

No.6/3/NCSC/2014-C.Cell



सत्यमेव जयते

Government of India

National Commission for Scheduled Castes

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

Dated the December 19, 2014

Subject: Minutes of Fourth Meeting of National Commission for Scheduled Castes.

A copy of the approved Minutes of the **Fourth Meeting** of the National Commission for Scheduled Castes held at **1.30 PM on 02.12.2014** is forwarded herewith for information and necessary action.

Hindi Version will follow.


(S.K. Dubey)

Under Secretary to the Govt. of India

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

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

1. DS (Admn./C. Cell)
2. Director (SSW)
3. Consultant (ESDW & APCR)
4. US (SSW/Admn.)
5. US (ESDW)
6. DD (APCR)
7. RO(ESDW)
8. RO(SSW-I), (SSW-II) & SO(APCR)
9. ✓ Copy to State Offices of NCSC


(S.K. Dubey)

Under Secretary to the Govt. of India

MINUTES OF THE FOURTH MEETING OF NATIONAL COMMISSION FOR SCHEDULED CASTES HELD ON 02.12.2014 AT 1.30 PM.

Fourth Meeting of the National Commission for Scheduled Castes (NCSC) was held on 02.12.2014 under the Chairmanship of Dr. P. L. Punia, Hon'ble Chairman, NCSC. List of participants is at **Annexure 1**.

Agenda Item No. 1: Confirmation of minutes of the Third meeting of the Commission held on 04.08.2014.

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

Agenda Item No.2: Action Taken Notes on the minutes of the 3rd meeting of the Commission.

Decision Taken: Action Taken on decisions taken in the third meeting held on 4.8.2014 was noted and approved with the following observations:

(a) **Decision Taken:** Meeting has been held with NIC officials on 13.8.2014, 4.9.2014 and 23.9.2014 and 14.11.2014 to resolve the issue of CMIS. Total 9 issues (including sub-issues) were given to NIC out of which 6 issues have been resolved. NIC has further committed that issue number 7 and 8 will be resolved in a month's time i.e. 13.12.2014. Timeframe to resolve issue no.9 would be informed to NCSC in 2 weeks time which is yet to be received. It was estimated that complete rectification may take at least 2 months more. Noting this status the Commission decided to convene a meeting with the DG, NIC. **(Action: Admn./C. Cell)**

(e) **Decision Taken:** Details SC population as per the 2011 census may be obtained and provided to the Hon'ble Chairman. **(Action: ESDW)**

Agenda Item No.3: Modification in the SC list of Odisha State-Proposal for deletion of the communities of Patratani (S.No.16), Bariki (Sl.No. 3) and Kummari (S.No.49) from the list of Scheduled Castes of Odisha State.

Decision Taken: After deliberation the Commission approved the proposal. **(Action: SSW)**

Agenda Item No.4: Pendency in NCSC Hqrs. and in State Offices of NCSC.

Decision Taken: The Commission with serious concern the pendency of large number of cases in the Commission's Headquarter. It was also noted that all the cases are not recorded on the CMIS. It was decided that Member-wise details of the cases may be prepared and time bound programme should be chalked out with the approval of the concerned Member to list these cases and early disposal.

The Commission noted that pendency at the State Offices is also very high. The Commission was of the view that in order to liquidate the pendency, disposal should be more than the receipt of new cases. The State Offices should chalk out a time bound plan with the approval of the concerned Member to liquidate of the pendency.

The Commission noted that there is no clarity as to which cases are transferred to the State Offices and which are dealt with at the HQ. It was decided that the cases received through dak/in person in the previous week should be placed along with covering list with CMIS case number & topic by the concerned division before the concerned Member, every Monday, to seek their instruction as to which cases are to be transferred to the State Office and which are to be dealt with at the HQ. Accordingly action to transfer to State Offices would be taken. **(Action: Research Wing in Hqrs. & All States Offices)**

Agenda Item No.5: Status of Annual Report of NCSC.

Decision Taken: The Commission noted the status and desired that finalisation of the Annual Report for 2013-14 should be expedited. **(Action: Consultant)**

Agenda Item No.6: Outcome of the State Offices Directors Meeting which was held in NCSC.

Decision Taken: The Commission was informed that the said meeting was basically to obtain uniform data for the Annual Report for the year 2013-14. The State Office heads have been apprised of the decisions taken in the meeting and their feedback has started to come. The Commission decided that more such meetings with the State Offices should be arranged to ensure compliance of the decisions. **(Action: Consultant/C.Cell)**

Agenda Item No.7: Newspaper cutting of "The Times of India, New Delhi Monday, November, 2014" titled as "Muslims, Dalits, Tribals 53% of all prisoners.

Decision Taken: The Commission noted with grave concern the contents of the Newspaper cutting. The Chairman mentioned that it was earlier decided that the Members should visit the jails in their respective States, after obtaining necessary data in the prescribed format, to examine the status of the SC prisoners. It was also decided that the Commission will conduct the review of the Tihar Jail, Delhi, after obtaining necessary data from the Jail Authorities. It was also decided that status of the Central Jail situated in the concerned city where State Review is conducted should also be reviewed by the Commission. **(Action: APCR)**

Agenda Item No.8: Comments of the National Commission for Scheduled Castes on the draft note for the Cabinet Committee on the Economic Affairs for the revision of the scheme of Special Central Assistance (SCA) to Scheduled Castes Sub Plan (SCSP)

Decision Taken: The Commission ratified the comments on the proposal already sent to the Ministry of Social Justice & Empowerment. **(Action: ESDW)**

Agenda Item No.9: Renaming of "State Offices" as Regional Offices.

Decision Taken: The proposal of the State Offices for renaming as Regional Offices was considered. As it requires amendment to the Rules of Procedure of the Commission, necessary action in this regard should be taken. **(Action: Admn.)**

Any other item with the permission of the Chair: Passing of orders/ recommendation by the Commission. The Commission was apprised of the recent cases where the recommendations of the Commission has been challenged by Authorities before the Courts. Hon'ble Chairman stated that as per Article 338 of the Constitution, the powers of the Commission to investigate & monitor the constitutional safeguards of SCs are recommendatory in nature and the orders of the Commission are not binding like other Courts. The Hon'ble Supreme Court (in Writ Petition No. 1362/1993) and Delhi High Court (in Writ Petition No. 2390/2012) have also held that the NCSC has the mandate to issue recommendations and cannot issue injunctions or stay orders etc. It was resolved that while making recommendations on cases, the issue of stay orders or injunctions etc. over to be avoided. Guidelines to this effort have already been issued vide office order dated 15.10.2014 to all officials and need to be strictly complied with. Further guidelines over to be framed & issued.

The meeting ended with thanks to the Chair.

4th MEETING (4th Commission) OF THE NATIONAL COMMISSION FOR SCHEDULED CASTES HELD AT 1.30 PM ON 02.12.2014 IN THE CONFERENCE ROOM OF NCSC.

PRESENCE OF MEMBERS AND OFFICERS

S.NO. NAME & DESIGNATION

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

Officers

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