite the increased work load, the number of sanctioned staff in the Commission has not increased and the incumbency position is much lower than the sanctioned strength.

The Commission therefore, recommends that considering the volume of work, after a work study by the Staff Inspection Unit under Department of Personnel & Training, Government of India for scientific assessment of staff requirement the appropriate staff requirement should be sanctioned. Pending the study, steps can be taken to mitigate the gap between the sanctioned strength and persons in position so that the Commission can work smoothly. Promotions to the officers and staff especially in the State Offices also need to be given timely so that stagnation is avoided.

11.1.6 Opening of new offices / upgradation of existing offices

With the bifurcation of the Commission from NCSCST to NCSC and NCST as proposed in 89 Amendment of the Constitution, the 18 State Offices of the erstwhile NCSCST which had acted as ‘eyes and ears’ of the Commission also got divided in to 2:1 ratio in ‘as it where is basis’. While 12 State Offices came to the fold of NCSC, 06 State Offices went to the fold of NCST with staff, infrastructure thereon. The jurisdiction of the State Offices also got divided accordingly to oversee interest of Scheduled Castes by the NCSC and Scheduled Tribes by the NCST accordingly.

Due to the reason that the jurisdiction of the State Offices have further been extended and Ahmadabad, Chandigarh, Lucknow, Patna, Kolkata, Guwahati, Hyderabad, Thiruvanthapuram and Chennai State Offices are dealing with more than one State. Due to the extended jurisdiction, the number of complaints handled in these offices is very high. The large geographical spread of their area of coverage also tends to reduce the effectiveness and monitoring by these offices. Consequently, the need has been felt for opening new State Offices particularly in Orissa at Bhubaneswar, Madhya Pradesh at Bhopal, Rajasthan at Jaipur, Haryana and Himachal Pradesh at Gurgaon, Jharkhand at Ranchi, Uttarakhand at Dehradun, Chattisgarh at Raipur and at New Delhi where concentration of Scheduled Castes is relatively high and the NCSC has no visible presence in such States and the NCSC is unable to

effectively monitor the large number of cases and liaison with the State Governments.

It has been seen that effective liaisoning with State Governments require higher level of Officers for NCSC to be more effective in the discharge of its mandate. Besides the large number of cases, this has also been the rationale behind the proposal to upgrade 4 State Offices i.e. Assam at Guwahati, Gujarat at Ahmedabad, Tripura at Agartala and Kerala at Thiruvanthapuram offices to the level of Director.

Therefore, the proposal mooted by the Commission to open up eight new more offices and upgrading four State Offices to the level of Director's from the present level of Deputy Director's office, need to be taken up at appropriate stage and be expedited by the Ministry.

11.2 Recommendations on Service Safeguards

11.2.1 The Commission has recommended the L-Shaped Roster be replaced with 200 point post based roster for cadres having 13 or less than 13 points also but as a running vacancy roster. The reservation is to be provided on rotation basis as is already done in case of L-Shaped roster.

11.2.2 The Commission recommends that "Reservation in Promotion" may be continued by all State Governments in line with the judgment of the Supreme Court of India in 2014. The all backlog post should be filled up by launching Special Recruitment Drive in time bound manner.

11.2.3 The Commission re-iterates its recommendations made in its earlier reports that reservation provided for in judicial appointments below the High Court needs to be implemented to fulfill the prescribed reservation percentage. The Commission also re-iterates its recommendation to consider provision of reservation in appointments of Judges to the High Court and Supreme Court of India.

11.2.4 Regarding recognition of SCs/STs Association, National Commission for Scheduled Castes reiterates its recommendation that Government can consider that SC/ST employees association on the basis of category of associations which representing 22.5% of the deprived section of the employee base. As far as grant of facilities is covered, they should be given facilities as are being provided in M/o Railways and Unions.

11.2.5 As per Article 338 of Constitution, Central Ministries/Departments and State Governments/UTs are expected to give due consideration to NCSC recommendations which are connected to ensuring of safeguards to SC populace. It has been seen that many Government Departments / PSUs have filed writ petitions in various Hon'ble Courts against the recommendations of the NCSC. This is ironical as recommendations of NCSC are only advisory and department / PSUs have no need to resort to taking matter to Courts, since the same complicates and delays final delivery of justice as well as burdens the exchequer with legal fees. This is a glaring example of different wings of State fighting against the State in the Court of law. In view of above, Commission strongly recommends intervention of Government for issue of an order that departments / PSUs should not approach Courts contesting recommendations given by the NCSC. If the Departments / PSUs have reservation or problems in implementing any Recommendation of NCSC, they

may approach NCSC again with full facts and seek a review of the recommendations rather than approach the Courts.

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

11.3 Recommendations on Economic Development

11.3.1 Review meeting with the Secretary Ministry, Petroleum and Natural Gas and CMDs of three Oil Marketing Companies

The Commission held a meeting on 27.1.2014 with the Secretary, Ministry of Petroleum and Natural Gas and CMDs of three Oil Marketing to examine implementation of reservation policy in the Oil Marketing Companies. The main observations of the Commission were that Ministry of Petroleum and Natural Gas had revised the guidelines on allotment of Petrol Pumps and Retail Outlets without consultation with the Commission. The revised guidelines had adversely affected the interest of the Scheduled Castes and had also resulted in huge backlog of allotment of Petrol Pumps and Retail outlets to the Scheduled Castes. The Commission recommended revision of those guidelines in consultation with the Commission and liquidation of backlog of allotment to SCs in a time bound manner.

11.3.2 Recommendations on SCSP

11.3.2.1 The Inter-Ministerial Committee¹ has taken note of the detailed guidelines relating to the Scheduled Caste Sub Plan (SCSP) for the Scheduled Castes, issued by the Central Government from time to time. The basic objective of the SCSP has been to channelize the flow of outlays and benefits from the general sectors in the Plan of States for the development of Scheduled Castes, at least in proportion to their population, both in physical and financial terms. It has been observed that several State Governments have not been earmarking adequate funds to SCSP, proportionate to the share of SCs in the population. It is therefore reiterated that Scheduled Caste Sub-Plans should be an integral part of Annual Plans as well as Five Year Plans, making provisions therein non-divertible and non-lapsable, with the objective of substantial reduction in poverty and unemployment among SCs and for bridging the gaps in their socio-economic development.

The Commission has noted that the Committee report states that there has been poor utilisation of the allocated funds for the welfare of SCs and STs. In some cases, it has been reported that funds meant for SCSP have been diverted and/or used in sectors not benefiting SC population directly. In some instances the line departments have been allocating funds for the schemes/projects meant for SCs but they do not have enough scope for tailor made projects and

¹ (No.M-11012/03/2013-SJ&SW) Planning Commission (SJ & E Division) : Revised Guidelines for Implementation of Scheduled Castes Sub-Plan (SCSP) by the States/UT

schemes suitable to their specific needs. There is no focus on entrepreneurship, employment and skill development projects.

The Commission therefore, strongly favours the formulation of such specific schemes for the benefit of the SCs which will increase employability of the beneficiaries. The SCSP should include only such existing schemes or new schemes which full-fill the following norms:-

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

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

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

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

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

The States/UTs having SC population shall fix clearly defined targets, based on parameters like educational status, enrolment, occupation, health indicators, per capita income, access to basic amenities like drinking water, housing etc. taking into account the national targets. Efforts should be made to achieve the assigned targets and not to spend funds from SCSP head on general schemes like road construction, electrification, rural telephone connection as it done by many States² and Union Territories³.

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

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

² Punjab, West Bengal, Haryana, Odisha, Kerala, Delhi etc.

³ UTs of Chandigarh, Puducherry

11.3.3 Recommendation on Educational Development:

11.3.3.1 There should be a quality education by providing Aganwadi in each and every habitation of SCs/STs, residential schools at every block level and centre of excellence in every District Headquarter. The expenses should be met out of Scheduled Castes Sub Plan

11.3.3.2 Free and compulsory education in Hindi, English and Mother Tongue upto Class XII.

11.3.3.3 Twenty-five *per cent* of budgetary allocation of education Primary, Secondary and Higher education shall be reserved for the educational advancement of Scheduled Castes students

11.3.3.4 Cent per cent Grant-in-aid shall be extended to the NGOs of scheduled castes for the educational advancement of Scheduled Castes students including school/college buildings

11.3.3.5 More hostel buildings with better infrastructure should be built in every taluk place.

11.3.3.6 On the lines of Ashram Schools, Residential Schools should be opened where 50 *per cent* seats should be reserved for children of Safai Karamcharis/Manual Scavengers and the students should be given preference in the same.

11.3.3.7 Hostels for Scheduled Caste women should be built around the Education Hubs in the Country.

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

11.3.4 Recommendation on Business Development

11.3.4.1 There should be relaxation for SCs for establishment of business centre.

11.3.4.2 It should be free of taxes including Service Tax.

11.3.4.3 Separate and exclusive bank for SC/ST can be planned by the Government as the same will go a long way in galvanizing the SC/ST entrepreneurs.

11.3.4.4 The Government should provide the collateral securities to the SC loan seekers.

11.3.4.5 For industrial growth in the State, land is given to the corporate groups under SEZ concept. The interest of SCs and other marginalized societies should be taken care of.

11.3.4.6 Lead bank should be directed to protect the interest of SCs and other weaker sections.

11.3.4.7 Creamy layer concept should be removed in case of allocation of fund to SC entrepreneurs.

11.4 Ministry-wise recommendations of the National Commission for Scheduled Castes

11.4.1 Skill Development for revision of National Policy on Skill Development (NPSD)

Concerned Ministry/ Deptt: Ministry of Social Justice & Empowerment.

Recommendations of Commission are as under:

11.4.1.1 There should be level playing field for SCs proportionate to their population in every States/UTs in the activities of NPSD as stake holders in view of the 10% SCSP funds being earmarked for the same.

11.4.1.2 The SCs who have certain traditional skills like shoe making but due to technological advancement. They are losing their employment. These SCs should be further trained with computer proficiency for making patterns and tuning themselves with modern machines so that they keep pace with time.

11.4.2 National Skills Qualifications Framework (NSQF)

Concerned Ministry/ Deptt: Ministry of Social Justice & Empowerment.

Recommendations of Commission are as under:

11.4.2.1 Special dispensation should be made in the draft NSQF for providing prior training to SC to ensure them to equate with the general category person to fit the requirement of learner in broad categories of competence i.e professional knowledge, professional skills and core skill.

11.4.2.2 It should also be specifically mentioned in the draft NSQF that relaxed standard should be adopted while selecting candidates belonging to SC category

11.4.3 Dr. Ambedkar scheme for Social Integration through Inter-Caste Marriages

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

Recommendations of Commission were as under

11.4.3.1 Physical Target may be fixed on the basis of percentage share of SC population, as per 2011 Census instead of 2001 Census (year 2001 has been mentioned in para 1.4 and 5.1 while year 2011 has been mentioned in para 6.3).

11.4.3.2 The word “Public Programme” may be replaced by Public Marriage Programme.

11.4.3.3 The word “values of equality, fraternity etc”. may be replaced by “Constitutional values of liberty, equality, fraternity etc”.

11.4.3.4 The word “Consultant “ in para 6.2 may be replaced by “Non Government Organizations” (NGO’s).

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

11.4.3.6 Wide publicity of the scheme should be made in the print and electronic media.

11.4.3.7 Further the Commission's recommendation be applicable not only on Ambedkar Foundation but also on all the states who are providing incentive for promoting Inter caste Marriages. There should be no ceiling/no cap of 500 for any number. Rather money should be no issue if more and more people are going for Inter Caste Marriages.

11.4.4 Proposal for re-structuring the existing Centrally Sponsored Schemes (CSSs), being implemented by the Department of Social Justice and Empowerment for the development of the Scheduled Castes by merging them into a single umbrella scheme namely, "Scheme for Development of Scheduled Castes (SCs)"

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

Recommendations of Commission were as under(())

11.4.4.1 An attested copy of caste certificate issued by the Revenue officer not below the rank of Tehsildar instead of original certificate as mentioned in para 1.1.12 i) d.

11.4.4.2 A Special Officer under a Scholarship Grievance Redressal Cell may be appointed at district level as well as state level instead of designated grievance redressal officer (GROs) to redress students scholarship-related grievances as mentioned in para 1.1.14.(ii) iv.

11.4.4.3 Disburse the Central assistance to the States/UTs for making payments in the Bank Account of the Institutions under intimation to the student concerned.

11.4.4.4 The Scheduled Castes students those covered under the prescribed income ceiling limit must be admitted on zero-fee-basis. No fee should be charged from the students at the time of admission. It shall be duty of the institutions to obtain the necessary documents from the student at the time of admission for claiming scholarship or fee reimbursement etc.

11.4.4.5 If the fee amount is higher than scholarship amount the balance amount may be paid by the States/UTs under SCSP directly to the institutions under intimation to the student concerned.

11.4.4.6 The students belonging to the SC community admitted under EWS category in the private unaided schools may also be covered under the pre matric scholarship for SC students studying in class I to X under the Educational Development Component – I of the "Scheme for Development of Scheduled Castes (SCs)".

11.4.4.7 Joint Secretary /Director /Deputy Secretary, National Commission for Scheduled Castes may be a member of the Steering Community constituted for effective monitoring and review the construction of hostels as mentioned in para 1.5.10.1.

11.4.5 Revision of National Service Scheme (NSS)

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

Recommendation of Commission are as under:

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

11.4.6 Youth Hostel Scheme-continuation of the scheme during the 12th Plan and other matters-Meeting of the Standing Finance Committee (SFC)

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

Recommendations of Commission were as under:

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

11.5 Recommendations regarding improvement of functioning under Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989

The National Commission for Scheduled Castes has noted with concern that instances of procedural lapses are frequent in terms of dealing of atrocity cases by both police; civil and judicial administrations are concern. The Commission, therefore, identifies lacunae that are prevailing in police investigation, judicial dealings and preventive / curable actions the civil administration need to take and recommends the followings for improvement of application of SC/ST (PoA) Act, 1989 and Rules of 1995 thereon.

11.5.1 Registration of FIR

The Commission has observed that the police often resort to preliminary investigation upon receiving complaint in writing before lodging the actual FIRs. As a result, the SC victims have to resort to seeking directions from courts for registration of FIRs u/s 156(3) of Cr.P.C. Hon'ble Supreme Court has also in its' judgments in more than one occasion has emphasized about registration of FIR first. The Commission too reemphasize that the State / UT Governments enforce the same.

The Commission recommends the followings:

11.5.1.1 FIR registration may be made web-enable also so as to make the SC complainant able to register FIR in website of district police for automatic registration of FIR at concerned Police Station. Alternatively, branches of designated banks and all post offices may be authorized to receive such FIRs from complainant and forward them to Police for FIR registration. System can be similar to receipt of passport applications in Banks and Post Offices.

11.5.1.2 Non-registration of FIR and non-registering of atrocity complaint under appropriate provision of PoA Act may be made punishable under Section 4 of the Act.

11.5.1.3 Registration of counter cases to frustrate the very purpose of registering a case under PoA needs to be reviewed and checked. If the number

of cross cases in a particular Police Station area / District are on higher side, it may be reviewed in the District level Vigilance Committee Quarterly meeting and considered views be taken to neutralize such counter cases.

11.5.2 Police Investigation

The National Commission for Scheduled Castes has observed lacunae in police investigations while dealing atrocity cases. As a result, the acquittal rate noted to be in higher side in many States. The Commission therefore, suggests the followings for speedy and quality investigation on atrocity crimes.

11.5.2.1 Rules mandated completion of investigation in atrocity cases in 30 days. In practice, it is however, noticed that it takes much longer time even couple of years. The Commission therefore, suggests that provision as made in the Rule be followed scrupulously.

11.5.2.2 Pre-occupation of Deputy Superintendent of Police (DSP) in other official activities often cited as the reason for delay in atrocity investigation. The same however, should be done away with.

11.5.3 Judicial proceedings

Commission has noted that in absence of Exclusive Courts and engagement of Exclusive Public Prosecutors, the atrocities cases are either prolonged or ended in acquittal due to faulty prosecution procedure. Instances are numerous wherein it has been noticed that the witnesses of the cases are withdrawn at crucial stage of the case. Keeping in view such instances, the Commission recommends the followings:

11.5.3.1 Exclusive Courts are to be set up to trial only atrocity cases and Exclusive Public Prosecutors of high eminence are to be engaged so as to minimize acquittal rate.

11.5.3.2 Till the time Exclusive Courts are set up and where number of atrocity cases is less existing District Judge/Additional District Judge may be earmarked as Special Judge to try atrocity cases. However, in such situation, atrocity cases should top the cause list for hearing so that unnecessary adjournments are avoided.

11.5.3.3 Trial in atrocity cases may be concluded in three months by the Special / Designated Courts.

11.5.3.4 Based on the data received from the National Crime Records Bureau on pending investigation by police, acquittal, conviction rates; and if State(s) seen to have lower performance comparing the national average, this matter may be reviewed in the half-yearly State Level Vigilance & Monitoring Committee Meeting supposedly chaired by the Chief Minister of the State with an inter-district analysis.

11.5.3.5 If atrocity incidences in particular districts are large, then steps be taken to change the public prosecutor and in case of repeated poor performance by police personnel, administrative action may be initiated.

11.5.4 Compensation to Witness in Judicial Proceedings and Economic Rehabilitation of victims

The National Commission for Scheduled Castes has observed that the States do not pay compensation to the victim(s) of caste atrocity as a rule. Instances

are there wherein the compensations are paid only when the Commission intervenes or the matter followed by the family of the victim rigorously. In the cases where compensation paid but long term rehabilitation of the victim of atrocity however, has not been considered. The Commission therefore, observes the followings for improvement of compensation to witness in judicial proceedings and economic rehabilitation of atrocity victims.

11.5.4.1 Quantum of payment of travelling and maintenance expenses to the witnesses and the victims may be linked to the prevailing NREGA⁴ wages to the least.

11.5.4.2 Compensation amount may be paid to the witness on the very day when the witness turns up in court so that the loss of wages / earning for the day is compensated.

11.5.4.3 In case of murder, rape and grievous injury, monetary compensation must be disbursed as per amendment of POA Rules, 1995.

11.5.5 Capacity building measures

The Commission has also noted that atrocity cases are delayed due to lack of sensitivity and clarity on implementation of POA Act of 1989. The Commission therefore, suggests that:

11.5.5.1 Judges, Public Prosecutors and Investigation Officers need to be sensitized on implementation of provision of PoA Act by imparting training through orientation / refresher courses.

11.5.5.2 Transparency, accountability and change in mind set is necessary to prevent crimes of atrocity. Efforts may be made for generation of awareness amongst all stake holders namely general public, police, civil administration, public prosecutors and judiciary to minimize the occurrence of atrocities on Scheduled Castes.

11.5.6 Statutory amendments

Commission is of the opinion that there is a need to revamp the provisions contained in the SC/ST (POA) Act, 1989 and Rules 1995 for better implementation of the Act. The National Commission for Scheduled Castes thus, suggests the followings:

11.5.6.1 Malafide intention (mens-rea) may not be considered as a vital yardstick to prove atrocity cases.

11.5.6.2 Majority of crimes under PoA Act carries punishment of less than seven years resulting in grant of bail by Courts. Enhancement of punishment may be considered to deny bail to the accused.

11.5.6.3 Periodical review of the PoA Act say after five years is necessary.

11.5.6.4 Manual Scavenging should also be made part of the PoA Act.

11.5.6.5 Denial of forest Rights to ST should also be covered atrocity.

11.5.6.6 Offences under IPC punishable with imprisonment for a term of ten years or more as mentioned in section 3 (2)(v) needs to be elaborated.

⁴ Mahatma Gandhi National Rural Employment Guarantee Act, 2005

11.5.6.7 Scope of externment needs to be expanded and extended to non-scheduled areas.

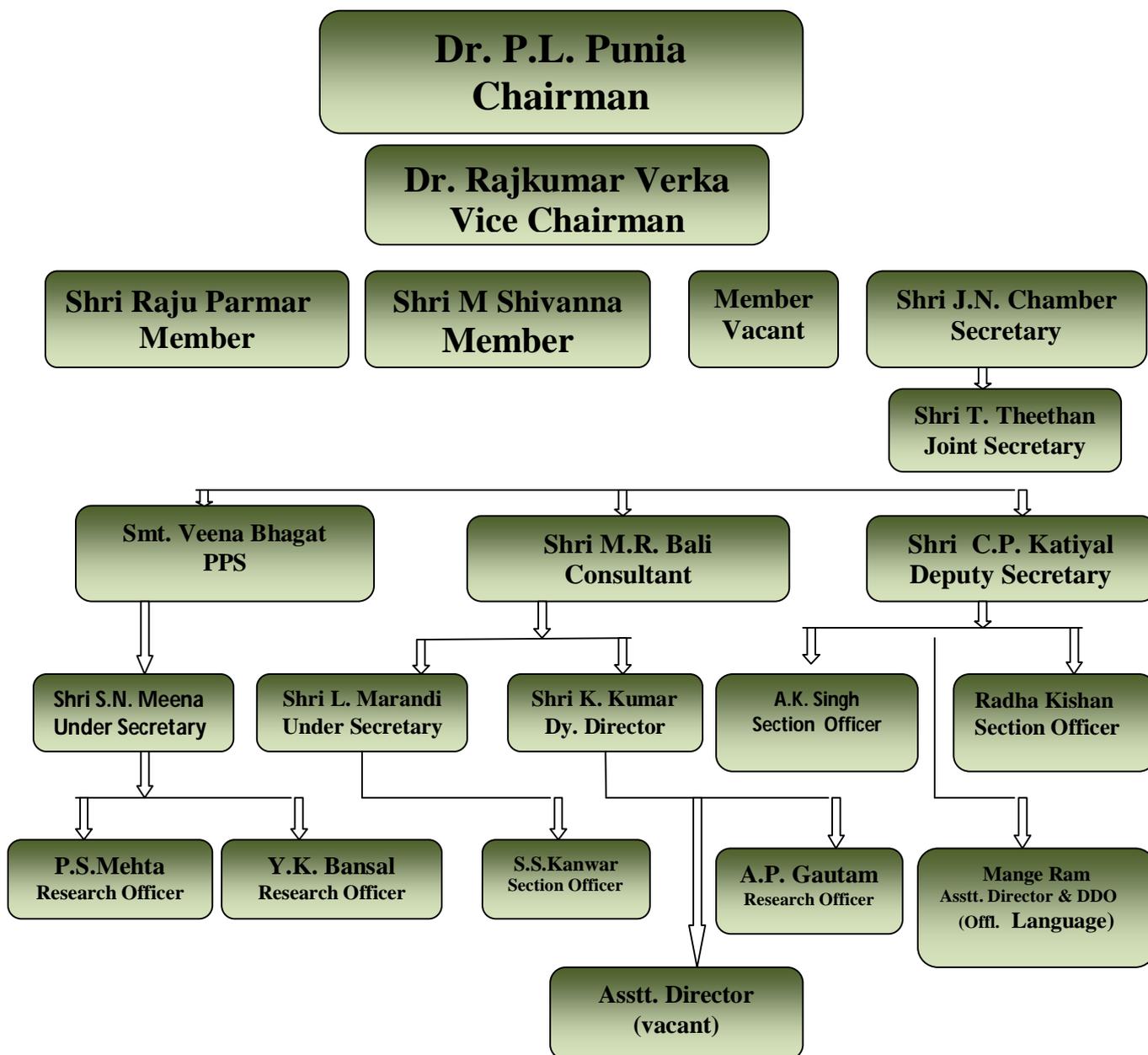
11.6 Study Reports

The Commission has prepared a report in May, 2013 on the issue "The Problems of Migrant SCs in Obtaining Caste Certificates". This report is being submitted separately. Action Taken Report on the Recommendations of the Commission in this report is requested.

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Annexure-I

ORGANISATIONAL CHART



Annexure –II

INCUMBENCY POSITION AT THE NCSC HEADQUARTERS

(As on March, 2013)

Sl. No	Name of Post	Group	Sanctioned Strength	Incumbency	Vacancy
1.	Secretary	A	1	1	-
2.	Joint Secretary	A	1	1	-
3.	DIG of Police	A	1	-	1
4.	Director (Jt Cadre)	A	1	-	1
5.	Dy Secretary (CSS)	A	1	1	-
6.	Sr. P.P.S. (CSSS)	A	1	-	1
	Under Secretary (CSS)	A	2	2	-
7.	Law Officer	A	1	-	1
8.	PPS	A	1	1	-
9.	Dy Director (Jt Cadre)	A	1	1	-
10.	Asstt Director (Jt Cadre)	A	1	-	1 (Since 1.3.13)
11.	A. D.(Programming)	A	1	-	1
12.	Asstt Library & Information Officer	A	1	1	-
13.	Asstt Director (OL)	A	1	1	-
14.	Section Officer(CSS)	B	4	1	3
15.	P.S.(CSSS)	B	5	3	2
16.	Research Officer (Jt Cadre)	B	3	3 [^]	-
17.	Assistant P.R.O.	B	1	-	1
18.	Senior Investigator (Jt Cadre)	B	1	-	1
19.	Sr. Hindi Translator (CSOL)	B	1	1	-
20.	Accountant	B	1	-	1
21.	Investigator (Jt. Cadre)	B	2	1	1
22.	Assistant (CSS)	B	5	5	-
23.	Personal Assistant (CSSS)	B	3	2	1
24.	Stenographer Gr. 'D' (CSSS)	C	4	2	2
25.	U.D.C. (CSCS)	C	3	3	-
26.	L.D.C. (CSCS)	C	3	3	-
27.	Receptionist	C	1	-	1
28.	Staff-Car-Driver	C	7	7 [*]	-
29.	Dispatch Rider	C	1	1	-
30.	Gestetnor Operator	C	1	1	-
31.	Multi-Tasking Staff (Erstwhile named as Gestetnor Operator, Senior Peon, Daftry, Peon, Chowkidar-cum- Farash, SafaiKaramchari)	C	22	24 [#]	
	Total		82	66[#]	19

[^] Working as Research Officer (Adhoc)

^{*} 1 Post transferred alongwith the incumbent from the State Office, Agartala.

[#] Includes two posts transferred from State Office, Ahmedabad.

Annexure - III**INCUMBENCY POSITION IN THE STATE OFFICES, NCSC****1. AHMEDABAD**

Sl. No.	Name of Post	Group	Sanction -ed Strength	Name of Incumbent S/Shri	Whether S.C./S.T./ O.B.C.	No. of Vacancy
1.	Deputy Director	A	1	-		1
2.	Assistant Director	A	1	A. Satyanarayana		-
3.	Sr. Investigator	B	1			1
4.	Investigator	B	2	-		2
5.	U.D.C.	C	1	V.M. Mudaliar	-	-
6.	L.D.C.	C	2	1. M.Y. Patel 2. A.T. Parmar	S.C.	-
7.	Staff-Car-Driver	C	1	R.B. Gohil	-	-
8.	MTS	C	1	D.S. Rathod	S.C.	-
9.	MTS	C	*2	1. Vinod Kumar 2. Amar Babu	S.C.	-
10.	MTS	C	1	M.L. Majira		-
TOTAL			13	9*	-	4 (+2)

* Post being utilised in the HQ. Actual incumbent number is 7.

2. BENGALURU

Sl. No.	Name of Post	Group	Sanction -ed Strength	Name of The Incumbent S/Shri	Whether S.C./S.T./ O.B.C.	No. of Vacancy
1.	Director	A	1	Girija P.		-
2.	Assistant Director	A	1	Sheela Narayanaswamy	-	-
3.	Sr. Investigator	B	1	-	-	1
4.	Investigator	B	2	-	-	2
5.	Office Superintendent	B	1	E. Usha Devi	-	-
6.	Personal Assistant	C	1	-	-	1
7.	U.D.C.	C	1	-	-	1
8.	L.D.C.	C	2	B. Kalaimathi	OBC	1
9.	Staff Car Driver	C	1	K. Shiva	OBC	-
10.	MTS	C	1	Venkateshaiah	S.C.	-
11.	MTS	C	3	Y.Papana D.C.Anjanamurthy G.Venkatesh	S.C. S.C. S.C.	-
TOTAL			15	9		6

3. CHANDIGARH

Sl. No.	Name of Post	Group	Sanction -ed Strength	Name of Incumbent S/Shri	Whether S.C./S.T./ O.B.C.	No. of Vacancy
1.	Director	A	1	RK Chhanena	-	-
2.	Research Officer	B	1	-	-	1
3.	Sr .Investigator	B	1	RK Sharma	-	-
4.	Investigator	B	2	-	-	2
5.	Office Superintendent	B	1	-	-	1
6.	Personal Assistant	C	1	-	-	1
7.	U.D.C.	C	1	KiranSehjpai	-	-
8.	L.D.C.	C	2	Gajadhar Singh	S.C	1
9.	Staff Car Driver	C	1	Suresh Kumar	S.C.	-
10.	MTS	C	3	Bihari Lal Suhru Ram	S.C S.C.	1
TOTAL			14	7		7

4. KOLKATA

Sl. No.	Name of Post	Group	Sanctioned Strength	Name of Incumbent S/Shri	Whether S.C./S.T./ O.B.C.	No. of Vacancy
1.	Director	A	1	Rajib Bhattacharya	-	-
2.	Research Officer	B	1	Arunabh Bhattacharya	-	-
3.	Sr. Investigator	B	1	D.K.Bala	S.C.	-
4.	Investigator	B	2	-	-	2
5.	Stenographer	C	1			1
6.	U.D.C.	C	1	T.K. Day	-	-
7.	L.D.C.	C	2	1.A.K. Patra 2. N.K. Bandyopadhyaya	S.C. -	-
8.	Staff Car Driver	C	1	S. Debnath	-	-
9.	MTS	C	3	S.R. Mondal D.N. Majhi G.C. Bala	S.C. S.C. S.C.	-
TOTAL			13	10		3

5. LUCKNOW

Sl. No.	Name of Post	Group	Sanctioned Strength	Name of Incumbent S/Shri	Whether S.C./S.T./O.B.C.	Total No. of Vacancy
1.	Director	A	1	-	-	-
2.	Assistant Director	A	1	Tarun Khanna	-	-
3.	Sr. Investigator	B	1	-	-	1
4.	Investigator	B	2	--	-	2
5.	Office Superintendent	B	1	Chanchal Singh	-	--
6.	Personal Assistant	C	1	-	-	1
7.	U.D.C.	C	1	Madhur Mohan	S.C.	-
8.	L.D.C.	C	2	1. G.S. Singh 2. Ram Sharan *3. SC Srivastava	- - -	- - -
9.	Staff Car Driver	C	1	Sher Ali	-	-
10.	MTS	C	4	Sahdev Prasad Amber Prasad Bipul Kumar Shiv Shankar	- - - -	- - - -
TOTAL			15	12*		4

*Shri Srivastava adjusted against 2 vacant posts of Investigator.

6. PUNE

Sl. No.	Name of Post	Group	Sanctioned Strength	Name of the Incumbent S/Shri	Whether S.C./S.T./O.B.C.	No. of Vacancy
1.	Director	A	1	-	-	1
2.	Assistant Director	B	1	A.V. Ghodkhande	OBC	-
3.	Sr Investigator	B	1	-	-	1
4.	Investigator	B	2	Vidya Khobrekar	SC	1
5.	Office Superintendent	B	1	-	-	1
6.	Personal Assistant	C	1	-	-	1
7.	U.D.C.	C	1	Rajesh N. Barapatra	ST	-
8.	L.D.C.	C	2	G.R. Gaikwad	SC	1
9.	Staff Car Driver	C	1	Suresh Dixit	-	-
10.	MTS	C	4	S.A.Kadam A.P.Salve B.K. Bamble	SC	1
TOTAL			15	8		7

7. PATNA

Sl. No.	Name of Post	Group	Sanction -ed Strength	Name of Incumbent S/Shri	Whether S.C./S.T./ O.B.C.	No. of Vacancy
1.	Director	A	1	-	-	1
2.	Research Officer	B	1	A.K. Sharma	OBC	-
3.	Sr. Investigator	B	1	S.K. Singh	-	-
4.	Investigator	B	2	-	-	2
5.	Office Superintendent	B	1	-	-	1
6.	Personal Assistant	C	1	1	-	1
7.	U.D.C.	C	1	Binod K. Chaudhary	SC	-
8.	L.D.C.	C	1	Sanjay K. Rawani	OBC	-
9.	Staff-Car Driver	C	1	Ram Dayal Shah	OBC	-
11.	MTS	C	3	Mathura Ram UmanGope	S.C. OBC	1
TOTAL			13	7		6

8. THIRUVANANTHAPURAM

Sl. No.	Name of Post	Group	Sanction -ed Strength	Name of Incumbent S/Shri	Whether S.C./S.T./ O.B.C.	No. of Vacant
1.	Deputy Director	A	1	-	-	1
2.	Asstt. Director	A	1	P. Ramasamy	O.B.C.	-
3.	Investigator	B	1	G. Dhanya	-	-
4.	Stenographer	C	1	G.Ramdas	-	-
5.	U.D.C.	C	1	-	-	1
6.	L.D.C.	C	1	Jayalaxmi	-	-
7.	Staff-Car Driver	C	1	NP Balakrishnan Nair	-	-
8.	MTS	C	2	C.K. Ravi R.Vijay Kumar	SC	-
TOTAL			9	7		2

9. AGARTALA

Sl. No.	Name of Post	Group	Sanctioned Strength	Name of Incumbent S/Shri	Whether S.C./S.T./O.B.C.	No. of Vacancy
1.	Research Officer	B	1	-		1
2.	Sr. Investigator	B	1	-		1
3.	Investigator	-	2	-		2
4.	Stenographer	C	1*	-		-
5.	U.D.C	-	-	-		-
6.	L.D.C	C	1	1.Kamal Bhattacharya 2.Sasim Acharjee*	- -	(-) 1
7.	MTS	C	2	1.Ram Pal Singh 2.Abhijeet Das	S.C. S.C	-
TOTAL			6	4		2

* One LDC adjusted against the post of Stenographer.

10. CHENNAI

Sl. No.	Name of Post	Group	Sanctioned Strength	Name of Incumbent S/Shri	Whether S.C./S.T./O.B.C.	No. of Vacancy
1.	Director	A	1	D. Venkatesan	-	-
2.	Research Officer	B	1	C. Chandraprabha	-	-
3.	Sr .Investigator	B	1	-		1
4.	Investigator	B	2	1. M. Lister 2. A. Inian	-	-
5.	Office Superintendent	B	1	-	-	1
6.	Personal Assistant	C	1	-	-	1
7.	U.D.C.	C	1	Smt. S. Jayashree	-	-
8.	L.D.C.	C	2	R. Ram Prabhu		1
9.	Staff Car Driver	C	1	S. Kannan	SC	-
10.	MTS	C	4	T. Sekhar P. Amaravathy K. Palani	SC SC SC	1
TOTAL			15	10		5

11. HYDERABAD

Sl. No.	Name of Post	Group	Sanctioned Strength	Name of Incumbent S/Shri	Whether S.C./S.T/ O.B.C.	No. of Vacancy
1.	Director	A	1	D. Hanumantharaya	-	-
2.	Assistant Director	A	1	-	-	1
3.	Sr .Investigator	B	1	B. Ajay Kumar	-	-
4.	Investigator	B	2	-	-	2
5.	Office Superintendent	B	1	Subhangi Laxmi	-	-
6.	Personal Assistant	C	1	Navin Kumar	SC	-
7.	U.D.C.	C	1	Madhavi Latha	-	-
8.	L.D.C.	C	1	-	-	1
9.	Staff-Car-Driver	C	1	R Ramesh Babu	-	-
10.	MTS	C	4	K. Rammoorthy Naik R. Eshwaraiah B. Sreeniwashulu	-	1
TOTAL			14	9		5

12. GUWAHATI

Sl. No.	Name of Post	Group	Sanctioned Strength	Name of Incumbent S/Shri	Whether S.C./S.T/ O.B.C.	No. of Vacancy
1.	Deputy Director	A	1	-	-	1
2.	Research Officer	B	1	-	-	1
3.	Sr .Investigator	B	1	-	-	1
4.	Investigator	B	1	D. Deb	-	-
5.	Office Superintendent	B	1	M.C. Das	-	-
6.	PA	C	1	GC Roy	-	-
7.	U.D.C.	C	1	-	-	1
8.	L.D.C.	C	2	1.R.K. Rava 2.N.Kalita	S.T	-
9.	Staff-Car-Driver	C	1	R. Bodo	S.T.	-
10.	MTS	C	4	J.C. Mudo B.K. Nath .P.R.Das R.M. Kalita	SC S.T	-
TOTAL			14	10		4

Annexure - IV**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.	Pragati Road, Lake Chowmohani, Agartala-799001. (Tripura West) 0381-2223140, 2315967	Shri Kamal Bhattacharyya, LDC	Shri Rajib Bhattacharyya, Director
2.	2 nd Floor, Mavlankar Haveli, VasantChowk, Lal Darwaja, Ahmedabad-380001. 079-25509762, 25510717	Shri V.M. Mudalior, UDC	Shri Satya Narayana, Asstt. Director
3.	3 rd Floor, 'D' Wing, KendriyaSadana, Koramangala, Bengaluru- 560034 080-25537155, 25527767	Smt. Shella Narayan Swamy, Asst. Director	Smt. Girija, Director
4.	6 th Floor, KendriyaSadana, Sector-9-A, Chandigarh-160017 0172-2742561, 2743784	Shri Rakesh Sharma, Sr. Investigator	Shri Rajkumar Channena, Director
5.	2 nd Floor, Block-5, Shastri Bhawan, Chennai-600006 044-28276430, 28312851	Smt. C. Chandraprabha, Research Officer	Shri D. Venkatesan, Director
6.	24, NilamaniPhukan Path, Christian Basti, Dispur, Guwahati-781005 0361-2347040, 2346885	Shri D. Deb, Investigator	Shri Rajib Bhattacharyya, Director
7.	Block 204, MaithryVihar, Ameer Peth, Hyderabad-500038 040-23734907(Fax), 23754908	Shri Ajay Kumar, Sr. Investigator	Shri D. Hanumantharaya, Director
8.	MayukhBhawan, (Ground Floor), Salt Lake City, Kolkata-700091 033-23370977, 23213259	Shri A. Bhattacharyya, Research Officer	Shri Rajib Bhattacharyya, Director
9.	5 th Floor, KendriyaBhawan, Sector-H, Aliganj, Lucknow-226024 0522-2330288 (Fax), 2323860	Shri Tarun Khanna, Asstt. Director	Asst Director
10.	189-B, Shrikrishnapauri, Patna-800001 0612-2540285	Shri Sunil Kumar, Sr. Investigator	Shri A.K. Sharma, Research Officer
11.	KendriyaSadana, 'A' Wing, First Floor, Opp. Akurdi Rly. Station, NagdiPradhikaran, Pune 411044 020-27658033, 27658973 27655580(Fax)	Ms. Vidya Khobrekar, Investigator	Ms A. Ghorkhande, Asstt. Director
12.	TC-24/547(1), SasthaGardens Residency Road, Near Govt. Guest House, Thycaud, Thiruvananthapuram-695014, 0471-2327530	Smt. G. Dhanya, Investigator	Shri P. Ramasamy, Asstt. Director

Annexure-V

ALLOCATION OF FUND DURING THE FINANCIAL YEAR 2013-14

(Rs. in lakh)

Sl. No.	Name of Offices Code Nos. State Offices	Salaries	Wages	OTA	D.T.E.	O.E.	R.R.T.	Medical	Total
		01.00.01	01.00.02	01.00.03	01.00.11	01.00.13	01.00.14	01.00.01	
1.	Kolkata	30.00	0.20	0.10	1.50	4.00	2.00	0.50	38.30
2.	Ahmedabad	30.00	0.20	0.10	1.50	4.00	2.00	0.50	38.30
3.	Agartala	15.00	0.10	0.10	0.50	2.00	2.00	0.50	20.20
4.	Thiruvanthapuram	30.00	0.20	0.10	1.50	4.00	1.50	0.50	37.80
5.	Chandigarh	40.00	0.20	0.10	1.50	4.00	--	0.50	46.30
6.	Lucknow	40.00	0.30	0.30	3.00	10.00	--	0.50	54.10
7.	Pune	35.00	0.10	0.10	1.50	4.00	--	0.50	41.20
8.	Patna	35.00	0.20	0.10	1.50	4.00	2.00	0.50	43.30
9.	Chennai	40.00	0.10	0.10	1.50	4.00	---	0.50	46.20
10.	Bangluru	30.00	0.10	0.10	1.50	4.00	---	0.50	36.20
11.	Hyderabad	40.66	0.20	0.10	1.50	4.00	3.00	0.50	49.96
12.	Guwahati	40.00	0.30	0.10	1.00	4.00	2.50	0.50	48.40
Total State Offices		405.66	2.20	1.40	18.00	52.00	15.00	6.00	500.26
Hqrs.		514.34	2.80	3.60	72.00	148.00	1.00	14.00	755.74
G. Total		920.00	5.00	5.00	90.00	200.00	16.00	20.00	1256.00

Annexure-VI

Sl. No.	Address and Telephone Nos.	Headquarters and Jurisdiction
1.	Pragati Road, Lake Chowmohani, Agartala-799001. (Tripura West) 0381-2223140, 2315967	Agartala (Tripura)
2.	2 nd Floor, Mavlankar Haveli, Vasant Chowk, Lal Darwaja, 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 & Chandigarh)
5.	2 nd Floor, Block-5, Shastri Bhawan, Chennai-600006 044-28276430, 28312851	Chennai (Tamil Nadu & Pondicherry)
6.	24, Nilamani Phukan Path, Christian Basti, Dispur, Guwahati-781005 0361-2347040, 2346885	Guwahati (Assam, Arunachal Pradesh, Nagaland, Meghalaya, Mizoram & Manipur)
7.	Block 204, Maithry Vihar, Ameer Peth, Hyderabad- 500038 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 and Uttarakhand)
10.	189-B, Shrikrishnapauri, 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 VII**Statement of the representation of the Scheduled Castes in the Public Sector Banks (as on 01.01.2014)**

Sl. No.	Name of the Bank	Representation of Employees under Groups A&B or equivalent posts (Officers)			Representation of employees under Group C of Equivalent posts (Clerks)			Representation of employees under Group D of Equivalent posts (excl Safai Karamcharis) (Sub Staff)			Representation of employees under Group D of Equivalent posts (Safai Karamcharis only)			Representation of employees under Group A to Group D of Equivalent posts (incl Safai Karamcharis)		
		Total Empls	SC Empls	% age	Total Empls	SC Empls	% age	Total Empls	SC Empls	% age	Total Empls	SC Empls	% age	Total Empls	SC Empls	% age
1.	Allahabad Bank	12428	2247	18.08	8531	1907	22.35	1911	743	38.88	2069	1383	66.84	24939	6280	25.18
2.	Andhra Bank	10493	1795	17.1	5334	818	15.33	3017	765	25.35	1558	556	35.68	20402	3934	19.28
3.	Bank of Baroda	19449	3431	17.64	17850	2644	14.81	7084	2326	32.83	1020	436	42.74	45403	8837	19.46
4.	Bank of India	17847	3000	16.81	18115	3041	16.79	4405	1215	27.58	3285	1554	47.31	43652	8810	20.18
5.	Bank of Maharashtra	5890	914	15.51	6239	978	15.67	2503	941	37.59	1493	368	24.64	16125	3201	19.85
6.	Canara Bank	20736	3643	17.57	18835	3531	18.75	7724	2069	26.79	867	417	48.10	48162	9660	20.06
7.	Central Bank of India	16369	2900	17.72	15562	2846	18.29	6086	1695	27.85	3077	1438	46.73	41094	8879	21.60
8.	Corporation Bank	7614	1131	14.85	7410	1354	18.27	3192	1396	43.73			N.A.	18216	3881	21.31
9.	Dena Bank	5357	982	18.33	5169	690	13.35	1941	613	31.58	353	131	37.11	12820	2416	18.85
10.	Indian Bank	8566	1807	21.10	9304	2010	21.61	1871	647	34.59	670	282	42.09	20411	4746	23.25
11.	Indian Overseas Bank	13286	2215	16.67	12236	2617	21.39	4240	1504	35.47	--	--	--	29762	6336	21.29
12.	Oriental Bank of Commerce	9891	1653	16.71	6307	1446	22.93	3191	1156	36.23	244	129	52.87	19633	4384	22.33
13.	Punjab National Bank	24113	4467	18.52	26808	5163	19.26	9677	2981	30.80	5081	3343	35.79	65679	15954	24.29
14.	Punjab & Sind Bank	5838	798	13.67	1977	331	16.74	755	220	29.14	890	688	77.30	9460	2037	21.53
15.	Syndicate Bank	11499	1883	16.38	10483	2064	19.69	3564	1170	32.83	2182	1218	55.58	27728	6336	22.85

Sl. No.	Name of the Bank	Representation of Employees under Groups A&B or equivalent posts (Officers)			Representation of employees under Group C of Equivalent posts (Clerks)			Representation of employees under Group D of Equivalent posts (Sub Staff)			Representation of employees under Group D of Equivalent posts (Safai Karamcharis only)			Representation of employees under Group A to Group D of Equivalent posts (incl Safai Karamcharis)		
		Total Empl yees	SC Empl yees	% age	Total Empl yees	SC Empl yees	% age	Total Empl yees	SC Empl yees	% age	Total Empl yees	SC Empl yees	% age	Total Empl yees	SC Empl yees	% age
16.	Union Bank of India	17421	3051	17.51	10365	2100	20.26	3815	1311	34.36	2470	1107	44.42	34071	7569	22.22
17.	United Bank of India	7526	1326	17.62	6454	1250	19.37	2742	591	21.51	1463	696	47.57	18190	3863	20.67
18.	UCO Bank	11839	1982	16.74	8530	1250	14.65	2744	618	22.52	1708	968	56.67	24821	4818	19.41
19.	Vijaya Bank	6027	1053	17.47	4410	698	15.82	2052	544	26.51	476	188	39.49	12965	2483	19.15
20.	State Bank of India	79780	13640	17.1	103883	17488	16.83	35448	9097	25.66	4225	2625	62.13	223336	42850	19.19
21.	SB of Bikaner & Jaipur	5444	1070	19.65	5190	907	17.47	2126	364	17.12	764	592	77.48	13524	2933	21.68
22.	SB of Patiala	5684	1170	20.58	6309	1625	25.75	3194	1228	38.44	596	205	34.39	15783	4228	26.78
23.	SB of Hyderabad	7245	1188	16.63	7322	1182	16.14	2450	447	18.24	1460	322	22.10	18377	3139	17.10
24.	SB of Mysore	3558	653	18.35	5432	833	15.33	2078	609	29.21	--	--	--	11068	2093	18.91
25.	SB of Travancore	5133	654	12.74	7039	913	12.97	1804	408	22.62	589	151	25.64	14565	2126	14.6
26.	IDBI Bank	14415	1850	12.83	1199	128	10.68	935	232	24.81	100	18	18	16649	2228	13.38
27.	Reserve Bank of India	7864	1133	14.41	3916	586	14.96	4127	1153	27.94	1453	611	42.05	17360	3483	20.06

Annexure VIII**Statement of the representation of the Scheduled Castes in the Insurance Companies (as on 01.01.2014)**

Sl. No.	Name of the Companies	Representation of Employees under Groups A&B or equivalent posts (Officers)			Representation of employees under Group B of Equivalent posts (Class-II)			Representation of employees under Group C of Equivalent posts (Clerk)			Representation of employees under Group D of Equivalent posts (Safai Karamcharis) (Sub Staff)			Representation of employees under Group A to Group D of Equivalent posts (Safai Karamcharis only)			Representation of employees under Group A to Group D of Equivalent posts (incl Safai Karamcharis)		
		Total Empls	SC Empls	% age	Total Empls	SC Empls	% age	Total Empls	SC Empls	% age	Total Empls	SC Empls	% age	Total Empls	SC Empls	% age	Total Empls	SC Empls	% age
1.	LIC of India	30623	5918	19.33	25881	3847	14.86	54863	9546	17.40	5436	1391	25.59	611	434	71	117414	21136	18.00
2.	Insurance Regulatory & Deve. Authority	118	14	11.86	27	05	18.52	--	--	--	--	--	--	--	--	--	145	19	13.1
3.	Oriental Insurance Co. Ltd.	5019	1100	21.92	1554	176	11.33	5884	1386	23.56	1949	873	44.97	61	61	100	14467	3596	24.86
4.	New India Assurance Com. Ltd.	6571	1393	21.20	2060	191	9.27	8137	1822	22.39	1156	406	35.15	845	531	62.84	18769	4343	23
5.	United India Insurance Com. Ltd.	6380	1384	21.69	1485	161	10.84	7099	1773	24.98	1943	980	50.44	82	65	79.27	16989	4363	25.68
6.	National Insurance Com. Ltd.	5891	1176	19.96	1314	133	10.12	6434	1537	23.89	1109	395	35.62	681	451	66.23	15429	3692	23.93
7.	GIC	329	49	14.89	--	--	--	106	25	23.58	28	7	25	--	--	--	463	81	17.49
8.	AIC Ltd.	252	45	18	Nil	Nil	Nil	23	8	35	4	Nil	0	3	3	100	282	56	20

Annexure IX**Statement of the representation of the Scheduled Castes in the Financial Institutions (as on 01.01.2014)**

Sr. No.	Name of the Bank	Representation of Employees under Groups A&B or equivalent posts (Officers)			Representation of employees under Group C of Equivalent posts (Clerks)			Representation of employees under Group D of Equivalent posts (excl Safai Karamcharis) (Sub Staff)			Representation of employees under Group D of Equivalent posts (Safai Karamcharis only)			Representation of employees under Group A to Group D of Equivalent posts (incl Safai Karamcharis)		
		Total Empls	SC Empls	Percentage	Total Empls	SC Empls	Percentage	Total Empls	SC Empls	Percentage	Total Empls	SC Empls	Percentage	Total Empls	SC Empls	Percentage
1.	NABARD	2393	369	15.42	671	93	13.86	816	286	35.05	--	--	--	3880	748	19.27
2.	National Housing Bank	106	11	10.37	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.	N.A.	106	11	10.37
3.	EXIM Bank	310	29	9.35	Exim Bank has no employees in clerical.			There were only 2 employees in Sub-staff category. Both recruited in 1982. No recruitment has occurred in this category since then.			N.A.			310	29	9.35
4.	SIDBI	874	137	15.67	100	27	27	66	20	30.03	N.A.	N.A.	N.A.	1040	184	17.67
5.	IIFCI	56	5	8.93	--	--	--	1	0	0	--	--	--	57	5	8.77