

Annual Report 2016-17 (April to September 2016)



GOVERNMENT OF INDIA

NATIONAL COMMISSION FOR SCHEDULED CASTES
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पी. एल. पुनिया, सांसद
अध्यक्ष
P. L. Punia, M.P.
Chairman



भारत सरकार
राष्ट्रीय अनुसूचित जाति आयोग
Government of India
National Commission for Scheduled Castes

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No. 4/2/NCSC/2016.C.Cell

Respected Rashtrapati ji,

It is our great privilege to present to you the Annual Report of the National Commission for Scheduled Castes for the period April to September 2016. The major recommendations on important areas of jurisdiction of National Commission for Scheduled Castes have been highlighted in the Chapter VII of the Report.

One of our major recommendations continues to be on the steps needed to strengthen the NCSC in order that it is able to discharge its mandate more effectively and safeguard the interests of the Scheduled Castes. We solicit your valuable concurrence and endorsement on all the recommendations specially on those which are concerned with strengthening the NCSC.

This is for your kind information and valuable suggestions on the Report. I shall remain indebted if the Report is forwarded to the Government with direction to take further necessary action on the same.

With deep regards,

Yours sincerely,

Sd/-

(P.L. Punia)

Shri Pranab Mukherjee
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Overview of the activities of NCSC

During 2016-17 (upto September 2016) , Commission has:

- Reviewed and monitored the implementation of safeguards and development of Scheduled Castes in the states with the Chief Secretaries / DGPs and other officers of 16 State Governments.(**Paragraph 3.2**)
- Dealt with 38,669 individual cases¹ of deprivation of rights / other grievances and disposed off 8,757 cases. (**Paragraph 4.3.1**)
- Conducted 28 spot visits in atrocity cases. (**Paragraph 4.9**)
- Visited 4 SC Hostels in various States (**Paragraphs 4.10 & 4.11**)
- Rendered advice on 18 de-reservation proposals (**Paragraphs 4.11**)

Impact of direct intervention of the Commission in individual cases :

- A part of the mandate of the Commission is to look into individual grievances of atrocity and of deprivation of safeguards extended to Scheduled Castes in the socio economic development sector and in services.
- As a result of the direct intervention of the Commission in 122 cases of grievous atrocities and after 28 spot visits , 85 FIRs were registered , 98 arrests were made and 24 charge sheets were filed. Release of financial compensation of ₹ 2,97,91,400/- to families of victims / victims was also ensured.
- In 31 interesting service related cases, the intervention of the Commission resulted in 3 persons getting appointment in services, 2 persons being appointed on compassionate grounds, 7 persons receiving their long denied promotions, 2 retired persons receiving their pensions and other pensionary benefits, 2 persons were re-instated in services / suspensions were revoked , 1 person received upgraded payscale and 14 other harrasment matters were resolved . Other financial benefits of ₹ 2,11,192/- were also released.
- In 65 interesting individual cases in the economic and social sector where the Commission intervned directly ₹ 76,87,880/- as scholarship of past several years was released to 88 students , 5 students were granted admission earlier denied to them , 53 students received education loans, degrees, marksheets etc which had been withheld

¹ 22,501 cases carried forward from previous year and 17,025 cases received in 2015-16.

as well as financial help of ₹ 2,27,000/-, 8 persons received possession of their land along with compensation of ₹ 41,77,462/- , 06 persons received the benefit under SC schemes along with financial benefits , 6 dependents received financial grants of ₹ 18,75,000/- and 99 persons received compensation of ₹ 12,73,354/-. 2 persons benefitted by allotment of petrol pumps.

Some major Recommendations in this report are:

Strengthening the effectiveness of NCSC which include specific recommendations like:

- NCSC Recommendations should be binding (Paragraph 7.1.1)
- Independence of NCSC- in functioning and budget: (Paragraph 7.1.2)
- Increase of staff strength (Paragraph 7.1.3)
- Opening of new offices / up-gradation of existing offices (Paragraph 7.1.4)
- Initiation of appointing process for the new Commission(Paragraph 7.1.5)

Recommendations on Service Safeguards issues like:

- Recommendations on review of CPSUs / CPSBs
- Reservation in Promotion (Paragraph 7.3.2)
- Non implementation of 85th Amendment Act, 2001 by Government of Punjab (Paragraph 7.3.3)
- Recommendations on Service Safeguards issues (Paragraph 7.3.4)
- Representation of the SC and OBC officers(Paragraph 7.3.5)
- Recommendations on Problems of SC migrant labours (Paragraph 7.3.6)
- Reservation in Judiciary (Paragraph 7.3.7)
- Reservations in Educational Institutions (Paragraph 7.3.8)

Recommendations regarding Economic and Social Development issues like :

- Recommendations on implementation of Prohibition of Employment on Manual Scavengers & Rehabilitation Act, 2013 (Paragraph 7.4.1)
- Planning process of socio economic development(Paragraph 7.4.2)

- Recommendations on a Central Legislation on SCSP (Paragraph 7.4.3)
- Recommendation on Educational Development (Paragraph 7.4.4)
- Recommendations on Business Development(Paragraph 7.4.5)
- Other recommendations in economic and social development sector (Paragraph 7.4.6)

Specific recommendations regarding handling of Atrocity cases are :

- Implementation of the amended POA Act and Rules (Paragraph 7.5.1)
- Action on NCRB 2015 details(Paragraph 7.5.2)
- Registration of FIRs(Paragraph 7.5.3)
- Police investigation (Paragraph 7.5.4)
- Judicial proceedings(Paragraph 7.5.5)
- Compensation and Rehabilitation of victims and expenses to witnesses (Paragraph 7.5.6)
- Capacity building measures (Paragraph 7.5.7)
- State and District Level Monitoring Committees (Paragraph 7.5.8)
- Legislation(Paragraph 7.5.9)

Detailed recommendations on other issues are :

- Setting up of vigilance & monitoring and grievances resolution Committees (Paragraph7.6)
- Issuing of Caste Certificates: (Paragraph7.7)
- Strengthening the National Commission for Other Backward Classes (Paragraph7.8)
- Constitution of National Commission for Educational Institutions for Scheduled Castes (Paragraph7.9)
- Consultations with NCSC on policy issues (Paragraph 7.10)
- Action on Study Reports of NCSC (Paragraph 7.11)

Foreword

Consequent upon the Constitution (Eighty Ninth Amendment) Act, 2003 coming into force on 19 February, 2004 the erstwhile National Commission for Scheduled Castes and Scheduled Tribes has been replaced by (1) National Commission for Scheduled Castes and, (2) National Commission for Scheduled Tribes.

The fourth and the present National Commission for Scheduled Castes was constituted with effect from 22 October, 2013. The Commission is completing its tenure in October- November 2016.

As part of its Constitutional obligations the Commission prepares and submits Annual Reports and other Reports to the President of India. So far the present Commission has submitted Annual Reports 2013-14, 2014-15 and 2015-16 along with four Special Reports¹ to the President of India. Each of these Reports have specific recommendations related to the subject matter and protection of rights, safeguards and welfare of the Scheduled Castes. The Annual Reports 2013-14, 2014-15 and two special reports viz, -Study of Cases in National Commission for Scheduled Castes on Exploitation of Scheduled Castes Labour in the Brick Kiln Sector and -Report on the Problems of Migrant Scheduled Castes in obtaining Castes Certificates have also been laid in the Parliament in 2015-16.

The present report i.e Annual Report 2016-17 (upto September 2016) has details of the activities of the Commission between April 2016 to September 2016, major recommendations on issues ranging from strengthening of the Commission, dealing with atrocities on Scheduled Castes , socio economic development of the

¹ Study of Cases in National Commission for Scheduled Castes on Exploitation of Scheduled Castes Labour in the Brick Kiln Sector ,
Report on the Problems of Migrant Scheduled Castes in obtaining Castes Certificates,
Report on the Effective Utilization of Funds under the Scheduled Castes Sub Plan(SCSP)-2016
and Report on Atrocities against Kuravan community in Tamil Nadu-2016

SC communities, service safeguards etc. Apart from recommendations in these reports, the Commission also makes specific recommendations in the individual cases of violations of safeguards that it investigates and the authorities concerned are urged to comply with the same.

Along with this Annual Report 2016-17 (upto September 2016) , two more special Reports viz, 'Report on **Problems faced by Scheduled Caste students in obtaining scholarships – 2016**' and 'Report on the plight of Safai Karamcharis and the recommendations / proposals to improve their plight' are also being submitted.

It is hoped that the Government will take action to implement the recommendations of the Commission made in all its above reports so that the interests of the Scheduled Castes is safeguarded.

P.L Punia
Chairman , NCSC

CHAPTER – I The Commission , Functions and Duties

1.1 Introduction

For effective implementation of various safeguards provided in the Constitution for the welfare of Scheduled Castes and Scheduled Tribes (SCs and STs) and in various other protective legislations, the Constitution provided for appointment of a Special Officer under Article 338 of the Constitution. The Special Officer who was designated as Commissioner for Scheduled Castes and Scheduled Tribes was assigned the duty to investigate all matters relating to the safeguards for SCs and STs, provided in various statutes, and to report to the President of India on the working of these safeguards. In order to facilitate effective functioning of the office of the Commissioner for Scheduled Castes and Scheduled Tribes, 17 regional offices of the Commissioner were also set up in different parts of the country.

On persistent demand of the Members of Parliament that the Office of the Commissioner for Scheduled Castes and Scheduled Tribes alone was not enough to monitor the implementation of Constitutional safeguards, a proposal was mooted for amendment of Article 338 of the Constitution (Forty-sixth Amendment) for replacing the arrangement of one Member system with a Multi-Member system. The Government thereafter through a resolution in 1987 decided to set up a Multi-Member Commission, which was named as National Commission for Scheduled Castes and Scheduled Tribes.

Consequent upon the Constitution (Eighty-Ninth Amendment) Act, 2003 coming into force on 19.02.2004, the erstwhile National Commission for Scheduled Castes and Scheduled Tribes has been replaced by:

- (1) National Commission for Scheduled Castes and
- (2) National Commission for Scheduled Tribes.

The Rules of the National Commission for Scheduled Castes were framed by the NCSC and notified on 20 February, 2004 by the Ministry of Social Justice & Empowerment.

The present and the Fourth National Commission for Scheduled Castes (NCSC) was constituted on 22 October 2013 and is headed by Shri P. L. Punia as Chairman, Shri Raj Kumar Verka as Vice Chairman and Shri Raju Parmar, Shri Ishwar Singh and Smt. K.M. Kamalamma as Members.

1.2 Functions and duties:

The functions, duties and powers of the Commission have been laid down in Clauses 4,5,8,9 and 10 of the Article 338 of the Constitution .

The Clause 4 of the Article 338 of the Constitution empowers the Commission to regulate its own procedure for meaningful performance. Rules framed by the Commission under this provision have been notified on 25 March 2009. The Rules of Procedure of the Commission are available at the website of the Commission: www.ncsc.nic.in.

Clause 5 of the Article 338 of the Constitution states that the Commission has the duty to investigate, monitor all matters relating to safeguards provided to the Scheduled Castes under the Constitution, inquire into specific complaints of violation / deprivations of such safeguards, to participate in the planning process of socio-economic development of the Scheduled Castes, present Annual Reports on the working of the safeguards including recommendations thereon.

Clause 5 (c) of Article 338 of the Constitution states that, the Commission is required to participate and advise on the planning process of socio-economic development of SCs and evaluate the progress of their development under Union and States /UTs. The role of the Commission in these areas would involve interaction at various levels, i.e., with the Niti Ayog¹, the Central Ministries and the State / UT Governments. The Commission should participate in formulation of policies and the developmental programs for Scheduled Castes, including Special Component Plan for Scheduled Castes.

¹ Earlier called the Planning Commission

Clause 8 of the Article 338 of the Constitution confers the power of a civil court to the Commission while investigating any matter as laid down under Clause 5.

Clause 9 of the Article 338 of the Constitution reads as follows:

“The Union and every State Government shall consult the Commission on all major policy matters affecting Scheduled Castes.”

The Constitution has made it mandatory for the Union and every State Government to consult the Commission on all major Policy matters affecting SCs. This is very important function of the Commission, which is to keep track of all the major policy decisions, Legislative or Executive action taken by the Government of India or any State Government.

Clause 10 of the Article 338 of the Constitution reads as follows:

“In this article, references to the Scheduled Castes and Scheduled Tribes shall be construed as including references to such other Backward Classes as the President may, on receipt of the report of a Commission appointed under clause (1) of Article 340, by order specify and also to the Anglo-Indian community”

This Annual Report 2016-17 (upto September 2016) covers the activities of the Commission from April to September 2016.

CHAPTER – II Constitutional Safeguards

The Preamble to the Constitution of India provides securing for all the citizens, Social, Economic and Political Justice and equality of status and opportunity. The Directive principles as contained in Article 46 of the constitution provide that the state shall promote with special care the educational and economic interests of the weaker sections of the people, and in particular, of the Scheduled Castes and the Scheduled Tribes, and shall protect them from social injustice and all forms of exploitation. The Constitution under Article 366(24) specifically defined the term Scheduled Castes. The various safeguards and protective measures are sought to ensure for their all-round development and freedom from exploitation and social injustice so that they could form part of the mainstream of the society. These Constitutional safeguards can broadly be categorized as mentioned below:

2.1 Safeguards to Scheduled Castes

2.1.1 Article 366(24) “Scheduled Castes” means such Castes, races or tribes or parts of or groups within such castes, races or tribes as are deemed under article 341 to be Scheduled Castes for the purpose of this Constitution.

2.1.2 Article 341(1) The President may with respect to any State or Union territory, and where it is a State after consultation with the Governor thereof, by public notification, specify the castes, races or tribes or parts of or groups within the castes, races or tribes which shall for the purpose of this Constitution be deemed to be Scheduled Castes in relation to that State or Union territory, as the case may be.

2.1.3 Article 341(2) Parliament may by law include in or exclude from the list of Scheduled Castes specified in a notification issued under clause (1) any caste, race or tribe or part of or group within any caste, race or tribe, but save as aforesaid a notification issued under the said clause shall not be varied by any subsequent notification.

2.1.4 The safeguards provided to Scheduled Castes are grouped in the following broad heads:

- Social Safeguards - **Article 17, 23, 24 and 25 (2) (b)**
- Economic Safeguards - **Article 23, 24 and 46**
- Educational & Cultural Safeguards - **Article 15 (4)**
- Political Safeguards - **Article 243, 330 and 332**
- Service Safeguards - **Articles 16(4), 16(4A) and 335**

2.2 Statutes and Legislations

A number of legislations have been enacted for implementation of the Constitutional safeguards to the SCs and STs. Illustrative lists of such legislations are given below:

- The Protection of Civil Rights Act, 1955.
- The Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989 and Rules thereof.
- The Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Amendment Act, 2015¹ and the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Amended Rules 2016².
- The Employment of Manual Scavengers and Construction of Dry Latrines (Prohibition) Act, 1993.
- Prohibition of Employment as Manual Scavengers and their Rehabilitation Act, 2013.
- Acts and regulations in force in different States to prevent alienation of land belonging to SCs/STs. In some States such provision exists in the Land Revenue Code.
- Acts in different States for restoration of alienated land to SCs & STs.

¹ Notified on 01 January 2016

² Notified on 14 April 2016

CHAPTER III
Meetings of the Commission

From the period starting from 1 April 2016 to 30 September 2016, the following meetings were conducted:

Dates of Meetings	
7th Meeting	21.06.2016
8th Meeting	20-09-2016

Annual meeting:

Annual meeting to monitor the implementation of Constitutional safeguards for Scheduled Castes held on 21.07.2016.

BRIEF SUMMARY OF MAJOR DECISIONS:

3.1 Meeting dated 21.06.2015

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, Honøble Chairman, NCSC. The following main Agenda items were taken up for discussion.

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 Jails, 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 as guidelines made by Honøble Supreme Court in this regard which should be properly adhered to.
- (b) In the recommendation on Manual Scavengers, øthe fact that they may be taken on as Safai Karamcharies in Municipal Corporations & efforts must be made to train them for other jobsö is to be added.
- (c) The effort to diversify occupation for SC may be explored and till than 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 øthere should be no Creamy layer for SCsö.

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 Governments for Action Taken Report.

Agenda Item No. 10: Confirmation and Approval of the Minutes of the Review Meetings between April, 2015 to March, 2016 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.

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.

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.

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.

(ii) Honøble 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.

(iii) Honøble 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 NCSC does 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, the Commission 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.

SCs/OBCs. The appointment of coordinators was on voluntary basis, without any financial payment like pay, allowances or TA/DA etc.

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.

(iv) Honøble 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), Honøble Member (PMK) and State Office Chennai. The body of the report is being given final touches. Kuruvan is an SC community in Tamil Nadu, classified 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 Honøble Member (RP); (ii) remove the recommendation of grant of ST status. The Chairman was authorized to approve finalized report.

(v) A study may be done with regard to providing reservation to SC communities in Private Sector.

(vi) Honøble 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.

3.2 Annual meeting to monitor the implementation of Constitutional safeguards for Scheduled Castes on 21.07.2016.

As a part of its mandate, the Commission held its annual meeting on **“Monitoring the Implementation of Constitutional Safeguards of Scheduled Castes”** with Chief Secretaries, Directors General of Police & Principal Secretaries of Home & Social Welfare departments on 21.07.2016.

The meeting deliberated on four important issues viz, (a) preventing atrocities on the Scheduled Castes, (b) socio-economic development of the Scheduled Castes including allotment and expenditure on SCSP, (c) the process to ensure the complete eradication of Manual Scavenging and (d) the implementation of the service safeguards provided to the members of the Scheduled Castes.

The implementation of the safeguards to Scheduled Castes provided by our Constitution is the primary responsibility of the Governments of both the Centre and the States and hence the meeting was called to discuss the progress made and the actual position on these four issues with the senior most officers of the 16 States where Scheduled Caste population is high.

It is seen that the atrocities on the Scheduled Castes show an increasing trend despite the Acts and rules for their prevention. The Commission had selected four States who presented the status as well as the steps taken by them to reduce

incidents of atrocities, timely investigation, increasing conviction rates etc. Similarly, other states presented the progressive steps taken by them to eradicate manual scavenging, ensure service safeguards and implementation of schemes for the socio-economic development of the Scheduled Castes. Some innovative schemes were outlined and their success was appreciated.

The session wise highlights and takeaways have been summarized as the recommendations for the States for implementation. Commission urged all the State Governments to take all steps including steps to motivate and train their officials to work towards implementing these resolutions so that all sections of society work together for the development of the nation.

Executive summary

Session 1: Monitoring of Prevention of Atrocities on Scheduled Caste

Population:

Conclusions :

During the course of discussions the following points emerged .

- All states need to constitute State Level Vigilance Committees headed by Chief Ministers, and hold regular meetings . Only Chattisgarh, Odisha and Karnataka have specified dates of the meetings.
- All States were advised to hold regular meetings of both State & District Level Vigilance Monitoring Committees.
- Large pendency at police level and court level exist, due to which justice is delayed. States need to vigourously monitor and reduce pendencies.
- Registration of large number cases under CrPC 156(3) indicate that there are are problems in free and fair registration of cases in Police Stations. The states are advised to monitor the registration of such cases , as is being done in UP and take steps to change the scenario.
- Except UP no other State Government has issued detailed orders regarding the implementation of POA Amended Act 2015 and Rules thereof , despite the Commission having written to all Chief Ministers for the same.

- State Governments were advised to issue the necessary orders as well as sensitize all concerned district and State level Officers regarding the same through workshops etc at the earliest.
- All other actions as per rules including setting up of exclusive Special Courts and appointment of Special Public Prosecutors should be expeditiously done.

States can consider appointment of watch officers in police stations to monitor important cases and look into facilitation of investigation and speedy trial as done in Gujarat.

Session - 2 : Implementation of Prohibition of Employment on Manual Scavengers & Rehabilitation Act.

Conclusions :

- i. Surveys on identification of sanitary latrines should be completed within December, 2016 in all respect.
- ii. Sanitary latrines should be built in consonance with number of toilets that are demolished.
- iii. The States like MP which have identified less number of Manual Scavengers but large number of sanitary latrines should cross check the data and resurvey for Manual Scavengers by December, 2016.
- iv. Identified Manual Scavengers should be properly rehabilitated and their details sent to MSJE for release of direct benefit through bank accounts.

Session 3 : Economic and Social Development of Scheduled Castes:

Conclusions :

- i. States should ensure that allocation of funds under SCSP is equivalent to the percentage of Scheduled Castes in the State.
- ii. Schemes under SCSP should be finalized strictly for the activities as mandated in the instructions of the erstwhile Planning

- Commission and keeping in view the requirement of the Scheduled Caste Community.
- iii. Funds under SCSP should not be diverted to any other general schemes.
 - iv. States should consider passing legislation on the lines of the State of Andhra Pradesh and Karnataka to streamline the utilisation of SCSP funds and fix accountability for misuse of these funds.
 - v. The Government of India may also consider framing and adopting such Act with a direction to States to emulate such Act.

Session 4 : Reservation in State Government services and PSUs.

Conclusions:

- i. Reservation in posts should be ensured as per norms.
- ii. To ensure proper implementation of safeguards as enumerated in Article 16 , data on sanctioned posts, vis a vis PIP of all and SC employees need to be up to date in all State Governments .
- iii. Reservation rosters (post wise) should be maintained and followed strictly which will ensure adequate representation of the SCs in services.
- iv. Backlog vacancies should be filled through Special Recruitment Drives and in such cases, reservation cap of 50% is not to be considered.
- v. Necessary infrastructure like appointment of Liaison Officers, setting up grievances cells for SCs etc. should be strictly followed.

Minutes of the Meeting organized by NCSC on ‘Monitoring the Implementation of Constitutional Safeguards for Scheduled Castes’, on 21.07.2015 at Vigyan Bhawan, New Delhi.

As per the Mandate to investigate and monitor all matters relating to the safeguards provided for Scheduled Castes, under the Constitution of India and to evaluate the working of such safeguards as stipulated in the Constitution, the National Commission for Scheduled Castes organized National level Meeting at Vigyan Bhawan, New Delhi on 21-07-2016 .

At 10:00 the meeting was inaugurated by Shri Thawar Chand Gahlot, Minister for Social Justice and Empowerment , Government of India. The occasion was also graced by Shri Vijay Sampla, MoS, MSJE, Shri Krishan Pal Gujjar, MoS, MSJE, Shri Ramdas Athwale, MoS, MSJE, Shri Rameswarar Oraon, Chairman, National Commission for Scheduled Tribes, Justice W.V. Eswaraiyah, Chairman, National Commission for Backward Classes, Shri Naseem Ahmad, Chairman, National Commission for Minorities, Ms Stuti Narain Kakker, Chairperson, National Commission for Child Rights and Ms Anita Agnihotri , Secretary Ministry of Social Justice and Empowerment. Representatives of NHRC, NCSK and DoPT were also present.

The meeting was chaired by Dr. P.L. Punia, Honøble Chairman, National Commission for Scheduled Castes, Dr. Raj Kumar Verka, Vice Chairman, NCSC, Shri Raju Parmar, Shri Ishwar Singh, and Smt. P.M. Kamalamma, Members, NCSC were also present. The Chief Secretaries, DGPs and Principal Secretaries (Home & Social Welfare) of 16 states namely Andhra Pradesh, Bihar, Chattisgarh, Gujarat, Haryana, Himachal Pradesh, Karnataka, Madhya Pradesh, Maharashtra, Odisha, Punjab, Rajasthan, Tamil Nadu, Telengana , UP and West Bengal participated. List of participants is appended at Appendix -1.

Secretary, NCSC welcomed all the gathering and in his inaugural address he narrated the constitutional obligation of the NCSC, its duties ,functions and achievements. He introduced the 4 agenda topics in brief and called upon the responses from the participating states on the agenda items.

Shri PL Punia , Chairman, NCSC in his opening address stated that the Commission chose 16 states where SC population is sizeable, for this meeting and stated that the Commission has identified 4 key areas namely atrocities on

Scheduled Castes , SCSP allocation and expenditure , eradication of Manual Scavenging and reservation in Services as these have direct bearing on the lives of Scheduled Castes. The atrocities on Scheduled Castes are increasing each year despite the presence of laws and legislations for their prevention. He also pointed out recent worrying trends of atrocities such as Campus related atrocities,denial of temple entry, hate speeches,, discrimination in mid day meals etc. and emphasised the need for a change in mind sets. The Commission has observed that states do not hold regular meetings of the statutory Committes such as State Level & District Level Vigilance and Monitoring Committee meetings and urged the states to hold these meetings regularly. He further stated that the Commission has seen that SCSP allocations are on general schemes and not on SC specific schemes. Even from this allocation , the expenditure is very low and implementation is inefficient as a result of which benefits do not reach the SC beneficiaries . As an example he cited the cases of Scholarships wherein students espially of UP & Bihar are not getting the scholarships timely and are being forced to leave studies incomplete. Manual scavenging is a regressive practice and needs to be stopped and the persons engaged as Manual scavengers need rehabilitation and employment. During the review meetings of various states held by the Commission , it was seen that the representation of SCs & OBCs in services was below norms ,and the rosters were not being correctly maintained. The prpoer implementation of reservation rules is necessary for participation of the Scs in governance. He requested the participating to freely share their views and reactions on the subjects set forth in the meeting.

Shri Thawar Chand Gehlot, Hon'ble Minister for Social Justice and Empowerment expressed his happiness that the Commission is concious of its mandate and organizes this annual meeting. Such meetings are a meaningful forum for establishing dialogue of the officers directly responsible for ensuring the implementation of the safeguards of the Scheduled Castes at the ground level.He observed that Dr Ambedkar visualized bridging the gap between SCs and other communities, through safeguards but the progress is not as expected. He felt that while the laws exist , they are only as good as the implementors of those

laws. Atrocities on Scheduled Castes continue to be committed and there are problems of registering FIRs , low rate of conviction etc which need to change. The POA Act has been amended and made more stringent and all states need to implement it properly so that it acts as a deterrent against atrocities. He quoted incidents of some recent types of atrocities like humiliating SC persons by cutting of hair / moustache, tearing of clothes ,not permitting SCs to vote , preventing horse riding by SC bridegrooms etc which are now defined as crimes in the amended POA Act.

On manual scavenging , he quoted statistics of insanitary latrines being around 24 lakh in the country as per last census / survey but the number of manual scavengers being reported as being around 12,200 only. This is a figure which is unrealistic as so many insanitary latrines will not clean themselves. States have reported very few numbers of manual scavengers , whereas it is his experience that unclean occupation is still continuing in many urban and rural areas of the country. The Ministry is very keen to rehabilitate the approximate 12,200 Manual Scavengers identified so far, but the states have not yet sent details such as bank account numbers and other particulars to his Ministry for direct transfer. He urged senior State government officers present to be active on this front.

He added that the socio economic development of SCs through proper implementation of the SCSP is the responsibility of the State Governments and they should ensure the funds are allocated to schemes which directly benefit the Scheduled Castes. On reservation in services he again urged the senior officers of states present for the meeting to take all steps to fill the backlog vacancies.States should take immediate action on the above line as the implementation is the responsibility of the states. He urged to the officers to take suggestions which emerge in this meeting for implementation to their respective states.

Shri Vijay Sampla, Hon'ble Minister for State, Ministry of Social Justice and Empowerment, in his address said that irrespective of the political party in power in the centre or states , it is the officers that are responsible for implementation at ground level. Failure of schemes is taken as failure of Government while often it

is lacuna in implementation that is at fault. If officers are alert and take care of small issues they will not snowball into large problems. Officers are entrusted with these responsibilities as they are trained and considered competent to handle the same and they should live up to the expectations. Despite many Acts and Rules atrocities on SCs are continuing. He quoted the high number of cases lodged under section 156(3) which showed that the police stations do not lodge FIRs. He cited the fake cases of post matric scholarships in his home state and urged action against those colleges responsible. Such cases can be there in many states and exemplary action against those responsible is needed. He touched upon the need to eradicate manual scavenging which is a blot on our society and urged the officers to get the surveys of manual scavengers redone so that they are identified and rehabilitated . On SCSP, he emphasised need for development schemes for direct benefit of Scheduled Castes and not on general schemes like building of roads etc. The work of reservation cells needs to be inspected by social welfare department to ensure the benefits of reservation in services reach the Scheduled castes. He urged officers to work with the spirit of 'sewa' and was confident that the senior officers present will find methods to ensure the Acts and schemes are implemented in the spirit for which they have been made.

Shri Ramdas Athwale, Hon'ble Minister for State, Ministry of Social Justice and Empowerment, , expressed happiness that the Commission has organised this meeting. He said that Babashaheb Ambedkar had envisaged a society based on 'samajik samta' or equality and while there are many changes with SC people progressing in all areas , the differences still persist. He urged the officers to work with utmost sincerity so that the benefits due to the scheduled castes reach the intended beneficiaries timely. . While the Government has amended the POA Act but it is the mindset of the people responsible for the implementation needs to be changed. One reason for the increase in atrocities could be that the SCs are aware of their rights and do not accept the attempts to repress them. He hoped that the outcome of this meeting will be useful for the implementation of the schemes and programmes meant to benefit the scheduled castes. The persons who approach the NCSC often complain that the recommendations of the Commission

are not implemented by the authorities. He felt that there is a need to make the recommendations binding. He urged the senior officers of all states present in the meeting to take steps that their states sincerely implement the Acts and statutes.

Dr Rajkumar Verka, Vice Chairman, NCSC gave the vote of thanks.

Session 1: Monitoring of Prevention of Atrocities on Scheduled Caste

Population:

The Session panelists were Shri P.L. Punia, Chairman, NCSC ,Shri Raj Kumar Verka, Vice Chairman, NCSC, Smt P.M. Kamalamma, Member NCSC and Shri Arun Jha, Secretary, NCSC.

Proceedings of the Session were initiated by a brief presentation by the Commission highlighting analysis of crime data, police investigation and disposal of cases by Courts on the basis of both NCRB data and data received by NCSC from the participating states. Following facts were highlighted in the NCSC presentation:

- There is sharp increase in number of incidences of atrocities on SCs(from 47064 in 2013 to 47064 in 2014 and tentative figures of 54355 cases as per data of 2015 from the MHA), rate of crime increased from 19.57% in 2013 to 23.40% in 2014).
- There is increase in crime rate 19.57% in 2013 to 23.40% in 2014.
- The number of cases pending for investigation with police decreased from 27.6% to 24.4% in 2014
- Pendency in courts increased Increase in pendency in courts 84.1% to 85.3% in 2014
- There is Increase in conviction rates 23.8% to 28.8% in 2014
- Meetings of State and District Level Vigilance Monitoring Committee meetings were not regular. Only Odisha(08.06.2015) and Karnataka (13.01.2016) have given dates of meetings held during in 2015-16,.

- District Level Vigilance and Monitoring Committee meetings are stated to be held in some Districts by some States but details were not provided.
- Special courts are established only in 15 States
- Atrocity prone areas identified in : 7 states

The atrocity related individual cases received in the Commission have increased from 4799 in 2013-14 to 5843 in 2014-15 and 7089 in 2015-16

The highest number of individual complaint cases regarding atrocity received in Commission are from Uttar Pradesh ó 2024 cases, followed by Tamil Nadu.

- Among the session objectives was to find out the steps taken by State Governments to notify the Amended POA Act 2015 & POA Rules 2016 and to sensitize the Police and other district level officers regarding these Amended Act and Rules.

Thereafter, officers from four States, which were shortlisted for this session on basis of performance in this sector presented their views/comments the subject. The participating States agreed that the analysis made by Commission was correct. The state wise submissions are as follows:

Chhattisgarh

- Addl Chief Secretary SC/ST informed that state level vigilance and monitoring committee is meeting regularly and gave dates and details of the meetings. Subdivisional committees are also meeting regularly.
- Toll free number (1036) has been established, in which 40 complaints has been registered so far.
- PCR cell set up in 14 Districts and in Police Headquarters and 8 exclusive special Courts set up.
- He gave the final figures of atrocities on Scheduled Castes as 216 in 2015 and stated that figures will be rectified and rechecked with NCRB.

The reason for discrepancy is the new format adopted by NCRB from 2014.

- Conviction rate is 36.80% which is higher than National Average.
- Training of police and other officials at state and district level is organised.
- Reasons for low conviction are victims compromise, caste certificate delay, victims turn hostile during trial, absence of witnesses. etc.
- Proposed to appoint Special Public Prosecutors from regular cadre & that IO should be present during the trial.

Gujarat

- Secretary(Home) gave the final figures of atrocities on Scheduled Castes as 1053 in 2015 and stated that figures have been rechecked with NCRB. The reason for discrepancy is the new format adopted by NCRB from 2014.
- Atrocity incidents in the state have decreased as compared to 2014 and conviction rate has marginally increased from 2% to 5.7%.
- The state has appointed watch officers in 439 police stations. They monitor important cases and look into facilitation of investigation and speedy trial.
- Victims can hire advocate of their choice for Rs 50,000/- per case in cases of murder and Rs 20,000 in case of rape and these funds are sanctioned by Government.
- NCSC asked¹ whether whether any GO has been issued after the Amendment in POA Act 2015, officers assured that it will be done shortly.
- The recent Una (Gujarat) incident was also raised² and discussed in detail and state government was directed to ensure free and fair

¹ Shri Raju Parmar , Member NCSC

investigation in a time bound manner and arrest all accused, as well as take action under Section 4 of the POA Act , 2015 against police officials and provide financial compensation to the victims.

- State was advised to hold regular meetings of State & District Level Vigilance Monitoring Committees.

Rajasthan:

- ADGP (CR) informed that free and fair registration of cases is allowed in the state and so number of cases registered are high. 3468 cases were closed after investigation.
- 3014 cases were registered under 156 (3) of CrPC out of which 80% of cases turned out to be false cases. It was pointed out that this is a very high figure and appears that the police is reluctant to register cases.
- He gave the final figures of atrocities on Scheduled Castes as 5911 in 2015 and stated that figures will be rectified and rechecked with NCRB. The reason for discrepancy is the new format adopted by NCRB from 2014.
- ADGP agreed that State Level Vigilance & Monitoring Committee meeting was not held for 3 years and accepted the advice of NCSC to hold it regularly.
- Cases of land purchases by SCs from outside the state were referred³ to and State Government officers asked to examine the issue.
- It was pointed out⁴ that 3014 cases registered under 156(3) is a very high figure and appears that the police is reluctant to register cases. The high number of acquittal cases were also pointed out.

Uttar Pradesh:

² By Shri Vijay Sampla , MOS, MSJE , Shri PL Punia, Chirman , NCSC & Shri Raju Parmar , Member NCSC

³ by Shri Ishwar Singh , Member NCSC

⁴ Shri Raju Parmar , Member NCSC

- ADGP gave the final figures of atrocities on Scheduled Castes as 7923 in 2015 and stated that figures will be rechecked with NCRB. The reason for discrepancy is the new new format adopted by NCRB from 2014.
- In 63% cases charge sheets were filed, in 21% FR filed and 16% (1468) cases were pending for investigation in 2015.
- 49909 cases are pending in the court in 2015.
- After the NCSC State level Review in 2015 , cases registered u/s 156(3) of of CrPC are being reviewed by the State Government . 1686 cases were registered u/s 156(3) of of CrPC in 2015.
- There are no atrocity prone area notified so far .
- Action has been taken against 32 defaulting police officers under Section 4 of POA Act.
- State Level Vigilance & Monitoring Committee has been constituted but not met so far. He assured an early meeting of the Committee.

1. All states stated that there was discrepancy in reported figures of Atrocities in 2015 due to the new new format adopted by NCRB from 2014 and that the figures are being reconciled.
2. Officers from Tamil Nadu stated that the phrase "Honor killing" should not be used as there is no honor in killing.
3. Recent Rohtak (Haryana) gangrape case was also raised⁵ and discussed in detail & State Government was directed to ensure free and fair investigation in a time bound manner and arrest all accused, as well as take action under Section 4 of the POA Act , 2015 against police officials found negligent and provide financial compensation to the victim. Secretary SCBC welfare, Haryana stated that SIT has been formed and compensation released today. Delay was due to non availability of budget.

⁵ by Dr Rajkumar Verka VC- NCSC and Shri Ishwar Singh , Member , NCSC

Conclusions :

During the course of discussions the following points emerged .

- All states need to constitute State Level Vigilance Committees headed by Chief Ministers, and hold regular meetings . Only Chattisgarh, Odisha and Karnataka have specified dates of the meetings.
- All States were advised to hold regular meetings of both State & District Level Vigilance Monitoring Committees.
- Large pendency at police level and court level exist, due to which justice is delayed. States need to vigourously monitor and reduce pendencies.
- Registration of large number cases under CrPC 156(3) indicate that there are are problems in free and fair registration of cases in Police Stations. The states are advised to monitor the registration of such cases , as is being done in UP and take steps to change the scenario.
- Except UP no other State Government has issued detailed orders regarding the implementation of POA Amended Act 2015 and Rules thereof , despite the Commission having written to all Chief Ministers for the same.
- State Governments were advised to issue the necessary orders as well as sensitize all concerned district and State level Officers regarding the same through workshops etc at the earliest.
- All other actions as per rules including setting up of exclusive Special Courts and appointment of Special Public Prosecutors should be expeditiously done.

States can consider appointment of watch officers in police stations to monitor important cases and look into facilitation of investigation and speedy trial as done in Gujarat.

Session - 2 : Implementation of Prohibition of Employment on Manual Scavengers & Rehabilitation Act.

On the panel : Shri Raju Parmar, Smt. P,M, Kamalamma, Members, NCSC and Shri Arun Jha, Secretary, NCSC.

Presentation by the Commission:

The Prohibition of Employment as Manual Scavengers and their Rehabilitation Act, 2013 was passed in 2013.

- **The objective of the present meeting is to see progress in :**
 - Identifying and eliminating the insanitary latrines
 - in survey of manual scavengers and
 - in their rehabilitation.
- **Time limits for implementation for**
 - Survey of insanitary latrines ,demolishing the insanitary latrine ,survey of Manual Scavengers,to frame rules under the Act are over.
- **Action Taken so far by the States**
 - Survey of insanitary latrines
 - -States have been carrying out survey. Some of the States have reported large number of such Latrines.
 - -Telangana-1,57,321, Karnataka-24,468, Uttar Pradesh-69,128, while Haryana & Punjab reported no Insanitary Latrines.
- **Total reported : 3,02,76.**
 - States are taking steps to convert insanitary latrines in sanitary latrines.
 - Madhya Pradesh had 39,362 insanitarylatrines and as per report all of these are converted into sanitary latrines.
 - Survey of manual scavengers
 - States are still carrying out this survey.
 - Telangana, Haryana & Himachal Pradesh have reported no Manual Scavengers. However, it is observed while Telangana has a large

number of insanitary latrines, they have no Manual Scavengers. This needs clarification.

- Status of comprehensive rehabilitation of Manual Scavengers
- 12 States namely: Andhra Pradesh, Bihar, Chhattisgarh, Karnataka, Madhya Pradesh, Odisha, Punjab, Rajasthan, Tamil Nadu, Uttar Pradesh, Uttarakhand & West Bengal have reported 12,226 Manual Scavengers in their State.
- Only of this 7364 Manual Scavengers have been provided one time cash assistance. Another number of 360 Manual Scavengers have received benefit of self employment projects.
- No action has been taken for rehabilitation of remaining Manual Scavengers.

Thereafter, officers from Andhra Pradesh , Madhya Pradesh and West Bengal which were shortlisted, gave their presentations on the subject.

ANDHRA PRADESH :

Director (Social Welfare department) AP , did not make a presentation and only read out notes.

The case of death of 2 SafaiKarmacharies at Srikalahasti was raised and discussed , where the State representative replied that they are not aware of this incident. The compensation of Rs 10 lakh has not yet been paid to the families.

MADHYA PRADESH:

The Secretary (Welfare) informed that notifications to prevent defecation in open ,to construct community latrines, to confer powers of 1st class Judicial Magistrate to Executive Magistrates, to empower District Magistrate with implementation of

the Act , appoint health officer of local bodies and CEO Janpad Panchayat as Inspector under the Act have been issued.

- As per census data 2011, 39362 insanitary latrines were identified in urban areas.
- After revalidation of census data 12838 units of insanitary latrines were actually found and were converted into sanitary latrines.
- 414 insanitary latrines were found in rural areas and converted into sanitary latrines.
- Manual Scavengers identified were 36. The state has planned to do resurvey in 2016.

Measures Taken for identification of sanitary latrines

- community toilets sanctioned and completed 6741 & 696 respectively
- To achieve target of OD free status in urban areas - household latrines sanctioned 64,23,600 and 1,97,223 latrines were completed.
- In Rural areas out of 1,10,12,253 households, 51,91,380 latrines have been constructed.
- Urban Administration Department procured 67 sewer suction machines in addition to 378 pre existing to prevent the manual cleaning.
- Time limit to prevent open defecation fixed as 6 December 2016.

Measures taken for rehabilitation

- Total no. of Manual Scavengers identified 636
- One time assistance of Rs. 40,000/- were provided to all.
- The concerned Nagar Palika has provided them alternate employment to all as daily workers.
- Training was provided to Identified families of Manual Scavengers in different trades.
- In compliance of the order of Hon'ble Supreme Court an assistance of Rs. 10 lakh were provided to the families of 4 workers who died while cleaning the septic tank/sewer.

WEST BENGAL :

The Secretary (BC welfare) stated that:

- Survey for identification of Manual Scavengers in 129 Urban Local Bodies (ULBs) was conducted by State Urban Development Agency (SUDA) under MA Department.
- All the statutory provisions of the Act were followed during survey which had involvement of NGOs , public representatives , associations and there was wide publicity.
- Altogether 104 Manual Scavengers were identified through survey in the 129 ULBs.
- 98 Manual Scavengers were finalized and records uploaded.

Measures taken for Rehabilitation of Manual Scavengers

- 98 individual Manual Scavengers were issued ID cards/ UID.
- One ótime cash assistance @Rs. 40,000/- provided
- Rehabilitation plan in alternative occupation was finalized with the consent of Identified Scavengers.NSKFDC provided Loan and Capital subsidy for Rehabilitation, to ensure quick and complete disbursement.
- Skill Training for Entrepreneurship development in chosen trade in their locality was arranged, Family members also attended skill training.
- Stipend @ Rs. 3000/- pm provided to them during skill Training.

Presence of sanitary latrines in rural areas:

- No insanitary latrines found ó major issue is of open defecation.
- As per base line survey of NBA ó 67.77 lakh households require sanitary latrines.

- Approximately 33 lakh sanitary latrines in rural households have been constructed in last three years and all house holds are likely to be covered by 2018.
- Nadia District declared as the first Open Defecation Free District.
- North 24 Parganas, South 24 Parganas, Hooghly & Purba Medinipur will achieve the ODF status shortly.
- no manual scavenger found in rural areas & is corroborated by last Socio-economic caste census.
- This is being further verified by Panchayat & RD Department

Conclusions :

- Surveys on identification of sanitary latrines should be completed within December, 2016 in all respect.
- Sanitary latrines should be built in consonance with number of toilets that are demolished.
- The States like MP which have identified less number of Manual Scavengers but large number of sanitary latrines should cross check the data and resurvey for Manual Scavengers by December, 2016.
- Identified Manual Scavengers should be properly rehabilitated and their details sent to MSJE for release of direct benefit through bank accounts.

Session 3 : Economic and Social Development of Scheduled Castes:

On the Panel : Dr Rajkumar Verka VC , NCSC, Shri Raju Parmar , Shri Ishwar Singh & Smt PM Kamamma , Members , NCSC and Shri Srun Jha , Secretary, NCSC.

Presentation by the Commission:

SC human development indices show that gap between SC and others remains wide as

- Literacy rate of Scheduled Castes (66.1%) is lower than all India(73.0%)

- Poverty ratio (Rural) of Scheduled Castes (31.5%) is higher than all India(25.7%)
- Infant mortality rate of Scheduled Castes (50.7) is higher than all India (41.5) (NFHS,2005-06)
- Scheduled Castes Self-employed are 26.8% whereas all India are 35.3%.
- Scheduled Castes casual laborers (20.5%) as compared to other categories (11.8%)
- Poverty is higher in case of SCs (Urban-21.7, Rural-31.5 as compared to All India Urban-13.7%, Rural-25.7%)
- The early childhood mortality rate for SC (88.1/K) is higher than the All India Average of 59.21/K.

General observations made by the NCSC on the performances of the States

- State of Bihar, Rajasthan, Telengana, West Bengal & Chhattisgarh have allocated SCSP funds at par with the SC population of their. respective States.
- The actual expenditure however, under SCSP is between 2 to 8% of allocation in most States except West Bengal, Karnataka and Telengana as many of the expenditures are in general schemes where SCSP funds is being partly utilized for general population including (not entirely for SC population) which defeats the very purpose of SCSP.
- The unspent SCSP fund is often re-appropriated.

Officers from Odisha, Haryana,Tamil Nadu and Himachal Pradesh which were shortlisted for this session made the presentations as follows:

ODISHA:

- Stated that the actual expenditure on SCSP fund benefiting the Scheduled Castes during the year 2015-16 is 15.47% which is although 1.66% less than SC population in the State.
- The budgets given to the different departments where element of SCSP, TSP etc. are taken into consideration.
- The ST & SC ,Minorities and Other backward Classes Welfare Department , Odisha Government however, may become nodal department atleast for major infrastructure development schemes in ST, SC dominated areas.
- emphasised that instead of having separate schemes for development of SCs, it is better to integrate the community in other schemes and integrate the community with the mainstream growth.
- Anvesha scheme provides free education in reputed private schools to SC children.
- Ankansha scheme provides Hostels for SC students.

HARYANA :

- The State Government adopted two prong approach for development of Scheduled Castes : (a) hamlet(s) having Scheduled Caste population of more than 40% - Cluster development approach and (b) Making available direct benefits to individual Scheduled Castes through Scholarships, Hostels etc.
- The State has three Review Committees to review allocation vis-à-vis expenditure pattern of schemes headed by Chief Secretary, Secretary Planning & Finance Secretary respectively and the third at District level.
- Sector-wise expenditure is very high like in Agriculture, Rural Development, Special Area Development Programme, Energy, Social Services (including education sector) etc.
- The Plan size is commensurate with the SC population.

- Replying to a question raised by Member, NCSC⁶ regarding pending disbursement of scholarships for students, it has been informed that 30% of claim for the year 2015-16 now has been released & in pending cases also scholarships will be disbursed by August, 2016.

TAMIL NADU:

- The State is improving literacy rate amongst Scheduled Castes when compared with general caste education status.
- Percentage of SCSP to State Plan outlay is 19% i.e. almost at par with State SC population.
- The State has made significant expenditure on SCSP in other sectoral departments namely, Agriculture, Horticulture, Animal Husbandry, Civil Supplies & Consumer Protection, RCS, Handlooms & Textile, Public Health & Preventing medicines etc.
- A Nodal Agency under the Social Welfare Minister plans and reviews the SCSP.
- No details of SC specific schemes were given & it was emphasised that all schemes are SC specific.

HIMACHAL PRADESH

- Scheduled Caste Sub Plan (SCSP) separately forms part of the State Plan since the year 1979-80.
- The allocation is proportional to the SC population of the State:
- Allocation under the head are made through Single Consolidated Demand (Demand No.32) and separate budget code 789 under each Major Head to reflect budgetary provision under SCSP.

⁶ by Shri Ishwar Singh, Member NCSC

Telengana , Karnataka representatives emphasised on the special schemes for overseas scholarships for SC students in their States . In Telengana under Ambedkar Overseas Vidya Nidhi (AOVN) scheme 160 SC youths were sent abroad for pursuing higher degrees. Another batch of 63 students is in process with scholarship amount Rs 20.00 lakh per student .

In Karnataka full fees , travel expenses etc for SC students pursuing higher degrees abroad are met by State Government and the same has gone up to even Rs 1 crore per student.

On query ⁷ the Bihar representative clarified that verification of 80,000 students out of 85,000 and colleges prior to release of stipend / scholarships is complete and scholarships are being released after the verification. 2014-15 verification is almost complete and for 2015-16 is underway.

Some issues due to bifurcation of AP & Telengana were raised⁸ :

In the GO no 123 issued by Telengana under the right to fair compensation and transparency in land acquisition, rehabilitation and resettlement act. 2013 (Act No. 30 of 2013 w.e.f. 1.1.2014) - only land owner are treated as Affected families and then is no compensation or rehabilitation for otherslike tenants , artisans , assignees etc and this is adversely affecting S.C.s. In Andhra Pradesh with respect to the capital formation at Amaravati , the Government deviated from the prohibition of transfer 1977 Act and issued a G.o No.41 that while sanctioning the compensation half of the amount showed be paid to assignee and the half to be paid to the persons those who are in possession. The State Government officers were requested to look into issues raised by these two GOs as well as GO no 1 of 2014 under which compensation released for acquiring assigned lands is low when compared with the patta land.

Conclusions :

- States should ensure that allocation of funds under SCSP is equivalent to the percentage of Scheduled Castes in the State.

⁷ by Shri Ishwar Singh, Member NCSC

⁸ by Smt PM Kamamma Member , NCSC

- Schemes under SCSP should be finalized strictly for the activities as mandated in the instructions of the erstwhile Planning Commission and keeping in view the requirement of the Scheduled Caste Community.
- Funds under SCSP should not be diverted to any other general schemes.
- States should consider passing legislation on the lines of the State of Andhra Pradesh and Karnataka to streamline the utilisation of SCSP funds and fix accountability for misuse of these funds.
- The Government of India may also consider framing and adopting such Act with a direction to States to emulate such Act.

Session 4 : Reservation in State Government services and PSUs.

On the Panel : Dr Rajkumar Verka VC ó NCSC , Shri Raju Parmar , Shri Ishwar Singh & Smt PM Kamamma , Members , NCSC and Shri Srun Jha , Secretary, NCSC.

Presentation by the Commission:

In the Commission's presentation the following issues were highlighted:

- The Commission in its review meetings with the State Governments and PSUs has observed:
 - inadequate representations of Scheduled Castes are there in services/posts
 - backlog of Scheduled Castes vacancies in various cadres/posts.
 - lack of vigorous efforts by authorities is found to clear the pending backlog of reserved vacancies.
 - non / faulty maintenance of reservation rosters.
 - dedicated mechanism for settling Scheduled Castes grievances is not established.

On analysis of data given by the 16 states it was seen that:

- Only 11 States have given requisite information.

- The Chhattisgarh State has maintained reservation in conformity of its SC population
- SC representations found below norms in State Government services in the States namely, Punjab, Orissa and West Bengal.
- In the States namely, Haryana, Karnataka, M.P., Rajasthan, H.P. and Telengana, the representation of SCs in some Group of services is not as per SC population of the State.
- The representation of SCs in State PSUs are far below the required percentage in participant States except Bihar and Karnataka.

Nature of complaints received in the National Commission for Scheduled Castes

- No. of complaints Increased from 2640 in 2013-14 to 4352 in 2015-16
- Non-maintenance of reservation rosters and not-filling up of reserved vacancies
- Discrimination in promotion/seniority/ MACP/ACP.
- Non appointment / non regularisation of services / non appointment on compassionate grounds.
- Downgrading of ACRs/APAR.
- Termination/dismissal from services.
- Disciplinary action, suspension and award of punishment.
- Discrimination in transfer/posting.
- Denial of pensionary benefits and non-disbursement of pay arrears.

Thereafter the officers from Bihar, Karnataka and Telengana made presentations.

BIHAR

- Bihar Act-3/1992 for reservation is followed

- Candidates of reserved categories selected on the basis of merit are counted under the 50% of unreserved category. There is no cap of 50% reservation in case of filling of backlog vacancies.
- In case of non-availability of suitable candidates from SC/ST for vacancies reserved for them, the vacancies shall continue to be reserved for three recruitment years and if suitable candidates are not available even in the third year, the vacancies shall be exchanged between the Scheduled Castes and Scheduled Tribes.
- Vacancies of Scheduled Castes and Scheduled Tribes, if not filled up even after exchange of vacancies in the above manner, may be de-reserved by the order of the State Government but rarely happens.
- Examination fee for selection to posts has been reduced to ¼ th of the fee for SC/ STs
- The following steps have been taken for adequate representation of Scheduled Castes in the State services:-
- age relaxation to SC/ST Candidates to enable them to avail more chances to appear in the competitive exams.
- In competitive examinations for State services, minimum qualifying marks of 32% has been fixed for candidates of SC/ST as against 40% for U.R. unreserved candidates .
- Relaxation of age and marks are admissible as per norms.

KARNATAKA

- The presentation included the details of SC representation in State Government service. Representation of SCs is as per norms and state needs to work for this.
- The implementation of 85th amendment Act is sub-judice but needs to be defended in right manner before the Court.
- There are 771 cases of false caste certificate and action is underway in all . In 9 cases conviction has been done.
- Investigation of false caste cases is done by Police.

TELENGANA

- Orders were issued in G.O Ms. No 167 SW(P) Department Dated 15.7.1986 increasing the percentage of reservation to SCs and STs from 14% to 15% and 4% to 6% respectively.
- As per G.O.Ms.No.2, (SW-ROR-1) Dept., 09.01.2004, reservation in promotion in favour of Scheduled Castes and Scheduled Tribes shall be applicable to those candidates who are fully qualified and eligible to hold the posts as per the existing Rules and guidelines. If no qualified and eligible candidate available the vacancy shall be **carried forward**.

Enforcement of Reservation Rules is through a State Level Committee:

- Orders issued in G.O.Ms.No.106, Social Welfare (C1) Dept, dt.02-08-1997 constituting State Level Committee under the Chairmanship of the Commissioner/Director, SCDD.
- Orders issued in G.O.Ms.No.533, General Administration (Services-E) Department, dated.2-08-1975 establishing an Enforcement Machinery at State Level comprising three Inspecting Assistant Commissioners (Welfare of Weaker Sections).
- The Inspecting Assistant Commissioners of the rank of Assistant Secretary/Deputy Collector will function under the Principal Secretary to Government in the S.C. Development Department.

District Level Committee:

- Orders issued in G.O.Ms.No.105, Social Welfare(L1) Dept, Dt.02.08.1997 constituting District Level Committee under the Chairmanship of the District Collector.

The nativity issue between AP & Telengana was raised⁹ and discussed and Principal Secretaries of both states emphasised that the matter is now settled and the Presidential order is clear on the issue.

⁹ by Smt PM Kamamma Member , NCSC

PUNJAB

The State representatives did not give any presentation.

Many states like Bihar , Gujarat , Punjab , UP did not have complete data of both state and state PSU employees , AP , Telengana and WB did not have state PSU data.

Conclusions:

- Reservation in posts should be ensured as per norms.
- To ensure proper implementation of safeguards as enumerated in Article 16 , data on sanctioned posts, vis a vis PIP of all and SC employees need to be up to date in all State Governments .
- Reservation rosters (post wise) should be maintained and followed strictly which will ensure adequate representation of the SCs in services.
- Backlog vacancies should be filled through Special Recruitment Drives and in such cases, reservation cap of 50% is not to be considered.
- Necessary infrastructure like appointment of Liaison Officers, setting up grievances cells for SCs etc. should be strictly followed.

Valedictory Session:

Secretary, NCSC on his summing up stated that the incidence of atrocities on Scheduled Castes is a blot in the society and we have to remove this menace from the society. He said that such atrocities are happening because of essence of prejudice in the mind set of so called upper caste people. He expressed his hope that the issues that were discussed today will be pivotal and the takeaways will lead to a base for serious actions to eliminate all levels of discrimination . He hoped that the inhuman practice of Manual Scavenging will be dispensed with early. Taking a note on allocation and expenditure on SCSP, he said that the spotlight should be thrown to the schemes which are essentially benefitting the targeted community. Likewise, he said that reservation in jobs and education

should be ensured so that the disadvantaged community can come at par and mingle with mainstream community.

Dr Raj Kumar Verka , Vice Chairman, NCSC in his valedictory address stated that in the meeting many useful points have come out . touching on atrocities , he said that it is the duty of all of us to change the mind set of people so that such cases do not occur. The police should register cases and investigate them promptly. Conviction rate under atrocity is very less, which is to be increased.

He reminded that manual scavenging is a terrible practice , the persons engaged in this task have been literally cleaning up our society and now they should be given their due share , rehabilitated in order to give them alternate source of earning their living and to raise their living standards. Under SCSP, 15% to 20% allocation is shown by various state Governemnts, but the actual spending is very less and many schemes are general. Efforts should be to focus on the SC specific schemes which directly benefit the beneficiaries. Reservation in government jobs is a right as per the Constitution , however there are many backlog vacancies which need to be filled.

3.3 Meeting dated 20.09.2016

Agenda Item No.3: Approval of draft Report 2016-17 (up to September, 2016) of the Commission for the period April 2016 to September, 2016.

Decision Taken: The Commission in its meeting approved the chapters I, II, III, V of the draft Annual Report (upto September, 2016) and also the draft recommendation. **(Action: C.Cell)**

The following recommendations are to be added:

(1) That in the matter relating to reservation of SCs restriction of income limit of Rs.2.50 lakhs is very low for the SC people, it should be at least 5 lakhs

on lines of what has been recommended OBC Commission (suggested by Honøble Chairman & Honøble Member (RP).

(2) It was also recommended that the meeting of the Vigilance and Monitoring Committee should also be held at Taluka Level in the District, so that ground level SC people could be benefited from the Committee's meetings.

(3) That Jawahar Navodaya Vidyalayas should be established at Block level in each State so that SC students can be benefited and get quality education.

(4) Amended POA Act & Rules should also be published in local languages of the concerned State by the State Governments.

(5) A similar Act as that of Minorities Education Institute Act recommended for SCs/STs may be considered.

(6) There may either be a separate act for dealing with Atrocities in Educational Institutions or the POA Act may be amended to include such atrocities like non issue of Scholarship on time, denial of admission, denial of hostel, not appointing of Phd. Guides etc.

(7) Some important recommendation in individual case can also be added suitably.

Annual Report 2016-17 (upto to September, 2016) may be prepared and submitted to the Honøble Chairman for approval.

The Chairman is authorized to finalize the Annual Report 2016-17 (up to September, 2016)

Agenda Item No.4: Installation of the Bust of Dr. B.R. Ambedkar in the Commission.

Decision Taken: Approved, a committee may be formed for installation of Bust of Dr. B.R. Ambedkar in the Commission by 10.10.2016. The Committee should procure qualitative and artistically appropriate bust of Dr. B.R. Ambedkar. **(Action: Genl.Admn.)**

Agenda Item No.5: Status of Review meetings undertaken by the NCSC during the years, 2014-2015 & 2015-2016 on implementation of reservation policy for SCs and OBC in various Central Public Sector Undertaking (CPSUs)

Decision Taken: JS informed that complete ATR in respect of some more CPSUs have since been received and these cases are being put up. Some more can be closed as they have complied. Till now 11 cases have been closed. Commission approved. Honøble Chairman was authorized to take decision on remaining. **(Action: SSW)**

Agenda Item No.6: Status on de-reservation proposal received in the NCSC during the year 2015-16 & 2016-2017.

Decision Taken: The Commission was informed that in 3 cases views of Commission have been communicated & 13 cases turned down. In 2 proposals for de-reservation some information has been called for from the concerned department. If the information is not received from them within due time, the proposal of de-reservation can not be processed further. The Commission approved and stated that the concerned departments should not take any assumption that if no reply is received from NCSC, the proposal of de-reservation has been approved by NCSC. Such assumptions are not acceptable and the departments should be clearly told the same when the letters are issued to them. **(Action: SSW)**

Agenda Item No.7: Advice on Cabinet Notes, EFC/SFC proposals, Inclusion & Exclusion proposals etc.

Decision Taken: Noted.

Agenda Item No.8: Advise on proposals relating to Amendment to Acts etc.

Decision Taken: Noted

Agenda Item No.9: Statement of Pendency/disposal of cases of Hqrs. and State Offices [from April 2016 to August 2016] and cumulative figures overall.

Decision Taken: Noted.

Agenda Item No.10: Any other item with the permission of the Chair.

Following issues were discussed and decided:

- (i) Prof. Mungerkar had been appointed to give a report on the case of comment by a Faculty member of JNU on the SC community. He has not submitted the report within time frame of 2 months. It was resolved that Prof. Thorat (ex-Chairman of UGC) may be appointed in place of Prof. Mungerkar. The issue is to be put up on file to Honøble Chairman.
- (ii) Honøble Member (PMK) has suggested that report on SC women may be prepared and submitted. **(Action : ESDW)**
- (iii) During discussion on CMIS, Honøble Chairman has desired that after one week he would like to see the function of CMIS. **(Action: Admn.)**
- (iv) The NCSC Special Report on Problems faced by Scheduled Caste students in obtaining scholarships was approved. The following recommendations are to be added:-
 - (1) That issue of free-ship card to students in Gujarat be added.
 - (2) Fee reimbursement can be direct to Institutions.
 - (3) Committee for grievance redressal to have teacher & student representatives.
 - (4) Rate of scholarship/fee reimbursement should be as per State where student is studying. Chairman authorised to finalize the final approval.
- (v) Regarding problems faced by SC Migrant workers in obtaining caste certificates, Commission is to write to MHA regarding amendment to OM of 1982. **(Action: SSW)**

CHAPTER-IV Activities of the Commission

4.1 Activities as per Mandate

The Commission has a wide charter in terms of functioning relating to the overall policy, planning, coordination, evaluation and review of the regulatory framework and developmental programmes relating to the Scheduled Caste community. The Commission draws its strength from the Article 338 of Indian Constitution which is the backbone of its functioning.

2. The Commission as per Article 338 under clause (5) of the Constitution of India has been entrusted with the following mandate:

- to investigate and monitor all matters relating to the safeguards provided for the Scheduled Castes under this Constitution or under any other law for the time being in force or under any order of the Government and to evaluate the working of such safeguards;
- to inquire into specific complaints with respect to the deprivation of rights and safeguards of the Scheduled Castes;
- to participate and advise on the planning process of socio-economic development of the Scheduled Castes and to evaluate the progress of their development under the Union and any State;
- to present to the President, annually and at such other times as the Commission may deem fit, reports upon the working of those safeguards;
- to make in such reports recommendations as to the measures that should be taken by the Union or any State for the effective implementation of those safeguards and other measures for the protection, welfare and socio-economic development of the Scheduled Castes; and
- to discharge such other functions in relation to the protection, welfare and development and advancement of the Scheduled Castes as the President may, subject to the provisions of any law made by Parliament, by rule specify.

3. In order to fulfil the above obligations and mandate, the Commission conducts review meetings, hearings, spot visits, studies etc . A gist of the activities performed during the year 2015-16 (upto September 2016) is as below.

4.2 Review Meetings of Central Public Undertakings and Public Sector Banks

During the year, 2016-2017 (upto September 2016) the Commission has followed up on the action taken by the Public Sector Undertakings and Public Sector Banks on the recommendations of the the Commission during the reviews conducted between 2014-15 and 2015-16. These reviews had been conducted, in order to assess the implementation of the reservation policy for Scheduled Castes and OBCs and CSR initiatives taken for benefits of Scheduled Castes.

The NCSC had conducted 38 review meetings of Central Public Sector Undertakings (CPSUs)/ Central Public Sector Banks/Organizations during the year 2014-15 & 2015-16. Out of these, the complete action taken reports on the Commission recommendation have been received from following 16 Central Public Sector Undertaking (CPSUs). As full compliance of the Commission recommendation has been made hence the matters are closed.

S.No.	Name of the Organization/PSUs	Date of review meeting held
1.	GAIL, M/o Petroleum	20.10.2014
2.	Power Grid Corporation Ltd. (PGCIL), M/o Power	13.10.2014
3.	NHPC, M/o Power	27.10.2014
4.	EIL, M/o Petroleum	24.11.2014
5.	NFL, M/o Chemical & Fertilizer	11.11.2014
6.	STC, M/o Commerce	08.12.2014
7.	MMTC. M/o Commerce	23.12.2014
8.	NTPC, M/o Power	12.01.2015
9.	NBCC, M/o Urban Development	13.01.2015
10.	MTNL, M/o Tele Communication & IT	09.02.2015
11.	NSIC Ltd. M/o MMSE	16.02.2015
12.	Indian Bank	08.02.2015
13.	Canara Bank	14.10.2015
14.	BHEL	06.01.2015
15.	National Insurance Company. Ltd.	04.11.2015
16.	Vijaya Bank	14.10.2015

In remaining 23 CPSUs/Banks, the complete action taken report has not been received. The efforts for obtaining complete ATR are being made by issuing reminders. Hence, personal discussions with department concerned are being made for earlier compliance of Commission recommendation. The details of CPSUs, where full compliance report is awaited are placed below:

S.No.	Name of the Organization/PSUs	Date of review meeting held	Last reminder sent	follow up meeting held
1.	CPWD, M/o Urban Development	29.09.2014	26.07.2016	29.06.2016
2.	TCIL M/o Tele Communication & IT	17.11.2014	26.08.2016	19.08.2016
3.	DMRC M/o Railways	18.11.2014	5.07.2016	---
4.	BSNL Tele Communication & IT,	25.11.2014	15.07.2016	10.06.2016
5.	IRCTC M/o Railways	09.12.2014	09.05.2016	21.09.2016
6.	Punjab & Sind Bank	16.12.2014	09.09.2016	06.09.2016
7.	Punjab National Bank	24.09.2014	04.08.2016	22.08.2016
8.	ITPO M/o Commerce	07.04.2015	26.07.2016	---
9.	ISRO M/o Space	15.10.2015	27.06.2016	23.09.2016
10.	Coal India Ltd. M/o Coal	04.11.2015	05.07.2016	---
11.	Allahabad Bank	04.11.2015	15.09.2016	10.08.2016
12.	FCI	05.01.2015	29.08.2016	11.08.2016
13.	Indian Overseas Bank	08.07.2015	15.09.2016	26.08.2016
14.	Oriental Bank of Commerce	19.08.2015	04.08.2016	17.08.2016
15.	Syndicate Bank	14.10.2015	30.08.2016	14.09.2016
16.	United Bank of India	04.11.2015	9.09.2016	05.09.2016
17.	UCO Bank	04.11.2015	15.09.2016	24.08.2016
18.				
19.	MECON Ltd. M/o Heavy Industries	04.02.2016	04.08.2016	16.08.2016
20.	Central Coalfield Ltd. M/o Cola	03.02.2016	25.07.2016	---

21	North Western Railway, Jaipur, M/o Railways	13.04.2016	03.05.2016	---
22	North Western Railway, Bikaner Division M/o Railways	20.04.2016	---	---
23	ONGC, M/o Petroleum	29.04.2016	25.07.2016	---

4.3 Complaint Investigation & Resolution in NCSC

The Rules of Procedure of the Commission do not prescribe any time limit for investigation and enquiry of complaints received in the Commission. Also, as per mandate of the Commission, though the Commission has all the power of Civil Courts trying a suit, the disposal of the complaints depends on both the nature and gravity of the complaints as well as on the response from the Public Authorities who are entrusted with ensuring that the rights as guaranteed in the Constitution of India regarding Scheduled Castes are safeguarded. Hence the speed and adequacy of response from the Authorities concerned are the defining factors which determine the actual disposal of the complaints.

The complaints received in the Commission (both at headquarters and in State Offices) are classified into three main categories viz:

- Those related to Service Safeguards matters are handled by Service Safeguards Wing,
- Those related to Economic and Social Development matters are handled by the Economic and Social Development Wing (ESDW),
- The cases related to Atrocities, are handled by Atrocities and Protection of Civil Rights Wing (APCR).

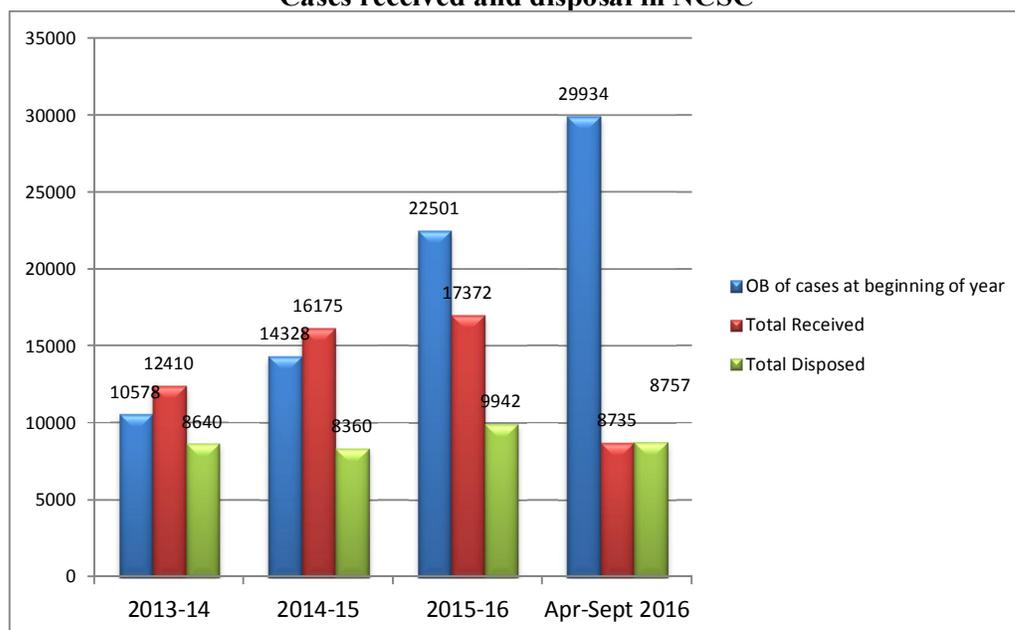
The details of complaints handled by the Commission Headquarters and State Offices are as under:

4.3.1 Complaints Handled at the Commission

Table 4.1

Wing	Total Files as on 01.04.16 including B/F ¹ cases	Received during 01.04.16 to 30.09.16	Total cases dealt with	No. of cases closed / disposed off during the period	No. of cases / files pending as on 31 August 2016
NCSC HQ	11050	2490	13540	1034	12506
NCSC State offices	18884	6245	25129	7723	17406
Total	29934	8735	38669	8757	29912

Graph No. 4.1
Cases received and disposal in NCSC



¹ B/F : Brought forward from previous year(s)

As can be seen the total number of cases disposed off by NCSC has increased from 8360 in 2014-15 ,9942 in 2015-16 and 8757 in first six months of 2016-17. However the total number of cases received has increased from 16,175 in 2014-15 , 17,025 in 2015-16 and has already reached 8735 in in first six months of 2016-17. The closing balance of pending cases is 29912 as on 30 September 2016.

4.3.2 Details of the Complaints handled by the State offices of the Commission

4.3.2.1 Agartala State Office

Statement showing number of cases received, disposed and pending during the year 2016-17 (upto September 2016).

Table No. 4.3

Jurisdiction : Tripura

Sl. No.	Nature of representation	Brought Forward from previous year	Received during the year 2015-16	Total	Disposed off	Pending
(1)	(2)	(3)	(4)	(5)	(6)	(7)
1.	Atrocity Matters	0	2	2	1	1
2.	Economic & Social Development	8	2	10	8	2
3.	Service Matters	3	5	8	5	3
4.	Miscellaneous ²	213	5	218	187	31
	Total	224	14	238	201	37

4.3.2.2 Ahmedabad State Office

Statement showing number of cases received, disposed and pending during the year 2016-17 (upto September 2016).

Table No. 4.4

Jurisdiction :Gujarat, Rajasthan, Daman and Diu, Dadra & Nagar Haveli

Sl. No.	Nature of representation	Brought Forward from previous year	Received during the year 2015-16	Total	Disposed off	Pending
(1)	(2)	(3)	(4)	(5)	(6)	(7)
1.	Atrocity Matters	389	117	506	302	204
2.	Economic & Social	220	28	248	146	102

²Miscellaneous Cases including false caste certificate, welfare, employment, healthrelatedissues etc.

	Development					
3.	Service Matters	290	67	357	128	229
4.	Miscellaneous ³	93	9	102	34	68
	Total	992	221	1213	610	603

4.3.2.3 Bangalore State Office

Statement showing number of cases received, disposed and pending during the year 2016-17 (upto September 2016).

Table No. 4.5

Jurisdiction :Karnataka

Sl. No.	Nature of representation	Brought Forward from previous year	Received during the year 2015-16	Total	Disposed off	Pending
(1)	(2)	(3)	(4)	(5)	(6)	(7)
1.	Atrocity Matters	158	60	218	51	167
2.	Economic & Social Development	204	35	239	47	192
3.	Service Matters	177	66	243	90	153
4.	Miscellaneous	112	2	114	33	81
	Total	651	163	814	221	593

4.3.2.4 Chennai State Office

Statement showing number of cases received, disposed and pending during the year 2016-17 (upto September 2016).

Table No. 4.6

Jurisdiction : Tamil Nadu, Puducherry

Sl. No.	Nature of representation	Brought Forward from previous year	Received during the year 2015-16	Total	Disposed off	Pending
(1)	(2)	(3)	(4)	(5)	(6)	(7)
Tamil Nadu						
1.	Atrocity Matters	1904	336	2240	788	1452
2.	Economic & Social Development	2471	371	2842	1131	1711
3.	Service Matters	1564	244	1808	343	1465
4.	Miscellaneous	494	0	494	237	257
	Total	6433	951	7384	2499	4885

³Miscellaneous Cases including false caste certificate, welfare, employment, health related issues etc.

4.3.2.5 Chandigarh State Office

Statement showing number of cases received, disposed and pending during the year 2016-17 (upto September 2016).

Table No. 4.7

Jurisdiction : Punjab, Haryana, Himachal Pradesh, J&K, Uttarakhand & UT of Chandigarh

Sl. No.	Nature of representation	Brought Forward from previous year	Received during the year 2015-16	Total	Disposed off	Pending
(1)	(2)	(3)	(4)	(5)	(6)	(7)
1.	Atrocity Matters	825	272	1097	251	846
2.	Economic & Social Development	331	39	370	4	366
3.	Service Matters	454	97	551	69	482
4.	Miscellaneous ⁴	560	92	652	58	594
	Total	2170	500	2670	382	2288

4.3.2.6 Guwahati State Office

Statement showing number of cases received, disposed and pending during the year 2016-17 (upto September 2016).

Table No. 4.8

Jurisdiction : Assam, Manipur, Mizoram, Nagaland, Meghalaya and Arunachal Pradesh

Sl. No.	Nature of representation	Brought Forward from previous year	Received during the year 2015-16	Total	Disposed off	Pending
(1)	(2)	(3)	(4)	(5)	(6)	(7)
Assam						
1.	Atrocity Matters	0	0	0	0	0
2.	Economic & Social Development	0	0	0	0	0
3.	Service Matters	34	7	41	14	27
4.	Miscellaneous	6	4	10	7	3
	Total	40	11	51	21	30

4.3.2.7 Hyderabad State Office

Statement showing number of cases received, disposed and pending during the year 2016-17 (upto September 2016).

⁴Miscellaneous Cases including false caste certificate, welfare, employment, health related issues etc.

Table No. 4.9
Jurisdiction : Andhra Pradesh, Madhya Pradesh, Chhattisgarh

Sl. No.	Nature of representation	Brought Forward from previous year	Received during the year 2015-16	Total	Disposed off	Pending
(1)	(2)	(3)	(4)	(5)	(6)	(7)
1.	Atrocity Matters	687	160	847	47	800
2.	Economic & Social Development	755	216	971	53	918
3.	Service Matters	737	133	870	118	752
4.	Miscellaneous ⁵	0	0	0	0	0
	Total	2179	509	2688	218	2470

4.3.2.8 Kolkata State Office

Statement showing number of cases received, disposed and pending during the year 2016-17 (upto September 2016).

Table No. 4.10
Jurisdiction : West Bengal, Odisha, Sikkim and A&N Islands

Sl. No.	Nature of representation	Brought Forward from previous year	Received during the year 2015-16	Total	Disposed off	Pending
(1)	(2)	(3)	(4)	(5)	(6)	(7)
1.	Atrocity Matters	207	59	266	89	160
2.	Economic & Social Development	143	45	188	71	96
3.	Service Matters	269	126	395	248	114
4.	Miscellaneous	148	73	221	34	163
	Total	767	303	1070	442	628

4.3.2.9 Lucknow State Office

Statement showing number of cases received, disposed and pending during the year 2016-17 (upto September 2016).

Table No. 4.11
Jurisdiction :Uttar Pradesh

Sl. No.	Nature of representation	Brought Forward from previous year	Received during the year 2015-16	Total	Disposed off	Pending
(1)	(2)	(3)	(4)	(5)	(6)	(7)
1.	Atrocity Matters	804	806	1610	1164	446
2.	Economic & Social Development	630	1095	1725	1170	555
3.	Service Matters	348	240	588	258	330

⁵Miscellaneous Cases including false caste certificate, welfare, employment, health related issues etc.

4.	Miscellaneous	169	180	349	173	176
	Total	1951	2321	4272	2765	1507

4.3.2.10 Patna State Office

Statement showing number of cases received, disposed and pending during the year 2016-17 (upto September 2016).

Table No. 4.12
Jurisdiction : Bihar and Jharkhand

Sl. No.	Nature of representation	Brought Forward from previous year	Received during the year 2015-16	Total	Disposed off	Pending
(1)	(2)	(3)	(4)	(5)	(6)	(7)
Bihar						
1.	Atrocity Matters	553	148	701	92	609
2.	Economic & Social Development	245	79	324	25	299
3.	Service Matters	323	102	425	37	388
4.	Miscellaneous ⁶	169	32	201	17	184
	Total	1290	361	1651	171	1480

4.3.2.11 Pune State Office

Statement showing number of cases received, disposed and pending during the year 2016-17 (upto September 2016).

Table No. 4.13
Jurisdiction :Maharashtra and Goa,

Sl. No.	Nature of representation	Brought Forward from previous year	Received during the year 2015-16	Total	Disposed off	Pending
(1)	(2)	(3)	(4)	(5)	(6)	(7)
1.	Atrocity Matters	636	268	904	0	904
2.	Economic & Social Development	254	112	366	0	366
3.	Service Matters	771	404	1175	0	1175
4.	Miscellaneous	4	24	28	0	28
	Total	1665	808	2473	0	2473

4.3.2.12 Thiruvananthapuram State Office

Statement showing number of cases received, disposed and pending during the year 2016-17 (upto September 2016).

⁶Miscellaneous Cases including false caste certificate, welfare, employment, health related issues etc.

Table No. 4.14
Jurisdiction :Kerala and Lakshadweep

Sl. No.	Nature of representation	Brought Forward from previous year	Received during the year 2015-16	Total	Disposed off	Pending
(1)	(2)	(3)	(4)	(5)	(6)	(7)
1.	Atrocity Matters	122	44	166	62	104
2.	Economic & Social Development	255	13	268	62	206
3.	Service Matters	52	16	68	37	31
4.	Miscellaneous ⁷	93	10	103	32	71
	Total	522	83	605	193	412

4.4 Some important and successful cases on Service Safeguard issues

1580 cases⁸ dealt in the Commission (Headquarters & State Offices) relating to service safeguards issues were closed in the Commission between April to September 2016. These cases were related to issues like denial of promotion/MACP, denial of appointments, denial of appointment on compassionate grounds, non payment of pension & terminal/pensionary benefits, dismissal/reinstatement cases, harassment in transfer/posting and other harassment cases on caste grounds etc.

Out of these, some of the interesting and successful cases (10 in Hqs and 21 in NCSC State Offices) are mentioned below:

Table 4.15

Sr no	Subject	Interesting cases at HQ	Interesting cases at State Offices
1	Promotion matters	3	4
2	Up-gradation of Pay Scales	01	0

⁷Miscellaneous Cases including false caste certificate, welfare, employment, health related issues etc.

⁸ 361 cases in the Commission headquarters and 1219 cases in State Offices

3	Appointment matters	0	2
4	Pensionary/Terminal Benefits matters	1	1
5	Transfer and harassment matters	4	11
6	Compassionate appointment matters	1	1
7	Suspension and re-instatement of services matters & Misc	0	2
	Total	10	21

4.4.1 In NCSC Headquarters

Promotion:-

- **File No. R-20/Delhi-53/2015/SSW-I:** A representation was received from Shri Ramesh Kirad, District Faridabad, Haryana on 26.04.2015 regarding denial of promotion to the post of Grade-I (DASS).The Commission took up the matter with Services Department, Govt. of NCT of Delhi. The petitioner Shri Ramesh Kirad has been promoted to the post of Grade-I (DASS) and case was successful
- **File No.-P-5/TN-6/2016/SSW-I:** A representation was received on 28.09.2015 regarding complaint of Shri V. Lemok Jayakumar, Assistant Director of Fisheries Tamilnadu for non fixation of TNPSC seniority in the cadre of Assistant Director of Fisheries for the year 2013-14 and promotion. The Commission took up the matter with the D/o Animal Husbandry Dairying and Fisheries (FS2) Govt. of Tamil Nadu. The petitioner Shri V. Lemok Jaykumar has been promoted to the post of Dy. Director of Fisheries on path with his immediate junior and case was successful
- **File No.-N-17/Rly-56/2016/SSW-I:** A representation was received from Shri Nand Kishor and other, railway employees Northern Railway, New Delhi on 25.04.2016 regarding denial of promotion to the post of of MCM. The Commission took up the matter with the Northern Railway. The petitioners

Shri Nand KIshor and others have been promoted as MCM (TL) vide office order 25.05.2016 and case was successful.

Compassionate Appointment:-

- **File No.-S-2/Rly-24/2015/SSW-I:** A representation was received from Smt. Sunheri Devi w/o Late Shri Padam Singh, District-Muradabad, U.P. regarding denial of compassionate appointment by Railways. The Commission took up the matter with Northern Railway. The petitioner's son has been appointed to the post of Guard Clerk on compassionate grounds.

Non payment of Pensionary Benefits & Arrears:-

- **File No.S-9/Rly-8/2016/SSW-I:-** A representation was received from Shri S.S. Das, Office Superintendent, East Coast Railway, Keonjhar (Orissa) on 09.02.2016 regarding his harassment by way of non regularization of leave, non payment of leave arrears, not allowing to joining duty and downgrading of the ACRs. The Commission took up the matter with the East Coast Railway. All the grievances of the petitioners have been resolved. The arrears of leave salary amounting to Rs. 2, 11,192/- was also released in favor of the petitioner.

Upgradation of payscale

- **File No.B-3/Raj-1/2014/SSW-I:** A representation was received from Shri B.S. Sankhla, Ex. Manager, Rajasthan Finance Corporation, Jaipur, Rajasthan on 07.04.2016 regarding harassment and denial of pensionary benefits (ex. gratia) and other due arrears. The Commission took up the matter with the Rajasthan Finance Corporation. The petitioner's grievances has been resolved as his grade pay has been increased from Rs.6800/- to Rs. 7200/-.

Issuance of Caste Certificate:-

- **File No. V-11/Delhi-121/2015/SSW-I:** A representation was received from Shri Vinay Kumar & Shri Bharat Kumar, New Delhi regarding denial of

issuance of SC caste certificate. The Commission took up the matter with the Dy. Commissioner, (District-West, Delhi). The petitioner has informed to the Commission that he has received the SC caste certificate .

Harassment & discrimination matters:-

- **File No.-G-10/Delhi-114/2015/SSW-I:** A representation was received from Dr. Gyanendra Kumar Associate Professor, Maulana Azad Institute of Dental Sciences, New Delhi has regarding discrimination on caste grounds by way of non posting as head of the research. The Commission took up the matter with the Maulana Azad Institute of Dental Sciences,. The petitioner Dr. Gyanendra Kumar has been appointed as Co.-Supervisor in respect of other MDS (Pedodontics & Preventive Density) .
- **File No.-J-4/commerce-3/2016/SSW-I:** A representation was received from Shri J. Ravi, Manager, Finance & Accounts, STC of India Ltd., Chennai on 25.6.2015 regarding his harassment by way of non providing computer & subordinate staff. The Commission took up the matter with the STC Ltd. All the grievances of petitioner have been resolved by way of providing personnel computer and subordinate staff .
- **File No.-C-3/Rly-6/2016/SSW-I:** A representation was received from Shri Chandra Sekhar Dey, Secretary, All India RPF Association Metro Railway, Kolkata on 28.12.2015 regarding complaint against Constable No.-5746 Dibyendu Chakraborty, member of All India RPF Association, Metro Railway, Kolkata working at SIB Cell. The Commission took up the matter with the Eastern Railway. The delinquent constable Dibyendu Chakraborty, of RPF/SIB/Metro Railway/Kolkata has been found guilty and punishment of censure imposed on 20.5.2016 .

4.4.2. NCSC State Offices

4.4.2.1 State Office, Agartala

- **File No: 54/8/2016-RU :-** A representation was received from Smt. Gopa Mallik w/o Sri Shyamal Kishore Mallik, Arundhutinagar, Agartala on 04.07.2016 it is alleged that her husband working in the Accountant General Office, Agartala as Auditor. Without any notice or proper reason the A.G. Authority confined his salary for two months. Smt. Gopa Mallik stated that due to confining of salary of her husband she is facing a lot of trouble with two children. State Office took up the matter with AG Agartala the two months salary was released within a fortnight.

4.4.2.2 State Office, Bangalore

- **File No:40/10/2014-Ru :** A representation was received from Dr.Krishnamurthy, Assistant Professor, Indian Statistical Institute, Bangalore regarding denial of promotion in 2014 The Commission took up the matter with the Director, ISI, Kolkatta. A reply received from ISI Kolkatta stated that although the Institute is exempt from reservation in the Associate Professor Cadre, because of the recommendation of the Commission the petitioner is being considered and that they ensured that the petitioner gets an absolutely fair and transparent treatment.
- **File No: 44/BUC/4/2016-Ru:** A representation was received from Dr.D.T.Angadi, Research Guide & Associate Professor, Gulbarga, regarding request for appointment as Incharge Principal under reservation. NCSC took up the matter with the Secretary, Higher Education, Commissioner, Collegiate Education and Joint Director, Collegiate Education. The reply received from Department of Collegiate Education stated that Dr.D.T.Angadi had been appointed as In-charge Principal.
- **File no:58/6/2012-RU:** A representation was received from Scheduled Caste Welfare Association SBI regarding Shri Gangadhar Bhovi an employee in SBI who had submitted false caste certificate and acquired a job in the Bank. The Commission took up the matter and in August 2016 received a reply from the Bank stating that the case of Shri Gangadhar Bhovi was found to be

true that the person who is an OBC entered the service of the Bank by using a false caste certificate.

4.4.2.3 State Office, Chandigarh

- **1-Chd/10/2016** : A representation was received from Shri Som Veer, Manager, Syndicate Bank, Sector-17, Chandigarh regarding transfer on promotion basis from Chandigarh to Regional Office, Agra. He stated that he had already completed outside term of three years in RO Moradabad. He requested to retain in the same branch at Chandigarh. The matter was taken up with GM, Syndicate Bank, Manipal. Bank has retained him at the same branch.

4.4.2.4 State Office, Chennai

- **F.No: 9/5/2016 Rep (CGU)** : Shri.P.Paramasivam, Sub-staff, LIC, Chennai submitted a representation for his promotion. On the intervention of the Commission, Shri.Paramasivam was promoted as Assistant by recognising his educational qualification vide LIC letter dated 24.04.2016.
- **F.No: 9/35/2015 Rep (SG)** : Shri.Manoharan, Teacher, MCT Higher Secondary School, Chennai submitted a representation alleging discrimination and harassment by Headmaster Incharge. On intervention of Commission, the Headmaster Incharge was transferred from the School on 22.05.2016.
- **F.No: 9/8/2016 Rep (Bank)** : Shri.A.K.Nakkeeran, General Secretary, Oriental Bank SC/ST Employees Welfare Association, Chennai had represented regarding refusal of conducting Dr.Ambedkar's birthday celebration officially. On intervention of the Commission, the Oriental Bank of Commerce informed that Dr.Ambedkar birth Anniversary was celebrated on 07.05.2016.

4.4.2.5 State Office, Kolkata

- **File No. 8/6/2016 – GEN/WB** : A representation was received from Smt. Ashima Bhuyan Cuttack, Odisha a contractual lady Teaching Associate of Institute of Hotel Management and catering Technology regarding termination in spite of appreciable performances and one retired employee

of the Institute has been appointed in place of her. The Commission took up the matter with the Principal -in - charge on 04.08.2016. On 01.09.2016 the petitioner has been re-engaged in the Institute in the same post.

4.4.2.6 State Office, Patna

- **File No. 7/5/2016-B:** A representation dated 20.12.2015 was received from Shri Vishwajeet Paswan s/o Shri Kishori Paswan, village- Galimapur, Post-Lohani, Dist.- Munger regarding unnecessary delay in joining in service after selection for Group D post in Indian Railway. The Commission took up the matter with the Chairman, Railway Recruitment Cell, Bilaspur and the petitioner informed that he has joined service.

4.4.2.7 State Office, Pune

- **File No-NCSC/Pune/11/2016-SSW-II:-** A representation was received from Shri Pramod Manohar Kharat, AIATCL, Mumbai, regarding removal from service. The Commission took the matter with AIATCL on 03.03.2016. Due to intervention of the Commission the petitioner has been reinstated in service and the case was successful.

4.4.2.8 State Office, Hyderabad

- **F. No. 1/23/15/TS-Ser:** A representation was received from Shri N. Suresh Babu, Jr. Engineer , South Central Railway, Telangana regarding denial of promotion as senior section engineer. The Commission took the matter with SCR, Secunderabad. SCR considered his case favorably and promoted him as SSE.
- **No. 1/66/15/TS-RU:** A representation was received from Smt. Ch. Sreemla w/o. late Sudhakar, Secunderabad, Telangana regarding non payment of gratuity, insurance, travel claims etc. of her late husband by Central Silk Board. The Commission took up the matter with Central Silk Board and they cleared the dues of her late husband .
- **F. No. 1/37/14/CG-Ser.:** A representation was received from Shri K.C. Sunhare, Associate Professor of Korba Institute of Engineering, Chhattisgarh regarding discrimination and harassment by Principal. He was at the verge of termination when he approached this Commission. After

prolonged correspondence, the college confirmed his services in the post of Associate Professor .

- **F. No. 1/82/15/AP-Ser.:** A representation was received from Smt. Kota Baby, w/o. Late Gangachalam of BSNL, West Godavari, Andhra Pradesh regarding non payment of her pension, gratuity etc. from BSNL. Her husband died in 2013 and death benefits were given by BSNL only after intervention by NCSC.
- **F. No. 1/10/16/AP-Ser.:** A representation was received from Shri Sudhakar, Officer of SBI, Nellore, Andhra Pradesh regarding harassment and discriminatory transfer. The Commission took the matter with CGM, SBI and SBI considered his request and posted him to Nellore, where he wanted posting.
- **F. No. 1/75/15/AP-Ser.:** A representation was received from Shri L. Madhu Kumar, LDC of ITAT, Mumbai, , Visakhapatnam, Andhra Pradesh, regarding ITAT is not following rule of reservation correctly. He pointed out errors in backlog vacancies of LDCs. After investigation by NCSC ITAT agreed in writing that they made mistakes in the past with consequential errors. To remedy this ITAT issued promotion orders to 7 LDCs belonging to SC/STs including the petitioner.

4.4.2.9 State office, Thiruvanthapuram

- **FILE NO:KL/12/51/2014 :** A representation was received from Shri. Anil Kumar, Sr. Attendant, Airport Authority of India, Calicut International Airport, regarding his candidature for appointment at NE-4 level from the dated of joining and consider him for promotion to the post of NE-5 as per order dated 25.09.2006 granting higher scale. The Commission took the matter with the Regional Executive Director, Airport Authority of India. In this regard final reply received from the Assistant General Manager, Airport Authority of India states that the trade test and DPC were conducted to promote the officials including the petitioner to NE-4 level and promotion order also issued.

- **FILE NO:KL/12/6/2015:**A representation was received from Shri. Pramod.P, KSRTC, Alappuzha regarding taking up of necessary action to retain him at Alappuzha on medical grounds ,due to heart ailments and asthma. The Commission took the matter with the Managing Director, KSRTC.In this regard final reply received from the Chairman and Managing Director, KSRTC states that the petitioner was retained in Alappuzha itself .
- **FILE NO: KL/12/1/2016:** A representation was received from Shri. Prasanth Lavan, Ernakulam regarding his appointment on compassionate ground at Health Service and also requesting for reimbursement of medical expenses of his father as the Department of Health Service has not initiated any action on it. The Commission took the matter with the Secretary, Health Department, Trivandrum.In this regard final reply received from the Director, Health Services states that Government has issued GO dated 03.08.2016 sanctioning his appointment as Lower Division Clerk in Health Service Department on compassionate grounds.
- **FILE NO: KL/12/22/2016:** A representation was received from Shri. Manesh.M.P, All India Radio, Trivandrum regarding taking necessary action as his sister was molested and manhandled by husband of his colleague at All India Radio staff quarters. The Commission took up the matter with the Director, All India Radio and Commissioner of Police, Trivandrum City. s. In this regard final reply received from the concerned states that an enquiry Committee was constituted and recommendation issued to the accused persons to vacate the quarters.

4.5 Economic and Social Development matters

The Commission received a large number of cases in the economic and social development sector and a total of 2898 cases⁹ relating to this sector were disposed off by the Commission between April to September 2016. A few interesting and successful cases in which 267 beneficiaries received benefits and compensation to the tune of ` 1,83,89,050/- . are enumerated below:-

⁹ 327 cases in the Commission headquarters and 2571 cases in State Offices

Sr. No.	Subject	Interesting cases at NCSC HQ	Interesting cases at NCSC State Offices
1.	Admission matters	3	2
2.	Scholarship matters	4	1
3.	Land matters	8	-
4.	Benefit under SC Schemes	-	6
5.	Allotment of petrol pump	1	1
6.	Education	6	8
7.	Miscellaneous matters	11	14
	Total	33	32

4.5.1 In NCSC headquarters

4.5.1.1 Denial of Admission in educational institutes:

- **F.No. 16/156/Delhi/2016/ESDW:** A representation was received from Shri Vijay Kumar F/o student Deepshikha, R/o N-2 LIC Jeevan Sarita Colony Dilshad Garden New Delhi regarding the admission in Science stream in XI class in the Hansraj Smarak Senior Secondary School, New Delhi for his daughter. After intervention of the Commission the Principal of the school has given the admission to the girl in class XI in Science Stream.
- **F.No. 16/17/Delhi/2016/ESDW:** A representation was received from Vijay Verma, R/o DDA QTR. No. 8 2nd Floor New Seemapuri Delhi regarding denial of admission of his daughter Divya Verma in the Green Way Modern School, Dilshad Garden Delhi. After intervention of the Commission, the daughter of petitioner was admitted in class Pre- Primary in the school .
- **F.No. 16/98/UP/2016/ESDW:** A representation was received from Shri Deepak Mehton S/o Shri Malkiat Singh, R/o D-192 Sector-55, Noida submitted regarding his detaining in the 6th Semester during the Academic year 2014-15. Whereas as per Guru Gobind Singh Indraprastha University notice dated 31.07.2015 all students should be promoted to the next year

irrespective of credits acquired by students Perhaps petitioner was detained in the 6th Semester due to shortage of attendance. He has requested to condone his detention. After intervention of the Commission the IP University allowed the petitioner to appear in 6th Semester of the BA LLB and allowed 2 additional years to complete the programme from 5th year of study.

4.5.1.2 Scholarship/Fellowship matters

- **F.No. 16/80/UP/2016/ESDW:** A representation was received from Shri Navneet Kumar S/o Shri Dayaram, R/o Village+P.O. Barari District Mathura Uttar Pradesh regarding non payment of scholarship in the B.Tech in GLA University Mathura in the final year. After intervention of the NCSC, the District Social Welfare Officer released the scholarship amount of Rs. 6600/- and tuition fee Rs. 27,400/- .
- **F.No. 16/129/UP/2016/ESDW:** A representation was received from Shri Ravish Kumar & 4 other student B.Sc (Agriculture) IInd Year Chandra Skekhar Azad Agriculture and Technology University, Kanpur, Uttar Pradesh regarding denial of scholarship & tuition fee for the year 2014-15. After intervention of the Commission the University, released the scholarship & tuition fee of the student for the year 2014-15 & 2015-16 .
- **F.No. 16/19/Bihar/2016/ESDW:** Taking suo moto cognizance of press reports, regarding threat of suicide by the 60 SC students, belonging to Bihar, studying at Rajdhani Engineering College, Bhubaneswar regarding non-release of their scholarship, the matter has taken up by the Commission, with the Chief Secretary, Government of Bihar and Chief Secretary, Government of Odisha. Odisha Government was asked not to terminate the students from the Rajdhani Engineering College and they vide their DO No. 9/PRS/SDTE dated 02.02.2016 have intimated that the College has been directed to ensure that the students are allowed to continue their study till the matter is resolved. Government of Bihar, as reported vide their letter No. 5/Dir.-scholarship-26-05/2005-3127 dated 10.03.2016, released an amount of Rs. 51,58,830/- of scholarship to 80 students out of total 83 SC students of the said College. The Commission has

recommended that process of verification of the Institute be completed within 2 months and online system for verification be developed to avoid delay in scholarship to the Institute and students may be permitted to continue their study till the release of their scholarship.

4.5.1.3 Land related

- **F.No. 14/70/Delhi/2016/ESDW:** A representation was received from Smt Rajbala w/o Shri Sita Ram, R/o H.No. 21 Near State Bank of India Badli, Delhi that she had purchased land from a person at Gram Mahavad, Dadri ,Gautambudh Nagar , UP but he is handing over less land as per agreement. After intervention of the Commission the DM, Gautambudh Nagar has provided the possession of land to the petitioner as per agreement.
- **F.No. 14/149/UP/2015/ESDW:** A representation was received from Smt Rajpati W/o Late Shri Ram Achal, R/o Village Kudwa, Charsadi, District Gonda, UP regarding plot of land being grabbed by the dominant persons of the village. After intervention of the Commission, the District Administration Gonda completed demarcation of the land and possession was given. Petitioner is satisfied with the action.
- **F.No. 14/217/Raj/2015/ESDW:** A representation was received from Bhika Ram, S/o Shri Sohan Lal, R/o Teliwada Mohalla, Jingaro Ka Mohalla, District Bikaner Rajasthan regarding encroachment his land by a non SC person. After intervention of the NCSC, demarcation of land has been completed by the District Administration and accordingly he was provided possession of the land.
- **F.No. 14/222/UP/2015/ESDW:** A representation was received from Sh. Ashok Kumar, S/o Sh. Mohar Singh, Vill. Didoli P.S.Murad Nagar, Tehsil Modi Nagar Distt. Ghaziabad Uttar Pradesh regarding encroachment of his agricultural land by the opposite party. After intervention of the Commission the DM, Ghaziabad submitted that after demarcation of the land, the possession was given to the petitioner.

- **F.No. 14/153/HR/2015/ESDW:** A representation was received from Smt. Anita W/o Sh. Rakesh , VIII. Pavata, Post-Pali, Teshsil & Distt.-Faridabad, Haryana regarding father in law was allotted a plot of 100 sq. Gaj but till date possession was not given to them. After intervention of the Commission the Deputy Commissioner, Faridabad stated that the petitioner has been provided the 100 Gaj land.
- **14/42/U.P/2013/ESDW:** A representation was received from Smt. Sarita Verma, w/o Sh. Shankar Lal, A/05, Awadh Apartment, Vipul Khand-1, Gomti Nagar, Uttar Pradesh submitted regarding allotment of plot. She complained that she was allotted a plot measuring 300sq mt. in Gomti Nagar, Lucknow by Lucknow Development Authority. She deposited Rs. 57,000/- for the plot. Later on the Authority cancelled his plot and given her a cheque of Rs. 45,600/- on 13.02.2015 which she refused and requested for another plot in phase II. The petitioner has again submitted that the cost of flat is Rs. 38 lakh as per original price in 2009 and she has already deposited the original cost but Lucknow Development Authority is charging total Rs. 79,77,462/- alongwith interest for the cost of flat. She has requested that the flat may be given on original cost as the flat is allotted to her in place of plot. After intervention of the Commission the matter was resolved at old rates.
- **F.No. 14/173/MP/2012/ESDW:** A representation was received from Shri Puran Singh S/o Shri Moolchand, Bilkishanganj Tehsil Sihor, District Sihor Madhya Pradesh regarding illegal encroachment of his land by opposite party of the village. After intervention of the Commission the Collector, Sihor MP has intimated that after demarcation of land the possession has been provided to the petitioner.
- **F.No. 14/178/MP/2012/ESDW:** A representation was received from Smt Kalavati w/o Late Shri Vanshpati Saket, Village Kapsa District Reewa Madhya Pradesh regarding illegal encroachment of his land by opposite party of the village. After intervention of the Commission the Collector,

Reewa MP has intimated that after demarcation of land the possession has been provided to the petitioner and the case was resolved.

4.5.2 Benefit under SC schemes

4.5.2.1 Education

- **F.No. 16/131/Delhi/2016/ESDW:** A representation was received from Shri Chatar Singh S/o Late Shri Jhandu Ram & others, R/o Village+P.O. Mandi New Delhi regarding humiliation and harassment of school children by the Principal of the school, South Delhi Municipal Corporation, Primary School New Delhi. On the basis of intervention of the Commission the Principal of SDMC, Delhi was transferred from the school.
- **F.No. 16/8/HR/2016/ESDW:** A representation was received from Shri Shyam S/o Shri Rati Ram, R/o Anand Nagar Near New Jyoti Public School Rewari Haryana regarding permission to sit in the examination of 3rd Semester of DMM trade in ITI Kund Manethi, District Rewari Haryana. After intervention of the Commission the Haryana Industrial Training Directorate, as intimated the petitioner was readmitted and allowed to appear in the examination in the 3rd Semester
- **F.No. 16/62/PC/UP/2016/ESDW:** on the basis of press clipping published in Times of India, regarding denial to complete Pre Ph. D course work, the matter was taken up with Vice Chancellor, Chaudhary Charan Singh University, Meerut UP. After intervention of the Commission the University has intimated that petitioner Shri Harish Kumar has been allowed to appear for the examination in Pre Ph. D course.
- **F.No. 16/18/Kolkata/2016/ESDW:** A representation was received from Ms. Granthana Mandal that she passed the KVPY, 2015 held on 01.11.2015 but the Indian Institute of Science, Bangalore scheduled interview on 21.02.2016 at Bangalore during her Higher Secondary exams scheduled

from 16.02.2016 to 29.02.2016. She has requested for the change of venue from Bangalore to Kolkata so that she can appear in the interview. After intervention of the Commission the Indian Institute of Science, Bangalore intimated that change of venue to Kolkata for interview of petitioner considered and she attended the interview on 11.02.2016 at ISI Kolkata .

- **File No. 16/247/UP/2015/ESDW:** A representation was received from Ms. Yamini Kumari D/o Sh. Nagin Kumar, R/o House No. 15/161 M.P. Pura, Tajganj, Agra, Uttar Pradesh regarding non payment of scholarship of Rs. 7000/- for B.Sc first year. After intervention of the Commission the DM, Agra intimated that scholarship of Rs. 7000/- has been credited in the bank account of petitioner ..
- **F.No. 16/55/MP/2014/ESDW:** A representation was received from Sh. Mukesh Iwane and all students of Post Matric Boys Hostel, Betul Ganj Batul, Madhya Pradesh regarding issuance of an order by Government to vacate the post matric hostel , Betul by the Scheduled Caste students. After intervention of the Commission, the Collector Scheduled Tribe Welfare Betul submitted that the Scheduled Caste & Scheduled Tribe students of class 11th & 12th have been staying there and no order was issued to vacate the hostel.
- **F.No. 16/80/UP/2012/ESDW:** A representation was received from Sh. Varun Kumar S/o Sh. Giriraj, R/o S-6/1, 11A, Rajender Nagar, Sector-5, Ghaziabad Uttar Pradesh regarding denial of scholarship under the scheme of CPL training course by the State Government. After intervention of the Commission the petitioner was paid Rs. 8,23,367/- first installment of 33% out of total amount Rs. 24,95,050/- during the year 2016-17 .

4.5.3 Miscellaneous matters

- **F.No. 19/22/Raj/2016/ESDW: (petrol pump allotment)** A representation was received from Ms Vandana Tanwar, R/o F/203 Shiv Shakti Paradise A-6 Central Spine Vidyadhar Nagar, Jaipur regarding delay in allotment and

running of petrol pump at NH 8 Ajmer Rajasthan. The matter was taken up with Bharat Petroleum Corporation Limited & intimated that Letter of Intent (LOI) has been issued to the petitioner.

- **F.No. 24/251/Misc/HR/2015:** A representation was received from Krishna Devi W/o Late Sh. Dalip Singh Vill ,PO Khol , Rewari, Haryana regarding waiver of recovery amount from his husband, ex forest guard in Forests & Wildlife Department, Government of Haryana. After intervention of the Commission the recovery of an amount of Rs. 1,47,062/- has been waived off from the petitioner .
- **F.No. 24/1/Misc/UP/2015/ESDW:** A representation was received from Sh. Ashok Sant, Dr. Ambedkar Mission, Sector-17, C 102, Vasundara, Ghaziabad, UP regarding allotment of 80 platforms to the Scheduled Caste person in the Ghaziabad Development Authority. After intervention of the NCSC, Ghaziabad Development Authority has sanctioned the 80 platforms to the pattri persons (hawkers).
- **F.No. 24/76/Misc/Gujarat/2015/ESDW:** A representation was received from Sh. Ghela Ruda Singarakhia, Member Gram Panchayat, R/o Post Visavada, Porbandar, Gujarat, regarding stoppage of water supply in the Scheduled Caste locality of the village. After intervention of the NCSC, the matter was resolved and supply of water restored .
- **F.No. 24/65/Misc/MP/2015/ESDW:** A representation was received from Smt. Kavita Mirdha W/o Late Shri Pappu Mirdha, R/o Sindhia Nagar, Marghat Wali Wari Ward No- 60 ,Gwalior, Madhya Pradesh, regarding the compensation and job after murder of her husband. After intervention of the Commission the petitioner was given the job in a hostel and a compensation of Rs 5 lakh has been sanctioned .

- **F.No. 24/18/Misc/UP/2015/ESDW:** A representation was received from Shri Ramesh & others, R/o H. No. 148 Thana Bapu Garh, Chawani , Ghaziabad, Uttar Pradesh that after death of his father, the Bank of India has not paid the balance amount to his legal heirs. After intervention of the Commission the Bank of India has paid Rs. 41292/- to the petitioner.
- **F.No. 24/137/Misc/UP/2015/ESDW:** A representation was received from Sh. Lallaram Gautam S/o Shri Ramnath, R/o village Guthwanpur, Block-Fatehpur , Barabanki, Uttar Pradesh regarding stoppage the passage for the Scheduled Caste persons of the village due to construction of a bridge at drain under MPLAD during the year 2013-14 at the Colonel Anirudh Shukhla Girls College. After intervention of the Commission the wall constructed obstructing the way of villagers have been demolished and passage was given to the villagers .
- **F.No. 24/44/Misc/UP/2016/ESDW:** A representation was received from Om Prakash S/o Late Shri Ghanshyam, R/o Sadullabad Ward No. 12, 40 Foot Road Tehsil Loni ,Ghaziabad, Uttar Pradesh regarding some person restraining him from demolishing his house. After intervention of the Commission the matter has been resolved.
- **File No. 24/8/Misc/MP/2016/ESDW:** A representation was received from Shri Raja Ram S/o Shri Udai Ram, R/o Uddankhera Tehsil, Atair, Bhind, Madhya Pradesh regarding the passage not being given to the Scheduled Caste persons in the village. After intervention of the NCSC, the DM, Bhind has submitted that the passage have been given to the Scheduled Castes persons in the presence of villagers and the case was resolved.
- **File No. 24/306/Misc/HR/2015/ESDW:** A representation was received from Sh. Subhash Chand S/o Sh. Tulsidas village Paulad, Tehsil Seevan, Kaithal, Haryana regarding the non payment of dues for the labour work by the sarpanch & JE for construction of passage in the village. After intervention of the Commission all dues have been paid to the petitioner.

- **File No. 24/17/Misc/UP/2016/ESDW:** A representation was received from Smt. Geeta Devi, W/o Shri Ram Bharosa, R/o Vill- Naya Purva, Majari Muhivdeen P.O. Kamarkha, Barabanki, Uttar Pradesh regarding compensation of Rs. 30,000/- for failure of sterilization during the treatment. After intervention of the Commission the ICICI Lombard General Insurance Company issued the cheque of Rs. 30,000/- to the petitioner .
- **File No. 24/80/Misc/Delhi/2014/ESDW:** A representation was received from Smt. Anju Bala, R/o 6/229, Vipul Khand, Gomti Nagar, Lucknow regarding harassment by the Assistant Engineer (B) SDMC, Green Park, New Delhi regarding the house allotted to her by DDA at Vasant Kunj, New Delhi, she was renovating the house but South Delhi Municipal Corporation has disconnected electricity and water supply in her house. After intervention of the Commission the SDMC has withdrawn the case against the house and electricity and water supply has been restored .

4.5.4 In NCSC State offices

4.5.4.1 State Office, Agartala

- **File No: 54/11/2016-RU:** A representation was received from Shri Subhas Ch. Biswas of Barjala, Agartala regarding offensive smell due to temporary latrine made by his next door neighbour . The Commission took up the matter with the Municipal Commissioner, Agartala Municipal Corporation and the Commissioner took immediate action on the matter. A Sulabh latrine has been made by the implementing authority.
- **File No: 54/9/2016-RU:** A representation was received from Sri Amulya Rabi Das of Malanchanagar, Agartala regarding non admission of his daughter in class-VI in the Hindi H.S. School of Agartala due to non co-operation of Headmistress. The Commission took up the matter with the Headmistress and his daughter was given admission in the school.

- **File No: 54/12/2016-RU:** A representation was received from The Secretary of Abhilasha Welfare Society, Agartala that 40 SC girls students , sponsored by the State SC Welfare Department two years back for nursing training in Maitry School of Nursing at Hyderabad and have passed the nursing course were not given the N.O.C. from the concerned nursing school . Hence they could not register their diploma/degree of Nursing in the State Nursing Council. The Commission took up the matter with the SC Welfare Department as well as Tripura Nursing Council to take immediate action on the matter. On 18.08.2016 the Registrar ,Tripura Nursing Council, Agartala , informed that the NOC has been received on 17.08.2016 from the Maitry School of Nursing for all the students.
- **File No: 54/3/2016-RU:** A representation was received from The President of Abhilasha Welfare Society, Agartala that a SC family of Bhatkhauri Village of Salema Block under Kamalpur Sub- regarding offensive smell due to temporary latrine made by their next door neighbour The Commission took up the matter with D.M. , Dhalai .On 04.07.2016 the D.M. informed that the problem has been solved as the accused family made a pucca latrine with the help of the concerned Gram Panchayat.

4.5.4.2 State Office Chandigarh

- **4-CHD/10/2016:** A representation was received from Shri Shyam Lal Ghawri,President Safai Karamchari Union Regd.No.63, M.C.Chandigarh submitted a complaint regarding illegal occupation on the Gugga Mari Mandir Sector 32 D, Chandigarh. The matter was taken up with Deputy Commissioner, Chandigarh and the Director Social Welfare Department, Chandigarh for visit the said Mandir. The matter has been settled.

4.5.4.3 State Office, Chennai

- **F.No: 8/56/2016 Rep. :** Shri Palani, Vellore has represented on the delay in sanction of education loan to his son Shri.P.Selvakumar by Indian Bank. On intervention of the Commission, the son was sanctioned Rs.2.20 lakh as education loan on 28.03.2016 .

- **F.No: 10/19/2016 Rep.** : A representation was received from Shri.C.Subramanian, Thiruvarur District represented on the delay in the issue of 'Legal Heir Certificate'. Due to the intervention of Commission, the petitioner vide his letter dated 10.04.2016 informed that he has received the 'Legal Heir Certificate' .
- **F.No: 8/27/2016 Rep** :Shri.Palanisamy, Tiruchirapalli District submitted a representation on the delay in issue of loan by Indian Overseas Bank. On intervention of the Commission, the loan has been released to the petitioner on 23.03.2016.
- **F.No: 8/34/2016 Rep:** Shri.S.Sekar, Chennai submitted a representation for release of loan amount by Indian Bank. Due to the intervention of the Commission, the loan amount was released to the petitioner on 23.06.2016.
- **F.No: 8/6/2016 Rep.:** Smt.D.Ezhilrani, Cuddalore District has represented on denial of education loan. On intervention of the Commission, Indian Bank has sanctioned education loan to the petitioner on 23.06.2016.
- **F.No: 8/192/2015 Rep.** :Shri A Kandeepan, Chennai has represented on non-sanction of TAHDCO loan by Indian Overseas Bank. On intervention of the Commission, the petitioner was sanctioned TAHDCO loan vide AGM, Indian Overseas Bank, Chennai letter dated 02.06.2016.
- **8/87/2015 Rep.** :Shri.P.Karthik, Thiruvallur District has requested for sanction of TAHDCO loan by Indian Bank. Due to the intervention of the Commission, the petitioner was sanctioned TAHDCO loan on 18.05.2016 as reported by vide Indian Bank letter dated 26.06.2016.

4.5.4.4 State Office, Hyderabad

- **F. No. 5/10/15/TS-RU:** A representation was received from Shri Bhalesh, r/o. Usirikapally (V), Shivampet Mandal, Medak , Telangana regarding collecting fees for his two children even though he belongs to BPL by KV School Uppal. After intervention by this office the petitioner got fee waiver for his two children studying in Kendriya Vidyalaya, under BPL quota .

- **F. No. 5/2/16/TS-RU:** IOCL sanctioned LPG distributorship to Shri Pradeep Penumala of Ranga Reddy Dist., Telangana, after Commission intervened in the matter.
- **F. No. 5/14/15/AP-RU:** A representation was received from Ms. K. Ramya Sudha of Undi , West Godavari, Andhra Pradesh regarding not settling her education loan as it has become NPA by Union Bank of India. Her father, who is UBI employee was a co-borrower and treated it as a staff loan and denied concessions applicable to NPAs. The Commission took this matter with UBI. Union Bank of India has now closed education loan of the petitioner ending her long standing woes .

4.5.4.5 State Office, Kolkata

- **File No.11/20/2014 – GEN/WB :** A representation was received from Ms Saadia Jeelani, regarding issue of OBC certificate in favour of her for admission to B.Ed courses. The Commission took this matter with the DWO, Kolkata . The DWO ,Kolkata informed this office that OBC certificate has been issued in favour of Miss Jeelani.
- **File No. 4/2/2015- GEN/WB:** A representation was received from Miss Natasa Ahmed regarding facilities of reservation in terms of qualifying marks which are not giving to the OBC candidates by joint CSIR-UGC NET. The Commission took up this matter with the Secretary, CSIR UGC ó NET Examination Board for necessary action. The Deputy Secretary, CSIR, New Delhi informed this office that CSIR has started giving relaxation in cut of marks to OBC (non-creamy layer) category candidates.
- **File No. 4/2/2016 –GEN/WB:** A representation was received from Shri Sujoy Paul South 24 Parganas regarding Post-matric scholarship for the year 2014 ó 2015 being not received. The Commission took this matter with the PO cum DWO, South 24 Parganas. On 27.07. 2016 the DWO informed that the scholarship has already been deposited to the petitioner's Bank Account.

4.5.4.6 State Office, Patna

- **File No. 1/10/2016-B:** A representation was received from Miss Shobha Kumari d/o Late Rajendra Das, Sheikhpura Bagicha, Patna on 12.04.2016 regarding help for admission in Girls Residential School, Khushrupur, Patna. The Commission took up the matter with the District Education Officer, Patna for necessary action. The District Education Officer, Patna informed the Commission that the Principal of said school has been directed for admitting the petitioner.

4.5.4.7 State Office Pune

- **NCSC/Pune/9/2015- APCR – II:** A representation was received from Smt. Nanda Vasant Randheer regarding the MSEB installing electric poles in petitioner's agriculture land. The Commission took up the matter with MSEB on 24.02.2015. The Mahavitaran Pune . informed vide their letter no. काअ/ वेहगाव /2208, dated 21.04.2016 that the poles have been removed from the land .

4.5.4.8 State Office, Thiruvananthapuram

- **FILE NO: KL/15/O/F/2/2016A:** representation was received from Shri. Thambi, Trivandrum regarding a request to take necessary action for educational assistance. The Commission took up the matter with the General Manager, Canara Bank, SLBC, Trivandrum. In this regard final reply received from the Zonal Manager, Bank of India reveals that they have waived off an amount of Rs. 3.55 lakh and the interest towards an education loan taken by the petitioner.
- **FILE NO: KL/15/O/H/3/2016 :** A representation was received from Smt. Ambujakshi, Kulathupuzha, Kollam regarding a request to take necessary action to include her in housing scheme. The Commission took up the matter with the Director, SC Development Department and Backward Class Development Department, Trivandrum. In this regard Director, SC Development Department reported that the petitioner was sanctioned Rs.2 lakh towards housing grant for the year 2015-16 and completed the construction.

- **FILE NO: KL/15/O/F/6/2016** : A representation was received from Smt. Vinodhini and Smt. Kamalakshi, Punalur, Kollam regarding a request to take necessary action to waive off the loan amount, which was taken from Kollam District Co-operative Bank. The Commission took up the matter with the Registrar, Co-Operative Societies, Trivandrum. In this regard Registrar, Co-Operative Society reported that the petitioner has been included in waive off loan scheme.
- **FILE NO: KL/15/O/SEP/9/2016** : A representation was received from Shri. Lal Kumar.P, Kollam regarding a request to take necessary action as the Panchayat is not following reservation while allotting shopping complex. The Commission took up the matter with the Director of Panchayat, Trivandrum. In this regard the Panchayath Director reported that the Panchayat Secretary was instructed to reserve one room in shopping complex for SCs as per reservation.
- **FILE NO: KL/15/O/SEP/19/2016**: A representation was received from Shri. Jagathanan, Trivandrum regarding a request to take necessary action to extend monetary relief to his family as his daughter murdered on 01.01.2013 and registered the case under Section 3(2) (X) of SC/ST (POA) Act and requesting for employment assistance to dependant of the victims family. The Commission took up the matter with the Director, SC Development Department , Trivandrum. In this regard Director, SC Development Department reported that the petitioner was sanctioned an amount of Rs. 1,87,500/- as monetary relief and employment assistance is under consideration.
- **FILE NO: KL/15/O/Misc/11/2016** : A representation was received from Smt.Padmini, Alappuzha regarding her being deprived off ration commodities with accurate measurement and abused by ration shop owner. The Commission took up the matter with the District Supply Officer, District Supply Office, Alappuzha and who reported that the discrepancies in non issue of ration commodities to the consumer was found. It was decided to deduct an amount of Rs.1000/- from surety bond of the licensee. The licensee was also strictly warned as not to repeat such practices mend

behavior.. The petitioner also agreed that now she has no complaint and commodities are received properly.

4.5.4.9 State Office, Lucknow

On receipt of representations from dependents in 6 cases of death of SC persons, these cases were also taken up by the NCSC State Office, Lucknow. Additional financial assistance of Rs 18.75 lakh was sanctioned by the Government from the Chief Minister's Relief Fund to the families of the deceased, after the cases were followed up by the NCSC. The details are:

- **File No. – 5/03/2016-Gen.:-** Case of Smt. Seema w/o Late Ram Karan R/o Village and post pachokhar, Tehsil Narini, District Banda. U.P. Compensation of Rs **1,00,000/-** was given to family from CM Relief fund on 23.05.2016.
- **File No. – 5/340/2015- Gen:-** Case of Sri Prempal Singh Gautam S/o Sri Ayodhya Prasad R/o Village Narhi Naua Nagla, Thana Hifizganj, Bareilly. Compensation of Rs **50,000/-** was given to family from CM Relief fund on 04.05.2016.
- **File No. 6 4/307/2016-Gen.:-** Case of Sri Ganga Prasad S/o Late Mata Prasad R/o Village Fazalganj Petrol Pump, Near Pahalwan Hotel, Thana Fazalganj, Kanpur Nagar. Compensation of Rs **1,00,000/-** was given to family from CM Relief fund on 08.09.2016.
- **File No. – 4/10/2016-Gen.:-**Case of Smt Rajpatiya S/o Late Devidayal R/o Village Rajju Kushwaha ka purwa majara & post ballan, Tehsil Atrra, Banda. Compensation of Rs **5,00,000/-** was given to family from CM Relief fund on 30.04.2016
- **File No. – 3/659/2016-Gen.:-** Case of Smt. Sumintra W/o Late Surjit Kumar R/o Village Umriya (Kopa), Post Latirpur, Thana Kotwali and Tehsil Shahganj, Jaunpur. Compensation of Rs **5,62,500/-** was given to family from CM Relief fund on 10.05.2016.
- **File No. – 3/339/2016-Gen.:-** Case of Sri Nain Singh S/o Sri Dalel Singh R/o H,No. B-613, Sainik Bihar. Thana Kankarkhera, Meerut.

Compensation of Rs 5,62,500/- was given to family from CM Relief fund on 22.05.2016.

4.6 Atrocity related matters

The Commission received a large number of cases in the APCR and 2891 cases¹⁰ relating to this sector were disposed in the Commission. A few interesting and successful cases are enumerated below:-

Sr no	Subject	Interesting cases at HQ	Interesting cases at State Offices
1	Harassment	10	35
2	Rape	2	4
3	Greivious Hurt	1	5
4	Land Conflict	1	4
5	Temple entry/Social Byocott	0	0
6	Murder	4	8
7	Arson/Robbery	0	
	Total	18	56

4.6.1 In NCSC Headquarters

- **Har/206/2015-APCR:** A representation was received from Smt. Santosh Devi, R/o Village Mokhra, Rohtak, Haryana who complained that she was caste abused and behaved like untouchable by Jail Superintendent during her judicial custody. Due to intervention of the Commission, action was taken against Jail Superintendent , chargesheet was filed in the Court .
- **UP/448/2014-APCR:** A representation was received from Shri Neeraj Chak R/o Village Chapoli, PS Dibiyapur c that he along with 4 others were named in a false case of looting and firing and Police has filed chargsheet against them in the Court. Due to intervention of the Commission, the case was reinvestigated with the approval of Court. During investigation,

¹⁰ 346 cases in Headquarters and 2891 in NCSC State Offices

involvement of petitioner in the crime was found untrue. His name was removed from chargesheet.

- **Har/170/2015-APCR:** A representation was received from Shri Satish and others R/o Village Dhandi Gopal, Fatehabad, Haryana that he and 13 others were named in a false case of setting fire to a liquor shop. Due to intervention of the Commission, during the investigation allegation was found untrue.
- **Delhi/313/2015-APCR:** A representation was received from Smt. Neelam Devi R/o Khanpur, Delhi complaining that despite of full payment, the property dealer is neither giving her possession of the plot, nor returning back her money. Due to intervention of the Commission, she has received back her money of Rs. 2.40 lakh.
- **UP/169/2015-APCR:** A representation was received from Shri Rajender R/o Village Mallpur Tehsil Sehswan, Badaun, UP complaining that brick klin owner him and other 13 persons as bonded labour, without paying wages nor allowing them to go to their native place. Due to intervention of the Commission, wages were paid to the labours and they were sent to their native village.
- **UP/374/2015-APCR:** A representation was received from Shri Sanjay Katariya, Meerut, UP complaining that some unknown goons attacked and attempted to murder Ashram Sanchalak of Guru Ravi Das Ashram Dwarikapuri, Meerut. Due to intervention of the Commission, accused were arrested and chargesheet submitted in the Court of Law .
- **Har/151/2016-APCR:** A representation was received from Shri Surender Ranjha R/o Kaithal, Haryana complaining that a false case was registered against him by the police at the instance of a candidate who

contested but lost the assembly elections. Due to the intervention of the Commission, the name of the petitioner was deleted from the chargesheet .

- **Delhi/23/2016-APCR:** A representation was received from Shri P. Raj Kumar R/o JNU complex, New Delhi complaining that his father-in-law was harassing him by writing to his institute where he is working to pressurise him as he has filed a criminal complaint against him under SC/ST POA Act. Due to intervention of the Commission, the complaint against petitioner has been finalized and closed.

- **Maha/8/2016-APCR:**Shri Pandit Bhimrao Tupey, r/o village Pal, Shri Rama Bai Housing Society Near Manpa School, Harsul, Aurangabad, Maharashtra has complained that on 23.2.2009, his 20 year old son died after he was tied to an electric pole and was brutally beaten by higher caste people . A case was registered under POA Act. Due to intervention of the Commission, the following financial compensation and relief was provided to the deceased's family:-
 - Rs. 2 lakh financial compensation was paid to the deceased family by Social Welfare Department.
 - Rs. 3,000/- family pension was sanctioned to the father of victim.
 - Rs. 5 lakh was sanctioned by the Ambedkar Foundation, New Delhi to the family.
 - A residential plot measuring 20 ft.x30 ft. has been allotted to father of victim.
 - Rs. 2 lakh has also been given for construction over the said plot.
 - The brother of deceased has also been appointed as peon in the Government Girls Hospital.

- **Maha/9/2016-APCR:** The petitioner Shri Pandu Jadhav, r/o Village Bhande Gaon, Shri Ramabai Housing Society, Near Manpa School, Harsul , Aurangabad, Maharashtra complained that on 01.08.2005, his house in village Bhandey Gaon was attacked and all the family members were

brutally beaten up by people belonging to higher caste in the village. His 4 year old grand daughter got serious injuries and died. The petitioner has also complained that they were forced to leave the village and even after lapse of 11 years he has not got any financial relief. The case was registered under POA Act. Due to intervention of the Commission, the following financial compensation and relief was provided to the victim of atrocity:-

- An amount of Rs.6,250/- was provided to the 8 victims of the atrocity (Rs. 50,000/-).
 - An amount of Rs. 75,000/- was provided to legal heir of the victim.
 - Rs. 2 lakh was provided by the Ambedkar Foundation, New Delhi to the deceased's father.
 - A residential plot measuring 600 sqr. ft. has also been allotted in the name of petitioner.
 - Rs. 2 lakh has also been given for construction over the said plot.
-
- **Maha/10/2016-APCR:** Petitioner Smt. Alka Gulab Tayde, r/o Vill. Harsul, Aurangabad, Maharashtra complained that she was raped twice. Case was registered under POA Act. Due to intervention of the Commission, the following financial compensation and relief was provided to the victim:-
 - Rs. 50,000/- was paid as financial compensation.
 - A proposal of Rs. 2 lakh is under consideration of the Ambedkar Foundation, New Delhi.
 - A residential plot measuring 600 sqr. ft. has also been allotted in the name of victim.
 - Rs. 2 lakh has also been given for construction over the said plot.

4.6.2 State Office, Bangalore:

- **File No:49/43/2015-Ru:** A representation was received from Smt. Hemalatha on 03.08.2015 regarding harassment by her husband who belongs to upper caste. This Commission took up the matter with ADGP, the petitioner informed that her problem is solved

- **File No: 49/56/2015-Ru:** A representation was received from Smt. N.S.Nanamma on 30.09.2015 regarding refund of lease money. This Commission took up the matter with ADGP and received a reply from the Police department stating that the problem had been solved.This was confirmed with the petitioner.
- **File No: 49/55/2015-Ru:** A representation was received from Shri Mahendra Vaijenath Kamble of Bhalki Taluk , Bidar , regarding attacks by the upper caste persons on villagers where many of the SCs were injured but the Police helped the upper castes by accepting counter cases on SCs. This Commission took up the matter with the SP, Bidar and the SC affected were paid compensation. Nine members belonging to Scheduled Castes were given a compensation of Rs 22,500/ each.
- **File no.49/35/2015:** A representation was received from Shri Chandra Kumar JGM,Airport Authority of India regarding himself being harassed in the office by calling him publically as Harijan, he was also denied a posting as per his qualification. This Commission took up the matter with Airports Authority of India New Delhi and a favourable posting to the petitioner was given.

4.6.3 State Office, Chandigarh

- **File 2-Pb/54/2016:** A representation was received from Smt. Dharmender Kumar s/o Sh. Jagannath, H.No. T-18-A, Railway Colony, Ludhiana, Punjab, regarding death of a SC lady due to irregularities of doctor. The matter was taken up with the Commissioner of Police, Ludhiana dated 25.04.2016. Reply received from Commissioner of Police, Ludhiana and informed that the matter has been settled.
- **3-Pb/9/2016:** A representation was received from Sh. Joginder Singh s/o Sh. Sher Singh r/o Vill. Sohal, ,Taran Taran, Punjab regarding illegal occupation of land and harassment. The matter was taken up with Deputy Commissioner, Tarn Taran who informed that the matter has been settled and petitioner does not want any further action.

- **2-Pb/65/2016:** A representation was received from Sh. Charanjit Singh s/o Sh. Dalip Singh r/o Village Udat Saidewala, Mansa, Punjab, regarding threats to kill. The matter was taken up with SSP, Mansa who informed that petitioner has given this complaint to Commission for fear and now he is satisfied with the police enquiry and does not want any further action.
- **2-Pb/45/2016 :** A representation was received from Sh. Lukas s/o Sh. Sewa Singh r/o Village Dhaliwal, Tehsil Ajnala, Amritsar, Punjab regarding illegal interference in peaceful legal possession on the property bearing Khasra No. 15/11. The matter was taken up with SSP (Rural), Amritsar. Reply received from the concerned authority and informed that complainant has informed that he is satisfied and does not want any action.
- **2-Pb/81/2016:** A representation was received from Smt. Chhinderpal Kaur w/o Sh. Paramjit Singh r/o Village Maseetan, Moga, Punjab regarding abuse on caste basis and harassment. The matter was taken up with SSP, Moga. who informed that the matter has been settled.
- **2-Hry/91/2016 :** A representation was received from Shri Amar Singh s/o Shri. Manohar Lal r/o Vill. Bijli Colony, Kishangarh Road, Shahbad Markanda, Kurukshetra, Haryana regarding abuse on caste basis and threat to kill. The matter was taken up with SP, Kurukshetra. The matter was investigated by police and informed to this office the matter was settled and petitioner does not want any further action.
- **2-Hry/77/2016 :** A representation was received from Shri Sunil s/o Shri Ram Sarup r/o Vill. Batla, Hisar, Haryana regarding inaction against accused. The matter was taken up with SP, Hisar. Reply received from SP, Hisar in which stated that the matter has been settled.
- **2-Hry/75/2016 :** A representation was received from Ms. Kajal d/o Sh. Jagat Ram r/o Vill. Ramgarh, Tehsil Kalayat, District Kaithal regarding compensation in respect of a rape case. The matter was taken up Deputy Commissioner, Kaithal. The matter was taken up thoroughly and informed that Rs. 4,12,500/- provided to the victim.

- **2-Hry/79/2016** : A representation was received from Sh. Jagir Singh s/o Sh. Sohan Lal r/o Sarpli Kheri, Karnal, Haryana regarding action against accused. The matter was taken up SP, Karnal. Police enquired the matter and registered a cross case against accused.
- **2-Hry/45/2016** : A representation was received from Shri Sohan Lal s/o Sh. Dalbir r/o Vill. Alipura, District Jind submitted a complaint that he has not paid the wages. The matter was taken up SP, Jind. Police settled the case.
- **2-Hry/46/2016** : A representation was received from Sh. Balbir Singh s/o Sh. Raman Singh r/o Vill. Kharendi, Jind, Haryana regarding abusing on caste basis. The matter was taken up with SP, Jind which states that the matter has been settled.
- **2-Hry/84/2016** : Shri Om Parkash s/o Shri Fula Ram r/o Eidgah Colony, Panipat, Haryana submitted a complaint to this office regarding action against accused person. The matter was taken up with SP, Panipat . Police enquired into thoroughly and informed this office the matter was settled.
- **2-Hry/106/2015** : A representation was received from Smt. Rajo Devi w/o Sh. Suresh r/o Village. Songal, Tehsil , Kaithal,Haryana submitted a complaint regarding incorporation of SC/ST(POA) Act in FIR No. 113, dated 22.07.2015 under section 354-B PS Rajound. The matter was taken up with SP, Kaithal . The police informed that SC/ST (POA) Act was included in the said FIR. AThis office took up this matter with Deputy Commissioner, Kaithal for relief to the victim. Reply received from Dy. Commissioner, Kaithal dated 19.08.2016 stated that Rs. 22500/- has been provided to the victim.
- **2-Pb/99/2016** : A representation was received from Shri Pawan s/o Sube Singh r/o Badwa, Tehsil Sibani, Bhiwani to take necessary action against the accused. The matter was taken up with SP, Bhiwani. After investigation police informed that the matter has been settled fruitfully.
- **2-Hry/76/2016** : A joint representation received from SCs r/o Dashmesh Colony, District Panchkula regarding abuse of all members of same area by

Anil Kumar and Vicky(brothers) and inaction by police against the accused. The matter was taken up with Deputy Commissioner, Panchkula. Reply received from Deputy Commissioner vide their letter No. 1488-P, dated 01.08.2016 and mentioned that the matter has been settled.

- **2-HP/05/2016 :** Baba Dharamshah r/o Village Bangarh , Una(HP) submitted a complaint regarding abuse on caste basis and removal from Dera. The matter was taken up with Deputy Commissioner and SP Una(HP) who informed that FIR No.171/2016 under section 147, 149 I.P.C. & 25-54-1959 of Indian Arms Act was registered against nine(9) accused.The payment of relief amount is under process.

4.6.4 State Office, Chennai

- **F.No: 1/870/2015 Rep.:** A representation was received from Shri M.Manibharathi, Dindigul regarding proper action in the case of alleged murder of his brother Shri Marimuthu. Due to intervention of the Commission, the victim's father was paid Rs.5,62,500/- as monetary relief in the atrocity case .

4.6.5 State Office, Hyderabad:

- **F. No. 3/55/15/TS-RU:** A case of dowry harassment and burning alive by husband, who belongs to upper caste. Smt. Muppidi Rani, w/o. Muppidi Naveen Kumar Naidu of Toopran Mandal, Medak Dist., Telangana, allegedly burnt herself on 21.07.2014. due to dowry harassment by her husband. Due to the dying statement of the victim police altered the sections of the case and added POA act in the FIR but paid only Rs. 15000/-, as monetary relief. After intervention of the Commission, DM, Medak, sanctioned the correct amount i.e Rs. 2,81,250/- as compensation to children of victim on 03.03.2016.
- **F. No. 3/18/15/MP-RU:** Commission took suo moto cognizance of media reports that an SC bridegroom was paraded on horse wearing a helmet as upper castes refused *baarat* in traditional style, in Ratlam , Madhya

Pradesh. After after spot visit by Commission¹¹ and follow up , the Collector & Dist. Magistrate, Ratlam, paid Rs. 22,500/- as compensation to dalit bridegroom who was prevented from riding a horse during his marriage and DM also took preventive steps.

- **F. No. 3/1/14/TS-RU:** A representation was received from Shri Narsapuram Ravider of Karimnagar, Telangana regarding non registration of atrocity case and police inaction though he suffered bleeding injury. The Commission took up the matter with authorities. After rigorous follow-up police registered case under sections of POA Act and accused were arrested and Rs. 5000/- was paid as monetary compensation to petitioner. In addition a disciplinary action initiated against CI and SI for dereliction of duties.
- **F. No. 3/31/16/TS-RU:** A representation was received from Smt. Pastam Anjamma, w/o. late Venkati, Narsinghpalli Villge, Nizamabad , Telangana regarding her husband murder by upper castes and police have not invoking sections of POA Act. This Commission took up the matter with Collector and SP and report received that section 3(2)(v) was added in the case and Rs. 1,80,000/- sanctioned to the children of the deceased. The children were admitted into hostels run by Social WelfareDepartment. As this is a murder case family of victim is eligible for Rs. 7.50 lakh compensation as per rules This has now been taken up with DM.
- **F. No. 3/39/16/AP-RU:** Takeing suo moto cognizance of case of two SC persons fell inside a drainage pit and died at Srikalahasti, Chittoor , Andhra Pradesh,, the matter was taken up with Principal Secretary, Social Welfare Department quoting the eligibility families of the deaceased to get Rs. 10 lakh compensation, as per Supreme Court directions. The Government sanctioned and disbursed Rs. 10 lakh each to family members of the deceased persons vide Memo No. 10128/SW.SCP.A/2012 dated 31.07.2016.
- **F. No. 3/61/16/TS-RU:** Four sanitary workers died in a drainage at Hyderabad, Telangana on 13.08.2016. Commission intervened in the matter and report received from Police that deceased are BCs. This Commission also takes up cases of OBCs as per mandate , hence the

¹¹ by Shri PL Punia , Chairman , NCSC

Commission took up the issue of eligibility of the families of victims to get Rs. 10 lakh compensation, as per Supreme Court directions. HMWSSB has so far disbursed Rs. 2.50 lakh to each victim's family and enhanced insurance amount to sanitary workers to 10 lakhs.

- **F. No. 7/11/15/TS-RU:** A representation was received from Shri Perumalla Shiva of Suryapet Mandal, Nalgonda , Telangana regarding his inter caste marriage and his in-laws are trying to attack him. Police reportedly had not responded to his petition. This Commission took up the matter with police, police registered cases under POA Act and investigated the matter, arrested accused and charge sheeted the case in Cr. No. 223/2015 of PS Suryapet.

4.6.6 State Office Lucknow

- **File Number :- 3/339/2016-Gen.:** A representation was received from Sri Nayan Singh S/o Daler Singh R/o B-613 SainikVihar PS Kankad Khera, Meerut on 06.04.2016 regarding kidnapping and killing of his brother. This Commission took up the matter with SSP Meerut on 06.04.2016. As a result of that FIR under section 302,301 IPC & 3(2)5 POA Act was lodged and charge sheet No. 322A/16 was submitted against accused. Monetary relief of Rs. 5, 62,500/- was given to victim through E-Payment.
- **File Number :-3/353/2016-Gen:** A representation was received from Smt. Heerawati Devi W/o Ramdhari, Village Bibiganj PS Deedarganj , Azamgarh on 04.04.2016 regarding molestation and beaten up by family members. This Commission took up the matter with SP Azamgarh as a result of which FIR under section 147,148,308, 323, 354B, 504, 395 IPC & 3(1)11 POA Act was lodged & charge sheet No. 54/16 dated 03.06.2016 was submitted against accused.
- **File Number :- 3/426/2016-Gen:** A representation was received from Shri Shyam Singh S/o Jeetendra, Village Khanigawan Kala PS Behta Gokul , Hardoi on 19.04.2016 regarding being beaten up and derogatory remarks against him passed by accused. This Commission took up the matter with SP Hardoi. FIR under section 323,324,504,506 IPC & 3(1)10 POA Act has

been lodged and charge sheet was submitted against accused. Monetary relief of Rs.22500 was given to 3 victims (total Rs 63,500) through E-Payment on 28.06.2016 and the case was successful.

- **File Number :- 3/491/2016-Gen:** A representation was received from ShriHemant Kumar S/o Hari Nandan, Village Karauja PS Pawai Azamgarh on 12.05.2016 regarding FIR No-73/16 under section 323,504,506 IPC & 3(1)10 POA Act was not lodged under relevant section. This Commission took up the matter with SP Azamgarh. Result of which section 308, 325 IPC were added in the FIR & charge sheet was submitted against accused.
- **File Number :- 3/605/2016-Gen:** A representation was received from Shri Awadhesh Kumar s/o ChokheLal, Village Bichhiya PS Bagwala , Eta submitted a representation on 08.06.2016 regarding being beaten up and derogatory remarks against him passed by accused. This Commission took up the matter with SSP Eta on 13.06.2016 as a result of which FIR No. 137/16 under section 323,504,325 IPC & 3(1)10 POA Act was lodged & charge sheet No. 107 on 09.07.2016 was submitted against accused.
- **File Number :- 3/526/2016-Gen:** A representation was received from Sri Ameraj S/o Ram Asrey Village Pure Shuklan PS Gauriganj, Amethi submitted on 23.05.2016 regarding due to land dispute and that he was beaten up and derogatory remarks passed against him. This Commission took up the matter with SP, Amethi as a result of which FIR No. 189/16 under section 323,308 IPC & 3(2)5 POA Act was lodged & charge sheet was submitted against accused.
- **File Number :- 3/655/2016-Gen :** A representation was received from Sri Vijay K. s/o BabbanKori Vill. Sobhai H/o Rokha PS Deeh, Raibareilly on 24.06.16 regarding being beaten up & derogatory remarks passed against him. This Commission took up the matter with SP, Raibareilly on 27.06.16 as a result of which FIR No. 172/16 under section 323,504,506,325IPC & 3(1)10 POA Act was lodged & charge sheet was submitted against accused.
- **File Number :- 3/651/2016-Gen :** A representation was received from Sri Jai Nand s/o Sadhu Saran Village Neta Surhurwa PS Kotwali,Maharajganj on 22.06.2016 regarding FIR No-292/16 under section 323,504,506, 308 IPC & 3(1)10 POA Act where other relevant sections were not added. This

Commission took up the matter with SP Maharajganj as a result of which section 325, 342 IPC was added & charge sheet No. A202 dated 06.07.2016 was submitted against accused

4.6.7 State Office, Patna

- **File No. 11/212/2015-B** : A representation was received from Shri Rajeshwar Paswan, All India Dalit Mahila Adhikar Manch, Kidwaipuri, Patna on 31.08.2015 regarding action against accused persons in Tilauthu PS case No. 511/14 registered in connection with incident of atrocity on the scheduled caste persons. The Commission took up the matter with the SP, Rohtas for action against accused persons. SP, Rohtas informed the Commission that chargesheet against 10 accused persons have been submitted.
- **File No. 11/271/2015—B** : A representation was received from Shri Ramji Ram & Shri Shyamji Ram, Village- Mani, P.S.- Vikramganj, Rohtas on 20.02.2015 regarding unnatural death of their sons due to unlawfully made well. The Commission took up the matter with the DM/SP, Rohtas. SP, Rohtas informed that chargesheet has been submitted in the case. No. 99/15 against the accused persons and direction for submission of proposal for financial relief has also been given .
- **File No. 11/244/2015-B:** A representation received from Smt. Guriya Devi w/o Late Sanjay Ram, Village & Post- Upadhyaypur, P.S.- Industrial, Buxar on 19.10.2015 regarding instituting FIR for atrocities meted her. The Commission took up the matter with the SP, Buxar who informed that chargesheet has been submitted in the case No. 236/15 against the accused persons and proposal for financial relief has also been submitted.
- **File No. 11/263/2015-B** : A representation was received from Shri Shailendra Ram, Village- Kishanpur, P.S.- Bathnaha, Sitamarhi on 17.12.2015 regarding burning his house and manhandling by non SC/ST

persons belonging to petitioner's village. The Commission took up the matter with the S.P., Sitamarhi for action against accused persons who informed the Commission that case has been found true and accused has been arrested and sent to judicial custody.

- **11/54/2015-B** : A representation was received from Smt. Kanti Kumari, Principal, Middle School, Sudhardera, P.S.- Dumrao, Buxar on 17.09.2014 regarding non action of police in case of caste based abuse and threatening to life by lady assistant teacher of her school. The Commission took up the matter with the S.P., Buxar who informed that chargesheet against accused person has been submitted in FIR No. Buxar PS case No. 18/14 registered in the case. Petitioner informed the Commission that she got financial relief under POA rules.
- **File No. 3/136/2015-J** : A representation was received from Shri Ganu Mahara s/o Late Mahabir Mahara, village- Gobindpur, P.S.- Jasidih, Deoghar on 12.08.2015 regarding unlawful possession of his land by non SC/ST persons of his village. The Commission took up the matter with the S.P., Deoghar who informed that charge leveled by petitioner has been found true in course of investigation and an FIR has been instituted against accused persons under relevant sections of IPC and the PoA Act.
- **File No. 11/1/2016-B**: A representation was received from Smt. Shiokumari Devi w/o Shri Puran Ram and Smt. Prabhawati Devi w/o Shri Mahendra Ram, Village- Fagunhata, P.S.- Ramnagar, Pashchim Champaran On 11.01.2016 regarding non action of police in Ramnagar P.S. Case No. 280/15 registered in connection with atrocity meted them and their family members. The Commission took up the matter with the S.P, who informed that chargesheet against accused has been submitted in the case and accused persons arrested but given bail.
- **File No. 3/19/2016-J** : A representation was received from Smt. Chandramani Devi w/o Shri Siya Sharan Mistri, Village- Babudih, Post- B.

Polytechnic, Dhanbad on 01.12.2016 regarding debarring from construction of house on purchased land by musclemen. The Commission took up the matter with the S.S.P., Dhanbad for action against accused persons. S.S.P., Dhanbad informed that the matter has been mutually sorted out by both parties and the case was successful.

- **File No. 11/94/2014-B:** A representation was received from Shri Umesh Ram, Village- Rampur Madho, P.S.- Kuchaikoat, Gopalganj on 05.04.2014 regarding action against accused of Kuchaikoat P.S. Case Nos. 336/13 and 50/13 registered in connection with marpeet and caste based abuse by non SC/ST persons. The Commission took up the matter with the S.P., Gopalganj for necessary action. S.P., Gopalganj informed the Commission that chargesheet against accused has been submitted in relevant sections of IPC & PoA Act. and the financial relief of Rs. 22500/- has been paid to the victim.
- **File No. 11/33/2014-B :** A representation was received from Smt. Chanda Devi w/o Shri Krishna Kumar Ram, Aanganwari Sevika, Village- Harpur Safi Tola, P.S.- Uchkagaon, Gopalganj on 21.01.2014 regarding action against accused of Uchkagaon P.S. Case Nos. 245/13 registered in connection with marpeet and caste based abuse by non SC/ST persons. The Commission took up the matter with the S.P., Gopalganj for necessary action. S.P., Gopalganj informed the Commission that chargesheet against accused has been submitted in relevant sections of IPC and The PoA Act and financial relief of Rs. 22500/- has been paid to the victim and.
- **File No. 11/297/2015-B:** A representation was received from Smt. Champa Devi w/o Shri Achhelal Baitha and Smt. Radhika Devi w/o Shri Dahari Baitha, Village- Mishrauli Tola, P.S.- Bagaha, Pashchim Champaran On 17.11.2014 regarding action against accused of SC/ST(Bagaha) PS case No. 44/2014 registered in connection with attempt of murder, marpeet and

caste based abuse by non SC/ST persons. The Commission took up the matter with the S.P., Bagaha for necessary action. S.P., Bagaha informed the Commission chargesheet against accused has been submitted other relevant sections of IPC and PoA Act.

- **File No. 11/324/2014-B:** A representation was received from Shri Sukan Ram, Village- Daura, P.S.- Babubarhi, Madhubani on 03.11.2014 regarding non action of police in the Babubarhi PS Case no. 135/14 registered for kidnapping of minor daughter of petitioner. The Commission took up the matter with the S.P., Madhubani for necessary action. S.P., Madhubani informed that chargesheet has been submitted in the case under relevant sections of IPC and PoA Act against the accused persons and proposal for financial relief has also been submitted .
- **File No. 11/111/2014-B :**A representation was received from Shri Ramashankar Ram, Panchayat Sachiv, Block- Bhore, Gopalganj on 04.05.2014 requesting action against accused of SC/ST PS case No. 30/2013 registered under sections of IPC and PoA Act for his harassment by husband of Mukhiya of the the panchayat where he was posted. The Commission took up the matter with the S.P., Gopalganj for . S.P., Gopalganj informed that chargesheet has been submitted in the case under relevant sections of IPC and PoA Act against the accused persons. The District Welfare Officer, Gopalganj informed the Commission the financial relief of Rs. 22500/- has been paid to the victim .

4.6.8 State Office, Pune:

- **NCSC/Pune/9/2015- APCR:** I A representation was received from Shri Vijay N. Waghmare, Wakad, Pune regarding non initiation of any action on his complaint by the police.The Commission took up the matter with S.P. Rural Pune. The charge sheet has been submitted to the court.

- **NCSC/Pune/52/2014- APCR – II** :A representation was received from Shri Mahadeo Anant Birnodkar, Pernem, Goa regarding the name was not registered against their name. The Commission took up the matter with District Collector North Goa on 20.11.2014. The petitioner has intimated to the Commission vide his letter dated 15.06.2016 that his problem has been solved .

4.6.9 State Office, Thiruvananthapuram:

- **FILE NO: KL/31/13/2016:** A representation was received from Smt. Shenitha. S.R ,Trivandrum regarding a request to take necessary action as the accused persons abused her caste wise and assaulted in connection with a pathway dispute. The Commission took up the matter with the District Police Chief, Trivandrum Ruralwho replied that the Case is registered under Section 3(1) (X) of POA Act. The accused person was arrested and DSP is investigating the matter.
- **FILE NO: KL/31/15/2015:**A representation was received from Shri.P.K.Kumaran, Ex-MLA Member, Travancore Devaswom Board, Trivandrum regarding complaint against the Chief Security and Vigilance Officer. The Commission took up the matter with the Secretary, Travancore Dewaswom Board, Trivandrum. The Secretary, Travancore Dewaswom Board reported that the accused person was repatriated to his parent department .
- **FILE NO: KL/31/47/2016:**A representation was received from Ms. Baby and Ms. Thankamany, Thrissur regarding a request to take necessary action as the accused person abused by caste wise, threatened to kill and not allowing them to lead a peaceful life. Also they expressed their difficulty to live in dilapidated house without any male member and without income. The Commission took up the matter the District Police Chief, Thrissur Rural and District Collector, Thrissur.In this regard final reply received from the District Police Chief, Thrissur Rural states that the case is registered under Section of POA Act and the accused are punished.

- **FILE NO: KL/31/50/2016:** A representation was received from Shri. R.Baskaran, Deputy Director General, Geological Survey of India, Trivandrum regarding a request to take necessary action as the accused person abused him by calling his caste name, manhandled and threatened to kill. The Commission took up the matter with the Commissioner of Police, Trivandrum City and Director General, Geological Survey of India, Kolkatta. In this regard a final reply received from the Director General, Geological Survey of India, states that disciplinary proceedings were initiated against the female employee, who sent her husband to threaten the petitioner.

- **FILE NO: KL/31/55/2016: : Taking suo moto cognizance of press** 22.06.2016 captioned as "Dalit student in hospital after she was ragged" at Kozhikode. The matter was taken up with the District Collector, District Police Chief, Kozhikode and District Collector & District Social Welfare Officer, Kalaburgi, Karnataka. As per report of authorities following action has been taken :
 - A FIR was filed on 23.06.2016 on complaint of Kum.Aswathy in Kozhikode City Medical College Police Station under Section 3(11)(V)(X), 2(1) of the POA Act and Section 4 of Kerala Prohibition of Ragging Act alongwith IPC Sections and transferred to Karnataka Police for further investigation.
 - The three accused persons were arrested and remanded to judicial Custody.
 - The Kozhikode district authorities and Malappuram District authorities have paid Rs 1 lakh **each** as compensation to the victim.
 - The JDT Management (a Muslim Association) Nursing college had given admission to the victim in BSc Nursing course with full financing of education expenses.

- **FILE NO: KL/31/57/2016: Taking suo moto cognizance of press news** 12.06.2016 captioned as "Case against Coca-Cola unit under SC/ST Act". The matter was taken up and followed up with the District Police Chief,

Palakkad regularly. District Police Chief, Palakkad furnished a report, which revealed that a case had been registered against Coca-Cola Company under Section 3(1)(x) of POA Act. The company unit was closed down. Issue of the payment of compensation is being followed up.

4.7 Spot Visits

Spot visits in atrocity matters were conducted in 9 cases by the Commission's HQ and in 19 cases by teams of NCSC State Offices. After the visits and intervention of the Commission, registration of 26 FIRs have been ensured under POA Act, 85 arrests made and 2 chargesheets filed. Total financial compensation of Rs 1,55,87,650/- was also released to the SC victims.

Consolidated statement of the spot visits made by the Commission followed by brief details on some of the cases where action taken has reached the chargesheet level are detailed below:

Sr no	Subject	No. of Spot visit by NCSC HQ teams / victims	No. of spot visits by State Office teams
1	Rape or / and murder	1 (1 victim)	3
2	Grievous Hurt / attack	3 (>18 victims)	2
3	Murder	2 (3 victims)	7
4	Arson/Robbery	1	0
5	Temple entry/Social Boycott/ Kidnap/ Harassment	0	6 (2 denial of temple entry cases)
6.	Atrocities / misuse of power by police	2 (6 killed,4 injured)	1
	Total	9	19

4.7.1 By NCSC Headquarters

• **Odisha/15/2016-APCR:** The Commission took suo moto cognizance in the incident of police firing on 08.07.2016 at Gumudumaha Forest Road under Baliguda Police Station, Kandhamal District, Odisha. A spot visit¹² was conducted on 14.07.2016.

After the spot visit and at the instance of the Commission, following action were taken:-

- Rs. 5 lakh was sanctioned to each dependents of 5 deceased.
- Rs. 50, 000/- was sanctioned to the 4 injured persons.
- Investigation is on.

• **UP/302/2016-APCR:** The Commission took suo moto cognizance in the incidence of change on the notice board of the village where Dalit wrote öJai Bheem Jai Bharat, the great Chamar Dr. Bhimrao Ambedkar Gram Gharkoli Apka Hardik Abhinandan Karta Hai.ö Some miscreant painted the face of Baba Ambedkar's Statue black in Gharkauli, Saharanpur. An incident of brick batting took place after this and consequently 11 SCs including 6 women got serious injuries. A spot visit¹³ was conducted on 01.05. 2016.

After the spot visit and at the instance of the Commission, following action were taken:-

- FIR registered u/s 147, 148, 149, 323, 307, 354, 504, 506, 295 IPC 7 Criminal Law amendment Act and 3(1) (x) (xi) of POA Act against 16 accused.
- 10 accused have been arrested and investigation is on.

• **Uttarakhand/7/2016-APCR:** The Commission took suo moto cognizance in the incidence of murder of Sh. Shubhleshwar @ Sonu, S/o Sh. Baleshwar, Gram Nanheda, Anantpur, P.S. Bhagwanpur, Tehsil Roorkee, District Haridwar, Uttarakhand by upper caste people on 07.05.2016. A team from NCSC,¹⁴ conducted a spot visit on 10.05.2016.

¹² by Shri P L Punia , Chairman , NCSC

¹³ by Shri P L Punia , Chairman , NCSC

¹⁴ Director and Research Officer from headquarters NCSC

After the spot visit and at the instance of the Commission, following action were taken:-

- FIR registered under section 147, 148, 149, ,323, ,504, 506 IPC , and u/s 3(1) (x) and 3(2) (v) of POA Act.
- five accused arrested.
- Rs. 5,62,500/- have been given to the deceased wife as monetary relief.
- Pension to the deceased of the widow has been sanctioned.
- Free education shall be provided to the deceased children.
- The investigation is on.
- **Har/123/2016-APCR:** The Commission took suo moto cognizance in the incidence of attack at Dalit Basti by upper caste people at Village Ujhana, Tehsil and District Kaithal, Haryana and a spot visit was conducted¹⁵ on 09.05.2016.

After the spot visit and at the instance of the Commission, following action were taken:-

- The grievances of the petitioners and opponents were heard carefully.
- Instructions were given to the Police officials to keep watch.
- Both the parties (petitioners and opponents) have submitted affidavits stating that they have compromise with each other.
- Issue has been resolved amicably.
- **UP/543/2016-APCR:** The Commission took suo moto cognizance in the incidence of ðUP Dalit couple hacked to death over Rs. 15/-ö Shri Bharat Singh, s/o Sh. Banwari and his wife Mamta, R/o Lakhnipur, P.S. Kurra, Mainpuri, Uttar Pradesh were murdered on 29.07.2016 by upper caste people. The deceased had purchased the grocery of an amount of Rs. 15/- on credit basis from the shop of the opponent. A spot visit was conducted¹⁶ on 31.07.2016.

After the spot visit and at the instance of the Commission, following action were taken:-

- FIR was registered u/s 302 IPC and u/s 3(2) (v) of POA Act against both the accused.

¹⁵ by Shri P L Punia , Chairman , NCSC

¹⁶ by Shri P L Punia , Chairman , NCSC

- Both the accused arrested.
- Rs. 32,30,000/- monetary compensation have been deposited in the name of three minor children of the deceased in the Mohabbatpur Branch of State Bank of India.
- Investigation is on.
- **Gujarat/8/2016-APCR:** The Commission took suo moto cognizance in the incident of 7 members of Scheduled Castes people were allegedly beaten up by a group of 'Gau-Rakshak' for skinning of a dead cow in Mota Samadhyala village under Una Town in Gir Somnath District, Gujarat on 11.07.2016 morning and conducted¹⁷ a spot visit on 17.07.2016.

After the spot visit and at the instance of the Commission, following action were taken:-

- FIR registered u/s 307/395/323/504 IPC and u/s POA Amendment Act, 2015.
- 16 accused have been arrested.
- SHO and three police officials have been suspended from their duty.
- Rs. 1 lakh has been allotted to complainant along with six injured persons by Social Welfare Department.
- Investigation is on.
- **Raj/87/2016-APCR:** The Commission took suo moto cognizance in the incident of rape and murder of Ms Delta Meghwal, age 17 years, student of BSTC course of Shri Jain Adarsh Kanya Shikshak Prakshishan Sansthan, Raisar Road, Nokha, Bikaner, residing in the hostel of the Mahavidyala. She was found dead on 29.03.2016 in a pond near the hostel A spot visit was conducted¹⁸ on 20.04.2016.

After the spot visit and at the instance of the Commission, following actions were taken:-

- FIR registered u/s 376 (2) (6), 305, 363, 366 IPC and 3(1) (2) (i) (3) (2) (v) POA Act and u/s 5, 6 of POCSO Act against one accused and u/s 305 IPC 3(2) (v), 3(2) (vi) POA Act and u/s 21 of POCSO Act against two accused.

¹⁷ . by Member, , NCSC , Shri Raju Parmar

¹⁸ by Shri P L Punia , Chairman , NCSC

- Chargesheet has been filed in the Court.
- **File No: KL/31/43/2016: The Commission took suo moto cognizance of Press reports of “Dalit woman may have been raped before murder” at Perumbavoor, Ernakulam.** The incident was of murder of SC girl Miss Jisha Mol(22) at Perumbavoor, Ernakulam District.

A spot visit was conducted¹⁹ on 05.05.2016.

After the spot visit and at the instance of the Commission, following action were taken:-

- A case was registered at Police Station on 28.04.2016 on the basis of the statement under Section 3(1)(w)(i) and Section 3(2)(V) of POA Act.
 - The accused was arrested on 15.06.2016 .
 - House for Rs 11.75 lakh was constructed for victims family from funds collected for victims from public.
 - Rs 10 lakh sanctioned to the victim's mother from the CMs relief fund.
 - Monthly pension of Rs 5000/- pm sanctioned to mother of victim.
 - Sister of victim was provided with a government job.
-
- **Case no: UP/604/2016/APCR :**

Taking suo moto cognizance of the reports of custodial death of an SC youth on 04.08.2016 in Kanpur , a spot visit²⁰ was conducted on 06.08.2016 . An SC youth, Kamal Valmiki , 23 years was taken in custody by PS Chakeri Kanpur Nagar on 02.08.2016 and his dead body was recovered on 04.08.2016 in Airwan Police outpost, Chakeri Thana. Family members alleged that he was tortured in custody and beaten with a steel rods . given electric shock etc and died in custody while police stated he committed suicide. Post mortem was conducted on 04.08.2016 and found death by hanging, and has confirmed serious injuries on his body. The autopsy report also traced injuries on right side of the body and the head .

¹⁹ by Shri P L Punia , Chairman , NCSC and also Director NCSC State Office Kerala.

²⁰ by Shri P L Punia , Chairman , NCSC and also Asstt Director NCSC State Office Lucknow

NCSC did not find any credence in the police charge that Kamal was a dacoit as **“Kamal’s family lives in a shanty..”** He was really innocent and was doing small petty job to assist his family.

Action Taken by authorities after spot visit :

- F.I.R. No.653/16 u/s. 147,323,506,302 IPC & u/s 3(2)5 POA Act has been registered against 15 Police personnel at PS Chakeri , they were also suspended.
- A compensation of Rs.4,12,500/- has been paid to the family of the victim as per the POA rules.
- Rs 2 lakh have been recommended for release from CM relief fund.

4.7.2 By NCSC State Offices

4.7.2.1 State office Bangalore

- **File no:57/01/2014-RU :** Taking suo moto cognizance of the news reports dated 02.04.2016 that the Scheduled Caste people of Hassan district were not allowed to enter the Basaveswara temple of Sigaranahalli village in Holenarasipura taluk of while taking out the palki in connection with the Durga Parameshwari Jatra Mahotsava on 01.04.2016, a spot visit was carried out²¹ on 03.04.2016.

Outcome :

After spot visit the administration ensured that SC persons can enter the temple and worship.

- **File no:23/6/2016-RU :** Taking suo moto cognizance of the news reports dated 03.08.2016 that Ms Geetha 22, belonging to Bovi Community (SC) died after taking pills given by her friend an Other Backward Caste of Karnataka, a spot visit was carried out²² on 04.08.2016. The victim was admitted in M S Ramaiah hospital Bangalore after being seen bleeding in her hostel premises at Bangalore and she was six months pregnant.

Outcome :

²¹ By Director & Asstt Director NCSC State office , Banglore

²² By Director NCSC State office , Banglore

- After the visit, an FIR was registered u/s IPC 1860 (u/s 313, 314, 315, 517, 302, 506) and u/s 3(i)(x)(xii) 2(2)(5) of the POA Act.
- The police have arrested the accused
- Social Welfare Department immediately paid a sum of Rs.5000 towards funeral expenses.

4.7.2.2 State Office Chandigarh

• **File No. Punjab-25/25/2016-Res:** Taking suo moto cognizance of news reports of 05.05.2016 under caption *õ Gunman row: Kartarpur SHO, head constable suspended for firing at sarpanch*". The case was taken up with the authorities but the Petitioner gave more representations that he is being threatened constantly and he is implicated in a wrong FIR. A spot visit was conducted²³ on 05.08.2016.

- After the visit section 3(1) (x) of POA Act was added in the FIR No73 with IPC sections under 336,506,148,149,25/54/59 of Arms Act,
- 4 accused were arrested and protection was provided to the victim. Payment of relief by Administration is agreed and is under process.
- **File No. 2/hp/5/2016:** A petition was received from Sh. Dharamshah r/o Village Bangarh , Una , Gujarat regarding not allowing entry in the Temple. The case was taken up with the authorities but the petitioner gave more representations that he is being threatened constantly. A spot visit²⁴ was conducted on 05.07.2016.
- After the spot visit a FIR number 174 dated 11.07.2016 under section IPC Section 379,448 and 3(1)(x) of POA Act was registered,
- protection was provided to the victim.
- Payment of relief by Administration is agreed and is under process.
- Accused were at large and further took bail.

4.7.2.3 State Office, Chennai

• **Tamil Nadu/18/2016-APCR:** The Commission took suo moto cognizance of the case of a Dalit farm worker Chinnasamy (55) of Ricemill Pudhur, Nallampatti,

²³ By Director NCSC State office , Chandigarh

²⁴ By Director NCSC State office , Ahemdabad

Thingalur village, near Gobi, was found dead in Marappakavundarø farm well. Officers of NCSC, State Office, Chennai conducted a spot visit on 05.04.2016.

After the spot visit and at the instance of the Commission, following action were taken:-

- A case was registered against non SCs under IPC and under section 3(1) (r) & (s) of POA Act.
 - Rs. 22,500/- as monetary relief each to 3 victims has been sanctioned to the victim.
 - Joint Registrar, Co-operative Erode has supplied essential commodities to all the card holders
 - Rs. 28,47,300/- amount also provided as loan to the eligible persons by the co-operative Department .
 - Rs. 2.20 lakh loan has been sanctioned to the 5 Self Help Group.
 - An amount of Rs. 2,04,600/- have been sanctioned six individuals by District Mission Management Unit, Erode as loan.
 - The post-mortem has been re-conducted and its report is in High Court and chargsheet has also been submitted in the Court.
-
- **File No: 3/23/Erode/2016 Res:** Taking suo moto cognizance of news reports of 22.03.2016 regarding a body of SC leader found floating in a well at Nallampatti village, Erode District. A team²⁵ of the NCSC State Office, Chennai, visited the spot on 05.04.2016.

After the spot visit and at the instance of the Commission, following actions were taken:-

- FIR was filed Cr.PC under section 174 (suspicious death).
 - The son of the deceased has filed W.P in Honøble High Court, Chennai with a request to order for CB-CID investigation in the case and it is pending in the High Court.
-
- **File No: 3/30/Nagapattinam/2016 Res:** Taking suo moto cognizance of news reports dated 21.04.2016 that an SC youth found hanging at Poraiyar,

²⁵ Research Officer, and two Investigators of State Office, Chennai

Nagpattinam District. A team of NCSC State Office , Chennai²⁶ visited the spot on 24.05.2016.

After the spot visit and at the instance of the Commission, following actions were taken by authorities:-

- FIR was filed under sections 174 Cr.PC.
- The case was not registered under the sections of POA Act since the *post-mortem* report states that cause of death is due to hanging.
- **F.No: 3/36/Coimbatore/2016 Res:** Taking suo moto cognizance of news reports on 03.05.2016 that an SC girl of Coimbatore District was murdered at Karuppan Servaikaranpatti Village, Dindigul District. A team²⁷ of NCSC State Office, Chennai visited the spot on 31.05.2016 and 01.06.2016.

After the spot visit and at the instance of the Commission, following actions were taken:-

- FIR was registered under sections 302 and 34 of IPC with inclusion of section 3(2)(v) of POA Act, 2015.
- Two accused were arrested.
- Rs.2,81,250/- was paid as financial compensation to the family of the deceased.
- **F.No:3/37/Tirunelveli/2016 Res:** Taking suo moto cognizance of news reports on 15.05.2016 under that SC woman was murdered at Vannarapettai, Tirunelveli District. A team²⁸ of NCSC State Office, Chennai visited the spot on 10.06.2016.

After the spot visit and at the instance of the Commission, following actions were taken:-

- FIR filed under sections 294(b), 302, 506(ii) of IPC and sections 3(1)(r)(s) and 3(2)(va) of POA Act, 2015.
- Two accused were arrested.
- Rs.5,62,500/- paid as financial compensation to family.

²⁶ Research Officer, and two Investigators of State Office, Chennai

²⁷ Research Officer, and two Investigators of State Office, Chennai

²⁸ Research Officer, and two Investigators of State Office, Chennai

- **F.No: 3/43/Erode/2016 Res:** Taking suo moto cognizance of news reports of 03.06.2016 regarding attack on SCs at Kurichi village Erode District. A team²⁹ of NCSC State Office, Chennai visited the spot on 17.06.2016.

After the spot visit and at the instance of the Commission, following actions were taken:-

- FIR was filed under sections 147, 148, 324, 336 of IPC and u/s 3(1)(r) and 3(1)(s) of POA Act, 2015.
- 4 persons were arrested.
- Rs.22,500/- each as financial compensation was paid to the two victims.

- **F.No: 3/24/Madurai/2016 Res:** Taking suo moto cognizance of news reports on 14.07.2016 that one SC youth was murdered at Sakkimangalam village, Madurai District. A team³⁰ of NCSC State Office, Chennai visited the spot on 19.07.2016.

After the spot visit and at the instance of the Commission, following actions were taken:-

- FIR was filed under section 147, 148, 341, 294(b), 307, 302 of IPC and u/s 3(2)(v) of POA Act,.
- Eight persons were arrested.
- Rs.4,12,500/- financial compensation was paid to the victim's family.

- **F.No: 3/45/Thiruvannamalai/2016 Res:** Taking suo moto cognizance of news reports of 13.07.2016 that Police assaulted three members of SC family at Chengam, Thiruvannamalai District. A team³¹ of NCSC State Office, Chennai visited the spot on 28.07.2016. Victim has approached the Hon'ble High Court of Madras and the Court case is pending.

- **F.No: 3/46/Thanjavur/2016 Res:** Taking suo moto cognizance of news reports on 04.08.2016 that an SC girl was raped and murdered at Saliyamangalam Village, Thanjavur District. A team³² of NCSC State Office, Chennai visited the spot on 10.8.2016.

After the spot visit and at the instance of the Commission, following actions were taken:-

²⁹ Research Officer and Two Investigator of NCSC State Office Chennai.

³⁰ Two Investigator of NCSC State Office Chennai.

³¹ Research Officer and Two Investigator of NCSC State Office Chennai.

³² Research Officer and Two Investigator of NCSC State Office Chennai.

- FIR was registered under sections 342, 376, 302 of IPC and u/s.3(2)(v) of POA Act.
- Two accused were arrested.
- Rs.4,12,500/- was paid as financial compensation to family.
- **F.No: 3/52/Sivaganga/2016 Res:** Taking suo moto cognizance of news reports on 9.9.2016 that 30 SC houses were ransacked by non-SCs at Arasanoor village, Sivaganga District. A team³³ of NCSC State Office, Chennai visited the spot on 15.09.2016. After the spot visit and at the instance of the Commission, following actions were taken by authorities:-
 - FIR was registered under sections 147, 148, 294(b), 323, 324, 307, 379 of IPC and u/s 3(1)(r)(s), 3(2)(v) of POA Act.
 - 13 accused were arrested.
 - Rs.1,00,000/- each was paid as financial compensation to the 3 victims .

- **F.No: 3/53/Coimbatore/2016 Res:** Taking suo moto cognizance of news reports on 09.09.2016 that SCs were assaulted by non-SCs at Periyathadagam, Coimbatore District. A team³⁴ from NCSC, State Office, Chennai visited the spot on 23.09.2016.

After the spot visit and at the instance of the Commission, following actions were taken:-

- FIR was registered under sections 147, 148, 341, 294(b), 323, 324 of IPC and u/s 3(1)(r)(s) and 3(2)(va) of POA Act.
- Two persons were arrested.
- Six victims were paid Rs.50,000/- each as financial compensation.

4.7.2.3 State Office Patna

- **File No. 14/9/2016-B** Taking suo moto cognizance of news report regarding incident of murder of a Scheduled Caste couple in Khakhana village under Bhagwanpur P.S. of Begusarai district, a team from the Commission³⁵ visited the village on 09.04.2016.

³³ Research Officer and Two Investigator of NCSC State Office Chennai.

³⁴ Research Officer and Two Investigator of NCSC State Office Chennai.

³⁵ lead by Director NCSC State office , Patna

- Due to intervention of the Commission section 3(2)(v) of PoA Act, was incorporated in FIR
 - two accused of the case were arrested and sent to jail.
 - Proposal for financial relief has already been submitted to the District Magistrate, Begusarai.
-
- **File No. 11/222/2014-J:** A complaint dated nil was received from Smt. Gunjari Devi w/o Congress Turi of village Kalyanpur under Nagar P.S. of Deoghar district regarding taking action against the accused of murder of her husband and payment of financial relief. Due to seriousness of the case a team³⁶ from the Commission visited the village on 28.06.2016.
 - After spot enquiry the Commission asked the district administration to incorporate proper sections of PoA Act, in the case
 - Recommended payment of admissible financial and other relief to the deceased family.
 - Action taken report is awaited.
 - **File No. 14/21/2016-B** Taking suo moto cognizance of news report regarding rape of a Scheduled Caste minor girl in Mokhtarpur village under Mahanar P.S. of Vaishali district, a team from the Commission³⁷ visited the village on 01.07.2016.
 - Due to intervention of the Commission accused was arrested and chargesheet submitted.
 - Financial compensation of Rs. 2.50 lakh has been paid to the victim.

4.7.2.4 State office Trivandram

- **F.no.KL/31/54/2016 :** Taking suo moto cognizance of news that a Scheduled Caste girl named Ms Anjuna attempted to commit suicide by consuming some pills following the humiliation she and her family had undergone due to caste abuse and

³⁶ lead by Director NCSC State office , Patna

³⁷ lead by Director NCSC State office , Patna

harassment at the hands of some political elements belonging to the local area. The girl was admitted in the ICU of Indira Gandhi Co-operative Hospital, Thalissery.

A spot visit was conducted³⁸ on 21.06.2016.

- FIR no: 1161 under IPC Sections 33,448,323,324,506 and u/s 3(1)(xi) of POA Act was filed on 12.06.2016 .
- The accused, Shijil Rinil ,Sayooj Linesh and 3 three identifiable persons were arrested.
- After the spot visit compensation of Rs 3 lakh was provided to the victim.

4.8 Hostel Visits

4.8.1 NCSC, State Office ,Chandigarh

SC Boys Engineering College Hostel, Jalndhar (Pb)

The NCSC team³⁹ visited the SC Boys Engineering College Boys Hostel Jalandhar on 05.08.2016. Following observations were made:-

- The Aqua guard filter etc were not changed for 1 year.
- The SC children informed of hostel stay fees being charged from them, but the hostel facility is free fpor SC students.
- The authorities were asked to refund the money and not to charge the amount.
- The bathrooms were dirty and many mosquitos were there.
- The food quality was tasted and found to be low.
- The food was lying in open in kitchen and storage was dirty. The uncooked food was kept in open on which flies were sitting.
- The Hostel lighting was not proper.

4.8.2 State Office Patna

Government SC Residential and 2 School, Lerua, Madhupur, Deoghar:

On 29.06.2016 the NCSC team⁴⁰ visited the hostel Government SC Residential and 2 School, Lerua, Madhupur, Deoghar and following observations were made -

³⁸ by Director NCSC State office , Thiruvananthapuram

³⁹ lead by Director NCSC State office , Chandigarh

- Reading and writing material not provided to the inmates.
- Computers were not available.
- Medical facilities not available.
- Electricity, Fan, Bulb and other electrical equipment were not available.
- Mess facility was available, good quality of food provided.
- Sufficient number of toilets in good condition were available.
- Indoor games facilities provided

Govt. Welfare Hostel, Deoghar College, Deoghar :- On 29.06.2016 the NCSC team⁴¹ visited the Government SC Residential and 2 School, Lerua, Madhupur, Deoghar and following observations were made :-

- Sufficient number of beds were not found available.
- Toilets were not in good condition.
- The inmates used to go to field on nature's call.
- During the course of inspection no inmates complaint about food.
- They informed that good quality of food as per weekly menu is provided to them.
- There was no security.
- Building was also not found in good condition.

4.8.3 NCSC,State Office ,Trivandrum

Pre –matric Boys' hostel at Chathanoor,Kollam

On 25.06.2016 the NCSC team⁴² visited the Pre ómatric Boys' hostel at Chathanoor,Kollam District . The total strength of the hostel is 30 against which only 10 students are admitted. Following observations were made :-

- a)A regular Warden to be appointed immediately.
- b)Space for a play ground to be located adjacent to the building as adequate facility is not available inside the premises.
- c) A landline telephone connection to be provided as the children generally complained about insufficient communication with their parents.
- d) Immediate repair of doors and window panels .

⁴⁰ lead by Director NCSC State office , Patna

⁴¹ lead by Director NCSC State office , Patna

⁴² lead by Director NCSC State office , Thiruvananthapuram

4.9 De-reservation Proposals

De-reservation Proposals

Status of the de-reservation proposals received in the NCSC during the year 2015-16 & 2016-2017.

2015-16 :

The NCSC had received 31 proposals for de-reservation of SC reserved vacancies in various cadres/post from different Departments/Ministry/Organization for seeking advice/concurrence of the NCSC during the year 2015-16. Out of these, advice was given in 18 cases of de-reservation. In 13 cases the proposals were found incomplete like to non-receipt of RRs, seniority lists of feeder cadre posts, reservation rosters and reasons for shortfall of SC incumbents.

The Departments concerned were requested to send the requisite details and information. However, despite passing of one year/six months and reminders, no information/ details were received from the Departments concerned. Therefore, the Commission has turned down all these 13 proposals for lack of necessary information by the departments concerned.

2016-2017 (upto 30.09.2016):

05 proposals for de-reservation of SC vacancies in various cadre posts were received for concurrence of the NCSC. Out of these, the following advice was rendered in 03 proposals:-

(i) **Ministry of Agriculture** : Filling up of the 01 SC reserved post of Assistant Director Oils & Fats) in Directorate of Marketing & Inspection by promotion in the Department of Agriculture, Cooperation & FW.

Advice of NCSC: The reserved vacancies may be filled up by the direct recruitment basis. The above advice was conveyed vide letter No. 39/De-reservation-14/2016-SSW I dated 04.05.2016.

(ii) **M/o of Statistics & Programme implementation** : De-reservation of 11 (SC-7 & ST-4) vacancies of Data Processing Assistant (DDA) Grade-II reserved for SC and ST filed by promotion in NSSO (DPD).

Advice of NCSC: The reserved vacancy may be filled up by the mode of deputation as per recruitment rules. The above advice was conveyed vide letter No. 39/De-reservation-16/2016-SSW I dated 29.06.2016.

(iii) Comptroller & Auditor General of India: De-reservation for two reserved SC vacancies for the post of Assistant Audit Officer to be filled by promotion for the panel year 01.04.2016 to 31.3.2017 in the O/o Principal Accountant General, Kerala, Thiruvanthapuram.

Advice of NCSC: The reserved vacancies may be filled up by way of relaxing the qualified marks/lower standard of evaluation as per the DoP&T guidelines dated-3.10.2000. The above advice was conveyed vide letter No. 39/De-reservation-19/2016-SSW I dated 08.08.2016.

The following de-reservation proposals, were found incomplete and hence certain details and information has been sought from the departments concerned:

(i) **Ministry of Defence :** De-reservation Proposal of two vacancies reserved for SCs in the grade of Veh. Operator to be filled up through promotion by DPC-II for 2016 in ITR Chandipur..

(ii) **Ministry of Defence:** De-reservation proposal of 01 vacancy reserved for SCs in the grade of Senior Admin Assistant (SAA) to be filled up through promotion by selection for the year 2016 in ITR Chandipur.

CHAPTER –V Administration and Coordination

5.1 The Mandate¹

The National Commission for Scheduled Castes (hereafter referred to as 'NCSC' or 'the Commission') was established under the Article 338 of the Constitution. The Commission has a wide charter relating to the overall policy, planning, coordination, evaluation and review of the regulatory framework and developmental programs relating to the Scheduled Caste community. The jurisdiction of the Commission extends to all the states in India except the state of Jammu and Kashmir.

The present National Commission for Scheduled Castes² is headed by Chairperson, Dr. P.L.Punia. There is a Vice Chairman, three Members and officials³.

The NCSC has the mandate to monitor the implementation of the following Acts/ Rules by the State /UT and Central Governments:-

- (i) The Protection of Civil Rights (PCR) Act, 1955
- (ii) The PCR Rules, 1977
- (iii) The Scheduled Castes & Scheduled Tribes (Prevention of Atrocities) Act, 1989 and The Scheduled Castes & Scheduled Tribes (Prevention of Atrocities) Amendment Act 2015⁴.

¹ Refer: Clause(s) 5, 8 and 9 of the Article 338, Constitution of India to get further details on the functions, duties and power of the Commission

² See Annexure 1 for NCSC Organization Chart

³ Dr. Raj Kumar Verka - Vice-Chairperson

Shri Raju Parmar - Member

Shri Ishwar Singh - Member

Smt.P. M. Kamamma - Member

Shri. Arun Jha, IAS, Secretary

Dr Smita S Chaudhri, Joint Secretary

(for details of Members and officials please visit: www.ncsc.nic.in)

⁴Notified on 01 January 2016

(iv) The Scheduled Castes & Scheduled Tribes (Prevention of Atrocities) Rules, 1995 and The Scheduled Castes & Scheduled Tribes (Prevention of Atrocities) Amendment Rules 2016⁵.

(v) The Prohibition of Employment as Manual Scavengers and their Rehabilitation Act , 2013

The Commission also monitors the action taken by the State /UT and Central Governments regarding :

- Implementation of Reservations for Scheduled Castes / OBCs in the Central, State and UT Governments and their Public Sector Undertakings..
- Monitoring the welfare schemes for development of Scheduled Castes through SCSP⁶ funds.

5.2 Offices

The headquarters of the Commission is at Delhi. Secretary to the Government of India is its administrative Head and is assisted by officers at the level of Joint Secretary, Directors and Deputy Secretaries.

The location and jurisdiction of the 12 State Offices of the Commission are as follows:

Table No. 5.1

Sl. No.	State	Office (location)	Jurisdiction
1.	West Bengal	Kolkata	West Bengal, Odisha, Sikkim & Andaman & Nicobar Islands
2.	Gujarat	Ahmedabad	Gujarat, Rajasthan and Dadra & Nagar Haveli
3.	Tripura	Agartala	Tripura
4.	Kerala	Thiruvanthapuram	Kerala
5.	Punjab	Chandigarh	Punjab, Haryana, Himachal Pradesh, Chandigarh and Uttarakhand

⁵Notified on 14 April 2016

⁶SCSP : Scheduled Caste Sub Plan

Sl. No.	State	Office (location)	Jurisdiction
6.	Uttar Pradesh	Lucknow	Uttar Pradesh
7.	Maharashtra	Pune	Maharashtra and Goa
8.	Bihar	Patna	Bihar and Jharkhand
9.	Tamil Nadu	Chennai	Tamil Nadu and Puducherry
10.	Karnataka	Bangaluru	Karnataka
11.	Andhra Pradesh	Hyderabad	Andhra Pradesh, Telengana, Madhya Pradesh and Chattisgarh
12.	Assam	Guwahati	Assam, Arunachal Pradesh, Manipur, Mizoram, Nagaland and Meghalaya

The State Offices of the Commission are headed by the officers of the rank of Director / Deputy Director / Assistant Director and function under the overall supervision of one of the Members as per allocation of work.

5.2.1 Proposal for opening new offices

In order to strengthen its performance throughout the country and in view of the volume of complaints / grievances petitions that are received in the Commission, a proposal has been moved for creation of new State Offices at following locations:

Table No. 5.2

Sl. No.	Location	Jurisdiction over State(s)
1.	Bhubaneswar	Odisha
2.	Bhopal	Madhya Pradesh
3.	Jaipur	Rajasthan
4.	Dehradun	Uttarakhand
5.	New Delhi	Delhi
6.	Ranchi	Jharkhand
7.	Raipur	Chhattisgarh

The Commission needs these offices in view of manifold increase in representations/ grievance petitions. Large states like Madhya Pradesh, Rajasthan and Odisha have no office of the Commission and the lack of local presence hampers the efficient working and monitoring work of the Commission. The NCSC has also felt need of a State Office in Delhi respectively due to large

number of representations received from SCs living in NCR and also to enable the Headquarters of NCSC to concentrate on larger issues including grave atrocity cases ,policy matters, research and analysis etc.

5.2.2 Up gradation of Offices

Due to the large jurisdiction area and high work load, the Commission has also proposed up-gradation of four (04) existing State Offices from the Office of the Deputy Director to the Office of the Director in respect of following States offices:

Table No. 5.3

Sl. No.	State	Office (location)	Proposal to upgrade to the level/post of
1.	Assam	Guwahati	Director Level
2.	Gujarat	Ahmedabad	Director Level
3.	Tripura	Agartala	Director Level
4.	Kerala	Thiruvanthapuram	Director Level

The above proposals are under consideration of the Ministry of Social Justice & Empowerment.

5.3 Issues related to staffing

5.3.1 Staffing at the Headquarters⁷

The NCSC headquarters has the following Wings/Divisions:

- Atrocities & Protection of Civil Rights Wing (APCR)
- Economic & Social Development Wing (ESDW)
- Service Safeguard Wing (SSW) and
- Administration/Coordination Wing (Admn &C. Cell)

⁷ Please see Annexure-2 for incumbency position at the NCSC headquarters (As on 30 September 2016)

Each wing has a specialized role to play and as per necessity relating to the extent of work handled by the respective wings, the Commission proposes that each Wing should be manned by the following officials:

- One Deputy Secretary/ Director and
- One Under Secretary/Deputy Director (Branch Officer).

The Headquarters of the Commission has sanctioned strength of one Director (Jt. Cadre), one Deputy Secretary (CSS cadre) and one DIG/IG under central staffing scheme.

State Offices are headed by Directors / Deputy Directors/ Assistant Directors. However, a large number of such posts including lower functionaries are lying vacant both at Headquarters and State Offices⁸ of the Commission. In the State Offices, only 95 positions are filled, out of the 156 sanctioned positions as on 31 March, 2016. Orders for selection as Directors, of four officers on deputation basis, have been issued by the Ministry of Social Justice & Empowerment on 09.09.2016. Process is on revise the Recruitment rules and to fill up these vacant posts both by the Ministry of Social Justice & Empowerment (for Group A level posts) and the Commission.

5.3.2 Other Vacant Positions

As suggested by the Ministry of Home Affairs and in view of difficulties in posting an officer of the level of Deputy Inspector General of Police, a proposal for up gradation of the post to that of Inspector General of Police is under consideration by the Ministry. The proposal on filling up vacant Joint Cadre posts has also been taken up with the Ministry of Social Justice & Empowerment during the period of this report.

⁸See Annexure-3 for incumbency position at the NCSC State Offices

5.4 Accommodation

The office of the Commission is located at 5th Floor, Loknaya Bhawan, Khan Market, New Delhi. The State Offices of the Commission are located in different States. The location of the State Offices and their jurisdiction is given in **Annexure – IV**.

5.5 Use of Technology for Administrative purposes

5.5.1 E-governance

The website of National Commission for Scheduled Castes has been up-graded and redesigned. Basic information about the activities of the NCSC and its programs, annual reports, handbook of NCSC, minutes of reviews undertaken and other major decisions that have been taken by the Commission are available on the web-site. New bilingual and user friendly website of NCSC has been launched w.e.f December, 2012.

5.5.2 Complaint Monitoring Information System (CMIS)

CMIS: A Complaint Monitoring Information System (CMIS) in Commission is functional. Major changes and improvements are underway in the functioning of this CMIS as the functionality of the software has not been found fully commensurate with the requirement of NCSC.

Functions of the CMIS: The system once fully functional, will enable the complainants or petitioners to register and track the status of their cases / petitions on-line, through internet, from anywhere. The officers of this Commission can also monitor the cases online and update the data instantly.

At present, approximately 100 complaints are being received and entered in CMIS daily. The Commission is working with NIC to improve its functioning to make the system easier more functionally useful and also convert it to bilingual for the petitioners/complainants. The new CMIS software is under testing.

5.6 Compliance with other Mandates

5.6.1 Use of Hindi

The NCSC strictly followed the instructions on official language and issued all important orders/notifications bilingually. Hindi Pakhwaro was observed from the 01 to 15 September, 2016. Several competitions were organized during the week and prizes were also distributed to promote use of Hindi in official working. The Unit is headed by one Assistant Director (OL). Use of Hindi is monitored through holding monthly meeting and inspections.

5.6.2 Right to Information Act, 2005

In accordance with the provisions of section 4(1) (b) of the Right to Information Act, 2005, the NCSC has designated Central Public Information Officers (CPIOs) & First Appellate Authorities for each division/State Offices under the RTI Act, 2005 (**Annexure – V**)

During the period between April, 2016 to September, 2016, 464 applications under the RTI Act were received and 377 were disposed off. The details of RTI cases received and disposed, appeals received and disposed and CIC cases are given in table below:

RTI Cases dealt by the Commission

Table No. 5.4

Name of Office	RTI Cases		RTI Appeals		CIC Cases	
	No. of cases received	No. of replies sent	No. of appeals received	No. of appeals disposed of	No. of hearing in CIC	No. of cases closed
Head Quarter	282	207	23	19	7	207
Agartala	0	0	0	0	0	0
Ahmedabad	1	1	0	0	1	1
Bangalore	7	5	1	0	0	0
Chennai	31	31	4	4	1	1
Chandigarh	13	12	2	1	2	2
Guwahati	0	0	0	0	0	0
Hyderabad	6	6	0	0	0	0
Kolkata	15	15	00	00	00	00
Lucknow	18	18	1	1	0	0
Patna	17	17	0	0	0	0
Pune	68	59	13	12	1	1
Trivandrum	6	6	0	0	0	0
Total(State Offices)	182	170	21	18	5	5
Grand Total	464	377	44	37	12	212

5.7 Court Cases Dealt by NCSC Hqrs. & State Offices

A total of 42 Court cases where NCSC has been made a party have been received during the year. The details of all pending court cases are appended as below :

Court cases handled during April 2016-September 2016 at Commission

Table No. 5.5

Name of Office	No. of Court Cases received	No of cases finally decided	No of cases pending
Head Quarter	8	1	7
State Offices	34	0	34
Total	42	1	41

State Office-wise details of court cases handled during the period :

Table No. 5.6

Name of office	No. of cases in High Court	Number of cases finally decided	No of cases pending in High Court
Agartala	0	0	0
Ahmedabad	1	0	1
Bangalore	0	0	0
Chennai	4	0	4
Chandigarh	5	0	5
Guwahati	0	0	0
Hyderabad	13	0	13
Kolkata	3	0	3
Lucknow	2	0	2
Patna	2	0	2
Pune	4	0	4
Trivandrum	0	0	0
Total	34	0	34

5.8 Budget

The NCSC has a Non-Plan budget of ₹16.58 crore for the year 2016-17. A statement is given at **Annexure – VI**. Out of the ₹16.58 crore budget, approximately ₹12.58 crore is spent on salaries and other committed expenditure .

CHAPTER – VI Atrocities on Scheduled Castes

6.1 Relevant Acts:

The Government of India has enacted two special acts viz, the Protection of Civil Rights Act, 1955 (PCR Act) and the Scheduled Castes and Scheduled Tribes Prevention of Atrocities Act 1989 (PoA Act) and corresponding rules thereof, to provide an equal treatment and justice to the Scheduled Castes and Scheduled Tribes. The objective of both these Acts was affirmative action to empowerment of the SC/ST communities in the country by eradicating the discriminatory practices against these communities embedded in the caste system.

The POA Act 1989 was not stringent enough and many areas / offenses were undefined , it was a long pending recommendation of NCSC and also a demand of the SC/ST people that the Act be revised . The Scheduled Castes and Scheduled Tribes Prevention of Atrocities Amendment Act 2015 (referred to as POA Act 2015 in this Report) , came into force on 26.01.2016 and the Scheduled Castes and Scheduled Tribes Prevention of Atrocities Amendment Rules 2016 (referred to as POA Rules 2016 in this Report) came into force on 14.04.2016.

6.2 Crime against Scheduled Castes

The NCRB¹ data on crimes 2015 has been examined and NCRB data from the year 2013 onwards have also been taken into consideration for doing an analysis of crime against Scheduled Castes. Besides, pendency of cases as compiled by the NCRB, both at the end of police and judiciary also has been discussed. Reasons of high acquittal rate vis-à-vis low conviction rate have also been suitably discussed. The state wise comparison of rate of crime against SCs, vis a vis the national average pertaining to the largest States in terms of population of Scheduled Castes

¹ NCRB - National Crime Records Bureau

6.2.1 Fact Sheet of crimes against Scheduled Castes

For the purpose of analyzing crime against Scheduled Castes, data provided by NCRB has been relied upon. Going by the available statistics, the number of crimes registered under the PCR Act are reducing as the cases of atrocities on SCs & STs are being increasingly booked under the POA Act, and less and less under the PCR Act after January 1990.

6.2.2 Crimes against Scheduled Castes

The state wise figures crime against Scheduled Castes are given in the table below

Table No. 6.1
Incidence and rate of crimes committed against Scheduled Castes during 2015²

S. No.	State/UT	Cases Reported *	Percentage Contribution to All India Total	Population of SCs #+ (in Lakhs)	Rate of Total Cognizable Crimes \$
(1)	(2)	(3)	(4)	(5)	(6)
STATES:					
1	Andhra Pradesh	4415	9.8	84.5	52.3
2	Arunachal Pradesh	0	0.0	0.0	
3	Assam	5	0.0	22.3	0.2
4	Bihar	6438	14.3	165.7	38.9
5	Chhattisgarh	1028	2.3	32.7	31.4
6	Goa	13	0.0	0.3	51.1
7	Gujarat	1046	2.3	40.7	25.7
8	Haryana	834	1.9	51.1	16.3
9	Himachal Pradesh	95	0.2	17.3	5.5
10	Jammu & Kashmir	0	0.0	9.2	0.0
11	Jharkhand	738	1.6	39.9	18.5
12	Karnataka	1987	4.4	104.7	19.0

² National Crime Records Bureau Report, 2015

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13	Kerala	752	1.7	30.4	24.7
14	Madhya Pradesh	4188	9.3	113.4	36.9
15	Maharashtra	1816	4.0	132.8	13.7
16	Manipur	0	0.0	1.0	0.0
17	Meghalaya	0	0.0	0.2	0.0
18	Mizoram	0	0.0	0.0	0.0
19	Nagaland	0	0.0	0.0	
20	Odisha	2305	5.1	71.9	32.1
21	Punjab	147	0.3	88.6	1.7
22	Rajasthan	6998	15.6	122.2	57.3
23	Sikkim	11	0.0	0.3	38.9
24	Tamil Nadu	1782	4.0	144.4	12.3
25	Telangana	1678	3.7	54.3	30.9
26	Tripura	28	0.1	6.5	4.3
27	Uttar Pradesh	8358	18.6	413.6	20.2
28	Uttarakhand	93	0.2	18.9	4.9
29	West Bengal	186	0.4	214.6	0.9
	TOTAL STATE(S)	44941	99.9	1981.6	22.7
UNION TERRITORIES:					
30	A & N Islands	0	0.0	0.0	
31	Chandigarh	1	0.0	2.0	0.5
32	D&N Haveli	0	0.0	0.1	0.0
33	Daman & Diu	2	0.0	0.1	32.7
34	Delhi UT	54	0.1	28.1	1.9
35	Lakshadweep	0	0.0	0.0	
36	Puducherry	5	0.0	2.0	2.5
	TOTAL UT(S)	62	0.1	32.2	1.9
	TOTAL (ALL INDIA)	45003	100.0	2013.8	22.3

However in Col. 181 of Table 7.2 of the NCRB 2015 data , there is mention of 6009 cases of IPC crimes against Scheduled Castes where the POA act was not applied. The reasons for not invoking the POA Act in these cases is not indicated and this aspect needs to be examined by the State Governments and Ministry of Home Affairs. The Commission recommends a speedy examination of this aspect by all concerned Governments.

Details are in Table 6.2 below.

Table No. 6.2
IPC cases against Scheduled Castes during 2015³ where POA Act not applied⁴

S. No.	State/UT	IPC Crimes Against SCs (in which SC/ST POA Act not applied)					
		Riots (Sections 147, 148, 149, 150 & 151 IPC)		Other IPC Crimes		Total IPC Crimes Committed Against SCs	
		I	R	I	R	I	R
(1)	(2)	(175)	(177)	(178)	(180)	(181)	(183)
STATES:							
1	Andhra Pradesh	4	0.0	1608	19.0	2050	24.3
2	Arunachal Pradesh	0	-	0	-	0	-
3	Assam	0	0.0	0	0.0	0	0.0
4	Bihar	0	0.0	40	0.2	40	0.2
5	Chhattisgarh	14	0.4	537	16.4	790	24.1
6	Goa	0	0.0	0	0.0	0	0.0
7	Gujarat	0	0.0	0	0.0	0	0.0
8	Haryana	18	0.4	237	4.6	322	6.3
9	Himachal Pradesh	0	0.0	0	0.0	1	0.1
10	Jammu & Kashmir	0	0.0	0	0.0	0	0.0
11	Jharkhand	0	0.0	0	0.0	2	0.1

³ National Crime Records Bureau Report, 2015

⁴ as per Col 181 of Table 7.2 of the NCRB 2015 data

Chapter – VI : Atrocities on Scheduled Castes

12	Karnataka	21	0.2	72	0.7	131	1.3
13	Kerala	5	0.2	39	1.3	54	1.8
14	Madhya Pradesh	8	0.1	597	5.3	638	5.6
15	Maharashtra	0	0.0	0	0.0	0	0.0
16	Manipur	0	0.0	0	0.0	0	0.0
17	Meghalaya	0	0.0	0	0.0	0	0.0
18	Mizoram	0	0.0	0	0.0	0	0.0
19	Nagaland	0	-	0	-	0	-
20	Odisha	10	0.1	363	5.0	482	6.7
21	Punjab	0	0.0	0	0.0	0	0.0
22	Rajasthan	2	0.0	872	7.1	1040	8.5
23	Sikkim	0	0.0	3	10.6	6	21.2
24	Tamil Nadu	0	0.0	19	0.1	24	0.2
25	Telangana	1	0.0	302	5.6	357	6.6
26	Tripura	0	0.0	3	0.5	27	4.1
27	Uttar Pradesh	0	0.0	0	0.0	1	0.0
28	Uttarakhand	0	0.0	5	0.3	5	0.3
29	West Bengal	3	0.0	30	0.1	36	0.2
	TOTAL STATE(S)	86	0.0	4727	2.4	6006	3.0
UNION TERRITORIES:							
30	A & N Islands	0	-	0	-	0	-
31	Chandigarh	0	0.0	0	0.0	0	0.0
32	D&N Haveli	0	0.0	0	0.0	0	0.0
33	Daman & Diu	0	0.0	0	0.0	0	0.0
34	Delhi UT	0	0.0	1	0.0	1	0.0
35	Lakshadweep	0	-	0	-	0	-
36	Puducherry	2	1.0	0	0.0	2	1.0
	TOTAL UT(S)	2	0.1	1	0.0	3	0.1
	TOTAL (ALL INDIA)	88	0.0	4728	2.3	6009	3.0

6.2.3 Year wise comparison of total number of crime against Scheduled Castes

Analysis of year wise and State wise comparison of total number of crime against Scheduled Castes shows that shows an increase in the crime against Scheduled Castes (45003) in 2015 as compared to 2013 details and a marginal reduction from 2014 figures of 47064.

Table no. 6.3
Year wise comparison of total number of crime against Scheduled Castes

Sl. No.	State / Union Territories	Incidences 2013-14	Incidences 2014-15	Incidences 2015-16
(1)	(2)	(3)	(4)	(5)
1	ANDHRA PRADESH	3270	4114	4415
2	ARUNACHAL PRADESH	0	0	0
3	ASSAM	8	2	5
4	BIHAR	6721	7893	6438
5	CHHATTISGARH	242	1066	1028
6	GOA	12	17	13
7	GUJARAT	1190	1130	1046
8	HARYANA	493	830	834
9	HP	148	122	95
10	J&K	0	0	0
11	JHARKHAND	978	903	738
12	KARNATAKA	2566	2138	1987
13	KERALA	756	816	752
14	MP	2945	4151	4188
15	MAHARASHTRA	1678	1768	1816
16	MANIPUR	1	1	0
17	MEGHALAYA	0	0	0
18	MIZORAM	0	0	0
19	NAGALAND	0	0	0
20	ODISHA	2592	2266	2305
21	PUNJAB	126	123	147

22	RAJASTHAN	6475	8028	6998
23	SIKKIM	6	10	11
24	TAMIL NADU	1845	1546	1782
25	TELENGANA		1694	1678
26	TRIPURA	48	49	28
27	UTTAR PRADESH	7078	8075	8358
28	UTTARAKHAND	34	61	93
29	WEST BENGAL	115	159	186
	TOTAL (STATES)	39327	46962	44941
UNION TERRITORIES:				
29	A&N ISLANDS	0	0	0
30	CHANDIGARH	4	1	1
31	D&N HAVELI	0	0	0
32	DAMAN & DIU	1	0	2
33	DELHI	55	87	54
34	LAKSHADWEEP	0	0	0
35	PUDUCHERRY	21	14	5
	TOTAL (UTs)	81	102	62
	TOTAL (ALL-INDIA)	39408	47064	45003

The States with highest number of incidents are UP (8358) , Rajasthan (6998) , Bihar (6438) and Andhra Pradesh (4415).

6.2.4 Rate of crime against Scheduled Castes

The analysis⁵ shows that the rate of crime is 22.3% when compared to 19.6% in 2013. The state wise and year wise comparison of rate of crime against Scheduled Castes and the rate of crime in 2015 vis a vis the National Average pertaining to the largest States in terms of population of Scheduled Castes are as follows :

⁵ As per NCRB Report s2013,2014 and 2015

Table no. 6.4

Year wise State wise rate of crime against Scheduled Castes⁶

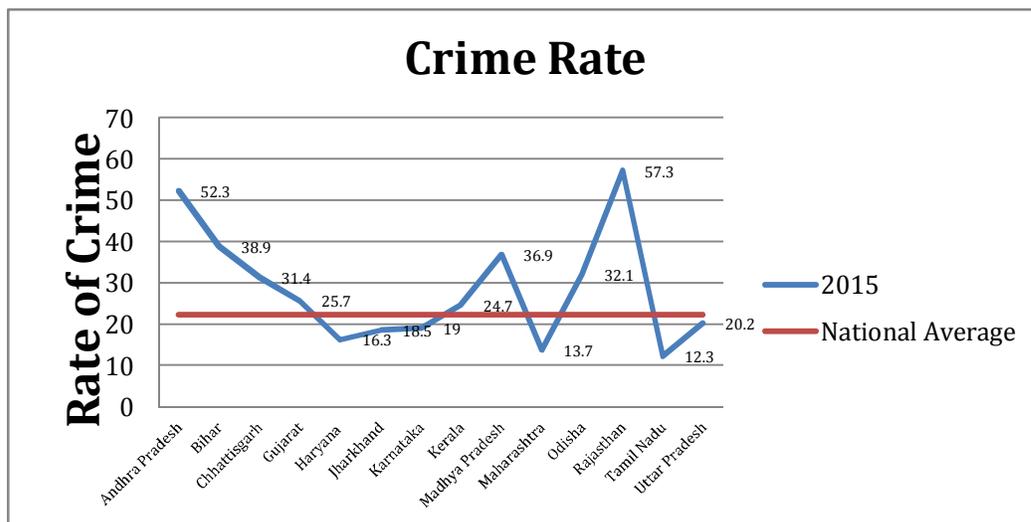
Sl. No.	State / Union Territories	Incidences 2013-14	Incidences 2014-15	Incidences 2015-16
(1)	(2)	(3)	(4)	(5)
1	ANDHRA PRADESH	23.56	48.7	52.3
2	ARUNACHAL PRADESH	-	-	-
3	ASSAM	0.36	0.1	0.2
4	BIHAR	40.57	47.6	38.9
5	CHHATTISGARH	7.39	32.6	31.4
6	GOA	47.15	66.8	51.1
7	GUJARAT	29.21	27.7	25.7
8	HARYANA	9.64	16.2	16.3
9	HP	8.56	7.1	5.5
10	J&K	0.00	0.0	0.0
11	JHARKHAND	24.54	22.7	18.5
12	KARNATAKA	24.50	20.4	19.0
13	KERALA	27.87	26.8	24.7
14	MP	25.96	36.6	36.9
15	MAHARASHTRA	12.64	13.3	13.7
16	MANIPUR	1.03	1.0	0.0
17	MEGHALAYA	0.00	0.0	0.0
18	MIZORAM	0.00	0.0	0.0
19	NAGALAND	-	-	-
20	ODISHA	36.06	31.5	32.1
21	PUNJAB	1.42	1.4	1.7
22	RAJASTHAN	52.98	65.7	57.3
23	SIKKIM	21.22	35.4	38.9
24	TAMIL NADU	12.78	10.7	12.3
25	TELENGANA		31.2	30.9

⁶ as per NCRB reports 2013,2014 and 2015

26	TRIPURA	7.33	7.5	4.3
27	UTTAR PRADESH	17.11	19.5	20.2
28	UTTARAKHAND	1.80	3.2	4.9
29	WEST BENGAL	0.54	0.7	0.9
	TOTAL (STATES)	19.85	23.7	22.7
UNION TERRITORIES:				
29	A&N ISLANDS	2.01	-	-
30	CHANDIGARH	0.00	0.5	0.5
31	D&N HAVELI	16.33	0.0	0.0
32	DAMAN & DIU	1.96	0.0	32.7
33	DELHI	-	3.1	1.9
34	LAKSHADWEEP	10.70	-	-
35	PUDUCHERRY	2.52	7.1	2.5
	TOTAL (UTs)	19.57	3.2	1.9
	TOTAL (ALL-INDIA)	19.6	23.4	22.3

Graph 6.1

Rate of total cognizable crime against SCs (2015) vis a vis National Average ⁷



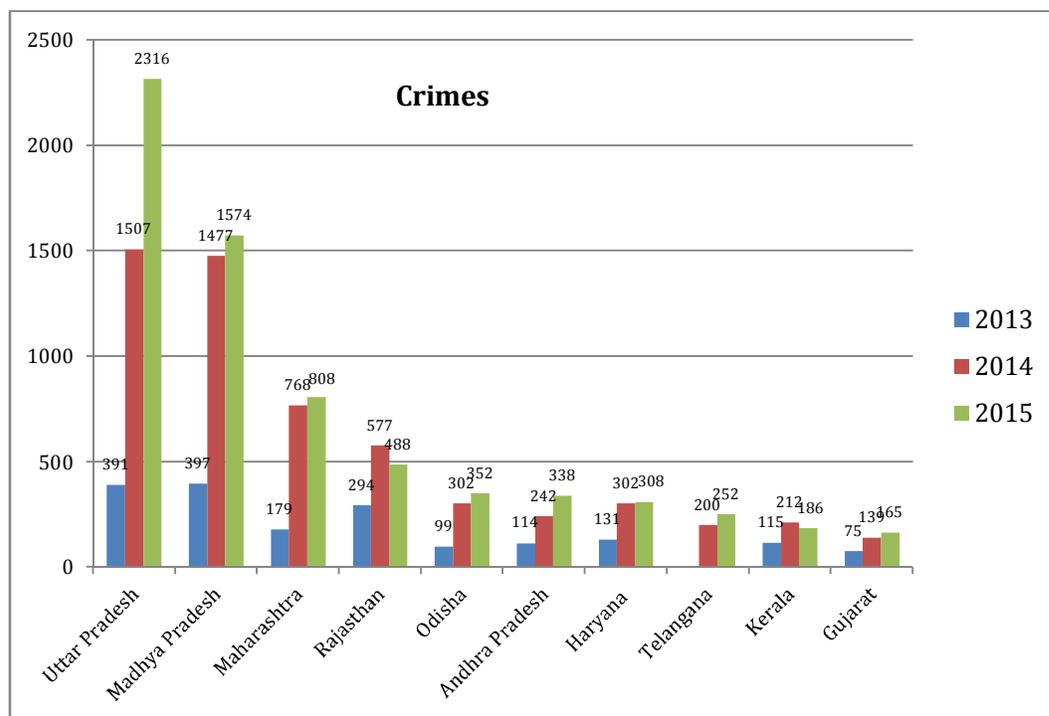
States with highest rate of crimes are Rajasthan, (57.3) Andhra Pradesh (52.3) and Bihar (38.9). States where rate of crimes show an increasing trend for last 3 years are Andhra Pradesh, Madhya Pradesh, Uttar Pradesh.

⁷ NCRB 2015

6.2.5 Crime against SC women

The details of crime against women are as follows :

Graph-6.2
Crimes against women⁸



States with highest incidents of crime against SC women are UP (2316), MP (1574) and Maharashtra (808). Apart from the 10 states mentioned in the graph above Karnataka, Chhattisgarh, Tamil Nadu and Bihar also show an increase in crimes against women in 2015. There is an increasing trend in crime against SC women.

6.2.6 Riots

New analysis of cases / incidents of riots on SCs by non SCs has been made in NCRB 2015. There are a total 1465 such incidents in the country in 2015, out of the total such incidents, 1445 incidents occurred in the 10 states whose data is placed below :

⁸ National Crime Records Bureau 2015

Graph-6.3

Incidents of Riots on SCs by non SCs⁹

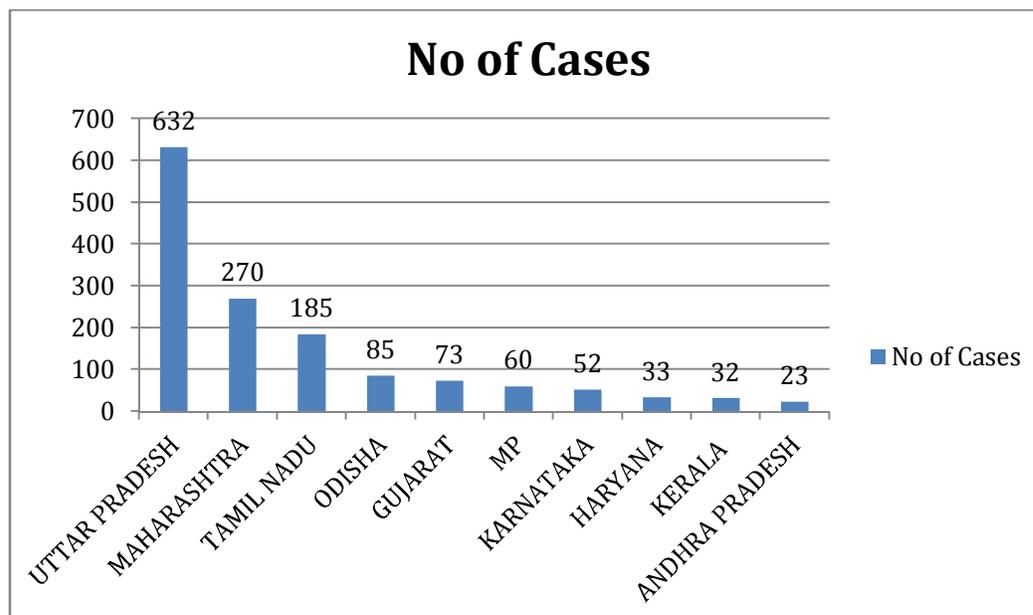


Table no. 6.5

Top ten States Crime ratio

Sl. No.	State / Union Territories	No. of cases
(1)	(2)	(3)
1.	ANDHRA PRADESH	23
2.	GUJARAT	73
3.	HARYANA	33
4.	KARNATAKA	52
5.	KERALA	32
6.	MP	60
7.	MAHARASHTRA	270
8.	ODISHA	85
9.	TAMIL NADU	185
10.	UTTAR PRADESH	632
Total of 10 states		1445

⁹ National Crime Records Bureau 2015

In addition there are a further 88 incidences of riots where the POA Act has not been invoked.

UP (632) has maximum number of such incidents followed by Maharashtra (270) and Tamil Nadu (185) as per NCRB data 2015.

6.3 Judicial and Administrative handling of cases related to the Scheduled Castes

Taking into account all form of crimes against Scheduled Castes during the year 2010 and 2015, it is seen that total incidences of crime against Scheduled Castes have increased from 32712 in 2010 to 45003 in 2015 . At the same time, the rate of filing of charge sheets¹⁰ by Police has slightly increased from 91.8 *per cent* in 2012 to 92.3 in 2014 and to 94 *per cent* in 2015. The percentage of cases of atrocities pending at the level of police has however increased from 26.3 *per cent* in 2012 to 29 *per cent* in 2015¹¹. The conviction rate¹² has unfortunately come down from 35.0 *per cent* in 2010 to 27.6 *per cent* in 2015 coupled with an increase¹³ in the pendency rate (from 83.5 in 2012 to 86.9 in 2015) in Courts in cases of crimes against Scheduled Castes.

The following graph shows the trends related to the pendency and disposal of cases by Police¹⁴ & Courts¹⁵ (2012-15):

Graph No. 6.4 Pendency and Disposals by Police and Courts¹⁶

¹⁰ Ncrb.gov.in/tables: Disposal of Cases for Crimes Committed Against SCs by Police (Crime Head wise) ó 2010 to 2015

¹¹ Ibid.

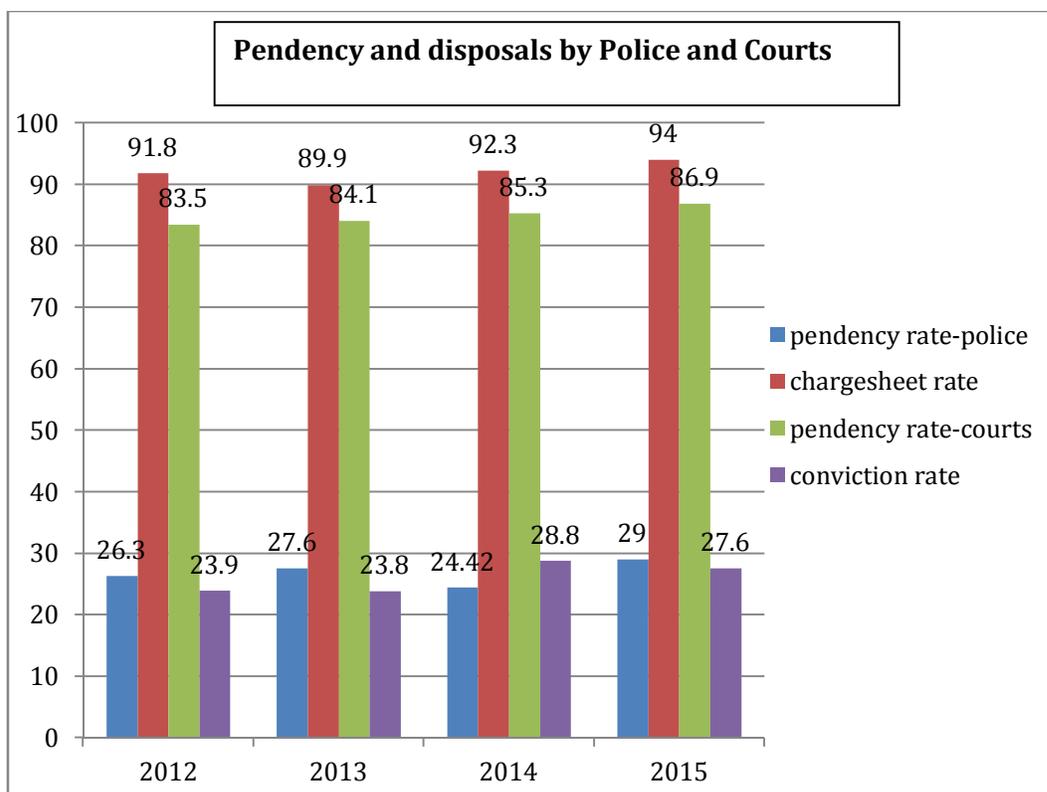
¹² Data as per:ncrb.gov.in/tables: Disposal of Cases for Crimes Committed Against SCs by Courts (State/UT-wise) ó 2010 to 2015

¹³ increase from 78.7 *per cent* in 2010 to 85.3 *per cent* in 2014

¹⁴ Data as per: ncrb.gov.in/tables: Disposal of Cases for Crimes Committed Against SCs by Police (Crime Head wise) ó 2010,2011,2012,2013& 2014

¹⁵ Data as per ncrb.gov.in/tables: Disposal of Cases for Crimes Committed Against SCs by Courts (State/UT-wise) ó 2010, 2011,2012,2013 & 2014

¹⁶National Crime Records Bureau Reports, 2010 to 2014.



6.4 State & District Level Vigilance and Monitoring Committees meetings during 2015-16

It has been noted that the mandated State and District Level Vigilance and Monitoring Committee meetings are not being held by most states like Rajasthan, Gujarat, Uttarakhand, Himachal Pradesh, Andhra Pradesh, Madhya Pradesh, Telengana, Uttar Pradesh ,West Bengal etc. for last 2 years.

Only Chattisgarh, Odisha and Karnataka have indicated dates when the State Level Vigilance Committees meetings were held.

6.5 Recommendations on handling of Atrocity cases.

The Commission has noted with concern that instances of procedural lapses are frequent while dealing atrocity cases by both police and civil administration.

There are delays in the judicial process of the cases.. The Commission, therefore, identified lacunae commonly noticed during police investigation, as also preventive / curable actions the civil administration can take. NCSC recommends the correct and timely application of SC/ST (PoA) Amendment Act, 2015 and Amendment Rules of 2016 as well as the following for improvement :

6.5.1 Registration of FIRs

The Commission has observed that the police often resort to preliminary investigation upon receiving complaint in writing before lodging the actual FIRs. As a result, the SC victims have to resort to seeking directions from courts for registration of FIRs u/s 156(3) of Cr.P.C. Honøble Supreme Court has also on more than one occasion emphasized about registration of FIR first. This Commission again reemphasizes that the State / UT Governments should enforce prompt registration of FIRs.

The Commission also recommends the following:

6.5.1.1 FIR registration may be made web-enabled also so as to make the SC complainant able to register FIR in website of district police for automatic registration of FIR at concerned Police Station.

Branches of designated banks and all post offices may be authorized to receive such FIRs from complainant and forward them to Police for FIR registration. System can be similar to receipt of passport applications in Banks and Post Offices.

6.5.1.2 : There is need to develop Mobile Apps for reporting of the atrocity incidents , FIR registration and monitoring.

6.5.1.3 : Non-registration of FIR and non-registering of atrocity complaints under appropriate provision of PoA Act is now punishable under Section 4 of the Act.

A periodic analysis and review of number of cases registered under Cr.P.C. 156(3) may be made by the State Governments and action under Section 4 of the POA (Amendment)Act 2015 should be taken against the district police authorities and Police Station in - charges where such cases are found high.

6.5.1.4 : Registration of counter cases to frustrate the very purpose of registering a case under PoA needs to be reviewed and checked. If the number of cross cases in a particular Police Station area / District are on higher side, the District level

Vigilance Committee Quarterly meeting should review this aspect and considered views be taken to neutralize such counter cases.

6.5.2 Police investigation

The Commission has observed lacunae in police investigations while dealing atrocity cases. As a result, the acquittal rate is very high in many States. The Commission therefore, suggests the following for speedy and quality investigation on atrocity crimes :

6.5.2.1 : Rules mandate completion of investigation in atrocity cases in 30 days. In practice, it is however, noticed that it takes much longer time even couple of years. The Commission therefore, suggests that provisions as made in the Rules be followed scrupulously.

6.5.2.2 : Pre-occupation of Dy. SP in other official activities often cited as the reason for delay in atrocity investigation. The same however, should be done away with.

6.5.2.3 : Swift action needs to be taken against negligent police officers for dereliction of duties under Section 4 of the POA (Amendment) Act 2015.

6.5.2.4: Timely and proper investigation by the designated Police Officers . POA Act cases are non compoundable hence the increasing trend of compromises needs monitoring.

6.5.2.5: invoking the correct & proper provisions of PoA Act to prevent the accused from getting bail.

6.5.3 Judicial proceedings

Commission has noted that in absence of Exclusive Courts and engagement of Exclusive Public Prosecutors, the atrocities cases are either prolonged or ended in acquittal due to faulty prosecution procedure. Instances are numerous wherein it has been noticed that the witnesses of the cases are withdrawn at crucial stage of the case. Keeping in view such instances, the Commission recommends the following:

6.5.3.1 : As per the POA (Amendment) Act 2015 , state Governments are to set up Exclusive Courts and Exclusive Public Prosecutors of high eminence are to be engaged so as to minimize acquittal rate.

6.5.3.2 : Till the time Exclusive Courts are set up and where number of atrocity cases is less existing Court of Session may be earmarked as Special Court to try atrocity cases. However, in such situation, atrocity cases should top the cause list for hearing so that unnecessary adjournments are avoided.

6.5.3.3 : Trial in atrocity cases may be concluded in the designated two months by the Special / Designated Courts with day to day hearings.

6.5.3.4 : Based on the data received from the National Crime Records Bureau on pending investigation by police, acquittal, conviction rates; wherever State(s) are seen to have lower performance compared the national average, this matter may be reviewed in the half-yearly State Level Vigilance & Monitoring Committee Meeting chaired by the Chief Minister of the State with an inter-district analysis.

6.5.3.5 : If atrocity incidences in particular districts are large, then steps may be taken to change the special public prosecutor and in case of repeated poor performance of the special public prosecutor, administrative action may be initiated.

6.5.3.6 : Performance of the Special Public Prosecutor also need to be monitored to ensure no laxity so far as dealing of atrocity cases in courts.

6.5.4 Compensation and Rehabilitation of victims and payment of expenses to witnesses:

The Commission has observed that the States delay payment of compensation to the victim(s) of caste atrocity. In many cases compensation is paid only when the Commission intervenes or when the matter is followed up by the family of the victim rigorously. In cases where compensation may be paid but long term rehabilitation of the victims of atrocities however, are not considered.

6.5.4.1 : Quantum of payment of traveling and maintenance expenses to the witnesses and the victims may be linked to the prevailing NREGA wages to the least.

6.5.4.2 : In all atrocity cases monetary compensation must be promptly disbursed as per amended POA Rules, 2016.

6.5.4.3 : for immediate withdrawal of money from the treasury so as to timely

provide the relief amount as specified in sub-rule (4), all the State Governments or Union Territory Administrations may immediately provide necessary authorisation and powers to the District Magistrate.

6.5.4.4 : long term rehabilitation of the victims of atrocities are to be considered and medical treatment expenses of the victims may be borne by the State.

6.5.5 Capacity building measures

The Commission has also noted that atrocity cases are delayed due to lack of sensitivity and clarity on implementation of POA Act. The Commission therefore, suggests that:

6.5.5.1 Police, Civil and Judicial authorities at various levels need to be sensitized on implementation of provision of PoA Act , especially the newly amended Act and Rules by imparting training through orientation / refresher courses.

6.5.5.2: Transparency, accountability and change in mind set is necessary to prevent crimes of atrocity. Efforts may be made for generation of awareness amongst all stake holders namely general public, police, civil administration, public prosecutors and judiciary to minimize the occurrence of atrocities on Scheduled Castes.

6.5.5.3: There is need for change the strategy in handling the cases of atrocities on Scheduled Castes. The rates of crimes against Scheduled Castes are increasing and stand at percentage which is higher than the SC population , these need to be controlled.

6.5.5.4: Mass awareness camps should be organized to tackle the crimes on Scheduled Castes at social level also along with administrative/ police actions. There is an urgent need to involve civil societies NGOs to eradicate evils.

6.5.5.5: All provisions under the POA (Amendment) Act 2015 and Rules, 2016 shall be followed rigorously to ensure zero tolerance in atrocity cases.

6.5.5.6 : There should be regular meetings of the State and District level Vigilance and Monitoring Committees on the prescribed intervals attended by the designated officers. The meetings should review the implementation of the

provisions of the Act, scheme for the rights and entitlements of victims and witnesses in accessing justice, as specified in sub-section (11) of section 15A of Chapter IV A of the Act, relief and rehabilitation facilities provided to the victims and other matters connected therewith, prosecution of cases under the Act, role of different officers or agencies responsible for implementing the provisions of the Act and review of various reports received by the State Government including that of the nodal officer and special officers.

6.5.5.7 :The sensitization process should begin in the training academies at National and State levels for police, administration and judicial inductees.

CHAPTER – VII Recommendations

7.1 Recommendations on strengthening the effectiveness of NCSC

The Commission has made several specific recommendations regarding strengthening of the effectiveness of the Commission in its previous Annual Reports¹. The Government was to take action on the same. It is seen that so far no action has been taken on any of these past recommendations, as a result of which the effectiveness of the Commission is adversely affected. Hence the Commission strongly makes the following recommendations:

7.1.1 NCSC Recommendations should be binding

Article 338, states that "the Commission shall, while investigating any matter referred to in sub-clause (a) or inquiring into any complaint referred to in sub-clause (b) of clause (5), have all the powers of a civil court trying a suit. The Commission however, has noted that this status of the NCSC is limited to that of summoning and enforcing attendance of any person including examination of witnesses under oath and examining documents and has no other powers of a civil court. This limited role of NCSC as civil court has also been confirmed by the Hon'ble Supreme Court in the case of All India Overseas Bank SC and ST Employees Welfare Association and others Vs. Union of India & Others wherein it has been stated that the power of civil court for granting injunctions temporary or permanent do not rest with the Commission, nor can such a power be derived from the clause (5) of Article 338 of the Constitution.

The Commission is of the view that while at one hand the Commission has been given the power to investigate matters on lines of a civil court but on the other hand, its observations are being treated as mere advisory in nature. This adversely

¹ Annual Report 2015-16 , Annual Report 2014-15 , Annual Report 2013-14, Annual Report 2012-13 etc

impacts the effectiveness of NCSC as a watchdog of the safeguard for the SC community, since the authorities are free to ignore the recommendations of NCSC. ***The Commission, therefore, recommends the Government may take all necessary actions to make recommendations of the NCSC as binding. The Commission should be suitably empowered so that it can effectively function and oversee that the safeguards to Scheduled Castes as guaranteed under the Constitution are implemented in letter and spirit.***

7.1.2 Independence of NCSC- in functioning and budget:

The expenditure for the National Commission for Scheduled Castes in the Union Budget is reflected in Demand No. 88 under major Head "2225" under the Ministry of Social Justice & Empowerment which is a voted expenditure. It has been observed that other Constitutional bodies like UPSC, Comptroller and Auditor General of India , Election Commission and even the Niti Ayog, which is a non-Constitutional body draw their funds from an independent head of account. This Commission is a Constitutional body set up under Article 338 of the Constitution, and has also been given the powers of the Ministry /Department of the Government of India vide S.No. 15 under Ministry of Home Affairs in the Schedule II of the DFP Rules, 1978, it stands to reason that the Commission should have separate and independent budget head and demands for grant.

The independent functioning of the Commission is adversely affected as the Commission has to refer to and take sanction / approval to the Ministry of Social Justice & Empowerment for even small things like engaging consultants or data entry operators, filling of CSSS posts etc. The Commission is not able to work fearlessly and independently due to this anomaly and needs independence in its day to day working by allowing it to decide on its own administrative, financial and legal matters.

The 14th Lok Sabha Committee on the Welfare of Scheduled Castes and Scheduled Tribes (2008-2009) in its Report had also made recommendations on a similar line.

The Commission therefore recommends that NCSC is given independence in its

day to day working by allowing it to decide on its own administrative, financial and legal matters .Its budget may be given under a separate head of account in a separate demand of Grants instead of being a part of Ministry of Social Justice & Empowerment.

7.1.3 Increase of staff strength

The 14th Lok Sabha Committee had also observed that with the increase of population and awareness amongst the Scheduled Caste people, the increased outlay by the Government of India and State Governments on SC specific schemes, the workload in the Commission has increased significantly. Despite the increased workload, the number of sanctioned staff in the Commission has remained static.

The Commission recommends that considering the increased volume and various nature of its work, the Commission should have the power to reassess its staff requirement through studies by appropriate professional bodies and take up the matter independently with the DoPT and Department of Expenditure for creation of the necessary posts. Also since the incumbency position is much lower than the sanctioned strength and there are 79 vacant positions, the Commission should be free to mitigate the gap between the sanctioned strength and persons in position by way of outsourcing, till the staff strength reassessment and creation of new posts is completed, so that the work of the Commission does not suffer. Proper provision in the Budget of the Commission needs to be made for the same.

7.1.4 Opening of new offices / up-gradation of existing offices

With the bifurcation of the Commission from NCSCST to NCSC and NCST as per the 89th Amendment of the Constitution, the 18 State Offices of the erstwhile NCSCST which had acted as eyes and ears of the Commission got divided in to 2:1 ratio in as it where is basis. While 12 State Offices came to NCSC, 06 State Offices went to NCST with staff, infrastructure thereon. The jurisdiction of the State Offices was also divided accordingly.

The existing NCSC State Offices at Ahmedabad, Chandigarh, Patna, Kolkata, Guwahati, Hyderabad, Thiruvanthapuram and Chennai deal with more than one State. The number of complaints / grievances handled in these offices are very high. The large geographical spread of their area of coverage also tends to reduce the effectiveness and monitoring of the State Government Schemes and plans by these State Offices. Consequently, the need has been felt for opening new State Offices particularly for Orissa(at Bhubaneswar), Madhya Pradesh (at Bhopal), Rajasthan (at Jaipur), , Jharkhand (at Ranchi), Uttarakhand (at Dehradun), Chhattisgarh (at Raipur) and at New Delhi. The concentration of Scheduled Castes is relatively high in these areas and the NCSC has no visible presence in such States leading to NCSC's inability to monitor effectively the large number of cases and liaison effectively with the State Governments.

It has also been seen that for effective follow up and monitoring with State Governments and effective interaction with senior officers in State Governments, NCSC requires a higher level of Officers. The proposal to upgrade 4 NCSC State Offices of Assam, Gujarat, Tripura and Kerala to the level of Director from the level of Deputy Director therefore has been proposed for effective delivery of Constitutional mandate the NCSC.

The proposal, submitted by the Commission to open up new more offices and upgrading four State Offices to the level of Director along with required staff, is pending for long needs to be finalised expeditiously.

7.1.5 Initiation of appointing process for new Commission

It has been noticed that between the completion of the tenures of one Commission and appointment of a new Commission, there is a vacuum. During this gap, the functioning of the Commission as a watchdog for the safeguards of the Scheduled Castes is adversely affected. The deprived Scheduled Caste people have no recourse in cases of violations of the safeguards of the Scheduled Castes.

For the continued welfare of the Scheduled Castes , it is recommended that the process of appointing a new Commission is designed in a way to ensure seamless transitions between two successive Commissions.

7.2 Increasing court cases against NCSC

It has been seen that many Government Departments / PSUs have a tendency to file writ petitions in various Honøble Courts against the recommendations of the NCSC or even against the letters of the Commission requesting the presence of top officials of the Government / PSUs to assist the Commission in its inquiries . This is ironical as recommendations of NCSC are only advisory and department / PSUs have no need to resort to taking matter to Courts, since the same complicates and delays final delivery of justice as well as burdens the exchequer with legal fees. This is a glaring example of different wings of State fighting against the State in the Court of law.

In view of above, Commission strongly recommends intervention of Government for issue of an order that departments / PSUs should not approach Courts contesting recommendations given by the NCSC. If the Departments / PSUs have reservation or problems in implementing any recommendation of NCSC, they may approach NCSC again with full facts and seek a review rather than approach the Courts.

7.3 Recommendations on Service Safeguards

7.3.1 CPSUs / CPSBs²:

During the review meetings of the CPSUs / CPSBs held by the Commission, it was recommended that:

- Training programmes on the implementation of the reservation policy for Liaison Officers for SC/ST may be conducted so that they could discharge their duties properly.

² CPSUs : Central Public Sector Undertakings
CPSBs : Central Public Sector Banks

- The reservation rosters should be properly prepared, maintained and regularly updated. The Liaison officers should regularly check the same and get the errors , if any rectified at the earliest.
- The CPSUs/ CPSBs are to calculate the reserved backlog vacancies and fill up such vacancies by launching a Special Recruitment Drives.
- The representation of SCs and OBCs should be maintained as per the reservation policy of the Govt. of India.
- In the matter of promotion, the requisite reservation for SCs is not adequate and below the percentage of reservation of 15%.
- The PSUs may consider allocating a certain percentage of CSR funds for the welfare of Scheduled Castes by launching specific schemes.

7.3.2 Reservation in Promotion :

It has been seen that the orders of the Honøble Supreme Court in the M. Nagaraj case regarding reservation in promotions are not being followed by State Governments.

The Commission again recommends that:

- All State Governments and Government of India implement the Honøble Supreme Court judgement in the M.Nagaraj case and take decisions based on submission of quantifiable data of backwardness, inadequacy of representations and overall administrative efficiency for determining reservation in promotion and also consider to continue reservation in promotion for SCs.
- The Government should consider a Constitutional Amendment for putting in place reservation in promotion in order to overcome the problems being faced in implementation of reservation in promotions.
- The Government should consider introducing a Bill on reservation in posts & Services.

7.3.3 Non implementation of 85th Amendment Act, 2001 by Government of Punjab :

The Commission recommends the Government of Punjab may revise and correct its orders on seniority as per the DoPT guidelines dated 22.01.2002

and implement the same by providing benefit of seniority to the SC employees who are promoted by virtue of reservation / roster.

7.3.4 Recommendations of the Commission regarding Service safeguards issues :

- Reservation in Government posts should be equivalent to the percentage of SC population in the State.
- Reservation rosters should be maintained and followed strictly to ensure adequate representation of the SCs in services.
- Backlog vacancies should be filled through Special Recruitment Drives.
- Necessary infrastructure like appointment of Liaison Officers, setting up grievances cells for SCs etc. should be strictly followed.
- As the Governments are resorting to engagement of large number of Consultants, Research Associates, Young Professionals, Interns and Data Entry Operators, rules of reservation should be followed in such engagements also.

7.3.5 Representation of the SC and OBC officers : The representation of the SC and OBC officers in Group A and Group B in Central Government is low and steps are needed to be taken to improve the percentage of SC & OBC representation as per reservation norms.

7.3.6 : Problems of SC migrant labours:

The Commission has observed that in many cases³, the Caste Verification Committees are denying legitimate claims of caste certificate to domiciled children of Central Government employees /migrants on grounds that these children are -migrants. The Commission has seen that these children are borne in the state in question, have domicile certificates of the state have studied all their lives in the State and their Caste are also included in the Scheduled Caste list of the state. Hence they cannot be classified as -migrants. The State Governments are required to take cognizance of such cases and also of the recommendations of

³ especially in Maharashtra

the Commission in its earlier *Report on migrants SCs in obtaining Caste certificates* and draw up a check list of points to be examined by the caste verification committees so that legitimate claims of such children are not denied simply because of non application of mind..

- **Action on the Report of the Commission on SC Migrants:**

The Commission had submitted a Report titled "The Problems of Migrant SCs in obtaining Caste certificates" on 13.05.2015 along with its recommendations. The Commission recommends early action by the concerned Ministries (including Ministry of Home Affairs) on the Report so as to mitigate the problems being faced by the SC migrants in obtaining caste certificates and benefits of reservations.

7.3.7 Reservation in Judiciary:

The Commission recommends that:

- The All India Judicial Services as per Article 312 of the Constitution be created.
- Reservation be provided for in judicial appointments below the High Courts to fulfil the prescribed reservation percentage.
- There should be reservation in the appointment of Judges in the High Courts and Supreme Court of India.
- The reservation policy should be followed and properly implemented for the subordinate staff of the High Courts and Supreme Court of India.

7.3.8 Reservations in Educational Institutions : The representation of the SC and OBC candidates in teaching and non teaching staff in Central Universities , IITs/ IIMs/ NITs/ IISc / AIIMS etc. are below the laid down reservations norms. The Commission recommends that the reservation norms are strictly followed in the appointments to the teaching and non teaching staff of such Institutions and backlogs are filled after special drives.

7.3.9: The Commission reiterates its recommendation that Central Government/State Government/UTs to issue strict instructions to the concerned departments under their control to ensure that officials/officers belonging to Scheduled Castes are not harassed for approaching the Commission for protection and safeguards as provided in the Constitution of India, or any other law in force.

7.4 Recommendations regarding Economic and Social Development

7.4.1 Prohibition of Employment on Manual Scavengers & Rehabilitation Act, 2013.

Recommendations :

- The State Level Vigilance & Monitoring Committee should be immediately constituted and meetings should be held as per the Manual Scavenging Act.
- The District Magistrate should be declared as the Nodal Officer / Reviewing Officer and State Level awareness programmes are to be arranged.
- If Person dies during cleaning of sewers, septic tanks etc. Rs 10 Lakhs compensation needs to be given as per direction of Supreme Court.
- Welfare departments in States / UTs should develop Schemes for manual scavengers and normal schemes like Indira Awas Yojana, Old Age pension schemes etc. should also be made available.
- Rehabilitation schemes of persons engaged in manual scavenging should include provision of their regular employment as Safai Karamcharis in the Municipal Corporations instead of contractual appointments.
- Schemes for providing alternate means of livelihood to persons engaged in manual scavenging should be run and allotment to such persons , in priority parking contracts in the Municipal Corporations / Development

Authorities / district authorities and allocation of booths / shops etc should be considered .

- For clearance of sewerage, mechanized machines have to be provided.
- Safai Karmacharis are manual scavengers. Therefore, identity cards should be issued to Safai Karmacharis.
- The progress of schemes for providing assistance for quality education to the children of persons engaged in Manual Scavenging should be strictly monitored.
- Derogatory words for the SCs in the State list should be substituted by -Balmikiøetc.
- Organizations like Banks who outsource the services of *Safai Karamcharis*, also need to be monitored by the District Level Vigilance & Monitoring Committees.

7.4.2 Planning process of socio economic development :

In 2016-17 (upto September 2016) , no proposal for advice on planning process of socio- economic development of Scheduled Castes was received by NCSC from any State Government and no advice of NCSC was sought on planning SCSP expenditure by any Ministry / Department of the Union or of the States.

Hence NCSC reiterates its recommendation that:

- Government of India may issue an OM reiterating the provisions of Article 338 wherein the concerned Ministries / Departments of the Government of India and State / UT governments consult with NCSC in planning process for schemes wherein the socio-economic welfare of Scheduled castes is affected.

7.4.3 Central Legislation on SCSP:

As the basic objective of SCSP is to channelize the flow of outlays and benefits from Plans of States for development of Scheduled Castes, in proportion to their population, the Commission recommends that a Central Legislation should be considered on the same to regulate allocation of funds for SCSP, preparation of Scheduled Castes specific schemes and monitor the expenditure with the

Scheduled Castes population of 2011 census as base. Such legislation can be on lines of the legislations passed the State of Andhra Pradesh and Karnataka.

7.4.4 Recommendation on Educational Development:

7.4.4.1 Scholarship & fee reimbursement :

The Commission and its State offices have been receiving a large number of cases of non-payment of Scholarship & tuition fee reimbursement to the Scheduled Caste Students.

The Commission had taken up a study of 547 such cases received in the Commission and its 12 state Offices and a separate report is being submitted on the issue.

7.4.4.2 Recommendations on Education:

There should be a quality education by providing Aganwadi in each habitation of SCs, residential schools at every block level and centers of excellence in every District Headquarter. The expenses should be met out of Scheduled Castes Sub Plan.

- Free and compulsory education in Hindi, English and Mother Tongue upto Class XII.
- Twenty-five *per cent* of budgetary allocation of education Primary, Secondary and Higher education should be reserved for the educational advancement of Scheduled Castes students
- Cent per cent Grant-in-aid be extended to the NGOs of SCs for the educational advancement of Scheduled Castes students including school/college buildings
- More hostel buildings with better infrastructure should be built.
- Residential Schools, on the lines of Ashram Schools, should be opened and 50 per cent seats in these should be reserved for children of Safai Karamcharis / persons engaged in Manual Scavenging.
- Jawahar Navodaya Vidyalayas should be established at Block level in each State so that SC students can benefit and get quality education.

- Hostels for Scheduled Caste women should be built around the Education Hubs in the Country.
- Payment of Scholarship should not be restricted and rejected on technical grounds and for deficiency of funds.
- More emphasis on the education of SC girls as SC female literacy rate is low .
- Schemes needed to encourage the SC students for higher studies as SC students gross enrolment ratio shows a reducing trend in higher studies.
- The Commission further recommends that income ceiling from existing Rs 2.50 lakh to Rs 5.00 lakh may be increased so as to enable the SC students to avail scholarship facilities to pursue higher studies.
- Telengana and Karnataka have special schemes for providing overseas scholarships for SC students. In Telengana under Ambedkar Overseas Vidya Nidhi (AOVN) scheme 160 SC youths were sent abroad for pursuing higher degrees. Applications of another batch of 63 students is reported to be in process with scholarship amount Rs. 20.00 lakh per student. In Karnataka full fees, travel expenses etc for SC students pursuing higher degrees abroad are met by State Government and the same has gone up to even Rs. 1 crore per student. The commission recommends other state Governments also consider such schemes in their States.

7.4.4.3 Recommendations on improving the SC Hostels

The Commission visited 3 SC Hostels ⁴ and following are the recommendations :

- **Capacity utilization :**
 - hostels are either underutilized or overcrowded . Sanctioned capacity of the hostel should be maintained.
- **Safety and security :**
 - proper boundary walls are needed to be constructed .

⁴ 2 Hostels in Bihar and 1 Hostel in Kerala

- The Girls hostels should be especially well guarded ó better walls and security guards needed.
- A movement register may be maintained to record incoming and outgoing of visitors and also students.
- CCTV should be installed at the entry points to record movement of the people especially in Girls hostels.
- Hostels should be given phone connectivity in reception area.
- Each hostel should have a dedicated warden with support staff .
- Each girls hostel should have a dedicated Lady Warden with supportive staff to ensure safety and security of the girls students.
- **Hygiene and cleanliness :**
 - Toilet & bathrooms need renovation, running water , installation of solar water heaters and arrangement for regular cleaning.
 - Kitchen renovations with installation of modern equipment like water filters / RO machines , dishwashers , gas lines ,solar cookers & solar water heaters , chimneys, fridge and freezers etc. Cleanliness of kitchens needs to be improved and storage rooms need renovation.
 - The quality of food items should be good and efforts should be made to provide adequate and whole some fresh food every day to the children.
 - Water filters / RO machines and water coolers need to be installed and water quality regularly tested.
 - Regular health check ups, arrangements for emergency care should be made.
- **Infrastructure and basic facilities:**
 - In many hostels, minimum facilities in hostel rooms like a bed chair, table and book self for each student, ceiling fans, night lamp etc were found either not available or in dilapidated and unusable condition. These should be ensured.

- Rooms were found dilapidated , with broken windows , damaged doors, missing electrical fittings , the same should be renovated and rooms properly maintained .
- Hostels should have attached computer labs with net connectivity.
- Electrical points are to be checked up periodically to avoid accidents, regular electricity supply to be ensured and alternate arrangements like solar panels used.
- Arrangement be made special coaching classes in hostels for SC students so as to enable them to compete in classes.
- The hostels should have outdoor and indoor game arrangements like, cricket, football, volleyball, basketball, badminton, kabadi, khokho, chess etc. to ensure overall growth of the SC students.

7.4.5 Recommendations on Business Development

- There should be relaxation for SCs for establishment of business centers, with a tax free period , including for Service Tax.
- While there is a venture capital scheme for SC entrepreneurs, setting up of an exclusive bank for SC/ST can be considered by the Government to further galvanise the SC/ST entrepreneurs.
- Collateral security to SC loan seekers should be exempted , however if the same is not possible then , Government should provide the collateral security to SC loan seekers and lead bank should be directed to prioritize SCs during loaning drives
- For industrial growth in the State, where land is given to the corporate groups under SEZ concept, the interest of SCs and other marginalized societies should be taken care of.
- Creamy layer concept should be removed in case of allocation of fund to SC entrepreneurs.
- Skill development programmes and schemes should have appropriate reservation for SCs and OBCs.

7.4.6 Other recommendations in economic and social development sector:

- It is recommended that states should generate more employment in total persondays with enhanced participation of SCs in MNREGA as there is below par engagement of SCs under MNREGA when compared to the SC population of the States.
- It is recommended to start the suitable schemes to provide houses to SCs as the number of SCs are house owners is nearly 5 times lower than all category households.
- It is recommended that the SC beneficiaries should be targeted under Indira Awas Yojana on a priority as it has been seen that achievements of states are below the targets.

7.5 Recommendations regarding handling of Atrocity cases

7.5.1 Implementation of the amended POA Act and Rules :

The Prevention of Atrocities Act and the Rules thereof have been recently amended. The Commission had written⁵ to the Chief Ministers of all States / UTs requesting the notification of the Amended Act and Rules and also displaying salient features of the Act and Rules prominently in the Police stations / state Social Welfare Departments. However many States⁶ have not yet notified the Amended POA Act and Rules.

- The Commission reiterates that the State Governments take time bound steps to notify and publicize and issue instructions to officers to act as per the Amended POA Act 2015 and Rules 2016.
- Amended POA Act & Rules should also be published and publicised in the local language of the concerned State by the State Governments.
- State Governments are advised to take steps to sensitize all concerned district and State level Officers regarding the same through workshops etc at the earliest.

⁵ by DO no 3/2/2007-APCR dated 21.06.2016 of Chairman NCSC to Chief Ministers of all States / UTs

⁶ except Haryana , Madhya Pradesh and Uttar Pradesh

7.5.2 NCRB 2015 details :

On analysis of NCRB 2015 data it is seen that there is mention of 6009 cases of IPC crimes against Scheduled Castes where the POA Act was not applied. The reasons for not invoking the POA Act in these cases is not indicated . This aspect needs to be examined by the State Governments and Ministry of Home Affairs. The Commission recommends a speedy examination of this aspect by all concerned Governments.

The Commission has noted with concern that instances of procedural lapses are frequent while dealing atrocity cases by both police and civil administration. There are also delays in the judicial process of these cases and release of the financial compensation / rehabilitation measures to the victims and their families . The Commission, therefore, identified lacunae commonly noticed during police investigation, as also preventive / curable actions the civil administration can take. NCSC recommends the correct and timely application of POA Amendment Act, 2015 and Amendment Rules of 2016 as well as the following for improvement :

7.5.3 Registration of FIRs

The Commission has observed that the police often resort to preliminary investigation upon receiving complaint in writing before lodging the actual FIRs. As a result, the SC victims have to resort to seeking directions from courts for registration of FIRs u/s 156(3) of Cr.P.C. Honøble Supreme Court has also on more than one occasion emphasized about registration of FIR first.

- This Commission again reemphasizes that the State / UT Governments should enforce prompt registration of FIRs.
- FIR registration may be made web-enabled also so as to make the SC complainant able to register FIR in website of district police for automatic registration of FIR at concerned Police Station.

- Branches of designated banks and all post offices may be authorized to receive such FIRs from complainant and forward them to Police for FIR registration. System can be similar to receipt of passport applications in Banks and Post Offices.
- There is need to develop Mobile Apps for reporting of the atrocity incidents , FIR registration and monitoring.
- Non-registration of FIR and non-registering of atrocity complaints under appropriate provision of PoA Act is now punishable under Section 4 of the Act.
- A periodic analysis and review of number of cases registered under Cr.P.C. 156(3) may be made by the State Governments and action under Section 4 of the POA (Amendment)Act 2015 should be taken against the district police authorities and Police Station incharges where such cases are found high.
- Registration of counter cases to frustrate the very purpose of registering a case under PoA needs to be reviewed and checked. If the number of cross cases in a particular Police Station area / District are on higher side, the District level Vigilance Committee Quarterly meeting should review this aspect and considered views be taken to neutralize such counter cases.

7.5.4 Police investigation

The Commission has observed lacunae in police investigations while dealing atrocity cases. As a result, the acquittal rate is very high in many States. The Commission therefore, suggests the following for speedy and quality investigation on atrocity crimes :

- Rules mandate completion of investigation in atrocity cases in 30 days. In practice, it is however, noticed that it takes much longer time even couple of years. The Commission therefore, suggests that provisions as made in the Rules be followed scrupulously.
- Pre-occupation of Dy. SP in other official activities often cited as the reason for delay in atrocity investigation, such preoccupation should be

done away with and the first priority of the DySP should be investigation in atrocity cases. .

- Swift action needs to be taken against negligent police officers for dereliction of duties under Section 4 of the POA (Amendment) Act 2015.
- There should be timely and proper investigation by the designated Police officers .
- POA Act cases are non compoundable hence the increasing trend of compromises needs monitoring.
- Invoking the correct & proper provisions of PoA Act to prevent the accused from getting bail.

7.5.5 Judicial proceedings

Commission has noted that in absence of Exclusive Courts and engagement of Exclusive Public Prosecutors, the atrocities cases are either prolonged or ended in acquittal due to faulty prosecution procedure. Instances are numerous wherein it has been noticed that the witnesses of the cases are withdrawn at crucial stage of the case. Keeping in view such instances, the Commission recommends the following:

- As per the POA (Amendment) Act 2015 , State Governments are to set up Exclusive Courts and Exclusive Public Prosecutors of high eminence are to be engaged so as to minimize acquittal rate.
- Till the time Exclusive Courts are set up and where number of atrocity cases is less existing Court of Session are to be earmarked as Special Court to try atrocity cases. However, in such situation, ***atrocity cases should top the cause list for hearing so that unnecessary adjournments are avoided.***
- Trial in atrocity cases may be concluded in the designated two months by the Special / Designated Courts with day to day hearings.
- Based on the data received from the National Crime Records Bureau on pending investigation by police, acquittal, conviction rates; wherever State(s) are seen to have lower performance compared to the national average, this matter may be reviewed in the half-yearly State Level

Vigilance & Monitoring Committee Meeting chaired by the Chief Minister of the State with an inter-district analysis.

- If atrocity incidences in particular districts are large, then steps may be taken to change the special public prosecutor and in case of repeated poor performance of the special public prosecutor, administrative action may be initiated.
- Performance of the Special Public Prosecutor also need to be monitored to ensure no laxity so far as dealing of atrocity cases in courts.

7.5.6 Compensation and Rehabilitation of victims and expenses to witnesses:

- The Commission has observed that the States often delay payment of compensation to the victim(s) of caste based atrocities. In many cases compensation is paid only when the Commission intervenes or only when the matter is vigorously followed up , by the family of the victim. The lack of budget was earlier cited as a frequent reason for the delay. While the Amended POA Act and Rules thereof have provided for the concerned District Magistrate to draw the monetary compensation amounts under the relevant Treasury Rules . The Commission has noticed that the delays still occur in the release of the monetary compensation amount to the victim(s). The Commission recommends that in view of the recent amendments , the State Governments immediately issue specific guidelines to all District Magistrates on the subject so that such delays do not occur.
- In cases compensation may be paid but long term rehabilitation of the victims of atrocities however, are not considered. The State Governments must issue instructions for the long term rehabilitation of the victims / families of victims like providing adequate housing under various schemes on a priority, employment , education of children etc.
- Quantum of payment of traveling and maintenance expenses to the witnesses and the victims may be linked to the prevailing NREGA wages to the least.

- In all atrocity cases monetary compensation must be promptly disbursed and the amounts should be as per amended POA Rules, 2016.
- Medical treatment expenses of the victims may be borne by the State.
- In view of the recent incidence of atrocities on Scheduled Castes like in the in Una⁷, there is urgent need of rehabilitation of victims /their families / communities who do not wish to continue with the profession of skinning of dead animals with training so as to equip them for alternative professions. For those who wish to continue with this profession should be trained in the latest techniques , assisted to purchase the necessary equipment used in this work and also provided appropriate identification / registration / i-cards identifying them as legitimate professionals.

7.5.7 Capacity building measures

- The Commission has also noted that atrocity cases are delayed due to lack of sensitivity and clarity on implementation of POA Act. The Commission therefore, suggests that:
- Police, Civil and Judicial authorities at various levels need to be sensitized on implementation of provision the newly amended POA Act and Rules by imparting training through orientation / refresher courses.
- Transparency, accountability and change in mind set is necessary to prevent crimes of atrocity. Efforts may be made for generation of awareness amongst all stake holders namely general public, police, civil administration, public prosecutors and judiciary to minimize the occurrence of atrocities on Scheduled Castes.
- There is need for change the strategy in handling the cases of atrocities on Scheduled Castes. The rates of crimes against Scheduled Castes are

⁷ Gujarat

increasing and stand at percentage which is higher than the SC population , these need to be controlled.

- Mass awareness camps should be organized to tackle the crimes on Scheduled Castes at social level also along with administrative/ police actions. There is an urgent need to involve civil societies NGOs to mitigate such evils especially in view of the recent trends in the atrocity cases against SCs .
- All provisions under the POA (Amendment) Act 2015 and Rules, 2016 shall be followed rigorously to ensure zero tolerance in atrocity cases.
- After assessment of frequent and scale of crime, particular villages/Police Stations should be declared as Atrocity Prone Areas.
- The sensitization process should begin in the training academies at National and State levels for police, administration and judicial inductees.

7.5.8 : State and District Level Monitoring Committees:

The Commission has noted that the meetings of the State and District level monitoring Committees as mandated in the POA Act and Rules are not held regularly in the States. The Commission therefore, reiterates its earlier recommendation that:

- There should be regular meetings of the State and District level Vigilance and Monitoring Committees on the prescribed intervals attended by the designated officers.
- The meetings should review the implementation of the provisions of the Act, scheme for the rights and entitlements of victims and witnesses in accessing justice, as specified in sub-section (11) of section 15A of Chapter IV A of the Act, relief and rehabilitation facilities provided to the victims and other matters connected therewith, prosecution of cases under the Act, role of different officers or agencies responsible for implementing the provisions of the Act and review of various reports received by the State Government including that of the nodal officer and special officers.

7.5.9 Legislation :

There may either be a separate act for dealing with atrocities on students in educational institutions or the POA Act may be amended to include such atrocities like non issue of scholarships on time, denial of admission, denial of hostel, not appointing of P.Hd guides and related harassments of SC students in educational Institutions etc.

7.6 Vigilance , monitoring and grievance resolution Committees

The Commission recommends that the Government consider setting up of a National Vigilance Monitoring Committee under the Prime Minister on same lines of State Level Vigilance & Monitoring Committee under Chief Minister of the States .

The Committee would be the apex body monitoring of application of POA Act and Rules.

- Since the State Governments are responsible for implementation of the SC and ST (PoA) Act and Rules and the states should ensure that time limitations for police investigation and judicial process, payment of compensation etc. as prescribed in the recent amendment to the Act and Rules are strictly adhered to. Responsibility should be fixed and appropriate action taken against the police and other officials for any lapses in this regard. The Apex committee may examine this aspect of action taken by State Governments.
- The Ministry of Home Affairs and / or the Ministry of Social Justice and Empowerment should obtain periodical reports from the State Governments to monitor strict compliance of the amended PoA Act and Rules. States found lacking in their responsibility need to be suitably identified and appropriately rated on their performance.

- A periodic analysis and review of number of cases registered under Cr.P.C. 156(3) in each State also needs to be made.

Commission recommends that a grievance resolution Committee may also be considered at Taluka / block level in all the Districts, so that there can be grass root level monitoring speedy redressal mechanism for problems faced by SC people .

7.7 Caste Certificates:

There are a large number of cases where benefits available to Scheduled Castes have been found to have been taken on the basis of fake caste certificates by ineligible persons. The eligible SC beneficiaries are deprived of their rightful benefits due to such cases.

The Commission recommends that the scrutiny and vigilance committees set up in States / UTs as per the guidelines of Honøble Supreme Court , should exercise all possible due vigilance prior to issue of caste certificates. In cases where fake certificates are found , exemplary and fast action needs to be taken. The Commission has noticed that such cases linger for years due to lack of appropriate level of follow up by the concerned Central and State Government Departments / PSUs with the verification Committees.

It is recommended that all Central and State Government Departments / PSUs and PSBs set up and follow standard operating procedures for obtaining the verification details within a specified time frame in all such cases.

7.8 Strengthening the National Commission for Other Backward Classes:

The Commission reiterates its earlier recommendation that handling of OBC grievances under Article 338 (10) to be given to National Commission for Backward Classes.

7.9 Constitution of National Commission for Educational Institutions for Scheduled Castes

The Constitution of India provides social, economic, political, educational and cultural and service safeguards to the Scheduled Castes to protect them from exploitation at the hands of upper caste people and to ensure their social and economic development to bring them at par with the general strata of the society. Various legislation have been enacted for execution of these safeguards. However, even after 65 years of adoption of the Constitution, their social, economic and especially the educational status is far from satisfactory.

Besides cases of caste based atrocities the Commission has been in receipt of a number of complaints of discrimination and harassment against the SC students in the educational institutes from school level to higher studies. Many of such complaints had come to the notice to the Commission through media and large numbers of such cases remain unreported due to fear of losing studies and pressure from the institutes. Standards of education in the Government run schools have deteriorated as majority of upper caste people had shifted their children to the private schools. The position had further deteriorated as the Government introduced the policy the non-detention of students upto the middle level. With this provision, drop out rate in IX, X and XI standards have gone up sharply. Due to these reasons, SC students hardly reach college level and negligible number to the higher and professional studies.

The Commission has examined the whole issue in detail and noted that some affluent sections of the society like Jains, Sikhs, Buddhists, Parsis, Christians and Muslims, collectively comprising 18% of the total population of the country, designated as 'Minority' communities have the right to run their own Education Institutions with provision of reservations for their respective communities and Constitutional provisions of reservation for Scheduled Castes do not apply in such 'Minority Educational institutions'. In contrast, the Scheduled Castes which

comprise more than 16 % of the total population of the country, have negligible (say 1%) ownership of educational institutions.

From the facts narrated above, the Commission is of the view that the State's obligations as enshrined in the Constitution of India to bring this deprived section of the society at par with their fellow brethren can be achieved only if quality education is provided to Scheduled Castes.

The Commission recommends constitution of a National Commission for Educational Institutions for Scheduled Castes for empowering the Scheduled Castes to manage promotion of education of Scheduled Castes on the lines of National Commission for Minority Educational Institutions.

7.10 Consultations with NCSC on policy issues:

7.10.1 Amendments in the respective Panchayat Acts made by the Government of Rajasthan and Government of Haryana in 2015 without consultation with the Commission.

It was brought to the notice of the Commission that the Amendments in the respective Panchayat Acts made by the Government of Rajasthan and Government of Haryana in 2015 have fixed minimum educational qualifications for contestants of Panchayat elections in these States. Representations were made to the Commission that these amendments have led to large number of persons from the Scheduled Castes being deprived of their right to contest these elections.

In Rajasthan, minimum educational qualifications for a candidate for Zila Parishad or Panchayat Samiti is passing of secondary school, for Sarpanch of general category it is passing of the class VIII and for members of Scheduled areas of Panchayat, the qualification is passing class V.

In Haryana minimum educational qualifications for a candidate is passing of matriculation exam from any recognized board, for SC women candidates it is passing of middle school and for SC women candidates for post of Panch it is class V pass.

The representations state that in both these States, since the literacy rates of Scheduled Castes, especially SC women is below the over all literacy rate, these education criteria have debarred a large number of Scheduled Castes, specially Scheduled Caste women, from contesting panchayat elections.

Observation and recommendations of the Commission:

The Commission observed that it has the mandate to advice the State Governments in the various policy issues regarding rights of the Scheduled Castes as laid down in the Constitution. One of the rights is the right to contest elections and vote for the candidates of choice. It is pointed out that while considering the Amendments of the Panchayat Raj Act, the State Governments of Rajasthan and Haryana have laid down **specified education qualifications for Scheduled Caste candidates but have not consulted the Commission.**

The Commission has examined the amendments and finds that these **amendments specifying minimum educational qualifications have impacted adversely on the SCs** as below:

- In a number of cases elections to the reserved seats could not be held because no candidate was eligible to contest. The number of unopposed candidates has gone up drastically because only a few were eligible to contest. In Haryana alone, about 2067 posts of Panch are reported as vacant because of the amendments.
- It is also seen that all reliable data available like SECC 2011, quote gross literacy levels of the population and the SC literacy rates of 66.1% are well below the National average. The literacy rate of 52.6% of SC rural women are particularly low with overall women literacy being 64.6%⁸. However, what constitutes Literate^ø has perhaps not been fully defined.
- In Haryana 54% of the Scheduled Castes, above the age of 20 years are now ineligible to contest the elections (68% of the SC women are

⁸ Source : Census of India 2011 & Social Welfare Statistics, 2016 of Ministry of Social Welfare & Empowerment.

ineligible) as they are either illiterate or unspecified literate , below primary school level.

- These statistics are at par with the time series data of school enrollment of 2002-03 show that the SC population of persons especially SC women of age 6-11 years and 11-14 age of 2002-03, who are now eligible to contest the elections who were enrolled in classes I-VIII, are much below the national average. It is clear the statistics of the SC population enrolled in school prior to 2002-03 will be even lower as per the levels of literacy of SCs in the earlier census data.
- Thus a large percentage of SC population, above the age of 20 years, have been barred from contesting elections and has deprived them from the right to contest elections. The SC population also is deprived of their right to vote for a candidate of their choice as very few candidates meet the requirements.
- Moreover, the education cap for the third tier of governance does not appear appropriate when there is no such condition for candidates for the elections to the Parliament or State Legislatures.
- The grass root politicians are popular among masses, because they work for and with the local people, fight for local causes and development of their villages. Consequently the people also want to elect such representatives. Such preferences are now debarred due to their limitation of educational qualifications.

Attention was drawn to cases like that of Ms. Norty Bai (Ex- sarpanch, Harmara, Rajasthan) and of Neemkheda panchayat (Mewat ,Haryana) where the lady sarpanch and her team of 7 other illiterate panchs, who have done trend setting work in their panchayat since 2005 are today debarred from recontesting the elections and continuing their well known outstanding work. Similar are the cases of Ms Devi ex Pradhan in Bhilwara district, Rajasthan , and Ms Sarifan of Ranyali panchayat , Haryana , both of whom are now ineligible to contest despite their proven track record. In fact , it is understood that the seat of sarpanch in Kaliyas village (Bhilwara, Rajasthan) is vacant as there is no eligible lady to

stand for election. Ms Devi hails from the village and unfortunately stands debarred as she does not meet the educational qualifications.

There are hundreds of such silent unknown workers across Rajasthan and Haryana, who despite their proven track record today are ineligible from contesting elections. The Commission is of the view that unless universal literacy is achieved, there shall always be largescale deprivation of opportunity to contest.

Despite Constitutional provisions which provide for consultation with the NCSC , the Commission **was not been consulted by the State Governments**, prior to passing of these Amendments Acts. However **exercising its laid down Constitutional mandate as per Clause 9 of Article 338 the Commission records its above observations** and advises the Governments of Haryana and Rajasthan to reconsider the criteria of minimum educational qualifications for the SC reserved seats in light of the adverse impact on Scheduled Castes, especially SC women.

The Commission also draws the attention of the respective State Governments to Clause 9 of Article 338 of the Constitution which states that every State Government **'shall'** consult the Commission on all major policy matters affecting Scheduled Castes and advises the Governments to follow the same in all such matters in future.

7.10.2. Ministry of Petroleum and Natural Gas

Government of India had revised guidelines reducing the quota of reservation in allotment of retail outlets and LPG distributorship for SC / ST from 25% to 22.5% in 20.07.2012 without consulting the Commission. This lapse was earlier pointed out in recommendation 11.3.1 of the Annual Report of the Commission 2013-14 and the Commission had recommended re- revision of these guidelines in consultation of the Commission

7.10.3 Recommendation:

As per Clause 9 of Article 338 of the Constitution which states that Union and every State Government **'shall'** consult the Commission on all major policy

matters affecting Scheduled Castes . The Commission has noted that the Governments are not following the provisions of Clause 9 of Article 338 of the Constitution , the Commission therefore advises the Governments to follow the same and consult the Commission on all major policy matters affecting Scheduled Castes.

The Commission also reiterates its recommendations at para 9.3.1 of its Annual Report 2014-15 and para 9.4.2 of its Annual Report of the Commission 2015-16 that:

- Government of India may issue an OM reiterating the provisions of Article 338 wherein the concerned Ministries / Departments of the Government of India and State / UT governments consult with NCSC in planning process for schemes wherein the socio-economic welfare of Scheduled Castes is affected.

7.11 Action on Study Reports of NCSC:

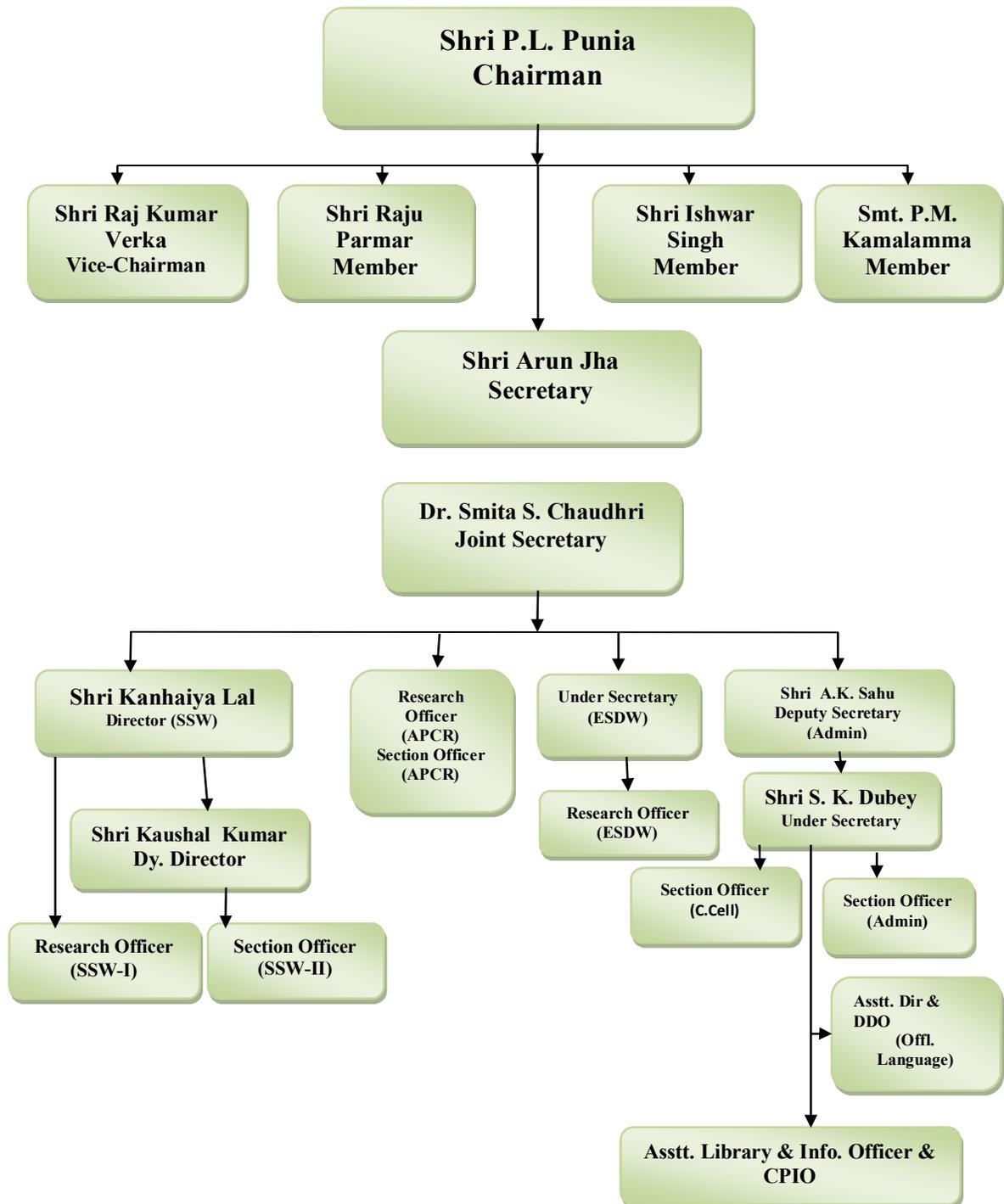
The Commission has prepared and submitted the following special reports :

- The Commission had submitted a Report titled ÷ *The Problems of Migrant SCs in obtaining Caste certificates* on 13.05.2015 to the Honøble President of India. The Commission recommends early action by the concerned Ministries (including Ministry of Home Affairs) on the Report so as to mitigate the problems being faced by the SC migrants in obtaining caste certificates and benefits of reservations.
- The Commission had submitted a Report titled a ÷ *Study of Cases in National Commission for Scheduled Castes on Exploitation of Scheduled caste Labour in the Brick Kiln Sector* to the Honøble President of India on 17 March 2016,. Copies of this Report were also sent to the Honøble Governors of Bihar, Gujarat ,Haryana, Maharashtra, Punjab, Rajasthan, Uttarakhand and Uttar Pradesh on 18 March 2016 u/s 338 (7) of the Constitution of India.

- The Commission had submitted a *Report on the Effective Utilization of Funds under the Scheduled Castes Sub Plan (SCSP) -2016* to the Honøble President of India on 15 August 2016.
- The Commission had submitted a *Report on Atrocities against the Kuravan Community in Tamil Nadu – 2016* to the Honøble President of India on 15 August 2016 and to Governor of Tamil Nadu⁹ on 26.09.2016.

Early action on the recommendations of the Commission in these reports is requested.

⁹ Vide DO letter no. 17/8/NCSC/2015 .C Cell dated 26.09.2016 of Chairman NCSC

ORGANISATIONAL CHART

Annexure –II

INCUMBENCY POSITION AT THE NCSC HEADQUARTERS
(As on 30.09.2016)

S. No	Name of Post	Group	Strength	Incumbency	Name of Incumbent S/Shri/Smt	Vacancy
1.	Secretary	A	1	1	Shri Arun Jha	-
2.	Joint Secretary	A	1	1	Dr.(Smt)Smita S.Chaudhri	-
3.	DIG of Police	A	1	-	-	1
4.	Director (Jt Cadre)	A	1	1	Kanhaiya Lal	-
5.	Dy Secretary (CSS)	A	1	-	Ajit Kumar Sahu	-
6.	Sr. P.P.S. (CSSS)	A	1	-	-	1
7.	Under Secretary	A	2	2	S.K. Dubey A.P.Singh	-
8.	Law Officer	A	1	-	-	1
9.	PPS	A	1	1	Kiran Jolly	-
10.	Dy Director (Jt Cadre)	A	1	1	Kaushal Kumar	-
11.	Asstt. Director (Jt Cadre)	A	1	-	-	1
12.	A. D.(Programming)	A	1	-	-	1
13.	Asstt. Library & Information Officer	A	1	1	Sanjay Kumar	-
14.	Asstt Director (CSOL)	A	1	1	Mange Ram	-
15.	Section Officer(CSS)	B	4	3	P Gopalakrishna Bhat Austin Jose T D.K.Gupta	1
16.	P.S.(CSSS)	B	5	2	1. PushpaTirthani 2. Neelam Thakur	3
17.	Research Officer (Jt Cadre)	B	3	3	1. P.S. Mehta 2. A.P. Gautam(adhoc) 3. A.K. Bansal(adhoc)	-
18.	Assistant P.R.O.	B	1	1	Smt.Manogyan Pal	-
19.	Senior Investigator (Jt Cadre)	B	4	-		4
20	Sr Hindi Translator (CSOL)	B	1	1	Kamal Tisawar	-
21.	Accountant	B	1	-	-	1
22.	Investigator (Jt Cadre)	B	1	1	Smt.Ashu Nawani	-
23.	Assistant S.O (CSS)	B	5	7	1. S. Venkatesan 2. Jasvir Singh 3. R.R.Verma 4. J. Minz 5. Dhiraj Singh 6. Bharat Raj	+2

					7. Shiv Charan	
24.	Personal Assistant (CSSS)	B	3	1	1. Sheela Gupta 2. J.N. Meena	2
25.	Stenographer Gr. 'D' (CSSS)	C	4	3	1. NidhiKumari 2. Sandeep Kumar 3. Inderpal	1
26.	Sr.Sect.Asstt (CSCS)	C	3	-	1. N.S.Negi 2. R.D. Nimesh 3. Smt.CH VS.Madhavi	
27.	Jr.Sectt.Asstt (CSCS)	C	1	-	-	1
28.	Receptionist	C	1	-	-	1
29.	Staff-Car-Driver	C	6	6	1. Chander Pal 2. Ram Lal 3. Mahender Kumar 4. Tara Chand 5. Ramkesh Bidhuri 6. Pratap Chand	-
30.	Despatch Rider	C	1	1	Sri Gopal	-
31.	MTS (Gestener Operator)	C	1	1	Sarju Prasad	-
32.	MTS (Senior Peon)	C	2	2	1. S.N. Singh 2. ShyamVir Singh	-
33.	MTS (Daftary)	C	2	1	-	2
34.	MTS (Peon)	C	17	17	1. SurajLal 2. K.T.Rao 3. Ramvir Singh 4. Surjee Devi. 5. BalKishan 6. L.R. Sharma 7. Mange Ram 8. Subhash Chand 9. Khem Karan 10. Ram Singh 11. Raj Kumar 12. ShyamLal 13. Kailash Ram 14. Jagdish Kumar 15. Vinod Kumar 16. Amar Babu 17.Dev Raj	-
35.	MTS (CCF)	C	1	1	Prem Singh	-
36.	MTS (Safai Karamchari)	C	1	1	Pradeep Kumar	-

Annexure – III**1. INCUMBENCY POSITIN IN THE STATE OFFICE, NCSC, AGARTALA***(As on 30.09.2016)*

S. No.	Name of Post	Group	S/Strength	Name of Incumbent S/Shri	Whether S.C./S.T./O.B.C.	No. of Vacancy
1.	Research Officer	B	1	-		1
2.	Sr. Investigator	B	1	-		1
3.	Investigator	-	-	-		-
4.	Stenographer	C	1*	-		-
5.	U.D.C	-	-	-		-
6.	L.D.C	C	1	1.Kamal Bhattacharya 2.Sasim Acharjee*	- -	-
7.	MTS	C	2	1.Ram Pal Singh 2.Abhijeet Das	S.C. S.C	-
	Total		6	4		2

2. INCUMBENCY POSITION IN THE STATE OFFICE, NCSC, AHMEDABAD*(As on 30.09.2016)*

S. No.	Name of Post	Group	S/Strength	Name of Incumbent S/Shri	Whether S.C./S.T./O.B.C.	No. of Vacancy
1.	Deputy Director	A	1	- *_		1
2.	Sr. Investigator	B	1	-		1
3	Office Supdt.		1	V.Mudaliar		-
4.	Investigator	B	1	-		1
5.	U.D.C.	C	1	-	-	1
6.	L.D.C.	C	2	. M.Y. Patel		1
7.	Staff-Car-Driver	C	1	R.B. Gohil	-	-
8.	MTS	C	2	D.S. Rathod M.L. Dagra	S.C. ST	-
	Total		10	5	-	5

3. INCUMBENCY POSITION IN THE STATE OFFICE, NCSC, BENGALURU*(As on 30.09.2016)*

S. No.	Name of Post	Group	S/Strength	Name of The Incumbent S/Shri	Whether S.C./S.T./O.B.C.	No. of Vacancy
1.	Director	A	1	P. Girja	-	-
2.	Assistant Director	A	1	Sheela Narayanaswamy	-	-
3.	Sr. Investigator	B	1	-	-	1
4.	Investigator	B	2	-	-	2
5.	Office Superintendent	B	1	E.Usha Devi	-	-
6.	Personal Assistant	C	1	-	-	1
7.	U.D.C.	C	1	-	-	1
8.	L.D.C.	C	2	B. Kalaimathi	OBC	1
9.	Staff Car Driver	C	1	K. Shiva	OBC	-
10.	MTS	C	1	-	S.C.	1
11.	MTS	C	3	Y.Papana D.C.Anjanamurthy G.Venkatesh	S.C. S.C. S.C.	-
12	DEO		1	Shridhar V		w.e.f 1.7.13
	Total		15	8		7

4. INCUMBENCY POSITIN IN THE STATE OFFICE, NCSC, CHANDIGARH*(As on 30.09.2016)*

S. No.	Name of Post	Group	S/Strength	Name of Incumbent S/Shri	Whether S.C./S.T./O.B.C.	No. of Vacancy
S. No.	Name of Post	Group	Sanction -ed Strength	Name of Incumbent S/Shri	Whether S.C./S.T./O.B.C.	No. of Vacancy
1.	Director	A	1	RK Chhanena	SC	-
2.	Research Officer	B	1	RK Sharma	-	-
3.	Sr .Investigator	B	1		-	1
4.	Investigator	B	1	-	-	1
5.	Office Superintendent	B	1	-	-	1
6.	Personal Assistant	C	1	Vijay Kumar(adhoc) against CAT directions	-	1
7.	U.D.C.	C	1	Kiran Sehjpal	- -	-
8.	L.D.C.	C	2	Gajadhar Singh	S.C	1
9.	Staff Car Driver	C	1	Suresh Kumar	S.C.	-
10.	MTS	C	3	Bihari Lal	S.C	1
	Total		13	7		6

5. INCUMBENCY POSITIN IN THE STATE OFFICE, NCSC ,KOLKATA*(As on 30.09.2016)*

S. No.	Name of Post	Group	S/Strength	Name of Incumbent S/Shri	Whether S.C./S.T./O.B.C.	No. of Vacancy
1.	Director	A	1	-	-	1
2.	Research Officer	B	1	Arunabh Bhattacharya D.K.Bala	SC	+1
3.	Sr. Investigator	B	1	-	SC	-
4.	Investigator	B	1	-	-	1
5.	Stenographer*	C	1	G.Ramadas		-
6.	U.D.C.	C	1	T.K. Day	-	-
7.	L.D.C.	C	2	1.A.K. Patra 2. N.K. Bandyopadhyia	S.C. -	-
8.	Staff Car Driver	C	1	S. Debnath	-	-
9.	MTS	C	3	G.C. Bala	S.C.	2
	Total		12	8		4

6. INCUMBENCY POSITIN IN THE STATE OFFICE, NCSC ,LUCKNOW*(As on 30.09.2016)*

S. No.	Name of Post	Group	S/Strength	Name of Incumbent S/Shri	Whether S.C./S.T./O.B.C.	No. of Vacancy
1.	Director	A	1	-	-	1
2.	Assistant Director	A	1	Tarun Khanna	-	-
3.	Sr. Investigator	B	1	-	-	1
4.	Investigator	B	2	-	-	2
5.	Office Superintendent	B	1	Chanchal Singh	-	1
6.	Personal Assistant	C	1	Ms.Saxena(CAT ø directions)	-	1
7.	U.D.C.	C	1	Madhur Mohan	S.C.	-
8.	L.D.C.	C	2	1. G.S. Singh 2. Ram Sharan	- -	-
9.	Staff Car Driver	C	1	Sher Ali	-	-
10.	MTS	C	4	Amber Prasad Bipul Kumar Shiv Shankar	-	1
11	DEO		1	1		
	Total		15	9		6

7. INCUMBENCY POSITIN IN THE STATE OFFICE, NCSC, PUNE

S. No.	Name of Post	Group	S/Strength	Name of Incumbent S/Shri	Whether S.C./S.T./O.B.C.	No. of Vacancy
1.	Director	A	1	-		1
2.	Assistant Director	B	1	Anuradha Khodkhande	OBC	-
3.	Sr Investigator	B	1	-	-	1
4.	Investigator	B	2	Vidya Khobrekar -	SC	1
5.	Office Superintendent	B	1	-	-	1
6.	Personal Assistant	C	1	-		1
7.	U.D.C.	C	1	Rajesh N. Barapatra	ST	-
8.	L.D.C.	C	2	G.R. Gaikwad	SC	1
9.	Staff Car Driver	C	1	Suresh Dixit	-	-
10.	MTS	C	4	S.A. Kadam B.K. Bamble	SC	2
	Total		15	8		8

8. INCUMBENCY POSITIN IN THE STATE OFFICE, NCSC ,PATNA

S. No.	Name of Post	Group	S/Strength	Name of Incumbent S/Shri	Whether S.C./S.T./O.B.C.	No. of Vacancy
1.	Director	A	1	S.K.Dubey I/c	-	1
2.	Research Officer	B	1	S.K.Singh	-	-
3.	Sr. Investigator	B	1	-	-	1
4.	Investigator	B	2	-	-	2
5.	Office Superintendent	B	1	-	-	1
6.	Personal Assistant	C	1			1
7.	U.D.C.	C	1	Binod K. Chaudhary	SC	-
8.	L.D.C.	C	1	Sanjay K. Rawani	OBC	-
9.	Staff-Car Driver	C	1	Ram Dayal Shah	OBC	-
11.	MTS	C	3	Mathura Ram Uman Gope	S.C. OBC	1
13	DEO		1	Rohit Kumar		1.7.2013
	Total		13	6		7

9. INCUMBENCY POSITION,NCSC,THIRUVANANTHAPURAM

S. No.	Name of Post	Group	S/Strength	Name of Incumbent S/Shri	Whether S.C./S.T./O.B.C.	No. of Vacancy
1.	Deputy Director	A	1	-	-	1
2.	Asstt. Director	A	1	A.Sathyannarayana	O.B.C.	-
3.	Investigator	B	1	G. Dhanya	-	-
4.	Stenographer	C	1	-	-	1
5.	U.D.C.	C	1	-	-	1
6.	L.D.C.	C	1	Jayalaxmi	-	-
7.	Staff-Car Driver	C	1	-	-	1
8.	MTS	C	2	R.Vijay Kumar	SC	1
9	DEO		1	Remyasree		1.4.14
	Total		9	4		5

10. INCUMBENCY POSITION IN THE STATE OFFICE, NCSC, HYDERABAD

S. No.	Name of Post	Group	S/Strength	Name of Incumbent S/Shri	Whether S.C./S.T./O.B.C.	No. of Vacancy
1.	Director	A	1	Shri D.Hanumantharaya	-	-
2.	Assistant Director	A	1	-	-	1
3.	Sr .Investigator	B	1	B. Ajay Kumar	OBC	-
4.	Investigator	B	2	-	-	2
5.	Office Superintendent	B	1	Subhangi Laxmi	-	-
6.	Personal Assistant	C	1	Chokkam Navin Kumar	OBC	-
7.	U.D.C.	C	1	Madhavi Latha	SC	-
8.	L.D.C.	C	1	-		1
9.	Staff-Car-Driver	C	1	R Ramesh Babu	OBC	-
10.	MTS	C	4	K. Rammoorthy Naik R. Eshwaraiah B. Sreeniwashulu	ST SC SC	1
11	DEO		1	Ms.Venkata Rama		-
	Total		15	10		5

11. INCUMBENCY POSITION IN THE STATE OFFICE NCSC, GUWAHATI

S. No.	Name of Post	Group	S/Strength	Name of Incumbent S/Shri	Whether S.C./S.T./O.B.C.	No. of Vacancy
1.	Deputy Director	A	1	-	-	1
2.	Research Officer	B	1	-	-	1
3.	Sr .Investigator	B	1	-	-	1
4.	Investigator	B	1	D. Deb	-	-
5.	Office Superintendent	B	-	-	-	-
6.	PA	C	1	-	-	1
7.	U.D.C.	C	1	-	-	1
8.	L.D.C.	C	2	NiradaKalita	-	1
9.	Staff-Car-Driver	C	1	R. Boro	S.T.	-
10.	MTS	C	4	B.K. Nath Putu Ram Das R.M. Kalita	ST	1
	Total		13	6		7

12. INCUMBENCY POSITION IN THE STATE OFFICE, NCSC, CHENNAI

S. No.	Name of Post	Group	S/Strength	Name of Incumbent S/Shri	Whether S.C./S.T./O.B.C.	No. of Vacancy
1.	Director	A	1	-	-	1
2.	Assistant Director	A	1	-	-	1
3.	Research Officer	A	1	C. Chandrababha	-	-
s4.	Sr .Investigator	B	1	1. M. Lister 2. A. Inian	-	+1
5.	Investigator	B	2	-	-	2
6.	Office Superintendent	B	1	-	-	1
7.	Personal Assistant	C	1	-	-	1
8.	U.D.C.	C	1	Smt. S. Jayashree	-	-
9.	L.D.C.	C	2	R. Ram Prabhu	-	1
10.	Staff Car Driver	C	1	-	-	-
11.	MTS	C	4	T. Sekhar P. Amaravathy K. Palani	SC SC SC	1
12.	DEO		1	Ms.P.R.Malarkodi		
	Total		15	8		7

Annexure-IV**State Offices of NCSC**

Sl. No.	Address and Telephone Nos.	State Offices and Jurisdiction
1.	Tripura SC Finance Corporation Building, 3 rd Floor, Pragati Road, Lake Chowmohani, Agartala-799001. (Tripura West) 0381-2223140, 2315967	Agartala (Tripura)
2.	2 nd Floor, Mavlankar Haveli, Vasant Chowk, LalDarwaja, Ahmedabad-380001. 079-25509762, 25510717	Ahmedabad (Gujarat, Rajasthan, Daman and Diu, Dadra & Nagar Haveli)
3.	3 rd Floor, Dø Wing, Kendriya Sadan, Koramangala, Bengaluru- 560034 080-25537155, 25527767	Bengaluru (Karnataka)
4.	6 th Floor, Kendriya Sadan, Sector-9-A, Chandigarh-160017 0172-2742561, 2743784	Chandigarh (Haryana, Punjab, HP, J&K, Uttarakhand & Chandigarh UT)
5.	2 nd Floor, Block-5, Shastri Bhawan, Chennai-600006 044-28276430, 28312851	Chennai (Tamil Nadu & Pondicherry)
6.	7, Nilamani Phukan Path, Christian Basti, Dispur, Guwahati-781005 0361-2347040, 2346885	Guwahati (Assam, Arunachal Pradesh, Nagaland, Meghalaya, Mizoram & Manipur)
7.	Block 204, Maithry Vihar, Ameer Peth, Hyderabad-500038 040-23734907(Fax), 23754908	Hyderabad (Andhra Pradesh, Madhya Pradesh & Chhattisgarh)
8.	Mayukh Bhawan, (Ground Floor), Salt Lake City, Kolkata-700091 033-23370977, 23213259	Kolkata (West Bengal, Orissa, Sikkim, Andaman and Nicobar Islands)
9.	5 th Floor, Kendriya Bhawan, Sector-H, Aliganj, Lucknow-226024 0522-2330288 (Fax), 2323860	Lucknow (Uttar Pradesh)
10.	Karpuri Thakur Sadan, Kendriya karamchari Prishar, 5 th floor, F wing, Ashiana-Digha Road, Patna-800001 0612-2540285	Patna (Bihar & Jharkhand)
11.	Kendriya Sadan, Aø Wing, First Floor, Opp. Akurdi Rly. Station, Nagdi Pradhikaran, Pune 411044 020-27658033, 27658973 27655580(Fax)	Pune (Maharashtra & Goa)
12.	TC-24/547(1), Sastha Gardens Residency Road, Near Govt. Guest House, Thycaud, Thiruvananthapuram-695014, 0471-2327530	Thiruvananthapuram (Kerala & Lakshadweep)

Toll Free No. 18001800345 (for all State Offices of the NCSC)

Annexure - V**LIST OF CPIOs AND 1ST APPELLATE AUTHORITIES IN RESPECT OF NCSC HQRS. AND STATE OFFICES OF NCSC**

Sl. No.	Address & Telephone Nos. OF Public Authorities	Name of CPIO and his/her designation	Name of 1 st Appellate Authority and his/her designation
1.	Pragati Road, Lake Chowmohani, Agartala-799001. (Tripura West) 0381-2223140, 2315967	Shri A.Bhattacharyya, Research Officer, NCSC, Kolkata (Addl. Charge)	Shri D. Hanumantharaya Director (Addl. Charge)
2.	2 nd Floor, Mavlankar Haveli, VasantChowk, Lal Darwaja, Ahmedabad-380001. 079-25509762, 25510717		Shri Rajkumar Channena, Director (Add;l. Charge)
3.	3 rd Floor, -DøWing, KendriyaSadana, Koramangala, Bengaluru- 560034 080-25537155, 25527767	Smt. Sheela Narayan Swamy, Asst. Director	Smt. Girija, Director
4.	6 th Floor, KendriyaSadana, Sector-9-A, Chandigarh-160017 0172-2742561, 2743784	Shri Rakesh Sharma, Research Officer	Shri Rajkumar Channena, Director
5.	2 nd Floor, Block-5, Shastri Bhawan, Chennai-600006 044-28276430, 28312851	Shri. Inian Sr. Investigator	Smt. C. Chandraprabha, Research Officer
6.	24, NilamaniPhukan Path, Christian Basti, Dispur, Guwahati-781005 0361-2347040, 2346885	Shri A.Bhattacharyya, Research Officer, NCSC, Kolkata (Addl. Charge)	Shri D. Hanumantharaya Director (Addl. Charge)
7.	Block 204, MaithryVihar, Ameer Peth, Hyderabad-500038 040-23734907(Fax), 23754908	Shri Ajay Kumar, Sr. Investigator	Shri D. Hanumantharaya, Director
8.	MayukhBhawan, (Ground Floor), Salt Lake City, Kolkata-700091 033-23370977, 23213259	Shri A. Bhattacharyya, Research Officer	Shri D. Hanumantharaya Director (Addl. Charge)
9.	5 th Floor, KendriyaBhawan, Sector-H, Aliganj, Lucknow-226024 0522-2330288 (Fax), 2323860	Smt Chanchal Singh, Office Supdt.	Shri Tarun Khanna, Asst Director
10.	Karpuri Thakur Sadan, Kendriya karamchari Prishar, 5 th floor, F wing, Ashiana-Digha Road, Patna-800001 0612-2540285	Shri Sunil Kumar Singh, Research Officer	Shri S.K. Dubey, Under Secretary, NCSC Hqrs. (Addl. Chage)
11.	KendriyaSadana, -AøWing, First Floor, Opp. Akurdi Rly. Station, NagdiPradhikaran, Pune 411044 020-27658033, 27658973 27655580(Fax)	Ms. Vidya Khobrekar, Investigator	Ms. Anuradha Ghodkhande, Asstt. Director
12.	TC-24/547(1), Sastha Gardens Residency Road, Near Govt. Guest House, Thycaud, Thiruvananthapuram-695014, 0471-	Shri S. Sathayanarayan, Asstt. Director	Smt. P. Girija, Director (Addl. Charge)

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Annexure-VI**ALLOCATION OF FUND DURING THE FINANCIAL YEAR 2016-17***(Rs. in lakh)*

S. No.	Name of Office	Salaries	Wages	OTA	D.T.A	O.E	R.R.T	Medic al	Total
	CODE NO.	01.00.01	01.00.02	01.00.03	01.00.11	01.00.13	01.00.14	01.00.06	
	State Office								
1	Ahmedabad	48.00	0.50	0.10	1.50	5.00	1.40	0.50	57.00
2	Bangalore	54.00	0.10	0.10	4.00	5.00	-	1.00	64.20
3	Kolkata	60.00	0.50	0.10	3.00	5.00	1.90	0.50	71.00
4	Hyderabad	62.00	0.20	0.10	3.00	5.00	3.50	0.50	74.30
5	Lucknow	60.00	1.00	0.30	3.00	8.00	-	1.00	73.30
6	Chennai	52.00	0.20	0.10	3.00	5.00	-	1.00	61.30
7	Patna	30.00	0.50	0.10	1.50	5.00	3.50	0.50	41.10
8	Pune	32.00	0.15	0.10	2.00	5.00	-	0.50	39.55
9	Agartala	20.00	0.15	0.10	1.00	1.00	1.50	0.50	24.25
10	Chandigarh	55.00	0.40	0.10	3.00	5.00	-	1.00	64.50
11	Guwahati	30.00	0.40	0.10	2.00	3.00	2.00	0.50	38.00
12	Trivandrum	32.00	0.30	0.10	2.50	4.00	1.70	0.50	41.10
	Total State Office	535.00	4.40	1.40	29.50	56.00	15.50	8.00	649.80
	Hqrs	665.00	4.60	4.60	70.50	244.00	2.50	17.00	1008.20
	Grand Total	1200.00	9.00	6.00	100.00	300.00	18.00	25.00	1658.00