

MINUTES OF THE SEVENTH MEETING OF NATIONAL COMMISSION FOR SCHEDULED CASTES HELD ON 21.06.2016 AT 12.30 PM.

Seventh Meeting of the National Commission for Scheduled Castes (NCSC) was held on 21.06.2016 under the Chairmanship of Dr. P. L. Punia, Hon'ble Chairman, NCSC. List of participants is at **Annexure I**. The following Agenda items were taken up for discussion.

Agenda Item No. 1: Confirmation of minutes of the Emergency meeting of the Commission held on 02.11.2015.

Decision Taken: Minutes of the Emergency meeting of the Commission were approved unanimously.

Agenda Item No.2: Action Taken Notes on the minutes of the Emergency meeting of the Commission.

Decision Taken: Action Taken on decisions of the Emergency meeting held on 02.11.2016 was noted and approved. It was directed that decision taken during the last meeting regarding engagement of DEOs on contract should be implemented. Further regarding review of Jail, it was decided that letters to Chief Minister of Punjab, Haryana may be issued immediately as per decision taken in the last meeting. **(Action: Admn. & ESDW)**

Agenda Item No. 3: Approval and confirmation of the Minutes of the meeting of the Commission with Director/Incharge of State Offices held on 11.01.2016 & current status.

Decision Taken: Minutes of the meeting with the Commission with Director/Incharge of State Offices held on 11.09.2016 were approved.

Agenda Item No. 4: Confirmation of the approval by circulation on the Commission's comments on proposal received from the Ministry of SJ&E regarding Inclusion of Sualgiri/Swalgiri as Synonym of Sabakhia (at Sl.No.79) in the SC list of Odisha.

Decision Taken: Approved.

Agenda Item No.5: Confirmation of the approval by circulation on the comments on proposal received from the M/S SJ&E regarding Amendment to the list of Authorities empowered to issue caste/community certificates.

Decision Taken: Approved.

Agenda Item No. 6: Confirmation of the approval by circulation on the Commission's comments on proposal received from Ministry of SJ&E regarding quantum of reservation for SCs/STs and OBCs in the case of direct recruitment of Group C & D posts attracting candidates from a locality or a region- Recruitment of Constables in Indo-Tibetan Border Police.

Decision Taken: Approved.

Agenda Item No. 7: Approval of the draft Annual Report 2015-16

Decision Taken: Draft Annual Report 2015-16 was approved with the direction that the following recommendations/observations be added:

Observations of NCSC:

- (a) Emerging trends in SCs boycott;
- (b) Caste prejudice in Mid-day meal.

Recommendations:

- (a) Abundant precaution in issuing Caste Certificates. Hon'ble Member (RP) has pointed out that there is a guideline made by Hon'ble Supreme Court in this regard which should be properly adhered to.
- (b) In the recommendation on Manual Scavengers, "the fact that they may be taken on as Safai Karamcharies in Municipal Corporations & efforts must be made to train them for other jobs" is to be added.
- (c) The effort to diversify occupation for SC may be explored and till then they should not be removed from the traditional/conventional jobs they have been done. May be included in the recommendations.
- (d) The draft recommendations on Jail & Hostel visits were also approved.

Date of formation of the Commission in Chapters 2 & 3 to be checked & corrected.

The Chairman was authorized to approve the finalized version for submission. The work done by JS & team including Director, NCSC State Office Chandigarh for preparation of Annual Report 2015-16 was appreciated.

It was further desired that an interim report 2016-17 may also be prepared & put up by the end of September, 2016 with a concept note on "there should be no Creamy layer for SCs". **(Action: C.Cell & Admn.)**

Agenda Item No. 8: Bringing the Letter No.17016/18/2015-SCD-VI (1) dated 13th January, 2016 of Ministry of Social Justice & Empowerment to

notice of Commission which stated that the Secretary, NCSC has been bypassed and the ROP to be amended accordingly.

Decision Taken: Commission was apprised of the letter of MSJE alongwith factual guidance in respect of all the files which were required to be routed through Secretary. From the fact provided to the Commission. It was found that there was no violation of rules in this regard. Hence, the Commission observed that no further action is necessary on this issue.

Agenda Item No. 9: Approval and confirmation of the Minutes of the Review Meetings by NCSC from April, 2015 to March, 2016 of 8 States/UTs viz. Assam, Tamil Nadu, Uttar Pradesh, Maharashtra, NCT of Delhi, Karnataka, Tripura and Jharkhand alongwith current status.

Decision Taken: Approved. Reminder may be issued and persued with the State Government for Action Taken Report. **(Action: C.Cell)**

Agenda Item No. 10: Confirmation and Approval of the Minutes of the Review Meetings between April, 2015 to March, 201`6 of CPSU's and CPSB's alongwith current status.

Decision Taken: Confirmed & approved. It was directed that complete Action Taken Report may be obtained from all CPSUs and implementation of recommendation may be ensured. Secretary, NCSC has expressed that he had already initiated action on this and whenever, necessary CPSUs people may be called for submission of ATRs. **(Action: SSW)**

Agenda Item No. 11: Policy Matters, Decision, Cabinet Note where advice was rendered.

Decision Taken: Commission was apprised and approved.

Agenda Item No.12: Evaluation Studies for NCSC Manpower by NPC.

Decision Taken: Approved. However, Secretary, NCSC has suggested that this study can also be done through SIU of Deptt. of Expenditure alternatively. **(Action:Admn.)**

Agenda Item No. 13: Revision of Hand Book

Decision Taken: Commission approved re-arrangement in a logical manner of Hand Book in view of the recent amendment in POA Act & POA Rules. The Chairman was authorized to approve final version before printing. **(Action: C.Cell)**

Agenda Item No. 14: Any other item with the permission of the chair.

(i) A large number of issues are pending with Ministry of Social Justice & Empowerment viz issue of NOC, appointment of Consultant, appointment of Co-terminus staff of Member (IS) etc.

Decision Taken: Secretary, NCSC may take up the issue with Secretary, MSJE. **(Action: Admn.)**

(ii) Hon'ble Chairman apprised the Commission that at present, JS is CVO of the Commission, the proposal for which was moved by the then Secretary, NCSC. As per ROP Secretary is the CVO, however JS may continue because it has CVC's approval and fresh proposal as per ROP may be put up on file subsequently. **(Action: Admn.)**

(iii) Hon'ble Chairman apprised the Commission that the NCSC has always had acute staff shortage in both the Hqrs. and the State Offices, which had adversely been affecting our functioning. Moreover we do not have State Offices in many of the large states, and State Offices like Hyderabad, Chandigarh, etc. cover many states leading to low presence of NCSC there.

To overcome this, we had appointed some Coordinators for SCs and OBCs to work in an honorary capacity, as a bridge between the poor illiterate among the SC/OBC community and assist them as well as help NCSC in its work. The intention behind these coordinators was to guide, assist and educate the poor/illiterate and downtrodden SCs/OBCs to know and gain their rights and safeguards. This was under the provisions of Rule 7.3, 7.4 and 7.5 of the Rules of Procedure of the Commission.

The selection of coordinators had been made on the basis of recommendations received from the Members of the Commission/public representatives like MPs/MLAs and after scrutinizing their social work for the welfare of SCs/OBCs. The appointment of coordinators was on voluntary basis, without any financial payment like pay, allowances or TA/DA etc.

While their work was found useful, two complaints about unauthorized use of letter heads, logo etc. were received in the Commission. The authorities concerned were sent letters to take action in those cases as per rules and it was also decided to cancel the appointments of all coordinators. Accordingly the same was informed to these coordinators vide letters F.No.1/1/NCSC/2014-Admn. dated 14.09.2015 of the

Commission with copies to Principal Secretary, Social Welfare of the concerned State Government and the State Offices of the NCSC.

A reminder was also issued on 22.02.2016. It was desired that a further reminder may be issued.

Decision Taken: It was desired that a third reminder intimating the State Governments that coordinators have been terminated may be issued. **(Action: Admn.)**

(iv) Hon'ble Member (PMK) apprised the Commission that a Study Report on Police Atrocities on the Kuruvan Community, Tamil Nadu has been prepared, with help of an NGO (NCDHR), Hon'ble Member (PMK) and State Office Chennai. The body of the report is being given final touches. Kuruvan is an SC community in Tamil Nadu, clarified as a criminal tribe as per the now repealed Criminal Tribes Act. The members of the community face harassment/arrests/torture from Police due to the mind set/age old beliefs. Their cases in NCSC State Office Chennai & their plight led to this report. The draft recommendations of NCSC in the Report were put up for approval.

Decision Taken: The same were approved with following amendments; (i) To add that this issue should be monitored in State Level Vigilance Monitoring Committee as suggested by Hon'ble Member (RP); (ii) remove the recommendation of grant of ST status. The Chairman was authorized to approve finalized report. **(Action: C.Cell)**

(v) A study may be done with regard to providing reservation to SC communities in Private Sector. **(Action: Director (SSW))**

(vi) Hon'ble Member (IS) raised the issue of having a similar Act as that of Minorities Education Institute Act for SCs.

Decision Taken: Chairman directed that the same may be examined and put up separately. **(Action: ESDW)**

The meeting ended with thanks to the Chair.

LIST OF PARTICIPANTS IN THE 7th MEETING OF THE NATIONAL COMMISSION FOR SCHEDULED CASTES HELD AT 12.30 PM ON 21.06.2016 IN THE CONFERENCE ROOM OF THE NCSC.

PRESENCE OF MEMBERS AND OFFICERS

Members of the Commission:

1. Dr. P.L. Punia, Chairman
2. Shri Raju Parmar, Member
3. Shri Ishwar Singh, Member
4. Smt. P.M. Kamamma, Member

Officers of the Commission

1. Shri Arun Jha, Secretary
2. Dr. (Smt.) Smita S. Chaudhri, Joint Secretary
3. Shri Kanhaiya Lal, Director (SSW)
4. Shri Ajit Kumar Sahu, Deputy Secretary (Admn. & C.Cell)
5. Shri Jagjit Singh, Addl. PS to Chairman
6. Shri S.K. Dubey, Under Secretary (Admn. & C.Cell)
7. Shri A.P. Singh, Under Secretary (ESDW)
8. Shri Kaushal Kumar, Deputy Director (SSW-II)
9. Shri Austin Jose T., Section Officer (Admn. & C.Cell)