NO. 6/3/NCSC/2015-C.Cell

सत्यमेव जयते

Government of India
National Commission for Scheduled Castes

Floor Vth, Loknayak Bhawan,
Khan Market, New Delhi-110003

Dated the October 23, 2015

Sub: Emergency Meeting of the National Commission for Scheduled Castes.

Emergency Meeting of the National Commission for Scheduled Castes will be held **on 02.11.2015 at 12.30 PM** in the Conference Room of the NCSC.

2. You are requested to kindly make it convenient to attend the meeting of the Commission. Agenda notes will be circulated later on.

(S.K. Dubey)
Under Secretary to the Govt. of India

To,

1. Dr. P.L.Punia, Hon'ble Chairman
2. Dr. Raj Kumar Verka, Hon'ble Vice-Chairman
3. Shri Raju Parmar, Hon'ble Member
4. Shri Ishwar Singh, Hon'ble Member
5. Smt. P.M. Kamalamma, Hon'ble Member
6. Dr. Vinod Aggarwal, Secretary
7. Dr. Smita S. Chaudhri, Joint Secretary
8. Shri Kanhaiya Lal, Director (SSW)
9. Shri G.K. Baurai, Deputy Secretary (Admn. & C.Cell)
10. Shri M.R. Bali, Consultant (ESDW & APCR)
11. Shri S.K. Dubey, Under Secretary (Admn. & C.Cell)
12. Shri Kaushal Kumar, Deputy Director (SSW-II)

Copy for information to: SO(G/A)

(S.K. Dubey)
Under Secretary to the Govt. of India

AGENDA ITEMS AND NOTES OF THE EMERGENCY MEETING OF NATIONAL COMMISSION FOR SCHEDULED CASTES TO BE HELD ON 02.11.2015 AT 12.30 PM.

Agenda Items	**Subject**	**Page No**
Agenda Item No.1:	Confirmation of the minutes of the Sixth meet the Commission held on 21.07.2015.	
Agenda Item No.2:	Action taken on the minutes of the Sixth meet the Commission held on 21.07.2015.	
Agenda Item No.3:	Approval of the draft Annual Report 20 (Already circulated)	
Agenda Item No.4:	Correction carried out in Item No. 4 of the 3rd m held on 4.8.2014 regarding inclusion of Peruv as synonum of Mannan, Pathiyan, Peruma Vannan, Vela (Sl.No. 37) in the list of Sche Castes in the list of Kerala.	
Agenda Item No.5:	Any other item with the permission of the c	

AGENDA ITEMS OF THE EMERGENCY MEETING OF NATIONAL COMMISSION FOR SCHEDULED CASTES TO BE HELD ON 02.11.2015 at 12.30 PM.

Agenda Item No. 1:	Confirmation of minutes of 6th meeting of the Comm held on 21.07.2015.

Action Taken: The Minutes of the 6th Meeting of the National Commission for Scheduled Castes held on 21.07.2015 copy enclosed at **(Annexure-I)** were circulated on 29.07.2015. No objections were received from Hon'ble Members / Vice-Chairman / Chairman's office.

Agenda Item No.2:	Action taken on the minutes of the 6th meeting o Commission held on 21.07.2015.

Sixth Meeting of National Commission for Scheduled Castes (NCSC) was held on 21.07.2015. Decisions and Action Taken thereon are as follow:-

Agenda Item No. 1: Confirmation of minutes of the Sixth meeting of the Commission held on 21.07.2015.

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

Agenda Item No.2: Action Taken Notes on the minutes of the 6th meeting of the Commission.

Sixth Meeting of National Commission for Scheduled Castes (NCSC) was held on 21.07.2015. Decisions and Action Taken thereon are as follows:-

Agenda Item No. 3: Restriction on forwarding the application of officials of NCSC of all cadres (State Office and Hqrs.) for deputation in ex-cadre post for time being.

Decision Taken: In view of the acute shortage of staff in NCSC, the Commission approved the proposal. **(Action: Admn.)**

Action Taken: No application of staff of NCSC has been forwarded for deputation post since the decision of the Commission.

Agenda Item No.4: Submission for advise/further direction of the Hon'ble Commission on the judgment in Writ Petition (Civil) Nos. 3818 of 2015 & 2855 of 2015 filed by the A.P. Transco Limited against NCSC for quashing of the Order dated 5.11.2014 of the Commission.

Decision Taken: Noted. The Commission asked to take the advice of Ministry of Law & Justice regarding explore the possibility of engagement of a panel of lawyers in order to ensure effective defence on behalf of the Commission. **(Action: SSW)**

Action Taken: Letter issued to the Ministry of Law and Justice vide letter No. 36/Court Case-8/2014/SSW-I dated 21.9.2015 & to MSJ&E on 21.10.2015.

Agenda Item No. 5: Submission for the advise / further direction of the Hon'ble Commission on the order passed by the Hon'ble High Court of Delhi against the NCSC Writ Petition (Civil) No.3929/2014 & CM No. 7914/2014 in the matter of Council for Advancement of Peoples Action & Rural Technology (CAPART) Vs. NCSC before the Hon'ble High Court of Delhi.

Decision Taken: Same as against Agenda Item No.4. **(Action: SSW)**
Action Taken: Letter issued to the Ministry of Law and Justice vide letter No. 36/Court Case-8/2014/SSW-I dated 21.9.2015 & to MSJ&E on 21.10.2015.

Agenda Item No. 6: Seeking approval of the Hon'ble Commission for post facto approval on the proposal received from the Ministry of Social Justice & Empowerment regarding removal of area restriction in respect of Chain Community in the list of SC in West Bengal regarding.

Decision Taken: The Commission noted & approved. (Action: SSW)

Action Taken: Action has already been taken.

Agenda Item No.7: Proposal to send a project to Ministry of Information & Technology for execution under Digital India Project launched by the Govt. in three phased plan for e-hearings by NCSC.

Decision Taken: After lengthy deliberations the Commission approved the proposal. **(Action: C.Cell)**
Action Taken: Proposal of NCSC for digitization of NCSC Hqrs. and State Offices has been forwarded to Additional Secretary, Department of Information & Technology vide letter No. 17/10/NCSC/2015-C.Cell dated 14.10.2015. A d.o. letter from Chairman to Minister for Information Technology & Communication is also proposed.

Agenda Item No.8: Adoption of Vision & Mission Statement of NCSC.

Decision Taken: After discussion the Commission suggested some minor modifications in the Vision and Mission Statement and it was decided to resubmit the modified draft approval of Chairman. **(Action: C.Cell)**
Action Taken: The Vision & Mission statement has been approved & adopted. It will be displayed on side of both glass gates of the Commission.

Agenda Item No.9: Confirmation of minutes of the meeting organized by NCSC on Monitoring the implementation of Constitutional Safeguards for Scheduled Castes on 24.6.2015 at Vigyan Bhawan, New Delhi.

Decision Taken: The minutes of the meeting approved. The Commission decided to forward the minutes (in booklet form) to all concerned. **(Action: C.Cell)**

Action Taken: Minutes in a Booklet form has been forwarded to Hon'ble Minister, Social Justice & Empowerment, both MOS, SJ&E and 16 Chief Ministers of concerned States.

Agenda Item No.10: Status of Pendency/disposal of cases between 1.4.2014 to 31.3.2015 in the State Offices of NCSC and Hqrs.

Decision Taken: (i) After analysis of data the Commission decided that the Member should visit the State Offices to dispose of cases concerning their allotted States.

(ii) A plan may be chalked out for disposal of old cases in the next six months at Headquarter and State Offices and files after scrutiny may be submitted before the concerned Members for decision. For Atrocity cases- Members will conduct district wise/division wise reviews which will help in speedy action by authorities.

(iii) Cases once closed can be re-opened only with the prior approval of the Hon'ble Chairman on file. **(Action: SSW/APCR/ESDW)**

(iv) All efforts will be made for speedy disposal and as far as possible a maximum of 3 hearings to be conducted in cases.

Action Taken: As per information received --- cases reviewed & disposed by Hon'ble Chairman, Hon'ble Vice-Chairman and Hon'ble Members in State Offices are:

Lucknow (Hon'ble Chairman)	10
Ahmedabad (Hon'ble Member (RP)	691
Chennai (Hon'ble member (PMK)	720
Hyderabad (Hon'ble Member (RP)	786
Hqrs. (Hon'ble Chairman)	39
Total:	2246

As per details received regarding divisional reviews details of divisional reviews conducted after 21.7.2015 are:

Division/Zonal	Date of revi	Total case	No. of cases	
Hon'ble Chairman			Decided	Pending
Pune	26.8.2015	45	38	7
Ahmednagar	27.8.2015	11	7	4
Ghaziabad	28.8.2015	81	70	11
Nagpur	23.9.2015	27	22	5

Honõble Member (IS)		164	137	27
Hissar	18.9.2015	8	4	4
Fatehabad	20.8.2015	6	3	3
Sirsa	21.8.2015	6	2	4
Yamunanagar	7.8.2015	6	1	5
Sonipat	5.8.2015	13	2	11
Total:		39	12	27

Case by case review of 2010 & 2011 cases in Hqrs. is already underway.

Agenda Item No.11: Annual Reports/Special Reports/Committee Reports detailed as follows submitted by the National Commission for Scheduled Castes to His Excellency the President of India have been laid in both the House of the Parliament alongwith the Action Taken Report.

Decision Taken: Important recommendations with Action Taken Report and comments of the NCSC may be compiled and submitted to the Parliamentary Committee on SCs for consideration at their end. **(Action: Consultant)**
Action Taken: Are being compiled.

Agenda Item No.12: Consideration & approval of Commission on ñStudy Report on cases in NCSC on exploitation of SC workers in Brick Kiln Sectorò.

Decision Taken: After analysis the Report it was decided that the number of affected SC labourers in these cases can be mentioned. Some visits to Brick Kilns (in Bihar, Maharashtra & Madhya Pradesh). Suggestion of Hon'ble Member (RP) to include "district administration to ensure proper living conditions for the labourers" in the recommendation was agreed to. **(Action: ESDW)**
Action Taken: The Study on Labour Exploitation of Scheduled Castes population in the brick manufacturing sector effected SC workers has been revised after incorporating field visit reports from Bihar & Maharashtra, 10 more cases of Lucknow State Office have been incorporated.
Agenda Item No.13: Report on the Effective Utilization of Funds under the Scheduled Castes Sub Plan.
Decision Taken: It was decided to obtain inputs from 2-3 NOGs to make the report more comprehensive and exhaustive. The Report was approved by the Commission. **(Action: SSW/C.Cell)**
Action Taken: Data & input from some NGOs have also been called for some input from 1 NGO has been received & is being compiled.
Agenda Item No. 14: The Hon'ble Chairman observed that some officials of the Commission were late in reaching for the meeting which is not acceptable. He pointed out that all concerned should reach the meetings at appointed time.

Action Taken: This has been brought to the notice of the concerned officers for compliance.

No.6/3/NCSC/2015-C.Cell

Government of India
National Commission for Scheduled Castes

Floor Vth, Loknayak Bhawan,
Khan Market, New Delhi-110003

Dated 26th October, 2015

Subject: Circulation of Agenda Item No.3 for the emergency meeting of National Commission for Scheduled Castes scheduled to be held on 02.11.2015.

A copy of the Draft Annual Report 2014-15 (as mentioned as Agenda Item No.3 for the above meeting) of the National Commission for Scheduled Castes is enclosed herewith.

2. It is requested to kindly make it convenient to attend the meeting of the Commission.

(S.K. Dubey)
Under Secretary to the Govt. of India
Encl: As above.

To,

1. Dr. P.L.Punia, Hon'ble Chairman
2. Dr. Raj Kumar Verka, Hon'ble Vice-Chairman
3. Shri Raju Parmar, Hon'ble Member
4. Shri Ishwar Singh, Hon'ble Member
5. Smt. P.M. Kamalamma, Hon'ble Member
6. Dr. Vinod Aggarwal, Secretary
7. Dr. Smita S. Chaudhri, Joint Secretary

Sub: Reference from Ministry of Social Justice & Empowerment, (SCD-VI) regarding representation received from Shri M. Athikesavanm, National President, All India Dr. Ambedkar SC/ST Welfare Federation, Chennai on various issues.

FR is reference from Ministry received in the Commission on 21.10.2015 on the above subject vide which SCD-VI Section has requested for taking necessary action in the matter. In the enclosed representation

Agenda Item No.3:	Approval of the draft Annual Report 2014-15.

Already circulated vide letter No. 6/3/NCSC/2015-C.Cell dated 26.10.2015.

MINUTES OF THE EMERGENCY MEETING OF NATIONAL COMMISSION FOR SCHEDULED CASTES HELD ON 02.11.2015 AT 12.30 PM.

Emergency Meeting of the National Commission for Scheduled Castes (NCSC) was held on 02.11.2015 under the Chairmanship of Dr. P. L. Punia, Hon'ble Chairman, NCSC. List of participants is at **Annexure 1.** The following Agenda items were taken up for discussion.

Agenda Item No. 1: Confirmation of minutes of the Sixth meeting of the Commission held on 21.07.2015.

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

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

Decision Taken: Action Taken on decisions on the all items discussed in the Sixth meeting held on 21.07.2015 was noted and approved. Item No. 10 was specially discussed during the meeting held on 21.7.2015 discussed and following was outcome.

Hon'ble Members Shri Raju Parmar and Smt. P.M. Kamalamma confirmed that they had disposed cases as mentioned in ATR. However disposal at Hyderabad is by both Hon'ble Member (RP) & Hon'ble Member (PMK). Hon'ble Member (PMK) stated that she had disposed 225 cases in Bangalore also and that can be added.

"Chairman appreciated the disposal of cases undertaken by the Members and advised this tempo of disposal should be continued. Hon'ble Chairman, Vice-Chairman and Hon'ble Member (IS) will also take up cases in their respective States. More divisional review meetings like those held by Hon'ble Chairman & Hon'ble Member IS) should be held to expedite disposal of cases.

Agenda Item No.3:	Approval of the draft Annual Report 2014-15.

Decision Taken: Draft Annual Report was discussed. It was reported that minor corrections correct to language, spacing, graph type (for example in graphs 8.1, 8.2, 8.10 etc.) are being made.

In Chapter IX – Recommendations: 9.1.3 be deleted and points recommending, constitutional amendment for reservation in promotion, Bill on reservation in Services, All India Judicial Services consultation with NCSC on Planning, Legislation on SCSP on lines of Andhra Pradesh & Karnataka, National

Vigilance & Monitory Committee, expediting amendment to POA Act, Strengthening National Commission for Backward Classes may be added as per the revised draft put up on 2.11.2015. They will be placed in chapter wise recommendations also. The Annual Report with these amendments was approved & Hon'ble Chairman was authorized to approve final version. Necessary action for early translation & printing to be taken so that it may be submitted within this month. **(Action: Consultant/C.Cell/Genl. Admn.)**

Agenda Item No.4:	Reporting item regarding correction carried out in m held on 4.8.2014 regarding replacement of the ex entry ñMalayan (in the areas Comprising the M District) by Malayan (in the areas comprising Kozh Wayanad, Kannur and Kasaragod)ò in the list of Sche Castes of Kerala.

Decision Taken: The reporting item was accepted and approved. **(Action: C.Cell/SSW)**

Agenda Item No.5:	Any other item with the permission of the chair.

(i) Revised Report on Study of Cases in National Commission for Scheduled Castes on Exploitation of Scheduled Castes Labour in the Brick Kiln Sector: After deliberation on the revised report, the Commission authorized the Chairman to finalize the revised Report, which can then be submitted as a separate report & also sent to Governors of the concerned States.. (Action: Consultant / C.Cell)

(ii) Study Report on the Effective Utilization of Funds under the Scheduled Castes Sub Plan: Data & input from some NGOs have also been called for and input from 1 NGO has been received & is being compiled. (Action: Consultant/ESDW /C.Cell)

(iii) **Engagement of staff on contract –** The Commission discussed the acute shortage of staff in the Headquarters & the State Offices and decided that efforts should be made to fill up the posts. Hon'ble Member (PMK) proposed for more DEO's to be taken on outsourced basis in States Offices & Hqrs. as the work load is increased till regular posts are filled. The same was approved on need basis especially for Chennai, Ahmedabad, Lucknow & Hqrs. where there are large number of cases. The expenditure is to be kept within sanctioned funds in OE. **(Action: Admn./Genl.Admn.)**

(iv) **Review of Jail** - The Hon'ble Vice-Chairman & Shri Ishwar Singh, Hon'ble Member pointed out that the authorities in Punjab & Haryana are reluctant to allow the Commission to visit Jails though review of Jails were carried out in some other States. It was decided that Jail Review / Visits should be conducted after obtaining data in questionnaire, including data on ladies prisoners. In view of the specific problem regarding Jail visit/review being faced in Punjab & Haryana, it was decided that a letter may be sent to Chief Ministers of Punjab & Haryana regarding the fact that Commission has the mandate to review working of Jails may be sent. **(Action: Consultant)**

(v) **Reopening of cases:** Hon'ble Vice-Chairman brought up case of Mrs. Premwati regarding compassionate appointment of 2nd son in BHEL & it was discussed. Detailed recommendations in that were issued in the case by Hon'ble Member (M. Sivanna) & Hon'ble Member (RP) and Action Taken Report has also been submitted by BHEL as per the legal advice that Compassionate appointment to 2 sons of same person is not as per rules. The complainant is insisting NCSC reopen her case for appointment of her second son. It was decided that since recommendations have been issued & ATR also received, NCSC has no role to place & the case may remain closed. As a policy such cases where recommendations are issued & ATRs on recommendation are also received may not be reopened. **(Action: SSW)**

(vi) **Hon'ble Member (PMK) brought out issue of Capital city of AP:** New Capital of Andhra Pradesh is established at Amaravati & the Govt. of Andhra Pradesh is acquiring the land for the same. The compensation against the land acquisition should be given equal to the patta land holders and assigned land holders. Issue to be examined & letter to be sent from Secretary to the Chief Secretary for the same. **(Action: Consultant /ESDW)**

(vii) **Hon'ble Member (PMK) brought up:** The Andhra Pradesh High Court has given a judgment that offence having the punishment of seven years will be bailed from the Police Station but this may not be applicable for the cases registered under SC/ST POA Act. It was decided that issue will be examined & letter to be sent from Secretary to Chief Secretary of the State. **(Action: Consultant / APCR)**

The meeting ended with thanks to the Chair.

EMERGENCY MEETING (4th Commission) OF THE NATIONAL COMMISSION FOR SCHEDULED CASTES HELD AT 12.30 PM ON 02.11.2015 IN THE CONFERENCE ROOM OF NCSC.

PRESENCE OF MEMBERS AND OFFICERS

S.NO. NAME & DESIGNATION

Dr. P.L. Punia, Chairman
Dr. Raj Kumar Verka, Vice-Chairman
Shri Raju Parmar, Member
Shri Ishwar Singh, Member
5. Smt. P.M. Kamalamma, Member

Officers

1. Dr. Vinod Aggarwal, Secretary
2. Dr. (Smt.) Smita S. Chaudhri, Joint Secretary
3. Shri G.K. Baurai, Deputy Secretary (Admn. & C.Cell)
4. Shri Jagjit Singh, Addl. PS to Chairman
5. Shri M.R. Bali, Consultant (ESDW & APCR)
6. Shri S.K. Dubey, Under Secretary (Admn. & C.Cell)
7. Shri Kaushal Kumar, Deputy Director (SSW-II)

Ref. Notes on pre-page

Draft Annual Report was discussed in the Commission's meeting held on 02.11.2015. It was reported that minor corrections correct to language, spacing, graph type (for example in graphs 8.1, 8.2, 8.10 etc.) are being made. It was further decided that in Chapter IX – Recommendations, para 9.1.3 be deleted and points recommending, constitutional amendment for reservation in promotion, Bill on reservation in Services, All India Judicial Services consultation with NCSC on Planning, Legislation on SCSP on lines of Andhra Pradesh & Karnataka, National Vigilance & Monitory Committee, expediting amendment to POA Act, Strengthening National Commission for Backward Classes may be added as per the revised draft put up on 2.11.2015. They will be placed in chapter wise recommendations also. The Annual Report with these amendments was approved & Hon'ble Chairman was authorized to approve final version.

As decided above necessary amendments/modifications have been carried out and the corrected version of the report is submitted for approval of the Hon'ble Chairman.

No.6/3/NCSC/2015-C.Cell

Government of India

National Commission for Scheduled Castes

Floor Vth, Loknayak Bhawan,
Khan Market, New Delhi-110003

Dated the 4th January, 2016

Subject: Minutes of the Emergency Meeting of National Commission for Scheduled Castes held on 02.11.2015.

A copy of the approved minutes of the **Emergency Meeting** of the National Commission for Scheduled Castes held **on 02.11.2015** at **12.30 PM** is forwarded herewith for information and necessary action.

This issues with the approval of the Competent Authority.

(S.K. Dubey)
Under Secretary to the Govt. of India

To

1. Addl. PS to Hon'ble Chairman
2. PS to Hon'ble Vice-Chairman
3. PS to Hon'ble Member (RP)
4. PS to Hon'ble Member (IS)
5. PS to Hon'ble Member (PMK)
6. PPS to Secretary
7. PA to JS

Copy to the following concerned with the request to take action on the decisions taken in the meeting <u>within three days:-</u>

1. DS (Admn./C. Cell)
2. Director (SSW)
3. US (Admn.) & C.Cell
4. DD (SSW-II)RO(ESDW)6. RO(SSW-I), (SO (SSW-II) & SO(APCR)/RO(APCR)/7. All State Offices of NCSC

No.6/3/NCSC/2015-C.Cell

सत्यमेव जयते

Government of India

National Commission for Scheduled Castes
Floor Vth, Loknayak Bhawan,
Khan Market, New Delhi-110003

Dated the 17th February, 2016

CORRIGENDUM

Subject: Minutes of the Emergency Meeting of National Commission for Scheduled Castes held on 02.11.2015.

Reference is invited on the minutes of the Emergency Meeting of the National Commission for Scheduled Castes held on 2.11.2015 circulated vide note of even number dated 4.1.2016 and to include this decision *"It was decided that all the representations submitted by Shri Kaushal Kumar, Deputy Director regarding his promotion issue be sent to the Ministry of Social Justice and Empowerment other concerned organization for immediate necessary action at their end"* at Agenda Item No.5-Any other item with the permission of the Chair.

(S.K. Dubey)
Under Secretary to the Govt. of India

To

1. Addl. PS to Hon'ble Chairman
2. PS to Hon'ble Vice-Chairman
3. PS to Hon'ble Member (RP)
4. PS to Hon'ble Member (IS)
5. PS to Hon'ble Member (PMK)
6. PPS to Secretary
7. PA to JS

Copy for information and necessary action to DS (Admn.)

Ref. observation of the Secretary on pre-page

Raj Kumar Chhanena, Director State Office Chandigarh has been assigned the additional charge of the State Office Ahmedabad to discharge administrative functions and duties by the Hqrs. NCSC. The proposed visit to Ahmedabad State Office is intended for administrative purpose and for disposal of pending cases. In this connection submission of no tour report is perhaps required.

Submitted please.