

MINUTES OF STATE REVIEW MEETING HELD WITH GOVERNMENT OF WEST BENGAL ON 16<sup>th</sup> OCTOBER, 2017 AT HOTEL TAJ BENGAL, KOLKATA.

1. As a part of its mandate the National Commission for Scheduled Castes (NCSC) headed by Prof. Ram Shankar Katheria, Chairman reviewed performance of West Bengal (W.B.) State regarding welfare of Scheduled Castes, prevention of Atrocities on Scheduled Castes on 16.10.2017 in Kolkata. Before review, a detailed questionnaire was sent to Govt. of W.B. and the review was held based on replies received on questionnaire. Review meeting was attended by Shri L. Murugan, Hon'ble Vice Chairman, Dr. Yogendra Paswan, Hon'ble Member, Shri K. Ramulu, Hon'ble Member, Dr.(Mrs. Swaraj Vidwaan, Hon'ble Member, Shri Arun Jha, Secretary, Shri Kaushal Kumar, Director, NCSC Hqrs. and Shri Sanjay Kr. Singh, Director, NCSC, Kolkata (Additional Charge) along with officials from the NCSC State Office, Kolkata. From the State Government side, meeting was attended by Shri Moley Kr. Dey, Chief Secretary, Shri S.K.Thade, Principal Secretary, Backward Classes Welfare Department and Principal Secretaries, Secretaries, Joint Secretaries, Directors of major departments of State Government. (List of Attendance at Annexure I).

2. Initiating discussion, Chairman, NCSC thanked participating Secretaries & Commissioners for organizing the meeting and explained purpose of visit and areas Commission would be looking into. He further elaborated that present meeting should not be construed as fault finding exercise but suggesting means and ways to improve upon programmes meant for welfare of SCs.

3. The Review meeting started with the power point presentation by the Principal Secretary to the Government of West Bengal, Backward Classes Welfare Department on the reply to the questionnaire prepared by the Government of West Bengal point by point.

3.1 The Chairman, NCSC in his opening remarks dwelt upon the various schemes implemented by the Government of India and Government of West Bengal for the welfare of the Scheduled Castes. The Chairman, NCSC asked the State Government Officers about the implementation of the Developmental Schemes and about

whether when a rape/murder of a Scheduled Castes takes place, the FIR against the accused is registered and the victims are getting justice and compensation.

3.2 Secretary, NCSC in his opening remarks stated that this is a major field of the Commission as the fundamental issues is the implementation of the various development schemes meant for Scheduled Castes and implementation of the POA Act on which the Commission had sent a questionnaire to the Government of West Bengal and an elaborate reply received from the State Government.

3.3 The Power Point Presentation of the Questionnaire and the reply to the questionnaire started with the Principal Secretary to the Government of West Bengal, Backward Classes Welfare Department explaining in detail about the performance of the West Bengal Government on the various welfare schemes implemented in the State. The Principal Secretary stated that there are 23 Districts in the State. He stated that 22% of the posts in Governments sectors are reserved for the Scheduled Castes. This is in proportion to the population of the Scheduled Castes which is 22% as per the latest Census of the Government of India. The Government of West Bengal has also kept the qualifying marks 25% lower than for the general candidates.

3.4 The Chairman NCSC asked the Principal Secretary about the shortfall of 2.27% in the Graduate Level enrolment in the Colleges. Hon'ble Commission also expressed their concern about increasing dropout rate in the State at Secondary level in particular. It has been said that as per report, the Boys dropout rates have increased from 17.77% in 2011-12 to 32.71% in 2015-16 and similarly Girls dropout rate increased from 17.78% in 2011-12 to 36.61% in 2015-16 which is alarming.

3.5 With regards to PHCs, the Vice Chairman, NCSC asked how many Primary Health Centers are there in areas having 50% Scheduled Castes populated areas.

3.6 Then on the implementation of Mahatma Gandhi National Rural Employment Guarantee Scheme and issue of job cards to the SC people, the Chairman wanted to know from the State Government who keeps the JOB CARD under the MENREGA Scheme. The State Officers said they are not aware of such system and then the Chairman explained that in some other States, the Village Pradhan use to keeps the

JOB CARDS and submit fictitious bills thereby lot of malpractices are followed in implementation of schemes. Chairman desired to know whether this same system is followed in West Bengal too. The Principal Secretary replied that they are hearing this for the first time.

3.7 The Principal Secretary, BCW Department said that under the MENREGA Scheme, 26.53% of the beneficiaries are from Scheduled Castes. This is more than the 22% prescribed for the Scheduled Castes as per the Reservation percentage on the basis of the population of the Scheduled Castes.

3.8 On the issue of free Surplus Land Distribution Scheme, the Hon'ble Chairman wanted to know how many of SCs having actual access to the distributed land under the scheme. Principal Secretary, BCW however, said that the distributed lands are exclusively in possession of SC allottees.

3.9 Discussing the issue related to Skill Development, the Principal Secretary, BCW Department said that under the scheme 400 Scheduled Castes Girls were given assistance for starting Beauty Parlour, Book Binding, Ornamental Fishery business etc. after giving training.

3.10 On the issues of Reservation in Services, the Pr. Secretary said that 22% reservation is given for Scheduled Castes in State Services. This is as per the population of Scheduled Castes which is 22% as per the 2011 Census. 50 Percent Roster is maintained for promotion and 100 point Roster is maintained for Direct Recruitment. The State Government conducted Special Recruitment Drive for Scheduled Castes/ Scheduled Tribes & OBCs for the backlog vacancies and through Special Recruitment Drive, the Percentage has gone upto 18% which is still 4 percentage short of 22%. The special Recruitment Drive was done in two phases in the last 3 years and the same would continue till the State percentage of SC population is achieved.

3.11 The Chairman raised the issue about the candidates recruited on contract basis and asked whether the State Government has got any data on the recruitment done or outsourcing done on Contract basis as the opportunities in the Government Sector job is very few and because of the downsizing, the number of vacancies are

very low. The Honourable Chairman asked whether the State Government follows any reservation policy on recruitment of candidates on contract basis. The Secretary, NCSC also explained in detail about the lack of job opportunities in Government. The Secretary, NCSC said that the employment opportunities in Government Sector are fast dwindling and so recruitment is not taking place in the Government Sectors. However Government is taking more persons on labour contract and the number of SC people also inducted by the Government. It is however, no body's knowledge about what happens to reservation as the same is not followed during recruitment of persons on contract basis.

3.12 Then the issue of Reservation in Educational Institutions was taken up. The Chairman, NCSC raised the issue of those Scheduled Castes Candidates who opt for reserved quota even after getting high marks and becomes eligible on merit should be discouraged to occupy SC quota seats which ruins the chances of those SCs who score lesser marks and forfeit chance of getting admission due to occupancy by meritorious SC students.

3.13 The Principal Secretary, BCW Department said that the State Government is giving educational loans under its own programme to the SC Students. The total application received was 225 and out of which 150 were given educational loans.

3.14 The Chairman asked the Municipal Corporation authorities whether any death occurred due to sewage related accidents. Chairman also cited the example of Gurgaon, Haryana State where 10 people reportedly died recently. The Officer representing the Kolkata Municipal Authority said 8 people died in sewage related incidents in Kolkata too.

3.15 When the Implementation of the SC & ST POA Act was taken up, the Chairman raised the question whether all murders of SCs are booked under the Act. The Secretary of the concerned department replied that POA Act is applied only in cases where an SC is murdered on the basis of Caste. Then the Chairman raised the issue of 3 murders which took place in Juranpur under Kaliganj P.S. of Nadia District in West Bengal where Scheduled Castes have been murdered by non-SCs yet the State Government has not slapped SC / ST (POA) Act in the FIR filed on the above

murder. The Chairman asked reason for not including the said murder incidence in atrocity data provided by the State. The Chairman questioned authenticity of the atrocity data and Chairman asked the State Officers to add the provisions of SC/ST (POA) Act and send a report to the Commission immediately on the said murder occurred in Kaligunj, Nadia. He had also asked the NCSC State Office officials to visit the spot and report the matter to him.

3.16 Discussing the issue of sensitization of police / PP, the Pr. Secretary, BCW said that sensitization programme has conducted as 700 officers of the department have given training on sensitization of the POA Act and Rules there on.

3.17 On the query of the Chairman on the holding of the meeting of the State Level Vigilance and Monitoring Committee Meeting, the Principal Secretary, BCW Department stated that the Meeting under the Chairmanship of the CM is held twice in a year i.e. in January and July. The Secretary, Judicial Department also said to have made part of State Level Vigilance Monitoring Committee Meetings as Special Invitee.

3.18 The Member Shri Yogendra Paswan said that 97% cases is a serious issue and the low rate of conviction is also a serious issue.

#### 4. Actionable Points

##### 4.1. On Socio-economic Development:

4.1.1 The State may provide details of SC specific schemes and shall ensure specific programmes under SCSP budget head for sole development of SC community.

4.1.2 The State ought to take special step to arrest dropout rate particularly at middle level including non-filling up seats at Graduate & Post Graduate levels.

4.1.3. Reservation in educational institutions both in higher education and technical education shall be maintained strictly and shortfall as detected in admission in medical courses including polytechnics, may be sorted out

4.1.4 The State should also ensure that the job cards under MENREGA schemes are not in hand of unscrupulous men for their misuse.

4.1.5 The State also requires taking special initiative in health sectors and shall ensure availability of primary health care system in areas dominated by Scheduled Castes.

4.1.6 With launching of the "Start up" / "Do Your Business" / "Make India" sort of programmes, the Govt. ought to give emphasize on the same. Any issues with Banks regarding refusal or non-sanctioning of loans etc. if comes up, the same may be taken up at the apex level and the Commission may also be informed about such cases.

#### 4.2 On Atrocity:

4.2.1 The State has failed to provide right figure regarding atrocity cases on Scheduled Castes. The same may be consolidated by the Home Department and send across to the NCSC hqrs/ State Office.

4.2.2 The State has recorded the higher percentage in the matter of pendency of atrocity cases in various courts. The State ought to take a view on the matter.

4.2.3 As the percentage of conviction is equally low, the State should take special measures to sensitize both police and public prosecutors through trainings / discussions.

#### 4.3. On Service Safeguard:

4.3.1. NCSC observed that there is no reservation is maintained in outsourcing job although a vast number of such employments occur in Government establishment. It is stressed for maintaining of reservation in outsourcing jobs too.

4.3.2. Backlog vacancies in Groups A, B, C and D (sweepers) still existing. Efforts may be made to bring the same at par of State population at least.

5. Conclusion:

Chairman, NCSC in his concluding remarks thanked Principal Secretary, Backward Class Welfare Department and other senior officers for taking initiatives to address problems of Scheduled Castes and hoped that the State of West Bengal will lead the country in social justice system and would be a role model for other States.

The meeting ended with Vote of Thank delivered by Shri S.K.Thade, Principal Secretary, Backward Class Welfare Department, Govt. of West Bengal.

