

**Minutes of the State level Review Meeting of the State of Maharashtra conducted by the National Commission for Scheduled Castes with the Chief Secretary, DGP and other senior officers on 11-12 June, 2015.**

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A list of the participants is enclosed.

On 11.6.2015, the Commission held discussion with the public representative and the representatives of Associations. They provided valuable feed back to the Commission on the problems the persons belonging to SC Community have been facing. Details of the issues raised during these meetings are enclosed at Annexure 1 and Annexure 2.

On 12.6.2015 The Commission led by Shri P.L. Punia, Hon'ble Chairman held detailed discussion with Chief Secretary, Director General of Police and other Senior Officers of the State Government. The proceedings of the meeting were initiated with welcome address by the Chief Secretary. Shri P.L. Punia, in his opening remarks thanked the State Government for arranging the Review Meeting. He pointed out that last state review of Maharashtra was done by the Commission in February, 2012. He stated that the Commission is mandated under Article 338 to investigate and monitor the implementation of constitutional safeguards in the Central and State Governments. Purpose of the meeting is not fault finding the in the working of the State Governments but the share the good practices being followed in the other States for better results. He appreciated the State Government for some very good initiatives like education, hostels and residential schools etc.

After the brief interaction the following issues were discussed in detail in the meeting:

**General:**

1. The Commission noted that literacy rate of SCs which is 79.7 is very good as it is almost 13% more than the national percentage of literacy of the SCs. Male literacy rate which is 87.2% in the State is 12% above the national literacy rate of 75.2%. Similarly the Female literacy rate of 71.9% is about 15% above the national literacy rate of 56.5%.

2. The Commission also noted a very encouraging initiative of the State Government that it runs 381 Government Hostels with the capacity of 39500 with free lodging and boarding and other facilities. In addition maintenance allowance of Rs. 500 to Rs. 800 is being paid. During 2013-14, the Government has spent Rs. 227.57 crore with 39000 beneficiaries.
3. Another good initiative of the Government is running of 2388 Aided Hostels with the capacity of 99252. Free lodging and boarding is provided alongwith grant-in-aid of Rs. 900 per months. These hostels are run at full capacity.
4. Government has also started 79 Residential Schools out of the 100 sanctioned with 11200 students from 6<sup>th</sup> to 10 classes at the expenditure of Rs. 70.72 crores.
5. Under the Maharashtra State Public Services (Reservation for SCs and STs, De-Notified Tribes (Vimukta Jatis), Nomadic Tribes, Special Backward categories, Act, 2001) the State Government has enforcing provision for implementation of reservation and punishment for intended contravention of the reservation policy.

**Development Issues:**

6. In spite of the fact the State Government is running some good schemes for the benefit of SCs and literacy rate being also above the national level, 840036 families out of 4502385 BPL families belong to SCs, constituting about 18.65% against the SC population of 11.8% in the State. State Government was advised to look into this issue and see if the benefits of the schemes run for the SCs have actually raised their standard of living in terms of poverty, health and human index etc. A report on the review may be provided to the Commission.
7. While analysing the status of flow of SCA to SCP, the Commission noted that Rs. 415.5 crore, Rs. 3182.33 crore and Rs. 2886.33 crore has remained un-utilized during the 2011-12, 2012-13 and 2013-14 respectively. Status Report in this regard, indicating reasons for non-spending of funds may be provided to the Commission.
8. SCSP allocation during the three years 2011-12, 2012-13 and 2013-14 shows that allocation of funds is around 10% against the SC population

of 11.80% in the State. The SC population, as informed by the public representatives and Associations, is around 13% if Neo-Bodhs are also counted for in the SC population. Commission has desired to have detailed review of the issue and ATR sent to the Commission.

9. As per the analysis done by the Commission the percentage of expenditure on SC specific schemes to the total State Plan during 2011-12 to 2013-14 is as low as about 7%. The State Government was asked to review the position of each scheme funded under SCSP to see that funds are utilised on the schemes extending direct benefit to the SCs.
10. The Commission reviewed the dropout rate of general vis a vis SCs students at primary, Middle and Secondary level during 2011-12 to 2013-14 and noted that Drop Rate of SCs is almost 10% higher than the General Candidates. State Government was advised to look into this issue for reducing the dropout rate of SCs.
11. While reviewing the GOI Freeship and Scholarship details provided by the State Government the Commission took a serious note of the fact that from 2011-12 to 2014-15 the State Government had received 19,70,806 applications out of which scholarship was sanctioned to 17,78,401 applicants and remaining 1,92,765 applications were pending/rejected due to various reasons like (i) the Principals of concerned colleges did not forward the application in the given time, (ii) the students did not give the required documents like caste certificate, caste validity and Income certificate of family etc. In the specific time frame and (iii) Bank details were not provided properly by students well as college. Commission recommended that application for scholarship should not be rejected on such flimsy/technical grounds. Further, the number of applicants should not be restricted and sufficient amount should be kept for this head of account.

**Atrocity:**

12. The status of cases registered with the Police under different nature of atrocities on SCs under the SC and ST (PoA) Act, 1089 were reviewed and it was noted that there was sharp increase from 1094 in 2012 to

1650 in 2013 to 1744 in 2014. Increase from 2012 to 2014 works out to about 62%. The state Government is to find solutions for this.

13. A large pendency of 5644 cases at the end of 2014 is with the police for investigation. Pendency of cases before the Special Courts i.e. 7134 is also very heavy. Conviction rate of 7.04% is far below from the national conviction rate of 23.80%.

14. Another alarming factor noted by the Commission was that during the years 2012, 2013 and 2014, 102, 108 and 95 cases respectively have been registered under Section 153(3) of the Cr. P.C. This shows the insensitivity of the Police towards handling of the cases of atrocity on SCs.

15. Meetings of the State Level Vigilance and Monitoring Committee are not held regularly as the last meeting was held on 11.3.2015 after a gap of more than four years against the prescribed duration of bi-annually. Details of the meeting so the District level Committees have not been provided.

15A. the status of recent cases of Atrocity committed in Ahemdnagar, Pune and Usmanabad were also discussed (Annexure 3). State Government will provide the ATR in these cases to the Commission.

The State Government was asked to look into the above issues and take corrective measures to improve performance in handling Atrocity cases and send a report to the Commission.

### **Manual Scavenging:**

16. As per the information the State Government had conducted 16,81,877 house to house visits through enumerators and identified **no** manual scavengers. 1582867 visits made to the households having insanitary latrines the government could identified on **Three** Manual Scavengers. On questioning the authenticity of these surveys the State Government has accepted that the results does not look factual and promised that fresh surveys through NGOs will be ordered and results

will be informed to the Commission. The status of implementation of the provisions of the MS Act should also be intimated to the Commission.

### **Service Safeguards:**

17. The Service Association and the NGOs during this discussion with Commission had pointed out that there are about 70000 to 80000 backlog vacancies for which Government is not taking any action to fill up. However, the State Government did not agree to this figure. The DGP informed there are about 10000 vacancies in the police force as a whole and efforts are being made to fill up these posts. Action taken in this regard may be informed to the Commission.

18. Though the prescribed quota of reservation in services for SCs is 13% in direct recruitment and 19% in promotion but percentage of SC employees at Group A, B and C is well below the prescribed percentage. Even the percentage of Sweepers, which normally used to be around 100% SCs is only 9.47% which is surprising. State Government is advised to fill up the DR and Promotion quota of posts as per the rosters so that appropriate representation of SCs in services could be maintained. An Action Taken Report may be sent to the Commission in two months.

19. 10 cases of false caste certificate are pending at different stages. The State Government was advised to finalise these cases on priority as delay in investigation of these cases defeat the very purpose of punishing the accused.

### **Other Issues:**

1. For issuing Caste Certificate proof of being SC before 1950 is demanded while the state of Maharashtra was created in 1960. The State Government is to look into this issue.

2. Under the Right to Information Act 25% seats are reserved for weaker section of the society. The State Government should review as to

how many of these 25% belongs to the SCs and may consider fixing 15% reservation out of this 25% for Scheduled Castes.

3. Indicating Caste of the student in the School leaving certificate hampers the chances of the getting employment in the Private Sector. This aspect should be examined by the State Government for appropriate rectification.

The meeting ended with vote of thanks to the Chair.

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List of Participants in the State level Review Meeting of the State of Maharashtra held at Mumbai on 11-12 June, 2015.

National Commission for Scheduled Castes:

1. Shri P.L. Punia, Hon'ble Chairman
2. Shri Raj Kumar Verka, Hon'ble Vice Chairman
3. Shri Raju Parmar, Hon'ble Member
4. Smt. P.M. Kamlamma, Hon'ble Member
5. Dr. Vinod Aggarwal, Secretary
6. Shri Kanhaiya Lal, Director, Incharge Pune Office of NCSC
7. Shri M.R. Bali, Consultant, NCSC
8. Shri Jagjit Singh, Addl. Private Secretary to the Chairman
9. Shri Anil Kumar Singh, PA to the Vice Chairman.

State Government of Maharashtra.

The State Government was led by the Chief Secretary and the Director General of Police accompanied by senior officers from all Department of the State Government.