



सत्यमेव जयते

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अध्यक्ष
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CHAIRMAN

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GOVERNMENT OF INDIA
NATIONAL COMMISSION FOR SCHEDULED CASTES

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Dated

Respected Rashtrapatiiji,

I have the honour to present to you the First Annual Report of the National Commission for Scheduled Castes upon the working of safeguards during the year 2004-05 under the Constitution of India and other laws.

2. In this report for the year 2004-05 specific instances regarding the deprivation of rights and safeguards of the Scheduled Castes which were enquired into by the Commission have also been highlighted, besides the status of implementation of the Protection of Civil Right Act, 1955 and the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989.

3. The Atrocities on SCs have acquired new social dimension due to the reason that the rate of acquittal under the PCR Act, 1955 and POA Act, 1989 is very high and on the contrary the rate of conviction in these cases is very low and the number of cases pending in Courts relating to Atrocities on SCs is very high. Non payment of financial compensation and other relief material to the victims of these Atrocities even in cases which are booked under the Scheduled Castes and Scheduled Tribes (POA) Act, 1989, by the State Governments despite provisions in the Act, are common and this has very demoralizing effect on the SC communities. The amount of compensation should be provided to the victims according to the law

without any further delay to instill confidence of these poor SCs in the Law of the land.

4. In order to check the incidents of Atrocities on SCs, the Commission through its inter action with the victims of atrocities, Government Officials and NGOs, is of the view that the Police officials need to be further sensitized about the provisions/implementation of PCR Act, 1955 and POA Act, 1989 through their in-house training programme as well as special seminars, display of wider special provisions of these Acts in local languages to enhance awareness and information level of the Police officials and general public, specially the SC Communities strategy for such campaign need to be formulated by welfare agencies of the Central and States/UTs

5. There are specific guidelines for earmarking of prescribed percentage of funds from the Annual Plans of the Central Ministries and State Governments under the Special Component Plan, but it has been observed by the Commission during its interaction with the Central Ministries/State Governments/UT Administrations that the allocation of funds are not being made accordingly. Another cause of concern of the Commission, based on its field visits and review meetings with the States etc. is that, besides allocating inadequate funds for the development of SCs, the funds under SCP and SCA are either not fully utilized or diverted to other sectors and thereby these vulnerable groups are deprived from their allocated resources of development. Perhaps this is one of the major causes for not achieving the desired level of socio-economic development of the SCs and deepening feeling of deprivation among them

6. In order to ensure time bound socio-economic development of the SCs, funds out of the Plans of the Central and State Governments should be earmarked strictly in accordance with the guidelines of the Planning Commission and funds should not be allowed to lapse or diverted. In exceptional cases such a diversion

if it is unavoidable should be done in consultation with the National Commission for SCs/Planning Commission.

7. A time bound action plan should be prepared by the States to provide civic amenities like water, electricity, sanitation at par with other sections of the society to improve the economic conditions of SCs. The State Governments should prepare a "Scheduled Castes Human Development Index" on the basis of factors like literacy rate, infant mortality rate, incidence of atrocities and estimates of consumption expenditure of the SCs below poverty line to assess the gap in the socio-economic status of SCs vis-à-vis other sections.
8. Education facilities in SCs bastis up to Primary Schools and above are poor leading to higher drop out rates and this needs to be brought down at par with the schooling facilities for children of other communities. Ideally there should be no drop out among any section of the society and all agencies should work towards this goal. The quality of School Education should be improved so that educated SCs who are unemployable in any kind of economic activities are not produced.
9. A large number of I.T.Is, poly technics, vocational training institutes are there with inflexibility of curricula and lack of awareness about changing market needs/marketing facilities for their products leading to unemployment. The training curricula in the technical institutions should move from traditional trades like Carpentry, Blacksmith etc. to modern day requirement of services to provide them proper avenues for economic activity. Like wise the move for private sector contribution in education is welcome, but commercialization of education needs to be discouraged. While supplementing the Government efforts, private initiatives should be welcomed, it is its commercialization which should be totally regulated in the interest of education excellence.
10. Alarming number of cases are being reported to the NCSC that bogus Scheduled Castes/ Scheduled Tribe certificates have been issued to the ineligible

persons carelessly or deliberately without proper verification by the officials empowered to issue such Scheduled Castes/ and Scheduled Tribes certificates. This has resulted in some persons availing of the benefit meant for Scheduled Castes and Scheduled Tribes on false pretext. The NCSC is seized of the matter and appropriate action to curb this tendency is being taken and the issuing authorities are being advised to take suitable action. The State Governments/UTs are being advised to take strick measures to detect such cases of non Scheduled Castes holding bogus caste certificates. The Scheduled Caste candidates who are being deprived benefit under rules can be helped only if stringent action is taken by the Central & State Governments to check this menace.

11. The representation of SCs especially in Group 'A' and 'B' posts is inadequate. The Commission, therefore, recommends that reservation in promotions be extended at all levels in cases of promotion by selection.

12. To improve the representation of SCs in posts and services, there is a strong need to pass the Bill on reservation for SCs and STs in posts and services under the Government to bring uniformity in the implementation of the policy with punitive provisions.

13. It is, also recommended that the SC Members who participate in the Recruitment Boards/Committees may individually submit their observations to the Chairman of the Selection Committee and a copy of such report be endorsed to the National Commission for Scheduled Castes.

14. Keeping in view the need for prompt action on the atrocities committed on Scheduled Castes, the Commission has decided to install a toll free Telephone connection at its Hqrs. Loknaya Bhawan, New Delhi. Therefore, there is a need to provide the Commission adequate budgetary resources to fund a toll free connection in its annual budget.

15. I, Dr. Suraj Bhan, Chairman and Shri Fakir Bhai Vaghela Vice-Chairman of the Commission assumed the charge of office in the Commission on 24.2.2004 and were conferred the status of Union Cabinet Minister and Minister of State respectively after a period of two years i.e. on 14.9.2005 and the posts in their personnel sections have not been created despite a joint meeting of the Commission with the Secretary, Ministry of Social Justice and Empowerment, Ministry of Finance and Department of Personnel, but no posts has been created as per entitlement. The Secretariat of the Commission has never been functioning with full strength, Even after bifurcation of the erstwhile National Commission for Scheduled Castes and Scheduled Tribes into two saperate Commissions i.e. NCSC and NCST, the officers and staff vacancies were shared in the ratio of 2:1 for NCSC and NCST respectively. At present 40 posts are lying vacant against the sanctioned posts as per list attached as (Annexures-1 to IV), including that of DIG police a Law Officer etc. The Commission has also decided to open three State Offices in the State Capitals of Rajasthan, Orissa and Madhya Pradesh having SC population of 17.2%, 16.5% and 15.2% respectively. I had a meeting with the Secretary, M/o Social Justice and Empowerment and Additional Secretary, M/o Finance, Department of Expenditure M/o Personnel and Public Grievances, Department of Personnel on 1st March, 2006 but I was not satisfied with their response. Therefore I am approaching your Honour to intervene in the matter forthwith

With regards,

Yours sincerely,


(DR. SURAJ BHAN)

DR. A.P.J. ABDUL KALAM,
PRESIDENT OF INDIA
NEW DELHI