

ANNUAL REPORT 2012-13



GOVERNMENT OF INDIA

NATIONAL COMMISSION FOR SCs

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No. 4/1/NCSC/2012-C. Cell
Government of India
National Commission for Scheduled Castes

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Chairman

5th Floor, Loknaya Bhawan
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New Delhi 110 003.

Dated. October, 2013

The Third and present National Commission for Scheduled Castes was constituted on 15th October, 2010. The Commission has already submitted its Annual Reports covering the period October, 2010 to March, 2011 & April 2011 to March 2012 on 19th September, 2012 as mandated under Article 338 of Indian Constitution.

It is our great privilege again to present before you the Annual Report of National Commission for SCs for the year 2012-13. Major recommendations on important areas of jurisdiction of National Commission for SCs have been highlighted in the Chapter XIII of the Report. This is for your kind information and valuable suggestion, if any on the Report.

I shall remain indebted if the present Report is forwarded to the Government with direction to take further necessary action on the matter.

Yours sincerely,

(P.L.Punia)

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PREFACE

Consequent upon the Constitution (Eighty-Ninth Amendment) Act, 2003 coming into force on 19-2-2004 the erstwhile National Commission for Scheduled Castes & Scheduled Tribes has been replaced by (1) National Commission for Scheduled Castes and, (2) National Commission for Scheduled Tribes.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 notified on 20th February, 2004 by the Ministry of Social Justice & Empowerment.

The Third and the present National Commission for Scheduled Castes has been constituted with effect from 18th October, 2010 with **Dr. P.L. Punia** as **Chairman**, **Dr. Rajkumar Verka** as **Vice Chairman**, **Shri Raju Parmar** as **Member**, **Shri M.Shivanna** as **Member** and **Smt. Latha Priya Kumar** as **woman Member** in the Commission. Smt. Kumar, however, expired on 23rd June, 2013.

Present Commission has initiated many pivotal steps and taken some important decisions regarding the welfare of Scheduled Castes. The Commission constituted sixteen internal committees headed by Vice Chairman, Members and persons of eminence from the civil society, to study specific problem of Scheduled Castes and to suggest ways and means to better the conditions of Scheduled Castes through appropriate mechanisms. The Committees which are constituted are as under:

1. Committee on Atrocities on SCs.
2. Committee on effective utilization of funds under SCP & SCSP.
3. Committee on Residential Schools and Hostels for SC students.
4. Committee on allotment of land pattas to SCs under 20 Point Programme.
5. Committee on reservation in judiciary.
6. Committee on employment and reservation.
7. Committee on the strengthening of NCSC's functioning.
8. Improvement of plight of sweepers community ó abolition of manual scavenging.
9. Review of provisions relating to crime against women.
10. Review of existing system of scholarship/payment/reimbursement of tuition fees.
11. Innovative/new schemes for the welfare of SCs.
12. Campaign for awareness of rights / safeguards / schemes for SCs.

13. Review of safeguards for SC employees.
14. Review of problems relating to SC who immigrate to other States.
15. Study the issue of inclusion of Dalit Muslims and Dalit Christians in the list of SCs.
16. Committee on reservation in Private sectors.

Needless to say, these Committees have come out with some valuable suggestions which have been taken up with the concerned authorities for consideration and implementation.

The National Commission for Scheduled Castes as part of its Constitutional obligations is to prepare Annual Report based on activities undertaken during a calendar year. The present Commission after its constitution on 18th October, 2010 has already prepared two reports including a part report covering the period from October, 2010 to March, 2011 and from April, 2011 to March, 2012 and submitted them to His Excellency Dr. Pranab Mukherjee, President of India on 19th September, 2012. The present report covers the activities that were undertaken by the Commission during the financial year starting from April, 2012 to March, 2013.

CHAPTER – I

INTRODUCTION:

1.1 For effective implementation of various safeguards provided in the Constitution for the welfare of SCs & STs and various other protective legislations, the Constitution earlier provided for an appointment of a Special Officer under Article 338 of the Constitution. The Special Officer who was designated as Commissioner for SCs & STs was assigned the duty to investigate all matters relating to the safeguards for SCs and STs, provided in various statutes, and to report to His Excellency The President of India upon the working of these safeguards. In order to facilitate effective functioning of the office of the Commissioner for SCs & STs, 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 SCs & STs alone was not enough to monitor the implementation of Constitutional safeguards, a proposal was mooted for amendment of Article 338 of the Constitution (46th Amendment) for replacing the arrangement of one Member system with a Multi-Member system. The Government thereafter decided to set up a Multi-Member Commission through an administrative decision. The first Commission for SCs & STs was, therefore, set up in August, 1978.

Consequent upon the Constitution (Eighty-Ninth Amendment) Act, 2003 coming into force on 19-2-2004 the erstwhile National Commission for Scheduled Castes & 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 notified on 20th February, 2004 by the Ministry of Social Justice & Empowerment. The Second National Commission for Scheduled Castes in its series was constituted on 25.05.2007.

The present National Commission for SCs (NCSC) was constituted on 15.10.2010 and is headed by Dr. P.L.Punia as Chairman, Dr. Raj Kumar Verka as Vice Chairman and Shri Raju Parmar, Shri M. Shivanna and Smt Lathapriya Kumar as Members. Annual Report covering the period from October, 2010 to March, 2012 has already been presented to the His Excellency President of India on 19th September, 2012.

The present Annual Report (2012-13) covers the activity of the Commission from April, 2012 to March, 2013.

CHAPTER - II

CONSTITUTIONAL SAFEGURDS:

The Preamble to the Constitution of India provides for securing to 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 safeguards can broadly be categorized as mentioned below:-

SAFEGUARDS FOR SCHEDULED CASTES

2.1 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.

2.2 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 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 .

2.3 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.

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

- Social Safeguards
- Economic Safeguards
- Educational & Cultural Safeguards
- Political Safeguards
- Service Safeguards

SOCIAL SAFEGUARDS

2.5. **Article 17, 23, 24 and 25 (2) (b)** of the constitution enjoins upon the state to provide social safeguards to Scheduled Castes . Article 17 relates to abolition of untouchability being practiced in society. The Parliament enacted the Protection of Civil Rights Act, 1955 to tackle the problem of untouchability being practiced against Scheduled Castes, and the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 to tackle the problem of caste / origin based harassment being practiced against Scheduled Castes and Scheduled Tribes.

2.6. **Article 23** prohibits traffic in human beings and begar and other similar forms of forced labour and provides that any contravention of this provision shall be an offence punishable in accordance with law. Although there is no specific mention about the SCs in this Article but majority of the bonded labour come from SCs. Thus, this Article has a special significance for them. The parliament enacted Bonded labour system (Abolition) Act, 1976 for identification, liberation and rehabilitation of bonded labourers.

2.7. **Article 24** provides that no child below the age of 14 years shall be employed to work in any factory or mine or engaged in any other hazardous employment. Even in this Article, there is no specific mention about the SCs but substantial portion of child labour engaged in hazardous employments belong to SCs.

2.8. **Article 25(2)(b)** provides that Hindu religious institutions of a public character shall be opened to all classes and sections of Hindus. The term Hindu includes persons professing Sikh, Jain, and Buddhist religion.

ECONOMIC SAFEGUARDS

2.9. Article 23, 24 and 46 form part of the economic safeguards for the Scheduled Castes and Scheduled Tribes. The Provisions of Articles 23 and 24 have already been discussed in earlier paragraphs.

2.10 Article 46 the details of this is given in the beginning of the chapter.

EDUCATIONAL AND CULTURAL SAFEGUARDS

2.11 Article 15 (4) empowers the state to make special provisions for the advancement of any socially and educationally backward classes of citizens and for SCs. This provision has enabled the state to reserve seats for SCs in educational institutions in general and professional courses etc.

POLITICAL SAFEGUARDS

2.12 Article 232, 230 of the Constitution of India provides reservation of seats for SCs /STs in the local bodies of the states/ UTs, Legislative Assemblies of the state and in Parliament. Article 243D provides reservation in Panchayet and Article 243T in Municipalities and Municipal Corporations in the country.

SERVICE SAFEGUARDS

2.13 Service safeguards are contained in Articles 16(4), 16(4A), and 335.

2.14 Article 16(4) Nothing in this article shall prevent the State from making any provision for the reservation of appointments or posts in favour of any backward class of citizens which, in the opinion of the State ,is not adequately represented in the services under the State.

2.15 Article 16 (4A) Nothing in this article shall prevent the State from making any provision for reservation in matters of promotion to any class or classes of posts in the

services under the State in favour of the Scheduled Castes and the Scheduled Tribes which, in the opinion of the State, are not adequately represented in the services under the State.

2.16 Article 335 Claims of Scheduled Castes and Scheduled tribes to services and posts- The claims of the members of the Scheduled Castes and Scheduled Tribes shall be taken into consideration, consistently with the maintenance of efficiency of administration, in the making of appointments to services and posts in connection with the affairs of the Union or of a State.

In the year 2001, the Parliament through Constitution (Eighty-fifth Amendment) Act, 2001 amended the provisions contained in Article 16(4A). In Article 16(4A) for the words: "In matters of promotion to any class" has been substituted. The effect of this amendment is that the SCs/STs promoted earlier than their counter-part in general category by virtue of reservation policy shall be senior to general category in the promoted scale/post.

One of the important mandated provisions at Article 338 of the constitution is section (9) which stipulates that "The Union & every State Govt. shall consult the Commission on all major policy matters affecting Scheduled Castes".

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.
- The Bonded Labour System (Abolition) Act, 1976.
- The Child Labour (Prohibition and Regulation) Act, 1986.
- The Employment of Manual Scavengers and Construction of Dry Latrines (Prohibition) Act, 1993
- 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.

CHAPTER –III

3.1 FUNCTIONS & DUTIES:

Clause 4 of the Article 338 of the Constitution empowers the Commission to regulate its own procedure for meaningful performances. Rules framed by the Commission under this provision have been notified on 25.3.2009. Copy of the Rules is appended at **Annexure**.

Section (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 has to keep track of all the major policy decisions, Legislative or Executive action taken by the Government of India or any State Government.

As per the provisions of Clause 5 (c) of Article 338, 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 any State. The role of the Commission in these areas involve interaction at various levels, i.e., with the Planning Commission, with the Central Ministries and with the State Governments. The Commission and its officers both at Headquarters and the State offices participate in formulation of policies and the developmental programmes for SCs including Special Component Plan for Scheduled Castes.

3.2 PROCEDURE FOR INQUIRY

The Commission has power to monitor:

- (i) The victims are provided with suitable medical assistance and on time;
- (ii) Adequate protection is arranged for the victims of such incidents by providing police protection by stationing a police party, by patrolling, etc;
- (iii) To see that proper compensation is paid to the victims as per provisions of law.

The Commission will, wherever possible depending upon the gravity and circumstances of the case, visit the place of incident to oversee the arrangements and to console and infuse confidence among the victims.

The Commission has laid down detailed procedure for conducting such inquiries and monitoring at all levels. Such inquiries can be conducted by the Members of the Commission or Teams of Investigators from Headquarters or State office of the Commission.

3.3 Powers of the Commission to act as a Civil Court

While investigating any matter referred to in sub-clause (a) or inquiring into specific complaints under sub-clause (b) of the clause (5) of **Article 338** of the Constitution, the Commission shall have the powers of a Civil Court trying a suit and in particular in respect of the following matters:

- (a) Summoning and enforcing the attendance of any person from any part of India and examining him on oath;
- (b) Requiring the discovery and production of any document;
- (c) Receiving evidence on affidavits;
- (d) Requisitioning of any public record or copy thereof from any court of office;
- (e) Issuing commissions for the examination of witnesses the documents;
- (f) Any other matter which the President may, by rule, determine.

3.4 Approach & Methodology adopted by the Commission.

Keeping in view its Constitutional obligations and the issues that are now critical, after almost 66 years of independence, for the overall development and mainstreaming the Scheduled Castes, the present Commission, constituted in October, 2010 has adopted a more vigorous approach in its functioning. The meetings of the Commission are held regularly and the implementation of decisions taken is monitored keenly.

The Commission, through its Headquarters and State Offices has also conducted field level inquiries and studies. This process has been given a renewed vigour with a view to ensure prompt relief, especially in matters, relating to crimes against and atrocities on Scheduled Castes and relating to the grant of development benefits.

The procedure for investigating into complaints, especially with reference to violation of service safeguards, has also been streamlined to ensure prompt and speedy disposal of cases, and to ensure relief in genuine cases. By calling officers and concerned Liaison Officers to the Commission, with all relevant records, many long pending cases are being decided in one or two sittings. The Commission has also used its powers of Civil Court to summon documents and enforcing attendance in conducting the inquiries.

3.5 Commission's report:

As per provision of these Clauses, it is the duty of the Commission to present, annually, a report upon the working of Constitutional safeguards and measures taken by the Union and the States, for the protection and welfare of the Scheduled Castes. In this series, the erstwhile National Commission for Scheduled Castes and Scheduled Tribes had presented seven Annual Reports and four Special Reports during the period from 12th March, 1992 to 19th February, 2004, containing a number of recommendations.

Clause 6 of Article 338 provides, "The President shall cause all such reports to be laid before each House of Parliament along with a Memorandum explaining the action taken or proposed to be taken on the recommendations relating to the Union and the reasons for the non-acceptance, if any, of such recommendations.

1.5 Examination of complaint under Article 338 clause 5(b) by the National Commission for SCs.

To deal with the representations of the SCs in the service matters, or to deal with any specific representation/complaint received from these SC employees, the Commission has a set of streamlined guidelines, necessary changes if required are being introduced by the Commission from time to time. In cases where the complaints/representation of violation of service safeguards/rules/regulations, pertaining to appointment to a direct recruitment, promotion, or complaints of other forms of harassment, discrimination etc are prima facie apparent, the factual position/comments are called from the authorities concerned. Ministry /

Department, Banks and other concerned authorities are usually asked to provide the comments, within a period of 15 days, by giving them notice. Failing to get the reply, the Commission exercises its Civil Court's power for production of the records, and enforcing the attendance of concerned authorities, before the Commission.

The NCSC is assigned the important role, of safeguarding the interests of SCs and has been vested with power in the discharge of its role in terms of Article 338 of the Constitution. Under Article 338 clause 5(a) and (b), the Commission exercises its powers of investigation/examination in individual cases in the light of the instructions related to reservation issued by the govt. of India i.e. DOPT. The Commission, further and overseas, the implementation of reservation policy and in their regard imparts redressal of their grievances where the provision of reservation policy are ignored/violated by the Departments/Ministries concerned. On finding violation of reservation policy the Commission recommends/suggests and advises the concerned authorities to implement the reservation policy in accordance with the existing rules of Government i.e. issued by the DoP&T/State Governments concerned/DPE etc. as the case may be. The NCSC during the course of investigation or inquiry, takes evidence on oath or receive the affidavits. For the purpose of taking evidence in the investigation or inquiry, the Commission, if consider, may require the presence of any person and may issue the summons. The summon provides at least 15 days' notice, to the person who is directed to be present before the Commission from the date of receipt of the summons.

Where the property, service/employment of SCs and other related matters are under immediate threat and prompt attention of the commission is requested the matter is taken up by issue of telex/fax to the concerned authorities for making them know that the commission seized of the issue. The Chairperson, the vice-Chairperson and the Members have the jurisdiction on the subjects where investigation or inquiry to be carried out through the State offices of the Commission by holding sittings anywhere in India. The findings/observations of the commission issued after the investigation/enquiry by the commission in the light of laid down reservation policies by the DoP&T / State Government concerned/DPE etc are advised to consider and take corrective action in all fairness on the advice/findings and recommendations of the Commission.

In recent years, it has been observed that the space covered by reservation is shrinking and will continue to shrink over the years due to the downsizing of apparatus of the State in a liberal economic framework. Sometimes, the judiciary in particular the Apex Court has

issued important judgment constricting and restricting reservation for the SCs. Though, reservation cannot be a panacea for every ill affecting the status of the SCs, it is a major way for removing their socio-economic disabilities. The NCSC is a major institution whose role in the monitoring of reservation policy has been getting restricted constantly by the encroaching judicial arena.

NATIONAL COMMISSION FOR SCHEDULED CASTES
(Formation notified vide file No. 17014/12/99-JDR, dated 19th February, 2004,
Ministry of Tribal Affairs, Government of India).
(Under Article 338 (1) of the Constitution)

NOTIFICATION
New Delhi dated 25th March, 2009
RULES OF PROCEDURE OF THE NATIONAL COMMISSION FOR SCHEDULED CASTES

CHAPTER I

GENERAL

CONSTITUTIONAL PROVISIONS

1. The duties of the Commission as laid down in the Article 338 (5) of the Constitution are:
- (a) to investigate and monitor all matters relating to the safeguards provided for the Scheduled Castes under the 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;
 - (b) to inquire into specific complaints with respect to the deprivation of rights and safeguards of the Scheduled Castes;
 - (c) to participate and advise in 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;
 - (d) to present to the President, annually and at such other times as the Commission may deem fit, reports upon the working of these safeguards;
 - (e) 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 these safeguards and other measures for the protection, welfare and socio-economic development of the Scheduled Castes; and
 - (f) 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.

CHAPTER II

DIVISION OF RESPONSIBILITIES AND ALLOCATION OF WORK

2.0 Chairperson

- 2.1 The Chairperson shall be the head of the Commission and shall have powers to decide on all questions and matters pertaining to the Commission.
- 2.2 The Chairperson shall allocate subjects and responsibilities among the Members of the Commission. The Orders allocating the subjects and responsibilities shall be notified to all concerned by the Secretarial of the Commission.
- 2.3 The Chairperson shall be the authority to sanction leave and approve tours of the Members, Secretary, Joint Secretary and Directors.
- 2.4 The Chairperson shall preside over the meetings of the Commission.
- 2.5 All important decisions in the Commission about its functioning shall be taken with the approval of the Chairperson.
- 2.6 All important administrative matter like appointments, promotions, transfers, posting, deputation and sanction of leave etc. shall be place before the Chairperson wherein he/she may pass general or specific order on such matter.
- 2.7 The Chairperson may call for any records on any matter which he/she considers important and may take a decision on it himself/herself or, if necessary, place it at the meeting of the Commission.
- 2.8 The Chairperson shall be authority to approve Annual Report, Special Report, and communication to the Ministries /Departments of the Govt. of India/State Governments/Media.
- 2.9 The Chairperson shall take decision to conduct specific studies in the areas of the safeguards provided to SCs and shall sanction the budget required for such studies.

3.0 Vice-Chairperson

- 3.1 The Vice-Chairperson shall preside over the meetings of the Commission in the absence of the Chairperson.
- 3.2 The Vice-Chairperson shall perform such functions as are entrusted to him/her by the Chairperson.
- 3.3 All important administrative matter like appointments, promotions, transfers, posting, deputation and sanction of leave etc. to other than Secretary, Joint Secretary and Directors shall be place before the Vice-Chairperson wherein he/she may pass general or specific order on such matter.

4.0 Members

- 4.1. The Members of the Commission shall have collective responsibility and shall function by participating in the 'meetings' and 'sittings' of the Commission and looking after the subjects allocated to them. Important actions and decisions of a Member may be brought at a meeting of the Commission which may review the same.
- 4.2. Any Member may suggest items for inclusion in the agenda of a meeting of the Commission and the same shall be so included after obtaining the consent of the Chairperson.
- 4.3. Each Member shall have overall responsibility of subjects and/or regions or State(s) as may be allocated to him.
- 4.4. The Members shall play the role of advising the State Governments under their jurisdiction on matters of planning and development relating to the welfare of Scheduled Castes in accordance with the decisions taken in the meetings of the Commission with approval of the Chairman. The Commission's Secretariat at Headquarters and the State Offices shall assist the Members in keeping them fully informed of the problems and activities of the States and subjects under their respective charge.
- 4.5. One or more Members may, in accordance with the procedure specified in the rules elsewhere, hold sittings of the Commission to give hearing to the cases or to collect evidence or information on any matter, issue or case under investigation or inquiry of the Commission.
- 4.6. The Members shall communicate their tour programme through the Secretariat of the Commission well in advance to the State Offices indicating in detail the purpose of the visit and to the State Govt. Departments and other concerned for discussion/inquiry, etc., during the tour/visit and shall be responsible to submit tour/visit report before commencing next tour/visit or within a week of the tour/visit completed.
- 4.7. The Members will observe the norms laid down by the State Govts. Regarding security travel (e.g. non-accidental etc.) during such tours.

5.0 Secretary

- 5.1. The Secretary shall be the administrative head of the secretariat of the Commission and shall assist the Chairperson/Commission in the discharge of its functions with the assistance of the officers of the Commission.
- 5.2. All important administrative matters shall be placed before the Secretary who may pass general or specific orders on such matters with the approval of the Chairperson only.

- 5.3. The Secretary shall be responsible for having the agenda prepared for the meetings of the Commission and for circulating the minutes with prior approval of the Chairperson.
- 5.4. The Secretary shall be responsible to assist and monitor preparation of Annual Report, Special Reports, and ensure proper liaison with the Ministries/ Departments of GOI/State Govts./UTs.
- 5.5. The Secretary shall be accountable to the Commission and shall responsible to update the Commission with all relevant information relating to safeguards provided for the Scheduled Castes under the Constitution, under any other law for the time being in force or under any order of the Govt.
- 5.6. The Secretary may, in his discretion, delegate any of his functions or authority to a subordinate officer of the Secretariat.
- 5.7. The Secretary shall be the authority to sanction leave to all Group "A" officers excluding himself and Joint Secretary of the Commission.
- 5.8. The Secretary shall be Chief Vigilance Officer of the Commission and shall report all important matters to the Chairperson pertaining to vigilance cases.
- 6.0 JOINT SECRETARY**
- 6.1. The Joint Secretary shall be responsible to monitor working of the Officials of the Commission including State Offices of the Commission.
- 6.2. All important administrative matters shall be placed before the Joint Secretary who may pass general or specific orders on such matters with the approval of the Chairperson/Secretary.
- 6.3. The Joint Secretary shall be responsible for having the agenda prepared for the meetings of the Commission.
- 6.4. The Joint Secretary shall be the authority to sanction leave to all officers of the Commission other than Director and above.
- 6.5. The Joint Secretary shall be accountable to the Commission and shall responsible to update the Commission with all relevant information relating to safeguards provided for the Scheduled Castes under the Constitution, under any other law for the time being in force or under any order of the Govt.
- 6.6. The Joint Secretary may, in his discretion, delegate any of his functions or authority to a subordinate officer of the Secretariat.
- 6.7. The Joint Secretary shall be responsible for updating the website of the Commission and shall function as a Appellate Authority for disposal of cases relating to the Right to Information Act.

- 6.8 The Joint Secretary shall also function as Vigilance Officer of the Commission and may act as Chief Vigilance Officer in absence of the Secretary of the Commission and shall report to the Chairperson/Secretary on vigilance matter.

CHAPTER III

7.0 INVESTIGATION AND INQUIRY BY THE COMMISSION

- 7.1 The Commission shall function by holding 'sittings' and 'meetings' at any place within the country and also through its officers at the Headquarters and in the State Offices. The Members of the Commission including the Chairperson and the Vice-Chairperson shall function in accordance with the procedure prescribed under these rules.

- 7.2.1 The Commission may adopt any one or more of the following methods for investigating or enquiring into the matters falling within its authority:

- (a) by the Commission directly;
- (b) by an Investigating Team constituted at the Headquarters of the Commission; and
- (c) through its State Offices
- (d) by the State Agencies
- (e) by any other institution/Deptt. funded by Central Govt. and its statutory bodies.

7.2. (a) Investigation and Inquiry by the Commission directly.

- 7.2.(a) i The Commission may hold sittings for investigation into matters relating to safeguards, protection, welfare and development of the Scheduled Castes for inquiry into specific complaints for which the Commission decided to take up investigation or inquiry directly. Such sittings may be held either at the Headquarters of the Commission or at any other place within the country.

- 7.2.(a) ii The sitting(s) of the Commission would be held after giving due notice to the parties intended to be heard and also due publicity / notice to the general public. Care will be taken to see that the members of the Scheduled Castes who are affected in the matter under investigation or inquiry are given due information through notice or publicity.

- 7.2.(a) iii When a decision for direct investigation is taken, an officer not below the rank of Investigator/Research Officer/Section Officer along with necessary staff may be attached to the Member(s) entrusted with such investigation or enquiry and they shall take all steps to arrange such sittings.

- 7.2.(a) iv The Commission shall convene meeting of all the Chief Secretaries, Secy (Home), Secy (Social Welfare), DGPs of the State and Secretaries of the Govt. of India, who may be considered accountable for the implementation of the programme of the safeguards as enumerated under Article 338 (5) (a) once in a year for monitoring the safeguards and development.
- 7.2.(a) v In accordance with clause 8 of Article 338 of the Constitution, while investigating in a matter referred to in sub-clause (a) or in inquiring into any complaint referred to in sub-clause (b) of clause (5) of Article 338, the Commission shall have all the powers of civil court trying a suit and in particular in respect of the following matters, namely:
- (a) summoning and enforcing the attendance of any person from any part of India and examining him on oath;
 - (b) requiring the discovery and production of any document;
 - (c) receiving evidence on affidavits;
 - (d) requisitioning any public record or copy thereof from any court or office;
 - (e) issuing commissions for the examination of witnesses and documents;
 - (f) any other matter which the President may, by rule, determine.
- 7.2.(a) vi The Commission for the purpose of taking evidence in the investigation or inquiry requires the presence of any person and when considered necessary **may issue summons to him/her with the approval of the Chairman.** The summons for enforcing attendance of any person from any part of India and examining him/her during the course of investigation and inquiry by the Commission shall provide at least 15 days' notice to the person directed to be present before the Commission from the date of receipt of the summons. In serious cases of atrocities, three days notice will be given to the person directed to be present before the Commission from the date of receipt of the summons by him/her.
- 7.2.(a) vii Where the property, service/employment of Scheduled Castes and other related matters are under immediate threat and prompt attention of the Commission is required, the matter shall be taken cognizance by issue of telex/fax to the concerned authority for making it known to them that the Commission is seized of the issue and that authority will be prohibited to take any action till the completion of the enquiry in the matter by the NCSC. Urgent reply by telegram or fax shall be called from the concerned authority. In case no reply is received within three working days, the authority concerned may be required to appear before the Commission at a three days notice for enquiry.
- 7.2.(a) viii The Commission may issue commission/under clause 8 (e) of Article 338 of the Constitution to take evidence in any matter under investigation or inquiry and for this purpose appoint any person by an order in writing. The Commission may make further rules for payment of fee and traveling and other allowances to persons appointed to take evidence on commission.

- 7.2.(a) ix After holding the required sittings, the Member(s) who conducted the investigation shall make a report, which shall be sent to the enquiry officer appointed under Rule 34 or any other officer authorized by the Commission to receive the report. The report received in the Commission shall be submitted within 3 days to the Chairperson for inspections. After examination, action may be initiated on the report with the approval of the Chairperson.
- 7.2.(b) **Investigation or inquiry by an Investigation Team constituted at the Headquarters of the Commission**
- 7.2.(b) i The Commission may decide about the matter that is to be investigated or enquired into by an Investigating Team of officials of the Commission, provided that in case the matter is urgent, the decision for such investigation or inquiry may be taken by the Chairperson.
- 7.2.(b) ii The Investigating Team shall hold the investigation or inquiry, as the case may be, promptly and for this purpose, may initiate necessary correspondence including issuance of notices for production of documents in Form I, appended to these rules.
- 7.2.(b) iii The Investigating Team may visit the area concerned after observing due formalities for obtaining approval of tours and other administrative requirements and after giving information to the concerned local authorities regarding the matter, purpose, scope and procedure of the investigation or inquiry. The Investigating Team may enlist the help of the officers and staff of the concerned State Office but the responsibility of preparing and presenting the report shall rest with the head of the Investigating Team.
- 7.2.(b) iv The Investigating Team shall submit the report of the investigation or inquiry, as the case may be, to the Chairman/Secretary or a subordinate officer of the Commission as may be directed by general or specific orders by the Chairperson within the stipulated time, if any. If the time limit stipulated is likely to be exceeded, the head of the Investigating Team shall obtain the orders of the Chairperson through the Officer-in-charge of the matter. The report shall be examined and put up to the Chairperson for a decision regarding the action to be taken on the report.
- 7.2. (b) v The decision of the report shall be sent to the Secy Joint Secy/Officer-in-charge placed before the Chairperson of the Commission who will take appropriate action in the matter.
- 7.2 (c) **Investigation and inquiry through the State Offices**
- 7.2 (c) i The Chairperson, the Vice-chairperson, the Members having jurisdiction over the subject may decide about an investigation or inquiry that may be carried out through the State Offices of the Commission. The decision will be conveyed to the Officer-in-Charge of the concerned State Office who

will be asked to get the matter investigated or inquired into within a stipulated time and send the report. The State Office shall conduct the investigation or inquiry through interrogation, on the spot visit, discussions and correspondence and examination of documents as may be necessary in the case and shall follow any special or general instructions issued in the matter by the Chairperson/ V.C./Member through the officials of the Commission from time to time.

7.2 (c)ii If the investigation or inquiry cannot be completed within the stipulated time, the officer-in-charge of the State Office may send a communication to the Secretariat of the Commission before the expiry of the stipulated time and explain the circumstances and reasons for non-completion of the investigation or inquiry, as the case may be, within the stipulated time. The Secretary to the Commission or the Member under delegated functions may consider the request and communicate a revised date after taking approval of the Chairperson for the completion of the investigation or inquiry.

7.2 (c)iii If during the course of investigation or inquiry, the Head of the State Office feels that it is necessary to invoke the powers of the Commission to require the production of any document or compelling the attendance of a person, he may make a special report with full facts to the Secretariat of the Commission. On receipt of such special report, the matter shall be placed before the Chairperson/Member in-charge of the subject/State/UT who may make an order that necessary legal processes to compel attendance or to require production of any document may be issued. The summons and warrants issued for the purpose may be served on the person concerned either directly or through the officer-in-charge of the State Office as may be directed by the Chairperson authorizing issue of such legal process.

7.2 (c)iv After completion of the investigation or inquiry, as the case may be, the head of the State Office shall submit the report to the Secretary of the Commission suggesting the course of action that could be followed in the matter. The gist or findings of the report may be placed before the Chairperson with specific proposals by the Secretary / Joint Secretary who may decide about further action in the matter.

7.2 (d) **Investigation by the State Agencies**

The Chairperson may decide about an investigation or inquiry that may be carried out through the State Agencies. The decision will be conveyed to the Chief Secretary /Officer-in-Charge of the concerned State/ State Agency (s) who will be asked to get the matter investigated or inquired into within a stipulated time and send the report.

7.2 (e) Investigation by any other institution/Deptt funded by Central Govt. and its statutory bodies.

7.3 PROCEDURE FOR INQUIRY

Inquiry into specific complaints

The Commission is required to inquire into specific complaints with respect to the deprivation of rights and safeguards of Scheduled Castes. In order to enable the Commission to perform this function effectively and efficiently, the Commission would like the members of Scheduled Castes to know that it will be helpful to inquire into their grievances if they substantiate their complaints with supporting documents and quote the relevant provisions of the Act or Rules or directions which have been violated.

7.4.1 The following aspect may be kept in mind while filing complaints before the Commission.

- (a) The complaint should be directly addressed to the Chairman/Vice-Chairman/Secretary, National Commission for Scheduled Castes, New Delhi or the heads of its State Offices
- (b) The complainants should disclose his full identity and give his full address and should sign the representation.
- (c) Complaints should be legibly written or typed and, where necessary, supported by authenticated documents.
- (d) Complaints should clearly disclose the violation of Reservation policy, DOP/ OMs, Government of India Orders, State Government Orders, PSUs and Autonomous Bodies orders or any other violation Rules of Reservation.
- (e) **No action will be taken on matters, which are subjudice.** Hence subjudice matter need not be referred to the Commission as complaint(s)
- (f) Cases pending in courts or cases in which a court has already given its final verdict may not be taken up afresh with the Commission.
- (g) **The cases of Administrative nature like transfer/posting/grading of ACRs will not be taken up by the Commission unless there is caste based harassment of petitioner.**
- (h) **No action will be taken on the matters where there is no mention of violation of Reservation policy, DOP/ OMs, Government of India Orders, State Government Orders, PSUs and Autonomous Bodies orders or any other violation of Rules of Reservation. Hence the matters where there is no mention of violation of above Rules need not be referred to the Commission as complaints.**

7.5 Inquiry into cases of atrocities

7.5.1 Whenever information is received in the Commission about any incident of atrocity against a person belonging to Scheduled Castes, the Commission would immediately get in touch with the law enforcing and administrative machinery of the State and the district to ascertain the details of incident and the action taken by the district administration. If after detailed inquiry/investigation, the Commission finds

substance in the allegation/complaint regarding atrocity, the Commission may recommend to file an FIR against the accused with the concerned law-enforcing agency of the State/District. In such cases, the State Government/District Administration/Police Personnel may be called with three days through the summons.

7.5.2 The Commission ensures the following while by monitoring and issuing instructions to the concerned authorities.

- (i) Whether the scene of occurrence of the crime has been visited immediately by Collector and Supdt. of Police of the district on receipt of information.
- (ii) Whether proper FIR is registered in local Police Station.
- (iii) Whether names of all the persons involved/cited by the complainant has been included in the FIR.
- (iv) Whether investigation has been taken up by a Senior Police Officer as per provisions of the SCs & STs (POA) Act, 1989.
- (v) Whether culprits has been apprehended and booked without loss of time.
- (vi) Whether proper charge sheet has been filed mentioning the relevant sections of IPC together with the PCR Act, 1955 and SCs & STs (POA) Act, 1989 in Court.
- (vii) Whether the cases are tried by the Special Courts.
- (viii) Whether special Public Prosecutors are appointed to handle these cases.
- (ix) Whether Police assists the courts in bringing forward witnesses and see that the culprits are suitably punished by the courts.

7.5.3 The Commission will also monitor that

- (i) the victims are provided with suitable medical assistance and on time,
- (ii) adequate protection is arranged for the victims of such incidents by providing police protection by stationing a police party, by patrolling, etc;
- (iii) to see that proper compensation is paid to the victims as per provisions of law.

7.5.4 The Commission will, wherever possible depending upon the gravity and circumstances of the case, visit the place of incident to oversee the arrangements and to console and infuse confidence among the victims.

7.5.4.1.1 The Commission may laid down detailed procedure for conducting such inquiries and monitoring at all levels. Such inquiries can be conducted by the Members of the Commission or Teams of Investigators from Headquarters or State office of the Commission or any other officer(s) / agency duly appointed authorized by the Chairman.

7.5.6 When any offence as is described as an atrocity in the relevant acts for the time being in force, is committed in the view or presence of the Commission or has been found to have been taken cognizance by the Commission, in pursuance of the enquiry/investigation conducted by it in

the discharge of its functions, the Commission may, after recording the facts constituting the offence, forward the case to a Magistrate having jurisdiction to try the same.

7.6 Confidentiality of certain reports

The Chairperson/Commission may, through a decision at a meeting or otherwise, direct that the contents of any report made on any matter shall be kept confidential and shall not be revealed to any person other than those who have been authorized access to such report.

7.7 Legal processes

All summons and warrants that are required to be issued in pursuance of the exercise of the powers of a civil court by the Commission shall be written in the prescribed form and shall bear the seal of the Commission. The legal process shall be issued from the Legal Cell of the Commission and shall bear its seal. The provisions of the Code of Civil Procedure applicable for the service of the legal processes shall be followed by the Commission.

7.8 Issue of letters and notices

Letters and notices requiring production of documents which are issued without exercising the powers of the civil court by the Commission may be signed by an officer not below the rank of Research Officer/Section Officer/Senior Investigator.

7.9 Form of summons and warrants

The summons and warrants shall be as provided in Form II and III respectively, appended to these rules.

CHAPTERS IV

8.0 MEETINGS OF THE COMMISSION

Frequency of meetings

8.1 The Commission shall meet at least once in a month. The notice for a meeting shall normally be issued two weeks in advance. Emergent meetings may also be called by the Chairperson either on his own or on the request of a Member or the Secretary for disposing of important matters requiring urgent consideration by the Commission.

Quorum

8.2 Presence of atleast three members including the Chairperson and/or Vice-Chairperson shall constitute the quorum for holding meeting of the Commission.

8.3 Matters requiring decisions by the Commission at its meetings

The following matters shall be brought up before the Commission at a meeting for consideration and decision:

- (i) any amendment to these Rules of Procedure;
- (ii) matters to be investigated by the Commission directly;
- (iii) all the reports that are required to be considered by the Commission as provided in these rules;
- (iv) any matters that a Member may like to bring to the meeting, with the approval of the Chairperson;
- (v) important matters relating to planning and development for the welfare and advancement of the Scheduled Castes and specially references received under Article 338 (9) of the Constitution; and
- (vi) any matter that the Chairperson may direct to be placed at a meeting of the Commission.

8.4 Agenda for the meeting

The agenda will normally be circulated to all the Members at least seven days before the date of the meeting, provided that for an Emergent Meeting, this time limit may not apply.

8.5 The minutes of a meeting shall be circulated as soon as possible to all the Members.

8.6 Place of meeting of the Commission

Normally the place of meeting of the Commission shall be the Headquarter of the Commission at New Delhi. The Commission may, however, decide to hold a meeting at any other place in India.

8.7 Fee

The Chairperson, the Vice-Chairperson and the Members shall not be entitled to any fee for sitting in the meeting of the Commission. However, the entitlement of part-time Members, if any, may be determined by the terms of appointment of such Members.

CHAPTER V

9.0 SITTINGS OF THE COMMISSION

9.1 Need for sittings

Whenever a matter is to be investigated into directly by the Commission it may do so by holding sittings of the Commission. In the case of such sittings, the presence of all the Member may not be necessary.

9.2 Officers to be present

Whenever a Member(s) is holding a sitting, an officer of the Commission, not below the rank of Research Officer/Section officer, duly deputed for the purpose, shall be present to assist the Member(s) holding the sitting to discharge the functions properly and promptly. It shall be the duty of the officer to assist the Member(s) in preparing the report if called upon to do so by the Member(s). The officer shall also be responsible for assisting the Member(s) in following the prescribed procedure.

9.3 Frequency of sitting(s)

Sittings of the Commission may be held as and when necessary. The Commission may hold more than one sitting simultaneously in different parts of the country with different Members functioning separately.

9.4 Programme of the sittings

The programme of the sittings, both at the Headquarters and at other places, would normally be worked out each month in advance and duly circulated.

9.5 Defraying expenses to witnesses

The Commission may defray travelling expenses to persons who have been called through summons to appear before the Commission in a sitting, provided that the place of residence of one person is more than 8 kms. from the place of the sitting of the Commission. The amount so defrayed shall be limited to the actual traveling expenses plus Daily Allowance for the number of days that the person has appeared before the Commission in its sitting, provided that the person is not entitled to travelling and daily allowance from any other source. Persons who are employees of the Government/Public Sector Undertaking shall be deemed to be on duty if they are summoned to depose before the Commission or produce documents. The limit of travelling expenses shall be determined on the basis of the rail fare and road mileage calculated on the basis of the rates that may be prescribed by the Commission. In the case of any doubt regarding the entitlement of the person, the decision of the Secretary of the Commission shall be final.

9.6 The officer attached to the Member for the purposes of the sitting shall take steps to ensure that sufficient cash amount is carried if the sitting is held at a place other than the Headquarters of the Commission. The Secretariat of the Commission may devise a suitable procedure to ensure that such claims as above are paid on the spot and in cash to the person(s) so appearing.

9.7 The claim for traveling expenses as above shall not be admissible in the case of a person who appears before the Commission during any investigation or enquiry on his own accord or in response to a communication or notice which is not a summon issued by the Commission.

CHAPTER VI

10.0 DUTIES OF THE STATE OFFICES OF THE COMMISSION

It shall be the duty of the State Offices of the Commission:

- (i) To act as the "eyes and ears" of the Commission in the State(s) under their jurisdiction.
- (ii) To maintain effective interaction and liaison with State Government/UT Administration on behalf of the Commission.
- (iii) To serve on State Level Advisory Councils/Committees/Corporations, etc. on behalf of the Commission:
- (iv) To provide information and documentation about the policies and programmes of the Union Government for the welfare and advancement of Scheduled Castes to the States, NGOs, Media in their respective jurisdiction, and obtain similar information and documentation from such organizations and provide to the Headquarters of the Commission information/documentation about important developments, social movements, policy changes etc. in the State(s) affecting the interest of Scheduled Castes.
- (v) To monitor and assist the working of voluntary and other non-governmental organizations receiving grant-in-aid from the Ministry of Social Justice and Empowerment as also other Ministries/Departments of the Central Government and the concerned State governments, foreign Aid Agencies etc., for Research Studies and any other development work relating to Scheduled Castes.
- (vi) To conduct Research Studies, Seminars, Conferences, Surveys etc. either on their own or as entrusted to them by Headquarters from time to time.
- (vii) to conduct on-the-spot inquiries into cases of atrocities on Scheduled Castes either on their own or as entrusted to them by Headquarters and interact with the concerned Administrative/Police authorities having jurisdiction and report to the Headquarters.
- (viii) To deal with complaints/representations from individuals, Scheduled Castes Welfare Associations, etc., on various matters.
- (ix) to participate and advise in the planning process for socio economic development of Scheduled Castes as envisaged under clause 5 of Article 338 of the Constitution of India.
- (x) to collect, compile, analyse and monitor issues pertaining to development of Scheduled Castes in the states especially with reference to Special Component Plan (SCP) and Special Central Assistance (SCA) and prepare drafts of Reports pertaining to the State(s)/UT(s) under their jurisdiction.

- (xi) To prepare and maintain a comprehensive and up-to-date database of Scheduled Castes population, education, development etc. in the State(s)/UT(s); and
- (xii) To perform any other duty specifically assigned/trusted to the State Office(s) by the Commission or the Secretary or any other officer empowered in this regard.

CHAPTER VII

11.0 ADVISORY ROLE OF THE COMMISSION

Interaction of the Commission with the State Governments.

11.1 The Commission shall interact with the State Governments through its Members, Secretariat and the State Offices.

11.2 The Members in-charge of the State/UT would interact with the State Government/UT Administration through meetings, personal contacts, visits and correspondence. The information in this regard may be sent to the concerned Dept./Organizations well in advance and the State Offices should also be informed about the same. For this purpose, detailed guidelines may be formulated by the Commission. The Secretariat of the Commission through its concerned Wing(s) would provide necessary assistance and information to the Member for enabling him to discharge his functions effectively. The State Governments should provide facilities for transport, security, accommodation etc. to the Member as per his entitlement.

12.0 Interaction with the Planning Commission

12.1 The Commission shall interact with the Planning Commission at appropriate levels through representation in the various Committees, Working Groups or other such bodies set up by the Planning Commission. The Commission shall indicate this requirement through general or specific communication to the Planning Commission.

12.2 The Commission may request the Planning Commission to forward copies of all the documents concerning the process of planning and development and evaluation of all programmes and schemes touching upon the Scheduled Castes.

12.3 The Commission may decide about the manner of interaction between the Chairperson/Members of the Commission and the Deputy Chairman/Members of the Planning Commission.

13.0 Interaction of the State Offices with the State Governments

13.1 The State Offices of the Commission shall work in a manner so as to provide a regular and effective link between the State Governments concerned and the Commission. For this purpose, the Commission may send communications to the State Governments suggesting that the officers-in-charge of the State Offices of the Commission may be taken on important Planning, Evaluation and Advisory bodies including Corporations concerned with the welfare, protection and development of the Scheduled Castes.

13.2 The officers-in-charge of the State Offices may be directed or authorized by the Commission to convey to any State authority the formal views, opinion or approach of the Commission on any specific or general matter or issue arising at any meeting or deliberation.

14.0 Research/Studies/Surveys/Evaluation

14.1 The Commission may undertake studies to evaluate the impact of the development schemes on the socio-economic development of the Scheduled Castes taken up by the Union or State Governments. For this purpose, the Commission may constitute Study Teams either at the Headquarters or at the State Offices. The Study Teams may undertake investigations, surveys or studies either in collaboration with Central or State Govt. authorities or Universities or Research Bodies, as the case may be, or may do so independently.

14.2 The Commission may entrust surveys or evaluation studies to any professional body or person considered suitable and competent to undertake such work and, for this purpose, may make any reasonable payment to such body or person towards the cost of the study by way of fee or grant.

14.3 The studies so undertaken or their gist may form part of the Annual or Special Report of the Commission to be presented to the President or may be published separately by the Commission.

14.4 The Commission may forward a copy of such a study report to the Union or the State Government concerned, as the case may be, asking for their comments, if any. The comments or action taken reports by the Union/State Government may also form part of the Annual Report of the Commission.

CHAPTER VIII

15.0 MONITORING FUNCTIONS OF THE COMMISSION

15.1 The Commission to determine subjects for monitoring

The Commission may determine from time to time the subjects or matters and areas that it would monitor relating to safeguards and other socio-economic development measures provided for the Scheduled Castes under the Constitution or under any other law for the time being in force or under any order of the Govt.

15.2 Prescribing returns and reports

15.2.1 The Commission may prescribe periodical returns or reports to be furnished by any authority responsible for or having control of the subject matter of which monitoring is being done by the Commission.

15.2.2 The Commission may from time to time issue instructions to its State Offices to collect information and data on any particular subject or matter from the State

Governments, Local bodies, Corporate Bodies or any other authorities which is charged with the implementation of the safeguards provided for the Scheduled Castes.

15.2.3 The Commission may direct its State Offices to process the information of data in the State Offices with a view to arriving at conclusions with regard to the deficiencies/shortcomings discovered through such processing or analysis of the data and to bring these to the notice of the concerned authority for comments and rectification, where necessary.

15.2.4 The Commission may have data relating to the subjects monitored, collected at the headquarters and may prescribe returns and reports for the purpose to be sent directly to its Headquarters by the Ministries/Departments of the Central government or a State Government or Public Sector Undertaking or any other body or authority which is charged with the responsibility of implementing safeguards relating to the Scheduled Castes.

16.0 Follow-up action

16.1 In order to ensure that monitoring is done effectively, the Commission, after getting the information as prescribed in the above rules and after reaching conclusions, may as early as possible send out communications to the concerned authority describing the shortcomings that have been noticed in the implementation of the safeguards and suggesting corrective steps. Decisions on sending out such a communication may be taken at a level not lower than that of Joint Secretary/Secretary, at Headquarters. Directors-in-Charge of State Offices may take decisions on routine matter whereas they will seek approval of the Secretary and the concerned Member on complex and important matters affecting the interest of Scheduled Castes as a group.

16.2 The Commission may ask for the comments of the concerned authority on the action taken in pursuance of the communications sent under the Rule 76.

16.3 The Commission may include in its Annual Report or any Special Report, findings and conclusions arrived at through the process of monitoring of the subjects relating to the safeguards and socio economic development measures provided for the Scheduled Castes under the Constitution or under any other law for the time being in force or under any order of the Union/State Government.

CHAPTER IX

17.0 Non-formal actions by the Commission

17.1 The Commission may initiate correspondence in special cases in matters which are not strictly covered under the law if the matter is such that the welfare of an individual person belonging to Scheduled Castes or that of a group of such persons is involved and it is necessary for the Commission in its inherent capacity as the protector of the interests of these classes of persons, to take action. The decision for correspondence in such matter shall be taken at the level of Director or above.

17.2 All routine formal communications from the Commission shall be issued under the signatures of an Officer not below the rank of Research Officer/Section Officer.

17.3 The Commission can sue or be sued through its Secretary.

17.4 The Scheduled Castes in these rules will have the same connotation as is given in clause 10 of Article 338 of the Constitution.

18.0 Applicability of rules, etc., of the Central Government

18.1 All rules, regulations and orders issued by the Central Government and applicable in the Ministries/Departments will also apply in the Commission.

18.2 The provisions relating to the delegation of financial powers in the Government of India shall apply to the corresponding officers in the Commission.

19.0 Use of Staff cars

The Staff Car Rules of the Government of India shall apply for the purposes of utilization of staff cars in the Commission.

20.0 Decision on matters not specified in these rules

If a question arises regarding any such matter for which no provision exists in these rules, the decision of the Chairperson shall be sought. The Chairperson may, if he deems fit, direct that the matter may be considered at a meeting of the Commission.

F.No.11/NCSC/2004-C.Cell

Sd/-

(S.S. SHARMA)

JOINT SECRETARY

NATIONAL COMMISSION FOR SCHEDULED CASTES

NATIONAL COMMISSION FOR SCHEDULED CASTES
(A Constitutional body exercising powers of Civil Courts under Article 338 of the
Constitution of India)

5th Floor, Loknayak Bhawan
New Delhi-110 003.

(Notice for collecting basic facts)

To

Whereas a Petition/complaint/information has been received by the National Commission for Scheduled Castes from _____ or press news under caption _____ appearing in _____ dated _____ as enclosed and the Commission has decided to investigate/inquire into the matter in pursuance of the powers conferred upon it under Article 338 of the Constitution of India. You are hereby requested to submit the facts and information *pertaining to the said* allegations/matters to the undersigned within 30 days of receipt of this notice either by post or in person or by any other means of communication.

Please take notice that in case the Commission does not receive reply from you within the stipulated time, the Commission may exercise the powers of Civil Courts conferred on it under Article 338 of the Constitution of India and issue summons for your appearance in person or by a representative before the Commission.

Signature

Director/Dy.Secretary/Under Secretary/Dy.Director/Assistant Director/
Research Officer/Section Officer
National Commission for Scheduled Castes

Dated _____

BEFORE THE NATIONAL COMMISSION FOR SCHEDULED CASTES
(A Constitutional body exercising powers of Civil Courts under Article 338 of the
Constitution of India)

SUMMONS

File No.:

5th Floor, Loknaya Bhawan
New Delhi-110 003

To

Whereas the National Commission has decided to investigate into the following matter in pursuance of powers conferred upon it under Article 338 of the Constitution of India, your attendance is hereby required in person to appear before the National Commission on the _____ of 20____ at _____ hours at _____. You are required to bring with you the connected documents for examination by the National Commission.

Case reference.

If you fail to comply with this order without lawful excuse, you shall be subjected to the consequences of non-attendance laid down in rule 12 of Order XVI of Code of Civil Procedure, 1908.

Given under my hand and seal of the National Commission for Scheduled Castes exercising powers of Civil Court this _____ of _____ 20____.

Signature
Chairman/Vice-Chairman/Member

SEAL

(Warrant of arrest of witness)

NATIONAL COMMISSION FOR SCHEDULED CASTES
(A Constitutional body exercising powers of Civil Courts under Article 338 of the
Constitution of India)

LoknayaK Bhawan (Floor V)
New Delhi-110003.

To

Whereas _____ r/o _____ was duly served with a summons but has failed to attend (absconds and keeps out of the way for the purpose of avoiding service of a summons), the National Commission for Scheduled Castes exercising powers of a Civil Court under Article 338(8) of the Constitution of India hereby order you to arrest and bring the said _____ before the National Commission at New Delhi.

You are further ordered to return this warrant on or before the _____ day of _____ 20__ with an endorsement certifying the day and the manner in which it has been executed, or the reason why it has not been executed.

Given under my hands and the seal of the National Commission exercising powers of Civil Court, this _____ of _____ 20__

SEAL

Signature

Chairman/Vice-Chairman/Member

CHAPTER - IV

MAJOR DECISIONS TAKEN IN THE COMMISSION'S MEETINGS

From the period starting from April, 2012 to March, 2013 as required under Rules of Procedure formerly notified vide number 17014/12/99-TDR dated 19th February, 2004 with revised Notification dated 25th March, 2009, the 3rd Commission under the Chairmanship of Dr. P.L.Punia has conducted Commission's meetings on following dates:

Sl. No.	Date of meeting
1.	21.5.2012
2.	16.7.2012
3.	10.9.2012
4.	3.12.2012
5.	22.1.2013

BRIEF SUMMARY OF DISCUSSION AND DECISIONS TAKEN IN THE MEETINGS:

Agenda Items for discussion	Summary of discussion	Action Taken thereon
i. Comments of NCSC Draft Bill on The Prohibition of Employment as Manual Scavengers and their Rehabilitation Bill, 2012 (Meeting date 21.5.2012)	The Commission has suggested following changes in the draft Bill a) A clause may be inserted as follows Any decision taken by the District Magistrate which is not acceptable to the individual concerned may prefer an appeal before the State Level Committee under the Chairmanship of Retired Judge of High Court. (Chapter VI, Clause No. 18-2). b) Director/In-charge State Office of NCSC may be included as Member of the State Monitoring Committee. (Chapter VII, Clause 20-2). The Central Monitoring Committee should consist with Chairperson of NCSC and Safai Karamcharis as Members. (Chapter VII, Clause 21(2) (b))	Amendment as suggested has been duly communicated to the MoSJE.
ii) Comments of NCSC on the letter of Justice M.N.Rao, Chairperson of National Commission for	The Commission reviewed the decision taken by the State Govt. of Odisha and communicated for withdrawal of order	Accordingly a communication has been sent to the Government vide letter NoM-10/Chhatisgarh-

Backward Classes, New Delhi regarding compulsory retirement of 17 SC / ST District Judges in the Chhattisgarh State. (Meeting date 21.5.2012)	immediately.	1/2011-SSW-I dated 5.6.2012.
iii) Modification in list of SC communities in Odisha State as under: (a) Deletion of communities of <i>Patratanti (Sl. No. 16)</i> , <i>Bariki (Sl. No. 3)</i> and <i>Kummari (Sl. No. 49)</i> . (b) Addition of SC communities in the Odisha list namely <i>Gaudia Kela</i> , <i>Adhuria Domb / Adhuria Dom</i> , <i>Rajak / Rajaka</i> and <i>Betra</i> . (Meeting date 16.7.2012)	The NCSC considers the matter and held a Public Meeting in Bhubaneswar, Odisha on 1 st October, 2012 where representatives from named community leaders / community people participated and expressed their views in open public forum. The Commission however, has been decided that groups / sub-groups that are following Hinduism will be only considered for inclusion as Scheduled Caste in State List.	Commission's views have been communicated to the Ministry of Social Justice & Empowerment vide letter No. 1/Inclusion & Exclusion-11/2010-SSW-I dated 17.1.2013.
iv) Appointment of State & District Coordinators for SCs & OBCs on voluntary basis. (Meeting date 10.9.2012)	The Commission in principal decided to appoint State and District level Coordinators for SCs & OBCs to oversee the problems are that are been encountered by these two underprivileged communities.	The Commission has appointed 15 State level Coordinators and 110 District level coordinators, besides 26 Zonal Coordinators in the State of Uttar Pradesh, Odisha, vide Office Order No. 1/1/NCSC/2011-Admn. on various dates. Their appointment, however, will stand expired with the dissolution of the present NCSC in October, 2013.
v) Comments of NCSC on The Delhi Commission for SCs and STs Bill, 2012. (Meeting date 3.12.2012)	The Commission has agreed to the constitution of Delhi Commission for SCs and STs.	A letter sent to the MSJ & E accordingly vide letter No 17/26/NCSC/2012-C. Cell dated 21.1.2013.
v) Access of justice by SC life convicts, under trial prisoners and juveniles. (Meeting date 3.12.2012)	The Commission may obtain relevant information / data from the Home Departments of respective State & UTs and compile it for taking up the issue with the M/o Law & Justice, M/o Home Affairs and respective States / UTs in future.	The State Offices of the Commission have been asked to procure such information from the States / UTs falling under their jurisdiction and furnish the same at the earliest.
vi) Comments of NCSC on the Memorandum for the Expenditure Finance	The Commission has suggested following changes in the draft Bill.	A communication on the line has been sent to the MSJ & E vide letter No.

<p>Committee (EFC) under Self-employment Scheme for Rehabilitation of Manual Scavengers ó Proposal for Revision of the Central Sector Self-Employment Scheme for the Rehabilitation of Manual Scavengersö. (Meeting date 3.12.2012)</p>	<p>a) <u>On Cash Assistance</u>: One time cash assistance of Rs. One lakh may be given immediately after establishment of identification of a manual scavenger. b) <u>Loan</u>:- An amount of Rs. 25 lakh should be provide to SC beneficiaries instead of Rs. 5 lakh as proposed, to start new enterprise. c) <u>Rate of Interest</u>: - rate of interest should be charged to 4% instead of 4-6% as proposed. Stipend during Training:- A sum of Rs. 5K should be provided instead of Rs.1K as proposed. Repayment: In case of project costing more than Rs. 5 Lakh, the repayment period should be extended beyond five years.</p>	<p>4/4/EFC/2012/ESDW dated 11.1.2013.</p>
<p>vii) Taking cognizance on the complaints that are filed by the OBC communities either to NCBC or to NCSC. (Meeting date 3.12.2012)</p>	<p>The NCSC would address in matters of direct recruitment in services, admission in educational institutions only. As regards other petitions like atrocity etc., though the complaint of OBC does not come under the purview of SC / ST (POA) Act, 1989, but the same can be followed up with the police authority for application of appropriate criminal Acts accordingly.</p>	<p>The State Offices of the Commission have been asked to take cognizance of such complaints as per the guideline set.</p>
<p>viii) Inclusion of ðDhangarø in place of ðDhangadø as SC in the Uttar Pradesh List. (Meeting date 3.12.2012)</p>	<p>The NCSC has taken a considered view on the matter and it has been decided that SC Certificates should be issued to people belong to ðDhangarø community and not to ðDhangadø by the State of Uttar Pradesh.</p>	<p>The matter accordingly, has been communicated to the MoSJE vide letter No. 6/Inclusion & Exclusion/2012/SSW-I dated 16.1.2013.</p>

CHAPTER – V

STATE REVIEW MEETINGS

During the period under reporting, the Commission as part of its mandatory obligation under Article 338 has conducted three State Review Meetings namely (1) **Gujarat on 12th April, 2012**, (2) **Himachal Pradesh on 19th June, 2012**, (3) **Bihar on 16th October, 2012**, (4) **Odisha on 2nd October, 2012**, (5) **Chhattisgarh on 20th October, 2012**, (6) **Andhra Pradesh on 8th January, 2013**, (7) **Rajasthan on 23rd January, 2013** and (8) **Maharashtra on 12th February, 2013**. The minutes of the meetings are as under:

I. GUJARAT

State Review of Gujarat was held on 12.4.12. Actionable points as emerged during the meeting are listed below-

Service Safeguards:

1. There is less representation of SCs in terms of % reservation in Group -BØ posts in State Services. This should be rectified.
2. There is large number of vacancies (62560) including backlog of vacancies reserved for SCs. The State Government should workout actual number of vacancies and backlog vacancies as on date (group-wise) and draw a schedule to fill up backlog vacancies.
3. Reservation Rosters are not being maintained properly in many departments of the State Government. It needs to be looked into.
4. There is no reservation in Cooperatives which is a very large sector in Gujarat. Introduction of Rules of Reservation in cooperative sector would benefit greatly the deprived sections of society. Necessary steps may be taken.
5. No liaison officers for SCs/STs/OBCs have been appointed in the State Universities. Instructions may be issued for State Universities to follow the UGC guidelines on implementation of Rules of Reservation.

6. There is no representation of SCs in the senate / syndicate and governing body / general body of the State Universities. Necessary amendments in the statute as required may be incorporated for making it compulsory.
7. 80% posts of Safai Karamchari have been occupied by SCs. 20% of Safaikaramcharis from unreserved category are actually doing the job of sweeping or they are getting it done unauthorizedly through some Scheduled Castes labourers on payment of meager wages.
8. State Government needs to avoid recruitment through outsourcing and on contract / daily wage basis against regular nature of jobs and instead recruit persons on regular basis, so that the Scheduled Castes workers should not suffer exploitation by private contractors / outsourcing agencies.
9. Reservation policy should be enforced in the employment on contract / daily wage basis as also through outsourcing simply because expenditure on salary and other benefits to such employees are sourced directly or indirectly from Consolidated Fund of India.

Economic and Social Development:

1. The State Government should expend funds allocated under SCP and SCSP in dedicated schemes / programmes for welfare of the Scheduled Castes only. State Government should furnish details of such dedicated schemes drawn under SCP and SCSP and allocation & expenditure incurred on such schemes in the last three years.
2. The State Government should increase amount of loan from Rs.10 lakh to Rs.20 lakh Dr. Ambedkar Foreign Higher Study Scheme.
3. Funds are not being allocated under the SCP & SCSP in proportion to the population of SCs i.e. 7.09% in the State. Further, the allocated funds are not

being utilized fully. Actual utilization has been noted 3.9% only, much less to the % of population of SCs.

4. The State Government should provide details of land allotted to landless Scheduled Castes in last five years and how many of them actually got possession.
5. The State Government should come up with a scheme where the Scheduled Castes students should get admission in School / Colleges, Technical or Professional Institutions such as IITs / IIMs, Medical Colleges etc. on zero fee payment basis. The State Government should sign a memorandum of understanding with such Institutions so that the beneficiary students need not bother about timely payment of fee and could focus on their studies.
6. The State Government should find out mechanism to credit the scholarship directly into the Bank account of the students through ECS. This will eliminate delay and bring transparency in disbursement of Scholarship money.
7. The State Government should avail funds under different SCs welfare schemes of Government of India especially in the area of pre- exam coaching, pre & post-matric scholarships, top class education, residential and non-residential schools / hostels including girls hostels and that for working women, etc.
8. Safaikaramcharis should be given safety equipment to avoid health hazards and casualties while performing cleaning of man wholes. The work may be mechanized.
9. Safaikarmcharis may be allotted houses nearby their working place and the expenditure on construction of such houses may be booked under the SCSP.
10. The State Government should conduct surveys to ascertain the prevalence of manual scavenging and the system of dry latrine even today. The State Government should strictly enforce the provisions of "The Employment of Manual Scavengers and Construction of Dry Latrines (Prohibition) Act, 1993" so that this practice is abolished.

Atrocities

1. The Commission observed that the meeting of State Level Vigilance and Monitoring Committee to be chaired by the Chief Minister has been conducted on biennial basis which is against the provisions of the SC / ST (POA) Act, 1989. This meeting should be conducted on half yearly basis. The State Government should follow the statutory provisions.
2. State Government should also ensure that the meeting of District level Vigilance and Monitoring Committee under the District Collector should also meet timely as stipulated in the SC / ST (POA) Act, 1989.
3. The incidence of crime is comparatively higher with respect to population of the State. The State holds 18th rank in terms of SC population whereas it ranks 9 in terms of incidence of crime.
4. The State Government has identified 11 districts as atrocity prone. What are special provisions applied in these districts to avoid incidences of crime.
5. There are hardly any special courts or special prosecutors to take up the cases of Scheduled Castes as provided in the SC / ST POA Act. The State Government has designated existing Courts and Prosecutors to take up the cases of Scheduled Castes also in addition to their own duties. Because of this, there is huge backlog of court cases and the quality of proceedings is also being compromised. The State Government should set up special courts and special prosecutors for speedy trial of Scheduled Castes litigations and expenditure for setting up of such courts may be met from within the SCSP funds, if needed. The State Government should set up such courts in 11 atrocity prone districts first.
6. Where it is not possible to set up special courts for present, the designated courts may be requested to give priority in attending Scheduled Castes litigations.
7. It has been reported that the Courts have rejected trial in 423 cases on the ground that the investigation was carried out by an officer not authorized as per SC/ST

(POA) Act. as a result, the accused got acquittal. The State Government should file a review petition before the Court for re-investigation into these cases by an officer not below the rank of Deputy SP as stipulated in the SC/ST (POA) Act.

8. The State Government should ensure that investigation in atrocity cases relating to Scheduled Castes should be carried out by an officer not below the rank of DSP in accordance with the provisions under SC/ST (POA) Act, 1989.
9. State Government should consider increase in TA/DA reimbursed to witnesses for attending Court case proceedings. This should be comparable with the wages under MNREGS.
10. The rate of conviction is as low as 3.5% which needs special attention of the State Government. The State Government should find out the causes and remedies. It may be pointed out that the national average of conviction is 34%.
11. Police personnel, Special Prosecutors and other officials dealing with atrocity cases committed on SCs should be given special training on implementation of SC/ST (POA) Act, 1989 and PCR Act, 1955.
12. The Commission is of the view that where commission of crime is established, in cases of heinous crimes such as murder, rape, grievous hurt, full amount of monetary relief as per provision of SC/ST (POA) Act may be released.

II. HIMACHAL PRADESH

The National Commission for SCs has reviewed the performance of the State of Himachal Pradesh in the matter of welfare of Scheduled Castes on 19th June, 2012
19 June, 2012.

Smt. Sarveen Choudhary, Hon~~o~~ble Minister of Social Justice & Empowerment, Himachal Pradesh extended a warm welcome to the delegation of NCSC. She narrated in brief the new initiatives taken by like separate Directorate for the Welfare of SCs & OBCs, Increase in the expenditure under SCSP & SCA, Extension of Mukhyamantri Adarsh Gram

Yozna, Mata Shabri Welfare Scheme for SC women for the upliftment of SCs in the State. She also mentioned that the HP is a comparatively peaceful State where people live in close harmony and there are no major problems concerning caste/communal tension.

Initiating the proceeding of the meeting Chief Secretary, Himachal Pradesh accorded warm welcome to the Honøble Chairman, Vice-Chairman, Members of the Commission and the officers accompanying them for the State Level Review Meeting.

After this, the Honøble Chairman starting the formal review introduced the Commission along with brief overview of Article 338 of the Constitution. Honøble Chairman also mention that matter related to the OBCs is also under the preview of the NCSC but Commission is trying to get the Act constituting National Commission for Backward Classes amended for changing its duties & functions and started the same with a discussion on the Economic & Social Sector with reference to the replies provided by the State Govt. on these issues. However,, he pointed out that the information which was asked sometime in February 2008 was made available to the Commission only one day prior to the Review Meeting thereby leaving no time to study the same in detail. However, what was evident after a cursory reading of the reply was that the Govt. of Himachal Pradesh is not very pro-active on the matter of SC welfare.

It was informed by the officials that the funds under SCP which till 2007-2008 were between 9% to 11% only has now been enhanced to 25% which is directly in proportion to the SC population of the State. Though the Chairman appreciated this development, he noticed with concern this fact also that the Govt. has not been able to spend the total earmarked funds on the schemes meant for SCs and desired that the State Govt. makes some more concerted efforts in this direction.

It was further noticed by the Commission that information provided on many issues e.g. drinking water facilities, irrigation of SC lands, land alienation etc. was either too inadequate or very vague thereby unabling the Commission to teach at any conclusion. The officials assured to provide the information in a detailed manner within a monthø time.

The Honøble Chairman further pointed out that the set targets under IAY have also not been achieved and desired that the Govt. should take some effective steps to ensure that the SCs in the State are provided with a house under IAY Scheme.

It was informed that a study in the District of Mandi is being conducted regarding impact of SCA. The Commission desired to have a copy of the study when completed and

also asked the Govt. to carry out more studies and Surveys so as to be aware of the impact of various schemes initiated for the welfare of SCs.

In the field of education, it was noted with concern that the literacy rate of SCs especially the girls is not very encouraging and more steps need to be taken in this direction. The Honøble Chairman desired to put into place both persuasive as well as deterrent measures so that maximum no. of children are encouraged to go to schools and not drop out in between.

Another very important point noted by the Commission was regarding no. of seats reserved for SCs in the Professional Institutions which is only 15% while the SC population of the State is 25%. The Govt. was told in very strict terms to rectify its policy on this issue. The Commission also desired the State Govt. to conduct a study on the working of SC Hostels in the State so that whatever be the shortcomings of the system, can come to light and corrective measures taken to make them better and more fruitful.

Taking up the Atrocities next, the Honøble Chairman was annoyed that the data provided by the State is inadequate as also full of discrepancies as there are wide disparities between the data of State Govt. and the one provided by the NCRB. In addition the following points also emerged.

1. The State Level Vigilance & Monitoring Committee is defunct and no meetings have taken place for the last 2-3 years.
2. A large no. of cases are pending even after considerable time and the police probably is not serious about the POA Act and its proper implementation.
3. Conviction rate is too low and many times compromises are reached outside the Court which is not desirable.
4. State Govt. is totally unaware of the problem of Bonded Labour and has no data on the issue.
5. Although Atrocities are on the increase, the Govt. has not initiated any measures to put a stop to the atrocities.

Rule of Reservation

Taking up the Service Sector next, the Commission noted with concern the following points.

1. The reservation in various Govt./Pvt. or PSUs is not as per the population percentage of the State which is violative of the various provisions of the Constitution as also the directives of the Central Govt.
2. Rosters are neither maintained properly nor checked or verified by the various functionaries.
3. There is no mechanism of Chief Liaison Officer or Liaison Officer in the State.
4. There is a high backlog both in the State Govt. as also in its PSUs. The no. of teachers in the Education is a mere 8% which needs to be upgraded without any delay.
5. 85th Amendment has not been implemented to date and Govt. has not taken any effective steps to get the Court Stay on the matter vacated.
6. Although it is understood that there is a large no. of people working on bogus Caste Certificate, the State Govt. is totally unaware of the problem and does not have any data on the same.

Summing up the discussions, the Honøble Chairman pointed out that the Commission was disappointed over the lack of preparedness of the officers of the HP Govt. as they could not reply to many of the queries of the Commission. He also mentioned that although the officials maintain that H.P. is an Atrocity free area, the facts are otherwise as he has been told that many times the SCs are forced to alight from the State run buses in the far-flung and higher regions of the State which is unheard of anywhere and totally deplorable. The Honøble Chairman called upon the officers to rise to the occasion and ensure that no efforts are spared to take the benefits of various schemes to the grass root level and ensuring that such a large chunk of the population becomes an integrated part of the mainstream.

The Addl. Chief Secretary, Govt. of Himachal Pradesh, Smt. Parminder Mathur thanked the Commission for its valuable suggestions and fruitful discussions and assured the Commission that all efforts would be made to ensure that the issue of SC Welfare remains on the top priority of Govt. Agenda and that the Govt. of Himachal Pradesh would spare no efforts to ensure that the marginalized sections of the society are brought into the mainstream with the pro-active approach of the Govt.

III. BIHAR

The State Govt. of Bihar was reviewed on 16th October, 2012 at Patna in presence of full Commission. The minutes of discussion that took place are as under.

The review meeting conducted by Dr. P.L.Punia, Honøble Chairman. He was accompanied by by Dr. Raj Kumar Verka, Vice Chairman, NCSC, Shri Raju Parmar, Shri Shivanna, Smt. Lathapriya Kumar, Members of NCSC , Dr. Shyam Agarwal, Secretary, NCSC, Shri T.Theethan, Joint Secretary, NCSC, Shri C.P. Katyal, Deputy Secretary, NCSC, Shri Jagjit Singh, Addl. Personal Secretary to Honøble Chairman and Dr. Dibakar Basak, Director, NCSC, Patna (additional charge). From Bihar Government side, the meeting was attended by Shri Ashok Kumar Sinha, Chief Secretary, Principal Secretary (Home), Principal Secretary (Social Welfare), DGP and other senior officers from various departments under the State Govt. of Bihar.

Education:

The Commission observed that the percentage share of SC education in the State is relatively low besides; there are differences in between male (40.2%) and female (15.6%) literacy. The difference in between male female literacy in the State vis-à-vis in the country accounted for 24.6% and 21.5 % respectively which is a matter to ponder upon by the State. Issues related to expansion of education amongst SC communities and women folks identified as -Mahadalitø also need to be particularly emphasized in the matter of upliftment of educational stature of such backward communities. During the course of meeting, the State Government has been suggested to come out with more number of residential hostels for both boys and girls to accelerate the education status of SC people. Taking note on large number dropouts in the State culminating poor show of education status amongst SC people, it has been emphasized that with the introduction of state-of-art hostels and adequate number of good teachers can reverse the trend significantly.

Economic & Social Development:

The Commission emphasizes the need for the State Government to expend funds allocated under SCP and SCSP in dedicated schemes / programmes for welfare of the Scheduled Castes only. State Government should furnish details of such dedicated schemes drawn under SCP and SCSP and allocation & expenditure incurred on such schemes in the

last three years. The State Government has stated that during the fiscal year 2012-13, an amount of Rs. 4438 crores (15-85%) have been earmarked out of Rs. 28000 crores in the whole of State's entire budget. During the discussion it has been emerged out that except the budget of SC / ST Welfare Department, no other Department have any exclusive programme on welfare of Scheduled Castes. It has been further emerged that only 0.95%, 1.1% and 1.1% the State Government could have spent during the years 2008-09, 2009-10 and 2010-11 respectively which puts the State in poor light in the matter of extending welfare schemes for socio-economic development of Scheduled castes in Bihar State. The Commission has stressed that at least 16% of the State Budget should go for the welfare of Scheduled Castes as per their population share in the State. Hon'ble Chairman also stated that the State should review its welfare programme for SCs and specific schemes should be developed for their welfare and the same should be vetted by the Minister concerned. Commission also desired that the State should review the land holding position of SCs and specific schemes should also be designed for agricultural development of Scheduled Castes in the State.

Manual Scavenging:

The Commission stated that about 82 dry latrines have been identified in the State which is in existence. The Commission, therefore, has desired that effective schemes should be made where such professionals can get alternative employment and can earn rupees 40-50 thousand per month and provisions for such scheme can be made in the SCSP schemes for the State. Hon'ble Chairman has observed that the amount that is being paid as subsidy by the State to the ex-scavengers for their habitation at the tune of Rs. 10,000/- is far from adequate and need enhancement immediately. Hon'ble Commission has also asked for detail figures and information regarding number of manual scavengers who are still practicing and what schemes the Government has launched / contemplating to launch to stop such practices. The Commission desired that the State Government should conduct surveys to ascertain the prevalence of manual scavenging and the system of dry latrine even today. The State Government should strictly enforce the provisions of "The Employment of Manual Scavengers and Construction of Dry Latrines (Prohibition) Act, 1993" so that this practice is abolished.

Atrocity :

The Commission observed that the atrocity data that have been provided by the State has major differences that with the data available in NCRB records for the year 2011. The

Commission has observed that both the crime rate and gravity of crime is more in the State of Bihar comparing other States. It has been further observed that about 40% of the case in Bihar State is 'pending investigation' and conviction rate is only 1.7% which is far below than the national figure for the year 2011. It has been reported by the State that there are 33 districts have been identified as 'Atrocity Prone Districts'. The Commissioner desired to know what special provisions that have been brought in these districts to curb violence against SCs on due to their caste origin.

The Hon'ble Commission observed that the meeting of State Level Vigilance and Monitoring Committee to be chaired by the Chief Minister has been conducted on biennial basis which is against the provisions of the SC / ST (POA) Act, 1989. This meeting should be conducted on half yearly basis. The State Government should follow the statutory provisions.

State Government should also ensure that the meeting of District level Vigilance and Monitoring Committee under the District Collector should also meet timely as stipulated in the SC / ST (POA) Act, 1989.

The Commission during its enquire came to know that the State Government has designated existing Courts and Prosecutors to take up the cases of Scheduled Castes also in addition to their own duties. Because of this, there is huge backlog of court cases and the quality of proceedings is also being compromised. The State Government should set up special courts and special prosecutors for speedy trial of Scheduled Castes litigations and expenditure for setting up of such courts may be met from within the SCSP funds, if needed.

Service Safeguard:

The Hon'ble Commission has observed that the percentage share of Scheduled Caste in the State is less than 16%. The Commission advised the State Government to fill up all backlog posts and ensure appropriate representation of handicapped in State Government services. Hon'ble Commission also insisted the State to take stringent possible action against the holders of fake caste certificate and the State was further advised to constitute a Special Cell to combat such menaces.

Schemes for Development of 'Maha Dalit' :

It has been informed that out of 2.25 lakh 'mahadalit' families, the State has provided land to 1.25 lakh 'mahadalit' families. Besides, the State reportedly, implementing various development schemes like providing cycles to SC students, establishing schools and hostels for SC students, providing cash incentives which have been praised by the Commission.

IV. ODISHA

Third National Commission for Scheduled Castes under the Chairmanship of Dr. P.L.Punia has reviewed performance of Odisha State regarding welfare of Scheduled Castes (SCs) in the State on 2nd November, 2012 at State Secretariat, Bhubaneswar. However, before conducting review meeting, a detailed questionnaire was sent to the Govt. of Odisha and meeting was held based on inputs received in the filled in questionnaire. The review meeting was attended by Dr. Raj Kumar Verka, Vice Chairman, NCSC, Shri Raju Parmar, Shri Shivanna, Smt. Lathapriya Kumar, Members of NCSC , Dr. Shyam Agarwal, Secretary, NCSC, Shri T.Theethan, Joint Secretary, NCSC Dr. Dibakar Basak, Director, NCSC, Lucknow, Shri Rajib Bhattacharyya, Director, NCSC, Kolkata and other officials from the NCSC Hqrs. and State Office, Kolkata. From the State Government side, the meeting was attended by Shri Lal Bihari Bhimirika, Honøble Minister for ST & SC Development Department, Govt. of Odisha, Shri B.K.Patnaik, Chief Secretary, Government of Odisha, Shri Santosh Kumar Sarangi, Principal Secretary, ST & SC Development Department, Shri U.N.Behera, Principal Secretary, Home Department, Shri Prasanta Mishra, DGP and Principal Secretaries, Secretaries, Joint Secretaries, Directors of all major departments under Govt. of Odisha.

To start with the review, Chairman, NCSC thanked Honøble Minister and Chief Secretary for organizing the meeting and explained the purpose of visit and the areas Commission would be looking into. He further elaborated that the present meeting should not be construed as fault finding exercise but, suggesting means and ways to improve upon programmes meant for welfare of SCs. He however, regretted that though the minutes of the last State Level Review Meeting which was held on 8.10.2009 and forwarded to the State Government for action taken report, but the same could be received only few days before the

present review meeting. He emphasized that the Action Taken Report should be sent to the Commission within 3-4 months of holding of review meeting. Thereafter, the following issues were taken up for discussion:

Education:

Commission observed that RTE has not been not followed sincerely as all school going children belonging to Scheduled Castes have not been enrolled at primary schools in primary level. Since 2009-10 and up to 2011-12, there is a decline in number of enrollment of SC children in primary school education.

Chairman observed that female literacy level is poor particularly in three districts namely, Gajapati, Raigara and Koraput which ranges between 20-25% against the national average of 42%. He also observed that dropout rate of SC students, particularly at Middle and High School levels is quite high. Commission suggested that a multi-pronged strategy including building maximum number of quality hostels, schools imparting quality education, and better students-teachers ratio could be few steps among many to combat accelerated dropout rate.

Commission emphasized the need for construction of proper toilets with adequate water supply in each girl schools and construction of hostels with modern amenities for girl students at block levels. It has been further advised that schools should be opened in areas concentrated by SC population. The Commission expressed with concern that in view of the fact that a lot of unsocial activities is reportedly happening across the State in girls' hostels in particular, there is an immediate need to secure girl hostels including enforcing operation of movement registers both for students and employees working in the hostels. In-house warden should also be posted to ensure safe and secured environment in hostels, Commission advised.

The Commission has observed that regular health checkup for SC students are either completely absent or are very abysmal state. It has been, therefore, desired that regular health checkup for SC students should be ensured. Such an initiative by the State Government will encourage them in continuing studies.

Commission desired that appropriate number of cooks should be posted in the school / hostels where foods is cooked for SC children, be it under mid-day meal scheme or for hostellers. Hygiene during and after preparation of food, should also be maintained properly.

The Commission has desired to know the performance of the training and coaching centres for the past three years and number of SC candidates professionally engaged in government / private institutions or got selected in medical / engineering / other professional / carrier oriented courses like IAS, IPS etc. after obtaining training through Government assistance.

It has been observed SC enrollment in Medical / Technical Colleges is very low the mark as reservation for SC is pegged as 8% against State SC population of 16.53%. The Commission observed that such restriction is detrimental for SC students to pursue higher education in State technical institutions. Commission has also observed that only 5% of graduates belong to SCs which reflects poor performance of State in terms of higher education. The State Government needs to take urgent policy decision in this regard to improve the percentage of SCs in medical and higher education.

In High Schools, SC teachers constitute only 4% out of total strength of teachers in the State. Commission viewed such situation needs drastic improvement.

In case of fees to be paid to the professional institutes to pursue higher / professional education by SC students, it has been urged that such institutes should not ask the SC students to make heavy payment first and then enroll. Instead, the State Government should arrange an agreement with such professional institutes to admit SC students against -00 fees and the State Government should make the payment directly to such institutes. The State has also been advised to study Karnataka model in this regard and follow the same.

Economic Development:

Chairman observed that the State accounted for 70% of poverty arising out of 39 % of combined population of SCs & STs (16.53 % and 22.1%) respectively SC / ST community being the poorest of the poor. Such condition is alarming and inferences arising out of this figure need to be combated with special strategy by the State.

Chairman, NCSC while explaining the basic features of the SCSP has stated that the objective of the SCSP scheme is to diminish economic disparity leading to reduction in social disparity by allocating special funds for overall development of SCs as per their population in a particular State or UT. The Commission expect that the State Government should devise separate schemes with a vision that the benefit will accrue exclusively to the SCs. He has further added that the Planning Commission has revised the SCSP scheme recently and circulated the same to the States/UTs with an advice to identify schemes & projects that will benefit SCs exclusively. The Planning Commission has also advised States to open separate bank accounts to deal with allocations and expenditures under SCSP head so that the same can be closely monitored. Chairman has noted with deep concern that the same has not been done in the State as only 4 % to 5% of the schemes are benefiting Scheduled Castes exclusively.. Following data would suggest that a large amount of fund under SCSP budget that have been utilized for schemes which are not SC development specific. Large notional flows out of Rs. 2125 Cr. of SCP expenditure in 2011-12 has been as under:.

<u>Programme</u>	<u>Expenditure (Rs. In Cr)</u>	
Irrigation & Flood Control	696.73	
Energy	400.34	
Transport	<u>246.66</u>	
	Total	1343.73
Spl. Area Programme	214.31	
Education	191.76	
Agriculture & Allied Programmes	112.63	
Women & Child Development	<u>108.72</u>	
	<u>Total</u>	<u>627.42</u>
	GRAND TOTAL 1971.15	

Out of 35,000 identified manual scavengers, more than 24,000 are yet to be rehabilitated. It is observed that no follow up action have been done even in those cases where manual scavengers have been rehabilitated. Commission desired that such data should be collected to ensure that the rehabilitated manual scavengers are not returning to their old profession. It is argued that from the number of dry latrines in the State, number of manual scavengers engaged in unclean profession till now in the State can be figured out. In this context, it has been observed that the then Ministry of Housing now renamed as Ministry of Urban Development in 2003-04 had launched a new scheme under which dry latrines could

have been converted to wet latrines. Commission desired to know how many such dry latrines have been converted to wet latrines in Odisha during last 05 years.

Service Safeguard

The Commission has observed that instances are rampant where SC/ST officers are not included in the Departmental Promotion Committee (DPC) meetings. Commission desired for strict compliance of DPC guidelines for inclusion of SC members in all DPCs.

Commission has observed that only 9.85% (Gr. A), 12.74% (Gr. B), 14.60% (Gr.C) and 24.55% (Gr. D including Safai Karamcharis) officers respectively are working against 16.53% SC population in the State. Commission urged the State Government to clear backlog in all above categories immediately through special drives on recruitments and progress made in this regard intimated to the Commission.

The Commission has noted that the Govt. of Odsha has enacted the Orissa Reservation and Vacancies Act 1975 with a punishment clause which, *inter alia*, provide that "If appointing authority makes an appointment in contravention of the provisions of section 4 or section 5, or fails to maintain records, or to furnish the Annual return, referred to in sub-section (1) of section 12, he shall be punishable with imprisonment for a term of five years, or with fine of two thousand and five hundred rupees, or with both". While appreciating for bringing such deterrent clause under the Act which is unique, the Commission, however, observed that no case actually has been registered so far though violation of Service Rules are no less in Odisha resulting creation of huge backlog in all groups in State Services.

Commission has observed that separate data of appointment of sweepers have not been provided. The Commission has further observed that sweepers have also been accounted for along with Gr. D category.. As presence of SCs in sweeping job is very high, a separate sub-category shall be created instead of counting them under General Gr. D category as counting sweepers will inflate the figure in Gr. D category of staff in the State.

Commission has observed that the incidence of fake caste certificate is rampant in the State. It was suggested that all such cases should be identified and stringent punishment should be given to fake caste certificate holders. In case, litigation is pending in the court and

the person in question beyond doubt holding a false caste certificate, then he/she should not be posted in any important places.

Commission has observed that representation of SCs in State Public Sectors has not given though the questionnaire was sent to the State Government well in advance. It has desired that the requisite information may be compiled and send to the Commission at the earliest.

Atrocities

It has been observed that the conviction rate in Odisha is merely 8% comparing to 31% at All India level (2010-11 NCRB: *Crime in India Report*) as far as crime against Scheduled Castes is concerned. Commission desired that such low conviction rate suggests shabby handling of atrocity cases by police in the State. Commission desired that atrocity cases registered in the State should be dealt with properly and if need be, performance of the Public Prosecutors (PPs) should be analyzed. Effort should be made to induct good / reputed lawyers in the panel of PPs.

Commission has observed that the cases pending police investigation in the State is about 40% against the national average of 25%. Expediting such investigation would be an another area where the State should give top priority.

Commission has noted that percentage increase in heinous crimes is in rise in the State. As per NCRB figure, when rate of heinous crime in the State is 19% against All India level of 4%. Commission desired that the State Government should initiate measures to check recurrence of such heinous crimes in the State.

So far as registration of FIR is concerned, the Commission desired that 75% of the earmarked compensation should be made available to the victim of caste atrocity after presentation of medico-legal report (at least in cases like rape, murder and grievous hurt) and rest 25% after filing of charge sheet before Judicial Courts i.e. after police investigation establishes crime occurrence. In this context, the State has been informed that Dr. Ambedkar Foundation under Ministry of Social Justice & Empowerment provides additional financial compensation, over and above what State pays to the caste victim. The State Government has been advised to contact MSJE in this regard.

Commission observed that as of now, the monetary relief provided to the victim of atrocity is around Rs. 14,000/- per victim. As the amount is meager in the context of prevailing economic situation, it is urged that the same should be enhanced to Rs. 60,000/- per victim minimum now. Commission has also observed that monetary relief is given in very few cases than challaned in Courts.

Commission urged for opening of exclusive Special Courts in place of designated courts which would expedite pending litigations. The State has also been advised to establish Special Police Stations in the State.

Commission noted that Districts and the State do not conduct District level / State Level Vigilance Committee Meeting under the Chairmanship of District Magistrates or the Chief Minister regularly. Commissions advised the State Government for regular conduct of such meetings and also call in-charge Member, NCSC to participate in the State Level Meeting of the Vigilance & Monitoring Committee. Commission urged for inter-district crime analysis to understand nature and propensity of crimes against Scheduled Castes.

The Commission has further observed that for witness, there is provision of payment of some allowance besides traveling expenses. It has been desired that the allowance should be raised to 150% of MGNREGA wage/ strictly at present minimum wage level. This would ensure better attendance of witness and increase conviction rate.

Chairman, NCSC in his concluding remarks thanked Honøble Minister, ST & SC Development Department, Chief Secretary, Principal Secretary, ST & SC Welfare Department and other senior officers for taking initiatives to address problems of Scheduled Castes and to accelerate their efforts to achieve the target of making the State of Odisha as a role model in the field of Social Justice.

V. CHHATTISGARH

Dr. PL. Punia, Honøble Chairman, Dr. Raj Kumar Verka, Honøble Vice-Chairman, Shri Shivanna, Honøble Member & Smt. Latha Priya Kumar, Honøble Member were present. Secretary to Commission and Joint Secretary, NCSC also took part in discussions. Director

(State office, Hyderabad), Research Officer (Hqs) & Senior Investigator (State office, Hyderabad) rendered necessary assistance to the Commission. This was the first ever state level meeting held by NCSC after formation of Chattisgarh State in 2000.

The State Government team was headed by Honøble Minister of Scheduled Castes Welfare, Sri Kedar Kashayap. Chief Secretary to Government, Principal Secretary (Scheduled Castes Welfare) DGP, Home Secretary and other Principal Secretaries, Secretaries, Commissioners and Directors of various departments took part in the meeting. List of participants is enclosed at Annexure I.

Initiating discussion, Chairman, NCSC thanked Honøble Minister and Chief Secretary for organizing the meeting and explained the purpose of visit and the areas Commission would be looking into. He further elaborated that the present meeting should not be construed as fault finding exercise but, suggesting means and ways to improve upon programmes meant for welfare of SCs. Chairman, however, shown his displeasure for not supplying requisite data to the Commission in advance.

Principal Secretary (SCW) gave a power point presentation. He stated that the department is striving hard to upgrade education, income generating schemes in support of socio-economic activities etc. Honøble Chairman queried about exclusive schemes under SCSP and desired to know who devised such schemes. Chief Secretary answered that all schemes do have proportionate quota for SCs. Planning Board and a Committee of Officers decides about quantum and spread of schemes. Approval of Scheduled Castes Welfare department, which is the nodal department, is also obtained before finalizing any scheme. Secretary (Planning) informed that in many scheme SCs are getting 30% to 35% subsidy. Joint Secretary, NCSC, requested them to explain at least one scheme exclusively designed for Scheduled Castes along with number of beneficiaries. Honøble Chairman while pointing out that 30% of households in Chattisgarh State are under BPL. It has been emphasized that SCSP scheme should be exclusively benefiting Scheduled Castes. Chief Secretary agreed to this. (Action point) Secretary, NCSC raised the issue that flow to SCSP in Chattisgarh budget is not in tune with population percentage; and this has to be rectified. Chief Secretary assured that he will ensure this henceforth. Answering further on BPL, Principal Secretary, Health informed that 5, 16,000 SC families have been provided food security. As far as working of SC Development Authority is concerned, Chairman, NCSC advised that villages having

more than 50% of population should be picked up first to undertake development work and gradually villages having 40% SC population, 30% population should be selected to undertake development work gradually in reverse sequence. Few schemes like 'Minimata Swavalambam Scheme', 'Lok Sewa Guarantee Act, 2011', construction of Youth Hostel in Delhi to facilitate SC / ST students of Chhattisgarh State to prepare for IAS, IPS and other central jobs etc. have been much appreciated by the NCSC Headquarters.

While discussing SC Corporation Schemes, Chief Secretary, informed that many assets of Corporations have become Non Performing Assets. Managing Director of SC Corporation informed that 60% of beneficiaries are defaulters and recovery is only 40% . People are of the opinion that their loans will get waived.

Honorable Vice Chairman took up the issue of education and observed that enrollment of SC students has decreased during 2009-10. Chief Secretary and Secretary (Education) informed that drop-out rate is diminishing now. He also informed that there is nothing like zero fee concept in engineering courses. Income limit for fee concession is Rs.2.5 lakhs. Students have to pay first and seek reimbursement.

At this point Honorable Chairman and Vice Chairman took up rule of reservation. Honorable Chairman pointed out that percentage of reservation for SCs have been reduced from 16% to 12% & that for STs hiked from 20% to 32% whereas percentage of reservation for BCs retained at 14%. Chief Secretary informed that this was done as per DoPT order and there are a series of litigations that are pending now at Bilaspur High Court. Honorable Chairman pointed out that DoPT order was intended for Central Ministries. State Government has crossed 50% quota limit by retaining percentage of reservation for BCs. Thus they should not have reduced percentage of reservation for Scheduled Castes as they have already crossed 'Lakshman Rekha'. Honorable Chairman also stated that the issue would be taken up with DOPT by NCSC at the earliest. Honorable Chairman & Joint Secretary, NCSC pointed out that many schemes of Forestry are general in nature whereas funds have been booked from SCSP. Secretary (forest) informed that forestation of degraded forest is also benefited SCs. Chief Secretary instructed him to provide list of beneficiaries to NCSC.

On the issue of employment of Scheduled Castes, the Director/CEO for State Skill Development Mission informed that they are imparting training to entrepreneurs and various

departments under one roof. 40% of trainees belong to Scheduled Castes who are trained in various job oriented skill development programme under this mission. During 2010-11, about 22000 persons were trained out of which Scheduled Castes are 4700, i.e. 20%. Honøble Chairman pointed out that this is not an exclusive scheme for Scheduled Castes. CEO submitted that as Scheduled Castes Corporation and State Labour Board are the organizers, Scheduled Castes do get more benefit.

Therteafter, the issue of housing programme for Safai Karmacharis was taken up. Managing Director of Safai Karmacharis Housing Board submitted that the units are taken on demand basis. During 2010-11, 196 of night soil carrying cases were reported and they were found in municipal limits. The dwelling units were constructed by Municipalities and repayment is done by Municipalities. Honøble Chairman advised the Government to book such schemes under SCSP. He appreciated Dr. Sunderlal Sharma Safai Karmachari Awas Yojana, which is exclusive for Scheduled Castes. Commission desired that individual sustainable schemes to scavengers should be developed as the State recorded 6010 numbers of scavengers during 2011 census Demands of communities such as Mehra, Chik, Chik Chik, Andhelia, etc. in Scheduled Castes communities were discussed. Honøble Chairman informed that this issue is before National Commission for Scheduled Castes now and detailed hearing will be done soon. Honøble Vice Chairman told that öSweepersö in English is to be substituted for Mehtars and they should be treated as Scheduled Castes.

Principal Secretary (Scheduled Castes Welfare) informed that Government is aware about difficulty in getting Caste certificates and hence class IX & X students are issued caste certificates at school level to facilitate for further studies.

There after Atrocity issue was taken up. DIG (PCR) submitted atrocity related figures. He told that there are 13 AJK Police stations and 5 PCR Cells in 5 districts. There are only 6 Special Courts. Formation of 4 Special Courts is pending with Government. Chief Secretary told that Government considers even a single crime as a matter of shame. Still Chattisgarh recorded only less number of crime rates in comparison with National figures and neighbouring States. Secretary, NCSC pointed out conviction rate is not good and suggested measures to improve it. There should be committed PPs, APPs from community itself. (action point). Honøble Chairman also directed them to invite Director of State office, Hyderabad or Member concerned of National Commission for SCs to attend State level

Vigilance & Monitoring Committee Meetings as and when conducted (action point). Honøble Member (Smt. Latha Priyakumar) discussed the matter regarding state level Vigilance & Monitoring Committee and directed the State Government to provide minutes.

Honøble Member (Shri M. Shivanna) pointed out that District Vigilance & Monitoring Committee also should be established as per provisions of SC & ST (POA) Act, 1989 and these Committees should meet every three months. Chief Secretary informed that this was reviewed at his level and found that 7 districts are not convening District Vigilance & Monitoring Committee. Strict directions were issued to ensure that Collector & Dist. Magistrate & Superintendent of Police are personally present in the meeting.

So far as registration of FIRs in heinous crime cases like rape, murder and grievous hurt are concerned, the Commission desired that 75% of the earmarked compensation should be made available to the victim of caste atrocity after presentation of medical report and rest 25% after filing of charge sheet before Judicial Courts i.e. after police investigation establishes crime occurrence. In this context, the Commission has informed that Dr. Ambedkar Foundation (www.ambedkarfoundation.nic.in) under Ministry of Social Justice & Empowerment provides additional financial compensation, over and above what State pays to the caste victim under SC/ST (POA) Act, 1989. The State Government has been advised to contact Dr Ambedkar Foundation / MSJE in this regard. Commission has further observed that for witness, there is provision of payment of some allowance besides traveling expenses. It has been desired that the allowance should be raised to 150% of MGNREGA wage/ strictly at present minimum wage level. This would ensure better attendance of witness and increase conviction rate.

Secretary noted about discrepancy in legal aid scheme and number of cases pending trial. Secretary (Law) clarified that this is all about other cases too.

Honøble Member (Shri M. Shivanna) took up false caste certificates issues. Principal Secretary (Scheduled Castes Welfare) replied that out of 594 reported cases, 400 have been decided so far. With regard to Reservation Policy, Honøble Member (Smt. Latha Priyakumar) queried whether sweepers are equated with Safai Karamcharis. Principal Secretary replied that this is not done. Honøble Chairman & Honøble Member (Shri Shivanna) informed the officers about concerns expressed by MLAs/MPs and general public

and briefed the grievances one by one. It was decided that State office, Hyderabad will take up these issues with Government soon. Chief Secretary assured prompt action. Answering a query on recruitment, Chief Secretary told that recruiting State level posts as District level posts are done only in Bastar District as people are reluctant to work there. Governor has exclusive powers to do so.

Honøble Member (Smt. Latha Priyakumar) raised her queries of low level literacy and enrolment. Secretary (Education) submitted that òPrerakasö(one male and one female) are appointed to monitor enrolment. They are now available in all Panchayats. Drop out rate is also started diminishing now. Answering her queries on drinking water, Secretary (PHE) stated that they are providing drinking water and toilets in all schools. Except 2000 schools in State, all schools have drinking water and toilets. SSA funds are utilized for construction of toilets. Every school has got hand pumps now. Similarly out of 4400 SC villages, 90% of villages do have drinking water. Honøble Member (Smt. Latha Priyakumar) expressed her doubts about inadequacy of hostels. She desired to know the break-up of Government buildings and private buildings for hostels. This was not readily available with Scheduled Castes Welfare Department. State Government was directed to provide uniform to girl students as they provide them cycles. She requested the Government to give break-up of number of SC teachers in schools as well as colleges, and also break-up of technical and non-technical institutions and number of SC students.

Joint Secretary, NCSC pointed out that inspite of presence of Scheduled Caste Development Board in the State, number of SC BPL families is very high and housing schemes are also not sufficient. Secretary (Housing) replied that IAY schemes are provided in BPL families as per 2002 estimates. Replying a query, Secretary (Health) agreed to submit detailed note on primary health centers and figures.

In his concluding remarks, Honøble Chairman expressed satisfaction of the Commission about low prevalence of atrocity in the State and efforts of Government in providing houses to Safaikaramcharis. He appreciated the efforts of the State Government for establishing transit hostel in Delhi by the Government for students to prepare for competitive exams. He particularly appreciated the involvement of Chief Secretary & Principal Secretary (Scheduled Castes Welfare) in all schemes and programmes meant for SCs. State Government was advised to design exclusive schemes for SCs under SCSP and

generate sustainable employment opportunity for Scheduled Castes and reduce BPL households.

Action points:

- To enlist exclusive schemes under SCSP and submit note about who devised such schemes.
- SCSP schemes should be exclusively benefiting Scheduled Castes. Any diversion of SCSP funds should be stopped forthwith.
- Flow to SCSP in Chattisgarh State budget is not in tune with population percentage; this has to be rectified.
- To provide list of SC beneficiaries who were benefited in forestation of degraded forest.
- Conviction rate is low and therefore suitable measures to be taken to improve it. There should be committed PPs, APPs preferably from SC community itself.
- To invite Director of State office, Hyderabad / Member of National Commission for SCs for the State level Vigilance & Monitoring Committee.
- To provide minutes of State level Vigilance & Monitoring Committee Meetings on atrocities to the State Office, NCSC, Hyderabad.
- To issue directions to all collectors that District Vigilance & Monitoring Committee also should be established and these should meet atleast one in every three months.
- State Government to be liberal in providing relief in heinous crimes like murder, rape. To draw funds from Ambedkar Foundation, MSJE, Government of India.
- To equate TA/DA with MGNREGA wages, MGNREGA rates plus Rs. 50 should be provided to witnesses to attend courts. This would increase better conviction rate and will instill confidence amongst victims of atrocities. .
- To submit the break-up of Government buildings and private buildings for hostels.
- To provide uniform to girl students as they are provided with bicycles.
- To give break-up of number of SC teachers in schools as well as colleges, and also break-up of teachers engaged in technical and non-technical institutions and number of SC students out of total students enrolled during last five years.
- To submit detailed note on primary health centers with figures (last 5 years).
- To design exclusive schemes for SCs under SCSP and generate sustainable employment opportunity for Scheduled Castes and reduce SC BPL households.

VI. ANDHRA PRADESH

Dr. P.L. Punia, Honøble Chairman, Dr. Raj Kumar Verka, Honøble Vice Chairman, Shri Raju Parmar, Shri M. Shivanna and Smt. Latha Priya Kumar, Honøble Members assisted by Secretary, Joint Secretary and Director of State Office, held the State Level Review Meeting at Jubilee Hall on 20th January, 2013. State Government team was headed by Shri Pithani Satyanarayana, Honøble Minister for Social Welfare and Smt. Minnie Mathew, IAS, Chief Secretary, Shri Raymond Peter, IAS, Principal Secretary, Social Welfare and Shri V. Dinesh Reddy, IPS, DGP and other Principal secretaries/commissioners and senior officers of the State. List of officers, who were present during the meeting is enclosed at Annexure ó I.

In her opening remarks Chief Secretary to Government narrated on going good schemes of the Government and gave brief sketch of policy and commitment of the Government in implementing welfare and developmental schemes for Scheduled Castes. She appraised the sincerity of the Government in pooling up SCSP funds by enacting a special bill for SCSP for the first time in the country.

Rolling out the blue print of Commission's interest areas in the state, and spelling out the blue print for upcoming discussions, Honøble Chairman pointed out that SCs in the State comprises 16.2% and they are still poorer among poor. They comprise 16.2% of the population whereas reservation is only 15%. Literacy is 53.5% and 18% of SCs are still under BPL. SCs possess only 4.6% of total land holdings. Therefore he identified that the following are the key issues before the Government to tackle:

- 1) Poverty
- 2) Literacy
- 3) Health
- 4) Improvement in Living Conditions.

Before continuing further, he complemented the Government for historic bill on SCSP. He asked the officers to be sensitive to the investigation of POA cases and expressed displeasure in Pendency of cases even more than one year and directed the Government to invoke Section 4 against officers, who deliberately and willfully neglect their duties under POA.

Responding to Honøble Chairman's query on scholarships, Principal Secretary, Social Welfare listed out the process and time frame regarding disbursement of scholarship. He told that Andhra Pradesh has computerized Caste Certificate and Income Certificate for the first time in India and these are very much essential to get PMS. Commissioner (SW) clarified that there is delay from the part of student to apply through e-pass for PMS. Joint Secretary pointed out that Commission has noticed good number of cases, wherein ration card was also insisted for disbursement of PMS and on that ground PMS was denied. Principal Secretary clarified that no such cases are existing, whereas this year they are populating Aadhar Card also into the e-pass system. Intervening at this point Secretary desired that Government should complete PMS disbursal much before the financial year end, instead of dragging it upto January or above. PS (SW) informed that there are 26 lakh students and the process itself is time consuming. Honøble Chairman observed that delay in fresh registration can be understood whereas renewals are to be on time. Honøble Member, Shri Raju Parmar also shared this point and directed the Government not to wait till last minute for PMS disbursal. PS (SW) gave the breakup of professional course-wise PMS and expressed their difficulty in processing such huge volume of applications. He also pointed out that there are demands among SCs to bifurcate SCs into sub-caste and make disbursals. Commission objected to it and stated that disbursals should not be made on sub-caste wise.

Honøble Member Shri Raju Parmar took up literacy issue and wanted to know the reasons for low level of literacy as also shortfall in number of teachers. There was no satisfactory answer from Government side. Principal Secretary, Education merely narrated literacy figures. Smt. Latha Priya Kumar, Honøble Member took up sexual harassment in Social Welfare Hostels and wanted to know what the security measures available to them are. She observed that even one Principal of Social Welfare Residential School was instrumental for sexual harassment and no satisfactory departmental action was taken against him. She directed that atrocity case should be registered against him apart from departmental action. She pointed out how wardens and matrons have become parties to offences against girl children. Commissioner (SW) informed that there are only matrons in all girls hostels and no male attendants are working. Honøble Chairman inquired about boundary walls as well as improving security in Social Welfare Hostels.

Taking up the issue of grievances aired in the grievance hearing session, Honøble Chairman directed the State Government to look into the issue of nominating members and

Chairman of State SC/ST Commission as also to hold State Vigilance & Monitoring Committee for every 6 months. Honøble Minister agreed to the proposal and assured that State SC/ST body will be nominated very soon. Honøble Member Shri M. Shivanna directed to hold quarterly meetings in Districts and Mandals and requested the Government to send invitations to Commission also.

Secretary, APSWREIS informed Smt. Latha Priya Kumar that Principal of APSW Residential School of Kadapa was arrested under IPC 376. Honøble Member, Smt. Latha Priya Kumar wanted to know about the quality of investigation as well as measures taken by the Government in this particular case.

Secretary discussed about dismal conviction rate and very poor relief measures as well as discrepancy in data provided by the Government. Data pertaining to Districts as well as State figures are not matching. He suggested that murder, rape and other heinous crimes are eligible for 100% compensation though POA prescribes 75% compensation at the time to charge sheet. He impressed the Government to pay 100% compensation as is being done by Government of Karnataka. He also suggested the Government to tap funds available with Dr. Ambedkar Foundation. TA and DA should be paid to witnesses an amount higher than NREGA rate immediately as then only they may come forward for giving witnesses.

Talking on SCA to SCP, Joint Secretary pointed out that Government is utilizing these funds for construction of Police Stations and roads, etc., which are not ideal spending. He suggested that SCA to SCP should be utilized particularly on implementing POA and wanted to know the quantum of funds spent so far.

Secretary pointed out high incidence of dropout rate in Class I ó V. Honøble Member Shri Raju Parmar pointed out that backlog in education sector should be much higher in view of shortfall of teachers. He wanted to know exact quantum of backlog as well as efforts of the Government in filling up such vacancies. Secretary, Education stated that figures given by Social Welfare Department are not tallying with their figures and he will check up with the Department once again. Honøble Member Shri Parmar directed to furnish exact figures.

Joint Secretary pointed out that Government is not following rule of reservation in outsourcing as well as contract workers. 26,000 posts are outsourced by Government so far.

Commissioner, Higher Education promised that he will furnish exact figures. Secretary, Collegiate Education told that they are following reservation policy as directed by UGC. Honøble Chairman pointed out that UGC has instructed to follow rule of reservation even in contract and outsourcing services. Therefore, lecturer posts are also to be brought under the purview of rule of reservation while outsourcing.

Honøble Chairman wanted to know why the Government is not following rule of reservation in recruitment for posts less than 5 vacancies. PS (SW) clarified that they follow this rule only in promotions and for Direct Recruitment no reservation is maintained in cases of less than 5 posts. Commission took objection to this and directed that DOPT order should be followed. Joint Secretary intervened and suggested to use -Lø shaped roster, where number of posts are less than 13. PS (SW) replied that they shall pursue the DOPT orders and favourable action will be taken. Chief Secretary also informed that Government will reconsider this matter seriously.

Turning to land issues, Joint Secretary pointed out that assignments are not given to SCs even though they are cultivating for 30 year or more. PS (Revenue) stated that Government has implemented 6 phases of land assignment so far benefiting 5.55 lakh beneficiaries and 7.80 lakh acres.

Joint Secretary took up income ceiling of Rs. 18,000/- for admission in Hyderabad Public School and wanted the Government to raise it. He also wanted to know the rough estimates of SCSP diversion happened. PS (SW) gave the priority areas as agriculture, education and poverty alienation, etc.

Honøble Member Smt. Latha Priya Kumar took up the case of non-receipt of scholarship of Kum. Iragamma of Chittoor Dist. Honøble Member pointed out that scholarship was sanctioned to her in 2009 and not a single pie has been disbursed to her till 2012. There are similar cases available in the State Office, Hyderabad. This indicates faulty disbursement of PMS through online mode. Commissioner (SW) clarified that Rs. 3,345/- has been drawn from her account by someone through fraudulent mode and now this has been entrusted to Collector, Chittoor Dist. for enquiry through Police. Honøble Member was not satisfied with the reply and directed them to ensure that the scholar ship is disbursed to her with interest. Principal Secretary (SW) intervened and clarified that their earlier system was

-Easy Cash Card, which was prone for mis-utilisation. Now Government has made it mandatory to open SB accounts for disbursal of loans.

Shri Raju Parmar, Honorable Member discussed about atrocities and Laxmipeta incident in which 5 SCs were murdered. IG ó PCR Cell, gave a brief sketch of identification process and informed that they are undertaking educational campaign about atrocities on SCs. 30th of every month is observed as Civil Rights Day and MROs and SHOs are visiting villages. DGP intervened and informed the Commission that Andhra Pradesh is very serious in implementing the atrocities act and no cases are withdrawn by the Police. In order to ensure safety to women, there is one Woman Police Station in each District. Coming to the conviction rate, he agreed that conviction is very less, as prosecution department is not with the Police. He wanted prosecution department to be attached to Police Department so that conviction can be increased. Shri Shivanna, Honorable Member intervened and reminded DGP of Laxmipeta incident and directed to disburse 250 acres of land to Scheduled Caste people.

As permitted by Honorable Chairman, Joint Secretary reminded Principal Secretary, Medical and Health that Commission had invited him for a discussion regarding the case of Dr. S. Bhavani, Sr. Medical Officer of Nature Cure Hospital, Begumpet, Hyderabad. Principal Secretary, Medical & Health intimated that he know the case in very detail, as no injustice has been done to her and he will provide all the details to the Commission.

Honorable Member Shri M. Shivanna requested to translate Dr. Ambedkar literature in telugu and Principal Secretary (SW) readily agreed.

Action Points:

1. Officers to be sensitive to the investigation of POA cases.
2. Use POA cases under section 4 against officers who delay investigation for more than one year.
3. Government should complete PMS disbursal much before the financial year end, instead of dragging it upto January or above.
4. To submit elaborate note on low level of literacy.
5. To submit elaborate note on shortfall in number of teachers.

6. Apart from departmental action criminal cases under POA be registered against the Principal of APSWREI, Kadapa who raped a student. State office Hyderabad will follow up this case.
7. The State Government to look into the issue of nominating members and Chairman of State SC/ST Commission
8. To reconstitute and hold meetings of State Vigilance & Monitoring Committee for every 6 months.
9. To hold quarterly Vigilance & Monitoring Committee meetings in Districts and Mandals and requested the Government to send invitations to Commission.
10. To tap funds available with Dr. Ambedkar Foundation for rehabilitation of atrocity victims.
11. TA and DA should be paid to witnesses, amount higher than NREGA rates immediately as then only they may come forward for giving witnesses.
12. SCA to SCP should be utilized particularly on implementing POA Act.
13. To submit exact quantum of backlog vacancies, department wise, as well as efforts of the Government in filling up such vacancies.
14. Outsourcing and contract workers are also brought under the purview of rule of reservation and minimum wages act.
15. To use 1-3 shaped roster, where number of posts are less than 13. To use rule of reservation in Direct Recruitment as well as promotions when number of posts are less or equal to 5.
16. To thoroughly review the scholarship case of kum. Iragamma of Chittoor and identify the loopholes. To give her the scholarship immediately.

VII. RAJASTHAN

Dr. P.L.Punia, Honorable Chairman, Dr. Raj Kumar Verka, Honorable Vice-Chairman, Sh. Raju Parmar, Sh. M. Shivanna and Smt. Latha Priya Kumar, Honorable Members and Dr. Shyam Agarwal, Secretary held review meeting on 23.1.2013. A day earlier meeting was held with MPS, MLAs, Ex-MPs, Ex-MLAs and MLCs and also with SC Associations in the Secretariat at Jaipur to know the grievances of SCs with suggestions for effective implementation for welfare and development of SCs on 22.1.2013. This was also attending by Chairman and Vice-Chairman of State Scheduled Caste Commission, Govt. of Rajasthan at Jaipur.

2. The MPS, MLAs expressed their displeasure over various matter relating to Scheduled Castes like hurdles in reservation in promotion, inadequate scholarship amount, delay in-disbursement of Scholarship amount, to increase from the present income ceiling of Rs. 2 Lakh to Rs. 4 Lakh for scholarship benefit. In rural areas the people belonging to SC/ST specially females face atrocity but the police by quoting FR do not registered the cases. Hence, deliberate police inaction in atrocity cases against Scheduled Caste persons. Problems relating to farmers and land grabbing by influential persons. Denial of reservation in contract employment, no reservation in all three forces and in Judicial services etc. Nearly same grievances were also ventilated by representatives of S.C Associations.

3. The National Commission for Scheduled Castes was to conduct State Review in the Secretariat at Jaipur on 23.1.2012. But due to sudden demise of Sh. Dinesh Talwari, Vice-Chairman of State Scheduled Caste Commission at night on 22.1.2013, Scheduled full-fledged Review Meeting by NCSC could not be held and a condolence meeting was held in the Secretariat on 23.1.2013.

4. However, informal discussions were held with Sh. Ashok Bhairva, Honøble Minister for Social Justice & Empowerment, Govt. of Rajasthan, Sh. C.K.Mathew, Chief Secretary, Sh. C.S.Rajan, Additional Chief Secretary, (RD), Sh. Ashok Sampatram, Addl. Chief Secretary Home Department, Ms. Aditi Mehta, Additional Chief Secretary, SJE, Sh. Rakesh Verma, Principal Secretary, Plan, Sh. Praveen Gupta, Secretary & Commissioner, SJE, Ms. Veena Gupta, Principal Secretary, Education and Sh. H.C Meena, DGP.

During this discussion, attention was drawn to the following suggested actionable points :-

1. Backlog vacancies should be filled through special recruitment drive.
2. SCs & STs should be given their seniority as per roster point.
3. In contractual employment in education and Health Department in future vacancies, reservation should be followed.
4. Reservation by rotation in University against posts of Professors, Associate Professors etc. should be there by clubbing of posts.

5. UGC guidelines for appointment of Senate, Syndicate etc. and reservation for Scheduled Castes have to be followed and implemented.
6. SC/ST cell and liaison officer should be there in every University.
7. For admission to private colleges, mechanism of a corpus / revolving fund should be created so that at the time of admission zero fee is charged.
8. Maintenance in hostels for students may be increased from Rs. 1250/- to Rs. 2000/- per month per students
9. Hostel facilities must include providing hot water, R.O. etc. and CSR funds from State Bank of India and other Public Sector Undertakings for adopting these hostels may be availed of.
10. Special coaching for maths and physics for senior and higher secondary levels like in the State of Tamil Nadu and Kerala may be provided for.
11. The witnesses in atrocity cases should be given at least Rs. 200/- for their travel (i.e. next multiple of Rs.50/- to 150% of MNREGA wage rate. Payment on the same day must be ensured.
12. The State Govt. of Rajasthan should use the monetary relief and incentives schemes for atrocity against Scheduled Castes and Secondary/Senior Secondary merit schemes of Dr. Ambedkar Foundation.
13. The identified Manual scavengers should be given for rehabilitation at least an amount of Rs. 1-2 lakhs (including subsidy) so that they don't slide again to their earlier profession.
14. The State Govt. of Rajasthan may obtain details of legislation passed by the State of Andhra Pradesh to implement SCSP and consider similar statutory powers in Rajasthan.

Atrocities and Protection of Civil Rights (APCR)

- (1) Of All India SC population, Rajasthan has 5.82%
(Of Rajasthan population SC is 17.92%)

But incidence of crimes In Rajasthan 15.4% of All India
(More than 2 ½ times of preparation)

- (2) Similarly position is high also for
- | | | |
|---------|---|-------|
| Murders | - | 7.6% |
| Rape | - | 13.9% |
| Hurt | - | 12 % |

--and other heinous crimes.

- (3) Challaned cases-
- | | | |
|-----------|---|-------------------------|
| All India | - | 71.15% |
| Rajasthan | - | 42.61% (About 40% less) |

Conviction Rate is higher

All India	-	31.13%
Rajasthan	-	40.66%

Compounded & withdrawn

All India	-	2.24%
Rajasthan	-	11.04%

- (4) State Level Vigilance & Monitoring Committee:
Last held on 12.2.2011

- (5) Amount of relief schedule 6

25% on challan, and
75% on conviction

Schemes (with 750 Cr. Exp.) Rajasthan 2011-12 Plan

(Rs. Cr.)

	Total	SCSP
<u>Agriculture & Allied Services</u>	1,257.61	145.98
Crop. Insurance & Weather Ins.	336.87	77.03
<u>Rural Devt. & PR</u>	1,907.35	503.75
Indira Awas Yojana	181.20	67.12
Grant to PR Instns.	150.00	80.57
Untied fund to PRIs	733.78	178.65
	<hr/>	<hr/>
	1,064.98	326.34
Mid Day Meal	<hr/>	<hr/>
	1,142.12	317.76

<u>Special Area Progs.</u>	111.67	52.5	
Border Area Dev. Prog.	104.42	51.34	
<u>Power Development</u>	10,072.60	1,369.23	
Diff. Elec. Utility Orgns.	10,072.60	1,369.23	
<u>Transport</u>	1,654.91	332.96	
Central Road Fund	181.08	53.04	
NABARD ó RIDF X TO XVII	620.19	114.74	
RSRDCC	84.49	79.85	
<u>Social & Community Services</u>	6,836.75	1,325.09	
Elementary Education	1,682.20	285.72	
Urban Water Supply	520.00	86.47	
Rural Water Supply	687.46	113.81	
Urban Local Bodies	700.00	120.12	
UITS ó JDA	493.48	87.20	
Social Welfare	651.28	211.89	
Nutrition (ICDS)	505.53	164.87	
	<u>5,239.75</u>	<u>1,070.08</u>	
Others:			
Total State Plan 2011-12	<u>22,665.40</u>	<u>3,881.54</u>	<u>3,459.41</u>

Economic & Social Development

Education

1. Female Literacy is low

	<u>All India</u>	<u>Rajasthan</u>
Rural	37.84%	31.18%
Urban	57.49%	44.22%
Total:	<u>41.90%</u>	<u>33.87%</u>

Special Efforts to be indicated

2. Dropout rates very high

I-V	36.31%	52.37%
VI-X	70.57%	82.74%

3. Scholarship payments in time.

4. Admission to Technical Colleges, especially privately operated should

be at zero fee.

5. Technical / Professional Educational Institutes admission very low

2011-12

B.Tech.	9.63%
BBA/MBA	5.87%
BCA/MCA	5.38%
ITI/Polytechnic	15.10%

6. Improvement in Hostel management.

Land Distribution

Scheme of land allocation by purchasing from open market has been done away with.

VIII. MAHARASHTRA

Dr.P.L. Punia, Chairman, Dr. Rajkumar Verka, Vice-Chairman, Shri Raju Parmar, Member, Shri M. Shivanna, Member and Smt. Lathpriya Kumar, Member, National Commission for Scheduled Castes Dr. Shyam S. Agarwal, Secretary, Shri T. Theethan, Joint Secretary, Ms. Anuradha Ghodkhande, Assistant Director, (State Office Pune), Shri Jagjit Singh, APS to Chairman and Shri Anil Kumar Singh, PA to Vice-Chairman was present.

Shri J.K. Banthiya, Chief Secretary, Govt. of Maharashtra, Additional Chief Secretary, Government of Maharashtra, Secretary Home, Principal Secretary, Social Welfare and all the Secretaries of Govt. of Maharashtra were present. The list is enclosed.

Shri J.K. Banthiya, Chief Secretary, Govt. of Maharashtra welcomed the Chairman, Vice-Chairman all Members of the Commission and officials of NCSC.

During the review meeting the following points were discussed.

1. Reservation in service matter- The State Government of Maharashtra is providing the 13% reservation. Honøble Chairman appreciated representation of SCs in all the Groups of State Government as well as in PSUs.

2. Backlog of SCs in services- The Backlog in the services is very negligible. Chief Secretary, Govt. of Maharashtra informed that the special efforts were made by the department to arrive at the correct position as per the rosters.
3. Percentage of literacy ó Honøble Chairman expressed his view that the State Govt. needed to make special efforts for female literacy which is very low.
4. BPL population of SCs ó Honøble Chairman advised the Welfare Secretary to come out with SC specific and exclusive schemes under SCSP in order to bring BPL SC families above poverty line.
5. Atrocities on SCs in Govt. of Maharashtra ó Honøble Chairman expressed his deep anguish on the percentage of conviction as well as non-registration of FIR. He opined that the non-holding of the Bi yearly State Level Vigilance Monitoring Committee meetings by the Chief Minister itself indicates his lack of concern towards the SCs. The District Level Vigilance Monitoring Committee meetings also not conducted with DM & SPs. He also intimated the State Govt. to provide the financial assistance to the victims/dependents family at enhanced rate as per MoSJE's OM dated 12, 2011 and further delay in sanctioning the same to be avoided. Holding a regular meeting if District Vigilance Committee needs to assess the reasons of acquittal, if any appeal to be made in any case, special advocates to be provided, PPs to be changed. The awareness on PCR Act,1955 & POA Act, 1989 and EMS and Construction of Dry Latrine Prevention Act, 1993 is very poor even among the police, Govt. officials and common people. Chairman wanted there should be wide publicity in each and every village.
6. Position of Hostels in the Maharashtra ó Honøble appreciated the efforts made for providing the residential hostels to the students. He further added that a women security system should be adopted for the Girls Hostels ó He

advised them to display a regular menu to the students in a Dining Hall and to appoint women sweepers in girls hostels.

7. Hostels for children of Safai Karamacharies ó Honøble Chairman appreciated the Govt. Of Maharashtra is having at least 2 hostels for them. Honøble Chairman also expressed that at all the divisional levels at least one hostel should be constructed for them.
8. Construction of Houses for Safai Karamcharies ó Honøble Chairman expressed his happiness for the efforts made by the BMC for construction of houses for safaikaramcharies. He also recommended that all the Municipal Corporations and Panchayats should make efforts to construct the houses for Safai Karamcharies.
9. Scheduled Castes Sub Plan ó Honøble Chairman also expressed his satisfaction on overall expenditure made by the Govt. of Maharashtra for the development of Scheduled Castes. But he also pointed out that any diversion of fund in respect of irrigation and power may be checked and to intimate in the action taken report. He appreciated the construction of -Samajik Nyay Bhavanø to provide quality services for SC beneficiaries under one roof.

CHAPTER – VI

ADMINISTRATION & COORDINATION CELL

The Third National Commission for SCs (NCSC) is headed by Dr. P.L.Punia, Chairman. The Commission is assisted by Secretary, Joint Secretary, Deputy Secretary, Under Secretaries and Dy. Director. A statement indicating the sanctioned strength, posts filled in and the vacant posts in the Commission is at Annexure-I. State Office-wise incumbency vis-à-vis vacancy positions are at Annexure 6II. The organization chart of the NCSC is at Annexure-IV.

Allocation of subjects

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

Administrative matters and Commission's jurisdiction

The State Offices of the NCSC are the eyes and ears of the Commission are located in following jurisdiction and addresses:

S. No.	Address & Telephone Nos.	Headquarters & Jurisdiction
1.	Pragati Road, Lake Chowmohani, Agartala-799001. (Tripura West) 0381-2223140, 2315967	Agartala (Tripura)
2.	2 nd Floor, Mavlankar Haveli, Vasant Chowk, Lal Darwaja, 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 & Chandigarh)
5.	2 nd Floor, Block-5, Shastri Bhawan, Chennai-600006 044-28276430, 28312851	Chennai (Tamil Nadu & Pondicherry)
6.	24, Nilamani Phukan Path, Christian Basti, Dispur, Guwahati-781005 0361-2347040, 2346885	Guwahati (Assam, Arunachal Pradesh, Nagaland, Meghalaya,

		<i>Mizoram & Manipur)</i>
7.	Block 204, Maithry Vihar, Ameer Peth, Hyderabad-500038 040-23734907(Fax), 23754908	Hyderabad <i>(Andhra Pradesh, Madhya Pradesh & Chhattisgarh)</i>
8.	Mayukh Bhawan, (Ground Floor), Salt Lake City, Kolkata-700091 033-23370977, 23213259	Kolkata <i>(West Bengal, Orissa, Sikkim, Andaman and Nicobar Islands)</i>
9.	5 th Floor, Kendriya Bhawan, Sector-H, Aliganj, Lucknow-226024 0522-2330288 (Fax), 2323860	Lucknow <i>(Uttar Pradesh and Uttrakhand)</i>
10.	189-B, Shrikrishnapauri, Patna-800001 0612-2540285	Patna <i>(Bihar & Jharkhand)</i>
11.	Kendriya Sadan, -Aø Wing, First Floor, Opp. Akurdi Rly. Station, Nagdi Pradhikaran, Pune 411044 020-27658033,27658973 27655580(Fax)	Pune <i>(Maharashtra & Goa)</i>
12.	TC-24/547(1), Sastha Gardens Residency Road, Near Govt. Guest House, Thycaud, Thiruvananthapuram-695014, 0471-2327530	Thiruvananthapuram <i>(Kerala & Lakshadweep)</i>

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

These offices are headed by Directors / Deputy Directors. However, a large number of such posts including lower functionaries are lying vacant both at Headquarters and State Offices of the Commission. Efforts are being made to fill up such vacant posts on an urgent basis both by the Ministry of Social Justice & Empowerment (for Group A level posts) and the National Commission for SCs.

The NCSC has moved a proposal for creation of new States Offices at Bhubaneswar (Orissa State), Bhopal (Madhya Pradesh State), Jaipur (Rajasthan State), Gurgaon (for Haryana & Himachal Pradesh States), Ranchi (for Jharkhand State, Dehradun (for Uttarakhand State), Raipur (for Chhattisgarh State) and at New Delhi (for Delhi State). The Commission has also proposed upgradation of four (04) State Offices from the Office of the Deputy Director to the Office of the Director in respect of following States offices, West Bengal ó proposal to upgrade State Office, Kolkata at Director level, Gujarat - proposal to upgrade State Office, Ahmedabad at Director level, Tripura - proposal to upgrade State Office, Agartala at Director level and Kerala - proposal to upgrade State Office, Thiruvanthapuram at Director level.

The Commission needs these offices in view of manifold increase in representation / grievance petitions and absence of regional offices of NCSC after bifurcation. Large crime prone States like Madhya Pradesh, Rajasthan and Haryana has no regional offices of the Commission. The NCSC has also felt need of a State Office in Delhi due to large number of representations

received from SCs living in NCR and also to enable the Headquarters NCSC to concentrate on larger issues including policy matters, research and analysis etc. The relevant proposal is pending with the Ministry of Social Justice & Empowerment for consideration

As far as other activities are concerned, the post of Dy. Inspector General of Police (DIGP) in the NCSC has been upgraded to the post of Inspector General of Police (IGP). The proposal on filling up vacant Joint Cadre posts has also been taken up the Ministry of Social Justice & Empowerment during the period under reporting.

1.3.4 The Commission has four Wings in the Headquarters namely, **Atrocities & Protection of Civil Rights Wing (APCR)**, **Economic & Social Development Wing, (ESDW)** **Service Safeguard Wing (SSW)** and **Administration / Coordination Wing (Admn & C.Cell)**. As per necessity, each Wing should be manned by one Deputy Secretary / Director and one Under Secretary / Deputy Director (Branch Officer). The Commission has sanctioned strength of one Director (Jt. Cadre), one Deputy Secretary (CSS cadre) and one DIG / IG under central staffing scheme. Thus, one Deputy Secretary / Director level officer is required to man the Wing.

Administration and implementation of various Acts

The NCSC is responsible for monitoring and implementation of the following Acts:-

- (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.
- (iv) The Scheduled Castes & Scheduled Tribes (Prevention of Atrocities) Rules, 1995.

Accommodation

The NCSC is located at 5th Floor, Loknaya Bhawan, Khan Market, New Delhi.

Use of Hindi

The NCSC issued all important orders/notifications bilingually and observed 'Hindi Fortnight' from the 14th to 30th September, 2012. Several competitions were organized during the week and prizes were also distributed. The Unit is headed by one Assistant Director (OL).

Vigilance Unit

Joint Secretary has been appointed as part- time Chief Vigilance Officer (CVO). He is assisted by a Section Officer who is discharging these functions, in addition to his normal duties. The NCSC observed the Vigilance Week from 12th to 16th November, 2012.

National Integration Week

The NCSC observed the Quami Ekta Week (National Integration Week) from 19th to 25th November, 2012 to foster the spirit of patriotism, communal harmony and national integration.

E-governance.

CMIS: On-line Complaint Monitoring Information System (CMIS) is operative in NCSC since June, 2012. Through CMIS, the complainants are now able to register their grievances on-line. In twelve State Offices of NCSC including its Hqrs., complaints are registered on line and petitioners are now eligible to view their complaint status through unique number that is being generated on each complaint once registred on-line.

Website: The web-site of NCSC is in operation. Basic information about the activities of the NCSC and its programmes, annual report, handbook of NCSC, Major decisions that have 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.

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 an Under Secretary as its Central Public Information Officer (CPIO) for all matters concerning the RTI Act, 2005. Joint Secretary has been designated as the Appellate Authority.

During the period from April, 2012 to March, 2013, 628 numbers of applications under the RTI Act were received and 351 numbers of applications were replied to. All 45 appeals received against the information furnished by the CPIO, NCSC were disposed of by the 1st Appellate Authority.

Budget

The NCSC has a plan budget of Rs.1162.00 lakh for the year 2012-13. A statement is given at Annexure - II.

Annexure –I

INCUMBENCY POSITION AT THE NCSC HEADQUARTERS

(As on March, 2013)

S. No	Name of Post	Group	S/Strength	Incumbency	Vacancy
1.	Secretary	A	1	1	-
2.	Joint Secretary	A	1	1	-
3.	DIG of Police	A	1	-	1
4.	Director (Jt Cadre)	A	1	-	1
5.	Dy Secretary (CSS)	A	1	1	-

6.	Sr. P.P.S. (CSSS)	A	1	-	1
	Under Secretary (CSS)	A	2	2	-
7.	Law Officer	A	1	-	1
8.	PPS	A	1	1	-
9.	Dy Director (Jt Cadre)	A	1	1	-
10.	Asstt Director (Jt Cadre)	A	1	-	1 (Since 1.3.13)
11.	A. D.(Programming)	A	1	-	1
12.	Asstt Library & Information Officer	A	1	1	-
13.	Asstt Director (OL)	A	1	1	-
14.	Section Officer(CSS)	B	4	1	3
15.	P.S.(CSSS)	B	5	3	2
16.	Research Officer (Jt Cadre)	B	3	3 [^]	-
17.	Assistant P.R.O.	B	1	-	1
18.	Senior Investigator (Jt Cadre)	B	1	-	1
19.	Sr. Hindi Translator (CSOL)	B	1	1	-
20.	Accountant	B	1	-	1
21.	Investigator (Jt. Cadre)	B	2	1	1
22.	Assistant (CSS)	B	5	5	-
23.	Personal Assistant (CSSS)	B	3	2	1
24.	Stenographer Gr. -Dø(CSSS)	C	4	2	2
25.	U.D.C. (CSCS)	C	3	3	-
26.	L.D.C. (CSCS)	C	3	3	-
27.	Receptionist	C	1	-	1
28.	Staff-Car-Driver	C	7	7 [*]	-
29.	Despatch Rider	C	1	1	-
30.	Gestetnor Operator	C	1	1	-
31.	Multi-Tasking Staff (Erstwhile named as Gestetnor Operator, Senior Peon, Daftry, Peon, Chowkidar-cum-Farash, Safai Karamchari)	C	22	24 [#]	
	Total		82	66 [#]	19

[^]Working as Research Officer (Adhoc)

^{*} 1 Post transferred alongwith the incumbent from the State Office, Agartala.

[#] Includes two posts transferred from State Office, Ahmedabad.

Annexure - II

1. INCUMBENCY POSITION IN THE STATE OFFICE, NCSC, AHMEDABAD

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.	Deputy Director	A	1	-		1
2.	Assistant Director	A	1	A. Satyanarayana		-
3.	Sr. Investigator	B	1			1
4.	Investigator	B	2	-		2
5.	U.D.C.	C	1	V.M. Mudaliar	-	-
6.	L.D.C.	C	2	1. M.Y. Patel 2. A.T. Parmar	S.C.	-
7.	Staff-Car-Driver	C	1	R.B. Gohil	-	-
8.	MTS	C	1	D.S. Rathod	S.C.	-
9.	MTS	C	*2	1.Vinod Kumar 2. Amar Babu	S.C.	-
10.	MTS	C	1	M.L. Majira		-
	TOTAL		13	9*	-	4 (+2)

* Post being utilized in the HQ. Actual incumbent number is 7.

2. INCUMBENCY POSITION IN THE STATE OFFICE, NCSC, BENGALURU

S. No.	Name of Post	Group	Sanction -ed Strength	Name of The Incumbent S/Shri	Whether S.C./S.T./ O.B.C.	No. of Vacancy
1.	Director	A	1	Girija P.		-
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	Venkateshaiah	S.C.	-
11.	MTS	C	3	Y.Papana D.C.Anjanamurthy G.Venkatesh	S.C. S.C. S.C.	-
	Total:		15	9		6

3. INCUMBENCY POSITIN IN THE STATE OFFICE, NCSC, CHANDIGARH

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	-	-
2.	Research Officer	B	1	-	-	1
3.	Sr .Investigator	B	1	RK Sharma	-	-
4.	Investigator	B	2	-	-	2
5.	Office Superintendent	B	1	-	-	1
6.	Personal Assistant	C	1	-	-	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 Suhru Ram	S.C S.C.	1
	Total:		14	7		7

4. INCUMBENCY POSITION IN THE STATE OFFICE, NCSC, KOLKATA

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	Rajib Bhattacharya	-	-
2.	Research Officer	B	1	Arunabh Bhattacharya	-	-
3.	Sr. Investigator	B	1	D.K.Bala	SC	-
4.	Investigator	B	2	-	-	2
5.	Stenographer	C	1			1
6.	U.D.C.	C	1	T.K. Day	-	-
7.	L.D.C.	C	2	1.A.K. Patra 2. N.K. Bandyopadhya	S.C. -	-
8.	Staff Car Driver	C	1	S. Debnath	-	-
9.	MTS	C	3	S.R. Mondal D.N. Majhi G.C. Bala	SC S.C. S.C.	-
	Total:		13	10		3

5. INCUMBENCY POSITION IN THE STATE OFFICE, NCSC, LUCKNOW

S. No.	Name of Post	Group	Sanction -ed Strength	Name of Incumbent S/Shri	Whether S.C./S.T./ O.B.C.	Total No. of Vacancy
1.	Director	A	1	D. Basak	-	-
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	-	--
6.	Personal Assistant	C	1	-	-	1
7.	U.D.C.	C	1	Madhur Mohan	S.C.	-
8.	L.D.C.	C	2	1. G.S. Singh 2. Ram Sharan *3. SC Srivastava	- - -	-
9.	Staff Car Driver	C	1	Sher Ali	-	-
10.	MTS	C	4	Sahdev Prasad Amber Prasad Bipul Kumar Shiv Shankar	-	-
Total:			15	12*		4

*Shri Srivastava adjusted against 2 vacant posts of Investigator

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

S. No.	Name of Post	Group	Sanction -ed Strength	Name of the Incumbent S/Shri	Whether S.C./S.T./ O.B.C.	No. of Vacancy
1.	Director	A	1	-	-	1
2.	Assistant Director	B	1	A.V. Ghodkhande	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 A.P.Salve B.K. Bamble	SC	1
Total:			15	8		7

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

S. No.	Name of Post	Group	S/ Streng th	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	A.K. Sharma	OBC	-
3.	Sr. Investigator	B	1	S.K. Singh	-	-
4.	Investigator	B	2	-	-	2
5.	Office Superintendent	B	1	-	-	1
6.	Personal Assistant	C	1	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
	Total:		13	7		6

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

S. No.	Name of Post	Group	S/ Streng th	Name of Incumbent S/Shri	Whether S.C./S.T./ O.B.C.	No. of Vacant
1.	Deputy Director	A	1	-	-	1
2.	Asstt. Director	A	1	P. Ramasamy	O.B.C.	-
3.	Investigator	B	1	G. Dhanya	-	-
4.	Stenographer	C	1	G.Ramdas	-	-
5.	U.D.C.	C	1	-		1
6.	L.D.C.	C	1	Jayalaxmi	-	-
7.	Staff-Car Driver	C	1	NP Balakrishnan Nair	-	-
8.	MTS	C	2	C.K. Ravi R.Vijay Kumar	SC	-
	Total:		9	7		2

9. INCUMBENCY POSITIN IN THE STATE OFFICE, NCSC, AGARTALA

S. No.	Name of Post	Group	Sanctioned 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	-	2	-		2
4.	Stenographer	C	1*	-		-
5.	U.D.C	-	-	-		-
6.	L.D.C	C	1	1.Kamal Bhattacharya 2.Sasim Acharjee*	-	(-) 1
7.	MTS	C	2	1.Ram Pal Singh 2.Abhijeet Das	S.C. S.C	-
	Total:		6	4		2

* One LDC adjusted against the post of Stenographer.

10. INCUMBENCY POSITIN IN THE STATE OFFICE, NCSC, CHENNAI

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

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

S. No.	Name of Post	Group	Sanctioned Strength	Name of Incumbent S/Shri	Whether S.C./S.T./O.B.C.	No. of Vacancy
1.	Director	A	1	D. Hanumantharaya	-	-
2.	Assistant Director	A	1	-	-	1
3.	Sr .Investigator	B	1	B. Ajay Kumar	-	-
4.	Investigator	B	2	-	-	2
5.	Office Superintendent	B	1	Subhangi Laxmi	-	-
6.	Personal Assistant	C	1	Navin Kumar	SC	-
7.	U.D.C.	C	1	Madhavi Latha	-	-
8.	L.D.C.	C	1	-		1
9.	Staff-Car-Driver	C	1	R Ramesh Babu		-
10.	MTS	C	4	K. Rammoorthy Naik R. Eshwaraiah B. Sreeniwashulu		1
	Total:		14	9		5

12. INCUMBENCY POSITIN IN THE STATE OFFICE NCSC, GUWAHATI

S. No.	Name of Post	Group	Sanctioned 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	1	M.C. Das	-	-
6.	PA	C	1	GC Roy	-	-
7.	U.D.C.	C	1	-	-	1
8.	L.D.C.	C	2	1.R.K. Rava 2.N.Kalita	S.T	-
9.	Staff-Car-Driver	C	1	R. Bodo	S.T.	-
10.	MTS	C	4	J.C. Mudoj B.K. Nath .P.R.Das R.M. Kalita	SC S.T	-
	Total:		14	10		4

Govt. of India
National Commission for Scheduled Castes
Statement showing final requirement of funds during year 2012-13

Rs. In Lakh

Sl. NO.	Name of Office	Salaries	Wages	OTA	D.T.E	O.E	R.R.T	Medical	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	28.47	0.65	0.10	1.67	7.00	1.97	0.03	39.89
2	Bangalore	34.71	-	-	2.00	4.50	-	0.75	41.96
3	Kolkata	35.00	0.80	0.20	1.50	3.62	1.11	0.02	42.25
4	Hyderabad	46.50	-	-	1.50	4.00	2.98	0.70	55.68
5	Lucknow	55.30	0.60	0.30	5.70	24.00	-	0.10	86.00
6	Chennai	40.84	0.10	0.10	0.30	5.00	-	0.05	46.39
7	Patna	37.56	0.93	0.10	1.50	6.00	1.47	0.50	48.06
8	Pune	33.00	0.10	-	1.35	4.00	-	1.05	39.50
9	Agartala	12.95	0.10	0.10	0.15	0.92	0.70	0.03	14.95
10	Chandigarh	31.89	0.15	0.10	3.00	2.04	-	0.30	37.48
11	Guwahati	41.00	0.80	-	1.00	2.50	2.50	0.50	48.30
12	Trivandrum	26.83	0.24	-	1.37	1.59	1.50	0.14	31.67
	Total State Office	424.05	4.47	1.00	21.04	65.17	12.23	4.17	532.13
	Hqrs	464.29	0.94	0.86	43.15	150.00	-	4.90	664.14
	Gr. Total=	888.34	5.41	1.86	64.19	215.17	12.23	9.07	1196.27
	Budget Grant	860.00	5.00	4.50	81.00	180.00	13.50	18.00	1162.00
	Balance	-28.34	-0.41	2.64	16.81	-35.17	1.27	8.93	-34.27

Copy to

ORGANISATIONAL CHART

Dr. P.L.Punia
Chairman

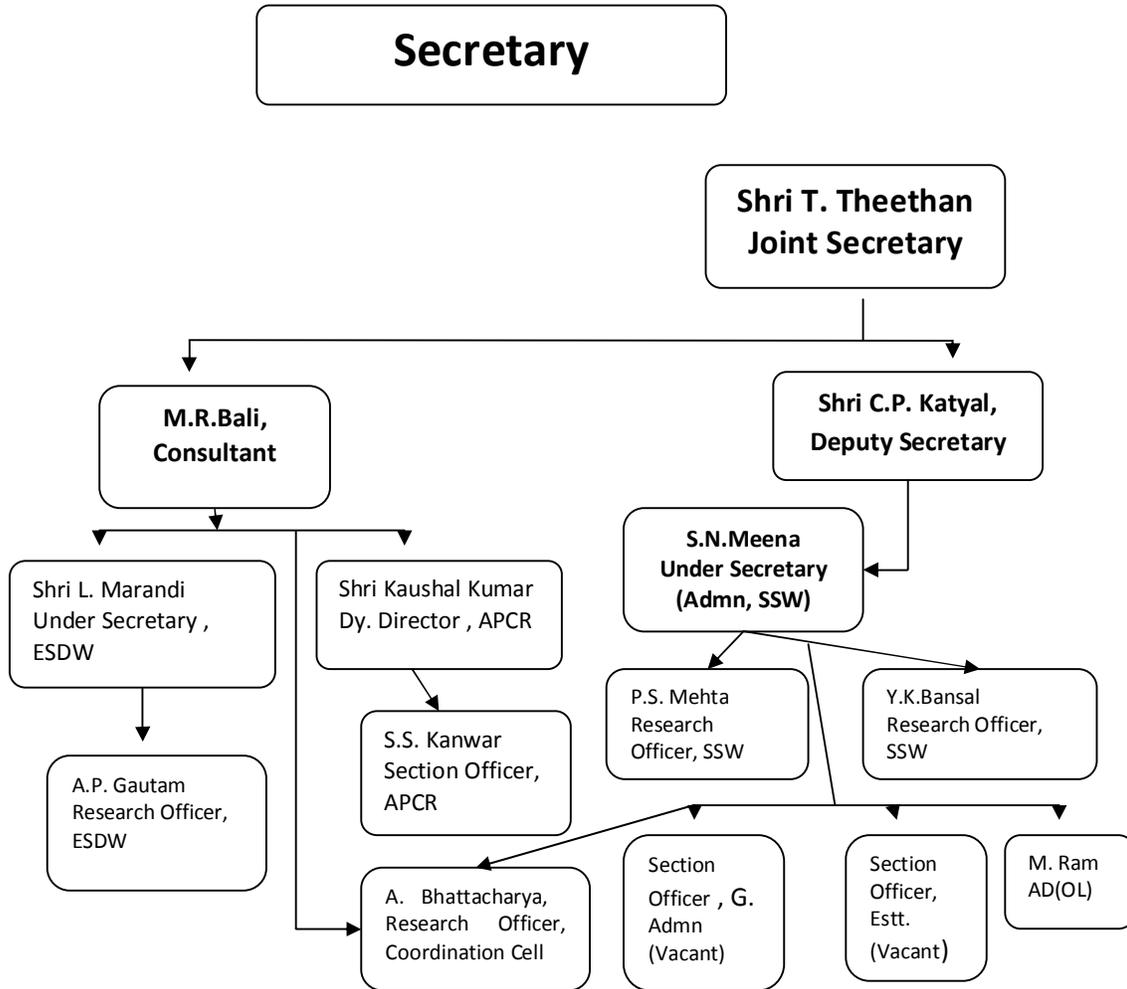
Dr. Raj Kumar Verka
Vice-Chairman

Shri Raju
Parmar
Member

Shri M.Shivanna
Member

Member
vacant

ORGANISATIONAL CHART



CHAPTER - VII

SERVICE SAFEGUARDS WING

Introduction

After independence, while framing the Constitution of India, it was observed that due to caste systems, certain castes were exploited by the cause of 'untouchability', therefore, PCR Act, 1955 was enacted to eradicate untouchability in any form. Further special provisions were also required to Scheduled Castes and Scheduled Tribes to secure their adequate representation in public services. **Reservation in Services** is a form of affirmative action designed to improve the well-being of backward and underprivileged communities defined primarily by their 'caste' (quota-system based on 'gender' or 'religion'). These are laws (both Constitutional and statutory) or merely local rule / regulations / practices (not derived from any Act passed by the Parliament or State-Legislature) wherein a certain percentage of total available vacancies in educational institutes and government jobs are set aside for people from backward communities and others. Scheduled Castes (SC), Scheduled Tribes (ST) and Other Backward Classes (OBC) are the primary beneficiaries of the reservation policies under the Constitution with the object of ensuring a level playing field. Objective of providing reservations of the Scheduled Castes (SCs), Scheduled Tribes (STs) and Other Backward Classes (OBCs) in services is not only to give jobs to some persons belonging to these communities. It basically aims at empowering them and ensuring their participation in the decision making process of the State public employment gives a certain status and power, besides the means of livelihood.

The main objective of the reservation is to increase opportunities for enhanced social and educational status of the underprivileged communities and, thus, enable them to take their rightful place in the mainstream of Indian society. The reservation system exists to provide opportunities for the member of the SC, STs to increase their representation in every field of life.

Constitutional Provisions for Reservation

The Constitution of India states in Article 15(4): "All citizens shall have equal opportunities of receiving education. Nothing herein contained shall preclude the State from providing special facilities for educationally backward sections (not 'communities') of the population." [Emphasis and parentheses added.] It also states that "The State shall promote with special care the educational and economic interests of the weaker sections of society (in

particular, of the Scheduled Castes and aboriginal tribes), and shall protect them from social injustice and all forms of exploitation. The Article further states that nothing in Article 15(4) will prevent the nation from helping SCs and STs for their betterment [betterment up to the level enjoyed by the average member of other communities].

Accordingly, safeguards for ensuring adequate representation of the Scheduled Castes and Scheduled Tribes in the services and posts under the State are provided in Article 16(4), 16(4A), 16(4B) and 335 of the Constitution. Article 16(4) empowers the State for making any provision for the reservation of appointment or posts in favour of any backward Class of citizens, which in the opinion of the State is not adequately represented in the services under the state. Article 16 (4A) which came into force on 19.6.1995 vide the Constitution (Seventy Seventh Amendment) Act, 1995 and Article 16 (4B) which has been incorporated in the Constitution vide the Constitution (Eight First amendment) Act, 2000 empowers the State for making any provision for reservation in matters of promotion to any class or classes of posts in the services under the State in favour of the Scheduled Castes and Scheduled Tribes which, in the opinion of the State, are not adequately represented in the services under the State.

In 1982, the Constitution specified 15% and 7.5% of vacancies in public sector and government aided educational institutes as a quota reserved for the SC and ST candidates respectively for a period of five years, after which the quota system would be reviewed. This period has been extended from time to time. The Supreme Court of India ruled that reservations for all categories of people cannot exceed 50%.

Reservation in services

After Independence, instructions were issued on 21.9.47 providing for reservation of 12 ½ per cent of vacancies of SCs in respect of recruitment made by open competition. In case of recruitment otherwise than by open competition this percentage was fixed at 16 2/3 per cent. After the Constitution was promulgated on 13.9.50, 5 per cent reservation was provided for STs apart from the percentage fixed for SCs already in force.

Reservation in Direct Recruitment

The percentage of reservation in direct recruitment on all India basis by open competition for SCs and STs is 15% and 7.5% respectively. Before 25.3.1970 the percentage was 12.1/2 and 5 respectively.

1. Direct recruitment on all India basis otherwise than by open competition reservation for SCs and STs is 16.66% and 7.5% respectively.

2. In respect of direct recruitment to Group C and D posts which normally attract candidates locally from a region, percentage of reservation for SCs/STs is generally fixed in proportion to the population of SCs and STs in the respective State/UT.

Relaxations available for SCs/STs in direct recruitment

The Relaxations that are available for the SCs/STs in direct recruitment are as follows:-

- a) Relaxation in the upper age limit by five years;
- b) Exemption from payment of examination/application fees;
- c) Where interview is a part of the recruitment process, SC/ST candidates should be interviewed separately;
- d) Qualification regarding experience can be relaxed in respect of SC/ST candidates at the discretion of UPSC/Competent Authority;
- e) Standards of suitability can be relaxed.

The Government in 1993 introduced reservation for Other Backward Classes in direct recruitment broadly at the rate of 27%. After introduction of reservation for OBCs, total reservation for SCs, STs and OBCs comes to 49.5% in case of direct recruitment on all India basis by open competition and 50% in case otherwise than by open competition. As per various judgements of the Supreme Court, total reservation for these communities cannot exceed the limit of 50%.

Where recruitment is made for zones or circles or regions consisting of more than one State, the percentage of reservation for SCs and STs is generally fixed on the basis of population of SCs and STs in the respective zones/circles/regions and reservation for OBCs is fixed keeping in view their proportion in the population of the respective zones/circles/regions subject to limit of 27% and total reservation for SCs, STs and OBCs should not exceed 50%.

RESERVATION IN PROMOTION

1. Reservation was extended to different modes of promotion in stages. In the year 1957, reservation was provided for SC and ST in departmental competitive examinations.
2. Reservation in promotion by selection in Group C and Group D was provided in 1963 and in the same year reservation in departmental competitive examination was limited to Class III and Class IV only.

3. The position changed in the year 1968 when reservation in limited department examination to Class II, II, and IV and promotion by selection to Class II and Class IV were subjected to a condition that element of direct recruitment should not exceed 50 percent.

4. The percentage of reservation for SCs and STs was increased from 12 ½ % to 15% and 5% to 7 ½ % respectively from 25.2.1970.

1. Reservation in promotion by seniority subject to fitness was introduced in 1972 subject to the condition that the element of direct recruitment does not exceed 50 percent. In 1974, reservations in promotion by selection from C to B within B and from B to the lowest rung of Group A were introduced provided the element of direct recruitment does not exceed 50%.

2. The limitation of the direct recruitment for exceeding 50 percent was raised to 66.2/3 percent in 1976 and 75% in the year 1989.

Reservation in promotion by non-selection method is available to SCs and the STs in all groups of services viz. A, B, C and D at the rate of 15% and 7.5% respectively. In promotion by selection method reservation is available up to lowest rung of Group A at similar percentage.

In promotion by selection to posts within Group A which carry an ultimate salary of Rs. 5700 (pre revised) or less there is no reservation, but the Scheduled Caste/Scheduled Tribe officers who are senior enough in the zone of consideration from promotion so as to be within the number of vacancies for which the select list is to be drawn up, would be included in that list provided they are not considered unfit for promotion. This has been revised after Sixth Pay Commission and this applied to the grade pay of Rs. 8700 or less (DoPT OM No. 36028/8/2009-Estt (Res) dated 7.6.2013).

The Relaxations that is available for the SCs/STs in promotions.

a) The zone of consideration is extended to five time the number of vacancies in case suitable SC/ST candidates are not available within the normal zone of consideration;

b) Minimum qualifying marks/standards of evaluation are relax able;

c) Upper age limit relaxable by five years where upper age limit for promotion is prescribed not exceeding fifty years, etc.

Reservation till 1.7.1997 was computed on the basis of number of vacancies filled. The Supreme Court in the case of R.K. Sabharwal Vs. State of Punjab held that the reservation should be determined on the basis of number of posts in the cadre and not on the

basis of vacancies. Accordingly post based reservation was introduced w.e.f. 2.7.1997. The basic principle of post based reservation is that the number of posts filled by reservation by any category in a cadre should be equal to the quota prescribed for that category. Prior to introduction of post based reservation, there was a provision of exchange of reservation between SCs and STs. After implementation of the post based reservation such exchange is no more permissible.

Impact of Reservation

As per information available from DPT sites, the representation of SCs/STs has increased in all the Groups viz. A,B,C and D during six decades. At time of independence, representation of SCs/STs in services were very low. As per available information, representation of SCs in Group A, B, C and D as on 1.1.1965 was 1.64%, 2.82%, and 8.88% respectively which has increased to 12.5%, 14.9%, 15.7% and 19.6% respectively as on **01.01.2008**. Likewise while representation of STs as on 1.1.1965 was 13.17% and 2.25% respectively, which as on 1.1.2008 has increased to 17.51% and 6.82% respectively. Group-wise and total representation (in percentage) of SCs/STs in different year is given below:

As on 1 st of January	Group A		Group B		Group C		Group D		Total	
	SCs	STs	SCs	STs	SCs	STs	SCs	STs	SCs	STs
1965	1.64	0.27	2.82	0.34	8.88	1.14	17.75	3.39	13.17	2.25
1970	2.36	0.4	3.84	0.37	9.27	1.47	18.09	3.59	13.09	2.4
1975	3.43	0.62	4.98	0.59	10.71	2.27	18.64	3.99	13.84	2.94
1980	4.95	1.06	8.54	1.29	13.44	3.16	19.46	5.38	15.67	3.99
1985	7.3	1.73	10.03	1.57	14.87	4.2	20.8	5.70	16.83	4.66
1990	8.64	2.58	11.29	2.39	15.19	4.83	21.48	6.73	16.97	5.33
1995	10.15	2.89	12.67	2.68	16.15	5.69	21.26	6.48	17.43	5.78
2001	11.42	3.58	12.82	3.7	16.25	6.46	17.89	6.81	16.41	6.36
2002	11.09	3.97	14.08	4.18	16.12	5.93	20.07	7.13	16.98	6.11
2003	11.93	4.18	14.32	4.32	16.29	6.54	17.98	6.96	16.52	6.46
2004	12.2	4.1	14.5	4.6	16.9	6.7	18.4	6.7	17.05	6.54
2005	11.8	4.3	13.7	4.5	16.4	6.5	18.3	6.9	16.62	6.42
2006	12.9	3.9	15.0	5.7	16.4	6.9	18.6	7.1	16.75	6.75

2008	12.5	4.9	14.9	5.7	15.7	7.0	19.6	6.9	17.51	6.82
2009										
2010										
2011										

Source: DoPT

Representation of Scheduled Caste in all groups in Central Govt. Services as on 01.01.2011

Grand	Total Number of Employees	SCs	
		Number	Percentage
A	77455	8922	11.5
B	190134	28403	14.9
C	2264795	370557	16.4
D (Excluding Safai Karamcharies)	396478	77704	19.6
Safai Karamcharies	83356	32811	39.4

Source: DoPT(excluding M/o Minority Affairs and M/o Tribal Affairs)

It is observed that reservation in services has been applicable for more than 60 years but still the representation of SCs in Group -Aø and -Bö is below the prescribed percentage.

The information regarding total backlog as on 1st November, 2008 in central Government services.

S.No.	Category	Number of backlog vacancies identified			Number of backlog vacancies filled		
		DR	Promotion	Total	DR	Promotion	Total
1.	SCs	11967	14110	26077	5611	7500	13111
2.	STs	11703	16921	28624	4229	6667	10896
3.	OBCs	22682	Not applicable	22682	9543	Not applicable	9543
	Total	46352	31031	77383	19383	14167	33550

Source: DOPT

It is observed from the above table there are still a huge backlog in the post of Central Government and the Government of India has issued a number of instructions to fill up all the backlog vacancies under Special Recruitment Drive (SRD) but still the target of reservation of 15% for SCs have not been achieved. At each time it was found that the backlog persisted even after each such SRD.

Therefore, National Commission for Scheduled Castes recommends that a conclusive SRD should be undertaken with sincerity, clarity and determined meticulous planned operations and should be completed in one to three years for SCs and STs, so that at the end of the drive, the percentage of SCs and STs in each cadre becomes equal to the prescribed percentages in every cadre at every level.

The representation of SCs in all Groups of posts furnished by 213 Central Public Sector Enterprises, as on 01.01.2012

Group	Total No. of Employees	Representation of SCs	
		3	4
1	2	3	4
Group -Aø	197013	28819	14.63
Group -Bø	151870	22077	14.54
Group -Cø	519050	101106	19.47
Group -Dø (Excluding Safai Karamcharies)	198538	39941	20.11
Total	1066471	191943	17.99
Group -Dø (Safai Karamcharies)	9668	6478	66.99
Grand Total	1076139	198421	18.44

Source: Department of Public enterprises

Representation of SCs in Public Sector Banks, RBI, Financial Institutions & Insurance Companies as on 03.12.2012

GROUP	Number of Employees		
	Total	SCs	%
Group -Aø & -Bø	1125084	66569	5.9
Group -Cø	400817	72395	18.06
Group -Dø Excluding Safai Karamchari	128984	37748	29.27
Group -Dø Safai Karamchari	49470	23563	47.63
Total	1704355	200275	11.75

*In the PSBs/FIs there is only one officers grade

Source: Annual report of Department of Financial services, M/o Finance.

Representation of SCs in Railways Services

Statement showing Scheduled Castes representation in Railway Services for the year 1981, 1991, 2001 & 2011

S. No.	Category	1981	1991	2001	2010	2011
1	Group-A	499 (N.A)	940 (12.84%)	1,248 (15.70%)	1,413	1,410
2.	Group-B	672 (N.A.)	1,129 (15.75%)	943 (13.34%)	1,418	1,203
3.	Group-C	84,028 (N.A.)	1,37,361 (15.37%)	1,29,799 (14.37%)	1,33,811	1,57,888
4.	Group-D (Excluding Safaiwalas)	1,37,888 (N.A.)	1,28,461 (18.64%)	85,713 (14.98%)	64,917	42,709
5.	Group-D (Safaiwalas)	45,784 (N.A)	44,488 (N.A.)	36,256 (61.42%)	19,914	16,966

Statement showing Scheduled Castes representation in Railway Services as on 31.03.2012.

Group	Total Staff Strength Year 2011-12	Scheduled Castes Number as on 31.3.2012	%
A	9,124	1106	12.12
B	8,202	1406	17.14
C	11,61,939	160051	13.77
D (Excluding Safaiwala)	96,281	38369	39.85
D (Safaiwala)	30,309	15297	50.47
Total (Excluding Safaiwalas)	12,75,546	200932	15.75
Grand Total (Including Safaiwalas)	13,05,855	216229	16.56

Source: Railway Board.

Representation of SCs in Railways PSUs as on 31.03.2012

Group	Total Staff Strength Year 2011-12	Scheduled Castes Number as on 31.3.2012	%
A	2691	293	10.89
B	875	101	11.54
C	6365	890	13.98
D (Excluding Safaiwala)	488	71	14.55
D (Safaiwala)	15	15	100
Total (Excluding Safaiwalas)	10419	1355	13.01
Grand Total (Including Safaiwalas)	10434	1370	13.13

Source: Railway Board

It is observed from above tables that the representations of SCs have not reached the prescribed percentage of 15% in Group 'A' and 'B'.

Reservation in Scientific and Technical Posts.

Prior to 1975, scientific and technical posts required for conducting research or for organising, guiding and directing research were exempted from the purview of orders relating to reservation for Scheduled Castes and Scheduled Tribes. In 1975 however, the above orders were modified and it was decided that the scheme of reservation for Scheduled Castes and Scheduled Tribes should also cover, appointment made to scientific and technical posts up to and including the lowest grade Class 1 in the respective services wherever they were exempt from the purview of the scheme of reservation; The amended orders were however not made applicable to Department of Space, Department of Electronics, and in regard to recruitment of trainees to the training school of the Department of Atomic Energy. In the case of these letter departments, the orders in force prior to 1975 continue to apply.

Reservation for Scheduled Castes, Scheduled Tribes and Other Backward Classes apply to appointments made to scientific and technical posts up to and including the lowest grade of Group A in the respective services.

The National Commission for Scheduled Castes recommends that there is a need to be considered the earlier decision and purview of reservation may be extended in post and services above the lowest grade of Group 'A' of all scientific and technical in

nature as a number of qualified and experienced candidates belonging to SCs are available in these fields.

Reservation in Posts of Industrial Workers

The industrial establishments of the Government of India and the posts and grades in such establishments, whether these have been classified as group A, B, C and D or not, are covered by the scheme of reservation for Scheduled Castes, Scheduled Tribes and Other Backward Classes.

Reservation in Work-Charged Posts

The reservation in work-charged posts for Scheduled Castes, Scheduled Tribes and Other Backward Classes should generally be suitably applied to the extent possible, to work-charged posts also except those required for emergencies like flood relief work, accident restoration and relief etc. The percentage of reservation in such appointments may correspond to what is applicable to Group C and Group D posts.

Reservation in Appointment of Daily Rated Staff

The reservation orders in respect of daily rated staff is not applicable but it should be ensured that persons belonging to the Scheduled Castes, Scheduled Tribes and Other Backward Classes are recruited in such manner as their overall representation does not go below the prescribed percentage of reservation for the Scheduled Castes, Scheduled Tribes and Other Backward Classes respectively.

Reservation in Appointments of Casual Workers to Regular Posts

Appointment of casual workers against regular posts will be a case of direct recruitment. Hence all statutory requirements relating to filling up of posts by direct recruitment should be followed while regularizing the services of casual workers. General orders relating to reservation for persons belonging to SCs STs and OBCs will be applicable in cases relating to regularization of casual workers. Vacancies meant for these categories of persons should be filled up by casual workers of respective reserved categories and the balance, if any, may be filled up by outsiders belonging to these categories, who are not casual workers. Casual workers, who did not belong to the reserved categories, can be appointed against unreserved vacancies only.

It has been observed that generally departments do not apply reservation in appointment in casual workers, daily rated staff and work charge posts. Therefore, at the time of their regularization the reservation is not provided. Therefore, Commission recommends that in all these posts the reservation should be applied at the time of filling up the above posts on temporary basis.

Reservation in case of Single Vacancy

In case where only one vacancy occurs in the initial recruitment year and it, according to the scheme of reservation, is reserved for Scheduled Castes or Scheduled Tribes or OBCs, it should be treated as unreserved and filled accordingly and the reservation should be carried forward to subsequent recruitment year. In the subsequent recruitment year, even if there is only one vacancy, it should be treated as reserved against the carried forward reservation from the initial recruitment year, and a Scheduled Caste/Scheduled Tribes/OBC candidate, if available, should be appointed in that vacancy, although it may happen to be the only vacancy in that recruitment year. This provision applies to direct recruitment as well as promotion. When the vacancy is treated as reserved, it shall be filled up as per the procedure prescribed for filling up of reserved vacancies.

Reservation in NGOs

While sanctioning grants-in-aid to various voluntary agencies the progress made by such agencies in employing Scheduled Castes, Scheduled Tribes and Other Backward Class candidates in their services should be kept in view by the administrative Ministries/Departments. The voluntary agencies etc. should be informed that the progress in respect to the employment by them of Scheduled Castes, Scheduled Tribes and OBCs in the services under them would be taken into account by Government while sanctioning future grants-in-aid to them.

National Commission for Scheduled Castes recommends that the Government of India should release the grand-in-aid to the NGOs who are implementing reservation policy.

Non-Applicability of Reservation

Reservations do not apply to:-

- i) Temporary appointments of less than 45 days duration;

- ii) Work-charged posts which are required for emergencies like flood relief work, accident restoration and relief etc.
- iii) Promotions by selection method from a Group 'A' post to another Group 'A' post.
- iv) Deputation / Absorption
- v) Single post cadres.

Appointment of Liaison Officer

Each Ministry / Department is required to nominate officers of the rank of Deputy Secretary or above to work as Liaison Officer who take care of implementation of instructions relating to special representation of SCs/STs/OBCs in their respective Ministries and attached and subordinate offices. The system of nominating Liaison Officers has also been extended to the offices under the Heads of Departments. Ministries/Departments have been asked in 1969 to set up a small Cell within each Ministry/Department under the direct control of Liaison Officer to assist him to discharge his duties effectively.

During the review of implementation of reservation policy in various Ministries/ Department/ PSUs, the National Commission for SCs noticed that no Liaison Officer were appointed and SC/ST Cell was not set up despite clear instructions issued by the DoPT. Therefore, National Commission for SCs recommends that all the Government Sector should follow the instructions of the DoPT regarding appointment of Liaison Officer and setting up of a SC/ST Cell. It is also recommended that special training should also be imparted to the Liaison Officer to implement the reservation orders in the department. The Liaison Officer should also be made accountable for implementation of reservation policy in the department.

Recognition of SC/ST/ OBCs employees Association

A SC/ST/OBC Employees Welfare Association has raised the issue regarding recognition to SC/ST Association by the Govt. of India. This case was taken up with Department of Personnel and Training.

This issue was discussed with DoPT in the Commission. The DoPT submitted a report and stated that the matter was placed before the Honorable Minister of State (PP) and it was decided that the present stand of the Government to not to encourage Associations formed on the basis of caste, tribe or religious denomination or of any group within or section

of such caste, tribe or religious denomination is a well thought out one and has stood the test of time.

In this regard, DoPT stated that the Rules position as per Central Civil Service (Recognition of Service Associations) Rules, 1993 as also the opinion of Ministry of Law, this Ministry is of the view that the present stand of the Government not to encourage Associations formed on the basis of caste, tribe or religious denomination or of any group within or section of such caste, tribe or religious denomination need not be disturbed, on the following grounds.

- a) That the association which claims recognition should have been formed for the "common service interest" of "distinct category of government servants"
- b) "Distinct category" for the purpose of Rules ought to relate to cadre structure of posts denoting either Class III, Class IV, Class II or Class I, or individual categories within the classes, viz., L.D.C. / U.D.C. Stenographers, Accountants, as may be defined by the respective Departments.
- c) Categorization has to be with reference to commonality of interest and functioning of the association as a homogenous group with reference to function of posts and not with reference to any caste or group of caste like SC/St employees. Therefore, SC/ST cannot be taken as distinct category
- d) Reorganizations of Associations for exclusively for a particular caste or a conglomeration of castes/tribes is not in the interest of a unified Civil Service.
- e) SC/St association(s) may not allow membership to non-SC/ST employees even though they may come within the same category of post/service which would be violate of Rule 5(c).
- f) Further members of SC/ST association may belong to various district categories functionally different like Clerical, Technical etc. and thus there would be no commonality of interest as prescribed under Rule, 5(b).

The National Commission for SCs observed that in the government service, the SCs and STs together constitute approximately 23% in the various grades as per the reservation orders. Although they constitute officially 1/3 of the work force there is a clear cut discrimination in recognizing their voice by the Administration. In Commission's view the scheduled castes and scheduled Tribes is a class of a weaker section of the society under the

Constitution, thus they have a right to have a legal forum to represent their common service interests and to avoid any discrimination which they have been subjected to for many years. The Commission, therefore, recommended considering the recognition of SCs/STs Association favourably so as to facilitate them to provide certain minimum facilities for discharging in their responsibility on the basis of class not on caste basis. Thus, DoPT did not agree with views of the Commission on recognition of SC/ST Associations.

The NCSC has already recommended that the Central Civil Service (Recognition of Service Associations) Rules, 1993 needs to be changed and steps may be taken to the recognise Scheduled Caste Welfare Association as recommended by the Commission in its last previous Annual Reports.

The Scheduled Castes, Scheduled Tribes (Reservation in post and services) Bill, 2008

Bill "The Scheduled Castes, Scheduled Tribes and Other Backward Classes (Reservation in Post and Services) Bill, 2004". This Bill was introduced in Rajya Sabha in 2004, but could not be passed. Thereafter, a new bill namely "The Scheduled Castes, Scheduled Tribes (Reservation in post and services) Bill, 2008" was introduced in Rajya Sabha and subsequently passed in 2008. But the same could not be introduced in 14th Lok Sabha also.

National Commission for SCs (NCSC) has raised objections on this issue citing the reason that before introducing this Bill, the NCSC was not consulted under clause (9) of Article 338 of Indian Constitution. In this context, NCSC already submitted a memorandum to Her Excellency, the President of India vide No. 17/4/NCSC/2009 dated 13.02.2009. NCSC have also taken up issue with DoPT in this regard.

Since, the "The Scheduled Castes, Scheduled Tribes and Other Backward Classes (Reservation in Post and Services) Bill is pending for last seven years and NCSC feels that the Bill is very significant for implementation of reservation policy and to give justice to reserve category employees. It reiterates its stand to introduce the Bill "The Scheduled Castes, Scheduled Tribes (Reservation in post and services).

Discrimination in promotion and disciplinary cases against SCs

The National Commission for SCs has observed during hearing a number of cases that scheduled castes employees /officers are discriminated in promotions and disciplinary cases. It is noticed that the APARs of SC employees are downgraded below the bench mark for denial of promotion and they are dragged into disciplinary cases and awarding the major punishment instead of minor punishment.

The DoPT has issued a number of instructions for proper procedure for writing ACRs and procedure for disciplinary cases. But it is seen that the department do not follow the procedure i.e. due to lack of knowledge and training to deal such cases. Therefore, Commission recommends that the SC employees should not be discriminated on ground of disciplinary cases and down grading of APARs.

Reservation in Promotion for members of SCs

National Commission for SCs on the basis of ban in reservation in promotion in State of Rajasthan, H.P. and UP by High Courts have conducted a study and submitted a report on reservation in promotion for members of scheduled castes but the Bill for amendment in Constitution to give reservation in promotion could not be passed in the Parliament. The Honøble Supreme Court had given its verdict on the basis of M. Nagraj case to stop promotion in reservation in UP under certain conditions.

The Commission, therefore, recommends that amendment in Constitution may be made to give reservation in promotion and a and advocate for brining a suitable bill to introduced in the Parliament so that interests of SCs are safeguarded.

According benefits of reservation to inter-state migrant SCs

An issue relating to non-providing benefits to the Scheduled Caste migrants who settled to other States / UTs by way of employment, business, labour work and betterment etc. has come to the notice of the National Commission for Scheduled Castes. In this regard, the Commission has received several representations from the various individuals/organizations. Therefore, the Commission has decided to set up a Committee to look into the matter relating to according benefits of SC to those SCs who have migrated to other States/UTs other than the State/UT of origin under the Chairmanship of Shri Raju Parmar, Honøble Member, NCSC comprising Smt. Latha Priya Kumar, Honøble Member, NCSC as Member and one Member Secretary. The Committee has made several deliberations and visited some States where the number of migrant SCs is large. **The Commission strongly advocates the proposition regarding according reservation benefits of migrant SCs who have migrated to other States/UTs from their State/UT of origin.**

The National Commission for Scheduled Caste has made following recommendations which are as under:-

- I. New born States/UT i.e. Chhattisgarh, Jharkhand, Uttarakhand & Chandigarh should accept/ borrow list of Scheduled Castes from the mother States and issue caste certificate after due verification as per established procedure. This would be in line with the judgment delivered in the case of Ajay Kumar by the High Court of Uttarakhand at Nanital.
- II. In the case of UTs, the migrant SC/STs from other UTs should be issued caste certificates. This would be in line with in the decision of the Supreme Court in the case of S.Pushpa and decision of Delhi High Court in the case of Deepak Kumar.
- III. Persons who migrate to a new State/UT from other state should be issued caste certificates after they have lived in the new State/UT for a minimum period of 10 years as permanent residents, provided the names of the such castes/tribes are common in the schedules of the state of origin as well as of the State/UT to which the person migrates. Ten years period is considered sufficient and necessary for an outsider to become eligible as a bonafide resident because after some time they get identified as untouchables and are treated as such in the new state/UT.
- IV. If some state finds that there is justification for inclusion of some castes/tribes of migrants, which do not find mention in their schedules and there are sufficient number of people, who come on migration, their caste/tribes can be included in the schedule of migrated states after following the general process meant for inclusion of new castes/tribes in the schedule of a state/UT. RGI would be involved in this process as usual
- V. Name of all to whom caste certificates will be issued should be placed on a special site on the internet so that anybody can object to irregularly issued certificates.
- VI. NCT of Delhi has a unique status, where the scope and opportunities for education/employment are quite large resulting in flocking of Scheduled Castes cutting across the state barriers and any move to deprive them of the legitimate claim to avail Constitutional benefits would surely scuttle the process of holistic development of the community in particular and the country in general. Therefore, it is desirable to extend the benefit of

reservation to the Scheduled Castes bonafide residents in NCT of Delhi, while retaining the reservation level of 15% for Scheduled Castes as admissible at the national level. Bonafide residents would include a migrant from other UT or state residing in Delhi for at least 10 years. The 2012 Judgment of Delhi High Court in Deepak Kumar case which favours SC/STs should be implemented immediately.

- VII. The crisis which arose due to the verdict pronounced in Subhash Chandra case by a smaller bench of Honøble Supreme Court on 4.8.2009 in WP (Civil) No. 507 of 2006 need to be clarified by the Ministry of Law & Justice and Ministry of Home of Home Affairs in view of the recent judgment dated 17.08.2012 of Honøble High Court of Uttarakhand on 13 writ petitions filed by Sh. Ajay Kumar and Others v/s State of Uttarakhand and others for issuance of Caste Certificate for SC/ST/OBCs in Uttarakhand after Uttar Pradesh is bifurcated and State of Uttarakhand and Judgment of High Court of Delhi dt. 12.09.12 in 10 writ petitions of Sh. Deepak Kumar and Others v/s District Session Judge- Delhi and Ors, UOI and Ors, Delhi Jal Board and Anr, so that a considered view is communicated to all the states and the Govt. orders modifying its earlier order dt. 18.11.82 and 6.8.84 are issued by the Home Ministry without any loss of time.

During the year under reporting, the Service Safeguard Wing of NCSC Hqrs. has dealt 8431 cases out of which 33 recorded as successful cases and 66 cases were closed by the Commission.

SERVICE SAFEGUARD SCENARIO IN MAJOR STATES

BIHAR

Status of reservation position in the service of Govt. of Bihar and Status of backlog etc.

Article 16 of the Constitution empowers the State to make any provision for the reservation of appointments for posts in favour of any backward classes of citizens, which in the opinion of the State is not adequately represented in the services under the State. Presently, in Bihar reservation policy for Sch. castes and Sch. Tribes is guided by an Act, viz., "The Bihar Reservation of vacancies in post and services (for Sch. Castes, Sch. Tribes and Other Backward Classes) Act, 1991".

According to this Act all appointments to services and posts in an establishment, which are to be filled by direct recruitment, shall be regulated in the following manner:

The available vacancies shall be filled up

- a) From open merit category - 50%
- b) From reserved category - 50%

Out of the 50% reserved vacancies, the percentage of reservations for different categories as amended by the Bihar Reservation of Vacancies in Posts and Services ¹/₄ for Scheduled Castes, Scheduled Tribes and Other Backward Classes ¹/₂ ¹/₄ Amendment ¹/₂ Act, 2002 are as follows:-

- a.. **Scheduled Castes - 16%**
- b. **Scheduled Tribes - 01%**
- c. **Extremely Backward Classes- 18%**
- d. **Backward Class- 12%**
- e. **Women of Backward Classes- 03%**

A reserved category candidate who is selected on the basis of his merit is being counted against 50% vacancies of open merit category and not against the reserved category vacancies.

The vacancies reserved for SCs and STs shall not be filled up by candidates not belonging to SC/ST except as otherwise provided in this Act. As per provision laid down in this Act in cases of services and posts filled up by promotion 16% vacancies are reserved for SCs and 1% for STs only. The government of Bihar has decided to continue the reservation policy in promotion for the Sch. Castes & Sch. Tribes. A resolution vide memo no. 11635 dated 21-08-2012 of the General Administration Department, Govt. of Bihar, Patna has been issued in this regard.

In each department of the Govt., an officer-in-charge of establishment, not below the rank of Joint Secretary, shall be authorized by the Secretary of the Department to act as a Liaison Officer in respect of the matters provided under this Act. The State Govt. has decided to nominate an officer of the SC/ST in every Establishment/Promotion Committee.

If any appointing authority makes an appointment/promotion in contravention of the provisions made under this Act, he shall be punishable with fine which may extend to one thousand rupees or imprisonment for 3 months or both.

The Personnel & Administration Reforms Department of the Bihar Govt. have entrusted to monitor the filling up of backlog vacancies. Besides this, for the purpose of proper implementation of reservation policy the Bihar Govt. has also created a post of Reservation Commissioner.

Representation of SCs in State Government Services (as per report received from the State, 2012).

Group	%age of SC Population	%age of SC Representations
A	15.70	14.58
B		14.13
C		8.86
D		11.51

As per information received from some of the departments of the Govt. of Bihar and its PSUs, the following are the position of the representation of the Scheduled Castes in the services in those organization under different groups of posts during the year 2011-12:-

Name of Deptt/Orgns.	Group of Posts	Total No. of Employees	No. of SC Employees	Percentage of SC Employees	Short falls of SC Employees
1.	2.	3.	4.	5.	6.
Food Supply & Commerce Deptt.	A				
	B				
	C	532	85	16	--
	D	13	--	--	05
	Sweepers				
Water Resources Deptt.	A	420	89	21%	--
	B	1940	311	16%	--
	C	3172	30	--	--
	D	459	61	13%	03
	Sweepers	10	7	70%	--
Rural Development Department	A	7	1	14.29	
	B	25	9	36.00	
	C	78	7	8.97	--
	D	35	9	25.71	--
	Sweepers	5	2	40.00	--
Personal & Administrative Reforms Deptt.	A	448	96	21.42	
	B	1701	248	15%	1%
	C	2476	304	12.27%	4%
	D	36	7	19.4%	--

	Sweepers	---	--	--	--
Road Construction Department	A	399	67	17%	--
	B	1447	190	13.13%	3%
	C	$\frac{1}{4}$ J.E $\frac{1}{2}$ 2705 $\frac{1}{4}$ H.Q $\frac{1}{2}$ 103	319 8	11.9% 8.24%	4% 7%
	D	85	21	26%	--
	Sweepers	02	02	100%	--
Co-operative Department	A	49	04	8.2%	4
	B	120	23	19.2%	4
	C	1375	121	8.85	99
	D	284	42	14.8%	3
	Sweepers	--	--	--	--
Energy Department	A	09	04	44.4%	--
	B	38	08	21	--
	C	52	02	3.84%	6
	D	586	19	3.24%	75
	Sweepers	01	01	100%	--
Labour Resources Department	A	16	06	37.5%	--
	B	24	04	16.6%	--
	C	712	76	10.67%	6
	D	74	18	24.32%	--
	Sweepers	--	--	--	--
Disaster Management Department	A	04	--	--	--
	B	07	04	57%	--
	C	27	03	15%	--
	D	28	05	18%	--
	Sweepers				
Public Health Engineering Deptt.	A	106	13	12.26%	02
	B	236	23	9.74%	10
	C	737	47	6.37%	52
	D	69	12	17.39%	--
	Sweepers	--	--	--	--
Bihar State Food Corporation	A	--	--	--	--
	B	23	02	8.6%	01
	C	446	45	10%	71
	D	534	126	23.5%	--
	Sweepers	--	--	--	--
BREDA $\frac{1}{4}$PSU$\frac{1}{2}$	A	02	01	50%	--
	B	--	--	--	--
	C	96	08	8.33%	7
	D	02	01	50%	--
	Sweepers	--	--	--	--
Bihar State Electricity Board $\frac{1}{4}$BSEB$\frac{1}{2}$	A	125	15	12.8%	5
	B	471	31	6.58%	44
	C	6310	234	4%	876
	D	8441	494	5.85%	857

	Sweepers	--	--	--	--
Bihar State Hydl. Power Corp.	A	15	--	--	02
	B	29	02	6.90%	3
	C	79	06	8.22%	6
	D	18	02	11.11%	1
	Sweepers	--	--	--	--
Bihar State Bridge Construction Corp.	A	--	--	--	--
	B	5	2	20%	--
	C	195	18	10.95%	4%
	D	379	38	10%	4%
	Sweepers	1	1	100%	--
Bihar State SC Cooperative Development Corp	A	01	--	--	--
	B	10	01	10%	--
	C	136	84	61.76%	--
	D	54	34	62.96%	--
	Sweepers	20	16	80%	--
Bihar State Text Book Publishing Corp. Ltd.	A	--	--	--	--
	B	05	--	--	01
	C	122	10	8.19%	--
	D	107	19	17.75%	--
	Sweepers	06	06	--	--

From the above information it may be seen that the representation of Scheduled Castes is less than prescribed quota in the following departments/PSUs of the Govt. of Bihar.

1. Water Resources Department- In Group D posts
2. Rural Development Department- In Group A and Group C Posts.
3. Personal and Administrative Reforms Department- In Group D & C posts.
4. Road Construction Department- In Group D & C posts.
5. Co-operative Department- In Group A, C & D posts.
6. Energy Department- In Group C & D posts.
7. Labour Resources Department- In Group C posts.
8. Disaster Management Department- In Group C posts.
9. Public Health Engineering Department.- In Group A, B & C posts.
10. Bihar State Food Corporation- In Group B & C posts.
11. BREDA- In Group C posts.
12. Bihar State Electricity Board- In Group A, B, C & D posts.
13. Bihar State Hydel Power Corporation- In Group A,B, C & D posts.
14. Bihar State Bridge Constructions Corporation Ltd.- In Group C & D posts.
15. Bihar State Sch. Caste Co-operative Development Corpn.- In Group Posts.

16. Bihar State Text Book Publishing Corporation Ltd.- In Group C posts.

Representation of SC in State Govt. in various grades :

The position of representation of SCs in State Govt. services in respect of 10 Departments of Govt. of Bihar during the year 2011-12 are as under :-

Name of Deptt/Orgns.	Group of Posts	Total No. of Employees	No. of SC Employees	Percentage of SC Employees	Short falls of SC Employees
1.	2.	3.	4.	5.	6.
Food Supply & Commerce Deptt.	A				
	B				
	C	532	85	16	--
	D	13	--	--	05
	Sweepers				
Water Resources Deptt.	A	420	89	21%	--
	B	1940	311	16%	--
	C	3172	30	--	--
	D	459	61	13%	03
	Sweepers	10	7	70%	--
Rural Development Department	A	7	1	14.29	
	B	25	9	36.00	
	C	78	7	8.97	--
	D	35	9	25.71	--
	Sweepers	5	2	40.00	--
Personal & Administrative Reforms Deptt.	A	448	96	21.42	
	B	1701	248	15%	1%
	C	2476	304	12.27%	4%
	D	36	7	19.4%	--
	Sweepers	---	--	--	--
Road Construction Department	A	399	67	17%	--
	B	1447	190	13.13%	3%
	C	$\frac{1}{4}$ J. $\frac{1}{2}$ 2705 $\frac{1}{4}$ H.Q. $\frac{1}{2}$ 103	319 8	11.9% 8.24%	4% 7%
	D	85	21	26%	--
	Sweepers	02	02	100%	--
Co-operative Department	A	49	04	8.2%	4
	B	120	23	19.2%	4
	C	1375	121	8.85	99
	D	284	42	14.8%	3
	Sweepers	--	--	--	--
Energy Department	A	09	04	44.4%	--
	B	38	08	21	--
	C	52	02	3.84%	6

	D	586	19	3.24%	75
	Sweepers	01	01	100%	--
Labour Resources Department	A	16	06	37.5%	--
	B	24	04	16.6%	--
	C	712	76	10.67%	6
	D	74	18	24.32%	--
	Sweepers	--	--	--	--
Disaster Management Department	A	04	--	--	--
	B	07	04	57%	--
	C	27	03	15%	--
	D	28	05	18%	--
	Sweepers				
Public Health Engineering Deptt.	A	106	13	12.26%	02
	B	236	23	9.74%	10
	C	737	47	6.37%	52
	D	69	12	17.39%	--
	Sweepers	--	--	--	--

(Note:- Information in respect of other departments of Govt. of Bihar has not been received. There are 42 departments in the Govt. of Bihar.)

Representation of SC in State Govt. PSU's in various grades:

The position of representation of SCs in State Govt. PSU services in respect of 07 PSUs of Govt. of Bihar are as under :-

Name of Deptt/Orgns.	Group of Posts	Total No. of Employees	No. of SC Employees	Percentage of SC Employees	Short falls of SC Employees
1.	2.	3.	4.	5.	6.
Bihar State Food Corporation	A	--	--	--	--
	B	23	02	8.6%	01
	C	446	45	10%	71
	D	534	126	23.5%	--
	Sweepers	--	--	--	--
Bihar Ren. Energy Development Agency (BREDA)	A	02	01	50%	--
	B	--	--	--	--
	C	96	08	8.33%	7
	D	02	01	50%	--
	Sweepers	--	--	--	--
Bihar State Electricity Board ¼BSEB½	A	125	15	12.8%	5
	B	471	31	6.58%	44
	C	6310	234	4%	876
	D	8441	494	5.85%	857
	Sweepers	--	--	--	--
Bihar State Hydl. Power Corp.	A	15	--	--	02
	B	29	02	6.90%	3
	C	79	06	8.22%	6
	D	18	02	11.11%	1
	Sweepers	--	--	--	--
Bihar State Bridge Construction Corp.	A	--	--	--	--
	B	5	2	20%	--
	C	195	18	10.95%	4%
	D	379	38	10%	4%

	Sweepers	1	1	100%	--
Bihar State	A	01	--	--	--
SC Cooperative Development Corp	B	10	01	10%	--
	C	136	84	61.76%	--
	D	54	34	62.96%	--
	Sweepers	20	16	80%	--
Bihar State Text Book Publishing Corp. Ltd.	A	--	--	--	--
	B	05	--	--	01
	C	122	10	8.19%	--
	D	107	19	17.75%	--
	Sweepers	06	06	--	--

During the year under reporting, the State Office of NCSC at Patna, Bihar has dealt 154 cases pertaining Bihar State and 27 cases pertaining to Jharkhand State.

GOA

The representation of Scheduled caste in all the groups is in proportion to the percentage of SC population of the Goa State which is 1.73%..

STATEMENT SHOWING REPRESENTATION OF SCHEDULED CASTES IN STATE SERVICE IN ALL CADRE AS ON 01.01.2012

Grades in the he Service	Total No. of posts	Total No. of employees	Employees belonging to	
			SCs	Percentage
1	2	3	4	5
Gr.A	718	537	15	2.08%
Gr.B	189	67	3	1.58%
Gr.C	1283	797	33	2.57%
Gr.D*	972	607	38	3.90%
Total	3162	2008	89	2.81%
Appointment on contract basis including safai karmacharis	1143	1030	-	-

**Excluding safai karmacharis*

STATEMENT SHOWING REPRESENTATION OF SCHEDULED CASTES IN PUBLIC SECTOR UNDER TAKINGS/AUTONOMOUS BODIES IN ALL CADRE AS ON 01.01.2012

Group/class of service	Total No. of posts	Total No. of employees	Employees belonging to	
			SCs	Percentage
1	2	3	4	5
Group A	295	186	2	1.08%
Group B	110	92	2	2.17%
Group C	2496	2339	42	1.80%
Group D*	788	709	25	3.52%

Total	3689	3326	71	2.13%
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*Excluding safaikarmacharies.

JHARKHAND

Representation of SC in State Govt. in various grades :

The number of posts and the details of backlogs in respect of State Government services of Jharkhand State

Category of posts	Total No. of posts	Number of posts reserved for	Number of appointment	Shortfalls (in number)
Group-A	1314	123	99	31
Group-B	7653	776	394	402
Group-C	12326	1182	731	1276
Group-D	8064	804	555	352
Total	29357	2885	1779	2061

(Source: Information received from the Deptt. of Personnel, Administrative Reforms & Rajbhasa, Govt. of Jharkhand, Ranchi based on data received from 20 departments. Position as on 09-04-2011.)

Representation of SC in State Govt. PSU's in various grades :

The number of posts and the details of backlogs in respect of Jharkhand State public sector/autonomous bodies services

Category of Post	Total No. of Posts	Number of posts reserved for	Number of appointment	Shortfalls (in number)
Group A	1323	133	72	62
Group B	1348	107	29	68
Group C	2996	310	45	241
Group D	3950	395	45	290
Total	9617	945	191	661

(Source: Information received from the Deptt. of Personnel, Administrative Reforms & Rajbhasa, Govt. of Jharkhand, Ranchi. Position as on 09-04-2011.)

MAHARASHTRA

Reservation in Services

Govt. of Maharashtra's SC Population is 10% whereas the reservation provided is 13%. The overall percentage is maintained in all the Groups.

The SC percentage in State Government Services in all Groups

State: Maharashtra

	GROUP	Total No.of post	Total No.of Employees	Employees Belonging to S.C.s	Percentage
	A	36846	27889	4245	15.22
	B	54365	40548	5702	14.06
	C	790419	703743	92692	13.17
	D	107907	84718	13985	16.5
	Total	989537	856898	116624	13.61

ODISHA

Prescribe quota of reservation in services for Scheduled Castes: In direct recruitment/ In promotion

The State Govt. have determined 16.25% reservation of vacancies in posts and services for Scheduled Castes and 22.50% for Scheduled Tribes in the case of initial recruitment as well as in promotion in all cadres up to the rank of Jr. Class-I.

Whether the State / UT promulgated any Act governing the reservation for SCs in services / Posts:

In order to safe guard the interest of the reserved categories, Orissa Reservation of vacancies in Posts and Services (For SCs and STs) Act. 1975 and ORV Rules 1976 have been enacted. Instructions and clarifications have also been issued from time to time for proper Implementation of reservation principles.

Machinery/checks devised to ensure that the reservations made in favour of Scheduled Castes

The representatives of this Deptt. both at Deptt. level and District level are deputed to attend Departmental Promotion Committees / Departmental Selection Boards to ensure that provisions of ORV Act and Rules are not violated.

Act providing punishment to officers who violate the reservation policy for Scheduled Castes:

Provisions have been made vide section 12 of the ORV Act that any Appointing Authority who makes the appointment in violation of Act and Rules made there under shall on conviction be punished with a fine which may extend to five thousand rupees. Further the Govt. may also draw up Disciplinary Proceedings against the Authority concerned and punishment so imposed shall be recorded in his Confidential Character Roll. Further section 13(A), (1) and (2) for the said Act provide following actions against an appointing authority who is found during inspection of documents to have made any appointment in violation of the ORV Act and Rules framed there under: Section 12(B) and Section 13(A) of the Orissa Reservation of Vacancies in Post and Services (for SCs and STs) Act, 1975 provide punishment to officers who violate the Reservation Policy.

Instances where persons have obtained employment under the State Government on the basis of false caste certificates:

Year-wise/ RDC-wise	No. of Cases	Details of cases	Action taken and present position of each case	Steps taken to avoid recurrence of such instances
(1)	(2)	(3)	(4)	(5)
RDC (SD), Berhampur 2007-11	1480	1480 cases were sent to Dist. Vigilance Cell for enquiry.	676 cases have been enquired by the Dist. Vigilance Cell and out of 676 cases enquired, 290 cases have been finalized by State Level Scrutiny Committee (SLSC) including 46 nos. relating to Govt. employees. The concerned authorities have also been instructed to take adequate action against the fake caste certificate holders as per the rules	Appropriate penal and disciplinary action is initiated against the concerned Revenue Officials as per the relevant provisions of I.P.C. and CCA Rules for issuing of the wrong (Fake) Caste Certificate to the alleged person.

RDC (ND), Sambalpur, 2007-11	515	514 cases were sent to Dist. Vigilance Cell for enquiry.	360 cases have been enquired by the Dist. Vigilance Cell and out of 360 cases enquired, 97 cases have been finalized by State Level Scrutiny Committee (SLSC). Which includes 52 nos. of Govt. employees	-do-
RDC (CD), Cuttack, 2007-11	50	50 cases were sent to Dist. Vigilance Cell for enquiry.	24 cases have been enquired by the Dist. Vigilance Cell and out of 24 cases enquired, 17 cases have been finalized by State Level Scrutiny Committee (SLSC). Which includes 06 nos. of Govt. employees.	-do-

N.B: Bill pending for issuance of the certificate and stringent punishment to user of fake caste certificate/ issuing authority has already been passed by the OLA and processed for getting Presidential assent.

Whether the State / UT set up any Committee for scrutiny of false caste certificates:

In order to ensure expeditious disposal of all complaint petitions relating to fake Caste Certificates Cases in the State, Govt. have constituted three State Level Scrutiny Committees one for each Revenue Division (i.e. Central Division, Southern Division & Northern Division) under the Chairmanship of the concerned Revenue Divisional Commissioner as follows:

- 1) Revenue Divisional Commissioner **- Chairman**
- 2) Collector/ ADM of the District to which the complaints relate **- Member**
- 3) Representative of Director, STSCRTI not below the rank of the Research Officer having intimate knowledge in the issuance of Social Status Certificates and identification of tribes and tribal Communities. **- Member**
- 4) Director, ST & SC or his representative not below the rank of Dy. Director, ST & SC **-Member Convener**

The decision of the Scrutiny Committee is final and the procedure followed by the Committee is stated below:

(i) Senior Deputy Superintendent of Police of each district will be in charge of the Vigilance Cell of the district which will be under the Directorate of ST & SC Development Department and with the help of the Police Officers not below the rank of Inspector of Police in charge of the local area will investigate into the social status of the ST & SC candidates in relation to their castes are referred to by the Director, ST & SC Development for verification.

(ii) The concerned Investigating Officer i.e. the Inspector of Police of the concerned area, where the candidates whose social status is to be verified originally hail or usually reside, would go to the local place of residence and the original place from where the candidate hails, and usually resides or in case of migration to the town or city, or the place from which he originally hailed from and will collect the information regarding the genealogy, ethnological traits, deity, rituals, customs, mode of marriage, death ceremonies, method of burial of dead bodies etc. by the concerned castes or tribes or tribal communities for determining the caste/community status of the alleged person/candidate and his/her family members.

(iii) The Inspector of Police should personally verify and collect all the facts of the social status claimed by the candidate or the parent or guardian as the case may be. He should examine the School records, birth registration, revenue records, voter list etc. if any, as available.

(iv) The Inspector of Police should also examine the parent, guardian or the candidate in relation to their caste etc. or such other person who has knowledge of the social status of the candidate and record their statements with their signature/ thumb impression as the case may be. In case the candidate or persons whose statements so recorded refuse to sign, in that case, signature or two witnesses to the recorded statements be taken one of which may be a Govt. servant preferably to the effect that the person declined to sign the Statement given.

(v) In particular, about the Scheduled Tribes the Inspector of Police should enquire relating to their peculiar anthropological traits, deity, rituals, customs, mode of marriages, death ceremonies, method of burial of dead bodies etc. by the concerned castes or tribes or tribal communities.

(vi) For conducting, the enquiry, the Inspector of Police may take the assistance of local Tahasildar/ Revenue Inspector and peruse revenue records as may be necessary.

Statement showing the strength of employees in the State /UT and as on 01.04.2010 in the following tables. (Information in respect of sweepers may be given separately)

Group of posts	Total no of employees	No of SC Employees	% of SC employees	Short falls of SC employees	Remarks
1	2	3	4	5	6
A	15320	11833	749	6.33	
B	24691	20582	2548	12.38	
C	411830	299886	38509	12.85%	
D	79821	59912	10953	18.28%	
Total	531662	392013	52759	13.46%	
Appointment on contract basis including Safai	-	5741	4531	78.92%	

Karmacharies					
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Representation of SCs in the State Public Sector Enterprises (latest position available).

Group of posts	Total no of employees	No of SC Employees	% of SC employees	Short falls of SC employees	Remarks
1	2	3	4	5	6
Group A	NA	493	39	7.91%	
Group B	NA	1399	167	11.94%	
Group C		7893	688	8.72%	
Group D		5180	606	11.70%	
Sweepers		107	93	86.92%	
Sub-Total		14965	1500	10.02%	
Appointment on contract basis including Safai Karmacharies		107	93	86.92%	
TOTAL		15072	1593	10.57%	

Scavenging

Practice of manual scavenging whether is still continuing:

Orissa is a Manual scavenging free state. Practice of manual scavenging has been completely abolished in the State in pursuance of introduction of the Employment of Manual Scavenging and Construction of Dry Latrines (Prohibition) Act, 1993. This Act had been published on 13th September, 1994 in Odisha Gazette

Status of implementation of the Employment of manual scavengers and Construction of Dry Latrines (Prohibition) Act,1993:

The District magistrate of all Revenue Districts of the State have been declared as Executive Authorities and conferred all powers/functions for the purpose of the implementation and monitoring of the employment of Manual Scavenging and Construction of Dry Latrines (Prohibition) Act, 1993. State Coordination Committee constituted as per the provision of the Act (vide Notification 32397/HUD Dt. 22.12.2008) for the purpose of monitoring and coordinating the programmes for construction of water-seal latrines in the State and rehabilitation of those engaged in or employed as manual scavengers with the Development Commissioner-cum-Addl. Chief Secretary, Odisha as the Chairperson. In this connection, Odisha has reported NHRC in letter No. 35976/HUD dt. 11.8.2003 as a Manual Scavenging and Dry Latrine free state. Further, it is to mention here that Affidavit and Addl.

Affidavit have already been filed by H&UD Deptt before the Honøble Supreme Court in this regard.

Steps have been taken to abolish manual scavenging:

The nos. of scavengers rehabilitated during last 5 years is given below.

(Rs.In lakhs)

Sl No	Name of the year	No. of beneficiary Assisted		Amount Utilise by the District	
		Bankable IGS	Training	Bankable IGS	Training
(1)	(2)	(3)	(4)	(5)	(6)
1	2006-07	689		72.30	
2	2007-08	3418	26	400.44	3.12
3	2008-09	8531	43	1049.73	3.85
4	2009-10	1799		194.62	
5	2010-11	329		32.13	
	Total	14766	69	1749.22	6.97

TAMIL NADU

Representation of SCs in Government of Tamil Nadu as on 30.6.2007:

S.No.	Group	Sanctioned Strength	Reserved for SCs	Occupancy (SC)	Vacancy (Shortfall)
1.	'A'	8304	1496	622	874
2.	'B'	167501	30146	22506	7638
3.	'C'	674193	121353	106491	14862
4.	'D**'	241587	43493	72164	28674

****Group 'D' excluding Safai Karmachari's**

Note: Latest information on representation in Government of Tamil Nadu Services and information on State Government PSUs are awaited.

Representation of SCs in State Government PSUs of U.T of Puducherry as on 1.1.2012:

S.No.	Group	Sanctioned Strength	Occupancy (SC)	SC %
1.	'A'	729	65	8.91
2.	'B'	412	49	11.89
3.	'C'	2727	585	21.45
4.	'D**'	1580	820	51.89

****Group 'D' excluding Safai Karmachari's**

Prescribed quota of reservation in services for Scheduled Castes

In Direct recruitment	In promotion
18% reservation for Scheduled Castes is prevailing in this State since 1971	Rule of reservation for Scheduled Castes is followed only in direct recruitment.

The Govt. of Tamil Nadu has provided the following reservation both in employment and also in education:

Scheduled Castes	18%*
Scheduled Tribes	1%
Backward Class	26.5%
BC Muslim	3.5%
MBC & DNC	20%

**(Tamil Nadu Arunthathiyars Special Act for providing 3% Special Reservation for Arunthathiyars from among 18% of Scheduled Castes)*

The Government of Tamil Nadu is keen on protecting the interest of the Scheduled Castes / Scheduled Tribes not only by providing the 19% reservation both in Education and Employment but also taken various steps to prevent the encroachment by other communities to enjoy the privileges by producing false or bogus community certificates.

The Government of Tamil Nadu have already provided necessary provisions under Rule 22 of the Tamil Nadu State and Subordinate Service Rules to implement the rule of reservation in all direct recruitments made through various recruitment agencies.

The Government of Tamil Nadu have also recently Constituted a Committee under the Chairmanship of Honorable Minister for Adi Dravidar and Tribal Welfare in G.O.(Ms) No. 3, AD&TW Department, dated 5.01.2012 to identify the inadequate representation of Scheduled Castes / Scheduled Tribes under various categories in various services.

In order to identify the inadequate representation of Scheduled Castes / Scheduled Tribes and to fill up those vacancies identified by the above committee the Government of Tamil Nadu have incorporated Special provisions under Rule 22 (g) in the Tamil Nadu State

and Subordinate Service Rules issued in G.O. (Ms) No. 220, Personnel & Administrative Reforms Department, dated 14.9.2007.

The Government of Tamil Nadu is taking all measures to safeguard the interest of the Scheduled Castes ó Scheduled Tribes by implementing the rule of reservation in direct recruitment without any omission.

The rule of reservation is being followed in promotion also in the following department:

1. Tamil Nadu Civil Service
2. Tamil Nadu Highways Engineering Service.
3. Tamil Nadu Judicial Service
4. Tamil Nadu Survey and Land Reforms Service
5. Tamil Nadu Commercial Service
6. Tamil Nadu Revenue Subordinate Service
7. Tamil Nadu Registration Subordinate Service
8. Tamil Nadu Commercial Taxes Subordinate Service.

However, such provision is not available in other services for promotion.

The Government of Tamil Nadu will consider the need and interest of amending the Special Rules consequent to the amendment 16 (4A), after completing the exercise now being processed by the Committee Constituted to identify the shortfall vacancies for Scheduled Castes / Scheduled Tribes.

Provision for the most backward among the Scheduled Castes:

Government of Tamil Nadu has enacted 3% special reservation for Arunthathiyars under the Tamil Nadu Arunthathiyars (Special Reservation of seats in Educational institutions including Private Educational Institutions and of appointments or posts in the services under the State within the Reservation for the Scheduled Castes) Act,2009 on 24.04.2009 from among 18% reserved for Scheduled Castes.

With the main object of providing reservation to Scheduled Castes in the services of the Government, Government undertakings, civic bodies etc. the Government of Tamil Nadu have fixed the reservation to the Scheduled Castes as 18% for uplifting the status of these people in the society both socially and economically. This reservation of 18% is being followed till date by the Govt. of Tamilnadu both in employment and education.

The rule of reservation for appointment has been incorporated under Rule 22 of the General Rules itself. Hence as per Rule 22(d) of the General Rules for the Tamilnadu State and Subordinate services reservation has to be followed in all direct recruitments.

In G.O(Ms.) No. 91, Adi Dravidar & Tribal Welfare Department, dated 28.11.2001, orders were issued to the effect that each Govt. Department should have its own committee headed by the Head of Departments to review all the rules and the representation of SCs/STs as on date. A High Level Committee headed by Honøble Minister (Adi Dravidar Welfare) has also been formed to assess the adequate of representation of Scheduled Castes in all services and the General Rule 22 has been modified and a new provision as 22-G has been brought out to amend the rules making provision for direct recruitment at the lowest entry level posts in all the Groups A,B,C and D.

Machinery in the State to ensure that the reservations :

All the appointing authorities are kept under constant review by prescribing an annual return and it should be submitted to the Government vide G.O.Ms.No.25, AD&TW Dept. dt. 3.11.1993. Each Department has its own committee headed by the Head of Department to review all the rules and the representations of Scheduled Castes / Scheduled Tribes as on date and suggest amendment to the rules wherever necessary (G.O.(Ms).No.91, AD&TW.Dept.,dt.28.01.2001).

Nodal Officers are appointed in all Departments to supervise the proper implementation of reservation. The Nodal Officers also act as a grievance cell officer in the respective department (G.O.(Ms).No. 65, Adi Dravidar & Tribal Welfare Department dt.9.4.97)

Government have ordered that at least one representative of Personnel and Administrative Reforms (N) Department, community should be included in all Selection Committees (G.O.(Ms).No.163, AD&TW Dept.,dt.29.9.97)

A Vigilance Committee under the chairmanship of the Honøble Minister for Adi Dravidar and Tribal Welfare has been constituted. (G.O.(Ms).No.156, AD&TW.Det.,dt.13.3.97)

A Monitoring Committee under the chairmanship of the Chief Secretary to Government was also constituted to monitor the Appointing Authorities who violate the roaster systems and rule of reservation. (G.O. (Ms).No.110, Personnel and Administrative Reforms (N) Department, Dept. dt. 22.6.2000).

Act providing punishment to officers who violate the reservation policy for Scheduled Castes:

Though there is no Act providing punishment to officers who violate the reservation for Scheduled Castes, the Government have issued orders that disciplinary action should be initiated under rule 17(b) of the Tamil Nadu Civil Services (Discipline and Appeal) Rules and major penalty should be imposed wherever the appointing authorities violate the roaster system and the rule of reservation (G.O.(Ms).No.162, Adi Dravidar and Tribal Welfare.Department dt. 21.09.1999)

False caste certificates:

There are instances where persons obtained employment on the basis of false caste certificates. The Government of Tamil Nadu has constituted District Level Vigilance Committees (DLVC) and State Level Scrutiny Committee (SLSC) for this purpose. The Scheduled Caste cases are being verified by the DLVC and cancel the certificate and cancelled if found incorrect.

Year	No. of cases	Details of cases	Action taken and present position of each case	Steps taken to avoid recurrence of such instances.
2006	312	obtained false community certificate	Action has been taken for verification of the genuineness of the Community	Strict instructions have been given to the authorities to avoid issuing false community certificates.
2007	562			
2008	386			
2009	407			
2010	772			
2011	2804			

2012	2088		certificate.	
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Committee for scrutiny of false caste certificates:

Government have setup in each district a District Level Vigilance Committee (DLVC) under the leadership of the District Collector for verification of the genuineness of Community Certificates issued as Scheduled Castes/ Scheduled Tribes vide G.O(2D) No.108, AD&TW(CV-1) Deptt., dated:12.09.2007.

District Level Vigilance Committee

1.	District Collector	Chairman	To Scrutinize the genuineness of the Community Certificates issued as Scheduled Caste and to pass final orders. If aggrieved by the orders, appeal will lie only with the High Court, Madras under Article 226 of the Constitution of India and then with Supreme Court under Article 136 of the Constitution of India
2.	District Adi Dravidar & Tribal Welfare Officer	Member - Secretary	
3.	An Anthropologist	Member	

As on 31.12.2012, 2088 cases have been referred to the DLVCs by the Tamilnadu Public Service Commission and the State & various Central Governments departments and Undertakings including Nationalized banks during recruitments, promotions and on receipt of petitions. All District Collectors have been directed by the Principal Secretary, Adi Dravidar and Tribal Welfare Department and the State Chief Secretary to dispose off the pending cases vide letters No.D.O. No.12032/CV-2/2008 & dated 6.3.2010 respectively.

Domicile certificate / castes certificate for SCs

During 2012-13, Government of Tamil Nadu has issued instructions to issue Community Certificate, Income Certificate and Nativity Certificate to the students of 6th standard through the concerned Head Master. Students should submit their application to the Head Master and the Head Masters in turn send their applications to the Revenue Officials and obtain certificates. [G.O(Ms) No.184, Revenue Department, dated 5.6.2012].

Identification of SC employees who change their religion, other than to Sikh and Neo Buddhist, and at the same time avail the reservation benefit meant for SCs:

As on date, there is no machinery in the State for the identification of Scheduled Castes employees who change their religion, other than Sikh and Neo Buddhist. However, on receipt of complaints of such cases, action will be taken on the genuineness of the complaint and if it is found true, the concerned employees will be addressed to take appropriate action on the individuals according to the existing Service Rules. Action is being taken to send an instruction to the State Government offices.

Formulated any Act for regulating and governing the reservation in services for SCs:

There is no separate Act governing the reservation policy in the State of Tamil Nadu. With the main object of providing reservation to Scheduled Castes in the services of the Government, Government undertakings, civic bodies etc. the Government of Tamilnadu have fixed the reservation to the Scheduled Castes as 18% for uplifting the status of these people in the society both socially and economically. This reservation of 18% is being followed till date by the Govt. of Tamil Nadu both in employment and education. The rule of reservation of appointment has been incorporated in Rule 22 of the General Rules itself. Hence as per Rule 22(d) of the General Rules for the Tamil Nadu State and Subordinate services reservation has to be followed in all direct recruitments.

In G.O(Ms.) No. 91, Adi Dravidar & Tribal Welfare Department, dated 28.11.2001, orders were issued to the effect that each Govt. Department should have its own committee headed by the Head of Departments to review all the rules and the representation of SCs/STs as on date. A High Level Committee headed by Honøble Minister (Adi Dravidar Welfare) has also been formed to assess the adequate of representation of Scheduled Castes in all services and the General Rule 22 has been modified and a new provision as 22-G has been brought to amend the rules bringing provision for direct recruitment at the lowest entry level posts in all the Groups A, B, C & D.

Backlog vacancies for Scheduled Castes :

The backlog vacancies arise only in cases of direct recruitment. The direct recruitment is made by the recruiting agencies (TNPSC, TRB, TUSRB, Emp.Exchange) based on the vacancies notified by the Government Departments. The Government Departments notify the vacancies based on the sanctioned strength and subject to availability of rule provision for direct recruitment. While making direct recruitment, the recruitment agencies follow, rule of

reservation as prescribed in General Rule 22 of Tamil Nadu State and Subordinate Services Rules. If no Scheduled Castes candidates are available, in the rotation specified for them, such vacancies are carried forward to the next recruitment as backlog vacancies and will be filled up first, along with the regular vacancies for the year of recruitment.

SHORTFALL VACANCIES AND SPECIAL RECRUITMENT DRIVE

The Government have considered the directions of the Honøble Supreme Court in W.P. No.930 of 1990 (Indhra Sani-Vs-Union of India) that:

- i) The adequate representation of Scheduled Castes / Scheduled Tribes in all Departments in Civil Services has to be ensured.
- ii) However, the remedy in such cases lies in ensuring that direct recruitment is provided for posts at all levels of the administrating and the reservation is kept in all such direct recruitment.
- iii) The reservation should be kept category wise and Grade wise at appropriate percentage and for practical purposes, the extent of reservation should be collected category wise and Grade wise.

Considering the above decision of the Supreme Court of India, the Government of Tamil Nadu have issued orders vide G.O. (Ms.) No.44, Adi Dravidar and Tribal Welfare Department dated 20.05.1998 that the adequate representation of the Scheduled Castes and Scheduled Tribes in various classes of posts in services under the State of Tamil Nadu shall be ensured. Direct recruitment may be made for making good of the shortfall of such vacancies earmarked for Scheduled Castes Scheduled Tribes, in each group, at the lowest level post.

The Honøble High Court, in Writ Petition No.16097 of 1999 dated 14.01.2000 has accepted the decision of the Government to fill up the backlog vacancies of Scheduled Castes / Scheduled Tribes within 5 years. Accordingly, the Government of Tamil Nadu have issued orders to fill up the backlog vacancies identified as on 01.04.1989 earmarked for Scheduled Castes / Scheduled Tribes within a period of 5 years at the entry level vide G.O. (Ms) No.33, Adi Dravidar and Tribal Welfare Department dated 08.05.2000.

The State Government have constituted the High Level Committee vide G.O.(Ms) No.138, Adi Dravidar and Tribal Welfare Department, dated 08.11.2006 headed by the Honøble Minister for Adi Dravidar Welfare to review shortfall vacancies in each Department under the State of Tamil Nadu to identify the inadequate representation of Scheduled Castes / Scheduled Tribes. The Secretaries of Adi Dravidar and Tribal Welfare Department,

Personnel and Administrative Reforms Department and Law Department are also its members. The above High Level Committee had series of meetings with the Secretaries and HODs of about 33 Departments to arrive at the shortfall vacancies in each Department against each and every category. The shortfall vacancies identified by the Committee is put up in the statement annexure.

CONSOLIDATED STATEMENT as on 30.06.2012

Sl.No.	Category	Sanctioned Strength	Strength as per reservation	Actual No. of working	Shortfall / surplus
			SC	SC	SC
1	A	8304	1496	622	-874
2	B	167501	30146	22506	-7638
3	C	674193	121353	106491	-14862
4	D	241587	43493	72164	28674

De-reservation of vacancies reserved for Scheduled Castes :

There is a ban on de-reservation of vacancies reserved for Scheduled Castes/scheduled tribes in direct recruitment since 1989. Backlog vacancies are carried forward to the succeeding recruitment years and they are not allowed to be lapsed for 4 years.

WEST BENGAL

Statement showing the strength of employees in the State

Group of Posts	Total No. of Employees	No. of SC Employees	Percentage of SC Employees	Short falls of SC Employees	Remarks
A	38558	4306	11.2		
B	107051	12904	12.1		
C	179171	32645	18.4		
D	38300	8407	22		
Others	2196	252	11.5		
Sweepers	Not available				

After 2007, there was embargo on recruitment in many posts. As a result, there exist a large number of vacancies. The report is available as on 2007.

Special schemes, if any for the educational requirements of Safai Karamcharis

Under the Scheme Centrally Sponsored Pre-Matric Scholarship to the children those engaged in Unclean Occupation, scholarship is provided to the children of Safai karmacharis.

Occupation	2010-11	2011-12
Scavengers engaged in manual cleaning	682	1120
Scavengers engaged in cleaning of manholes and open drains	1063	1760
Sweepers who have traditional link with scavenging	640	935
Tanners	70	122
Flayers	68	142
Beneficiaries under the Self Employment Scheme for rehabilitation of manual scavengers (SRMS) are born before rehabilitation of their/ guardians under (SRMS).	69	160
Total	2592	4239

KARNATAKA

S. No.	Class/ Course	Years					Total	Remarks
		2008*	2009	2010	2011	2012		
1	10 th Class		78954	62322	60687	53550	255513	
2	12 th Class		NA	NA	NA	NA	NA	
3	I.T.I		8669	9381	9418	8945	36413	
4	Polytechnic		2498	2544	2666	2998	10706	
5	Nursing		NA	N.A	NA	NA	NA	
6	B.Sc		676	626	669	663	2634	
7	B.Sc Nursing		3	3	29	31	66	
8	MBBS		107	86	79	79	351	
9	BDS		-	-	-	-		
10	BIMS		-	-	-	-		
11	BPT		2346	2146	2271	2095	8858	

12	BLT							
13	B.Com		1177	1108	1190	1230	4705	
14	B.A		3960	3377	3388	3271	13996	
15	B.Tech		2244	1049	1748	1636	6677	
16	BCA		-	-	-	-	-	
17	BBA		-	-	-	-	-	
18	M.D		-	-	-	-	-	
19	MS		0	0	0	0	0	
20	MDS		NA	NA	N.A	NA	NA	
21	M(PT)		NA	NA	N.A	NA	NA	
22	M(LT)							
23	MSc		259	169	358	336	1122	
24	M.Com		114	104	151	133	502	
25	M.A		958	457	603	572	2590	
26	M.Tech		12	12	10	10	44	
27	MCA							
28	MBA		63	118	348	393	922	
29	MSc(Nursing)							
30	Ph.D							
	Total		102040	83502	83615	75942	345099	

For MCA, MBA and MSc Nursing, combined figures only available. Likewise for BDS, BIMS, BPT BLT also no separate figure available.

Further, for 2008 separate figures are not available. The Live Register shows 62280 candidates have registered in 2008.

पी.एल.पुनिया, सांसद
अध्यक्ष
P.L.Punia, MP
Chairman



सत्यमेव जयते

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

पौचवीं मंजिल, लोकनायक भवन,
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Khan Market,
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Tel. 24620435 Telefax. 24632298

D.O. No. 2/6/2012/SSW-II

Dated: - 14.05.2012

Dear Shri Meena ji

It has been brought to the notice of the National Commission for SCs that all Public Sector Banks have been recruiting a large no. of P.O. & clerks in the year 2011-12 through IBPS a recruiting agency. But the IBPS is not implementing the reservation policy in these recruitments. Perhaps, all Nationalized banks have changed the recruitment procedure for filling up of various vacancies.

It is observed that candidates who have applied as SC/ST candidates in IBPS exams and having more marks than general candidates are not considered against unreserved vacancies.

It is also not clear whether IBPS is a recognized/authorised organization to conduct the recruitment for the Banks. The backlog & current position of Banks in the various posts in also not clear. The various nationalized Banks are going to fill up around 45000-55000 posts of PO & clerk without following the reservation policy.

It seems that in absence of reservation policy, no SC/ST could be appointed as no relaxation/concession has been provided to them.

I shall be grateful, if you kindly look into the matter and appropriate direction may please be issued to the Banking Division.

with regards

Yours sincerely,

P.L. Punia
(P.L. Punia)

Shri Namo Narain Meena
Hon'ble Minister of State
Ministry of Finance
North Block
New Delhi

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पी.एल.पुनिया, सांसद
अध्यक्ष
P.L.Punia, MP
Chairman



सत्यमेव जयते

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

By Spl. Messenger

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D.O. No. 2/3/2012/SSW-II

Dated: 30.04.2012

Respected Narayanasami ji

Kindly refer to your d.o. letter No. D.O. 41012/2/2011-Estt.(Res.) dated 12.12.2011 regarding need to amend the relevant provision of the Constitution to provide benefit of reservation in promotion with 'consequential seniority' to Scheduled Castes and Scheduled Tribes.

In this context, I would like to mention that the National Commission for SCs has already submitted a Study Report on "Reservation in Promotion" to the Hon'ble Prime Minister, Hon'ble Minister of Law & Justice and Minister of Social Justice & Empowerment in which Commission has found that all the three parameters of backwardness, inadequacy in representation of SCs/STs and Administrative Efficiency for providing reservation in promotion were found to be established in all States & UTs and Central Government Ministries/Departments.

The 77th & 85th amendment in the Constitution were challenged by the General category employees before a 5 judge bench of the Supreme Court. The Court clubbed all the petitions challenging these amendments and in the case of M. Nagraj gave a decision that the amendments were constitutionally valid with certain conditions as evident in Hon'ble Supreme Court judgment in M. Nagraj case.

Now two judges bench of Hon'ble Supreme Court has given a judgment in civil appeal No. 2608/2011 dated 27.04.2011 and nullified the Reservation in Promotion and upheld the Allahabad High Court, Rajasthan and HP High Courts judgments as to State Govt. had not undertaken any exercise as indicated in M. Nagraj case. The said judgment has been given by the 2 judges bench of Supreme Court only whereas in 1992 a nine bench of the Hon'ble Supreme Court had given a judgment in Indira Sawhney case disallowing the reservation in promotion for SC/ST. In order to remove this anomaly, the Parliament, through 77th Amendment of the Constitution, added a new clause 4A in Art. 16 i.e. 16(4A) w.e.f. 17.06.1995 making provision for reservation in promotions for SCs/STs and added 16 (4B) through 85th amendment in the Constitution to allow Reservation in Promotion. Hon'ble Supreme Court in M. Nagraj case upheld the validity of 77th & 85th amendment in the Constitution with three conditions to be followed and directed States to carry out detailed study.

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Accordingly, it is seen that in direct recruitment no such exercise is required for giving reservation to Scheduled Caste/Tribes whereas it has been made mandatory by the Hon'ble Supreme Court to follow three conditions in promotion. In promotion, the criteria of Eligibility, ACRs, Service Records of SCs/STs officer, fitness are being applied while considering their promotions. So it does not give any undue advantage to SCs/STs officials.

I shall be grateful if, the corrective measures may be taken up to amend the Constitutional provision to protect the interest of SCs/STs in the light of recent Hon'ble Supreme Court judgment in the matter.

With regards,

Yours sincerely,

P.L. Punia

(P.L. Punia)

Shri V. Narayanasamy,
Hon'ble Minister of State,
Personnel, Public Grievances and Pensions
Government of India,
New Delhi.

No.36038/1(i)/2013-Estt(Res)
Government of India
Ministry of Personnel, Public Grievances and Pensions
Department of Personnel and Training

North Block, New Delhi.
Dated the 21st June, 2013.

Subject: Filling up backlog vacancies reserved for Scheduled Castes (SCs)/Scheduled Tribes (STs)/Other Backward Classes (OBCs).

A Special Recruitment Drive for filling up of the backlog vacancies reserved for SCs/STs/OBCs had been launched in November, 2008 and was concluded on 31st March, 2012.

2. Achievement of the Drive as reported by various Ministries / Departments on its conclusion revealed that out of total 75,522 identified backlog vacancies, there were 64,175 backlog vacancies which could be filled up and of these, 48035 vacancies were filled up. Overall success rate of the Drive was 74.85%. Reasons for non-filling up of reserved vacancies may be attributed to the lack of finishing skills like English fluency or interview skills, non availability of qualified reserved category candidates for posts requiring professional qualification especially in ST category, scarcity of qualified reserved category persons results in job switch over or not joining after selection as they get better jobs and in some cases selection is done on all India basis whereas allocation is made zone/State wise.

3. The Government considered the status of filling up of backlog vacancies reserved for SCs/STs/OBCs and desired that concerted efforts be made to fill up the backlog vacancies at the earliest and the status of action taken in this regard be monitored at the highest level. Besides, actions on the following measures are to be taken at the earliest to enhance the employability of reserved category candidates:

- (i) In order to fill up the vacancies in the posts requiring professional qualifications, the concerned Ministries/Departments may take a decision within a period of six months on launching of a Special Recruitment Drive providing certain relaxations so that the vacancies may be filled up;
- (ii) Finishing training should be imparted to the reserved category candidates once they complete technical/professional qualifications. Ministry of Social Justice and Empowerment and Ministry of Tribal Affairs would devise such programmes. Such programmes should be implemented with involvement of State and State Administrative Training Institutes.
- (iii) Training programmes for interview skills and English proficiency may also be devised for reserved category persons for posts requiring non-professional qualifications;
- (iv) The issue of providing reserve list/wail list of successful reserved category candidates would be taken up with the Recruitment Agencies so that in a situation when reserved category candidates with higher merit do not join the post, the post may be filled up from the candidates available in the reserved list;
- (v) The issue of less employability of SCs/STs/OBCs and Persons with Disabilities for Government sector may require in-depth analysis of the causes and to suggest remedial measures. It would be appropriate to constitute a Committee with representations from Ministry of Social Justice and Empowerment, Ministry of Tribal Affairs, Department of Personnel and Training, major Ministries /Departments like Ministry of Home Affairs, Ministry of Railways and government recruitment agencies. The committee should find out specific reasons for backlog in filling up of vacancies and suggest measures to enhance the employability of reserved category candidates.

- (vi) More and more posts may be identified for the persons with disabilities. Micro specifications may be made liberal by providing reasonable accommodation/technological help.
- (vii) Schemes may be launched for establishment of inclusive schools/colleges where even persons with disabilities may be able to get education so that the dearth of qualified persons especially in Hearing Impaired category may be taken care of.
- (viii) As regards awareness of opportunity for the Persons with Disabilities, the Non-Government Organisations (NGOs) working in the concerned area may be roped in by the Department of Disability Affairs for dissemination of information about schemes/programmes/job opportunities.

4. All the Ministries /Departments are requested to take follow up action on the decision taken by the Government. Quarterly reports be sent to this Department for monitoring the progress of implementation of these directions.


(G. Srinivasan)

Deputy Secretary to the Government of India
Tele.: 23090374

To
The Joint Secretary (Administration),
All the Ministries/Departments /Autonomous Bodies/Attached offices as per the list attached.

**No.43011/153/2010-Estt.(Res.)
Government of India
Ministry of Personnel, Public Grievances and Pensions
(Department of Personnel and Training)**

*North Block, New Delhi-110001.
Dated the 4th January, 2013.*

OFFICE MEMORANDUM

Subject:-Nomination of Liaison Officer and Setting up of Cell in each Ministry/ Department for enforcement of orders of reservations in posts and services of the Central Government.

The undersigned is directed to say that the instructions have been issued by the Department of Personnel and Training from time to time for nomination of Liaison Officers, their roles, duties & responsibilities and setting up of a Special Reservation Cell in each Ministry/ Department under the direct control of the Liaison Officer for enforcement of orders of reservation in posts and services of the Central Government.

2. It is reiterated that in each Ministry/Department/Attached and Subordinate Office, the Deputy Secretary in charge of administration (or any other officer at least of the rank of Deputy Secretary) should be designated as a Liaison Officer in respect of matters relating to the representation of the Scheduled Castes, Scheduled Tribes and Persons with Disabilities. Similarly, instructions provide for nomination of separate Liaison Officer in Ministries/ Departments in respect of matters relating to the representation of the Other Backward Classes.

3. The provisions about Liaison Officer, his role, responsibilities, control etc. and setting up of reservation cell is contained in Annexure.

4. All Ministries/ Departments are requested to bring the contents of this O.M. to the notice of all the attached and subordinate offices under their control and also ensure that the

cells are set up expeditiously in the Ministry/ Department and in Attached/ Subordinate offices under administrative control of Heads of Department.



(Sharad Kumar Srivastava)

Under Secretary to the Government of India

Tele. No. 23092110.

To

1. All Ministries/Departments of the Government of India.
2. All Officers and Sections in the Ministry of Personnel, Public Grievances and Pensions and all attached/subordinate offices of this Ministry.
3. Railway Board.
4. Supreme Court of India/Election Commission/Lok Sabha Secretariat/Rajya Sabha Secretariat/Cabinet Secretariat/Central Vigilance Commission/President's Secretariat/Prime Minister's Office/Planning Commission.
5. Union Public Service Commission, Shahjahan Road, New Delhi.
6. Staff Selection Commission, CGO Complex, Lodi Road, New Delhi.
7. National Commission for Scheduled Castes, 5th Floor, Lok Nayak Bhavan, Khan Market, New Delhi.
8. National Commission for Scheduled Tribes, 6th Floor, Lok Nayak Bhawan, Khan Market, New Delhi.
9. National Commission for Backward Classes, Trikoot-I, Bhikaji Cama Place, R.K. Puram, New Delhi.
10. Office of the Comptroller and Auditor General of India, 10, Bahadurshah Zafar Marg, New Delhi – 110002.
11. Information and Facilitation Centre, DOPT, North Block, New Delhi.
12. Hindi Section for Hindi version.
13. NIC, DoPT for uploading the same on the web-site of DoPT.

No. 36028/8/2009-Estt. (Res.)
Government of India
Ministry of Personnel, Public Grievances & Pensions
Department of Personnel & Training

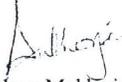
North Block, New Delhi-110001.
Dated: 7th June, 2013

Office Memorandum

Subject: Concessions to Scheduled Castes and scheduled Tribes in posts filled by promotion by selection-posts within Group A (Class I).

The undersigned is directed to invite reference to this Department OM No. 36028/21/2003-Estt. (Res.) dated 29th January 2004 which provides that in promotion by selection to posts within Group A (Class I) which carry an ultimate salary of Rs.18, 300/- per month or less, the Scheduled Caste/Scheduled Tribe officers, who are senior enough in the zone of consideration for promotion so as to be within the number of vacancies for which the select list has to be drawn up, would be included in that list provided they are not considered unfit for promotion. The scales of pay of Group A post have been revised on the basis of the recommendations of the 6th Central Pay Commission. Keeping that in view, it has been decided that orders contained in the aforesaid OM would apply to promotions by selection to posts within Group A carrying Grade Pay of Rs. 8,700/- or less.

2. All Ministries/Departments are requested to bring the above decision to the notice of all concerned.


(Sandeep Mukherjee)

Under Secretary to the Govt. of India

1. All Ministries/Departments of the Government of India.
2. Department of Financial Services, New Delhi.

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CHAPTER - VIII

ECONOMIC & EDUCATIONAL DEVELOPMENT

ECONOMIC DEVELOPMENT

The Scheduled Castes constitute about 16.2% of the total population as per 2001 census. They are subjected to untouchability and social discrimination by other sections of society. This has resulted in their denial of education, Economic, Social, Political and Cultural deprivation. In order to bridge this gap created due to the inherit practice of untouchability against Scheduled Castes(SCs) the founding fathers of the constitution felt an imperative urgency for the Economic Empowerment of Scheduled Castes and Scheduled Tribes who constitute nearly ¼ of the country's total population. Article 46 of the Constitution has been enshrined with this end in view.

As per Article 46 of the Constitution, "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".

From the inception of independence 15% of the total population of the country were SC and at that time 95% (approximate) SC population were below poverty line. From then to now the Govt. has special concern and commitment for the well-being of the SCs who suffer due to their social and economic backwardness and relative isolation. The figurewise allocation of the fund for welfare looks to be handsome but even as a total plans the allocation to this sector is not good enough to cater to the needs of these people. More so it is doubtful that even a Re. 1 is coming to the share of SC per person. Thus it can be felt that what a pathetic life is being faced by the SC people which need proper attention of the Govt. Their social and economic development has not improved as it was expected since independence.

Scheduled Castes Sub-Plan (SCSP)

Before the Sixth Five Year Plan no clear strategy for the economic development of Scheduled Caste emerged notwithstanding the fact that formal decisions were taken for

earmarking of outlays in their favour in proportion to their population. The only funds available upto the end of 1979-80 for development of SCs were provided under the Backward Classes sector. It has been reported that only Rs.433.24 crores were set for the purpose. Of this amount, 48% was spent on educational schemes, another 26% on health, housing, drinking water supply and grants-in-aid to voluntary organizations working amongst SCs and STs. The remaining 26% was spent on economic development schemes for the SCs.

In other words, only about Rs.112.6 crores were spent on economic development of SCs upto the end of 1979-80. Since the members of SCs have been too weak to take initiative, it is the State which has to take remedial measures to correct the society's inbuilt discrimination against them. They are trapped in the circle of deprivation due to caste structure. The SCs are usually engaged in unpleasant and menial jobs. Their basic disabilities stem from their low social status and are inter-related. It is in this segment of society that one finds greater illiteracy, poorer health, poorer nutrition, poorer housing, as well as exploitation by large land-holders generally the upper and middle level castes, money-lenders, village traders and businessmen. In spite of constitutional directives and a number of legislative and executive measures taken by the Government, the situation of the Scheduled Caste did not improve appreciably during the period prior to Sixth Plan mainly due to lack of economic support.

Sixth Five Year Plan is the first plan which gave due emphasis for the development of SCs in terms of Special Component Plan. Special Component Plan is a Sub Plan of the Annual Plan and Five Year Plan targeting the SC population especially the proportion among the people below the poverty line in the country, and about 84% of them live in the rural areas. In effect any programme for economic development of SCs is a very important part of the poverty-alleviation programme. Due to serious and special efforts of Late Smt. Indira Gandhi, the Prime-Minister of India and Chairperson, Planning Commission, in the Sixth Five Year Plan, the stress has been given through the new strategy of Special Component Plan on providing adequate economic development. The Special Component Plan has been formulated as a mechanism for channelising a due share of benefits in physical and financial terms from the various programmes of every sector in favour of SCs. Realizing the meagreness of the flow of fund to the development of SCs compared to the enormity of the problem, the strategy of Special

Component Plan has been evolved for earmarking of outlay for the development of SCs by all the sectors in all States and UTs except those which have no or negligible SC population and by all Central Ministries.

- 1. The Special Component Plans of the States and Central Ministries (SCP).**
- 2. The Special Central Assistance (SCA) to Special Component Plan (SCP).**
- 3. Scheduled Castes Development Corporations in the States (SCDC)**

The approach in the matter of development of SC families in the Sixth Plan period has been two-fold: cluster approach and saturation approach. Although SC population lives dispersed all over, it is still possible to identify and list out villages in a Block, district and State in the order of one size of the SC population in absolute numbers. In other words, the list should include villages in decreasing order of size of the SC population. Those villages having the largest population of SCs should be at the top in the list. The development programmes should be taken up in that priority. For instance, in the State of Gujarat out of a total of about 18,000 villages nearly 1110 villages have about 50% of the total state population of SCs. Hence, executing the development programme, clusters of villages from these 1100 villages should be selected. Secondly, under saturation approach in every village taken up for development among these, all deserving SC families should be covered under one or another suitable programme or a combination of programmes with all necessary linkages and back-up services.

Planning Commission has been seized with the problem that the Ministries/Department and State Governments have not understood the objectives of the SCSP schemes for which this was initiated. Proper planning has not been prepared by the some State Governments as per the spirits of the schemes. So the result of non-implementation of this scheme occurred. In addition to this, it is astonishing to find that the funds relating to these schemes were utilized/diverted to other schemes neglecting the development programmes of the SC people.

It has already been taken note of these shortfalls and felt the need that it is a high time to take more drastic measures to fulfill the needs of the poor SC people. Hence a logical view has been arrived at such as (i) Recommendations should be made that whatever the existing policy/programmes are there, those should be strictly implemented (ii) and in the process of new

schemes it should be implemented with experienced participation of the Planning Commission.
(iii) Analysis/Evaluation of these schemes should be must and should be a constant process.

The nomenclature of SCP was changed to SCSP in 2006. It may be recalled that there were newspapers reports that funds to the tune of Rs 571 crore for SCSP over the period from 2006 to 07 to 2009-10 has been illegally used for Commonwealth Games by NCT of Delhi. When an explanation for this was called, it was stated about the cosmopolitan nature of Delhi where SCs resides with general population and hence the scope for separate use of funds for SCs is limited. It was opined by the NCSC, however that, for the migrant SCs who live in JJ clusters, funds could be utilized under divisible sectors.

Special provisions and safeguards have been provided in the Constitution of India and some initiatives have also been taken by the Government of India for the socio-economic and overall development including the formulation of special schemes under Special Component Plan exclusively for the Welfare and benefit of Scheduled Castes needing intervention at various levels but almost failed to achieve the designed objectives. In order to make the planned development for SC tangible one, the NCSC recommends following steps:-

- There should be a sanction of the Parliament on the lines of MNAREGA on mission mode through a Parliament Act for SCP not the present system of through OM or Circular by the Planning Commission.
- Enactment of Law to regulate SCP with provision of punishment, both imprisonment and fine, depending on gravity of offence, to violators thereof. All officials (irrespective SC/non-SC) in-charge of implementations or enforcement should be held responsible for failures & defaults. Non compliance of Government Order should attract SC/ST POA Act, 1989.
- Constitution of Statutory National and State Authorities for Development of SCs within a year. National Scheduled Castes Development Authority (NSCDA) should be there with single window system of SCP funds for effective utilization for the exclusive programmes/projects on need based basis.
- Since, 1979 ó SCP fund accrued (as the same is not divertible and lapsable) should be set aside with the M/o SJ&E and then transferred to the NSCDA.

- The Central Tripartite Committee should be revived (NCSC Planning Commission and Ministry).
- The CAG to do the review audit of SCP since 1979 and report to Parliament as it was part of Planned and budgeted economic development of the SCs.
- SCP funds should be spent for the beneficiary oriented schemes, purchase of land for distribution among SC families, education, housing & sanitary, drinking water, health, service safeguards, skill development through Coaching Centers and Vocational Training Centers & protection under PCR & POA Act 1989 through National Scheduled Castes Development Authority (NSCDA).
- Income ceiling should not be there for SC/ST as Supreme Court also make it clear on many occasions that there is no creamy layer among SC/ST. So removal of income criteria/limits for eligibility under the various Socio-economic and educational schemes for SCs is necessary.
- There should be 35% subsidy on loans which bears 4% DRI without any incomes limit as the same is available for farmer loans.
- The SCSP can be gainfully utilized for the up-liftment of Scheduled Castes like Residential Schools in every district, Hostels for College Boys and Girls in every district, reimbursement of Self-Financing Course and College Fee, coaching centers for UPSC, Railways, Banking and State Public Service Commission examinations, Working Women Hostels, Financing the whole fee for CA/ICWA, Law, Medical and Engineering Courses, Pilot Courses, PHC, Land Purchase and distribution to every landless SC families as per the recommendations of the competent authorities and also considering current Human Index Development Report.

Needless to say, the above sequence of steps will ensure benefit to the maximum number of SC persons/families without harming any body's interests and also enable to State/Central Govt. to spend the budgeted SCP fund on the basis of planning activities.

The broad objectives of the Scheduled Castes Sub Plan are:-

- (i) Earmarking of funds for SCSP in the total Plan at least in proportion to the SC population.
- (ii) Placing the earmarked funds under a separate budget head.

- (iii) Making the Department concerned with SC welfare in the State as nodal Department for formulation and implementation of SCSP.
- (iv) Making the SCSP funds non-divertible and non lapsable.
- (v) Emphasis on beneficiary oriented schemes or those community schemes which are exclusively addressing development of Scheduled Castes.

There are many States wherein the SCP allocation has not been utilized fully as can be seen from an **Annexure-** . It is clear from the total allocation under SCSP by the State/UTS the percentage of allocation is 15% of the Plan funds from 2007-08 to 2010-11. But it can be seen during the year 2009-2010, the State Govt. of Gujarat, Haryana, Karnataka, M.P., Maharashtra, Odisha, Punjab, T.N, U.P, Uttarakhand have not fully utilized the allocated funds ment for Scheduled Castes. However, there appears no concrete information as to the diversion of funds by the States/Central Government.

It can be gathered from above, the Scheduled Castes are not able to fully ripe the benefits of SCSP allocation. In case of diversion of funds, the benefit further gets reduced to miniscule.

The Ministry of Social Justice & Empowerment being the nodal Ministry for overall development of SCs implements various development schemes for SCs.

In this regard the Commission is of the view of that the SCSP funds which is essentially meant for most deprived sections of the Society, are some times used by states for other purposes, thus defeating the intended purpose for which these funds are meant. As per Clause 5 (c) of the Article 338 of the constitution of India, the Commission is required 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 and to monitor its progress.

Issue pertaining or affecting the interests of the Scheduled Castes should be consulted with National Commission for Scheduled Castes before finalizing them as per clause 9 of Article 338 of the Constitution.

It is felt that keeping in light, the Planning Commission, Government of India guidelines and Constitutional provisions, State and Union Territories concerned are duty bound to adhere to the guidelines in letter and spirit.

The Commission recommends incorporating all these suggestion/provisions in the guidelines to be followed by all the State Governments and the Govt. of India.

The Planning Commission has not revised guidelines for implementation of Scheduled Castes Sub Plan by the States and UTs. However the Planning Commission has revised the guidelines for implementation of Scheduled Castes Sub Plan by Central Ministries The revised guidelines for Central Ministries may be as follows:

Revision of Guidelines for implementation of Scheduled Castes Sub Plan by Central Ministries

Special Component Plan (SCP) for Scheduled Castes, now renamed as Scheduled Castes Sub Plan (SCSP), was introduced in 1979-80, to channelize flow of benefits and outlays from the Plan of States and Central Ministries for the development of Scheduled Castes, in proportion to the percentage of SC population, which is 16.2% as per Census, 2001. Guidelines on formulation, implementation and monitoring of SCSP have been issued by the Planning Commission from time to time. Consolidated guidelines in this regard for Central Ministries were last issued to 62 Central Ministries/Departments in December, 2006, for implementation from the Annual Plan, 2007-08. Implementation of the above guidelines by Central Ministries/Departments had not been satisfactory. To rectify the above situation, the Ministry of SJ&E had conveyed certain concrete suggestions to the Planning Commission. Pursuant to this, the Planning Commission, vide its Order dated 4-6-2010, constituted a Task Force under the chairmanship of Dr. Narendra Jadhav, Member, with Secretaries of Ministries of SJ&E and Tribal Affairs and Principal Secretaries of four States, namely, Maharashtra, Gujarat, Madhya Pradesh and Tamil Nadu, to re-examine and revise the extant Guidelines for implementation of Scheduled Caste Sub Plan and Tribal Sub-Plan (TSP) by Central Ministries and State Governments. The Task Force, submitted its First Report, covering Central Ministries/Departments, on 25th November, 2010.

Following are some of the important recommendations:-

- (i) Imposing an obligation on 25 Ministries (mainly those dealing with social sectors and poverty alleviation) to earmark plan outlays under SCSP to varying extent, depending on their nature of work, instead of a uniform 16.2% obligation on all Ministries, as before, and
- (ii) Since the aggregate SCSP allocation based on the above Ministry-wise allocation may fall short of the level of 16.2% of the Plan outlay, by an estimated Rs 6000 crore, to keep an amount equivalent to such shortfall, initially under the Planning Commission, in Annual Plan, 2011-12, which may be allocated later to suitable Ministries for SC related programmes, after necessary consultation and examination.

The Planning Commission accepted the first recommendation mentioned above, and issued to Ministries/Departments for implementation from Annual Plan and Budget, 2011-12 vide its letter dated 15.12.2010. The Finance Ministry also incorporated necessary instructions about SCSP in its Budget Circular for 2011-12, and the Controller General of Accounts also issued necessary consequential instructions on 15.12.2010.

The Central Ministries/Departments, according to the extent of their plan funds which may be expected to earmark under SCSP under the four categories as mentioned below:

Category	Nature of the Ministries/Department falling in the category	Extent of obligation to earmark funds under SCSP
I	Ministries/Department, which are engaged in regulatory functions, basic scientific research, addressing specific target groups other than SCs implementing large infrastructure projects, whose benefits to SCs may be difficult to quantify, or largely engaged in policy making and running central organizations without any significant beneficiary orientation may not be obliged to earmark plan funds under SCSP. However, they will be encouraged to formulate and implement schemes aimed at benefiting SC concentration areas.	NIL
II	Ministries/Department, which mainly belong to category I but which also implement some to earmark less than 15% and 7.5% of their Annual Plan outlay under SCSP.	0-15%
III	Ministries/Depts, which mainly implement beneficiary oriented schemes in the primary sector (agriculture, animal husbandry etc. higher education, skill development etc may be required to earmark 15 to 16.2% of their plan outlay under SCSP (15% will for example, apply to plan expenditure on institutions having 15% reservations for	15-16.2%

	SCs	
IV	Ministries/Depts. Which are implementing poverty alleviation and Social Sector Programmes/schemes of major relevance for the development of SCs may be required to earmark more than 16.2% of their plan outlay under SCSP	> 16.2%

Categorization of Central Ministries according to the extent of their Plan Funds which they may be expected to earmark under SCSP

Proposed obligation to earmark under SCSP	Category	List of Ministries in the category	No. of Min/Dept
1. No Obligation	I-A: Regulatory Ministries/Departments	Ministries Home Affairs, External Affairs; Personnel, Public Grievances and Pension; Law and Justice; Corporate Affairs; Civil Aviation; Coal; Steel; petroleum & Natural Gas; Mines; and Departments of Chemicals and Petrol Chemicals; Pharmaceuticals; consumer affairs; Economic Affairs, Financial Services, Expenditure, Heavy Industries; Public Enterprises; Fertilizers	19
	I-B: Those addressing specific target groups other than SCs	Ministries of Minority Affairs and Tribal Affairs	2
	I-C: Those engaged in basic scientific research	Ministry of Earth Sciences and Departments of Health Research; Scientific and Industrial Research; Atomic Energy; Space; Agricultural Research and Education	6
	I-D: Implementing large infrastructure projects, whose benefits to SCs are difficult to quantify	Ministries of Railways, Water Resource and Department of Road Transport and Highways, Shipping Telecommunications	5
	I-E: Largely	Ministries of Culture; Information	11

	engaged in Policy Making and manning central organizations without any significant beneficiary oriented schemes	and Broadcasting, Planning; Statistics and Programme Implementation; Tourism; Urban Development, and Departments of Industrial Policy and Promotion; Biotechnology; Food & public	
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Ministry of Water Resources is included in the category of ‘No obligation to earmark Funds under SCSP’ because funds allocated for irrigation projects under AIBP, shown as central assistance to States/UTs in Statement 16 of Exp Budget.

Ministry/Scheme-wise proposed Earmarking of Plan Outlays under SCSP for 2011-12

S. No.	Ministry/Department	Earmarking of Funds under SCSP Recommended for the Ministry (In percent)
1.	2	3
Category I	Ministries/Departments with no obligation for Earmarking Funds under SCSP	
I-A	Regulatory Ministries/Departments (19 Departments)	0.00
I-B	Ministries/Departments Addressing Specific Target Groups (2 Ministries)	0.00
I-C	Ministries/Department Engaged in Basic Scientific Research (6 Departments)	0.00
I-D	Ministries/Departments Implementing large infrastructures Projects, the benefits of which are Indivisible (5Departments)	0.00
I-E	Ministries/Departments largely engaged in Policy Making without any beneficiary oriented schemes (11 Min/Departments)	0.00
Category II	Ministries/Departments Required to do Partial Earmarking (less than 15%)	
II-A	Ministries/Departments implementing Infrastructure projects along with specific beneficiary oriented schemes	
1	Ministry of Power	8.30
II-B	Ministries/Departments largely Engaged in Policy making but also implementing some Developmental Schemes	
1	Ministry of MSME	12.00
2	Ministry of Textiles	5.00

3	Ministry of AYUSH	5.00
4	Department of Commerce	4.50
5	Ministry of Environment and Forests	2.20
6	Ministry of DONER	2.20
7	Ministry of New & Renewable Energy	3.50
8	Department of Information Technology	2.00
9	Department of Science and Technology	2.50
Category III	Ministries/Departments which will be required to Earmark between 15 to 16.2% of their Plan Outlays	
1	Department of Agriculture & Corporation	16.20
2	Department of Animal Husbandry & Dairying	16.20
3	Department of Higher Education	15.00
4	Ministry of Labour and Employment	16.20
5	Department of Land Resources	16.20
6	Ministry of Pnachayati Raj	16.20
7	Department of Youth Affairs	16.20
8	Department of Health and Family Welfare	15.20
9	Department of Sports	15.00
Category IV	Ministries/Departments which will be required to earmark more than 16.2% of their Plan Outlays under SCSP	
1	Department of Drinking Water Supply	22.00
2	Ministry of HUPA	22.50
3	Department of School Education & Literacy	20.00
4	Department of Rural Development	25.00
5	Ministry of Social Justice and Empowerment	72.50
6	Ministry of Women and Child Development	20.00
	Applying these percentages to respective Ministries/Departmentsø BE 2010-11, the average BE in percentage terms expected to be earmarked under SCSP	14.30

Out of 68 Ministries/Departments 43 Ministries have no obligation to earmark funds under SCSP because funds allocated for irrigation projects under AIBP, shown as Central Assistance to State/UTs in Statement 16 of Expenditure Budget. 10 Ministries/Departments are earmarking SCSP funds less than 15% of Plan Outlay. 9 Ministries/Departments are earmarking SCSP funds between 15 to 16.2% of Plan Outlays. 6 Ministries/Departments are earmarking SCSP funds more than 16.2% of Plan Outlays.

The over all earmarking of funds under SCSP was 14.30% during the year 2010-2011. Where as it should have been at least 15% of the total budget allotted to the Central Ministries/ Departments by the Govt. of India as per percentage of the Scheduled Castes in the country.

Central Sector Schemes

Voluntary Organizations working for the Welfare of SCs

The M/SJE is releasing grants in aid to NGOs for the welfare of SCs. The basic objective/ propose of the scheme of Grant-in-Aid to Voluntary Organizations is to provide financial assistance for undertaking projects for the development of the Scheduled Caste, so as to enable them to start income generating activities on their own or get gainful employment.

Financial assistance is provided under this scheme to the extent of 90% of total approved expenditure given to eligible voluntary organizations. Projects are in 40 areas of different Residential/Non-Residential School, 10 bedded Hospital, Computer Training Centre etc. GIA is provided for marking payment of Honorarium stipend, purchases of books, uniform, furniture, rent for premises etc. The details of releases made from 2007-08 to 2011-12 to the States for NGOs and the beneficiaries are at **Annexure- .**

Special Central Assistance to SCSP (SCA)

Special Central Assistance (SCA) to Scheduled Castes Sub Plan (SCSP) is a central scheme under which 100% grant is given to the States/UTs as an additive to their Scheduled Castes Sub Plan (SCSP). The main objective is to give a thrust to family oriented schemes of economic development of SCs below the poverty line, by providing resources for filling the critical gaps. SCA is released to States on the basis of size of SC population, relative backwardness of State and other linked criterion.

Salient features of the scheme

- Funds under the scheme are provided as an additive to States/UTs implementing SCSP
- Main thrust is on economic development of SC population in order to bring them above poverty line through self employment or training
- Amount of subsidy admissible under the scheme is 50% of the project cost, subject to a maximum of Rs. 10,000/- per beneficiary
- Up to 10% of the total release to State/UT can be utilized for infrastructure development in villages having 50% or more SC population.
- At least 15% of the SCA to be utilized by States/UTs for SC women.

Physical and financial Achievement during the last three years of the scheme of SCA to SCSP.

Year	Budgeted Allocation (Rs. in crore)	Expenditure (Rs. in crore)	No. of Beneficiaries covered under composite income generating schemes (in lakh)
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2008-09	480.0	601.59	24.31 (based on information recd. From 20 States/UTs)
2009-10	480.0	458.96	26.38 (based on information recd. From 20 States/UTs)
2010-11	600.00	587.28	8.07(based on information recd. From 3 States)

Source: Annual Report 2010-11, M/SJE

State-wise financial & physical progress made is at **Annexure -**

The Ministry of Social Justice & Empowerment carved out special corporations for economic assistance through concessional loans and subsidies for various economic activities for the development of SCs. These corporations impart training to the Scheduled Castes individual entrepreneurs for their sustained development. The two well known organization operated by Ministry of Social Justice & Empowerment are National Scheduled Castes Finance and Development Corporation (NSFDC) and National Safai Karamcharis Finance and Development Corporation (NSKFDC).

National Scheduled Castes Finance and Development Corporation (NSFDC)

The National Scheduled Caste Finance & Development Corporation (NSFDC) was set up by the Government of India in February, 1989 with the objective to provide financial assistance in the form of concession loans to Scheduled Castes families, and skill-cum-entrepreneurial training to the youth of the target group, living below Double the Poverty Line (presently Rs.40,000/- per annum for rural area and Rs.55,000/- per annum for urban areas) for their economic development.

NSFDC functions through channel Finance system in which concessional loans is routed to the beneficiaries through the State Channelizing Agencies (SCAs) appointed by the respective State Governments/Union Territories. The scheme covered by NSFDC are Mahila Kisan Yojna Shilpi samriddhi Yojna Micro Credit Finance, Mahila Samriddhi Yojna, Educational loan Scheme etc.

NSFDC provides loans upto 90% of Unit Cost and remaining amount is provided by SCAs and/or promoters. In all the self employment loan schemes, subsidy @ Rs. 10,000/- or 50% of the unit cost, whichever is less, is provided to the Below Poverty Line (BPL)

beneficiaries by SCAs from Special Central Assistance (SCA) to Scheduled Castes Sub Plan Funds.

Financial & Physical Achievements (2011-12) (as on 31.3.2012)

During the financial year 2011-12, the NSFDC has disbursed Rs. 182.77 crore covering 43,772 beneficiaries.

National Safai Karamchari Finance & Development Corporation (NSKFDC)

NSKFDC was incorporated on 24th January, 1997 as a company and has defined 'Safai Karamchari' as a person engaged in, or employed for, manually carrying human excreta or any sanitation work. It is an Apex Corporation under the Ministry of Social Justice & Empowerment, Govt. of India.

The target groups of the Corporation are 'Scavengers', which means persons wholly or partially employed for manual handling of human excreta and their dependents, and 'Safai Karamchari' which means persons engaged in or employed for any sanitation work, and their dependents.

The schemes of NSKFDC are being implemented by the State Channelizing Agencies (SCAs) nominated by the concerned State/UT Governments. The project proposals are being submitted by the beneficiaries to the concerned District offices. The District Officer analyzes the proposals considering the ground realities and technical, economical and financial viability sent the same to the Head Office of the SCA. The SCA also appraised the proposals and send the same to NSKFDC along with their recommendations. The project proposals as received from the SCAs are being appraised by the Project Appraisal Committee of the Corporation and place before the Board of Directors of NSKFDC for their approval.

Authorized share capital of the Corporation was enhanced from Rs. 200 Crore to Rs. 300 crore in February 2009. During 2010-11, Rs. 40.00 crore was released as equity to the Corporation. The paid up capital of the Corporation as on 31.3.2011 is Rs. 299.99 crore. The Corporation implements schemes to promote self employment in alternative occupations through concessional finance, and scheme of skill development. Since its inception the Corporation has disbursed Rs. 784.86 Crore covering 2,57,783 lakh beneficiaries, out of which an amount of Rs. 52.92 crore covering 11333 number of beneficiaries were covered in 2010-11 (up to 28.2.2011).

There are various Ministries Departments of Govt. of India who also execute various Welfare Schemes for the overall development of Scheduled Castes in the country.

Major Flagship programmes of other Ministries under Bharat Nirman for the benefit of all poor citizens of the country including SCs

Swarnjayanti Gram Swarozgar Yojana/National Rural Livelihood Mission (SGSY/NRLM)

NRLM is a major self-employment programme being implemented all over the country. The guidelines of the Programme stipulate that at least 50% of the Swarozgaris will be SCs/STs. 13 States with high concentration of rural poor including high concentration of SCs and STs have been selected for intensive application of NRLM (and NRLP) resources. States have also been advised to prioritize Integrated Action Plan (IAP) Districts (which also have high incidence of ST population) for NRLM intensive strategy. A Social Management Framework (SMF) for NRLM has been prepared. The SMF focuses on social inclusion, social accountability and social safeguards, particularly focusing on marginalized and vulnerable social groups, including the Scheduled Castes (SCs) and Scheduled Tribes (STs). Each State has been directed to prepare a social inclusion plan to guide their efforts to mobilize vulnerable groups including SCs and STs into SHGs and promote their financial and inclusion. Currently a total of 90,917 individual Swarozgaris from SCs/STs group (50% of total no. individual Swarozgaris) have been assisted under SGSY/NRLM in 2012-13. The Ministry of Rural Development has been earmarking the funds of Rs 1033.76 crore for SCSP out of total budget of Rs 3915.00 crores under SGSY scheme. (source Annual Report 2012-2013 Ministry of Rural Development)

All weather Road to every habitation of over 1000 population (500 in hilly and tribal areas)

Mission of Pradhan Mantri Gram Sadak Yojana (PMGSY) Government of India, as the part of poverty reduction strategy, launched the Pradhan Mantri Gram Sadak Yojana (PMGSY) on 25th December, 2000 as a Centrally Sponsored Scheme to assist States, though Rural Roads are in the State List under the Constitution. The primary objective of the programme is to provide good all weather connectivity to all eligible unconnected habitations in the core network with a population of 500 (Census-2001) and above. In respect of the Hill States (North-East, Sikkim, Himachal Pradesh, Jammu & Kashmir and Uttarakhand), Desert areas (as identified in

the Desert Development Programme), Tribal (Schedule V) Areas and Selected Tribal and Backward Districts (as identified by the Ministry of Home Affairs and Planning Commission) under Integrated Action Plan, the objective is to connect habitations with a population of 250 (Census-2001) and above. The programme envisages single all weather connectivity. With a view to ensuring full farm-to-market connectivity, the programme also provides for the upgradation of the existing Through Routes and Major Rural Links to prescribed standards, though it is not central to the programme. (source Annual Report 2012-2013 Ministry of Rural Development)

The National Rural Drinking Water Programme (NRDWP),

The National Rural Drinking Water Programme (NRDWP), aims at providing adequate and safe drinking water to the entire rural population of the country. The NRDWP has special provisions to ensure focus on the coverage of the Scheduled Caste and Scheduled Tribe population with potable water supply. In the criteria for fund allocation to States under the NRDWP, the rural SC and ST population of the State has a weightage of 10%. Thus States with higher SC and ST population get a higher allocation of NRDWP funds. To ensure that adequate funds are utilised by the States in SC and ST concentrated areas, for the year 2011-12, Rs. 1870 crore (22% of Total Allocation of Rs. 8500 crore) is earmarked for expenditure for SCs and Rs. 850 crore (10% of Total Allocation of Rs. 8500 crore) is earmarked for expenditure for STs. Out of this, Rs. 2311 crore have already been released to States for coverage of SC and ST populations. The progress in the coverage of SC and ST concentrated habitations is being monitored through the Integrated Management Information System (IMIS) of the Ministry. Modifications have been made for capturing of achievement data in this respect in the Ministry's website and in the online monitoring system

As on 1.4.2011, out of the total 2,79,200 SC concentrated habitations in the country, 2,05,420 habitations are Fully Covered, 58,887 are Partially Covered and 14,893 are Quality affected. In 2011-12, as on 29.2.2012, 22,867 habitations have been covered with potable drinking water supply. Out of the total 3,57,727 ST dominated habitations, 2,47,135 are Fully Covered, 86,717 are Partially Covered and 23,875 are quality affected. As on 29.2.2012, 18,245

more habitations have been covered in 2011-12. (source Annual Report 2012-2013 Ministry of Rural Development)

Safe drinking water to every habitation.

Under the Accelerated Rural Water Supply Programme (ARWSP) has since been extended to 2012, to cover all uncovered habitations. The Scheme is funded a 50% basis by GOI and expenditure of Rs. 4050 crores is expected for the current year. The actual requirement will be worked out based on the names of habitations supplied by states and funded.

Electricity to every village (also connecting 2.3 Crore households)

Under the Rajiv Gandhi Gramin Vidyutikaran Yojana (RGGVY) since extended to 2012 to reach electricity to all villages and offer electricity connection to 1.75 crore poor households. The priority will be in electrified villages Preference for electrification will be given to dalit Bastis, tribal settlements and habitations of weaker sections.

Telephone Connectivity to every village

Since extended to Dec. 2008 to achieve 40% rural teledensity by 2014, ensure broadband coverage to all 2.5 lakh panchayats and set up Bharat Nirman Seva Kendra at Panchayat level by 2012. It aims at rural connectivity so that rural users have access to information of value and transact business. This will include connecting block headquarters with fiber optic network, using wireless technology to achieve last mile connectivity and operating information kiosks through a partnership of citizens, panchayats, civil society organizations, the private sector and Government. IAY is a CSS where the cost is shared between centre and State on 75:25 basis. The scheme specifically targets the rural below poverty line (BPL) households. The respective Gram Sabha does the selection of beneficiaries from the BPL list and no higher approval is required. The guidelines also clearly specify that the house allotment should be in the name of the female member of the family as a first priority. While seeking to empower the rural women, the scheme also provides priority to physically and mentally challenged persons, ex-servicemen, widows and freed bonded labourers. It is stipulated that at least 60% of the beneficiaries should belong to the SC/ST communities. The IAY scheme also lays emphasis on sanitation and health by incorporating the cost of a sanitary latrine and smokeless chulah into the per unit grant provided to the beneficiary for construction/up-gradation of the dwelling unit.

Rural Housing

The Indira Awas Yojna (IAY) - a central scheme under the M/o Rural Development is a CSS where the cost is shared between centre and State on 75:25 basis. The scheme specifically target the rural below poverty line (BPL) household. The respective Gram Sabha does the selection of beneficiaries from the BPL list and no higher approval is required. The guidelines also clearly specify that the house allotment should be in the name of the female member of the family priority-wise. While seeking to empower rural women, the scheme also provides priority to physically and mentally challenged persons, ex-servicemen, widows and bonded labours. It is stipulated that at least 60% of the beneficiaries should belong to SC/ST communities. The zIAY scheme also lays emphasis on sanitation and health by incorporating the cost of a sanitary latrine and smokeless chullah per unit and grant provided to the beneficiaries for construction / upgradation of the dwelling units.

The Ministry of Rural Development has earmarked the funds for SCSP under IAY Rs. 3908.00 crore out of total budget of Rs. 11075.00 crore in the scheme. A total of 22,15,637 dwelling units have been sanctioned during the year 2012-13 (as on 22.11.12) out of which 7,59,254 (34.26%) houses were sanctioned in the name of SCs.

Irrigation

The ultimate irrigation potential for the country has been estimated as 139.88 million hectare (Mha), which include potential through Major and Medium irrigation projects (58.46 Mha), surface water based minor irrigation schemes (17.42 Mha) and ground water development (64.00 Mha). So far, the irrigation potential of 99.36 Mha has already been created. However, the created potential has not been fully utilized and the gap between created and utilized potential has been estimated to be of The order of 14 Mha.

Creation of 10 million hectares of additional irrigation capacity by 2012 by to bring additional one crore hectares of land under assured irrigation

Mahatma Gandhi National Rural Employment Guarantee Scheme (MGNREGS)

The Ministry of Rural Development is the nodal Ministry for implementing the Mahatma Gandhi National Rural Employment Guarantee Act. This flagship programme of the

Government of India it touches the lives of the rural poor and promotes inclusive growth. The objective is to augment wage employment. Its auxiliary objective is strengthening natural resource management through works that address causes of chronic poverty like drought, deforestation and soil erosion and so encourage sustainable development. The process outcomes include strengthening grassroot processes of democracy and infusing transparency and accountability in governance. The Act was notified in 200 districts in the first phase with effect from 2nd February 2006 and then extended to additional 130 districts in the financial year 2007-08. The Act has been notified throughout the country with effect from 1st April 2008.

- i) Under Mahatma Gandhi National Rural Employment Guarantee Scheme (MGNREGS), which is being implemented in 625 districts of the country, about 36% beneficiaries belong to SCs. The scheme was providing a firm livelihood support and strong bargaining power to the SCs and had a positive effect on their nutritional and educational status. Development of land belonging to SCs was also being done under this scheme in all the States except Tamil Nadu. As per Ministry of Rural Development, during the 12th Five Year Plan, endeavor of the Ministry would be to provide stipulated 100 daysø work to all eligible SC beneficiaries and develop the land of all SC landholders under the scheme.
- ii) Presently, rural banking structure is not providing the intended benefits to the SC beneficiaries. Systemic improvements, therein, will have to be brought about to maximize the benefits for them.
- iii) Panchayati Raj, Institution (PRI) system is being strengthened to target larger number of SCs and other persons belonging to weaker sections of the society.
- iv) The Below Poverty Line (BPL) Census will be conducted in a foolproof manner so as to omit any possibility of inclusion and exclusion errors. While conducting this exercise, linkages with Unique Identification Authority of India (UIAI) will be established including using biometric identification.
- v) Under Indira Awas Yojana (IAY), endeavour would be to cover maximum number of eligible SC beneficiaries.
- vi) A robust structure had already been provided to National Rural Livelihood Mission (NRLM) to maximize its benefits to the weaker sections of the society including SCs. Since microfinance institutions (MFIs) were charging exorbitant rate of interest, a new model called

Jeevika, a UNDP project launched in Bihar, has provided a good alternative for lending money to the Self Help Groups (SHGs).

During the period under reporting, the Economic & Social Development Wing of the NCSC Hqrs. has dealt 438 cases out of which 6 recorded as successful cases and 11 cases are closed during the year.

SOCIO-ECONOMIC DEVELOPMENT PROGRAMME IN STATES & UTs

ASSAM

Assam is the gateway to the north-eastern states and has been aptly described as the sentinel of Northeast India. Seven Indian states and two countries, Bhutan and Bangladesh, surround Assam that lies between 89.5 degree to 96.1 degree East longitude and 24.3 degree to 28.0 degree North latitude. The State is also strategically close to India's international borders with China and Myanmar. Assam is contiguously surrounded by Bhutan and Arunachal Pradesh on the north, Manipur, Nagaland and Arunachal Pradesh on the east and Bangladesh, Meghalaya, Tripura and Mizoram on the south. With Bangladesh, Assam shares a 262 kilometres long international boundary.

In olden times Assam was known as Pragjyotishpura or the Land of the eastern lights. In medieval times, it became known as Kamrupa. The present name Assam or Asom is the anglicised name for the State. Spread over an area of 78,438 square kilometers, Assam is the second largest State in the northeastern region. It represents 2.39 per cent of the Indian landmass and 29.92 percent of the Northeast. The State has two distinct natural regions: the Brahmaputra Valley and the Barak Valley (also known as Surma valley). The Brahmaputra Valley comprises a total area of 71,516 square kilometres and the Barak Valley is spread over 6,922 square kilometres. The state of Assam is divided into 27 districts for administration and revenue purposes.

According to the Census 2001, Assam has a total population of 2,66,55,528, constituting 2.59 percent of India's total population and 68.24 per cent of the entire northeast. Ranked 14th in terms of total population in India, the State has a population density of 340 (persons per square kilometre). There are 16 Scheduled Castes and 23 Scheduled Tribes constituting 6.85 and 12.41 per cent respectively of the State's population. Bodos are the largest plains tribes in the state. The

other tribes include the Karbis, Dimasas, Rabhas etc. The sixteen Scheduled Castes of the State are :

- 1) Bansphor
- 2) Bhuinmali, Mali
- 3) Brittial Bania, Bania
- 4) Dhupi, Dhobi
- 5) Dugla, Dholi
- 6) Hira
- 7) Jalkeot
- 8) Jhalo, Malo, Jhalo-Malo
- 9) Kaibartta, Jaliya
- 10) Lalbegi
- 11) Mahara
- 12) Mehtar, Bhangi
- 13) Muchi, Rishi
- 14) Namasudra
- 15) Patni
- 16) Sutradhar

Assamese is the major language of the State. Other recognized Indian languages spoken in the State include Bengali and Hindi. Languages including Oriya, Mundari, Santhal, Tamil and Telegu are mostly spoken mostly by the five million workers in the 800 odd tea gardens spread across the length and breadth of the state, bracketed as the tea tribes. The literacy rate of Assam is 63.25 and it holds the 24th position in this regard among the Indian States. The literacy rate of the Scheduled Caste population of the state is 66.78, which is above the total literacy rate of the state and also above the all India rate. According to the Human Development Report 2001, Assam ranks 26th in human resource development index and 21st in poverty index in India.

The economy of Assam is overwhelmingly agricultural, providing employment to more than half of the state's working class. Assam produces nearly half of the country's total Tea. According to the Census 2001, 52.65 per cent of the total workforce in the state (58.40 per cent

in India) is engaged in agricultural and allied activities. Assam's per capita Gross State Domestic Product (GSDP) in 2004-05 in Rupees 15,661 and the per capita Net State Domestic Product in 1999-2000 is Rupees 9,720.

Agriculture constitutes the primary sector in Assam economy. The socio-economic condition of Assam largely depends on its agricultural production. It plays the chief role of revenue earning in Assam economy. Rice is the main food crop in Assam agriculture and it is the main diet in the state too. Other food crops cultivated in Assam agriculture include jute, sugarcane, fruits, tea, pulses, coconut, potatoes, cotton, and areca nuts. Out of the total population of Assam, 74% are dependent on agrarian and allied activities.

As per Census 2001, out of total population of 2,66,55,528 in Assam, 71,14,097 were main workers, 24,24,494 were marginal workers and 1,71,16,937 were non-workers. Among the male population 42.45 per cent were main workers, 7.41 per cent were marginal workers and 50.13 per cent were non-workers, while among the female population 9.83 per cent were main workers, 10.89 per cent were marginal workers and 79.29 per cent were non-workers. Similarly, out of a total 95,38,591 workers in Assam, 37,30,773 were cultivators, 12,63,532 were agricultural labourers, 3,44,912 worked in household industries and 41,99,374 belonged to the other workers category.

Assam is very rich in natural resources such as oil and natural gas, coal, rubber, tea and minerals. Abundant water resources in the State form the potential for irrigation and generation of hydroelectricity. Its forests too are the storehouses for quality timber. However, the state is a classic case of high potential and low achievement. Underutilisation of the resources has resulted in the underdevelopment of the state and its poor economy. The state, on the other hand, has struggled to equally distribute the available limited resources equitably among the populace of the state. The problem has further contributed to the rise of several insurgency movements in the state based on ethnicity.

GOA

The Goa's SC population is only 1.73%. Govt. of Goa had allocated 30.89 corers and did the expenditure of amount Rs. 26.61% .

S.No	Year	Total State Plan Allocation	Funds required under SCSP	Total Allocation Under SCSP	% of SCSP Allocation to total State Plan	Total Plan Expenditure	SCSP Expenditure	% of SCSP Expenditure to SCSP Allocation	% of SCSP Expenditure to total State Plan
1.	2007-	702.16		227.43	32.39%	632.07	4.17	1.83%	0.59%
2.	2008-	752.16		137.48	18.27%	677.49	3.98	2.89%	0.53%
3.	2009-10	908.13		7.92	0.87%	743.55	4.45	56.18%	0.49%
4.	2010-11	982.90		22.71	2.31%	910.02	10.60	46.67%	1.07%
5.	2011-12	133.08		30.89	23.21%	998.05	8.22	26.61%	6.17%

Details of SC Specific Schemes for exclusive benefit of Scheduled Castes under SCSP

(RS. In crores)

S.No	Major Schemes/implementing Department	2009-10		2010-11		2011-12	
		Outlay	SCSP Expenditure	Outlay	SCSP Expenditure	Outlay	SCSP Expenditure
1.	Special Component Plan	60.00	1.25	60.00	0.48	35.00	0.00

JHARKHAND

Details of SCSP Fund allocation and utilization with details of general schemes and specific schemes exclusively benefiting the SCs in the State of Jharkhand.

SCSP allocation and expenditure; Jharkhand

(Rs. in Crore)

S. No.	Year	Total State Plan Allocation	Funds required under SCSP	Total Allocation Under SCSP	% of SCSP Allocation to total State Plan	Total Plan Expenditure	SCSP Expenditure	% of SCSP Expenditure to SCSP Allocation	% of SCSP Expenditure to total State Plan
1.	2009-10	8200.00	984.00	852.86	10.40	6528.88	NA	NA	NA
2.	2010-11	9590.00	1150.80	1066.65	11.12	8267.59	NA	NA	NA
3.	2011-12	12232.75	1467.93	1469.90*	9.59	10280.47	NA	NA	NA

*-Proposed (Source:- Annual Plan document)

It may be seen from above that SCSP allocations in the State of Jharkhand during the years 2009-10, 2010-11 and 2011-12 were not in proportion of SC population of state i.e. 11.8%

Specific schemes benefiting the Scheduled Castes under SCSP in Jharkhand

The SC specific schemes are only implemented by the Welfare Department, Govt. of Jharkhand. The position of scheme-wise allocation of funds for the years 2011-12 and 2012-13 in respect of SC specific schemes implemented by the Welfare Deptt., Govt. of Jharkhand are given in the following table :-

S.No.	Scheme	SCSP allocation	
		2011-12	2012-13
1	SCA to SCSP	5.00	5.00
2	Protection of Civil Right Act, SC & ST (PoA) Act, 1989	0.60	0.60
3	Pre-Examination Training Centre (¼Park) for SCs	0.10	0.10
4	Hostel Construction for Boys & Girls Students for SCs	5.00	5.00

5	Coaching & Allied for SCs	0.15	0.15
6	Furniture, Utensil, TV for Boys & Girls Hostel	0.60	0.30
7	Re-imbursement of Examination fee	2.00	2.00
8	Primary/Middle/High School/Post Matric and Sport Stipend, Unclean Occupation	35.53	-
9	Opening and Maintenance with Fooding & Lodging of Residential School/Strengthening of Laboratory/Teacher Training/Computer, Lighting Conductor, School Bags and TV for Residential School	0.30	0.20
10	Medical Aid	0.30	0.30
11	Vocational Training	2.25	2.25
12	Legal Aid	0.01	0.01
13	Construction & Renovation of Residential School	2.00	2.00
14	Bicycle for Girls & Boys Students	10.57	10.57
15	Grant-in-Aid to NGOs	0.60	0.60
16	Share Capital and Grant to SCDC	2.10	2.10
17	Direction and Administration	1.80	1.80
18	Seminar Technology Camp	0.05	0.05
19	Hostel Renovation	2.00	2.00
20	Upgradation of +2 SC Residential School	1.80	1.80
21	Strengthening of Laboratory in residential schools	-	0.15
22	Establishment of thunder arrest and computer & T.V. in residential schools	-	0.15
23	Teacher's training	-	0.10
24	Primary school scholarship	-	10.00
25	High School Scholarship	-	9.00
26	Post Matric Entrance Scholarship (including 2% administrative expenses)	-	10.13
27	Sports Scholarship/Incentive	-	0.20
28	Technical scholarship to the children of persons	-	0.20

	engaged in unclean occupation		
29	Middle school scholarship	-	6.00
30	Special Component Plan to support Income Generating Assets(SC)	-	0.60
	Total	72.76	73.36

(Source:- Annual Plan document, 2012-13)

KARNATAKA

Implementation of Scheduled Caste Sub-Plan (SCSP) and utilization of funds under SCSP from State Plan Resources, Central Sectors and Centrally Sponsored sectors and Special Central Assistance during the year 2010-11 (XIth Plan period. Utilization of funds during the period June, 2010 to March 2011 and with funds committed sector-wise, may please be indicated separately

Flow to SCSP out of Total State Plan Outlay:

Year	State Outlay	Outlay Flow to SCSP	Expenditure under SCSP	% age to State Plan Outlay
Total 10th Plan				
2002-03	8610.61	667.40	465.72	7.75
2003-04	9780.00	645.50	546.47	6.60
2004-05	12322.92	367.00	386.09	2.98
2005-06	13555.00	628.80	517.86	4.64
2006-07	16166.00	1457.83	1400.87	9.02
Total 11th Plan				
2007-08	17782.75	2914.67	1982.61	16.39
2008-09	25952.83	3232.43	2575.68	12.45
2009-10	29500.00	2916.59	2457.46	9.88
2010-11	31050.00	3358.00	2913.29	10.81

Note since the amount meant for IBR and EAP is excluded from State Plan Outlay for the purpose of SCSP and TSP, the allocation is below the population percentage.

Reduced amount from State Outlay 2008-09 - Rs.6412 Cr
2009-10 - Rs.9700 Cr
2010-11 - Rs.8363 Cr.

Source: Govt. of Karnataka, SWD

The details of amount released out of SCA to SCP and utilized is given below for the 11th Five Year Plan

(Rs. In Crores)

Source: Govt. of Karnataka, SWD

	Name of the Scheme	Funds Allocated	Flow to SCA to SCP		
			Expenditure incurred	Non-utilized funds	Funds diverted to other heads
Total 11th Plan					
2007-2008	Various Schemes	27.23	27.23	Nil	Nil
2008-2009	Various Schemes	36.05	36.05	Nil	Nil
2009-2010	Various Schemes	24.64	24.64	Nil	Nil
2010-2011	Various Schemes	29.94	29.94	Nil	Nil

The entire amount released by Government of India has been utilized every year for specific programmes. No funds are diverted for other purposes.

(Rs. In lakhs)

Year	Name of the Scheme	Amount allocated	Expenditure	No. of beneficiaries
2005-06	Infrastructure development programmes in SC colonies	50.55	50.55	16 colonies
	Self Employment Programmes	23.57	23.57	235
	Animal Husbandry	200.00	200.00	2000
	Providing Autorickshaws	50.00	50.00	76
	Nursing Course ó Training	482.00	482.00	2863
	Training Programme through GT & TC	484.01	484.01	1500
	Airhostess Training	369.00	369.00	100
	Pilot Training	116.50	116.50	10
	Vocational Training Programme	200.00	200.00	5454
	Training Programme through	93.00	93.00	234

	NIFT			
	SC/ST Development Corporation			
	Ganga Kalyana Scheme ó Irrigation facility	200.00	200.00	2000
	Administration, supervision, monitoring and evaluation of schemes	54.00	54.00	29 DSWO & 176 TSWO Offices

Source: Govt. of Karnataka, SWD

Year	Name of the Scheme	Amount allocated		No. of beneficiaries
2006-07	Infrastructure facilities to SC colonies	550.08	550.08	
	Self Employment	287.00	287.00	2870
	Animal Husbandry	518.10	518.10	5181
	Nursing Course ó Training	472.60	472.60	3301
	Training Programme through GT & TC	265.29	265.29	8120
	Training Programme through NIFT	100.00	100.00	263
	Administration, supervision, monitoring and evaluation of schemes	67.82	67.82	29 DSWO & 176 TSWO Offices

Source: Govt. of Karnataka, SWD

Year	Name of the Scheme	Amount allocated	Expenditure	No. of beneficiaries
2007-08	Financial assistance for viable income generating economic development schemes/ programmes for SC women (Women Empowerment) ó Self Employment Programme	932.51	932.51	9320
	Self-Employment through	50.00	50.00	500

Dr.B.R.Ambedkar Dev. Corp			
Nursing	856.40	856.40	4418
IIIT-B training through Infosys	50.00	50.00	100
Computer training Programme through GT & TC	453.42	453.42	460
Computer training programme through KEONICS	109.42	109.42	1115
Training Programme through ATDC	100.00	100.00	110
Training Programme through ITDC	100.00	100.00	94
Administration, supervision, monitoring and evaluation of schemes	71.34	71.34	29 DSWO & 176 TSWO Offices

Source: Govt. of Karnataka, SWD

Year	Name of the Scheme	Amount allocated	Expenditure	No. of beneficiaries
2008-09	Providing infrastructure facilities in SC colonies like drinking water, link roads, drainage etc	360.53	360.53	
	Self Employment ó Financial assistance to Scheduled Caste women to Self Help Groups (Women Empowerment)	1719.29	1719.29	17190
	Self Employment Programme (Animal Husbandry and other Programmes)	200.00	200.00	2000
	Nursing ó GNM & B.Sc Nursing Training	1217.23	1217.23	5709
	Administration, supervision, monitoring and evaluation of schemes	108.2554.00	108.25	29 DSWO & 176 TSWO Offices

Source: Govt. of Karnataka, SWD

Year	Name of the Scheme	Amount allocated	Expenditure	No. of beneficiaries
2009-10	Financial assistance for the economic development of disabled persons among SCs	123.23	123.23	1232
	Infrastructure to SC colonies like drinking water, drainage, toilets etc.	450.88	450.88	100 colonies
	Financial assistance for viable income generating economic development schemes /programmes for SC women (Women Empowerment)	462.01	462.01	4620
	Nursing Course ó Training	600.00	600.00	6987
	Training Programme through CIPET, NIFT, AT & DC, ITDC	754.31	754.31	1500
	Administration, supervision, monitoring and evaluation of schemes	73.98	73.98	30 DSWO & 176 TSWO Offices

Source: Govt. of Karnataka, SWD

FLOW OF FUNDS UNDER SCHEDULED CASTES SUB PLAN (SCSP) DURING NINTH TO ELEVENTH FIVE YEAR PLAN IN THE STATE OF KARNATAKA (Up to 2010-11)

Sl. No	Period	SC Population % (2001)	State Plan Expenditure	SCSP Expenditure	% of SCSP Expenditure to State Plan Expenditure
1	2	3	4	5	6
6	Ninth Five Year Plan (1997-2002)				
	i) 1997-98		4345.00	324.29	9.24
	ii) 1998-99		5353.00	353.70	8.00
	iii) 1999-2000		5888.00	250.70	7.53
	iv) 2000-2001		7274.00	432.02	6.12
	v) 2001-2002		8588.28	457.58	7.06
7	Tenth Five Year				

	Plan (2002-2007)				
	i) 2002-2003		8610.61	465.72	7.75
	ii) 2003-2004		9780.00	546.47	6.60
	iii)2004-2005		12322.92	386.09	2.98
	iv)2005-2006		13555.00	517.86	4.64
	v)2006-2007		16166.00	1400.87	9.02
					(Proportion to SC population against 16.20%)
8	Eleventh Five Year Plan (2007-2012)				
	i) 2007-2008		17782.75	1982.61	16.39
	ii) 2008-2009		25952.83	2575.68	%(Proportion to SC population against 16.20%)
	iii)2009-2010		29500.00	2157.53	16.54% (after deducting EAP, Cess, IEBR)
	iv)2010-2011		31000.00	*	(12.45% for budget)
	v)2011-2012				14.73% (after deducting EAP, Cess, IEBR)
					(9.88% for budget)
					14.80 % (after deducting EAP, Cess, IEBR)
					(10.83% for budget)

Welfare Schemes exclusively meant for SCs run by State Govt./UTs.

Skill Development Programmes for SCs by various Government agencies were by candidates are trained in income generating jobs and to the extent possible job placement are also made

SCHEMES DETAILS:

1. Schemes and Highlights

a. Self Employment Programme:

Opportunities have been given to un-employed youths, graduates including skilled persons. Financial assistance starts with Rs.35,000/- and extends upto Rs.7.00 lakhs. In this, subsidy component is also included with the term loan and margin money carries a simple interest. Both State and Central Governments have financed this programme. As on 31st December 2011, 5858 Scheduled Caste beneficiaries have taken the benefit by availing financial assistance. There is 50% subsidy maximum of Rs.25,000/- for unit cost upto 1.00 lakh. There is 20% Margin Money maximum of Rs.1.00 lakh for unit cost above Rs.1.00 lakh.

b. Training Programme:

The following training programmes were taken up during 2011-2012: The training programmes started during the year 2009-10 such as Mobile repairs, Fashion Technology, beautician course/Accounts, Computer P.C. assembly, Acting training etc., are still being continued during the year 2011-12. 118 candidates were trained in different trade till December 2011.

c. Land Purchase Scheme:

- There is high demand for this programme.
- Upto December 2011, 371 beneficiaries were identified from Agricultural labourers belonging to Scheduled Caste and were provided 632.34 acres agricultural lands (both wet and dry).
- In this scheme, the amount is treated incurred per beneficiary contains 50% as subsidy.
- The balance amount is treated as long term loan with simple interest.
- Guidance value has been taken into consideration while extending the land to the beneficiary. Unit cost has been revised to twice the registration value with maximum unit cost of Rs.3.00 lakhs.

d. Gangakalyana Scheme:

Under this scheme, there are three sub-schemes.

- i) Individual Irrigation Borewell
- ii) Community Irrigation Borewell
- iii) Lift Irrigation Scheme.

e) Individual Irrigation Borewell Scheme ó Unit Cost Rs.1.50 lakh:

Small and marginal farmers (who own minimum of 2 acres and a maximum 5 acres), were identified as beneficiaries. Borewells were drilled; pumpsets and other accessories were supplied. Erecting pump sets (fixing pipes and other accessories are also taken care) is also included. The unit cost is Rs.1.50 lakh in which Rs.1,00,000/- is the subsidy which is met by the State Government. Rs.50,000/- is the loan component, raised from NSCFDC, New Delhi. During 2011-12, 4409 borewells were drilled till December 2011. 3756 borewells were energized by incurring YMD and other expenditures.

f) Community Irrigation Scheme:

Borewells were drilled for Scheduled Caste small and marginal farmers who own agricultural land continuously (adjoining to the next neighbour) a minimum of 8.00 acres and a maximum of 15.00 acres (Such blocks are considered as one unit under Community irrigation). A minimum of Rs.2.53 lakhs and a maximum Rs.3.59 lakhs of expenditure was incurred. In this, providing pumpset, laying pipelines, digging trenches extending power facility are also included. It is farmer benefit oriented and has included community participation. The entire amount incurred in this scheme is a subsidy.

g) Lift Irrigation Scheme:

- Perennial water sources like lake river, canal etc., were identified for the implementation of this scheme.
- Water was made available for agriculture purposes by extending benefits to small and marginal farmers. In this, community participation is also involved.
- Water is made available by pumping through locomotive system, passing through pipelines and also with small trenches.
- In this programme, corporation has incurred minimum of Rs.2.53 lakhs and a maximum Rs.3.59 lakhs per unit. Entire amount incurred treated as subsidy.
- During 2011-12, 189 projects completed for 1002 beneficiaries with the tune of Rs.631.56 lakhs spent out of backlog funds.

g) Safai Karmchari Rehabilitation Programme:

- Safai Karmchari is one who is engaged in and employed for carrying human excreta and any other sanitary work.
- Wherever Safai Karmchari and their dependents are identified, they have been rehabilitated by giving financial assistance from Govt. of India. Loan below Rs.1.00 lakh unit cost is provided with subsidy of Rs.10,000/-
- Selection of trade, it is purely based on the choice and approach of the beneficiary. Many beneficiaries have embraced self-employment by opening Grocery shops, Readymade cloth shops, Orchestra, Videograph, autorickshaw, taxi, concrete mixer etc., for hiring purpose.
- Financial assistance availed from NSKFDC was extended to the beneficiaries as term loan and also as subsidy.
- 5% Margin Money will be sanctioned above Rs.1.00 lakhs unit cost.
- Dependents of manual scavengers were also included and benefits were extended under this scheme.
- During 2011-12 till end of December 2011, 220 identified Safai Karmacharies have been assisted.

i) Micro Credit Scheme:

- This is a scheme in which individual beneficiary is identified
- To embrace self-employment
- Engaging petty shop, cycle shop, Dairy etc.
- The unit cost is 25,000/-
- Out of this Rs.15,000/- is the loan component availed from NSCFDC.
- Rs.10,000/- is subsidy, taken from local bodies like Grama Panchayat, Taluk Panchayat and civic bodies.
- Simple interest is levied on the term loan
- During 2011-12, 1641 beneficiaries were identified and extended benefits.

j) Micro Credit Finance (Small Loan):

- This is a State Scheme launched during 2007-08.

- The unit cost is Rs.10,000/- out of which 50% subsidy and 50% loan.
- Here again individual & group beneficiaries were identified.
- This scheme was launched in order to facilitate petty businessmen who are engaged in vending flowers, vegetables, fruits & other kitchen articles on routine daily sales basis.
- Small groups consisting 12 to 20 persons were also identified by observing procedural formalities, such as registration of groups, mobilizing members contribution, opening an account in the Scheduled Bank are the criteria for the identification.
- In this, 50% of the invested amount both on individual & groups is treated as subsidy & balance as loan component which has to be recovered along with simple interest.
- During 2011-12, 2210 beneficiaries were assisted till December 2011.

2. Financial Progress:

Progress Achieved during 2011-12, upto December 2011: (in lakhs).

Sl.No	Name of the Scheme	Opening Balance	Budget Allocation	Funds Released	Physical	Expenditure incurred
1	Self-employment programme		2200.00	1650.00	5858	1095.05
	Training Programme				118	4.95
	Land Purchase Scheme	3000.00		3000.00	371	684.84
2.	Gangakalyana Scheme		5689.00	2844.50	5411	4753.23
	Pooled Fund	1000.00		1000.00	-	-
	Energization of borewells drilled in 114 taluks identified as per Dr.D.M.Nanjundppa report	800.00	2500.00	2800.00		2800.00
3.	Micro Credit Finance(Subsidy)		275.00	206.25	2210	137.50
	(Margin Money)		275.00	204.00		136.00
4.	Investment of State - Central		561.00 539.00	420.50	-	420.50
5.	Safai Karmachari Reh.Prog.		-	-	220	3.20
6.	Direct Loan Dairy of SCA from SWD	100.00		100.00		
7.	Safai Karmachari Reh.Prog., SCA from SWD	139.00		100.00		
	Total	5039.00	12039.00	12325.00	14188	10035.27

Term Loan:

NSCFDC	-	Rs.1473.89 lakhs
NSKFDC	-	Rs.138.01 lakhs.

Good & Bad points :

1. Monetary Relief in atrocity cases given immediately 100% of Relief given at Charge-Sheet stage itself.
2. Hostels are run quite well, especially Kittur Rani Chennamma girls hostels. Children look happy and are leaning (Run by Social Welfare Department)
3. Pass percentage in Social Welfare Department run hostels/ schools in 85 % and is a higher pass percentage than for schools run by Education Department.
4. Commendably, meritorious SC students are sponsored to quality Public schools.
5. Innovative training schemes ó like hospitality sector, airlines, Computers, BPO, English speaking.
6. Karnataka has a special progressive Act whereby backlog posts can be filled by meritorious SC toppers from Universities.

Things to be improved:

- 1.. Cases referred to DCVCs should have a time frame (30 days) for completion. Right now, it is endlessly delayed.
2. When NCSC writes to State Government, we would appreciate responses within a decent time frame- for more information say 2 weeks and for complicated cases ó discussions.
3. Conviction rate is miserable only 2.8% in 2008 and 2% in 2009.
4. At field level DCs & SPs should reconcile atrocity pendency and follow up on a monthly basis.
5. There is almost nil monitoring of SCSP & Schemes by SC Ambedkar Corporation which if done can improve delivery of Schemes and recovery.
6. Numerous Land cases in which process becomes very complicated.
7. Training for Revenue officers badly required by Caste certificate and land issues.

KERALA

Details of the SCSP Fund Allocation/Utilisation with the details of general schemes and specific schemes exclusively benefitting the SCs

Government of India introduced Tribal Sub Plan(TSP for the Scheduled Tribes in 1974 and a Special Component Plan (SCP for the Scheduled Castes in 1979, by channelizing the flow of outlays and benefits from general development sectors to these sub plans, at least in proportion to their population, to bridge the wide gap in the socio-economic development of these sections compared to other sections of the society. The concerned Departments have been issuing and fine tuning the details guidelines relating to the SCP and TSP from time to time to make its implementation more focused and effective. In the true spirit of the efforts of the Central Government and Planning Commission, Special Component Plan was prepared for the first time in Kerala during 1979-80, requiring each Department to earmark a certain percentage of its plan outlay for programmes benefiting Scheduled Castes. As the schemes were decided at the State Level by the concerned departments, most of the schemes were stereotyped and without giving proper consideration to the local potential and conditions and needs of the target group. This practice continued till 1982-83.

The State Government reviewed this practice and in 1983-84, introduced a decentralized procedure for the formulation and implementation of Special Component Plan and Tribal Sub Plan. A District level working group was constituted under the Chairmanship of the District Collector with District Planning Officer as convenor for coordinating, formulating and approving schemes under this system. The District Level Officers of SC and ST and all Development Departments were Members of this Committee. The Planning Department released District wise and Sector-wise outlays of SCP and TSP every year with the help of the State Planning Board. Only a small portion of the amount was retained as headquarters provision. This system of formulation of SCP/TSP was in vogue till 1996-97.

Consequent to the 73rd and 74th Amendments to the Constitution and especially after the enactment of Kerala Panchayat Raj Act and Kerala Municipality Act of 1994, the three tier system of Local Self Government Institutions (LSGIS) were accorded a major role in the socio-

economic transition of the people in general and of the Scheduled Castes and Scheduled Tribes in particular, statutorily allowing them to democratically identify and implement beneficiary-oriented projects, which they think are the most suitable for their development. As part of decentralisation, the People's Plan Campaign was introduced in the year 1997-98 and about 30 percent of the State Plan Outlay was devolved to the LSGs. About 70% of the Plan Funds under SCP and about 50% of the funds under TSP were devolved to LSGs.

At present the flow of funds to SCP and TSP is fixed according to the percentage of SCs and STs to total population. 9.81 % of the total State Plan outlay is earmarked for SCP and 2% for TSP. These amounts allotted to SCP and TSP were being divided into three categories and distributed to LSGs as mentioned above, the SC/ST Department and other Development Departments till last year. While two thirds of the SCP and half of the TSP amount have been invariably allotted to the LSGs, nearly 12-15% of the SCP have been allotted to other Departments as Notional Flow. The amount distributed to other departments was considered as Notional Flow and it was presumed that they would utilize this portion of their Plan Outlay exclusively for schemes benefitting SC and ST population. Though the idea was to get direct benefits to SC/ST from different Development Department with the help of Notional Flow it was observed that this was not happening. Taking into account the seriousness of this problem, the Planning Board as well as the Planning Department had instructed the Development Departments to furnish project proposals for such projects and the SC/ST Department was supposed to monitor it. But this also did not fetch the desired results.

In this context it was decided to stop the concept of Notional Flow and keep this fund as a Pooled Fund under SCP and TSP by creating new Head of Accounts under the SC/ST Department from Annual Plan 2009-10 onwards. The funds are to be released to various Departments on the basis of feasible projects under SCP & TSP benefitting SCs and STs respectively.

The Special Component Plan/Tribal Sub Plan was introduced observing that the Scheduled Castes/Scheduled Tribes are not able to get benefits from various programmes on par with other sections of society due to their socio economic backwardness and

therefore the thrust was given in the plans for improving socio-economic status of the target group. The SC/ST Development Department is taking care to improve their educational status and also to provide basic amenities like water supply, housing, road, electricity etc. The LSGs also take up schemes to provide basic amenities like water supply, housing, electricity etc.

Economic development has not been as much importance as investments in social infrastructure. Economic development and employment generation are important for the sustainable development of society.

Therefore development projects which can directly generate employment and scope for income generation are very essential. It is thus that the pooled fund has become an amount earmarked under SCP and TSP for such projects from various sectors which can benefit the SC/ST population.

State Sector/Special Component Plan/Corporations

According to this Plan, 2/3rd of the Budget Provision under Special Component Plan is earmarked to Local Self Government Institutions. The balance amount is set apart to Scheduled Caste and other development departments. During 2012-13, the total allocation is Rs.14,000 Crores in which Rs.1452.91 Crores is earmarked to Special Component Plan which accounts for 9.81.% of the total outlay. Out of Rs.1452.91 Crores, 2/3rd of the amount is earmarked to the local self-Government department for implementation under People's Plan is 903.16 Crores and 549.75 cores allocated to SC Development Department.. Now the processes of implementation of projects submitted by different levels of local bodies are going on in different districts for the year 2012-13. and the details of the expenditure is yet to be received from the State Government.

State Sector Schemes.

As stated above, the remaining 1/3rd portion of Special component Plan amount have been earmarked for State Sector Schemes. As per this an amount of Rs.549.75 Crores has been set apart to Director of Scheduled Caste Development Department.

MAHARASHTRA

The SC population percentage of Got of Maharashtra as per 2001 Census is 10.12%. Govt. of Maharashtra is providing 13% reservation to SCs, (Neo Buddhists too). In the financial year 2012-2013 the Govt. of Maharashtra allocated the budget of Rs 45000 corers for SCP. The allocation of the budget was in proportion to that of the State population of Scheduled Castes. Till December 1012, 71% expenditure was done. Govt. of Maharashtra is implementing various schemes exclusively for SCs development at district and State level.

Hostels

State Government has been established following institutions/ facilities for welfare of SCs.

1. Residential schools for boys and girls for SCs :ó boys ó 60 and girls ó 40 (Total 100)
2. Government Hostels for SCs - boys ó 211 and girls ó 163 (Total ó 374)
3. Aided Hostels run by NGO ó boys ó 1816 and girls ó 572 (Total ó 2388)
4. Divisional Level Government Hostels ó 7
5. Government ITI at Divisional Level for SCs ó 7
6. Special Courts for atrocities ó 6
7. Cooperative Industrial Societies for SCs ó 372
8. Residential Schools for childrens whose parents engage in unhygienic occupation ó 2 Pune & Nagpur
9. Training on demand through ITI ó to provide short term technical courses to less educated SC students through ITI and other training institutions so they will get a benefit of self-employment. The Trainee will get Rs. 100/- per month stipend for training period. During the year 2011-12, 7274 beneficiaries get benefits of the training. The expenditure made for this training Rs. 3.71 crores.

Dr. Babasaheb Ambedkar Samajik Naya Bhavan

Social, Educational and Financial development of Scheduled Caste and Nav Baudha, the Scheduled Caste Sub-Plan has come into force from 1981-82. Educational, Financial and Social Schemes were implemented by Divisional Social Welfare Officers & District Social Welfare Officers at Division and District place respectively. For Financial Assistance to Backward Class

students various Corporations are also working at division and district places. For the conveyance of the backward class peoples, State Government has taken decision to bring together above mentioned various offices under one roof.

So State Government has taken decision on 1st June 2006 to build Dr. Babasaheb Ambedkar Samajik Naya Bhavan in each district. In each Bhavan there is provision for Divisional Social Welfare Office, District Social Welfare Office, Various Corporations offices, Caste Validity Committee's office, cast verification committee In addition to that in this bhavan, there is a provision of Cultural Hall, Study Room, Library, Information Centre, Computer Training Center, Museum, Conference Hall and Canteen. For the maintenance of these Bhavan's various 16 posts have been sanctioned for each Bhavan by the State Government. The approx. cost of each Samajik Naya Bhavan was Rs. 4.62 Crores.

Out of sanctioned 34 Samajik Naya Bhavans at present the construction of 19 Bhavans have been completed and transfer to Social Welfare Department. (Ratnagiri, Sindhudurg, Nashik, Nandurbar, Jalgaon, Sangli, Solapur, Kolhapur, Washi, Buldhana, Yeotmal, Wardha, Bhandara, Gondiya, Chandrapur, Gadchiroli, Jalna, Parbhani and Beed) The construction of 7 Bhavan's is in progress (Raigad, Amravati, Aurangabad, Osmanabad, Nanded, Hingoli and Latur) and 5 Bhavan's are at Tender Level. In Akola and Ahmadnagar District the land is not available for Bhavan yet. Govt. of Maharashtra has started the payment by e-scholarship method.

SCSP Allocation & Expenditure in the Maharashtra State since 2007-08 to 2012-13

(Rs. In crores)

Sr. No	Year	Total State Plan Allocation	Funds required Under SCSP	Total Allocation Under SCSP	% of SCSP Allocation to Total State Plan	Total State Plan Expenditure	Total SCSP Plan Expenditure	% of SCSP Expenditure to SCSP Allocation	% of SCSP Expenditure to State Plan
1	2007-08	2000.00	2244.00	2060.00	10.02	19422.22	1870.78	90.81	8.50
2	2008-09	25000.00	2550.00	2333.80	9.34	22870.25	2213.00	94.82	8.85
3	2009-10	26000.00	2652.00	2652.00	10.20	27730.59	2247.15	84.73	8.64
4	2010-11	37910.00	3866.82	3867.10	10.20	32216.21	2603.45	67.32	6.87
5	2011-12	42000.00	4284.00	4284.00	10.20	37707.69	3412.12	80.61	8.12
6	2012-13	45000.00	4590.00	4590.00	10.20		-	-	

False Caste Certificate:

The Govt. of Maharashtra has constituted a Caste Scrutiny Committee for verifying the caste Certificates that are issued by the authority of the district concerned where the certificate applicant is living. However, a large number of cases have been identified in the State and scrutiny of such false certificates are undergoing in the State which is a regular process.

ODISHA

Specific needs and problems of SC communities:

Odisha is a State having sizeable percentage of population belonging to Scheduled Caste category. As per 2001 Census figures, Scheduled Caste population of Odisha is about 61 Lakhs which accounts for 16.53% of the total population of the State. There are 93 different S.C. Communities in the State which have found place in the S.C. List of Odisha in the Presidential

Order. The Scheduled Caste populations are spread over all the 30 districts of the State in varying proportion. Statistical data indicates that the literacy rate of SC Population in the State is 55.53% which is almost the same as that of the total literacy rate for the SCs in the entire country. However, the female literacy rate for the SC Population stands at 40.53% which is marginally less compared to the literacy rate of the female SC Population of the country. The SC male literacy rate is 70.47% as against general male literacy rate of 75.35%.

Looking at the vulnerability of the Scheduled Caste population, apart from the Central Acts promulgated by Government of India, a number of legislations also have been formulated and promulgated in the State of Odisha for the all-round welfare and development of S.C. Population in the State. Besides, a number of developmental programmes are extended and facilities provided to these deprived sections of the State to bring them to the mainstream.

- There is need for more number of Hostels for the SC Boys and Girls in the State of Odisha, especially in thickly S.C concentrated pockets. In view of this, the Ministry of Social Justice and Empowerment may kindly be advised to consider granting support for at least 50 SC Girls Hostels and 30 SC Boys Hostel under Babu Jagajiban Ram Chhatrabas Yojana during 2012-13, 8nos of such hostels have been requisitioned. The State allocation under this scheme should therefore be enhanced.
- In order to arrest the problem of large scale dropout among the SC students at Primary and Secondary level, Ministry of Social Justice and Empowerment may consider to workout with the Ministry of HRD so that funds available under Sarba Sikshya and Rastriya Madhyamik Sikhshya are utilized for area specific interventions in SC concentrated pockets.
- Many communities who have been left out from the SC list of Odisha have been claiming to get Scheduled Caste status. Accordingly, Government of Odisha from 1978 have recommended eligible communities for inclusion in the Presidential Order. There are 22 such cases which are lying with the Ministry of Social Justice and Empowerment unattended. This is denying the eligible and entitled community from getting the benefits. Hence Ministry of Social Justice and Empowerment may be advised kindly give special attention to this and take expeditious steps for disposal of the pending cases so that the communities who are waiting for long can get natural justice.

Details indicating the funds allocated to the State out of SCA to SCP and their utilization during each year of the 11th Five Year Plan up to 2009-10 along with details of expenditure scheme wise may be given for last five financial years 2007-08 to 2011-12.

Details of funds allocated to OSFDC under SCA to SCSP and their utilization during each year of the 11th five year plan upto 2011-12 is as under:

(Rs. In Lakhs)

Total 11 th Plan	Name of the Scheme	Funds allocated	Flow to SCA to SCSP			Remarks
			Expenditure incurred	Non-Utilised funds	Funds diverted to other heads	
(1)	(2)	(3)	(4)	(5)	(6)	(7)
2007-2008	SCA to SCSP	2447.43	1581.32	866.11	Nil	Rs. 738.26 lakh received from Govt. of India during March 2008.
2008-2009	SCA to SCSP	2000.00	2216.97	(-) 216.97	Nil	Excess amount of Rs.216.97 lakhs utilized from pervious years un-utilised amount
2009-2010	SCA to SCSP	2500.00	2516.44	(-) 16.44	Nil	Excess amount of Rs.16.44 lakhs utilized from pervious years un-utilized amount
2010-11	SCA to SCSP	1788.18	2110.24	(-) 322.06	Nil	Excess amount of Rs.322.06 lakhs utilized from pervious years un-utilized amount
2011-12	SCA to SCSP	2508.97	1939.64	568.36	Nil	Due to late receipt of funds from Govt. of India
2012-13	SCA to SCSP	2549.00	568.36	2549.00		
Total		13793.58	10932.97	3117.36	---	

During the year 2008-09, 2009-10 & 2010-11 OSFDC has utilized all the funds received from Government. But during the year 2007-08 OSFDC had received an amount of Rs.738.26 lakhs on 28.03.2008 for which the amount could not be spent during 2007-08 and the amount was utilized during the subsequent financial years. Same is the reason of 2011-12 as well.

The SCA funds have been utilized by OSFDC towards payment of subsidy under different Income Generating Schemes like Animal Husbandry, Fishery, Agriculture Development, Minor Irrigation, Skill Development, Training and Infrastructure Development etc.

The scheme-wise & year-wise Expr. under SCA to SCSP is given below.

Scheme-wise achievement of OSFDC under SCA to SCSP during the year 2007-08 to 2011-12.

(Rs. In lakh)

Sl No	Name of the Scheme	2007-08			2008-09			2009-10		
		Achievement			Achievement			Achievement		
		Physi cal	Financial		Phy.	Financial		Phy.	Financial	
			Sub.	Bank Loan		Sub.	Bank Loan		Sub.	Bank Loan
1	2	3	4	5	6	7	8	9	10	11
(A)										
1	Animal Husbandry	4743	443.87	688.15	6332	656.07	1023.58	5932	556.97	919.86
2	Fishery	977	90.58	96.42	1349	134.85	143.39	965	84.25	118.25
3	Agriculture Dev. & Land Reforms	1582	149.05	211.79	2271	221.79	315.04	2389	217.85	295.80
4	Minor Irrigation	36	3.43	3.48	178	15.85	21.80	272	26.20	35.60
5	Horticulture Dev.	83	7.95	11.65	12	1.20	1.20	189	18.90	21.30
6	Village & small scale Industries	6395	635.40	763.56	10141	950.53	1135.81	15963	1538.96	2213.06
	Total	13816	1330.28	1775.05	20283	1980.29	2640.82	25710	2443.13	3603.87
(B)										
1	Minor Irrigation	112	18.32							

2	Dev. of SC (Women) Skill Dev. Training	600	15.95		650	22.39		295	9.14	
3	Co-operation									
4	Infrastructure Dev. under Education Building, CC Road		171.37			166.96			7.50	
5	Sub-sidy for High cost scheme				2	0.20	31.00	31	1.50	21.39
6	Monitoring and evolution		45.40			47.13			95.17	
	Total	712	251.04	0.00	652	236.68	31.00	326	73.31	21.39
	Grand Total	14528	1581.32	1775.05	20935	2216.97	2671.82	26036	2516.44	3625.26

Sl No	Name of the Scheme	2010-11			2011-12		
		Achievement			Achievement		
		Phy.	Financial		Phy.	Financial	
			Sub.	Bank Loan		Sub.	Bank Loan
1	2	11	12	13	14	15	16
(A)							
1	Animal Husbandry	5947	572.10	1038.87	3374	311.09	578.90
2	Fishery	239	23.12	36.02	647	62.00	81.60
3	Agriculture Dev. & Land Reforms	2483	231.19	319.16	26.70	244.98	419.27
4	Minor Irrigation	70	7.00	10.56	50	4.85	8.40
5	Horticult	176	17.10	22.15	352	32.75	41.95

	ure Dev.						
6	Village & small scale Industries	10669	986.63	1553.74	8994	844.65	1340.59
	Total	19584	1837.14	2980.50	16087	1500.32	2470.71
(B)							
1	Minor Irrigation		52.06				
2	Dev. of SC (Women) Skill Dev. Training	340	13.92		1451	59.02	
3	Co-operation						
4	Infrastructure Dev. under Education Building, CC Road		141.68			355.30	
5	Sub-sidy for High cost scheme	80	6.80	64.16	5	0.30	5.13
6	Monitoring and evolution		58.64			24.70	
	Total	420	273.10	64.16	1456	439.32	5.13
	Grand Total	20004	2110.24	3044.66	17543	1939.64	2475.84

Studies on the manner of utilization of the SCA and the desires results/ achieving specific targets:

The Evaluation study of Bankable IGS scheme of OSFDC funds utilized out of SCA to SCSP for the year 2007-08, 2008-09 and 2009-10 has been entrusted to Nabakrushna Coudhury Centre for Development Studies (A Govt. of Odisha organization under Higher Education Deptt.) during 2011-12 vide OSFDC letter no.4324 dt.25.11.2011 and the work is likely to be completed very soon.

Details of schemes which are exclusively for SC people.

The details of schemes which are meant exclusively for Scheduled caste people and implemented by OSFDC are given below:

- (1) Income Generating Schemes for Scheme Castes in Agriculture Development, Animal Husbandry, Fishery, Village and Small Scale Industries, Vocational Trade and Small Business Sector are implemented through Banks.
- (2) Infrastructure Development such as Construction of Community Irrigation Projects, Repair of School and Hostel Buildings meant for students of SC/ST run by ST & SC Development Department and construction of Cement Concrete Roads in Scheduled Caste intensified villages having more than 40% Scheduled Caste population.
- (3) Skill Development Training/ Placement linked Employability Training to Scheduled Caste youths through reputed Government and Private Training Institutions are being implemented by OSFDC.
- (4) High Value loans under Agriculture and Allied Sector, Transport and Service Sector and Industries Sector with low rate of interest.

Appraisals of the working of Special Component Plan (Scheduled Castes Plan) under the 9th & 10th & 11th Five Year Plans:

Appraisal on working of the Special Component Plan (Scheduled caste sub-plan) under 9th 10th and 11th Five year plan have been made periodically and financial and physical targets and achievement for the period are given below.

9th Five Year Plan

Financial (Rupees In Crores)			
Plan outlay	Flow of funds under SCP	Expenditure	% Flow to SCP
7875.3024	1324.41	1256.96	16.82

10th Five Year Plan

(In Crores)

Plan Outlay	Flow of Funds SCP	Expenditure	% Flow to SCP
14364.50	1917.89	1683.09	13.35

11th Five Year Plan

<i>Financial (Rupees In Crores)</i>			% Flow to SCP
Plan outlay	Flow of funds under SCP	Expenditure	
32225.00	5326.80	5326.80 (anticipated)	16.53

Percentage flow of funds to Special Component Plan for SCs (SCP) out of State Plan Funds whether are equal to the population percentage of SCs in the State during the 9th Plan/ 10th Plan/11th Plan periods.

The State Government has not adopted the Maharashtra Model for pooling of funds, to be kept in the Budget of Social Welfare Department (ST & SC Development Department). On the other hand, the funds under flow to SCSP of all the Departments of Govt. have been kept in a separate budget head 0789-SCSP which are non-divertible and non-lapsable. It is mandatory for all Departments to make provision of funds equivalent to the SC population percentage of the State out of their annual State Plan out lay. A State Level Monitoring Committee has been constituted under the Chairmanship of Development Commissioner to review the flow, implementation and monitoring under SCSP in every quarter of the financial year. Besides, the ST & SC Dev. Deptt. has also been declared as the nodal Department in respect of flow, implementation & monitoring of funds of all Department under SCSP.

Year - wise allocation / expenditure of SCP out of State Plan Funds for each year for the 10th Five Year Plan and the Annual Plans of the 11th Five Year Plan :

Rupees in crores					
Period	Total Plan outlay	State Outlay/ Expenditure	Flow of SCP		
			Outlay	Expenditure	% of Flow
Total 10 th Plan	14364.50	13937.29	1917.89	1683.09	13.35

2002-03	2550.00	2474.11	276.52	270.52	10.84
2003-04	2714.50	2436.93	299.68	258.52	11.04
2004-05	2500.00	2618.68	411.32	329.21	16.45
2005-06	3000.00	2759.80	334.82	578.23	11.16
2006-07	3600.00	3647.80	595.55	246.61	16.54
Total 11 th Plan	32225.00	31487.00 (1 st 4 years)	5326.80	4794.31	16.53
2007-08	5520.00	6028.84	912.46	797.98	16.53
2008-09	7500.00	7506.25	1239.75	1123.64	16.53
2009-10	9500.00	7859.74	1563.03	1581.52	16.45
2010-11	11000.00	10105.67	1817.90	1726.26	16.53
2011-12	15000.00	12753.11	2842.16	2124.59	18.95

Source : P & C Deptt , Letter No. 4316 dt. 23.04.2012 (Pl-II-Misc-04/2012)

Funds allocated under the SCP have been utilized for the purpose other than it is allocated.

Rupees in crores					
Period	Total Plan outlay	State Outlay (Expenditure)	Flow of SCP		
			Outlay	Amount Diverted to other heads	Details where spent with reasons to do so
Total 10 th Plan	14364.50	13937.29	1917.89	Nil	
2002-03	2550.00	2474.11	276.52	Nil	
2003-04	2714.50	2436.93	299.68	Nil	
2004-05	2500.00	2618.68	411.32	Nil	
2005-06	3000.00	2759.80	334.82	Nil	
2006-07	3600.00	3647.80	595.55	Nil	
Total 11 th Plan	32225.00	31487.00 (1 st 4 years)	5326.80	Nil	
2007-08	5520.00	6028.84	912.46	Nil	
2008-09	7500.00	7506.25	1239.75	Nil	
2009-10	9500.00	7859.74	1563.03	Nil	
2010-11	11000.00	10105.67	1817.90	Nil	

Study to know the manner of utilization of SCA :

Evaluation study of Bankable I.G.S. Scheme of OSFDC funds utilized out of SCA to SCP was conducted by OSFDC during' November 2002 through Nabakrushna Choudhury Centre for Development Studies. Further evaluation of the intervention has again been taken up and results are likely to be known by end of this year.

Existing machinery for formulation and implementation of the SCP whether is adequate and effective:

The existing machinery for formulation and implementation of the SCP is, stated to be adequate and highly effective. For formulation and proper implementation of the SCP at State Level, Planning & Co-ordination Department, ST & SC Development Department (The Nodal Department) including OSFDC Ltd. and all line departments are playing vital roles, which is effective.

Planning Commission, basing on the population percentage of SCs in the State, indicates flow of funds to SCSP. The overall flow of funds to SCSP under State Plan is projected keeping in view the proportion of SC population to total population of the State. However, the proportion of allocation of funds to SCSP in respect different head of developments/ schemes varies depending upon the structure of the scheme and anticipated benefits to be derived by the SC people. During pre-budget scrutiny of each Department, the representative of P & C Department and ST & SC Development Department, play vigilant role about the flow of funds to SCSP. ST & SC Development Department is the nodal Department for the State with regard to formulation of SCSP and various line departments implement the scheme under SCSP and the Departments furnish quarterly expenditure report showing flow of funds under SCSP to P & C Department.

Necessary Resolution has been made declaring ST & SC Development Department as the Nodal Department for the State in regard to formulation and monitoring of the SCSP. The Scheduled Caste Sub Plan for the Scheduled Castes have been conceptualized as an important strategy to ensure sufficient flow of funds, and cater to the special needs as well as to achieve faster socio-economic development of ST & SC population. One of the objectives of the Special Component Plan, renamed as Scheduled Caste Sub Plan (SCSP) under State Plan is to channelize the flow of funds under different sectoral schemes for SCs at least in proportion to their population.

In order to coordinate the planning process for ST & SC under SCP, the ST & SC Development Department is involved in all Budget Scrutiny Meetings relating to State Plan, CSPs and CPs along with the Finance Department and Planning & Coordination Department to ensure that adequate funds are provided under various schemes for SC & ST people.

The Planning and Coordination Department also associates the ST & SC Development

Department in allocation of plan resources to different Departments under SCP.

In order to effectively monitor and review the implementation of SCP in the State, the State Government has decided to constitute the following committees at different levels.

- i. State Level Monitoring Committee for SCP
- ii. District Level Monitoring Committee for SCP
- iii. Block Level Monitoring Committee for SCP

The State Level Monitoring Committee meets at least once in a quarter and performs the following functions.

- a) The Committee reviews the earmarking of funds for SCP by the Administrative Departments.
- b) The Committee also monitors and review implementation of various Schemes / Projects and Utilization of funds relating to State Plan; Centrally Sponsored Plan & Central Plan under SCP.
- c). The Committee conducts selective evaluation studies in order to provide appropriate feedback to improve the Programme design and implementation strategies.
- d) The Committee meets at least once in a quarter and the proceedings of each meeting are forwarded to the Planning & Co ordination Department for further follow up action.
- e) Any other matter relating to formulation, implementation, monitoring and evaluation of plan schemes under SCP as may be assigned from time to time.

The District Level and Block Level Monitoring Committees for SCP have also been constituted as per the guidelines issued by the Planning Commission and in consultation with the P & C Department and the concerned Collectors.

On role of voluntary organizations/agencies in disseminating information and implementation of Programmes for development of SCs:

For proper and effective implementation of 'Protection of Civil Rights Act,' Government have made provision to provide Grant-in-Aid to the NGOs to conduct workshops, Seminars, Street Plays, Distribution of leaflets on Constitutional Rights of the SCs as well as to create awareness on protection from atrocities by Non SCs on the SCs.

The Non-Official Organizations working in the field of untouchability are encouraged with grants to intensify their efforts for creating awareness and bringing social integration. This process is continuous one and is being encouraged regularly.

State Government is provides financial assistance to the NGOs for the above purpose, which is indicated as follows.

Year	Amount release to NGOs (Rs. in lakh)
2005-06	0.44
2006-07	3.50
2007-08	17.85
2008-09	20.00
2009-10	20.00
2010-11	
Total	61.79

Special schemes undertaken for development of agriculture, minor irrigation and soil conservation, horticulture, animal husbandry, pottery and fisheries for rural artisans:

Backward Regions Grant Fund (BRGF) is a new Centrally Sponsored Scheme that has been launched in 19 (Nineteen) districts of the State of Orissa since 2006-07. 3670 Gram Panchayats (GPs), 205 Panchayat Samitis (PSs), 22 Municipalities and 48 NACs have been covered under this scheme.

The scheme is aimed to redress the regional imbalances in development, bridge critical gaps in local infrastructure and other development requirements, strengthen Panchayats and Municipality level governance with more appropriate capacity building, provide professional support to local bodies for planning and improve the performance of Panchayats.

Funds to the tune of Rs.305.67 Crore have been allocated as Development Grant for the 19 BRGF districts each year. However this amount of fund of Rs.305.67 Crore was allowed for release to the state by the GOI for Annual District Plan 2007-08 although the scheme was implemented since 2006-07. Such annual allocation includes 18 to 20% for SC component and utilized in the SC sector as per Annual Plan. During the year 2009-10,2010-11 and 2011-12 funds to the tune of Rs 72.11 crore,Rs 58.96 crore and Rs 61.82 crore respectively have been utilized under S.C.S.P. component under B.R.G.F.

Anti-poverty and employment generation schemes / Programmes such as SGRY, SGSY, IAY and PMGSY etc, for the benefits of the SCs in the State:

Information on SGSY, IAY & SGRY from 2006-07 to 2010-11								
Sl. No.	Scheme / Programme	Year	Financial (Rs. in Lakh)		Physical			
			Allocation of Funds (Release during the year)	Expenditure	Total No. of beneficiaries covered	No. of SC beneficiaries	UNIT	
1	2	3	4	5	6	7	8	
1	SGSY	2006-07	8984.68	8611.11	68687	17278	No. of Swarozgaries	
		2007-08	12092.91	11763.61	87171	22082	No. of Swarozgaries	
		2008-09	17374.44	14833.85	106271	26558	No. of Swarozgaries	
		2009-10	15955.34	18184.11	131334	33025	No. of Swarozgaries	
		2010-11	16471.45	17282.97	138595	35443	No. of Swarozgaries	
2	IAY	2006-07	21584.37	21026.71	79668	28764	No. of Houses	
		2007-08	25587.79	23371.67	90627	33266	No. of Houses	
		2008-09	31245.74	25199.47	61662	19915	No. of Houses	
		2009-10	63395.60	68259.47	151234	49835	No. of Houses	
		2010-11	60662.56	69101.95	171223	58020	No. of Houses	
3	SGRY	2006-07	13409.58	13222.67	183.61	64.54	Lakh Mandays	
		2007-08	7364.11	6864.87	74.17	26.47	Lakh Mandays	
		2008-09	258.81	1048.66	8.99	2.85	Lakh Mandays	
		2009-10	Scheme merged with MGNREGS.					
		2010-11						

MGNREGS

Year	Total Release(Rs. in Lakh)	Total Expenditure (Rs. in Lakh)	Total Person days Generated(in Nos.)	Person days generated by SC (in Nos.)
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2006-07	85578.51	73346.62	79934000	18906000
2007-08	62229.71	69059.23	43090032	8808775
2008-09	97795.12	67829.30	43258398	8755218
2009-10	49534.73	93258.41	55158673	10582692
2010-11	171186.38	153034.54	97558647	17683922

Schemes and the sectors in which self employment under SGSY benefits have been provided in the last 5 Financial Years:

INFORMATION ON SGSY					
Year	Name of the Scheme	Sectors in which self employment under the SGSY benefits provided	Per Capita investment in general (in Rs)	Per Capita investment for the SCs population in particular (in Rs)	Shortfall and reason there of
Total 11th Plan	SGSY	Primary, Secondary &Tertiary	29867	29557	No shortfall
2007-08	SGSY	Primary, Secondary &Tertiary	29362	28916	No shortfall
2008-09	SGSY	Primary, Secondary &Tertiary	28730	28829	No shortfall
2009-10	SGSY	Primary, Secondary &Tertiary	29919	29987	No shortfall

Year	Person days generated by SC under MGNREGS
2008-09	8755218
2009-10	10582692
2010-11	17683922

Under MGNREGS, the payment of wages of the workers are being made through their accounts opened in Bank/Post Office w.e.f 1.10.2008. MGNREGS has been subjected to the audit by C & AG. The compliance to the observations of CAG is being furnished regularly to the appropriate quarters.

EDUCATIONAL DEVELOPMENT

The framers of the constitution took note of the fact that certain castes, in the country were suffering from extreme Educational and Social backwardness arising out of age-old practice of untouchability and social isolation. In order to uplift and bring them at par with other sections of society literacy was felt to be only way for their overall empowerment which would also help in economic upliftment

Since independence several strategies for sustainable educational development have been evolved and during the last ten five year plan periods several programmes/schemes have been implemented with a view to bridge the educational backwardness of Scheduled Castes and others.

Literacy position of SCs

As per the last five Census Literacy rates separately for SCs and overall population, by sex, are presented below:

Census	Literacy Rates						
	Over all			SC			
	Male	Female	Total	Male	Female	Total	Difference
1961	34.4	13	24	17	3.3	10.3	13.70
1971	39.5	18.7	29.5	22.4	6.4	14.7	14.80
1981	46.9	24.8	36.2	31.1	10.9	21.4	14.80
1991	64.1	39.3	52.2	49.9	23.8	37.4	14.80
2001	75.3	53.7	64.8	66.6	41.9	54.7	10.10

(Census, 2001)

Thus, the gap between SC and overall population in terms of literacy rate, which was 14 percentage points in 1961, came down to 10.1 percentage points in 2001. There has been considerable improvement in overall and female literacy rates for SCs which increased from 10.3% for all SCs and 3.3% for female SCs in 1961, to 54.7% for all SCs and 41.9% for SC females in 2001. Also, the gap between SC female and over all female literacy rates declined from 15.5 percentage points in 1991 to 11.8 percentage points in 2001.

The comparison between SCs /STs on the one hand, and non-SC/ST population on the other, would have give a better picture of the inequality in literacy position among SCs.

As per the 2001 Census the State-wise Literacy Rate for Scheduled Castes are as under:-

Literacy Rate for Scheduled Caste (SC)

State/Sex-wise Literacy Rate of Scheduled Castes in India (Census 2001)									
State/UTs	Rural			Urban			Total		
	Person	Male	Female	Person	Male	Female	Person	Male	Female
Andhra Pradesh	50.32	60.63	39.79	68.66	77.25	60.05	53.52	63.51	43.35
Arunachal Pradesh	65.87	73.83	54.37	69.28	78.59	55.57	67.64	76.31	54.99
Assam	64.92	74.21	54.94	76.86	84.08	69.08	66.78	75.74	57.14
Bihar	26.93	38.66	14.13	49.11	60.63	35.70	28.47	40.23	15.58
Chattisgarh	62.47	77.81	47.27	69.28	81.81	56.31	63.96	78.70	49.22
Goa	70.77	81.27	60.34	72.88	81.79	63.53	71.92	81.56	62.05
Gujarat	65.59	79.16	51.17	77.90	87.62	67.33	70.50	82.56	57.58
Haryana	54.13	65.88	40.64	60.19	70.67	48.11	55.45	66.93	42.26
Himachal Pradesh	69.54	79.45	59.44	81.06	87.28	73.83	70.31	80.01	60.35
Jammu & Kashmir	57.10	68.02	45.26	67.90	76.52	57.96	59.03	69.57	47.46
Jharkhand	32.52	46.57	17.73	58.14	71.24	43.11	37.56	51.59	22.55
Karnataka	47.25	58.71	35.56	69.27	78.32	59.88	52.87	63.75	41.72
Kerala	81.65	87.22	76.39	87.12	91.83	82.70	82.66	88.07	77.56
Madhya Pradesh	55.39	69.73	39.44	68.02	80.06	54.69	58.57	72.33	43.28
Maharashtra	67.88	80.56	54.71	78.27	87.58	68.41	71.90	83.29	59.98
Manipur	70.76	79.79	61.38	73.14	82.86	63.77	72.32	81.78	62.97
Meghalaya	51.91	61.75	40.55	63.57	72.72	52.99	56.27	65.86	45.21
Mizoram	88.89	88.33	100.00	89.30	88.49	91.67	89.20	88.44	92.16
Nagaland	-	-	-	-	-	-	-	-	-
Orissa	54.23	69.51	38.76	65.31	77.56	52.38	55.53	70.47	40.33
Punjab	54.35	61.63	46.27	61.93	68.72	54.33	56.22	63.38	48.25
Rajasthan	49.86	66.93	31.18	61.35	76.83	44.22	52.24	68.99	33.87
Sikkim	0.23	67.56	52.63	81.99	87.92	76.05	63.04	70.15	55.71
Tamil Nadu	59.61	70.48	48.79	71.45	80.17	62.77	63.19	73.41	53.01
Tripura	73.59	80.98	65.88	79.51	85.78	73.15	74.68	81.85	67.24
Uttar Pradesh	44.52	59.03	28.33	58.17	69.08	45.51	46.27	60.34	30.50
Uttaranchal	61.53	76.34	46.11	72.01	81.29	61.42	63.40	77.26	48.74
West Bengal	57.09	69.10	44.46	68.99	77.76	59.51	59.04	70.54	46.90
Andaman & Nicobar Islands	-	-	-	-	-	-	-	-	-

Chandigarh	65.82	73.63	55.25	67.85	76.47	57.41	67.66	76.20	57.22
Dadra & Nagar Haveli	75.73	86.68	63.80	83.90	92.06	74.55	78.25	88.37	67.05
Daman & Diu	86.11	94.26	77.28	83.65	93.66	73.70	85.13	94.03	75.82
Delhi	70.82	82.40	57.18	70.85	80.63	59.24	70.85	80.77	59.07
Lakshadweep	-	-	-	-	-	-	-	-	-
Pondicherry	64.29	74.11	54.61	75.20	83.87	66.82	69.12	78.41	60.05
India	51.16	63.66	37.84	68.12	77.93	57.49	54.69	66.64	41.90

Note : Excluding Mao-Maram, Paomata and Purul Sub-Division of Senapati District of Manipur. *Source: Department of Secondary and Higher Education, Ministry of Human Resource Development, Govt. of India.*

RIGHT TO EDUCATION ACT, 2009

The Right of children to Free and Compulsory Education Act has come into force from April 1, 2010. This is a historic day for the people of India as from this day the right to education will be accorded the same legal status as the right to life as provided by Article 21A of the Indian Constitution. Every child in the age group of 6-14 years will be provided 8 years of elementary education in an age appropriate classroom in the vicinity of his/her neighborhood.

Any cost that prevents a child from accessing school will be borne by the State which shall have the responsibility of enrolling the child as well as ensuring attendance and completion of 8 years of schooling. No child shall be denied admission for want of documents; no child shall be turned away if the admission cycle in the school is over and no child shall be asked to take an admission test. Children with disabilities will also be educated in the mainstream schools.

All private schools shall be required to enroll children from weaker sections and disadvantaged communities in their incoming class to the extent of 25% of their enrolment, by simple random selection. No seats in this quota can be left vacant. These children will be treated on par with all the other children in the school and subsidized by the State at the rate of average per learner costs in the government schools (unless the per learner costs in the private school are lower).

All schools will have to prescribe to norms and standards laid out in the Act and no school that does not fulfill these standards within 3 years will be allowed to function. All private

schools will have to apply for recognition, failing which they will be penalized to the tune of Rs 1 lakh and if they still continue to function will be liable to pay Rs 10,000 per day as fine. Norms and standards of teacher qualification and training are also being laid down by an Academic Authority. Teachers in all schools will have to subscribe to these norms within 5 years.

The National Commission for Protection of Child Rights (NCPCR) has been mandated to monitor the implementation of this historic Right. A special Division within NCPCR will undertake this huge and important task in the coming months and years. A special toll free helpline to register complaints will be set up by NCPCR for this purpose. NCPCR welcomes the formal notification of this Act and looks forward to playing an active role in ensuring its successful implementation.

NCPCR also invites all civil society groups, students, teachers, administrators, artists, writers, government personnel, legislators, of the judiciary and all other stakeholders to join hands and work together to build a movement to ensure that every child of this country is in school and enabled to get at least 8 years of quality education.

Benefits of Right to Education Act, 2009

RTE has been a part of the directive principles of the State Policy under Article 45 of the Constitution, which is part of Chapter 4 of the Constitution. And rights in Chapter 4 are not enforceable. For the first time in the history of India we have made this right enforceable by putting it in Chapter 3 of the Constitution as Article 21. This entitles children to have the right to education enforced as a fundamental right.

The Right to education Bill have been passed by the Parliament and Right to Education is a fundamental right of a citizen of India. It emphasis on quantity of school and quality of Education has been given but issues related to Scheduled Castes childrens have been ignored which has resulted into low education in SC children.

Sarva Shiksha Abhiyan (SSA) Interventions

The SSA promote diverse strategies, targeting SC/ST children. The Sarva Shiksha Abhiyan seeks to develop context specific intervention to tackle the problems of education of SC/ST children. Some of the interventions of SSA are as follows.

1. Strategies for SC children:

- Providing adequate infrastructure for elementary schooling in 61 districts with concentration of SCs population
- Education Guarantee Scheme in remote, sparsely populated region, otherwise ineligible for schools.
- Back to school camps, bridge courses and other alternative schooling facilities for children or migrant families, dropouts, older and never enrolled children and working children.
- Free textbooks to SC students from class I-VIII
- Provision for special innovative activities to promote education of Scheduled Castes children out of Rs. 50 lakh per district available for innovation activities.
- Teacher's sensitization programmes to promote equitable learning opportunities and address in class discrimination.
- Statutory representation in Village Education Committee (VEC)/SMC's etc.

Enrollment in School Education

The literacy rate amongst the SCs and STs has increased tremendously between 1980-81 to 2008-2009.

The SC enrolment at the primary (I-V), upper primary (VI-VIII) and secondary/senior secondary (XI-XII) stages of school education has increased by 2.4, 5.0 and 6.8 times respectively.

(Figure in lakhs)

Year	Enrollment in School Education					
	Other Students*			SC students		
	Boys	Girls	Total	Boys	Girls	Total

2004-05	867	737	1604	221	166	387
2005-06	876	743	1619	227	173	400
2006-07	886	762	1648	236	182	418
2007-08	928	879	1807	227	199	426
2008-09	897	793	1690	232	204	436
2009-10	928	817	1745	242	214	456

* Excluded SC and ST students.

Source: Selected Educational Statistic for the year 2004-05, 2005-06 & Statistics for School Education 2006-07, 2007-08 & Abstract of Statistics of School of Education 2008-09 Ministry of HRD.

In school education, the enrollment of others and SCs have increased by 7.78 % & 14 % respectively between the years 2005-06 to 2009-10. The enrollment of SC boys has increased by 6.61 %, while SC girls have increased by 23.70 % during the period 2005-06 to 2009-10.

Comparison of Drop-Out Rate in different stages of School Education

The details are as under:-

Year	Category students	Primary			Elementary			Secondary		
		Boys	Girls	Total	Boys	Girls	Total	Boys	Girls	Total
2004-05	Scheduled Caste	32.70	36.10	34.20	55.20	60.00	57.30	69.10	74.20	71.30
	All category	31.81	25.42	29.00	50.49	51.28	50.84	60.41	63.88	61.92
2005-06	Scheduled Caste	32.11	33.81	32.86	53.68	57.12	55.17	68.16	73.76	70.57
	All category	28.71	21.77	25.67	48.67	48.98	60.10	63.56	72.17	69.01
2006-07	Scheduled Caste	32.33	39.89	35.91	51.56	54.98	53.05	66.58	72.17	69.01
	All category	24.57	26.75	25.60	46.44	45.22	45.90	58.61	61.50	59.88
2007-08	All category	25.70	24.41	25.09	43.72	41.34	42.68	56.55	57.33	56.71
	Scheduled Caste	30.05	22.69	26.71	50.85	43.94	47.89	66.53	66.60	66.56
2008-09	All category	26.68	22.9	24.93	44.89	38.86	42.25	55.82	55.95	55.88
2009-10	Scheduled Castes	32.61	25.31	29.33	50.59	51.99	51.25	58.47	59.71	59.03

Source: Selected Educational Statistics for the year 2004-05, 2005-06 & Statistics of School Education 2006-07, 2007-08 & Abstract of Statistics of School of Education 2008-09, 2009-10 (Provisional)

The drop-out rate in secondary stage of school education for SC boys & girls in 2008-09 has decreased from 70.59% in 2005-06 to 59.03 % in 2009-10.

Enrollment in Higher Education

The enrollment of SC students has increased in higher education from 2004-05 to 2007-08 as shown in the table given below:

(Figure in lakhs)

Year	Enrollment in Higher Education					
	Other Students*			SC students		
	Boys	Girls	Total	Boys	Girls	Total
2005-06	74.14	46.90	121.04	10.29	5.82	16.11
2006-07	79.69	50.47	130.16	11.85	6.50	18.35
2007-08	85.10	54.51	139.61	14.51	8.51	23.02
2008-09	92.84	59.45	152.29	14.87	8.75	23.62
2009-10	102.63	60.57	172.20	15.00	9.39	24.39

* Excluded SC and ST students.

Source: Annual Report of Ministry of HRD for the year 2012-13.

In higher education, the enrollment of others and SC students have increased by 42.27 % and 51.48% respectively between the year 2005-06 to 2009-10. The enrollment of SC boys has increased by 45.77% while girls has increased more by about 6% i.e. 61.34% during the period 2005-06 to 2009-10.

Gap in Gross Education Ratio (GER)

Year	All categories	SC
2005-06	12.67	8.37
2006-07	13.49	9.35
2007-08	13.83	11.00
2008-09	14.73	11.02
2009-10	16.27	11.11

Source: Selected Educational Statistic for the year 2004-05, 2005-06, 2006-07 & Statistics of Higher and Technical Education 2009-10.

The UGC has taken following measures to promote the higher education of SC:-

- The University Grants Commission (UGC) issues guidelines /directives /instructions form time to time for implementation of reservation policy of the Government of India.
- There is relaxation in the minimum qualifying marks for admission for SC/ST/OBC candidates.
- UGC implements the Career Orientation programme for the graduates for gainful employment for all including SC/STs and OBCs.
- UGC provides financial assistance for extension activities to SCs /STs and OBCs.
- UGC has created a Central Pool Database of eligible SC/ST/OBC candidates and recommends their candidature for teaching positions in universities and colleges.

Standing Committee on Scheduled Castes and Scheduled Tribes

To oversee the effective implementation of reservation policy in Universities a standing Committee on SCs/STs was constituted by the UGC in 1997. The Committee was reconstituted by the UGC in 2007. The Committee is represented by academic Experts, Ex-Vice Chancellors and distinguished persons in the field of higher education.

The Standing Committee on SCs / STs met in the month of October, 201 and considered a number of issues concerning the upliftment and betterment of SCs / STs in the domain of higher education besides the fact the Committee also touched upon proposals received from the universities for establishment of SCs / STs cells in res[pective universities and colleges. In addition, the Committee also considered other issues like representative from SCs / STs in the membership of the Commission, flow of funds towards SCs / STs, regional meetings to review the implementation of reservation policy in admission and recruitment etc.

Further during the year 2010, a Sub-Committee on SCs / STs visited universities located in NE regions during the month of September-October, whereas during the year 2011, the Sub-committee visited NE Hill University, Shillong. The Sub-committee also visited Gurukul Kangri University, Uttarakhand during the period. The Sub-Committee, as mentioned, submitted a detailed report to the Commission in regard to adherence and implementation of redervation

policy of the Government in the above said Universities; besides which the Committee also made several recommendations for implementation in the above stated universities. The Commission has approved the recommendations and the same has been communicated to the universities for implementation.

Schemes run by University Grants Commission (UGC) : Remedial Coaching at UG/PG level for SC/ST students

The UGC has been contributing towards social equity and socio-economic mobility of the under privileged sections of the society through special schemes. The Commission, in 1994, introduced one such special scheme namely Remedial Coaching at the Under-Graduate (UG) and Post-Graduate (PG) level for students belonging to the Scheduled Castes and Scheduled Tribes. The main objectives of the scheme are:

- To improve the academic skills and linguistic proficiency of the students in various subjects.
- To raise the level of comprehension of basic subjects so as to provide a stronger foundation for further academic work.
- To strengthen their knowledge, skills and attitude in such subjects, where quantitative and qualitative techniques and laboratory work are involved, so that necessary guidance and training provided under the programme may enable the students to come-up to the level necessary for pursuing higher studies efficiently.
- To improve overall performance of these students in the examinations.

The tenure of assistance to universities and colleges is five years but initially assistance is provided for first phase i.e three years. For strengthening and expansion of the scheme for Remedial coaching for students from SC/ST/Minority Communities in higher education, the existing scheme has been reviewed by UGC with representatives of the 4 Central Universities and centrally funded Deemed Universities. Four Universities namely, Aligarh Muslim University, Maulana Azad National Urdu University, Jamia Hamdard and Dr. Babasaheb Bhimrao Ambedkar University have been identified for assistance. Aligarh Muslim University,

Jamia Hamdard and Babasaheb Bhimrao Ambedkar University have started the said Remedial Coaching Centers. An amount of Rs. 5 crore has been sanctioned to each of the above four Universities.

Coaching Classes for SC/ST candidates for preparation for National Eligibility for preparation for National Eligibility Test (NET)

In order to provide an adequate number of qualified SC/ST candidates for recruitment as lecturers in Universities and Colleges, during 2004-05, the Commission introduced a scheme of Coaching Classes for SC/ST to prepare them for National Eligibility Test (Net), which is an essential eligibility condition for becoming a lecturer in Universities or colleges.

Under this scheme, coaching classes are organized in selected universities for which grant on 100% basis is made available. Efforts are being made to approve at least one centre in each State, which can accept the responsibility for NET Coaching and has sufficient number of willing faculty members to provide coaching. The classes in the coaching centre are to be arranged by arranging teachers on honorarium basis.

Coaching Classes for SC/ST for entry in Services:

In order to gain useful employment in group A, B & C including all Indian and State Provincial Services, the scheme of Coaching Classes for SC/ST for entry in Services has been introduced in selected universities and colleges by the UGC w.e.f 2004-05. The classes in the Coaching Centers are to be arranged by arranging teachers on honorarium basis.

Post-Graduate Scholarships for students belonging to SCs/STs/Minorities

This scheme has been initiated keeping in view the social background of the candidates from deprived sections of the society and to provide them an opportunity to undertake post-graduate level studies for SC/ST/Minorities students. The scholarship amount is Rs. 5,000/- per month for M.Tech Courses and Rs. 3,000/- per month for Master of Pharmacy and Management

courses. The contingency for the above scheme is Rs. 15,000/- and Rs. 10,500/- per annum respectively.

For the Central Sector Scheme of Scholarship for Colleges and University Students, the students belonging to reserved categories/weaker sections/minorities are eligible on the basis of merit, subject to Central Reservation Policy and internal earmarking. The scholarship would be available to students belonging to non creamy layer. At present reservation for the various categories are 15% for SC, 7.5% for ST, 27% for OBC and horizontally 3% for physically handicapped in all the categories.

Post-Doctoral Fellowship for SCs /STs

The UGC initiated the scheme of post-doctoral fellowship for SC / ST candidates who have obtained a doctorate degree and have published research work to their credit.

During the financial year 2010-11, 100 SC / ST candidates have been selected for the purpose and an amount of Rs. 1.61 crore upto December, 2011 was incurred for the reason. During the year 2010-11 however, a sum of Rs. 4.17 crore was incurred.

Remedial Coaching at UG / PG level for SC / ST Students

The UGC had introduced the scheme in the 1994 for the students belonging to SCs & STs. The objective of the Scheme was:

- i) To improve the academic skill and linguistic proficiency of the students in various subjects.
- ii) To raise the level of comprehension of basic subjects so as to provide a stronger foundation for further academic work.
- iii) To strengthen their knowledge, skills and attitude in such subjects, where quantitative and qualitative techniques and laboratory work are involved, so that necessary guidance and training provided under the programme may enable the students to come up to the level necessary for pursuing higher studies efficiently.
- iv) To improve overall performance of these students in the examinations.

Establishment of Scheduled Caste and Scheduled Tribe Cells in Universities

To safeguard the interest of Scheduled Caste and Scheduled Tribes, the most deprived groups of the Indian Society, the constitution provides reservation in various services under Central and State Government. The main objective is not to just provide jobs to increase their representation in services but to improve their social and educational status so that they can have their rightful place in the main-stream of the society. As per the constitutional provisions, the reservation for Scheduled Castes is 15% and 7.5% for Scheduled Tribes respectively at the national level and the reservation in states is provided depending on their population in the concerned state. Towards this, a SC/ST cell has been set up in UGC and also constituted a standing committee for SC/ST to implement and monitor the Reservation Policy for them in Higher Education.

In XI Plan, the following are the objectives of the scheme of 'Establishment of SC/ST Cells in Universities' initiated in the year 1983:

- To ensure effective implementation and monitoring of the reservation policy for SC/STs and Programs of the Govt. of India and UGC in Universities and Colleges.
- To collect data regarding implementation of policies in respect of admissions, appointments to teaching and non-teaching positions etc.
- To take such follow-up measures, which can help in achieving the target laid down for the purpose.

Under the scheme, the assistance for staff positions is on cent percent basis for actual expenditure on staff salary during the first five years of establishment of SC/ST Cells or up to the end of the Plan period during which the cell is established.

Central Universities and deemed Universities which are funded by the UGC may meet the recurring expenditure from the Non-Plan funds. State Universities which have received the approval of the State Govt. to take over the liability of recurring grants may continue with state finance after the completion of the plan period. However, they will receive UGC funds for Non-recurring expenditure. In case the liability of recurring grant is not to be taken over by the State

Govt., the State University may continue with the functioning of SC/ST Cell by utilizing the development grant available to them from UGC to meet recurring expenditure.

Till 31st March, 2011, as many as 128 SC/ST Cells had been established in universities.

Establishment of Equal Opportunity Cells (EOCs)

Decision has been taken by UGC to create Equal opportunity Cell (EOCs) in all universities which have been declared fit to receive grants under sections 12-B of the UGC Act, 1956. One time grant of Rs. 2.00 lakh is being provided for establishing office of EOC. An amount of Rs. 4.09 lakh has been released to the eligible colleges by the UGC. At present, 128 EOCs are functioning in regional colleges and universities.

Coaching classes for SC / ST candidates for preparation for National Eligibility Test (NET)

In order to provide adequate number of qualified SC /ST candidates for recruitment as lecturers in Universities and Colleges, during 2004-05, the UGC introduce a scheme of coaching classes for Sc / ST students to prepare them for NET which is an essential eligibility condition for becoming a lecturer in universities and colleges. Under the scheme, the coaching classes are organized in selected universities for which grant on 100% basis is made available.

INITIATIVE OF MINISTRY OF HUMAN RESOURCE DEVELOPMENT

Rajiv Gandhi National Fellowship for SCs

It was introduced, as a Central sector Scheme, in 2005-06. The Scheme provides financial assistance to SC students for pursuing research studies to M. phil, Ph.D and equivalent research degree in Universities, research institutions and scientific institutions. In case of non availability of adequate number of S.C candidates, the number of fellowships not availed during a year will be carried forward to the next academic session. In case the number of candidates exceeds the number of available awards, the UGC selects the candidates based on the percentage of marks obtained by the candidates in their post graduation examination. There is no income ceiling prescribed under the scheme. The rates of fellowships for JRF and SRF will be a par with the

UGC fellowship. Up to the year 2009-10, there was a provision to award 1333 new fellowships per year. This number has been increased to 2000 from the year 2010-11. A requirement to further increase the number of these fellowships has been projected from various corners including the University Grants Commissions, which is implementing the scheme. The XII Plan working group Report has recommended for increase in fellowship from existing Rs.2000 to Rs.5000 per year.

National Merit Scholarship Scheme (NMSS):

There is new scheme entitled -National Merit Scholarship Scheme with the objective to support talented students and encourage them to excel academically in studies by giving recognition and financial assistance at post-metric level on state wise merit basis and also separately to talented and meritorious students in rural areas for Classes IX to X for all categories. The revised rate of scholarship varies from Rs. 250/- to Rs. 750/- p.m. depending on the level of education and course of study. The Scheme has been discontinued with effect from April, 2007. However, a New Central Scheme of Scholarship for College and University Students is proposed to be introduced.

National University of Educational Planning & Administration (NUEPA):

It carries out studies, seminars, symposiums, etc. and evaluates ongoing programmes/existing educational programmes. It covers programmes and schemes for scheduled castes and scheduled Tribes. It also generates material for educational institutions.

University Grants Commission:

University Grants Commission runs the Remedial Coaching Scheme with a view to improve the academic skills and linguistic proficiency of the Scheduled Caste and Scheduled Tribe students to prepare them for the National Eligibility Test (NET) conducted by UGC/CSIR.

SC/ST Cells: University Grants Commission provides assistance to universities/deemed universities for establishment of Special SC/ST Cells, to ensure effective implementation of reservation policy for SCs/STs in admissions, recruitment both in teaching and non-teaching posts, staff quarters/hostels, fellowships etc. Till now, 123 SC/ST Cells have been established in universities including deemed Universities.

Engineering Colleges: The higher educational institutions administered by the Central Government including IITs, IIMs, Regional Engineering Colleges, etc. provide reservation to the extent of 15% and 7.5% for SCs and STs students respectively in admissions. Apart from reservation, there is relaxation in minimum qualifying marks for admission and seats are reserved in hostels for SC/ST students. Reservation percentages vary in institutions run by the State Governments as per State Government's policy.

Community Polytechnics: The scheme of Community Polytechnics is in operation since 1978-79. Provides platforms for transfer of appropriate technologies to rural masses/local communities. Preference is given in training to rural youths, SCs, STs, women, school dropouts and other disadvantaged groups and helps them to obtain need based gainful employment. It applies Science and technology through skill oriented non-formal training, technology transfer and technical support services.

Up-gradation of Merit of SC students : -

Objective

To upgrade the merit of Scheduled Castes students by providing them with facilities for their all-round development through education in residential schools. It is proposed to be done by (i) removing their educational deficiencies (ii) facilitation their entry into professional courses by up-gradation their merit and (iii) generating self-confidence and self-reliance in them.

Target Group

Scheduled Castes students studying from Class IX to class XII.

Salient Features

Providing 100% Central assistance to the State/UTs through a package grant of Rs. 15,000/- per student per year. Special allowances like readers allowance, transport allowance, escorts allowance etc. is given to students with disabilities.

Physical and Financial Achievement during the last three years are as under:-

Year	Budget Allocation (Rs. in crore)	Expenditure(Rs. in crore)	Beneficiaries
2008-09	2.00	1.75	1,297
2009-10	2.00	2.00	1,512
2010-11	4.00	2.89	2,893

State wise Central Assistance released and beneficiaries covered during 2008-09 to 2010-11 under up-gradation of merit scheme for SCs. **Annexure-I**

Central Sector Schemes

Rajiv Gandhi National Fellowships for Higher Education

Objective The scheme provides financial assistance to Scheduled Caste students for pursuing research studies leading to M.Phil, Ph. D and equivalent research degree in universities, research institutions and scientific institutions.

Salient Features

University Grants Commission (UGC) is the nodal agency for implementing the scheme. From the year 2010-11, 2000 Research Fellowship (Junior Research Fellows) per year would be awarded to Scheduled Caste students. In case of non-availability of adequate number of Scheduled Castes candidates, the number of fellowships not availed during a year will be carried forward to the next academic session. In case, the number of candidates exceeds the number of available awards, the UGC select the candidates based on the percentage to mark obtained by the candidates in their Post Graduation examination. There is no income ceiling prescribed under the scheme.

Important Changes

The following important changes have been made in the scheme form 2010-11.

Number fellowships

The number of new fellowships to be awarded each year has been increased from 1333 to 2000 to benefit more Scheduled Caste students.

Rates of fellowship

The rates of fellowship for JRE and SRF will be at par with UGC fellowships. Rate of fellowship under the scheme have been upwardly revised with effect from 1.4.2010 to annual the inflationary effect and make the fellowship more beneficial.

The revised rates of fellowship under the scheme are as follows:-

Sl. No	Stream	Monthly Rate of fellowship (Amount in Rs.)			
		J.R.F		S.R.F	
		Pre-revised	Revised	Pre-revised	Revised
1	Science, Humanities and Social Sciences	12,000	16,000	14,000	18,000
2.	Engineering and Technology	14,000	18,000	15,000	19,000

3) Rates of other allowances

The present rates of other allowances admissible under the fellowship are as follows:-

Other Allowances admissible under the scheme

(Amount of Rs)

Type of Scholarship	Item of Assistance	Humanities and Social Science	Sciences, Engineering and Technology	Department Assistance	Escorts/Reader Assistance
Junior Research Fellowship	Contingency for first two years	10,000	12,000	3,000/- p.a per student to the host institution for providing infrastructure	2000/- p.m in cases of physically and disabled candidates
Senior Research Fellowship	Contingency for remaining three years (p.a)	20,500	25,000		

The housing Rent Allowance (HRA) will be on the UGC pattern and will be payable to those students who are not provided with hostel accommodation. In case hostel accommodation

offered by the University /Institution is refused, the student will forfeit his claim of HRA. The other facilities such as medical facilities, leave including maternity leave will be governed as per the guidelines of the UGC in case of their fellowship programme.

Physical and Financial Progress

The details of Budgetary Allocation and Central Assistance released during the last three years are as under:-

(Rs. in crores)

Year	Budget Allocation	Fund Released	New Fellowships awarded		
			Male	Female	Total
2008-09	87.94	87.94	716	617	1333
2009-10	80.00	105.00	732	643	1375*
2010-11	160.00(BE/145.00(RE (as on 31.3.2011)	144.00	Selection Under Process for 2000 Fellowship		

Note: *means 42 additional fellowship also awarded for the selection year 2009-10.

Scholarship Scheme of Top Class Education for SC students: -

Objective

Objective of the SC home is to promote qualitative education amongst SC students, by providing full financial support for pursuing studies beyond 12th Class.

Salient Features

- i) There are 181 institutes of excellence spread all over the country in the list of identified institutes. Five new institution namely, i) IIT-Mandi, IIT-Indore, IIM-Raipur IIM-Rohtak, and IIM-Ranchi have been added in the list during current year 2010-11.
- ii) Notified institutes include all IIMs, IITs, NITs (earlier known as RECs), commercial Pilot License training institutes and reputed Medical/Law and other institutes of excellence.
- iii) All the Government notified institutes (of IITs, NITs and IIMs) are allotted 12 awards/ scholarships each, whereas the Commercial Pilot License training institutes are allotted 2 awards/seats each.
- iv) Coursed of study covered the Engineering, Medicine /Dentistry, Law, Management, Hotel Management, Fashion Technology and other streams.
- v) SC students whose total family income is up to Rs. 2 lakh per annum are eligible for the scholarship.

Scholarship is awarded for

- i) Full tuition fee and other non-refundable charges (three will be a ceiling of Rs. 2 lakh per annum per student towards fee in the private institution and Rs. 3.72 lakh per annum per student in private commercial pilot training institutions).
- ii) Living expenses @ of Rs. 2,220/- per month per student
- iii) Books & Stationary @ Rs. 3,000/- per annum per students and
- iv) A latest computer with full accessories limited to Rs. 45,000/- per student as one time assistance. Living expenses cost of book and stationary and computer are subject to actual expenditure.

Physical and Finance Achievement during the last three years**(Rs. in crore)**

Year	Budget Allocation	Expenditure (Rs. in crore)	Beneficiaries
2008-09	20.00	4.97	378
2009-10	20.00	8.26	541
2010-11	25.00	14.15	1036

National Overseas Scholarship: -**Objective**

National Overseas, Scholarship is meant to provide assistance to selected Scheduled Caste, De-notified, nomadic, semi-nomadic tribes, landless agricultural labourers and traditional artisans, students for pursuing higher studies of Master Level course and PhD Programmes abroad in specified fields of study.

Salient Features

The scheme provides for fees charged by institutions as per actual, monthly maintenance allowance, passage visa fee and insurance premium etc., annual contingency allowance, incidental journey allowance. Only one child of the same parents/guardians is eligible to get benefit under the scheme. The prospective awardees should not be more than 35 years of age.

The total number of awards to be given each year is 30 and 30% of the awards have been earmarked for women candidates. Financial assistance under the Scheme is provided for a

maximum period of 4 years for Ph. Dasnd 3 years for Masterø programme. The income from all sources of the employed candidates or his/her parents/guardians should not be more than Rs. 25,000/- per month.

Rates of admissible allowances

The current rates of allowances admissible under the scheme are summarized below:

Current Rates of admissible allowances (with effect from 9.7.2007)		
Item	Amount admissible in UK (in great Britain pound)	Amount admissible in US and other countries (in US)
Annual Maintenance Allowance	9000	14000
Annual Contingency Allowance	1000	1375
Incidental Journey Allowance	Equivalent to US 17	
Equipment Allowance	Rs. 1200	
Poll Tax	Actual Amount	
VISA Free	Actual VISA fee in Indian Rupee	
Fee and Medical Insurance Premium	Actual as charged	
Local Travel	Second or coach class fare	

Important Changes

The specified fields of study under the scheme have been revised for the selection year 2010-11 in order to broaden the scope and benefit more students, and following disciplines have been covered under the scheme.

- i) Medicine
- ii) Pure Sciences
- iii) Engineering
- iv) Agriculture Sciences
- v) Management

Physical and Financial Progress

The details of Budgetary Allocation and funds released during the last three years are as under:-

Year	Budget allocation	Expenditure	No. of awards	No of finally selected candidates		
				Master degree	Ph. D	Total
2008-09	5.00	4.99	30	10	19	29
2009-10	5.00	1.37	30	8	22	30
2010-11	6.00	4.39 (as on 31.3.2011)	30	Advertisement given for calling applications		

Free Coaching for SC and OBC students:-

Objective

Objective of the Scheme is to provide quality coaching for Group A and B examinations conducted by the Union Public Service Commission (UPSC), the Staff Selection Commission (SSC), the Railway Recruitment Boards (PRB) and the State Public Service Commissions; Officers Grade examinations conducted by Banks, Insurance Companies and Public Sector Undertaking (PSUs) and; Finishing courses/job-oriented courses for employment in the private sector like IT, Bio-technology etc. in need soft skin as well.

The scheme is implemented through the reputed coaching institutions/centers run by the State Governments/UT Administrations, Universities and the private sector organizations

Physical and Financial Achievements during the last three years are as under:-

(Rs. in crore)

Year	Budget Allocation(Rs. in crore)	Expenditure (Rs. in crore)	Beneficiaries
2008-09	8.00	3.99	3403
2009-10	8.00	2.79	3013
2010-11	10.00	9.43	8400

Schemes of Educational Empowerment

Centrally Sponsored Schemes : -

]Post Matric Scholarship

The Scheme is the single largest intervention by Government of India for educational empowerment of Scheduled Caste students. The Scheme is in operation since 1944. This is a centrally sponsored scheme. 100% Central assistance is released to State Government/ UTs for expenditure incurred by them under the scheme over and above their respective committed liability. The Committed liability of a State/UT is the total expenditure incurred by it under the scheme during the terminal year of the last plan period. North-Eastern states are however, exempted from committed liability.

Objective

The objective of the scheme is to provide financial assistance to Scheduled Castes student studying at post matriculation or post-secondary stage to enable them to complete their education.

Salient Features

The financial assistance includes maintenance allowance, reimbursement of non-refundable compulsory fee charged by educational institution, Book Bank facility and other allowances. The scholarships are available for studying in India only and are awarded by the Government of the States/Union Territories to which the applicant actually belongs.

Modification

The scheme was revised in December, 2010. The revision which became effective from 1.7.2010 inter-alia include change in (i) income ceiling from existing Rs.1 Lakh to Rs 2 Lakh p.a (ii) maintenance and other allowances and (iii) regrouping of courses.

The Commission recommends that income ceiling from existing Rs. 2 Lakhs to Rs. 3 Lakhs may be increased due to price rise.

Physical & Finance Achievements

The details of Budgetary Allocation and Central Assistance released during the last three years are as under:

Year	Budget allocation (Rs. in crore)	Amount released (Rs. in crore)	Beneficiaries (In Lakhs)
2008-09	750	645.49	34.36
2009-10	750	1015.96	40.24
2010-11	7500 (BE)/2000 (RE)	2097.21 (as on 31.3.2011)	46.00 (anticipated)

Pre-Matric Scholarship for children of those engaged in Unclean Occupations:-

Introduction

This is also a centrally sponsored scheme, which is implemented by the State Governments and Union Territory Administration, which receive 100% central assistance from the Government of India for the total expenditure under the scheme over and above their respective Committed Liability. The level of Committed Liability of respective State Governments/Union Territory Administration for a year is equivalent to the level of actual expenditure incurred by them under the scheme during the terminal year of the last Five Year period.

Objective

The scheme was started in 1977-78. Initially, the scheme covered only hostellers. Subsequently, in the year 1991 day scholars were also brought within the purview of the scheme. Under the scheme financial assistance is provided for pre-matric education to children of the following target groups viz (i) scavengers of dry latrines, (ii) sweepers having traditional links with scavenging, (iii) tanners, and (iv) flayers (v) manhole and open drain cleaners.

Salient Features

Assistance under the scheme consists of two components, viz.

- (i) Monthly Scholarship (for 10 months)
- (ii) Annual Ad hoc Grant (to cover incidental expenses like stationery, uniform, etc.

- (iii) There is no income ceiling or caste restriction for eligibility
- (iv) There are special provisions for students amongst target group with disabilities.
- (v) The scheme is implemented through State Governments.

The scheme was last revised in December 2008. The revision that became effective from 1.4.2008 inter-alia includes change in the pattern of Central Assistance and increase in rate of scholarship. The main changes brought out are summarized below:-

(Amount in Rupees)

Sl. No	Component of scheme	Pre-revised			Revised w.e.f. 1.4.2008		
		Class	Day Scholars	Hostellers	Class	Day Scholars	Hostellers
1.	Monthly Scholarship	I-V	40	-	I-II	110	-
		VI	-	-	III-X	110	700
		VIII	60	-			
		III	-				
		VIII	-	300			
		IX-X	75	375			
2.	Annual Ad-hoc Grant (Rs. Per annum)	Day Scholars ó Rs. 550 Hostellers Rs. 600			Day Scholars ó Rs. 750 Hostellers -Rs 1000		
3.	Pattern of Central Assistance over and above committed liability	50% of State expenditure (100% in case of UTs)			100% of State expenditure		

Physic and Financial Achievements:

The details of Budgetary Allocation and Central Assistance released during the last three years are as under:

Year	Budgeted Allocation (Rs. In crore)	Central Assistance Released (Rs. In crore)	No. of beneficiaries (In lakh)
2008-09	54.00	59.27	6.2
2009-10	80.00	79.74	7.0
2010-11	80.00 (BE/70.00 (RE))	58.48	7.0 (Anticipated)

Babu Jagjivan Ram Chhatrawas Yojana

Objective

The objective of the scheme is to provide hostel facilities to SC boys and Girls studying in middle schools, higher secondary schools, colleges and Universities.

Salient Features

The State Governments/ Union Territory Administrations and the Central & State Universities/Institutions are eligible for central assistance, both for fresh construction of hostel buildings and for expansion of the existing hostel facilities while NGOs and deemed Universities in the private sector can avail the benefit only for expansion of their existing hostel facilities.

Central Assistance for construction/expansion of Hostels for SCs

79 The following pattern of funding is available for Boys & Girls hostels:

S.No.	Institute/Organization	Boys Hostels	Girls Hostels	Assistance available
1.	State Government	50 (SG) : 50 (CG)	100% (CG)	New construction and expansion of existing hostel
2.	U.T. Administration	100% (CG)	100%(CG)	do
3.	Central University	90 (CG): 10 (University)	100%(CG)	do
4.	State University/Institute	45 (SG):45 (CG):10 (State University /Institute)	100%(CG)	Do
5.	NGO/Deemed University	45 (SG):45 (CG):10 (NGO/Deemed University)	90 (CG):10 (NGO/ Deemed University)	Only expansion of existing hostel

SG-State Government share; CG= Central Government share NGO = Non-Government Organization

In addition to the admissible central assistance under the scheme, one-time grant of Rs. 2500 per student would also be provided for making provisions of a cot, a table and a chair for each student.

81 Physical & Financial Achievements during last three years are as follows:-

Scheme	Year	Budgeted allocation (Rs. in crore)	Expenditure (Rs. in crore)	Hostels	Beneficiaries
SC Girls Hostel	2008-09	55.00	58.62	64	4,938
	2009-10	60.00	25.36	20	1421
	2010-11	80.00	43.91	33	2,506
SC Boys Hostel	2008-09	40.00	25.73	45	3,138
	2009-10	40.00	6.20	20	735
	2010-11	50.00	34.28	41	3,244

New Higher Education Bills

The NCSC has received a request on the New Higher Education Bill introduced in the Parliament are Anti- constitutional and encroaching upon the States' rights enshrined in the Constitution and also against the Federal Structure upon of the Country enshrined in the Constitution: opined by Four Former Chief Justice of India.

The New Bills for Higher Education introduced in the Parliament named as -The Educational Tribunals Bill, 2010, -The Prohibition of Unfair Practices in technical educational institutions, medical educational institution and Universities Bill, 2010, -The National Accreditation Regulatory Authority for Higher Educational Institutions Bill, 2010, -Higher Education and Research Bill 2011 and the National Commission for Human Resources for Health Bill, 2011 to regulate and control the Universities; and -The Foreign Educational Institutions (Regulation of entry and operations) Bill, 2010 to allow foreign institution to set up their campuses in this country. There are certain crucial issues on all these Bills which are as follow:

1. All these Bills are Anti-Constitutional and against the Federal Structure of the Country as well as encroachment on States' rights enshrined in the Constitution in view of Entry 44 of Union List and Entry 32 of State List under Seventh Schedule (Article 246) of the Constitution, also reproduced as under:

Entry 44 of Union List: öIncorporation, regulation and winding up of corporations, whether trading or not, with objects not confined to one State, but not including universities.ö

Entry 32 of State List: öIncorporation regulations and winding up of corporations, other than those specified in List 1, and universities incorporated trading, literary, scientific, religious and other societies and association; co-operative societiesö

Four Former Chief Justices of India (CJIs) namely Honøble Mr. Justice A.S. Anand, Honøble Mr. Justice Madan Mohan Punchhi, Honøble Mr. Justice K.N. Singh and Honøble Mr. Justice R.C. Lahoti have categorically opined that Parliament does not have legislate in matters of universities in view of the clear exclusion of universities in Entry 44 of List I-Union List and express inclusion of universities in Entry 32 of List II-State List under Seventh Schedule of the Constitution. Hence, Parliament cannot enact a law for universities matters and State legislatures alone can enact law for universities in the respective States.

Vide these Bills; Centre is taking away control over all the universities in the country. This is totally violative of the Constitution and against the Federal Structure of the Country enshrined in the Constitution. So, these Bills if enacted by the Parliament as a law will be ultra-vires the Constitution and against the concept of separation of powers.

Department of Higher Education itself in its reply submitted to Parliament Standing Committee in this matter has also admitted that Entry 44 clearly excludes universities. Matter of Centre encroachment on StatesøConstitutional rights has also been taken up by Chief Minister of Punjab with Honøble Prime Minister. During the previous session of Rajya Sabha, The Rani Lakshmi Bai Central Agricultural University Bill, 2011 was not allowed to be introduced and

was deferred in Rajya Sabha after adjournment of the House thrice due to controversy aroused w.r.t legislative competence of Parliament.

2. Constitution does not have the provision for establishment of educational tribunals.

However in view of Supreme Court judgement w.r.t competence to establish tribunals, as Parliament does not have legislative competence for matters of Universities in view of express exclusion from Entry 44 of Union List in Seventh Schedule of the Constitution, Parliament thus is not competent for establishment of the educational tribunals for adjudication of matters of the universities. State legislature thus can only make enactment for establishment of educational tribunals.

3. Provisions in Bills providing for levelling civil and criminal proceedings against Governor and Chancellor are in violation of Article 361 of the Constitution (Protection of President and Governors and Rajpramukhs).

4. Vide “The educational Tribunals Bill, 2010”, Local judiciary and High Courts will be debarred to entertain educational disputes which is against the interest of students, teachers, institutions etc. Injunction in terms of stay or interim order is also prohibited against the principle of natural justice. Constitution of Educational Tribunals proposed in the Bill is also in conflict with the provisions of the Constitution, as opined by Justice A.S. Anand, former CJI.

5. Vide ‘The Foreign Educational Institutions (Regulation of entry and operations) Bill, 2012’, entry of foreign universities in India is allowed to kill the Indian institutions.

Central Government is also empowered to exempt any foreign institution from operation of any of the provisions of this Bill also including exemption w.r.t applicability of all the existing and new Indian laws so as to create a green field for foreign institutions.

Substituting existing educational disputes settlement through courts of law, at thousands of places in the country, with nearly 30 State/Union Territorial tribunals and one National Tribunal is also to facilitate Foreign Institutions by limiting the access of students, teachers etc. to judiciary.

6. **Derogatory provisions are contained in the proposed New Bills for term imprisonment of upto three years against Governor, Chancellor, Vice Chancellor, Registrar, Director, Head of Institution and other academicians.** Penalty of upto fifty lakh rupees is also imposable for various offences listed under the Bills. Penalty of One Crore rupees is imposable for institutions held guilty of charging donations etc. which is many more times higher than the annual budget of many of the institutions and colleges.

Investment in education in India (which is not-for-profit) will be reduced to zero as no one would even dare to invest in education for the risk of being jailed. Such provisions will also promote License Permit Raj and Police State in higher education and will also further aggravate the scarcity of academicians, which is totally against the growth of higher education. Moreover, Education being a civil service in nature, disputes can be decided as under related civil laws and corporal punishment of putting behind bars cannot be imposed.

7. **Provision for revocation of permission of a University/Institution by Commission constituted by Central Government Is not rational.** Right of revocation/winding up should vest with the creator of that institution only. As State Government is alone competent for incorporation of a University in the respective State, so right of revocation should also lie with State Legislature only for the State Universities. Parliament should be vested with right of revocation for Central Universities created by it under the Constitutional provisions.

8. **Accreditation for all programmes will be mandatory that too before applying for permission for enrollment.** Such provisions do not exist anywhere in the world. Accrediting bodies, wherever exists, make assessment and accreditation of institutions only after establishment of an institution and certain number of batches must have also been passed out. Moreover obtaining accreditation is not mandatory anywhere.

9. **According to Joint Parliamentary Standing Committee on HRD also consultation process on the proposed Bills have been far from satisfactory** and the whole exercise seems to be a hurried affair whereby important stakeholders have been ignored. Moreover relevant

statistic w.r.t complaints of unfair practices against institutions filed before concerned universities, State Government, Statutory bodies, Courts of Law, Forums etc. have also not been collected to justify the need for introduction of the new Bills.

In view of above the NSCS would like that the Government to reconsider the Bills in totality and may also consider to stop these Anti- Constitutional and Anti-Federal Structure Bills from being passed in the Parliament.

The educational initiatives undertaken by some of the State/UTs are as under:-

1. **Andhra Pradesh**

HOSTELS:- At present there are 2358 Hostel and other Social Welfare Institutions under the control of Social Welfare Department during the year 2010-11 (1640-Boys Hostels and 718 Girls Hostels) functioning in the State with a sanctioned strength of 2,26,652. The caste composition of students in each hostel, intended to achieve integration, is shown below:-

Scheduled Castes	70%
Christian converted from SCs	12%
Backward Classes	9%
Scheduled Tribes	5%
Others	4%

Free lodging and boarding facilities are provided to these boarders. They are also providing with facilities like textbooks, note books, study material bedding material, trunk boxes, plates and glasses etc. free of cost each hostel boarder is given 4 pairs of dresses every year. Government in G.O Ms. No. 59, SW (Ed-2) Department , Dated 01/04/2008 enhanced the rate of mess charges from Rs. 338/- per month to Rs. 475/ per month each for boarders up to VII class and from Rs. 412/- pm to Rs. 535/- per each for boarders from VIII to X in Social welfare Hostels from 2008-09 onwards. Cosmetic charges for boarders in S.W Hostels have been enhanced from Rs. 20/- pm to Rs. 50 pm each for boys and from Rs. 25/- to Rs. 50/- each per month for girls from 2008-09 onwards in GO.Ms.No. 41 SW (Edn.2) Dept, dated 11.3.2008. Besides, Rs. 25/- per girls boarder per month is providing from VIII class to X class towards purchase of sanitary napkins for adolescent girls. Hair cutting charges are enhanced from Rs. 5 per boarder per month to Rs. 12/- per boarder per month.

Necessary provision is also made towards purchase of medicines for the boarders in Govt. Hostels, Individual Health, Academic & Identity (HAI) card is introduced for each boarder to facilitate to monitor health and academic progress of boarder for taking up necessary follow up action. Vidya Volunteers assisted the boarders with their studies till 2009-10. Medical Insurance coverage was also provided to boarder during 2009-2010.

The designation of Wardens /Matrons has been changed as " Hostel Welfare Officer Vide GO.Ms.No: 13, Social Welfare (SS.Ser. 1,3) Dept, , Dt 7.2.2002.

Special Hostels

To improve the result of the Social Welfare Hostels, it was felt necessary to introduce the system of supervisory studies in Social Welfare Hostels. For this purpose, during the year 1992-93, Govt. in G.O.Ms.No.71, Social Welfare (Q1) Dept. , dt. 12.5.1992, have issued orders to organize special hostels in all the districts, ranging from 30 to 50 per district for the students belonging to SC/ST/OBC communities with a strength of 100 boarders for each hostels for close monitoring and to achieve better performance. In these hostels VIII, IX and X class supervisory studies are organized by drafting the service of tutors to coach the boarders in Mathematics, Science, English, and Hindi subjects at a monthly of remuneration of Rs. 500/- P.M. per subject . An additional amount of Rs. 50/- per boarder per annum is paid to provide additional study material in special hostels.

Unit testes are organized in the special hostels with the help of special tutors once in every week to improve the academic performance of hostels boarders.

Special Hostels have been organized for boarder of 8th , 9th , & 10th classes, of them 32, 283 were in 10the Class during 2009-10 and 26,272 were in 10the class during 2010-11, in 773 special hostels.

As a result, the 10the class result have improved a lot in the last few years During March, 2010, 85.37% of passes was obtained by the Social Welfare Hostels as against the state average of 81.63%.

Delegation of powers

Government in G.O.MS No. 126, SW (Q2) Department, Dt. 03.9.1997 decentralized powers of administration by declaring the Hostel Welfare Officers as drawing and disbursing officers of specified items of expenditure while reconstituting District Purchasing Committee. Scales of expenditure have been prescribed for each item with a provision for cost escalation by 10% per annum in respect of dresses, bedding material, trunk boxes, replacement of furniture, etc., Government have also issued orders to incur the expenditure of all items at district level except dresses and bedding material which have to be approved by the State Level Committee by following norms prescribed by the Govt. from time to time.

College Hostel

Government has sanctioned collage Hostels for SC boys and Girls with a sanctioned strength of 100 boarders per each hostel. At present 411 collage hostels in the State are functioning with an admitted strength of 32574 collage students. Out of which 214 are for college boys and 197 are for collage girls House rent, electricity charges, water charges and honorarium to Honorary Director etc., is provided from the budget. The mess charges are being met form the scholarship sanctioned by the Social Welfare Dept. , at the attached hostel rate under Post Metric Scholarships. The student themselves run the mess by forming a Mess Committee. There is an Honorary director to look after the students for each hostels.

Government issued orders for opening of 46 college hostel (i.e, 23 for boys and 23 for girls) with a sanctioned strength of 100 students per hostels in each District of the state vide, G.O.Ms. No. 11 Social Welfare (Edn.1) Dept. dated. 28.1.2005.

Also, Government vide G.O. Ms. No. 72 SW(Edn. 2) Dept., 22.9.2006 issued orders for opening of 23 colleges girls hostel during the year 2006-07

Further, Govt. have issued orders for opening of 400 college Hostels (i.e, 200 for boys and 200 for girls) in the district during 2008-09 vide G.O. Ms. No. 48 SW (Edn. 1) Dept. dt. 22.5.2009. Out of which 259 college hostels are opened with an admitted strength of 15227 as on 30.9.2010.

CONSTRUCITON OF GOVERNMENT HOSTEL BUILDINGS

Government wanted to give more emphasis and priority on Construction of Hostel Building for hostel boarders with the objective of providing all amenities in Social Welfare Hostels. In other words the rented building do not have amenities commensurate with the rents that are being paid resulting in inconvenience to the boarders. Hence, it is proposed to take up construction of Hostel in a phased manner so as to have Govt. buildings for all hostels buildings. Integrated Welfare Hostels Complexes @ 400 boarders per complex are also taken up.

POST MATRIC SCHOLARSHIPS:-

Residential and Non ó Residential scholarships are being awarded to all eligible Post Matric students belonging to the SC at all levels of education. These scholarship amounts include maintenance charges of the students and non refundable fee payable to the institution. Govt. of India reimburses the amounts incurred in a year over and above the committed liability i.e amount spent by the State Govt. during the last year of the previous Five Year Plan. Government have fixed the income ceiling for the award of Post- Matric Scholarships upto Rs. 1.00 lakh per annum for Professional and Non Professional courses w.e.f 1.4.2008 vide Go.Ms.No. 118 SW(Edn.2) Dept, Dt. 23.6.2008.

Government revised the rate of Post Matric Scholarship to SC students vie Go. Ms.No. 142 SW(Edn.2) Dept, Dt. 15.7.2008. which are as follows:-

Group	Post Metric Scholarship Rate (Rs. Per month)		
	Collage Attached Hostel	Students Managed Hostel	Day Scholar
Group I	Rs. 962/	Rs. 442/	Rs. 429/
Group II	Rs.682/-	Rs. 442/-	Rs. 429/-
Group III	Rs. 520/	Rs. 325/	Rs. 240/
Group IV	Rs. 520/	Rs. 325/	Rs. 182/

BEST AVAILABLE SCHOOLS SCHEME:

The main aim of the bright student's scheme is to impart quality education to the SC students of classes 1 to X in order to enable them to withstand the competition on par with other students in general. The scheme is for the children of those belonging to the families of agricultural labourers, jogins, bonded labourers and orphans who are already admitted in the best-selected schools having high standard of education with high reputation for discipline, like schools run by the Missionaries. Each student admitted under the scheme is sanctioned financial assistance up to Rs. 20,000/- per year, income limit is Rs. 18,000/- per annum.

A package grant of Rs. 15, 000/- per students per year is given , the break up of which is Rs. 8000/- per year student for books, stationery, fees, boarding charges, pocket money etc. and the remaining Rs. 7000/- per year student for honorarium towards teachers, experts and other incidental charges.

BOOK BANKS

The scheme of books has been merged in the budget of Post Martic Scholarship by the Govt. of India. Govt. of India have extended the scheme to certain new courses during the year 1998-99 like (1) Post graduate courses in Medical , Engineering, Agriculture and Veterinary (2) Law Course (3) Chartered Accountancy (4) MBA, (5)Bio-Science and similar courses. The cost ceiling per set is Rs. 7500/- for Degree Courses in Medical / Engineering, Rs. 5000/- for Degree Courses in Veterinary, Rs. 4500/- for Degree Courses in Agriculture, Rs. 2400/- for Polytechnic and Rs. 5000/- for professional courses at PG level.

FINANCIAL AID TO S.C ADVOCATES

Under this scheme, eight SC law graduates are selected every year in each district for undergoing training seeing employment elsewhere after the training . The duration of the training period is 3 years. The selected candidates are attached to the law officers within the district like Govt. Pleader, Public Prosecutors, Asst. Public Prosecutors of District court.

The candidates selected by the selection committee are paid stipend @ 1000/-PM for three years , reimbursement of enrolment fee @ Rs. 585/- each and Rs. 6000/- towards purchase of law books and furniture (one **time**)

A.P STUDY CIRCLE

A.P. study circle provides coaching for SC, ST and BC candidates for Civil Services Examination for U.P.S.C every year covering preliminary examination, main examination and Personality test. The A.P. Study Circle has an in-take capacity of total (280) i.e. (230) candidates at Hyderabad and Visakhapatnam braches and (50) candidates at Vijayawada for Civil Service coaching of UPSC. Only candidates whose parental income is less than R.s 1.00 Lakh per annum are eligible for admission. At present, due to lack of budget, the centers at Visakhapatnam and Vijayawada are closed.

The candidates admitted into A.P Study Circle are provided with the following facilities.

Stipends @ Rs. 1100/- PM towards maintenance charges per candidates for Civil Services.

1. Fee residential accommodation for Civil Service at Hyderabad.
2. Supply of study material fee of cost at Rs. 1700/- per candidate for prelims, Rs. 2500/- for mains coaching.
3. Medical expense of candidates up to Rs. 200/- per candidate per session.
4. Free Viva-Voce guidance

Total number of candidates selected from 1980 to 2009-10 is 389

(IAS – 43,IPS-42, IFS-7, Other Central Service-297)

For construction of girls Hostel Building in the premises of A.P Study Circle at Banjara Hill, Hyderabad, an estimate proposal has been called from the Managing Director, A.P.E.W.I.D.C., Hyderabad for Rs. 128.00 lakhs.

2. Assam

The literacy rate of Assam is 63.25% and the literacy rate of the Scheduled Caste population of the State is 66.78%, which is alone. The total literacy rate of the State and also alone the all Indian rate. The details of allocation, expenditure and achievement under Pre Matric Scholarship is as under:-

State sector scheme

Pre-Matric Scholarship:

(Rs. In lakhs)

Year	Allocation	Expenditure	Achievement (No. of Students)	Remarks
2008-09	200.00	200.00	1,05,382	
2009-10	200.00	200.00	45,208	
2010-11	300.00	300.00	67,407	
2011-12	300.00	54.22	12,499	Expenditure as on 1.9.2011

Grants to Non-Govt Educational Institutions:-

(Rs. In lakhs)

Year	Allocation	Expenditure	Achievement (No. of Institutions)	Remarks
2008-09	100.00	NIL	NIL	
2009-10	100.00	100.00	108	1. High School=57

				2. L.P., M.E. & M.V.=51
2010-11	100.00	40.00	54	

Stipend for Craftsmen Training in ITI's:-
(Rs. In lakhs)

Year	Allocation	Expenditure	Achievement (No. of Trainees)
2008-09	20.00	4.24	296
2009-10	5.00	4.55	325
2010-11	5.00	4.84	338

Grants to Cultural Activities Including Educational Tours:
(Rs. In lakhs)

Year	Allocation	Expenditure	Achievement (No. of Students / Organizations)
2008-09	10.00	10.00	1,000 Students
2009-10	20.00	20.00	890 Students
2010-11	25.00	11.006	7 Organizations

Grants to NGO working for welfare of SCs:

(Rs. In lakhs)

Year	Allocation	Expenditure	Achievement (No. of Organizations)
2008-09	10.00	10.00	25
2009-10	30.00	30.00	38
2010-11	50.00	22.90	43

In the same way the govt. of Assam funds for computer training, self help for SC women , constructions of community hall/School building, grants to patients suffering from major diseases, incentive to poor meritorious girls students etc. for the welfare SCs.

Under the Centrally Sponsored and Central Sector Scheme SCs students are provided with grants/ Scholarship. The details are as follows.

Centrally Sponsored and Central Sector Schemes:

Post-Matric Scholarship to SC Students :
(Rs. In lakhs)

Year	Fund Allocation			Expenditure			Achievement	Remarks
	State Share	Central Share	Total	State Share	Central Share	Total		
2008-09	-----	1020.00	1020.00	20.00	1014.90	1034.90	31,694	PMS=31,072 Book

								Bank=622
2009-10	-----	510.00	510.00	-----	299.99	299.99	7074	
2010-11	30.00	1515.00	1545.00	-----	204.99	204.99	6357	

Pre-Matric Scholarship to the Children of those engaged in Unclean Occupation.

(Rs. In lakhs)

Year	Fund Allocation			Expenditure			Achievement	Remarks
	Share	Share		Share	Share			
2008-09	40.00	40.00	80.00			79.62	7678	
2009-10	50.00	50.00	100.00	50.00	44.51	94.51	5146	
2010-11	50.00	50.00	100.00	50.00	49.99	99.99	6808	

Construction of SC Boys Hostel:-

(Rs. In lakhs)

Year	Allocation	Expenditure		Achievement (Nos of Hostels)	
		State Share	Central Share		
2008-09	100.00	46.20	---	3	1. B.B.K. College, Barpeta 2. D.K.D College, Golaghat 3. Morigaon College, Morigaon
2009-10	180.00	30.97	46.20	4 (3 ongoing, 1 new)	1. B.B.K. College, Barpeta (90% completed) 2. D.K.D.College, Golaghat (90% completed) 3. Morigaon College, Morigaon (Completed) 4. Gauhati University, Jalukbari (90% Cinoketed)
2010-11	200.00	75.00	200.00	75.00 (kept in R.D)	1. Chandrapur College, Kamrup (Metro) (under construction) 2. Gossaigaon College, Gossaigaon (under construction)

					3. Kamrup College, Bagaon (under construction) 4. Sarbadoya Jr. College, Jorhat (under construction)
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Construction of Babu Jagjivan Ram Chhatrabas (Girls Hostel):

(Rs. In lakhs)

Year	Allocation	Expenditure	Achievement (Nos of Hostels)	
2008-09	---	70.12	1	Gauhati University, Kokrajhar Campus (Completed)
2009-10	NIL	NIL	NIL	
2010-11	NIL	NIL	NIL	

5) Up-gradation of Merit of SC:

(Rs. In lakhs)

Year	Allocation	Expenditure	Achievement (Nos of Hostels)	Remarks
2008-09	50.00	3.45	23	
2009-10	---	---	NIL	
2010-11	50.00	13.80	92	

3. Gujarat

The SC population of Gujarat is 35.93 lacs constituting 7.09% as per 2001 Census. In the field of education, there has been a significant improvement in the condition of the SCs during the last two decades. According to the 1961 Census, the literacy rate among the Scheduled Castes was 22.46% against the rate of 30.45% for the general population. By 2001, the literacy rate among the SCs went up to 70.50%, which is slightly higher than the general literacy rate of the State which is 69.14%, the SC female literacy rate of 57.58% is at par with the general literacy rate of 57.80. There has been remarkable increase in male literacy rate of 79.66%.

A number of measures taken to improve the literacy in the State. The students are given free education, free bicycles to girls, free uniform, Scholarship in, residential Schools, Ashram Schools and Govt. /GIA hostels.

The state has suggested for:-

- The Central Government should reimburse the expenditure being incurred by the State Governments under the schemes which were already introduced by States before SSA was introduced.
- The Central Government should cover Grant-in-Aid schools also for funding under RMSA.
- The Central Government should incur the whole expenditure for implementation of Right to Fee and Compulsory Education Act.

Other measures taken by the Govt.

Provision has been made for the separate sanitation facilities for the girls in the primary schools

- Requirement of additional classroom has been met by easy installable pre-fabricated technology.
- Up-gradation of primary schools so that the student will have the choice to study in upper standards in the same schools.

Safai Karamchari

- There is reservation of 2 seats for children of Safai Karamchari in Govt. and Grant-in-Aid PTC College.
- For the Higher education to Safai Kamdars and their dependents financial loan is available for faculties like as Engineering, Medical, Para-Medical, Administration, Management and other affiliated courses. Rs. 1,87,250/- p.a in India and Rs. 3,75,000/- for abroad at the rate of interest 4% to the extent of Rs. 7,50,000/- in India and Rs. 15.00 lacs for abroad considering 90% cost of total course fees. This scheme is NSKFDC sponsored scheme and is being implemented through Gujarat Safai Karamchari Vikas Nigam (GSKVN).

Professional institutions

Information has been given about number of seats reserved in professional institutions and the actually filled for the last 5years.

Details of the number of seats reserved in professional institutions and the number actually filled up year wise. (Last five financial year)

Academic Year	No. of Institutions	Total Intake	Intake for SC	No. of seats filled by SC candidates
2006-07	101	31996	2270	1971
2007-08	103	35116	2508	2575
2008-09	118	47791	3510	3570
2009-10	441	86951	6087	4148
2010-11	463	108448	6246	4844

It is seen that in all the five years intake of S.C students in professional course is less than the seats allocated for them.

The State Govt. is not having special coaching and training for SCs. The State Govt. may be requested to initiate action in this regard.

Other innovative Schemes initiated for educational advancement

Coaching fees to SC students studying in Science Stream by Private Tuition.

- SC students studying in Science stream and who have secure 75% or more mark in std. X will be given financial assistance of Rs. 12500/- for Std. 11 p.a. & Rs 12500/- p.a. for 12 std. as a private tuition fee. Rs. 51.15 Lakh has been disbursed and 200 students has benefited during the year 2010-11.

- The S.C. students who obtain 75% or more marks in general stream in std. X will be provided financial assistance of Rs. 8000/- for std. 11 & Rs. 4000/- p.a. for Std 12 as a private tuition fees.
- Rs. 6.04 Lakh has been disbursed and 26 students has been benefited during the year 2010-11.

It is suggested that in the same manner, the students belonging to Safai Karamchari can also be given this privilege, in case they get 50% or more marks from standard Xth onwards.

There is no separate provision for teacher-pupil ratio in schools located in SC dominated villages and cluster areas. General teacher-pupil ratio according to total teachers & pupil of the State is as under.

Primary	1:32
Secondary	1:33
Higher Secondary	1:39

Academic Year 2008-09

Type of Schools	Total Pupils	Total Teachers	Teachers : Pupils
Primary	84,36,545	1,74,442	48

Type of Schools	Total No. of S.C. Pupils	Total No. of S.C. Teachers	Teachers / Pupils
Primary	567351	17772	32

Academic Year 2009-10

Type of Schools	Total Pupils	Total Teachers	Teachers : Pupils
Primary	5832538	180568	32

Type of Schools	Total No. of S.C. Pupils	Total No. of S.C. Teachers	Teachers / Pupils
Primary	527126	18840	28

Academic Year 2008-09

Type of Schools	Total Pupils	Total Teachers	Teachers : Pupils
Secondary	1145540	36714	31
Higher Secondary	1844743	47687	39
Total	2990283	84401	35

Type of Schools	Total No. of S.C. Pupils	Total No. of S.C. Teachers	Teachers / Pupils
Secondary	88171	2785	31
Higher Secondary	153208	3565	36

Total		6350	34
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Academic Year 2009-10

Type of Schools	Total Pupils	Total Teachers	Teachers : Pupils
Secondary	1411058	43373	33
Higher Secondary	1749441	44130	39
Total	3160499	87503	36

Type of Schools	Total No. of S.C. Pupils	Total No. of S.C. Teachers	Teachers / Pupils
Secondary	1187954	4103	29
Higher Secondary	167989	3962	42
Total	819730	24122	

The rate of drop outs (Male and Female children) in the primary, middle and secondary level are as under.

Year	Primary Schools			Upper Primary Schools			Secondary
	Boys	Girls	Total	Boys	Girls	Total	Total
2005-06	4.53	5.79	5.13	9.97	14.02	11.82	27.74
2006-07	2.84	3.68	3.24	9.13	11.64	10.29	37.96
2007-08	2.77	3.25	2.98	8.81	11.08	9.87	37.28
2008-09	2.28	2.31	2.29	8.58	9.17	8.87	31.65
2009-10	2.14	2.17	2.20	8.33	8.97	8.65	30.65

To do away with drop-out and to increase retention rate of S.C. children along with other children in primary schools, proper focus has been given under Sarva Shiksha Abhiyan. To give fillip to overall child education including S.C. children, following schemes have been executed by the State Government.

- **Vidya Laxmi Bond Scheme:** The Scheme is put forward in order to achieve 100% enrollment of girls in Std. I, particularly in the villages having less than 35% of girls literacy rate. Under this scheme every girl child enrolled in Std. I is given a bond of Rs 1000/-. The amount of bond with interest is handed over to the girl child after passing Std. VII. The girls of urban families living below poverty line are also included under this scheme.
- **Vidyadeep Scheme:** This scheme provides 24 hours insurance coverage to students of primary schools in the State. In case accidental death of a student, the guardian is given Rs. 25000/-. The State Government pays the total amount of premium under Vidyadeep Insurance Scheme.
- **The Chief Minister Girls Education funds Scheme:** In order to improve girl literacy by encouraging girl education, Hon. Chief Minister girls Education fund has been introduced since the year 2003-04. The State Government has framed specific norms and criteria, rules and regulations as to help the economically needy girls from this fund.
- Free text books are provided to students of Std. I to VII in government Schools from State Government fund.

Mid day meal scheme is implemented in all schools of the State. School Management Committee (SMCs) constituted under RTE Act, 2009, monitor the implementation of the Mid day meal in schools. Over and above, third party evaluation is also carried out every year.

The total number of Professional graduates turn out annually vis a vis that of SCs for the last three years are as under:-

Year	Total No. of Graduates	SC Graduates	Total No. of professional Graduates	SC Professional Graduates
2008	425465	35525	11680	569
2009	503152	37302	12725	617
2010	524658	43729	14148	618

The format should contain details like other Castes, SC, ST & OBC separately of the details.

Professional Institutions

Details of the number of seats reserved in professional institutions and the number actually filled up year wise. (Last five financial year)

Academic Year	No. of Institutions	Total Intake	Intake for SC	No. of seats filled by SC candidates
2006-07	101	31996	2270	1971
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2010-11	463	108448	6246	4844

4. GOA

The main objective of this scheme is to provide incentives in the form of financial assistance to SC students. The details of assistance provided is as given below:-

Stipends to SC students: - Under this scheme stipend is provided to SC/ST students from Std I to X ranging from Rs. 175/- to Rs. 275/- for 11 months. The income limit of the parents prescribed for availing assistance should not exceed Rs.1.20 Lakhs per annum.

Meritorious Scholarships to SC: - The objective of the scheme is to give impetus to education for SC students by granting scholarships for their meritorious performance. SC students who obtain minimum 50% marks and 60% of marks in Std V to VII and Std VIII to X respectively are eligible to avail the benefits under **the scheme and the rate of** scholarship per month for 11 months ranging from Rs. 800/- to Rs. 1500/- p.a. No income limit is fixed under this scheme.

Books, Stationary and uniforms to the SC Students:- SC students, whose parents cannot afford to buy books, stationary & uniform, are given financial assistance to purchase text books, stationary items and uniforms including stitching charges under the scheme.

Grants to Voluntary Organizations for running Hostels.

The objective of the scheme is to give grant-in-aid to the Voluntary Social Organizations, which runs hostels for SC students to enable them to pursue their studies away from their place of residence.

E. Coaching to Scheduled Caste students from Std. V to X.

The objective of the scheme is to provide coaching to SCs students to improve the educational status and to overcome the drawback of failures among these students, in Maths, Science and English subjects from Std V to X. Honorarium is paid to teachers conducting coaching for Std V to VIII students @ Rs.400/-per month, per teacher/class, per subject, for one hour a day, thrice a week from June to March for a batch of 20 students and Rs.500/-to teacher conducting classes for IX and X std students. Honorarium and miscellaneous expenses are sanctioned to Peon and school @ Rs.Rs.50/-p.m. each.

Eligibility:-

- The student should be a bonafide resident of Goa State.
- The applicant should be regular student of an Institution.
- The student will not be eligible to receive coaching in Maths, Science and English from any other sources, and must belong to the Scheduled Caste community as defined under clause (iii) of rule 4.

The student shall not be eligible to receive coaching in the same standard twice.

Financial assistance for Military Training to SC students

This scheme is formulated to inculcate qualities of military leadership and spirit of National Integration among the youth of SC communities, at Bhonsala Training Centre Nasik, so as to make them ideal citizens of India. 5 girls and 5 boys are eligible for training during summer

and winter vacations. Financial assistance of Rs. 4000/- and Rs. 4500/- is granted to a girl and boy, respectively.

Post Matric Scholarships to SC students and Book Bank to the institution.

The objective of the scheme is to provide financial assistance to SC students studying at post matriculation or post secondary stage to enable them to complete their education. Professional institution is provided with grant to establish Book Bank as a support base to the students applying for scholarship who can ill afford expensive education and avoid dropouts, failures. The rate of maintenance allowance varies from Rs.140/- to Rs. 740/- for Post Matriculation level. Courses up to Degree and Post Graduation Level Courses. Total income of the parents should not exceed Rs.1.00 lakh in order to be eligible for the scholarship.

Grants for Dev. of Girls.

The scheme proposes to ensure 100% retention rate of students in schools. Presently the dropout rate in schools is quite high. The 2001 population census indicates a gap of about 13% in literacy between males & females. The objectives & targets set under the scheme are as follows. Supply of free textbooks, notebooks, uniforms and raincoats students at primary stage Providing an incentive of Rs. 200/- per annum for girl students, whose family income is less than Rs. 25,000/- per annum. In educationally backward talukas of the State..

It is proposed to introduce scheme for education of children with special needs-providing incentives to children and institutions.

Midday Meals (Std. I ó IV)

The Mid School Meal Scheme has been introduced in the State during the year 2003 in Govt. & Aided Primary School(I to IV) & in the year 2008-09 in Govt. & Aided School for Std V to X.. The objective of the scheme is to provide nutritious to the students. The food items served are Shira, vegetable pulao, pav bhaji, Mug-dal, and pohe. Each student is served 100 gms of cooked food per day which contains 300 calories carbohydrates and 8-12 gms of proteins, during recess time of the school.

Supply of free Text-books, Notebooks. Uniforms and Raincoats.

The Government of Goa supplies Free text-books, Notebooks. Uniforms and Raincoats to all School going Students upto 12th Standard belonging to the SC/ST/OBC.

Grants for children with Special needs.

This scheme is for financial assistance for education of children with special needs. The Scheme has been designed to make children with disabilities independent and employed so that they need not be a liability of the family. Hence there is a need to improve the educational status of the children with Special Needs by way of providing financial assistance to the parents of such children and the schools where such children are studying. Under this Scheme the children gets financial assistance for :-

Grants for books and other stationery per annum	Rs. 500/-
Fixed amount for Uniforms per annum	Rs. 800/-
Traveling allowance per month	Rs. 200/-

Actual expenses on equipment required for facilitating the child's education up to a maximum of Rs. 5,000/- once in 3 years (to be given in the first year)Rs. 5,000/-Escort allowance per month, subject to attendance of small 60% in the month Rs. 200/-

The institution shall be provided with an incentive of Rs. 300/- for more than 60% attendance but more than 45% attendance, per month per child to the school giving education for a maximum of 10 months of each academic year. The scheme also covers Vocational training, Hostel facilities, Teacher's training, Application and aid

Cyber age Scheme for Students.

The Scheme envisages making computer education in schools compulsory and ensures availability of computer hardware, software and teaching facilities. Besides providing necessary infrastructure in schools, the scheme proposes to ensure penetration of computer education in all homes in the State by providing computers to students at their homes. All the schools in the State have already been provided with computer hardware, software and teaching facilities. As the students get hardly few hours of practical exposure in schools, the scheme envisages providing computers to all the students in 11th Standard at their residence.

The targets set as a follows: -

- Developing computer infrastructure in all the schools including hardware, software and teaching facilities.
- Providing computers to students at their homes.

- It is proposed to promote computer aided education in selected subject through computer by providing educational CDø.

ICT (Information & Communication Technology & School Scheme) (VIII-XII).

The State Government with its strong commitment for enhancing IT awareness now proposes to strengthen its efforts by utilizing the assistance under Information and Communication Technology & School (ICT). The Department has formulated the Computer Education Plan 2005-09 with emphasis on:

Developing Computer Laboratories by providing free accommodation in all the High Schools and Higher Secondary School to private sector organization to educate students, teaching and non-teaching staff.

Making Computer Education a compulsory School Assessment subject for students in Std. VIII to XII to ensure fast and uniform IT literacy. Engaging private sector organizations. Selected through competitive bidding in three zones of the state for provision of hardware, consumables and teaching services for a contract period of 4 years.

Provision of hardware (P-IV Computer, Scanners, Printers) and its maintenance & repairs through lease or B-O (Build ó Operate) basis.

Provision of consumables, like printer ribbons, cartridges, floppies etc as per the requirement of the computer laboratories in school for four years.

Provision of qualified Teaching service from Std. VIIIth to XIIth as per the standard syllabi and textbooks of Goa Board.

Providing Laptop to teachers

In the age Information Technology, not the students but also the teachers need to be conversant with the knowledge of computers. In order to get full exposure to changing technology the teachers also need to handle computer on daily basis. Apart from this, teachers need to give more visual effects and ideas to the modern teaching learning process and this is possible only with Multi-media presentations, Graphics etc. which need to be done on a daily basis for enhancing the quality of teaching process in the Schools/Colleges/Polytechnics/Goa University in the State of Goa.

Opportunity Cost for students.

The SC population is scattered all over the State, particularly located in the less developed talukas and are economically backward. This is because the traditional occupation in which they are mostly engaged are time consuming and yet less remunerative. Due to lack of education or any other technical schemes the Schedules Castes have to depend upon manual labour, mostly wage labour for their livelihood and whatever income that is earned is not sufficient to have better living conditions. In view of this, the Directorate of Education has formulated a financial scheme "Opportunity cost for Scheduled Caste students". The parents of all students of Std I ó IV and Std V ó VII enrolled in Govt. and Aided Schools are entitled to avail the facilities. The amount is paid to the parents of the child. The incentive is Rs. 500/- per annum for primary school students and Rs. 750/- per annum for Middle school students.

5. Himachal Pradesh

The Scheduled Caste population percentage in the State of Himachal Pradesh as per 2001 Census is 24.72%. The literacy rate of Scheduled Castes is 70.30% whereas the overall total literacy is 76.50. Educational backwardness especially amongst womenfolk is rampant and most of them are confined to their homes and constitute the main work force in the fields as well as in their homes.

Problem and needs regarding education of SCs.

1. Fee concession is not applicable to SC Boys.
2. Income ceiling based scholarship schemes
3. Failure students won't be given scholarship

Schemes to strength the education programmes

Free Text Books Scheme: State Govt. has introduced free text books scheme during the academic session 1987-88 for the education of SC/ST/IRDP OBC students.

Fee Concession: Fee Concession is being given to SC girls under fee education scheme to girl students.

- In the Department of Higher Education fee concession is not applicable to SC boys.
- The poor among S.C boys should be given fee concession by fixing income-ceiling.
- The incentive scheme of giving free text book and fee concession to S.C girls is good.

Drop-out rate

The Department of higher education has given statistics of general and SC drop-out. The details are as under:-

Year wise Dropout Rate (All category)

Primary				Upper Primary		
Year	Boys	Girls	Total	Boys	Girls	Total
2005-06	1.02	0.68	0.9	1.65	0.99	1.33
2008-09	0	0	0	0.02	0.2	0.02
2009-10	0.29	0.37	0.33	0.26	0.38	0.32

The Department should be asked as to who are covered under general drop (whether it includes SC, ST & SEBC) or whether it exclusively general drop out (Excluding SC, ST & SEBC). The details of dropout in Higher Education is as follows:-

Department of Higher Education (H.P)

Dropout	Secondary			
Total 11th Plan	General	SC		
	Boys	Girls	Boys	Girls
2005-2006	18.94	17.98	24.46	24.64
2006-2007	17.84	17.42	22.31	22.69
2007-2008	16.55	16.45	21.19	21.50
2008-2009	15.45	15.56	20.18	20.31
2009-2010	15.23	15.26	19.60	19.18

In case it is exclusively general drop-out position excluding (SC,ST&SEBC), then it can be analyzed if there is considerable gap in drop-out rate between SCs on one hand and general on the other hand. To reduce drop out rate various types of scholarships and free text books are given to students belonging to SC category.

Mid-day Meal Scheme (MDM)

The NPNSPE (National Programme of nutritional Support to Primary Education) also called Mid-day Meal Scheme was launched on 15.8.1995. It is for children studying in class I-VII classes.

Further, in order to ensure the monitoring of the MDM Scheme, the Steering- cum- Monitoring Committees at the State level, District and Block Levels have been constituted. Besides this school Committees at School Level have also been constituted.

In Himachal Pradesh, the Midday Meal Scheme is being implemented in all the 10720 Govt./ Govt. Aided Primary Schools/ EGC Centers of the state covering 426658 children and 4384 Govt./ Govt. Aided Middle units covering 314611 students by involving different agencies. The Govt. of India has related 20837.86 MTs of rice for Primary and Upper Primary Schools, for the implementation of the MDM programme in the current year 2011-12.

Govt. of India has released central assistance amounting to Rs. 4106.66 lacs for Primary and Upper Primary Schools.

State has also made budget provision of Rs. 2229.50 lacs to meet out its state share.

Mid-day Meal Scheme (MDM) is being implemented all the schools in the Govt. /Govt. Aided Primary school /EGC centers of the State and covers 426658 children at Primary and 314611 students at Middle level. The GOI has released central assistance amounting to Rs. 4106.66 lacs and the State has made budget provision of Rs. 2229.50 lacs as State Share.

Free Coaching and allied scheme

The students are provided stipend @ Rs.750 and Rs. 1500/PM per student whose total family income is Rs. 1-00 Lac per annum.

There is Dr. Ambedkar Medhavi Chhattervariti Yojana under which meritorious SC students securing 72% and above in 10 class +1 class exam of HP Board are considered. Scholarship to the tune of Rs. 10,000/- per year is given. The year wise beneficiaries are:-

Year	Exp. (Rs. In Lacs)	Beneficiaries
2005-06	55.90	559
2006-07	74.20	742
2007-08	41.50	415
2008-09	125.00	1250
2009-10	138.50	1385

Maharishi Balmiki Chhatravriti Yojana:- This is the State Govt. Scheme. The scholarship under this scheme is @ Rs. 9000/- per year is given to the bonafied Himachali girl students belonging to balmiki families, engaged in unclean occupation, beyond Matric to college level for studies and professional courses at the level for studies and professional courses at the level of colleges situated in Himachal Pradesh irrespective of their status i.e Govt. or private.

Year	Expenditure (Rs. in Lac)	Beneficiaries
2005-06	7.20	80
2006-07	7.02	78
2007-08	8.55	95
2008-09	8.19	91
2009-10	8.01	89

Pre-Matric Scholarship to the children of those engaged in unclean occupation (CSS):

Under this scheme the scholarship will be admissible to the children of Indian National who irrespective of their religion are actively engaged in scavenging of dry latrines, and other unclean occupation i.e. tanning and flaying only which are traditionally considered 'unclean'. The Scholarship will be tenable only to such institutions and for such courses up to matric stage, which have been duly recognized by the concerned state. There will be no income ceiling for award of scholarship in an academic year is 10 months. The scholarship will be awarded @ Rs. 110/- per month from class 9th to 19th for day scholar and Rs. 700/- per month for hostellers in addition to this an adhoc grant of Rs. 750/- p.a to day scholar and Rs. 1000/- p. a to hostellers in also admissible.

Year	Expenditure (Rs. in Lac)	Beneficiaries
2008-09	1,85,000	97
2009-10	1,12,850	62

Post matric scholarship to SC students (CSS): This is a centrally sponsored scheme based on the committed state liability. The expenditure incurred over and above from State Committed

Liability is met by the Govt. of India. All the students belonging to the Scheduled Caste category and studying at school level+1&+2, graduation and post graduation levels with income ceiling of 100,000/- are being benefited.

Year	Expenditure (Rs. in Lac)	Beneficiaries
2005-06	106.70	4268
2006-07	146.12	8495
2007-08	141.02	7501
2008-09	165.74	9273
2009-10	169.83	9221

Incentive to SC girls for Higher Education:-

Year	Expenditure (Rs. in Lac)	Beneficiaries
2008-09	65.28	2176
2009-10	1,86,99000	6233
2010-11	Proposal of amounting to Rs. 2,21,70,000/- of 7390 students has been submitted to Govt. of India for the year 2010-11	

Sarva Shiksha Abhiya (H.P)

No shortfalls have been noticed in the implementation of Sarva Shiksha Abhyan (SSA) in Himachal Pradesh.

During the past years, there has been consistent improvement in the pace of expenditure under SSA against the annual plans.

It is also pertinent to mention that SSA has a holistic approach and is a programme for Universalization of Elementary Education of all children in 6-14 age group including SC/ST other backward classes.

Under Serva Shiksha Abhiyan, all children of 6-14 age group irrespective of their caste, creed, location and sex are being taken care of and getting benefited in equal proportion from SSA recourse support.

Department of Higher Education (H.P)

Number of SC lectures in Higher Secondary Schools

- Total Lecurers-11806
- Total SC Lectures-510

Source: Department of Elementary Education

SC teacher primary and Upper primary wise as on 20th Sept. 2010

Primary			Upper Primary		
Male	Female	Total	Male	Female	Total
3294	1381	4675	1390	728	2118

Department of Higher Education (H.P)

Annual Turn out of the total graduates from the different college is 32693 and 3159 passed out 2009-10 examination is the capacity of Scheduled Castes category. Since there is no column of Rural/Urban in the examination forms, hence it shall not be identified of rural and Urban background.

Department of Higher Education (H.P)

Year	Number of seats reserved for SCs	Number of seats filled by SC candidates
2005-06	113	110
2006-07	112	104
2007-08	135	133
2008-09	106	100
2009-10	109	108

Department of Higher Education (H.P)

15% seats are reserved for SC students and minimum qualification for admission to various courses to SC candidates shall be relaxed by 5% of maximum marks. Some rebate for purchasing the hand book of information/prospectus is given to SC candidates and fee concession also in case the cost of the prospectus is same at par with General Category.

Department of Higher Education (H.P)

Test series scheme has been launched to enhance the spirit of competition among the students of 10+1 and 10+2 Science classes of all categories. It prepares them to compete in various competitive entrance examinations at State Level. About 12000 of students of 270 Sr. Secondary School in H.P in science subject have been covered under this scheme.

Department of Higher Education (H.P)

Details of enrolment of S.C students and teachers are as under:

1	Enrolment of Scheduled Caste Students			
	Class	Boys	Girls	Total
	I-V	97748	91799	189547
	VI-VIII	59409	54991	114400
	IX-X	28172	25810	53982
	XI-XII	17039	14641	31680
	Total	202368	187241	389609
2	Number of Scheduled Caste Teacher			
	Type of School	Male	Female	Total
	Primary	3435	1609	5044
	Middle	2938	1220	4148
	High	903	372	1275
	Secondary School	2015	751	2766
	Total	9281	3952	13233

Source: Department of Elementary Education (H.P)

Enrolment of Scheduled Caste Students Primary and Upper Primary School

Primary			Upper Primary		
Boys	Girls	Total	Boys	Girls	Total
76746	76294	153040	52563	49948	102511

Scholarship:- The rate of Scholarship/Stipends including details of income ceiling of parents provided to the Students at pre-matric and post- matric levels with financial and physical targets are given below:-

Name of scheme	Rates	Year	Financial Achievements	Beneficiaries
Pre Matric Scholarship scheme to OBC students (9 th & 10 th) this scheme is started in 2008-09	Rs. 50/- per month for 10 months Adhoc grant 500/- Total 1000/- income ceiling 44,500	2008-09	10,26,200/-	1026
		2009-10	31,38,000	3138
Pre Matric Scholarship to children of those engaged in unclean occupation	Rs. 110/- per month for 10 months Adhoc grant 750 Total 1850/- No income ceiling	2007-08	-	-
		2008-09	1,85,000	97
		2009-10	1,12,850	62
Post Matric Scholarship to SC students	Rates of this scheme are mentioned below*	2005-06	106.70	4268
		2006-07	146.12	8495
		2007-08	141.02	7501
		2008-09	165.74	9273
		2009-10	169.83	9221

The SC students whose parents annual income from all source is upto rupees two lakh Rs. 2,00,000/-) are eligible for full scholarship (i.e maintenance allowance + full fee) for all course provided they are pursuing their studies in Govt./Govt. aided Institution are as regular students.

Group	Course	Monthly rates	
A	M.Phil, Phd. And Doctoral research medicines (allopathic, Indian and other recognized system of medicines) Engineering, Technology, Agriculture,	550	1200

	Veterinary, Commercial Pilot License course		
B	Graduate/post graduate course leading to Degree, Dip in Med/Engg/M.Sc etc. Med Engg/Architect//M.A/M.Com certificate course	530	820
C	B.A, BSc 2 nd & 3 rd year all other leading to a graduate or above Degree (not covered in Group I&II)	300	570
D	+1 & +2 (both General vocational stream, ITI courses, three years diploma course in polytechnics etc	230	380

Department of Higher Education

In addition to the aforesaid scholarship schemes free text books are being given to students belonging to SC/ST/OBC and IRDPs categories. Details of Expenditure and Beneficiaries of SC students studying in class 9th and 10th is as under:-

Year	Total Expenditure	Total Beneficiaries	Exp. On SCs	Beneficiaries of SCs
2009-10	8,85,81,788	1,18,166	3,74,44,393	49320
2010-11	8,39,85,438	1,16,654	3,65,76,807	52187

6. Haryana

Dr. Ambedkar medhavi Chattar Yojna: - This Scheme was launched on 12.09.2005. Initially it was for students of 10+1 or 10+2 and ITIØ, Polytechnic for two years. From 18.08.2009 the scheme has been extended upto Post Graduate classes. There is no income limit under this scheme. Year wise budget expenditure and number of Students covered under the scheme are as follows:

Year	BUDGET EXPENDITURE (Rs. in lacs)	NO. OF BENEFICIARIES
2005-06	149.50	1495

2006-07	410.90	4109
2007-08	915.40	9154
2008-09	1233.90	12339
2009-10	983.84	10855
2010-11	925.58	12730
2011-12	(Allocation 1800.00)14.88	50
Total:	4634.00	50,732

Anusuchit jati chhattra uchch shiksha Protsahan Yojna :- This Scheme was launched on 18.08.2009 with a motive to provide Higher Education opportunities to SC Girls in Science, Commerce & Professional course. It largely covers those students who are not covered under any other scheme of the state/Central Government. The income limit Rs. 1.00lakhs to 2.40 lakhs p.a. Year -wise budget expenditure, number of girl students covered under the scheme are as follows:

Year	BUDGET EXPENDITURE (Rs. in lacs)	NO. OF BENEFICIARIES
2009-10	24.21	306
2010-11	13.37	165
2011-12	(allocation 50.00)--	--
Total:	37.58	471

Up gradation of Typing and Data skill to SC & BC unemployed youth through computer training:- This Scheme was launched on 15.12.2008 with a motive to provide self employment opportunities in computer literacy to SCs & BCs youth. The income limit is Rs. 1.50 lakhs. Year wise budget expenditure number of trainees covered under the scheme are as follows:

Year	BUDGET EXPENDITURE (Rs. In lacs)	NO. OF BENEFICIARIES
2008-09	39.49	--
2009-10	47.02	180
2010-11	46.45	180
2011-12	(allocation 129.00)33.00	225

Total:	165.96	585
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Financial Assistance for Higher Competitive exam. To SC/BC candidates through private institutions :- (Initially under this scheme the Financial Assistances use to be provided to the SC/BC candidates @ Rs. 10000/- . Now the scheme was modified W.E.F. 01.04.2009 a committee headed by the Secretary, Welfare of SCs & BCs Department has been constituted will determine the duration of coaching and quantum of fee for different examinations keeping in view the market rates. Under this scheme an amount of Rs. 155.21 lacs have been spent on 4366 aspirants from 2009 to till date.) Year wise budget expenditure number of aspirants covered under the scheme are as follows:

Year	BUDGET EXPENDITURE (Rs. In lacs)	NO. OF BENEFICIARIES
2005-06	0.11	03
2006-07	0.30	09
2007-08	1.96	23
2008-09	18.50	268
2009-10	5.20	76
2010-11	70.00	3600
2011-12	(allocation 176.00)59.14	1112
Total:	155.21	5091

Educational Scheme for SC students at Primary and Secondary level:-

From the year 2007-08 State Govt. has started/modified few schemes for Educational upliftment of Scheduled Castes by providing financial help. Before 2007-08 these schemes were implemented by the Welfare Department and from 2007-08 these were transferred to educational Department.

(a) One time Allowance for SC students (Boys & Girls) 1st to 12th Classes: Stipend ranging Rs. 740 to 1450 is being provided from 1st to 12th Class. An amount of Rs. 28986.41 lacs have been spent on 2870990 student from the year 2008-09 to 2010-11.

(b) Monthly allowance for SC students (Boys & Girls) 1st to 12th Classes: Stipend ranging Rs. 100 to 400 is being provided to the students studying in 1st to 12th Class. Rs 39374 lacs have been spent on 2870990 students from the year 2008-09 to 2010-11.

(c) Free text books are provided to the SC students studying in 9th to 12th Classes, Rs. 450/- is being given to 9th and 10th Classes and Rs. 620/- to 11th and 12th Classes Rs. 650.00 lacs were spent on 768059 students from the year 2008-09 to 2010-11.

(d) One time and Monthly Pre Matric Pre Matric Scholarship is provided to the SC students studying in 1st to 10th Classes, whose parents are engaged in unclean occupation. Rs. 110/- per month and Rs. 750/- per annum is provided Rs. 97.84 lacs were spent on 8087 students.

7. Maharashtra

Technical Education:-

In order to provide reference books which are costly and are unaffordable, in the Government Polytechnics. A set of Books is given to the students of the economically weaker sections for their use. The same scheme is also carried out in the Government engineering colleges as well,

Vocational Education:-

The stream of Vocational education is implemented in 03 stages.

a) Plus2 state minimum competency based vocational education, where the plan of action is prepared under the NCERT pattern,

b) Pre SSC Technical vocational education where the subjects that are taught are 8th to 10th and are given Practical training, and

c) Short term certificate courses. This is meant for the School drop outs whose services are generally used for the local needs of various industries. In all these schemes a successful candidate given a Tool kit for Rs. 1, 225 and also the related books.

School Education:-

Book Bank Scheme of free Text book for Primary & Secondary Schools.

Under this Scheme Book bank is established in the Primary & Secondary Schools, run by

the Local bodies recognized and aided by the Government, An entire, Set of Text book replaceable in once in 03 years for the higher classes and also for classes I & II, replacement once in every year is done. This year all the expenditure will be done under the Sarva Siksha Abhiyan Scheme. Further in order to increase their enrolment one set of Uniform per pupil and also one set of writing material is given. Further in order to increase the female attendance in the schools an attendance allowance of Rs 1/ per day is introduced for the Children who are below poverty line.

In addition to above in 103 blocks of the Zilla Parishads for Class I to V which have less percentage of female literacy compared with the National literacy the government has made provision for supply of Free Text books to the students along with a uniforms.

Educational Assistance

A. Tuition fees, Examination fees to the SC's.

Tuition Fees, Library Fees, Admission Fees Laboratory Fees, Gymkhana fees and Fees at all stages of education in all recognized educational institution irrespective of age and income is reimbursed. Students with 1 Failure and those not covered by the GOI scholarships are also covered.

B. Award of scholarships in High School;

Those students who secure 02 top ranks in the last annual examination are given @ Rs 100 per month. This is admissible from VI to X standard. In respect of Standard I to V, it is fixed as @ Rs 50 PM.

C **Award of Scholarships to SC girl's students in Std V to VII.**

SC Girl students of agriculturists and other type of labourers, in order to encourage their children, to be sent to the School, to get more attendance, @ Rs 60 P.M is given for 10 months.

D **Government of India Post-Matric Scholarship Scheme :**

In order to encourage the Backward Class Students to undergo Post-Matric Courses, Eligible Scheduled Castes, are paid maintenance allowance ranging from Rs, 140 p.m. to Rs. 330 pm. for boys and girls (day scholar) and Rs. 235 to Rs. 740 p.m. for boys and girls (Hostellers).

In addition to maintenance allowance all fees which are compulsorily payable by the students to the institutions are also covered under the scheme

The Scheme has been extended by the Government of India to Stds. XI and XII under the revised pattern of 10 + 2 + 3 system of education with effect from 1975-76.

Following are the important conditions of eligibility: -

- (1) The Parents'/Guardian's annual income up to Rs. 1,00,000. Students with Full employment are not eligible
- (2) Repeaters are not eligible in the same Standard, After passing they are eligible for higher standard.
- (3) All children of the same parents are eligible for this scholarship.

Further the Book-Banks will be one of the components of the Post-Matric Scholarship, Book Banks are set up in the entire Medical, Engineering, Agriculture, Law and Veterinary Degree Colleges and Institutes imparting Chartered Accountancy, MBA and alike Management courses and Polytechnics where Scheduled Caste students are in receipt of the Post- Matric, Scholarship. The set of textbooks will be purchased for 2 such SC students at various stages except in respect of Post-graduate courses and Chartered Accountancy where it will be one set for each of the 02 students. However, the ratio of sets and students will have to be adjusted to the total number of sets that could be procured within the total resources allocated to the State concerned.

E. Award of Stipend for ITI course.

The students in the Govt. IITs are paid a Stipend of @ Rs 40 P.M (day Scholar) and a supplementary Stipend of Rs 20. Persons who do not receive Stipend are given @ 60/- as Stipend. For the hostellers it is paid @ 60 & 100 respectively.

Maintenance allowance to SC students in Sainik Schools:-

For such of those students whose parents annual income is not more than Rs 65,000/- the entire expenditure of Tuition fees, Lodging Boarding Uniform Horse riding, and Pocket money are reimbursed to the Schools by the Social Welfare department.

F. Pre-Matric scholarship to children to those unclean occupations-

Pre-Matric Scholarship to Children of those who are engaged in unclean occupation like Sweeping Scavenging, Tanning and Flaying are given scholarship from Std. I to Std. X. The scholarship amount will be covered Tuition fees, Exam. Fees, Boarding, Books equipments and Incidental Charges.

- (1) Hostellers:- The Hostellers have been paid Scholarships as per revised rate as under:
- Std. I to V Rs. 40 p.m. (for 10 months).
 - Std. III to VIII Rs. 3.00 p.m (10 months)
 - Std. VI to VIII Rs. 60 p.m. (for 10 months).
 - Std. IX to X Rs. 75 p.m. (for 10 months).

The ad hoc grant of Rs. 600 per student per annum is given in addition to regular scholarship.

- (2) Day Scholars:- Previously the scheme was being implemented for Hostlers only but as per revised rates it is also applied for Day Scholars. The rates of Scholarships or scheme are as follows from 1st November 1991:-

The ad hoc grant of Rs. 550 per student per annum is being given in addition to regular scholarship. The scholarship is admissible to one children of one family. This Schemes is implemented by District Social Welfare Officer, Zillah Paris had.

Hostels for SC boys and SC girls

Government Hostel Facilities:- In order to avail educational facility, hostel facilities are also provided by Government. In these hostels, students are admitted on merit and are provided with free boarding and lodging, text books, stationary articles, clothing and bedding, medical aid, conveyance facilities and also special coaching facilities to the students who are weak in their studies. In short inmates are provided with all facilities for their physical and intellectual development. By the end of 2008-2009 there are in all 271 Government Backward Class Hostels in the State.

G.I.A. Hostels:- Along with Government Hostels, Hostels, run by the voluntary, organizations are paid grant-in-aid by the State Government at the rate of Rs. 500 p.m. for each Boys and Girls for 10 months and also salary of full time trained Superintendent and grand-in-aid on rent of the building. By the end of year 2005-2006 the number of grant-in-aided Hostel for S.C. Boyø and girls is 2388.

Ashram Schools-

10 primary & Secondary Ashram Schools are looked after with Maintenance Grant, grants other than Pay & allowances, Building rent, Stipends to Boarders Utensils Clothing bedding etc.

There are Government run 363 residential Schools, for 1st to 7th Standard. In addition to above Grant in aid is given to for Construction of (expansion) of Building of S.C Boys and girls, In this 45% of the share is given by the State and 45% is from the Centre and the 10% is from

Institution. The expansion needs to be done within 02 years from the date of release of the grant.

Scholarships:

Savitri Bhai Phule Scholarships meant for Girls from 8th to 10th @ 100 P.M for 10 months.

PAYMENT OF Maintenance to SCs in Professional Courses and staying in the Hostels.

Type of Course	Rate	Period	Total
1. 04 to 5 years	Rs 700 P.m	10 months	Rs 7,000/-
2. 02 to 3 years	Rs 500 P.m	10 months	Rs 5,000/-
3. 02 or below			
4. (B.Ed. D.Ed)	Rs 500 P.M	10 months	Rs 5,000/-

In respect of Kay Scholars the rate is 1,000 for 4 to 5 years and Rs 700 for the rest.

Merit Scholarships:-

A. Rajarshi Sahu Mahraj Merit Scheme:-

Under the Scheme the following amount is given by the Government on Merit.

1. State First in the 10 th & 12 th	2.50 Lacs.
2. First in Divisional Board	1.00 Lacs.
3. First in the District	0.24 Lacs.
4. First in the Taluka	0.10 Lacs.
5. First in the School	0.05 Lacs.

B. Rajarshi Sahu Mahraj Merit Scholarship for higher Studies:-

100 Students who are residents of Maharashtra in order to study in the higher educational fields are provided with Scholarships worth 2.50 lacs besides they will be given Rs 10,000/- for their accommodation and Books.

D. Scholarship for Students to Study in Abroad:-

08 students for Degree courses and 17 for Post Graduate Courses are given every year to study abroad. The eligibility for this is an income limit of Rs 2.50 lacs. In this the students will have to submit that after their return will submit 10% of the amount to the Social Justice fund. Selected Students will get fee and maintenance allowance fixed by the University.

Other Schemes:-

This include

A) Essay and Eloquence Competition at Dt and State level. The State level person are given rs, 4,500/- and rest 2,000 to 1000/- respectively.

(C) Dr. Babha Saheb Ambedhkar Social Justice Excellence Award. In this Social organizations which had rendered services for educational improvements for PH and mentally retarded persons will be given a cash award of First Prize of Rs 5,00 lac and Second of Rs 3,00 and Third of 2.0. Lacs respectively.

Scholarship Scheme:- Honøble Chief Minister has provided Rs. 20 lakhs from Chief Minister Fund for the Scholarship Scheme to students which have passed 10th Std. and above in 1st class (above 60 per cent marks) of the Matang Community. This Corporation has fixed the amount as Permanent Deposit in the Nationalized Bank and Scholarship is being paid for the accrued interest to the student for further education.

8 Punjab

The literacy of SC in the State of Punjab is 63.08 for males, 48.25% for females and total being as 56.20% as per 2001 census. The literacy of the State as a whole is 69.65%.

The details of education schemes for SC girls and boys rates of the Scholarships and schemes implemented for the overall development of SCs are at **Annexure- VII to IX.**

The S.C students are facilitated under various educational schemes of central and State Govt. The State Govt. has finalized the policy regarding disbursement of scholarship grants of state and centre under Welfare Scheme through on Line Management system (OMS) which is under active consideration. The details of number of seats reserved for SC and actually filled is as follows:-

Degree Level Course

Sl. No.	Session	Total reserved seats	Seats actually filled
1.	2007-08	2390	277
2.	2008-09	3505	1036

3.	2009-10	4540	1155
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Diploma Level Course

Sl. No.	Session	Total reserved seats	Seats actually filled	Comments
1.	2007-08	4805	1225	Very less
2.	2008-09	7707	2150	Very less
3.	2009-10	10330	2954	Very less

HOSTELS

There are no exclusive SC hostels either for boys or girls in the state. In case where grant is provided to the Govt. and private institution for expansion of existing hostel, the hostel accommodation is provided to the SC students in the hostel on priority basis.

The State Govt. has constructed 35 such hostels with the funds provided by Govt. of India on 50:50 bases under boys/girls hostels schemes.

Out of the 35 constructed hostels, 27 hostels have been constructed for SC girls, the details of which may be seen at **Annexure- X**.

Six girl hostels have been constructed out of funds provided by Govt. of India, Ministry of Social Justice and Empowerment on 50:50 basis by Centre Govt. and State Govt. in educationally backward district of Bathinda, Faridkot and Mukatsar.

Under the Post metric scholarship scheme, Special grant to SC students, Special grant to S C girl students and Promotion of education among educationally backward classes scheme, scholarship and maintenance allowances are provided to the SC students as per rates already mentioned in **Annexures** enclosed in the report.

The State Govt. of Punjab has not conducted any study on the working of SC hostels. These hostels are checked from time to time. The State Govt. is requested to conduct on the spot inspection/Survey/Study on these hostels. The study can come out with the student's problem and their suggestion for further improvement based on their felt needs.

The following facilities are being provided to the SC students:-

The SC students whose parents/guardians annual income not exceeding Rs. 2.00 lac annually are not charged tuition fee and non refundable compulsory fees(such as fee for admission, registration, tuition, sports, union, library, Magazine, Medical, examination, and such fees as are compulsory charge by the concerned institution or university) at the time of admission. Reimbursement of these fees is made by Govt. to the concerned institutions.

- ii) The SC candidates are given relaxation of 5% marks at the time of admission.
- iii) 25% seats are reserved for SC candidates for admission.
- iv) Book bank facilities are also being provided; minimum four books are given to Scheduled Caste candidates during the year till examination.
- v) Scholarship/stipends at primary, high and college level are provided to SC students so that they continue their study at each state. Besides maintenance allowances is also provided for their day today requirements.

9. Puducherry

The literacy of S.C people of the UT of Puducherry is 69%. The drop out of S.C students at secondary level is reported to be higher. The UT is also proposing to remove the income Limit under PMS for professional courses in Govt. Colleges under a new scheme -Dr. Ambedkar Financial Assistance scheme

The report points out that social disparity is not an issue in this UT. The enrollment of SC is 16% as per population percentage of SCs in the Union Territory.

The Department of Education is implementing schemes for retention of SC candidates in Schools.

The dropout rate is very low. It was 1.97 during 2001-02. Subsequently in the years 2003-04 to 2006-2007 at elementary level is very low. The students are provided all incentives for retention. It is good initiative by the UT Adm.

The students are given special coaching and Training for various competitive exams.

The report says that there is no outstanding payments of Scholarship pending for the last three years. There is no time frame for disbursement but it is timely done. However in some cases there may be delay due to lack of funds.

The UT is initiating action to disburse the PMS through Bank/ Post office.

The UT is also having night school to encourage education under SSA.

Number of SC teachers at various levels in schools. The table below gives the details of number of SC teachers in Primary/Middle/ Higher Secondary Schools in the state of Puducherry.

The details of seats reserved in professional courses for the three years are as follows:-

Level	Total No. of Teachers	No. of SC Teachers	Percentage of SC Teachers
Primary	1324	157	11.86
Middle	812	124	15.27
High	1318	168	12.75
Hr. Sec	1786	194	10.86

Statement showing the expenditure & physical achievement on -Educational Development of SC students for the period 2005-06 to 2009-10

(Rs. In Lakh)

		Mode of fund	2005-06		2006-07		2007-08		2008-09		2009-10	
S l. N o .	Scheme		Exp	Bene ficia ries	Expdt .	Benef iciari es	Exp	Ben efici aries	Exp	Bene ficia ries	Exp	Benefi ciaries
	Plan	-	-	-	-	---	--	-	-	-	-	-
1	Award of Post Matric Scholarship to SC students	State/ CSS	103.55	3455	264.40	3171	79.66	936	341.74	2540	469.59	3736
2	Award of Pre Matric Scholarship to SC students	State	49.88	3455	57.00	3972	79.55	4247	117.99	6503	143.98	7778
3	Grant of opportunity cost to the parents of SC students	State	155.64	7807	227.80	7671	176.55	5884	181.80	6060	192.60	6420
4	Pre Matric scholarship to the Children whose	State/ CSS	9.07	839	9.50	884	6.50	605	6.99	532	20.00	923

	parents are engaged in unclean occupation											
5	Reimbursement of other fees to deserving SC top students Degree /PG & all other professional courses to pursue Higher studies	State	10.30	14	3.40	6	16.82	13	3.41	4	23.24	11
	Perunthalivar Kamarajar Financial Assistance Scheme for professional courses selected through CENTAC. (New Scheme adapted from Edn. Department, vide G.O. Ms. No. 6/2008-Wel.(SCW) dated 28.8.2008)	State	-	-	-	-			124.70	205	165.85	273
	Total		328.44	15570	562.10	15704	359.08	11685	776.63	15844	1015.26	19141

S. No.	Scheme	Mode of fund	2005-06		2006-07		2007-08		2008-09		2009-10	
			Exp.	Beneficiaries								
	Non Plan		-	--	-	-	-	-	-	-	--	-
1	Vocational Training and Aid, Cutting and Tailoring		15.31	90	16.09	98	19.15	98	23.67	82	25.01	89
2.	Post Matric scholarship to SC students and lower income group students		83.74	1601	135.01	2034	115.05	1339	99.96	782	70.08	488
3.	Pre Matric scholarship to SC students		150.13	11224	122.17	8879	99.00	5422	66.27	3404	46.32	2405
4.	Stipend to SC students in ITI		1.39	145	1.61	161	1.71	145	1.72	160	1.99	210
5	Award of Dr. Ambedkar memorial scholarship		0.30	2	0.30	2	0.30	2	0.30	2	0.30	2
6	Award of Adhoc Merit Grants (Special incentive) to SC students		0.59	195	1.23	245	2.69	358	2.94	294	2.10	210
7	Retention		35.8	8776	34.7	695	81.	563	52.	5257	53.87	5387

	scholarship to SC students in Primary School		5		9	7	23	1	57			
	Total		287.31	22033	311.20	18376	319.13	12995	247.43	9981	199.58	8791

	CSS		---	-	-	-	-	-	-	-	-	-
1	Award of Post matric scholarship to SC students	CSS	95.58	908	120.00	1365	268.15	2433	17.94	167	-	-
2.	Award of Prematric scholarship to the children of those parents engaged in unclean occupation	CSS/State	2.21	200	12.81	1176	7.33	664	2.72	147	2.25	122
	Total		97.79	1108	132.81	2541	275.48	3097	20.66	314	2.25	122

The UT has furnished the number of SC teachers at various levels in schools. It should be 15% as central reservation is applicable to UT. There is shortfall at primary, Higher and Higher Secondary level. But there is slight increase in the percentage of SC teachers at Middle level i.e 15.27% above 15% applicable. It is quite encouraging efforts needs for other level to come up to 15%.

Professional and other institutions

A look at the statistics for the last three years reveals that the number of seats filled by S.C students were low as compared to the reserved seats at graduate level:

The details of seats reserved in professional courses for the three years.

Sl. No.	Year	Institution	Total No. of Seats	No. Of seats filled by SC students
1.	2007-08	Engineering	1521	173
		Medical	311	40
		Total	1832	213

2.	2008-09	Engineering	1751	229
		Medical	677	89
		Total	2428	318
3	2009-10	Engineering	2218	191
		Medical	759	106
		Total	2977	297

Note: Out of the total no. of reserved seats for SC students, the unfilled seats were filled by the General Category for want of SC students.

Annual Turn of Graduates in Rural/Urban areas in the U.T of Puducherry

Sl. No.	Year	No. of Graduate Total	SC Graduates	% of SC students
1.	2007-08	14105	2269	16.09
2.	2008-09	13874	2340	16.87
3.	2009-10	14794	2491	16.84

It has to be seen that 15% seats are reserved for S.C students since Pandicherry is a Union Territory. The rules of central reservation would be applicable to UT i.e. 15%.

However, in other courses as per information reserved seats have been filled and even more SCs admitted in agriculture colleges for course like B.SC (Agri) and M.SC. (Agri).

Year	No. of seats reserved	Actually filled
B.SC (Agri)		
2004-05	10	7
2005-06	10	16
2006-07	10	10
M.Sc (Agri)		
2004-05	5	5
2005-06	5	5
2006-07	5	9

Sixteen percentage of the total number of seats is reserved for SC students in professional/technical higher education institutions managed by the Govt. and as against Government quotas in privately managed Medical Colleges, Engineering Colleges and Teacher Training Colleges.

The UT is also having other incentive schemes for educational advancement of S.C students likes:-

Department of School Education:-

Department of School Education with SSA has initiated steps to ensure the retention of SC students enrolled and also the quality of education offered to the first generation learner. The schemes are:-

Conduct of Night School:-

Most of the parents of students are moderately literate/illiterate and belongs to economically weaker sections. As they spare no time to cater to the educational need of the children at home, the students of SC community happens to be below average. SSA introduced a scheme of night schools the schools where the percentage of SC students is high. The schools will be opened in the late evening hours and to create a good ambience for the study. The students will be asked to the educational activities under the guidance of educational volunteers engaged for this purpose.

Conducting Motivation Camp:

Two day motivation camp has been organized to develop the life skill among the students in selected schools with a component of a field trip.

Exposure Visit:

Exposure visit for one day is organized to create awareness and to provide firsthand experience to the students of SC community who are otherwise deprived of this opportunity.

Providing Sports Articles:

Sports Articles are provided to selected schools where the enrolment of SC students is more in numbers.

Programmes and coaching classes in the Society Colleges

In order to meet the increasing demand under higher education and to create more employment opportunities, new colleges with more job oriented courses were started under the Pondichery Society for Higher Education. Four Arts and Science colleges and one B.Ed. Colleges are functioning under the Society. Under Technical education, two Engineering Colleges are functioning under Societies and four Polytechnic Colleges are functioning under PIPMATE.

The state Government is providing Vocational Training Course to enable SC school dropouts to set up self-employment units, cutting and tailoring training are imparted for a period of 12 month.

Stipend of Rs. 750/- per month a free sewing machine is provided along with accessories. A total 89 SC Women have benefited in the year 2009-10 and about 96 SC Women will be availing in the year 2010-11.

The state Government is also providing separate tuition classes to the SC government servants who are required to attend Account Lower/Higher Examination departmentally.

Training offered by Pondicherry Adidravidar Development Corporation (PADCO) is as follows:

Various Training such as, Preliminary examinations for appearing Civil Services, AIR Hostees, Catering, Computer, Handy Craft works, Coir making and other viable trainings are imparted to the Scheduled Caste youths for their skill development.

Monthly stipend ranging from Rs. 200/- to Rs. 1000/- depending upon their educational qualification and field of training are being paid to the trainees, besides courses fees, to the Training Institutes. The expenditure is being met from the Grant in aid (SCA/Subsidy) released by the Govt.

The target, Achievement and financial implication made in the above said training scheme for the past Seven years are as follows:-
(Rs. In lakhs)

Year	Target	No. of persons trained	Stipend and Course fee Rs.
2005-06	400	472	24.70
2006-07	525	596	24.70
2007-08	500	92	26.44
2008-09	500	245	36.96
2009-10	400	309	25.49

Details of provisions and enrolment of SC students in institutions in general at Primary and Secondary Schools.

No, specific reservation policy is adopted in Primary and Secondary schools as all Governments schools shall admit all the students, those opt for, However, in Higher Secondary level reservation policy of 16% of the seats are followed for SC/ST students.

Details of Educational Institution for SC

Education institutions exclusively for SCs are not run by the State Govt. As there is no need for the same as far as the U.T of Puducherry is considered.

Type of	No of institution run	No of institution run by Social	No of institution run by NGOs rearing funds of	Grand Total
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institution	by Education Department			Welfare Department			the State Govt.					
	R	NR	T	R	NR	T	R	NR	T	R	NR	T
Primary	No school run by Education Department			No school run by Education Department			No school run by A.D Welfare Department					
Secondary												
Senior Secondary												

R-Residential: NR-Residential: T-total

Award of Pre-Matric Scholarship

Various educational schemes implemented by the Department of Adi Dravidar Welfare, Puducherry are as under.

Pre matric scholarship is awarded to SC students studying from VI to X Std. in Govt./Govt. recognized private institution in the U.T of Puducherry. The students of VI to VIII are paid Rs. 1,500/- p.a and IX & X and paid Rs.2500/- p.a. The scholarship is paid continuously up to X Std. unless the student is stagnant in any class.

Award of opportunity cost scholarship

Opportunity cost scholarship is awarded to the parents of SC girls students studying from VI to XII in Govt/Govt. recognized pvt. institutions in the U.T of Pondicherry to encourage girls education. The quantum of scholarship is Rs. 300/- p.a. The scholarship is paid continuously up to XII Std. unless the student is detained in any class.

Award of Post Matric Scholarship

Award of Post Matric Scholarship to SC students studying at Post Matric level or Post Secondary level. The parental income shall not exceed Rs. 2,00,000/- per annum.

Special Incentive

A scheduled caste student who secured marks 65% or above in Matriculation/SSLC Board of examinations will be granted Rs. 1000 as one time cash award under the scheme. There is no income limit for this scheme.

Dr. Ambedka Memorial Award to SC students

This award is granted to top ranking SC boy and girls students who secured not less than 55% of marks in the Higher Secondary Examination. Two students are paid Rs. 15,000/- each in Puducherry, Karaikal and Yaman regions. No income limit fixed under this scheme.

Award of Retention Scholarship

Retention Scholarship is awarded to SC Girls students, of I to V Std. studying in Govt./Govt. recognized institution in the U.T of Pondicherry with an aim to stop drop out among Scheduled Caste girl children. The quantum of Scholarship is Rs. 1,000/- p.a. The Scholarship is available up to V Std. continuously unless the student is detained in any class.

Award of Pre-Matric Scholarship to the students whose parents are engaged in unclean occupation

This scholarship is awarded to the students whose parents are engaged in unclean occupation in the U.T of Pondicherry. The Scholarship is available from I to X. The quantum of scholarship is Rs. 1850/- p.a. No income limit. A total of 1045 have benefited in the year 2009-10 and about 1200 are expected in the year 2010-11

Reimbursement of college fees to deserving SC students studying in professional colleges in this union territory.

Origin SC students those who secured above 75% marks in H.S.C. Exam and selected through CENTAC for admission in the Professional courses, like M.B.B.S, B.E, B.Tech. B.Arch are eligible for the full reimbursement of fees fixed by the standing committee constituted by the Govt. of Puducherry. No income limit.

Perunthalaivar Kamarajar Financial Assistance Scheme

Origin SC students those who are selected for professional courses through CENTAC are only eligible under this scheme. No income limit.

The Govt. of Puducherry attaches utmost importance to attract poor children to schools and retain them without dropouts and to achieve 100% enrolment of children in Government Schools by taking various measures. In order to achieve this goal, the Government is providing Text Books, Note Books, Atlas, Dictionary, Chappals, Uniforms, Stationary items etc free of cost to all the SC students studying from LKG to XII standard of all Government and Government-Aided Private Schools in all region of the Union Territory of Puducherry under

Free Supply Scheme irrespective of parental income. The physical and financial achievements during the last 5 financial years are as follow:

Period	Physical achievement	Expenditure (Rs. in Lakh)
2005-06	43936	296.60
2006-07	45513	325.15
2007-08	45308	306.91
2008-09	42379	249.99
2009-10	42317	270.37

10. Tamil Nadu

In Tamil Nadu high priority is assigned to the educational development of Scheduled Castes because of implementation of various educational schemes, the literacy among SCs has been showing improvement in Tamil Nadu.

The table below gives details of general literacy and SC literacy.

	General Literacy			Scheduled Caste		
	Male	Female	Total	Male	Female	Total

General literacy should exclude SC, ST and OBC literacy for comparative analysis with S.C literacy.

The State Govt. has also introduced incentives schemes for the education of girls in the State which has led to the increase number of girls students. Presently, 2.10 lakhs boys and girls are registered in 1073 Adi Dravidar Schools. Further, even in general schools the number of boys & girls belonging to SC communities have registered upward trends. Presently, about 11.68 lakhs S.C boys and girls are holding their education from Primary School level to Higher Secondary School Levels in the general schools in the State.

Students strength in Adi Dravidar Welfare Schools

School	No. of Schools	Students Strength		
		Boys	Girls	Total
Hr. Sec School	72	31689	28446	60135
High School	65	12306	11866	24172
Middle School	156	21673	21933	43606
Primary School	780	41747	40694	82441
Total	1073	107415	102939	210354

The students profile gives a clear picture category-wise which may kindly be seen. (State Board Schools 2009-10)

Caste	I-VIII			IX-X			XI-XII			%
	Boys	Girls	Total	Boys	Girls	Total	Boys	Girls	Total	
1	2	3	4	5	6	7	8	9	10	11
OC	22460	22604	45064	19986	18723	38709	11591	14135	25726	57.08
SC	268649	263621	532270	248468	249271	497739	131044	148847	279891	52.58
ST	16344	18051	34395	12832	14745	27577	5013	4306	9319	27.09
OBC	712182	694651	1406833	662373	649796	1291988	393332	460170	853502	60.67
Total	1019635	998927	2018562	943659	932535	1856013	540980	627458	1168438	

(Source: DSE publication Hand Book-30.9.2009 for the year 2009-10)

It can be seen there is not much difference in the percentage of SC students and other students taking XI-XII exams. There is a wide gap in the percentage of SCs and OBCs.

The State Govt. has taken number of steps for the educational facilities of SCs.

The following additional facilities are needed to enhance the educational quality of Adi Dravidar Students as suggested by State Govt.

- i) Opening of more number of new hostels wherever needed with necessary facilities to accommodate more students

ii) There are 208 numbers of hostels functioning in private building. Govt. has been constructing new hostels in place of 208 private buildings. During the year 2010-11, 25 hostel building have been ordered to be continued at the cost of Rs. 12.50 crores (G.O.(Ms) No. 116, Adi Dravidar & Tribal Welfare (ADW-4) Deptt. Dated 27.9.2010.

a. Modern Teaching methodology equipments like Computers may be provided in Adi Dravidar Welfare Schools.

b. Hygienic condition in the Schools/Hostels may be taken care of by constant monitoring and by posting of sufficient sanitary staff.

c. Provision of sports material including indoor games.

d. Well-equipped libraries etc.

The student pupil ratio is 1: 40 all over Tamil Nadu.

To avoid dropouts incentives to girls are provided form 1994-95 encourage their enrolment. Considering the necessity to provide education facilities nearer to the SC habitations. Every year more schools are opened and upgraded in the SC habitations through SSA and RMSA. Free educational concessions like supply or Text books and note books, Uniforms, midday meal programmes, hostel facilities, free bicycles are also provided to the SC students to avoid dropouts.

The details of drop-out of Primary Middle and Secondary of are as under:-

	Primary				Middle				Secondary			
	General				General				General			
	Male	Female	Male	Female	Male	Female	Male	Female	Male	Female	Male	Female
2005-06	-	1	8	76	2	2	11	115	1	4	13	105
2006-07	2	4	14	85	1	2	7	102	3	6	9	89
2007-08	3	3	7	90	1	1	22	98	5	11	17	99
2008-09	-	-	14	55	7	9	12	200	7	8	14	63
2009-10	-	2	13	72	3	6	39	432	4	8	20	44

Dropout details

The drop-out rate of Adidravida Welfare at Primary Middle and Secondary level has also to be tabulated in the same category-wise like students profile like OC, SC, ST, OBC to know the exact drop-out of SC students at various school levels like primary, Middle and Secondary levels.

The details of Annual turn out of graduates and SCs are as under:-

(f) Annual turnout of Graduates vis-à-vis SCs

year	Total no. of Graduates	Total no. of SC graduates	Total number of Professional graduates	SCs out of them
2007-08	2,17,570	26,628	113353	10150
2008-09	239,287	33,615	135891	12803
2009-10	2,49,667	38,684	177039	17777

The report gives information on total number of graduates (which includes other category, SC, ST and OBC) from 2007-08 to 2009-10 and the total no. of SC graduates. The total number of graduates has to be categorized like Other Caste, Scheduled Castes, Scheduled Tribes & Other Backward Classes for arriving at correct conclusion.

(g) Special Coaching and training during 2009-10 out of total 3086 SC, Candidates, 1439 SCs have been successful. During 2010-11, the number of SC beneficiary is 818. Who had taken special coaching is offered to the students to appear for PSC, UPSC and other competitive exam. The educational schemes for SC girls and boys founded by the State Government as well a by the Ministry of Social Justice and Empowerment.

Provision of education for Scheduled Castes and bridging the socio-economic gap is the main objective of SSA and hence, this has been placed under 'Special Focus Group'. Special coaching classes are conducted after school hours in all Government aided AD & TW Schools for children of Standards III, IV, & V at Primary level and for VI, VII & VIII standards at upper primary level for improving their achievements.

Activity Based Learning (ABL) Methodology is being implemented in 37486 primary schools. Active Learning Methodology (ALM) is being implemented in 6, 7 & 8 classes in all schools. In both these methodologies children are enabled to actively participate in their own learning process with the teacher playing the role of a facilitator. These innovative teaching learning strategies have improved the quality of education in primary and upper primary schools.

Under SSA, Tamil Nadu has achieved near cent percent access at both primary and upper primary levels with the opening of 1843 new primary schools and up-gradation of 5379 primary schools into middle schools over the past 9 years. It would be pertinent to mention that during the year 2010-11, 38 primary schools have been upgraded into middle schools in villages having

more than 40% SC population in Krishagirl, Pudukttai, Erode, Nagaattinam, Namaqkkal, Trunelveli, Tiruvallur, Thiruvannamalai and Tiruvnr Districts.

The enrolment figures at Elementary level indicate that the share of enrolment of SC children against the total enrolment is 24.41%. The category-wise details of children enrolled in 1-VIII standards in all types of schools in terms of numbers and percentage across the State are as follows.

There is a positive trend in the enrolment of SC children at primary (I-V) and upper primary level (VI-VIII).

Social Category	Primary (I-V)	Upper Primary (V I-VIII)	Total enrolment	% of total enrolment
All	61,09,677	36,87,184	97,96,861	-
SC	14,84,354	9,06,856	23,91,210	24.41

Tuition fee

Tuition fees are reimbursed for professional and non-professional colleges on claims received. Tuition fees are reimbursed through Bank accounting. There are no outstanding payments pending to students for the past 3 years.

There are no area/pockets of SC concentration where SC literacy is less than 10%.After introduction of Sarva Sikasha Abhiyan(SSA), nearly 100% achievement in Tamil Nadu at Primary and middle level.

The Comparative status of children belonging to SC/ST categories with reference to Net Enrolment Rate (NER) and Dropout Rate (DR) for the years 2002-03 and 2010-11 are as follows

Indicator	2002-03			2010-11		
	All	SC	ST	All	SC	ST
Primary	93	89	83	99.60	99.36	97.82
Upper Primary	90	87	79	98.94	99.03	97.12
Primarry	12	14	19	1.00	0.91	1.32
Upper Primary	13	15	17	1.79	1.99	1.98

Enrolment of SC at Primary level is nearly 100% in the year 2002-03 to 2010-11. At upper primary level also, the Net enrolment rate has improved form 87% in the year 2002-03 to

99.03% in the year 2010-11. The Drop-Out rate of S.C has registered a reduction at 15% in the year 2002-03 to 1.99% in the year 2010-11. **The enrolment and dropout rate is nearly the same for SC and all. It is very good.**

The category-wise teachers at the Primary /Middle /High/ High Secondary Schools levels are as under.

Sl. No.	Category	No. of Teachers	%
1	General	28766	8.69
2	SC	45323	13.69
3	ST	3024	0.91
4	MBC	56350	17.02
5	BC	197631	59.69
Total		3,31,094	100

(Source: DISE 2009, SSA, Ch-6)

The number of teachers belongs to Backward and Most Backward forms 76.71% of the total teachers. The number of teachers belonging to SC is 13.69%. Which comes second to B.C. The percentage for SCs Teachers should be 15%.

The course-wise sanctioned strength and no of SCs admitted is much more in MBBS, BDS, B.Tech/B.Sc Agri. However, there is shortfall in the admission of SC students in BE/B.Tech. Out of total 35159 reserved seats only 17689 SCs have been admitted to B.E/B.Tech.

The break-up of these courses in 2010-11 course-wise is as under:-

Course	Institutions	Total Sanctioned Strength		SC Admitted
		General	SC	
General Education		146394	27815	24331
1. Engineering	491	1,95,324	35159	17689
2. MBBS	17	1653	297	300
3. BDS	1	85	15	17
4. B. Tech/ B.SC. Agriculture	5	470	85	93
5. Veterinary Degree	3	242	44	44
6. Law Degree	7	2314	417	417

(Source: DOTE, DME, Dir Medical Education, TN Veterinary and Animal Science University, Chennai- Post Matric Scholarship (GOI) Page 37-38)

Government of India Post-Matric scholarships are awarded to students belonging to Scheduled Castes students for Post-Matric courses. The students are sanctioned with maintenance allowance and all fees compulsorily payable by them to the educational institutions.

The ceiling limit for getting scholarships are revised with effect from 1.7.2010 (i.e.) parents/ guardians income from all sources should not exceed Rs. 2,00,000 p.a. in respect of Scheduled Castes. The Government of India bears 100% of total expenditure over and above the committed liability. Additional benefits are total expenditure over and above the committed liability. Additional benefits are given to physically handicapped students.

(Rs. In lakhs)

Year	Achievement	
	Physical	Financial
06	3,59,374	9412.82
07	3,92,037	11864.75
08	4,04,558	12948.85
09	4,25,074	14521.10
10	5,07,572	17067.11
2010-11	7,03,417	26007.19

The report gives details of PMS awarded to SC students from 2005-06 to 2010-11 with physical and Financial details. During 2010-11 for 7.03 lakh SC students an amount of Rs. 260.07 crore has been spent.

Pre-matric Scholarships (GOI)

The award of pre-matric scholarship to the children of those engaged in unclean occupation (scavenging of dry latrines, flaying and sweeping) irrespective of income, community and religion are being covered under this scheme. The Government of India bears 50% of expenditure over and above the committed level.

(Rs. In lakhs)

Year	Achievement	
	Physical	Financial
06	53070	549.32

07	54235	598.82
08	54597	627.87
09	62323	724.03
10	69096	945.02
2010-11	62740	1271.52

Post matric State Special Scholarships

The scholarship is sanctioned to all Scheduled Castes/ Scheduled Castes converts into Christianity pursuing post matric courses and whose parental annual income is below Rs. 1,00,000/-

Year	Achievement	
	Physical	Financial
06	19585	300.00
07	33393	396.69
08	45617	587.57
09	57611	660.48
10	60951	747.42
2010-11	69353	870.57

The SCSP funds should only be utilized for the Welfare and Development of Scheduled Castes only and not to converted SCs to other religions. The State Govt. of Tamil Nadu may take corrective action.

No such pockets in Tamil Nadu exist where literacy is below 2% for SC women.

Other innovative schemes by State Govt.

(i) Admission in Reputed Schools. Outstanding SC/ST students of 10th Std. are admitted in reputed private schools. There is income category of Rs. 1.00 Lakh per annum. In 2010-11, 295 students in +1 Std. and 297 students in +2 admitted.

(ii) Bright Students of 5th Std. are admitted in reputed residential schools in 6th Std. In this also SC converted into Christianity or any other religion should not form part of SCSP

(iii) To encourage girl child, to reduce drop-out SC/STs are given a sum of Rs. 1000/- per annum (100x10months) studying in 6th is awarded in all Districts except Chennai. Free Bi-cycles are given to SC/ST boys and girls of +1 and +2 Std. students.

(iv) Special coaching is also given to SC students at college level.

11. West Bengal

The State Govt. is implementing 16 Educational Schemes from the funds received from State/Central Govt. More than 30 lakh S.C students are covered under these schemes. The SC Male literacy is 70.54% and Female is 46.9%. The female literacy is very low. The State Govt. should take special efforts in this regard.

The rate of drop outs (Male and Female children) in the primary, middle and the secondary level via-a vis overall drop outs of West Bengal are as follows:

Drop out	Primary				Middle				Secondary			
	General		Sc		General		Sc		General		Sc	
	Male	Female	Male	Female	Male	Female	Male	Female	Male	Female	Male	Female
Total 11 th plan 2005-06	9.5	8.9	Data available	Not available	10.7	9.1	Data available	Not available				
2006-07	8.3	7.6	8.3	9.0	8.2	5.8	9.9	8.4				
2207-08	5.6	4.9	4.0	4.6	7.5	5.0	5.7	3.4				
2008-	7.3	5.9	4.3	5.0	10.6	8.5	8.8	6.5				

09												
2009-10	3.22	1.99	2.0	2.29	6.36	4.60	5.7	4.1				

Reasons for drop out:

The children belonging to poor economic strata of society are forced to drop out from the schools normally to participate in income generating activities like, Bidi Making, Tea leave plucking etc, to meet the economic needs of their families.

Child Marriage among girls before completion of 18 years and prohibition to elderly girl student to come out of residence are sometimes causes drop outs.

Periodical/seasonal migration.

Action taken for reducing the drop out:

Orientation programmes are being organized periodically / regularly under SSA for the teachers, Community leaders, Panchayat functionaries MTA Members for the elementary education of all the children including SCs.

All Stake Holders are encouraged to monitor the scenario of dropout and preparing action plan accordingly.

Visit to a place of educational interest. Science Museum etc for making learning process joyful among marginalized children including SC students are being undertaken on behalf of the school authorities.

Text Books, Mid Day Meals and uniform for the girls are timely distributed [to check the drop out of the students including SC]

Facilities of classroom teaching are being designed to check the drop out including SC students.

Awareness programmes are being taken by the MTA/MC/ Panchayat Members among the parents of the SC children.

Child Tracking System for out of School Children is being introduced.

Environment of the existing schools is being improved both physically and socially

There is problem of drop out among mainly Day Scholars. State Govt. has suggested for hostels attached to schools to arrest the drop-out.

It has also suggested for vocational training to make it employment oriented to attract students.

Mid Day Meal Scheme

Mid Day Meal is running in 83019 schools including Primary, Upper Primary, SSK, MSK, NCLP, Madrasha etc. covering 11889860 students.

Quality maintenance Mechanism of MDM scheme:-

Quality and hygiene in the implementation of the MDM is being maintained by the food technology and engineering department Jadavpur University & Institute of Hotel Management, Tatatala. The members of the SHGs and other staff involved in cooking have been trained by the said technology Department.

Food & supply department as well as representatives of the Nodal Agency quality food grains supplied for mid day meal, Therein also a system of testing quality of food by one teacher and guardian mother.

All DIS and SIS of school Education Department monitor each and every MDM running schools under their jurisdiction and submit report to respective nodal authorities.

Through all these monitoring measures community involvements and quality assurance of MDM are being ensured.

Educational Schemes taken up by the BCW Department:

- Book Grant to SC/ST students.
- Maintenance Grant for SC/ST students.
- Centrally Sponsored Pre-matric scholarship to the children of those engaged in unclean occupation.
- Hotel Grant for SC/ST students, residing in School attached Hostels.
- Ashram Hostel.
- Central Hostel.
- Post-Matric Scholarship to SC/ST.

- Merit Scholarship Schemes for students, reading in Classes IX to XII and V to X.
- Up-gradation of Merit for Students reading in Classes IX to XII.
- Vocation Training.
- ATDC Centers.
- PETC.
- Joint Entrance Coaching.
- Job-oriented training in collaboration with industry Sector.
- Educational Loan.
- Dr. B.R. Ambedkar Medha Puroskar.

Educational schemes for SC taken by the school Education & Higher Education Department:

Teachers in schools

The number of SC teachers in Primary/Middle/High Higher Secondary schools in the State out of total number of teachers.

		Teachers	SCs Teachers
1	Primary Schools	160045	33500
2	Middle/Jr. High School	103907	19756
3	High School	68493	9802
4	Higher Secondary School	28220	

There are 10 Govt. Engineering, 6 Medical and 9 Nursing Colleges, 26 GNM Nursing and 34 ANM Nursing Schools in West Bengal. Besides Govt. Medical Engineering Colleges, there are about 169 institutions offering professional courses. Among them there are 117 B.Ed. Colleges, 20 physical education institutions, 26 Law College, 2 Music and Home Sciences and 4 Art Colleges where 22% seats are reserved for the SCs. All the seats earmarked for SCs are filled up by SC candidates only. Moreover left out seats under ST quota, if any, are also filled up by the SC candidates. Regarding admission to medical and engineering courses, officers from the Department regularly attend counselling sessions to ensure admission of SCs students as per

reservation norms. Following statement is showing admission of SC students in Medical, Engineering and ITI courses in West Bengal:

Admission to Medical Courses

Year	Total Seats	Allocation for SC	Actually allotted
2009	1057	233	254
2010	1251	275	302

Admission to Govt. Engineering Colleges

Year	Total Seats	Allocation for SC	Actually allotted
2008	900	193	193
2009	1080	236	236
2010	1080	236	236

Admission to Govt. ITI and Govt. sponsored Industrial Training Centers:-

Year	Total Seats	Allocation for SC	Actually allotted
2008	6995	1539	1556
2009	8327	1831	1964
2010	9629	2118	2190

Source: Higher Education Department, Technical Education Department and Health & family Welfare Department, GOWB.

With regard to reimbursement of fee it is suggested that at the time of admission zero fee should be charged in Govt. Colleges. An experiment can be made on Pilot project basis in some top private college for Zero fee admission. For example, in top five private engineering colleges based on full admission, Zero fees should be charged from SCs students and the amount reimbursement by the Govt. Likewise some medical and IIMs can also be experimented on the same basis. The criteria should be on the basis of seats of SCs filled immediately in the past five years or so in Private Colleges.

In the Higher Education under Professional courses it is good to note that the number of Scheduled Castes actually given admission has exceeded the seats reserved for them.

The State Govt. of West Bengal initiative for training by TCS and absorption by companies in IT and others are good. To encourage quality education it has given 500 S.C. Students Rs. 5000/- plus certificate of Merit under the Dr. B.R. Ambedkar Meha Puraskar. Other states may also consider on this line.

Ministry of Social Justice and Empowerment

NON PLAN		(Rs. in lakh)				
	Expen. 2010 11	BE 2011-12	Expen. upto 31 Dec. 2011	RE 12	2011- 13	BE 2012
Secretariat						
2251	Salaries	1690.00	1700.00	1536.00	1840.50	1995.00
2251	Wages	18.85	19.00	14.00	19.00	21.00
2251	OTA	5.34	8.00	4.00	6.50	8.00
2251	Travel Expenses (Dom)	49.31	49.00	49.00	59.00	60.00
2251	Travel Exp. (Foreign)	9.25	24.00	1.08	14.00	24.00
2251	Publication	9.98	20.00	10.00	20.00	20.00
2251	Office Expenses	251.88	260.00	204.00	270.00	300.00
2251	Other Admn. Expenses	33.69	42.00	34.00	42.00	42.00
2251	Professional Services	3.10	3.00	2.00	3.00	3.00
	Medical Treatment	12.85	17.00	17.00	24.00	24.00
2251	Total :Secretariat	2084.25	2142.00	1871.08	2298.00	2497.00
	Discretionary Grant	1.55	6.00	0.20	6.00	6.00
2225	National Commission for SCs					
2225	Salaries	757.76	800.00	680.00	860.00	940.00
2225	Wages	4.00	5.00	4.00	5.00	5.00
2225	OTA	5.00	5.00	3.00	5.00	5.00
2225	Domestic T.A.	72.00	80.00	50.00	80.00	90.00
2225	Foreign T.A.	0.00	0.00	0.00	0.00	0.00
2225	Office Expenses	165.00	180.00	130.00	180.00	200.00
2225	Rent, Rates & Taxes	13.00	16.00	9.00	14.00	16.00
	Medical Treatment	15.00	20.00	12.00	20.00	20.00
	Total :	1031.76	1106.00	888.00	1164.00	1276.00
2225	National Commission for Safai Karmacharis					
2225	Salary	76.61	145.00	127.00	153.50	170.00
	Wages	17.50	18.00	18.00	22.00	23.00
	Over Time Allowance	0.25	1.00	1.00	1.00	0.50
	Domestic T.A.	11.88	16.00	12.00	16.00	20.00
	Foreign T.A.	0.00	1.00	0.00	1.00	1.00
	Office Expenses	44.76	45.00	40.00	70.00	65.00
	Publication	1.35	2.00	0.00	1.50	1.50
	Professional Service	0.00	0.50	0.00	0.00	0.00
	Medical Treatment	0.42	5.50	0.28	5.00	5.00
	Total :	152.77	234.00	198.28	270.00	286.00
	Total : SCD Division	1184.53	1340.00	1086.28	1434.00	1562.00

CHAPTER-IX

PROTECTION OF CIVIL RIGHTS AND PREVENTION OF ATROCITIES ON SCs

As a sequel to the abolition of untouchability practices under Article 17 of the Constitution of India the Government of India had enacted two special and socially meaningful acts viz, the PCR Act, 1955 followed, by the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 and corresponding rules thereof, by way of a legislation committed to provide an equal treatment and justice to the most deprived sections of the Indian society. The twin objectives of both these Act were to achieve abolition of untouchability and empowerment of the members of SC/ST communities in the country to eradicate the discriminatory practices against these communities as a whole which was embedded in the age-old tradition of the caste system. As no Central Law existed on the subject in the wake of the Constitutional provision under Article 17 abolishing Untouchability, a Law had to be enacted by the Parliament as required by sub-clause (a) of Article 35 of the Constitution.

2. The Parliament passed the **Untouchability (Offences) Act, 1955**, which, again was an improved version of the **Untouchability Order, 1950**, in order to give effect to the declaration made in Article 17 of the Constitution and it came into force on 01.06.1955. The statement of Objects and Reasons appended to the Bill mentions, among others, that: *"Under Article 17 of the Constitution, untouchability is abolished and its practice in any form is forbidden. The enforcement of any disability arising out of untouchability shall be an offence punishable in accordance with the law."*

3. Although the Untouchability (Offences) Act, 1955 has brought tremendous effect on the process of eradication of the evil of untouchability, it was felt in the course of its implementation that there was still enough scope and reasons to amend it for further broad-basing. In 1965, the Govt. of India, appointed a Committee under the Chairmanship of Shri L. Elayaperumal on untouchability, economic and educational development of the Scheduled Castes. The Committee submitted its report in 1969, and after examining the recommendations made by the Committee, Govt. of India introduced a Bill know as the Untouchability (Offences) and Amendment and

Miscellaneous Provisions Bill, 1972 in Lok Sabha in April, 1972. The Parliament amended the Act of 1955 in November, 1976, renaming it as the Protection of Civil Rights Act, 1955 which came into force from 19.11.1976. In this Act, the term Civil Rights has been defined as any right accruing to a person by reason of abolition of "Untouchability" by Article 17 of the Constitution. Offences committed under Act were made non-compoundable and summary trials prescribed in every such offence, except where it is punishable with imprisonment for a minimum term exceeding three months. Punishment in a number of offences was also considerable enhanced.

4. The PCR Act, 1955 seeks to demolish the age-old, biased social attitude towards lower castes treating them as untouchables who remained at the receiving end of the lowest rung of the caste ladder. Apart from the declaration in the Constitution of India that untouchability is abolished and its practice in any form is prohibited, the PCR Act, 1955 was enacted to enforce that any disability arising out of untouchability shall be an offence punishable in accordance with the law. The PCR Act, was broad-based to make it an expressed charter of civil rights for all citizens, although it was not focused exclusively on the SCs and STs and not restricted to the Hindu way of a caste-divided life. As it was difficult to define common forms of untouchability, which are practiced in India. The Protection of Civil Rights Act, 1955 provides for exemplary punishment for practices of untouchability, in various form that was eradicated under Article 17 of the Constitution. As a social legislation, PCR Act, 1955 partially succeeded in creating social awareness and in the eradication of socio-economic and religious disabilities imposed through various forms of practices of untouchability in a traditional Indian society.

5. Section 15-A of the PCR Act, 1955 imposes the statutory duty on the State Govts. to ensure that the rights accruing from the abolition of untouchability are implemented for the benefit of the discriminated/weaker sections of the society who are further subjected to social, economic and political discrimination by branding them as untouchables. Under the PCR Rules, 1976, States are also under obligation to set up special Courts for trials, appointment of officers for due supervision over prosecutions in the cases, set up district level committees and periodic assessment of the working of the Act and identification of areas where persons are suffering from various disabilities due to the practice of untouchability.

6. However, the fact remains that the PCR Act, 1955 in particular could not live up to its expectations despite listing of various untouchability practices constituting crime under the law of the land. There were legal loopholes, the levels of punishments were less punitive as compared to those of the IPC and the law and order machinery were neither professionally trained nor socially inclined to implement the spirit of such social piece of legislation. These were the major reasons why a more comprehensive and more punitive Act was required to be enacted to protect the members of SCs/STs from atrocities and prevent atrocity on them through the comprehensive and more punitive piece of legislation stand explained in the statement of objects when the bill for the SCs & STs (POA) Act was introduced in the Lok Sabha which is quoted below:

"Despite various measures to improve the socio-economic conditions of the SCs & STs they remain vulnerable. They are denied number of Civil Rights. They are subjected to various offences, indignities, humiliations and harassment. They have, in several brutal incidents, been deprived of their life and property. Serious crimes are committed against them for various historical, social and economic reasons. Because of the awareness created amongst the Scheduled Castes and the Scheduled Tribes through spread of education, etc, when they assert their rights and resist practices of untouchability against them or demand statutory minimum wages or refuse to do any bonded and forced labour, the vested interests try to cow them down and terrorise them. When the Scheduled Castes and the Scheduled Tribes try to preserve their self-respect or honour of their women, they become irritants for the dominant and the mighty. Occupation and cultivations of even the government allotted land by the SCs and the STs is resented and often these people become victims of attacks by the vested interests. Of late, there has been an increase in the disturbing trend of Commission of certain atrocities like making the Scheduled Castes persons eat inedible substances like human excreta and attacks on and mass killings of helpless Scheduled Castes and Scheduled Tribes and rape of women belonging to the Scheduled Castes and Scheduled Tribes. Under the circumstances, the existing laws like the Protection of Civil Rights Act, 1955 and the normal provisions of the Indian Penal Code have been found to be inadequate to check and deter crimes against them committed by non-Scheduled Castes and non-Scheduled Tribes belonging to SCs/STs/minorities as police personnel; programmes for creating awareness among vulnerable sections of the society and

legal recourse open to them; adopting appropriate measures for swift punishment to public servants found guilty of neglect of duty and violence against SCs/STs.

7. The SCs & STs (POA) Act, 1989 defines atrocity as an offence punishable under section 3(1) and (2) of the Act and lists 22 offences relating to various patterns of behaviour inflicting criminal offences for shattering the self-respect and esteem of the persons belonging to SCs & STs, denial of economic, democratic and social rights, discrimination, exploitation and abuse of the legal process etc. The Act, therefore, imposes exemplary punishment at a scale much more than those under the IPC for atrocities on SCs and STs, except for the offence of rape where the level of punishments under IPC is more than those contained in the POA Act. Apart from penal measures, the act also endeavors to ensure prevention of atrocities and seeks to provide legally justiciable rights to the victims of atrocities by way of a well scheduled scale of graded financial assistance to the victims of atrocities and provisions of relief and rehabilitation under Rule 12 (4) of the SCs & STs (POA) Rules, 1995, apart from various steps like provisions of legal aid to the victims, maintenance allowance during investigation and trial, identification of atrocity prone areas, etc.

8. The basic conditions for taking cognizance under the Act is that the offender/accused should not be a members of SC & ST and that the victim should be a member of SCs/STs and the offence so committed should be made with prior knowledge of the caste background of the victims. While all the offences under sections 3(1) and 3(2) of the POA Act are covered under IPC, these offences have been made non-bailable, cognizable and non-compoundable under the SCs & STs (POA) Act, 1989. Under the SCs & STs (POA) Rules 1995, these offences are required to be tried by special Courts in the State designated specifically for the purpose and investigation is to be carried out within 30 days by an officer not below the rank of Dy. Superintendent of Police so as to ensure that more than routine attention is paid by the investigation authorities while carrying out their duties under this socially meaningful piece of legislation. The social objective of both the Acts were sought to be achieved through the precautionary and preventive measures, rehabilitative measures, punitive measures enacted for the purpose.

9. There are conflicting views about the impacts of these two Acts on the overall crime scenario of the country. At the level of ideology, caste as a system has considerably weakened and perhaps has assumed newer forms or appeared as new avatar particularly in the wake of implementation of the Mandal Commission's Report in the nineties. But, still it cannot be denied that older forms and practices of untouchability have waned if not assumed newer/more subtle form but atrocities committed on SCs & STs by local dominant groups of castes/people, have, contrary to the expectations, increased in absolute number. The reasons behind this apparent reality lie in the tensions within the social, economic and political fabric of the India society but nonetheless, it still can be construed as a sad commentary on the very nature of the civil society of the world's largest democracy.

Fact sheet

For the purpose of analysing crime against SCs data provided by NCRB has been relied upon. Going by the available statistics, the magnitude of crime registered under the PCR Act has been found to be speedily decreasing particularly after 1996 when the SCs & STs (POA) Act came into effect. After the SCs & STs (POA) Act, 1989 came into force with effect from 30-1-1990; the cases of atrocity on SCs & STs are being increasingly booked under the SCs & STs (POA) Act, 1989 and less and less under the PCR Act.

Table-1

Incidence & Rate of Crimes Committed Against Scheduled Castes During 2011

Sl. No.	State / Uts	Incidence of all Crimes	Percentage Contribn to All-India Total	Mid year *Populn. (In Lakhs)#	Rate of Total Cognizable Crimes	Rank as per Rate of Total Cognizable Crimes	Rank as per % Share
1	2	3	4	5	6	7	8
STATES:							
1	AP	4016	11.9	846.65	4.7	2	3
2	ARUNACHAL PRADESH	0	0	13.83	0		
3	ASSAM	0	0	311.69	0		
4	BIHAR	3623	10.7	1038.04	3.5	6	4
5	CHHATTISGARH	253	0.8	255.4	1	17	14
6	GOA	4	0	14.58	0.3	22	23
7	GUJARAT	1063	3.2	603.83	1.8	11	10

8	HARYANA	408	1.2	253.53	1.6	12	13
9	HP	94	0.3	68.57	1.4	15	15
10	J&K	1	0	125.49	0	26	26
11	JHARKHAND	636	1.9	329.66	1.9	9	12
12	KARNATAKA	2481	7.4	611.31	4.1	4	6
13	KERALA	761	2.3	333.88	2.3	8	11
14	MP	3245	9.6	725.98	4.5	3	5
15	MAHARASHTRA	1143	3.4	1123.73	1	16	9
16	MANIPUR	0	0	27.22	0		
17	MEGHALAYA	0	0	29.64	0		
18	MIZORAM	0	0	10.91	0		
19	NAGALAND	0	0	19.81	0		
20	ODISHA	1455	4.3	419.47	3.5	7	7
21	PUNJAB	90	0.3	277.04	0.3	19	16
22	RAJASTHAN	5182	15.4	686.21	7.6	1	2
23	SIKKIM	9	0	6.08	1.5	13	22
24	TAMIL NADU	1391	4.1	721.39	1.9	10	8
25	TRIPURA	22	0.1	36.71	0.6	18	20
26	UTTAR PRADESH	7702	22.8	1995.81	3.9	5	1
27	UTTARAKHAND	32	0.1	101.17	0.3	20	18
28	WEST BENGAL	59	0.2	913.48	0.1	25	17
	TOTAL (STATES)	33670	99.9	11901.11	2.8		
UNION TERRITORIES:							
29	A&N ISLANDS	0	0	3.8	0		
30	CHANDIGARH	2	0	10.55	0.2	23	24
31	D&N HAVELI	1	0	3.43	0.3	21	25
32	DAMAN & DIU	0	0	2.43	0		
33	DELHI	28	0.1	167.53	0.2	24	19
34	LAKSHADWEEP	0	0	0.64	0		
35	PUDUCHERRY	18	0.1	12.44	1.4	14	21
	TOTAL (UTs)	49	0.1	200.82	0.2		
	TOTAL (ALL-INDIA)	33719	100	12101.93	2.8		

Total Pop. of SCs

From the above table, it is observed that Uttar Pradesh, Rajasthan, Andhra Pradesh, Bihar, Madhya Pradesh, Odisha, Gujarat are the states which show higher number of crimes in India. The UP State 7702 No. of Incidents, whereas Rajasthan has 5182 followed by Andhra Pradesh 4016. These figures indicate the rank position of the States in terms of crimes. These figures are based on the data supplied by the National Crime Records Bureau, Delhi.

Table-2**Disposal Of Cases By Courts For Crimes Committed Against Scheduled Castes during '11**

Sl. No.	Crime Head	Total No. Of Cases For Trial Including Pending Cases from previous year	Cases With-drawn by Govt.	No. of Cases				
				Compoun-ded Or With-drawn	In which Trials Completed			Pending Trial at the end of the year
	Convicted	Acquitted or Discharged	Total {(6)+ (7)}					
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)
1	MURDER (Sec. 302 IPC)	2956	1	0	297	314	611	2345
2	RAPE (Sec. 376 IPC)	5296	0	8	380	797	1177	4111
3	KIDNAPPING & ABDUCTION (Sec. 363-369, 371-373 IPC)	1531	0	3	129	189	318	1210
4	DACOITY (Sec. 395-398 IPC)	140	0	0	2	9	11	129
5	ROBBERY (Sec. 363-369, 371-373 IPC)	321	0	0	9	44	53	268
6	ARSON (Sec. 435, 436, 438 IPC)	855	0	0	45	97	142	713
7	HURT (Sec. 323-333, 335-338 IPC)	14732	0	104	749	2107	2856	11772
8	PCR ACT, 1955 FOR SCs	1175	0	13	27	129	156	1006
9	SC/ST PREV. OF ATROCITIES ACT, 1989 FOR SCs	40435	5	52	2333	5262	7595	32788
10	OTHER CRIMES AGAINST SCs	41889	14	311	2857	5667	8524	33054
11	TOTAL	109330	20	491	6828	14615	21443	87396

From the above table, it is observed that against the column of Murder, the pendency rate including that from the previous year has been shows as 2956, out of which 297 were convicted whereas 314 were acquitted or discharged which shows that the concerned authorities are not

taking these cases seriously. Especially with regard to conviction. Similar position can be gazed from other columns, for example the column of Hurt were 2107 cases were acquitted or discharged, but only 749 cases were convicted. Thus, it is seen that the concerned police authorities need to be sensitized about this marked lapse.

Table-3

Comparative Incidence of Crime against Scheduled Castes

S. No.	Crime-Head	Year					% Variation in 2011 over 2010
		2007	2008	2009	2010		
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)
1	Murder	674	626	624	570	673	18.1
2	Rape	1349	1457	1346	1349	1557	15.4
3	Kidnapping & Abduction	332	482	512	511	616	20.5
4	Dacoity	23	51	44	42	36	-14.3
5	Robbery	86	85	70	75	54	-28.0
6	Arson	238	225	195	150	169	12.7
7	Hurt	3814	4216	4410	4376	4247	-2.9
8	Protection of Civil Rights Act	206	248	168	143	67	-53.1
9	SC/ST (Prevention of Atrocities) Act	9819	11602	11143	10513	11342	7.9
10	Others	13490	14623	15082	14983	14958	-0.2
	Total	30031	33615	33594	32712	33719	3.1

Murder

(Incidence...673)

A Total of 673 cases of Murder were reported in the country during the year 2011 compared to 570 cases in the year 2010 thereby reporting an increase of 18.1%. *Uttar Pradesh*

has accounted for 42.5% of the total Murder cases reported in the country (286 out of 673 cases) followed by Madhya Pradesh 14.7% (99 out of 673 cases).

Hurt

(Incidence...4,247

Rate 0.4)

A Total of 4,247 cases of Hurt were reported during the year 2011 as compared to 4,376 cases in the year 2010 in the country thereby reporting a marginal decrease of 2.9% during the year 2011 as compared to the year 2010. *Madhya Pradesh (900 cases), Andhra Pradesh (708 cases) and Rajasthan (510 cases) accounted for 49.9% of the 4,247 such cases during the year 2011.*

Rape

(Incidence...1,557

Rate 0.1)

A total of 1,557 cases of Rape of women belonging to Scheduled Castes were reported in the country during the year 2011 as compared to 1,349 cases in the year 2010, thereby reporting an increase of 15.4%. *Uttar Pradesh has reported 397 cases accounting for 25.5% of the total 1,557 cases reported in the country followed by Madhya Pradesh 21.0% (327 out of 1,557 cases).*

Kidnapping & Abduction

(Incidence...616)

A total of 616 cases of Kidnapping & Abduction of Scheduled Castes were reported during the year 2011 as compared to 511 cases in the year 2010 thereby reporting an increase of 20.5%. *Uttar Pradesh has reported 58.8% (363 out of 616 cases) of such incidences during the year during 2011.*

Dacoity

(Incidence...36)

A total of 36 cases of Dacoity were reported during the year 2011 as compared to 42 cases in the year 2010 thereby reporting a decrease of 14.0%. *Maharashtra has reported the highest number of 16 cases, accounting for 44.4% of total cases.*

Robbery

(Incidence...54)

A total of 54 cases of Robbery were reported during the year 2011 as compared to 75 cases in the previous year thereby reporting a decrease of 28.0%. *Gujarat (19) and Maharashtra (12) accounted for 57.4% of total cases reported in the country.*

Arson

(Incidence...169)

Country-wide 169 cases of *cases of Arson during the year 2011 followed by Rajasthan (28 cases) and Madhya Pradesh (28 cases). These States accounted 56.2% of total cases reported in the country.*

Investigation of cases relating to SCs/STs :

1. 'Police' and 'Public Order' are State subjects under the Seventh Schedule (List-II) to the Constitution of India and, therefore, the State Governments and UT Administrations are primarily responsible for prevention, detection, registration, investigation and prosecution of all crimes within their jurisdiction including crimes against Scheduled Castes/Scheduled Tribes. The NCSC, however, attaches the highest importance to matters relating to the prevention of crime; and, therefore, has been advising the State Governments/UT Administrations from time to time to give more focused attention to the crimes against Scheduled Castes/Scheduled Tribes.

2. These measures relate to sensitization and training of the police personnel/law enforcement agencies; minimizing delays in investigation of cases of atrocities against SCs/STs and improving the quality of investigation; recruitment of sufficient number of persons belonging to SCs/STs/minorities as police personnel; programmes for creating awareness among

vulnerable sections of the society and legal recourse open to them; adopting appropriate measures for swift punishment to public servants found guilty of neglect of duty and violence against SCs/STs.

3. The NCSC has also requested the State Governments to undertake a comprehensive review of the effectiveness of the machinery in tackling the issues of SCs/STs and to take appropriate measures aimed at increasing the responsiveness of the law enforcement/ law and order machinery. No doubt, State Governments take some measures in this regard; however, the inputs regarding crimes against SCs/STs available with National Crimes Records Bureau (NCRB) indicate that these measures need to be strengthened further, so that Scheduled Castes/ Scheduled Tribes feel secure, enjoy their human rights and live their lives with dignity and respect. Despite several steps being taken by the State Governments, the picture is still very grim and needs to be improved. Complaints are still being received regarding non-registration of FIRs and unsympathetic/ insensitive attitude of some police personnel towards crimes against Scheduled Castes/Scheduled Tribes.

4. The National Commission for Scheduled Castes/Scheduled Tribes has undertaken visits to various States and UT Administrations to review the cases of atrocities against SCs/STs and has also conducted its own investigations in certain cases of serious incidents of crime against them. The reports of the inquiries conducted by the Commission in these specific incidents indicate that the sensitiveness and care with which crimes against SCs/STs should be handled is not up to the desired level. The Commission has pointed out laxity on the part of certain police officials in some specific cases. The Commission has observed that non-filing of FIRs even in heinous cases continues to be a problem area.

5. The NCSC is deeply concerned with the trends in crimes against the weaker sections of society, particularly Scheduled Castes/Scheduled Tribes and would therefore re-emphasize that urgent action should be taken by the State Governments and UT Administrations on the following:-

- I. Vigorous and effective enforcement of the statutory provisions and the existing legislations relating to crimes against Scheduled Castes and Scheduled Tribes including the Protection of Civil Rights (PCR) Act, 1955 and the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989.
- II. Government must ensure proper enforcement of law and convictions in crimes committed against SCs/STs. Enforcement agencies should be instructed in unambiguous terms that enforcement of the rights of the weaker and vulnerable sections should not be downplayed.
- III. The administration and police should play a more proactive role in detection and investigation of crimes against SCs/STs and ensure that there is no under reporting.
- IV. The Police officials should be directed to apply the appropriate sections of law as per the statements of the victims and no dilution should be tolerated to help the perpetrators of crimes against SCs/STs.
- V. Government must take concrete steps to increase the awareness in the administration in general and amongst the police personnel in particular, regarding crimes against SCs/STs and take steps not only to tackle such crimes but also deal with them with sensitivity.
- VI. For improving general awareness about legislations on crimes against SCs/STs the department concerned of the State Government should take the following steps:
 - a) Create awareness through print and electronic media;
 - b) Develop a community monitoring system to check cases of violence, abuse and exploitation and take necessary steps to curb the same;
 - c) Involve the Community at large in creating and spreading such awareness; and

- d) Organize legal literacy and legal awareness camps.
- VII. Proper mechanisms must be put in place for safety and protection of SCs/STs,
- VIII. Explore the possibility of associating NGOs working in the area of combating crimes against SCs/STs. Citizens groups and NGOs should be encouraged to raise awareness about these issues in society and help bring to light the cases of atrocities against SCs/STs and also assist the police in the investigation of crimes against them.
- IX. There should be no delay in the registration of FIR in cases of crimes against SCs/STs.
- X. Ensure proper supervisions at appropriate level of cases of crimes against SCs/STs from the recording of FIR to the disposal of the case by the competent court.
- XII. A separate review involving criminal cases filed by SCs/STs under investigation be conducted by the District Magistrate and District SP in the monthly meeting with I.Os to expedite investigation and guide timely collection of evidence.
- XIII. The authorities concerned in the State Governments must ensure proper follow up of reports of cases of atrocities against SCs/STs received from various sources, including the National Commission for SCs/STs.
- XIV. Atrocity-prone areas may be identified for taking preventive measures to save life and property of the members of the SC/ST communities Adequate number police personnel fully equipped with policing infrastructure should be posted in the Police Stations in such vulnerable areas.

- XV. In police stations located in areas with substantial population of SCs/STs proper representation must be given to SC/ST police personnel in postings to such police stations to gain the confidence of the SC/ST community.
- XVI. Delay in trial of cases of crimes against SCs/STs may be discussed on regular basis in the Monitoring Committee.
- XVII. The District SPs should ensure timely attendance and protection of all prosecution witnesses including Police Officers and official witnesses for speedy trial of such cases in the trial courts.
- XVIII. The State Government should ensure adequate measures for the economic and social rehabilitation of the victims of atrocities. The scale of relief to the family of a SC/ST person killed in a case of atrocity needs to be revised, particularly in cases where the deceased was an earning member of the family.
- XIX. In case of extreme violation of human dignity such as stripping of SC/ST women, forcing SC/ST persons to drink urine or eat human excreta, blackening their faces, shaving their heads and parading them in village streets etc. the police must take prompt preventive action at the initial stage itself. In such incidents of extreme violation of human rights, exemplary punishment should be awarded to the accused after summary trial.

During the year under reporting, the Atrocities & Protection of Civil Rights Wing in NCSC Hqrs. has dealt with 882 cases out of which 59 cases have been closed / disposed off and 6 cases have been recorded as successful.

STATE-WISE SCENARIO ON ATROCITY INCIDENTCES

ANDHRA PRADESH

Atrocities still continue to hamper developmental issues and creates social rifts in various parts of Andhra Pradesh, Madhya Pradesh and Chhattisgarh. Untouchability is still rampant in Andhra Pradesh, especially in Telangana region though State has reduced usage of PCR Act.

Registration of POA cases by Police:

The following is the information regarding cases registered with Police on Prevention of Atrocities Act.

STATEMENT SHOWING CASES REGISTERED WITH THE POLICE UNDER DIFFERENT NATURE OF ATROCITIES ON SCHEDULED CASTES

Name of State: Andhra Pradesh

S. No.	Head	2007	2008	2009	2010	2011	2012
1.	Murder	46	48	35	43	64	40
2.	Hurt	541	651	722	709	708	722
3.	Rape	105	88	99	100	131	88
4.	Arson	17	5	12	17	14	06
5.	Other Offences	2674	3206	3636	3452	3099	2870
	a. Other IPC	1352	1700	1860	1893	1650	1296
	b. PoA Act	1200	1383	1737	1509	1439	1568
	c. PCR Act	122	123	39	50	10	06
	Total	3383	3998	4504	4321	4016	3726

Source: IG, PCR, Govt. of AP

It is noted from above table that number of offences of atrocities on Sch. Castes recorded steady rise during 2007 to 2011. Serious offences like murder and rape did not show any declining trend. Cases registered u/s of Prevention of Atrocities Act showed rise from 1200 in 2007 to 1568 in 2012. This indicates popularity and usage of PoA. During this period there is no decrease in offences are noted. Cases reported under PCR are also very meager which indicates the diminishing popularity of the PCR Act.

Registration of cases on PCR of cases by police

STATEMENT SHOWING DETAILS OF SC CASES REGISTERED AND DISPOSED OFF BY THE POLICE UNDER THE PCR ACT, 1955

Name of the State: Andhra Pradesh

Year	Brought Forward	Registered	Total	Closed after investigation	Charges heeded in the Courts	Total	Pending
2007	27	122	149	44	82	126	23
2008	23	123	146	53	47	100	46
2009	46	39	85	37	5	42	43
2010	43	50	93	36	41	77	16
2011	16	24	40	12	7	19	21

2012 upto Nov.	03	06	09	01	0	01	08
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Source: IG, PCR

The above table indicates diminishing popularity of PCR registration. There is nothing to worry about it as all PCR offences will indirectly attract POA Act, Section 3.

Disposal of POA cases by police

STATEMENT SHOWING DETAILS OF CASES REGISTERED AND DISPOSED OFF BY THE POLICE UNDER THE SC/ST (POA) ACT, 1989

Name of the State: Andhra Pradesh

Year	No. of SC cases Brought Forward	No. of cases registered during the year	Total No. of SC Cases	No. of SC cases challenged	No. of SC cases closed after investigation	Pending
2007	638	1200	1838	540	783	515
2008	515	1383	1898	460	726	712
2009	712	1737	2449	599	1099	751
2010	751	1509	2260	650	929	681
2011	681	3782	4463	830	1523	2110
2012Up to Nov.	864	1568	2432	652	961	819

The above information is disheartening. Large Pendency is noted right from 2007 to 2012 which is a violation of Section 7(2) of POA Rules, 1995, which stipulates for investigation within one month.

Pendency of cases- analysis

Consider the following sub-table carved out of above table:-

YEAR	TOTAL NO OF CASES	PENDING	PERCENTAGE
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2007	1838	515	28
2008	1898	712	38
2009	2449	751	31
2010	2260	681	30
2011	2120	864	40
2012up to nov.	2432	819	33

While interacting with state and dist. Level officers it has come to notice that large pendency is reported because of medical reports and FSL reports. Second reason being stay granted by courts on investigation itself.

Closing cases at Police level

Moreover it is also noted from the above table that Police are closing the cases at their level.

See the following sub-table:-

Year	Total no .of cases regd.	Closed by police	Percentage
2007	1838	783	43
2008	1898	726	38
2009	2449	1099	45
2010	2260	930	41
2011	2120	609	28
2012	2432	961	39

It means that every year 28% to 45% cases are closed at Police level. This is not a legal action and reasons are yet to be known.

Disposal of cases by Special Court:

STATEMENT SHOWING DETAILS OF CASES INVOLVING SCs BY THE SPECIAL COURT

Name of the State: Andhra Pradesh

Year	No. of cases			No. of cases					Still pending
	Brought	Receiv	Total	Dispos	Endin	Ending	Cr.	Total	

	forward	ed		ed	g in	with	P.		on close
					acquitt	convicti	C.		of the
					al	on			year
2007	4369	1885	6254	17	1698	292	0	2007	4247
2008	4247	1744	5991	71	1392	213	0	1676	4315
2009	4315	1869	6184	71	1615	238	0	1927	4260
2010	4260	2187	6447	125	1508	266	0	1899	4548
2011	4548	1984	6532	86	1947	256		2289	4243
2012 (up to Nov.)	4243	166	4409	129	1331	129	0	1589	2820

The above information also shows that pendency at Court level is also seen. And the pendency of cases to the total cases, year-wise, is as under:-

year	Total cases	Pending	%
2007	6254	4247	67.9
2008	5991	4315	69.7
2009	6184	4260	68.8
2010	6447	4548	70.5
2011	6532	4243	64.9
2012	4409	2820	63.9

There is one Special Court @ one Court in each district in all 22 districts, except in Hyderabad and it is a fact that most of the courts are designated courts and not exclusive courts which is the reason for large pendency.

Conviction and acquittal rate

More specifically, the conviction rate and acquittal rate is as under:

Year	Total instituted	Convicted and percentage	Acquitted and percentage

2007	6254	292 (4.6%)	1698(27.15%)
2008	5991	213 (3.5%)	1392(23.23%)
2009	6184	806 (13%)	1047(16.93%)
2010	6447	265 (4.1%)	1509(4.11%)
2011	5197	40 (0.76%)	570(10.96%)
2012	NA	NA	NA

Relief measures

STATEMENT SHOWING RELEASE OF RELIEF MEASURES TO ATROCITY VICTIMS

YEAR	No. of victims	Relief paid (Rs. lakhs)
2007	1793	250.80
2008	689	167.55
2009	995	221.95
2010	911	160.43
2011	1256	180.50
2012	1430	256.29

Source: IG, PCR

If we read this table along with no. of cases charged by Police it would look like below:-

Year	No of cases charged by police	No. of cases relief given	Shortfall/excess
2007	540	1793	+1253
2008	460	689	+229
2009	599	995	+396
2010	650	911	+261
2011	830	1256	+426
2012	1430	1256	-174

All cases charged are eligible for relief. The above table would indicate that more than all charged cases got compensation.

ASSAM

Status of implementation of PCR Act, 1955 and the SCs & STs (POA) Act, 1989 & Rules, 1995

The steps taken by the Government of Assam in implementation of the PCR Act, 1955 and the SCs & STs (POA) Act, 1989 & Rules, 1995 are as under :

- i) A State Level Vigilance and Monitoring Committee was constituted under the Chairmanship of the Chief Minister, Assam for reviewing the implementation of the provisions of the SC/ST (POA) Act, 1989 and the Protection of Civil Rights, 1955;
- ii) The Director of Welfare of Scheduled Castes, Assam has been made Nodal Officer for coordinating the functioning of Deputy Commissioner and Supdt. of Police or other Officers responsible for implementation of the provisions of the Act. Besides, Legal Aid Committee are supervising the implementation of these Acts in all the Districts;
- iii) Law enforcement agencies including Police have been continuously sensitized to take prompt measures for conscious enforcement of the relevant statutory provisions and the existing laws;
- iv) The law enforcement machinery is well sensitized towards their responsibilities for crime against Scheduled Castes and Scheduled Tribes in conferences/seminars and training programmes in the Assam Police Headquarters, CID Hqrs., Training Institutes and District Level Police meeting;
- v) NGOs/VDPs (Village Defence Parties) of Assam and Police-Public Liaison Groups have also been sensitized and made aware to stand united against any form of crime against Scheduled Castes and Scheduled Tribes by way of discrimination;
- vi) All efforts are made through the Police machinery as well as concerning Public to check cases of violence, abuse and exploitation of Scheduled Castes and Scheduled Tribes specially where the community is a minority;

vii) As per Rule 7(3) of the Rules, 1995 the Review Committee has been constituted and the Committee comprises of :

1. Director General of Police, Assam
2. Home Secretary, Assam
3. Secretary, Social Welfare Department, Assam
4. Director of Prosecution, Assam
5. Officer-in-charge of Prosecution, Assam

During the year 2011, the Committee has reviewed 9 cases of which 6 cases have been disposed of and 3 cases are pending investigation and these cases are monitored closely. The concerned S.Ps and I.Os are being directed and briefed suitably to ensure prompt and qualitative disposal of the cases. The reasons behind success or failure of these cases under the Act have also been analysed in the month of October, 2011 so as to improve efficiency of the Investigating Agency.

viii) The following guidelines have been issued to all the District Supdts. Of Police for taking necessary action to set-up well co-ordinated machinery at District and Sub-Division Level to deal effectively with cases of atrocities of Scheduled Castes and Scheduled Tribes :

1. All the S.Ps have been instructed from time to time to ensure that O/Cs of Police Stations under their respective jurisdictions take action promptly for redressal of complaints from Scheduled Caste and Scheduled Tribe communities and :

- a) to meticulously document the FIR in Police Stations;
- b) to promptly visit the place of occurrence of such incidents and take prompt legal action against the perpetrators;
- c) to regularly brief Police Officers under them during Crime Review Meetings and Crime Conferences which are conducted periodically.

ix) The S.Ps of all Districts have been instructed to investigate cases under the Scheduled Castes and Scheduled Tribes (POA) Act, 1989 on priority basis and complete investigation within 30 days of lodging of complaint;

x) To provide safeguards against exploitation of Scheduled Castes and Scheduled Tribes to promote and protect them in respect of social, economical, educational and cultural interests;

xi) A Scheduled Castes and Scheduled Tribes Protection Cell has already been constituted as per the Rules, 1995 consisting of following members :

1. DGP, Assam - Chairman
2. Addl. DGP (CID), Assam - Member
3. Addl. DGP (A), Assam - Member
4. IGP (CWR), Assam - Member

x) As per the Sec. 14 of the Act, 1989 the Government of Assam has established 18 numbers of Special Courts in various Districts of Assam to try offences under the Act and also under the provision of Sec. 15 of the Act. The Government of Assam appointed one Special Public Prosecutor for each of the Special Court. However, no Special Police Station was set up as no area in Assam is sensitive and occurrence of such type of cases is almost non-existent;

xi) Strict directive has been conveyed to the field level Officers not to resort to undesirable progress such as non-registration of FIRs/insensitive attitude towards crimes against Scheduled Castes and Scheduled Tribes;

xii) The premiere Training Institutions and Colleges of Assam have been sensitized and given awareness of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 and rules framed thereunder in their training module and this leads to sensitization of numerous trainings of Police Training against crimes on Scheduled Caste and Scheduled Tribe community;

xiii) The Police Authorities and the Government will make efforts to also implement the following as early as possible :

- (1) Create awareness through print and electronic media;
- (2) Develop Community Monitoring System to curb such crime;
- (3) Associate more NGOs in the process;
- (4) Co-ordinate District Magistrate and District Supdt. of Police in monthly meetings with I.Os to improve investigation of such cases;
- (5) To ensure proper follow-up of reports of cases of atrocities received from various sources including the National Commission for Scheduled Castes and the National Commission for Scheduled Tribes;
- (6) To give proper rehabilitation to Scheduled Castes and Scheduled Tribes, Police Personnel in posting to such Police Stations located in areas of substantial population of Scheduled Caste and Scheduled Tribe community in order to improve confidence in the policing system;

(7) To initiate monthly meetings of Monitoring Committee consisting of Sessions Judge, District Magistrate and Supdt. of Police and Public Prosecutor of the District to expedite the trail of the cases;

(8) To improve and take adequate measures for the economic and social rehabilitation of the victims of atrocities and the scale of relief to such victims, if any;

(9) To constitute and hold meetings of the State and District Level, Vigilance and Monitoring Committee.

Cases registered under the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 for last 5 five years upto February, 2012

S.No	Year	Total Cases regd.	Case Reference	CS	FR	PI
1	2007	1	Silchar PS Case No. 1937/2007 u/s. 3(1)(viii) (ix) (x) SC/ST (POA) Act, 1989		Due to insufficient evidence	
2	2008	3	Silchar PS Case No. 2403/2008 u/s. 376/436/326/367 IPC R/W sec. 3(1)(SC/ST (POA) Act, 1989	CS		
			Panbazar PS Case No. 363/2008 u/s. 3(1)(x) SC/ST (POA) Act, 1989		Due to insufficient evidence	
			Jalukbari PS Case No. 595/2008 u/s. 294/354/509 IPC R/W sec. 3(1)(xi)(xii) SC/ST (POA) Act, 1989		Due to insufficient evidence	
3	2009	2	Paltan Bazar PS Case No.667/2009 u/s. 447 IPC R/W sec. 3(1)(iv)(v)(ix)(x) SC/ST (POA) Act, 1989		Due to insufficient evidence	

					evidence	
			Silchar PS Case No. 805/2009 u/s. 147/148/149/341/294/325 IPC R/W sec. 3(1)(xi) SC/ST (POA) Act, 1989	CS		
4	2010	7	Dholai PS Case No. 37/2010 u/s. 147/447/979/427/506 IPC R/W sec. 3(1)(v) SC/ST (POA) Act, 1989	CS		
			Tinsukia PS Case No. 381/2010 u/s. 3(1)(v)(vi) SC/ST POA Act, 1989		Due to mistake of fact	
			Tinsukia PS Case No. 382/2010 u/s. 3(1)(vi)(x) SC/ST (POA) Act, 1989		Due to mistake of fact	
			Mayang PS Case No. 65/2010 u/s. 295/506/341 IPC R/W sec. 3(1)(v) SC/ST (POA) Act, 1989		Due to mistake of fact	
			Golokganj PS Case No. 453/2010 u/s. 153(A)/342/323/506/34 IPC R/W sec. 3(1)(ix) SC/ST (POA) Act, 1989		Due to insufficient evidence	
			Silchar PS Case No. 2221/2010 u/s. 447 IPC R/W sec 3(1)(xi) SC/ST (POA) Act, 1989		Due to insufficient evidence	
			All Women PS Case No. 162/2010 u/s. 509/354/506 IPC R/W sec. 3(1)(xi) SC/ST (POA) Act, 1989			Pending Investigation
5	2011	1	Pulibor PS Case No. 209/2011 u/s. 166/211/220/295(A)/343/506/34 IPC R/W sec. 3(1)(viii) SC/ST (POA) Act, 1989			Pending Investigation

6	2012 (Till Feb)	1	Dhubri PS Case No. 67/2012 u/s. 447/379/511/506/34 IPC R/W sec. 3(1)(v)(vi) SC/ST (POA) Act, 1989			Pending Investigati on
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BIHAR

Atrocity cases registered by Police

S.No.	Number of cases brought forward	Total Number of Atrocity cases Registered	Total number of cases Charge sheeted	Total number of cases closed	Cases Pending for investigation
2010	5108	2592	2535	1633	3532
2011	3532	3346	881	623	5374
2012	5374	4940	2455	968	6891
2013	6891	NA	NA	NA	NA

Disposal of Cases By Special Courts under POA Act 1989

S.No.	Total Number of Brought forward	Received	Total	Disposed/ Withdrawn	Acquittal	Convicted	Pending
2010	6716	2321	9037	40	1220	158	7619
2011	7619	3857	11476	0	1661	196	9619
2012	9619	NA	--	NA	NA	NA	NA
2013	NA	NA	--	NA	NA	NA	NA

CHATTISGARH:

Implementation of PCR Act

Year wise Data	2007	2008	2009	2010	2011
No. of cases registered	-	-	-	-	-
No. of cases challaned	-	-	-	-	-
No. of pending investigation	-	-	-	-	-
Pending trial	-	-	-	-	-
Convicted % thereof	-	-	-	-	-

In Chattisgarh State PCR Act, 1955 is enforced but in last five year no crime has been reported under the act.ie. PCR offences are not reported which is a comfortable news.

Implementation of POA Act

Year wise Data	2008	2009	2010	2011
No. of cases registered	384	284	273	253
No. of cases closed/transfer after investigation	12/3	4/1	4/1	3/0
No. of cases charge sheeted in the Courts	369	279	262	236
No. of cases pending	0	0	6	14

Source: Govt. of CG, CSW and SO, HYD. F.No. 24/4/11/CG - RU

The data above shows declining trend of atrocity and less level of pendency. The above information also shows closing at police level is not as big as in AP.

Legal Aid (Rule 11 of POA Act, 1995)

Year wise Data	2007	2008	2009	2010	2011-12
No. of cases received	-	-	-	-	13834
No. of cases where relief provided	-	-	-	-	13834
Total amount given	-	-	-	-	Free aid

Pendency	-	-	-	-	-
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Travelling Allowance (Rule 11 of POA Act, 1995)

Year wise Data	2007	2008	2009	2010	2011-12
No. of cases received	231	111	117	137	80
No. of cases where relief provided	231	111	117	137	80
Total amount given (Lakhs)	1.594	0.4838	0.122	0.513	0.5725
Pendency	-	-	-	-	-

This table indicates that all cases regd. By police are not considered for legal aid ó a disconnect of authorities is evident.

Maintenance Expenses (Rule 11 of POA Act, 1995)

Year wise Data	2007	2008	2009	2010	2011-12
No. of cases received	177	66	115	92	42
No. of cases where relief provided	177	66	115	92	42
Total amount given (Lakhs)	0.089	0.036	0.056	0.05	0.029
Pendency	-	-	-	-	-

Special Courts (Section 14 of POA Act, 1989)

There are six special courts viz. Raipur, Durg, Rajnandnagaon, Bilaspur, Jagadalpur, Surguja.

Year wise Data	2008	2009	2010	2011
No. of cases including brought forward cases	743	744	850	959
No. of cases disposed of	278	156	127	287
No. of cases ending in conviction	82	38	38	70
No. of cases ending in acquittal	196	118	89	217
No. of cases pending at the end of year	465	588	723	772

Source: F.No. 24/4/11/CG-RU vol I

Conviction Rate

year	Total no. of cases	convicted	%
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2008	743	82	11.0
2009	744	38	5.1
2010	850	38	4.4
2011	959	70	7.2

Relief of Rehabilitation (Rule 12 of POA Rules, 1995)/Contingent Plan Rule 15

Year wise Data	2007	2008	2009	2010	2011
No. of cases taken up	-	-	-	-	03
No. of cases in which relief was provided	-	-	-	-	03

JHARKHAND

Atrocity cases Registered under POA ACT 1989

S.No.	Number of cases brought forward	Total Number of Atrocity cases Registered	Total number of cases Charge sheeted	Total number of cases closed	Cases Pending for investigation
2010	455	237	200	118	369
2011	369	288	210	97	350
2012	350	406	200	111	445
2013	455	NA	NA	NA	NA

(Source:- State Govt. Reports)

Disposal of Cases By Special Courts under POA Act 1989

S.No.	Total Number of Brought forward	Received	Total	Disposed/ Withdrawn	Acquittal	Convicted	Pending
2010	680	445	1125	02	276	95	752

2011	752	304	1056	01	175	66	814
2012	814	NA	--	NA	NA	NA	NA
2013	NA	NA	NA	NA	NA	NA	NA

(Source:- NCRB Reports)

MADHYA PRADESH:

STATEMENT SHOWING CASES REGISTERED WITH THE POLICE UNDER DIFFERENT NATURE OF ATROCITIES ON SCHEDULED CASTES

S. No.	Head	2007	2008	2009	2010	2011	2012
1.	Murder	86	87	99	102	89	85
2.	Hurt	664	706	713	877	903	111
3.	Rape	343	357	324	316	316	364
4.	Arson	32	41	35	24	31	29
5.	Other Offences	0	0	0	0	0	2342
	a. Other IPC	0	0	0	0	0	0
	b. PoA Act	2981	1774	1869	2055	1888	-
	c. PCR Act	0	0	0	0	0	0
	Total	4106	2965	3040	3374	3227	2931

Source: IG, AJK, Govt. of MP & Commissioner, SC Dev., Govt. of MP.

Number of atrocity incidents recorded declining trend in 2008, in comparison to previous year. But it increased gradually during 2009, 2010, 2011 and 2012. Cases regd. Under PAA recorded declining trend. Mureder and rape incidents remained almost static during the above years.

STATEMENT SHOWING DETAILS OF SC CASES REGISTERED AND DISPOSED OFF BY THE POLICE UNDER THE PCR ACT, 1955

	Brought Forward	Registered	Total	Closed after investigation	Chargesheeted in the Courts	Total	Pending

Year							
2007	0	0	0	0	0	0	0
2008	0	0	0	0	0	0	0
2009	0	0	0	0	0	0	0
2010	0	0	0	0	0	0	0
2011	0	0	0	0	0	0	0

Source: IG, AJK, Govt. of MP

The above table indicates non-popularity or otherwise non-practice of untouchability in the state.

STATEMENT SHOWING DETAILS OF CASES REGISTERED AND DISPOSED OFF BY THE POLICE UNDER THE SC/ST (POA) ACT, 1989

Year	No. of SC cases Brought Forward	No. of cases registered during the year	Total No. of SC Cases	No. of SC cases challaned	No. of SC cases closed after investigation	Pending
2007	303	4106	4409	3976	142	291
2008	291	2965	3256	3016	62	178
2009	178	3040	3218	3022	55	141
2010	141	3241	3382	3126	93	163
2011	163	3227	3390	3174	62	154

Source: IG, AJK, Govt. of MP

% of closure and pendency at police level

year	Total cases	Closed (%)	Pending (%)
2007	4409	142(3.22)	291(6.6)
2008	3256	62(1.90)	178(5.46)
2009	3218	55(1.70)	141(4.38)
2010	3382	93(2.74)	163(4.82)
2011	3390	62(1.82)	154(4.54)

This information shows that every year negligible percentage of cases are closed at police level and pendency of investigation varies between 4.5% to 6.6%. Both these are within the boundary of satisfactory level.

State Level Vigilance & Monitoring Committees in the State of Andhra Pradesh, Madhya Pradesh & Chhattisgarh:

State Level Vigilance and Monitoring Committees are constituted at Andhra Pradesh, Madhya Pradesh and Chattisgarh under the Chairmanship of Chief Minister. In Andhra Pradesh no meeting was conducted for the last two years. After the recent review of State Level by Commission the Government organized a meeting on 11.02.2013 and they invited Smt. Latha Priya Kumar, Honøble Member.

In Chattisgarh the meeting was held on 06.07.2012 & 19.12.2012 and in Madhya Pradesh no meeting was held during 2012.

In all State Level Committees Director of State Office is a member; but no invitations received. However, we are collecting the minutes and submitting it to Commission.

District Level Vigilance and Monitoring Committees

District Level Vigilance and Monitoring Committees are working in all districts. Commissioners/Collectors of each District are monitoring such meetings. In Chattisgarh and Madhya Pradesh it was noticed that Collectors and Superintendents of Police are not participating personally. We have taken up this with Government and suitable instructions were issued by Chattisgarh Government.

Study on Atrocity Situation

Quick sample studies have been taken up regarding implementation of provision of atrocity situation in some districts of Andhra Pradesh and Madhya Pradesh.

Enhancement of compensation to atrocity victims

Government of India, Ministry of SJ&E issued Notification dated 23.12.2011 enhancing compensation to atrocity victims. Following this Social Welfare Department, Government of Andhra Pradesh issued GO.No. 22, dated 16.06.2012 increasing the compensation package on par with Government of India rate. Not only that this GO will apply to SC/ST victims of police firing and extremist violence, and political clashes. SC/ST Development Department of Government of Chattisgarh issued Notification No. F-106/2009/25-2 dated 23.08.2012 on the same lines of Government of India notification. Government of Madhya Pradesh is yet to follow the suit.

MAHARASHTRA

Non registration of FIR and non invoking of the proper sections of POA Act 1989 is the common complaint. Whereas the conviction rate is very low this is alarming. No State Level High Power Vigilance meeting took place for last 2 years. No amendments took place in enhancement of financial assistance for more than 1 year time period. No travelling allowance is provided to the victim since 2007 till March 2013. In Maharashtra this year 6 special courts are setup to dealt with the atrocity cases.

Statement showing the cases registered with the police under different Nature of Atrocities on Scheduled Castes under SCs/STs POA Act 1989.

State: Maharashtra

Sr.No.	Nature of Offence	2011	2012
1	Murder	31	36
2	Grievous Hurt	108	42
3	Rape	99	100
4	Arson	9	11
5	Other Offences		
	a) Other IPC	824	855
	b) Other POA	63	46
6	PCR	13	4
	Total	1147	1094

Statement showing the cases registered with the police under Different Nature of Atrocities on Scheduled Castes under SCs/STs POA Act, 1989

Sr. No	Year	No. of cases	No. of cases	Total No.	No. of cases	No. of cases	No. of cases	Cases pendin	Convicted
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		brought forward	registered during the year	of cases	cases challenged	closed after investigation	pending	for trial	
1	2	3	4	5	6	7	8	9	10
6	2012	419	1094	1513	888	186	256	4325	35

KARNATAKA :

ATROCITY DETAILS FOR THE YEAR 2012

<i>Sl.No</i>	<i>Name of offences</i>	<i>Total No. of cases registered Upto October 2012</i>
1.	<i>Murder</i>	32
2.	<i>Attempt to Murder</i>	59
3.	<i>Grievous Hurt</i>	1
4.	<i>Kidnappings</i>	7
5.	<i>Rape</i>	58
6.	<i>Theft Extortion</i>	-
7.	<i>Robbery</i>	-
8.	<i>Dacoity</i>	-
9.	<i>Arson</i>	6
10.	<i>House Trespass</i>	-
11.	<i>Other IPC</i>	39
12.	<i>SC/ST (POA) Act, 1989</i>	1096
	<i>TOTAL</i>	1298

ODISHA

Incidence of Atrocities:

Statement showing cases registered under SC/ST (POA) Act, 1989 and PCR Act, 1955 in different nature and its disposal by the Police and Court are enclosed at Annexure-I & IV.

Special drive has been taken up to ensure that the investigation into these cases is completed as soon as possible. Action is being initiated against the defaulters and the concerned SPs are reminded from time to time to ensure that there is no unnecessary delay. Periodic

reviews are also being held.

Cases registered under Section 156 (3) of Cr.P.C. in last three years against the SCs in the following table :-

Sl No	Nature of offence	No. of cases registered during the year				
		2008	2009	2010	2011	2012
1	Murder	1	0	0	0	0
2	Rape	7	7	3	6	7
3	Arson	0	2	1	0	1
4	Grievous Hurt/ Violence	12	15	21	9	5
5	Other offences under the IPC	158	185	175	93	89
	Total	178	209	200	108	102

Various steps taken to prevent recurrence of crimes on SCs and machinery set up at the State, District and local level:

Following steps stated to have taken.

- All Atrocity cases are treated as Special Reported cases.
- The investigation of such cases are entrusted to Deputy Superintendent of Police or Officers above the rank of the Deputy Superintendent of Police under the supervision of Dist. S.P. or Addl. S.P.
- In all such cases, Joint Enquiry are conducted by the Senior Police Officers and the Magistrates and relief given to victims of the cases as per the recommendations of the Enquiring Officer in terms of the norms of the SCs & STs (POA) Rules, 1995.
- State HRPC is monitoring the investigation of such cases and imparts proper instructions to District S.P.

- District HRPC has been set up in each Dist Headquarters to look into such cases and imparts proper instructions to District S.P.
- Dist HRPC has been set up in each district headquarters to look into such cases.
- Senior Police Officers during their visit to Police Stations supervise and instruct the Police personnel to give due importance to the weaker section of the society.
- Atrocity prone areas have been identified and Addl. Dist. Magistrates have been appointed as the Special Officer for those areas to monitor the implementation of the provisions of the Act.
- District Level Vigilance & Monitoring Committees have been formed in the districts to review the implementation of the provisions of the Act, relief rehabilitation facilities provided to the victims and other matter there with, prosecution of those cases under the Act, role of different Officers/agencies responsible for implementing the provisions of the act and various report received by the District administration. Besides, it organizes Workshops in the identified prone areas and make people aware of the provisions of the SCs & STs (POA) Act & PCR Act.
- State Level Vigilance & Monitoring Committees has been formed at the State Level to monitor the implementation of the PCR & POA Act & Rules framed there under. All the District S.P.s have been instructed to maintain public order and tranquility in atrocity prone areas by making frequent visit and interaction with the public in order to take timely preventive measures to avoid atrocity on SCs/STs.
- All the dist Collectors/SPs have been instructed to set up awareness campaign with the help of NGOs by organizing Workshops in identified areas in the districts.
- All the Dist SPs have been instructed to display the salient features of the SCs & STs (POA) Act and PCR Act in Odia version at all the Police Station through hoardings at important public places like Courts, Dist. Headqrs. etc for awareness of the general public, the SC & ST community as a whole about the implications of the law and facilities provided to them under

these Acts. Funds have been released to all Dist Welfare Officers of the State and leading NGOs to create awareness programs through hoardings, awareness camps, Seminars etc.

- A Circular from the ADGP, HRPC, Odisha, Cuttack vide letter No. 6156/HRPC dt. 24.11.2010 has been issued to all SPs regarding preventive actions against persons promoting disharmony between members of SC/ STs and other castes. In the Circular it has been suggested to initiate preventive steps U/S 107/108 Cr.P.C. cases. That apart, legal action U/S 153-A IPC has been suggested.

Special Cell/ Police Station been set up in the sensitive areas to deal with such cases , if any:

Govt. vide Notification No. 62181/HRPC dt. 6.11.2000 have constituted Dist. HRPC in 32 Police Dists to look into such cases in which progress of the cases relating to SC & ST POA Act, 1989 and PCR Act, 1955 is monitored. A Dy S.P. heads the Cell under the direct supervision of Dist S.P.

Survey/study conducted into crimes/atrocities prone and sensitive areas:

- Atrocity prone areas have been notified by the Govt. of Orissa and this has been circulated to all concerned for necessary action at their end .
- The Dist. SP. has been asked to remain vigilant.
- Biju Pattanaik State Police Academy (BPSPA), Bhubaneswar is conducting special training for Dy. SsP. who are Investigating Officers in these cases on SC/ST POA Act.

Functioning of the Special Courts, set up under Section 14 of the SCs & STs (POA) Act, 1989:

- All the atrocity cases are being tried by the Dist. and Sessions Judge designated as Special Court in the districts as per Govt. Notification No. 43448 dt. 26.6.2000.
- Govt. is actively considering to set up 3 nos. of Exclusive Special Courts in Cuttack, Balasore and Bolangir.

Machinery set up at the State, District and local level to deal with the crimes against SCs:

- For ensuring effective implementation of welfare programmes and prospective legal provisions in relation to SCs & ST communities, the State Govt. has created a Special Cell vide ST & SC Dev. Deptt. Notification No. PCR (A) 6/2007 13250/SSD dt. 5.4.2007.

- The State HRPC is monitoring the cases registered under SCs & STs (POA) Act, and PCR Act for the entire State.
- Govt. vide Notification No. 62181/HRPC st. 6.11.2000 have constituted Dist HRPC in 32 Police dists to look into such cases in which progress of the cases relating to SCs & STs (POA) Act, 1989 and PCR Act, 1955 is monitored.
- All local level Police Station deal with the crime against SCs

Monetary relief provided to the number of Scheduled Caste victims of atrocities during the last five financial years from 2005-06 to 2011-12.

Year	Amount provided (Rs. in lakh)	No. of Beneficiaries
2005-06	8.10	211
2006-07	28.99	428
2007-08	27.63	324
2008-09	34.30	319
2009-10	34.33	286
2010-11	281.57	1497
2011-12	140.47	1115
Total	555.39	4180

Allocations and the expenditure from the State Plan and Central, Assistance under the Centrally Sponsored Schemes for implementation of PCR Act, 1955 and SCs & STs (POA) Act, 1989 during the last five financial years 2005-06 to 2010-11

(Rs. in Lakh)

Year	Total funds received			Expenditure	No. of SC beneficiaries
	State Plan (both SC & ST)	Centrally Sponsored Scheme (both SC & ST)	Total		

<i>2005-06</i>	<i>10.50</i>	<i>5.50</i>	<i>16.00</i>	<i>9.52</i>	<i>231</i>
<i>2006-07</i>	<i>24.28</i>	<i>15.78</i>	<i>40.06</i>	<i>33.53</i>	<i>489</i>
<i>2007-08</i>	<i>21.00</i>	<i>99.80</i>	<i>120.80</i>	<i>84..08</i>	<i>420</i>
<i>2008-09</i>	<i>21.01</i>	<i>120.00</i>	<i>141.01</i>	<i>96.83</i>	<i>450</i>
<i>2009-10</i>	<i>22.01</i>	<i>140,00</i>	<i>162.01</i>	<i>160.26</i>	<i>483</i>
<i>2010-11</i>	<i>34.00</i>	<i>758.74</i>	<i>792.74</i>	<i>792.74</i>	<i>2102</i>
<i>2011-12</i>	<i>24.00</i>	<i>807.92</i>	<i>497.01</i>	<i>497.01</i>	<i>1598</i>
<i>Total</i>	<i>156.80</i>	<i>1947.74</i>	<i>1769.63</i>	<i>1673.97</i>	<i>5773</i>

Sensitive areas, if any identified:

Atrocity prone areas in the State have been identified. Govt. of Orissa ST & SC Development Department Notification No.PCR-18/2000/SSD Dt.10.01.2003 have appointed the Addl. District Magistrate of the concerned districts as Special Officer in respect of atrocity prone areas of the said districts

Sl. No	Name of District	Officers appointed as Special Officers	Details of areas identified as atrocity prone
1	<i>Angul</i>	<i>ADM, Angul</i>	<i>Angul (Pallahara,Chhendipada,Jarapada Police station area)</i>
2	<i>Bhadrak</i>	ADM, Bhadrak	<i>Bhadrak(Bhadrak Town,Rural(sadar),Naikanidihi, Dhusuri,Bansada Police Station areas)</i>
3	<i>Boudh</i>	ADM, Boudh	<i>Boudh(Boudh,Baunsuni,Namamunda,Kantamal,P uruna Katak,Harabhanga Police Station areas)</i>
4	<i>Balasore</i>	ADM, Balasore	<i>Balasore(Balasore Town, Khantapada Industrial Areas,Oupada,Singla,Sadar Police Stations areas)</i>
5	<i>Cuttack</i>	ADM, Cuttack	<i>Cuttack(Baramba,Niali,Govindpur Police Station areas)</i>
6	<i>Dhenkanal</i>	ADM, Dhenkanal	<i>Dhenkanal(Sadar,Gondia Police Station areas)</i>
7	<i>Deogarh</i>	ADM, Deogarh	<i>Deogarh (Entire Deogarh District in all the four</i>

			<i>Police Station areas)</i>
8	<i>Kandhamal</i>	ADM, Kandhamal	<i>Kandhamal(Entire Kandhamal District is the atrocity prone areas as intimated by the S.P. kandhamal</i>
9	<i>Kalahandi</i>	ADM, Kalahandi	<i>Kalahandi(Dharmgarh,Junagarh,Jaipatna,Koksar a,Sadar,Kegaon & Bhawanipatna Town Police Station areass</i>
10	<i>Khurda</i>	ADM, Khurda	<i>Khurda(Badagada,Lingaraj,Balianta,Balugaon, Banpur,Jankia,Balipatna,Khandagiri Police Station areas)</i>
11	<i>Keonjhar</i>	ADM, Keonjhar	<i>Keonjhar(Keonjhar Town,Sadar,Patna,Ghasipura, Ghatagaon,Anandapur,Champua,Joda,Barbil Police Station areas .</i>
12	<i>Maayurbhanj</i>	ADM, Mayurbhanj	<i>Mayurbhanj (Baripada Town,Bangriposi,Khunata, Udala,Thakumunda,Karanjia,Jharpokharia, Rasgovindpur,Barsahi Police Station area)</i>
13	<i>Nuapada</i>	ADM, Nuapada	<i>Nuapada(Sinapalli Block area)</i>
14	<i>Puri</i>	ADM, Puri	<i>Puri (Sadar,Town,Sea Beach,Chandanpur,Satyabadi, Brahmagiri,Delang,Kanas,Pipil,Gop, Balanga, Nimapara,Kruhnapsad Police Station areas)</i>
15	<i>Sonepur</i>	ADM, Sonepur	<i>Sonepur (Sonepur,Biramaharajpur Police Station areas)</i>
16	<i>Sundergarh</i>	ADM, Sundergarh	<i>(Sundergarh Town,Sadar,Lephripada, Hemgiri,Besra,,Rajgangpur and Rourkela Sector-19 Police Station areas)</i>

STATEMENT SHOWING CASES REGISTERED WITH THE POLICE UNDER DIFFERENT NATURE OF ATROCITIES ON SCHEDULED CASTES UNDER THE SC/ST (POA) Act, 1989.

Sl. No.	Nature of Offence	Scheduled Castes						Remarks
		2007	2008	2009	2010	2011	2012	
1	Murder	13	17	10	9	13	12	
2	Grievous Hurt	102	105	81	101	127	188	
3	Rape	57	71	67	62	41	79	
4	Arson	19	20	25	13	18	31	
5	Other Offences	-	-	-	-			
a	Other IPC	1164	1039	1052	1039	1057	1634	
b	Other POA	-	-	-	-	0	0	
c	PCR	1	2	0	3	0	1	
	Total	1356	1254	1235	1227	1256	1944	

STATEMENT SHOWING DETAILS OF CASES REGISTERED AND DISPOSED OFF BY THE POLICE UNDER THE PROTECTION OF CIVIL RIGHT ACT. 1955.

Sl No	Year	No of cases brought forward	No of cases registered during the year	Total no of cases	No of cases challenged	No of cases closed after investigation	No of cases pending	Remarks
1	2007	0	1	1	0	0	1	
2	2008	1	2	3	0	0	3	
3	2009	3	0	3	0	1	2	
4	2010	2	3	5	0	4	1	
5	2011	1	0	1	0	0	1	
6	2012	1	1	2	0	1	1	

STATEMENT SHOWING DETAILS OF CASES REGISTERED AND DISPOSED OFF BY THE POLICE UNDER THE SCHEDULED CASTES AND SCHEDULED TRIBES (PREVENTION OF ATROCITY)" ACT, 1989.

Sl No	Year	No of SC cases brought forward	No of SC cases registered during the year	Total no of SC cases	No of SC cases challenged	No of SC cases closed after investigation	No of SC cases pending	Remarks
1	2	3	4	5	6	7	8	9
1	2007	923	1356	2279	604	955	1324	
2	2008	1324	1254	2578	599	877	1701	
3	2009	1701	1235	2936	695	1075	1861	
4	2010	1861	1227	3088	1230	1809	1279	
5	2011	1279	1256	2535	873	1441	1094	
6	2012	1094	1943	3037	608	1511	1526	

STATEMENT SHOWING THE DISPOSAL OF CASES INVOLVING SCs BY THE SPECIAL COURTS DURING THE YEAR 2007, 2008, 2009, 2010,2011 & 2012

Sl No	Year	No of cases			No of cases				
		Brought forward	Received	Total	Disposed	Ending in Acquittal	Ending in conviction	Cr. PC	Still pending on close of year
1	2	3	4	5	6	7	8	9	10
1	2007	5937	737	6674	289	260	29	0	6385
2	2008	6385	556	6941	131	124	7	0	6810
3	2009	6810	407	7217	103	97	6	0	7114
4	2010	7114	1055	8169	152	147	5	0	8017
5	2011	8017	873	8890	171	157	14	0	8719
6	2012	8719	873	9592	169	166	3	0	9423

Bonded Labour: State Odisha:

Survey' / study conducted on the incidents of bonded labour:

A survey on bonded labour was conducted during 2001-2002 in respect of ten districts, viz., Mayurbhanj, Koraput, Bargarh, Kandhamal, Kalahandi, Sundargarh, Rayagada, Malkangiri, Cuttack and Keonjhar. As a result of this survey 19 bonded labourers were identified in Malkangiri district. No bonded labourer was identified in any of the remaining nine districts.

Steps have been taken to abolish Bonded Labour system:

Vigilance committees on bonded labour have been constituted in all districts and sub-divisions to help in identification, release and rehabilitation of bonded labourers. Implementation of different anti poverty schemes of Government like MGNREGS and IAY has helped prevent people from being bonded. Besides the State Government have tried to release rehabilitation assistance @ Rs 20,000/- per bonded labourer (including the central share of Rs. 10,000/-) under the Centrally Sponsored Plan Scheme.

Number of Bonded Labourers have got relief and rehabilitation during the last five financial years from 2005-06 to 2009-10.

12 bonded labourers of Bolangir district have got relief and rehabilitation as per sanction order No. 21557/dt 21.5.2008 during the last five financial years ending 2009-10

Year	Total No. of Bonded Labourers	No. of Bonded Labourers got relief	No. of Bonded Labourers rehabilitated	No. of Bonded Labourers who relapsed to the Bonded Labour system after rehabilitation	Reasons thereof and steps taken to check the same with details
2008-09	12	12	12	No report has been received from any quarter regarding relapse of the bonded labourers after rehabilitation	Does not arise

TRIPURA :

1. a) Implementation of PCR Act.

Year Wise Data	2007	2008	2009	2010	2011
No. of Cases registered	No case registered during the period from 2007-2011				
No. of Cases Challaned					
No. of Cases Pending investigation					
Pending trial					
Convicted, % thereof.					

Source: Home Deptt.

b) Implementation of POA Act.

Year Wise Data	2007	2008	2009	2010	2011
No. of Cases registered	3	2	6	2	2

No. of Cases Challaned	2	1	2	2	1
No. of Cases Pending investigation	--	--	--	--	--
Pending trial	--	--	2	2	1
Convicted, % thereof.	--	1	--	--	--

Note:- In the year 2008 one Case vide DMN PS C/No.118/08 is covered U/S 341/323/34 IPC but ST/SC (POA) Act. not established.

Source: Home Deptt.

2. State Level High Power Vigilance and Monitoring Committee (Rules 16 of POA Act, 1995)

Year Wise Data	2007	2008	2009	2010	2011
No. of Members	At the State level, there is a high power SC Welfare Advisory Committee under the Chairmanship of the Honøble Chief Minister. The committee consists of prominent SC leaders.				
Dates of Meetings					
Issues discussed					
Decisions Taken/ Implemented					

3. District Level High Power Vigilance and Monitoring Committee, (Rules 17 of POA Act, 1995)

Year Wise Data	The State is free from Atrocity. As such no Committee was formed. However, there is a State level cell in the Directorate for Welfare of SCs & OBCs headed by the Director to monitor such cases and in each District. Concerned DM & Collector is monitoring such cases and reports to the State Level Cell in case any incident is occurred.
No. of Members	
Dates of Meetings	
Issues discussed	
Decisions Taken/ Implemented	

Source: Home Deptt

4. SC Welfare Advisory Board.

Year Wise Data	2007	2008	2009	2010	2011
No. of Members	27	27	27	27	23

Dates of Meetings	24 th Sept.2007	--	--	--	--
Issues discussed	1. Special Development Programme for Welfare of SCs 2.Scheme wise S.C. plan outlay during 2007-08 3.NSFDC loan	--	--	--	--
Decisions Taken/ Implemented	Minutes of the meeting is enclosed at Annexure- A.	--	--	--	--

Source: SCW

5. SC/ST Protection Cell (Rules 8 of POA Act, 1995)

Year Wise Data	The State Govt. has set up a ST/SC Protection Cell in the Directorate for Welfare of SCs & OBCs headed by the Director. At present there are 8 districts in Tripura including recently created 4 District. District level Protection Cell is being headed by the concerned District Magistrates.
Total No. of Cases Registered	
Total No. of Cases forwarded to Challan	
Final Decision/relief provided to the Victims	

Source: SCW

6. SC/ST Nodal Officer (Rules 9 of POA Act, 1995)

Year Wise Data	The Scheduled Caste Welfare Department is designated as nodal agency. Director for Welfare of SCs & OBCs is Nodal Officer and responsible for implementation and monitoring of SC/ST POA Act, 1989
Total No. of Nodal Officers	
No. of Issues/Cases taken up	
No. of Cases forwarded for Challan	
Final Decision/relief Provided to the Victims	

Source: SCW

7. Appointment of Special Officer (Rules 10 of POA Act, 1995)

Year Wise Data	In pursuance of the clause of Sub-Section(2) of section 15(A) of the protection of Civil Right Act, 1955(Act 22 of 1955) the State Govt. has appointed(i) Sub-Divisional Magistrate of the Sub-Division. (ii). Deputy Collectors(Revenue)(Circle Officers of Revenue Circles and (iii) Police officers up to the rank of Sub- Inspector for initiating and exercising supervision and prosecution under the provision and the said Act.
Total no. of Special Officer appointed	
No. of Cases assigned to them	
No. of Cases investigated by them	
Final outcome	

Source: SCW

8.a) Legal Aid (Rules 10 of POA Act, 1995)

Year Wise Data	2007	2008	2009	2010	2011
No. of Cases received	In the State of Tripura Legal Aid to SC is provided under the legal services authorities Act, 1987				
No. of Cases where relief provided					
Total amount given					
Pendency					

Source: Home Deptt.

b) Traveling (Rules 11 of POA Act, 1995)

Year Wise Data	2007	2008	2009	2010	2011
No. of Cases received	Not available				
No. of Cases where relief provided					
Total amount given					
Pendency					

Source: Home Deptt.

c) Maintenance Expenses (Rules 11 of POA Act, 1995)

Year Wise Data	2007	2008	2009	2010	2011
No. of Cases received	Not available				
No. of Cases where relief provided					
Total amount given					
Pendency					

Source: Home Deptt.

9. Toll Free Helpline for SCs/STs

Year Wise Data	Almost all Police Stations are accessible to citizens. Almost all Police Station Offices of the SP and DGP are having telephone lines. Toll free help line is not required in Tripura due to very low level of incidents.
Telephone No.	
Total Calls received	
No. of Cases registered	

Source: SCW

10. Special Courts (Section 14 of POA Act, 1989) Special Police Statement by whom?

Year Wise Data	2007	2008	2009	2010	2011
No. of Special Courts	3	3	3	3	3
No. of crimes pending investigation	--	--	--	--	--
Pending trial	2	--	2	2	1
Closed/ acquitted	1	1	4	--	1
Convicted % thereof.	--	1	--	--	--

Note:- The State Govt. with the concurrence of the Honorable Chief Justice of the Guwahati High Court has specified the Court of Session Judges, pre-bifurcated District at West Tripura District, Agartala, North Tripura District, Kailashahar & South Tripura District Udaipur, as special Court.

Source: Home Deptt

11. Relief of Rehabilitation (Rule 12 of POA Rules 1995)/Contingent Plan Rule 15.

Year Wise Data	2007	2008	2009	2010	2011
No. of cases taken up	--	--	3	2	1
No. of cases in which relief was provided	--	--	3	2	1

Source: SCW

12. Atrocities

Year wise comparison of Crime	No. of Crimes	% of Crimes	Pending investigation	Pending trial	Decided/ convicted	% of Conviction and Rank	Remarks

2010	2	--	--	2	--	--	--
2009	6	--	--	2	--	--	--
2008	2	--	--	--	--	--	--
2007	3	--	--	2	--	--	--

Source: Home Deptt.

13, Training for guiding Investigating Officer in POA Act, 1989

Year Wise Data	2007	2008	2009	2010	2011
Total No. of Police personnel to whom this training	-Nil-				
To Civil Administration Officers.					

Source: Home Deptt.

TAMIL NADU :

STATEMENT SHOWING THE CASES REGISTERED WITH THE POLICE UNDER DIFFERENT NATURE OF ATROCITIES ON SCHEDULED CASTES UNDER THE SCHEDULED CASTES AND SCHEDULED TRIBES (PREVENTION OF ATROCITY) ACT, 1989

S. No.	Nature of offence	Scheduled Castes						04/2013
		2007	2008	2009	2010	2011	2012	
1.	Murder	54	34	27	30	43	51	12
2.	Grievous hurt	21	19	14	18	59	71	13
3.	Rape	34	30	29	25	41	22	10
4.	Arson	12	9	12	11	14	13	5
5.	a) Other POA	1205	1424	1157	1294	1170	1373	469
	b) PCR	10	5	--	2	3	-	-
Total		1336	1521	1239	1380	1330	1536	509

STATEMENT SHOWING THE DETAILS OF CASES REGISTERED AND DISPOSED OFF BY THE POLICE UNDER THE PROTECTION OF CIVIL RIGHT ACT, 1955

S. No	Years	No. of cases brought forward	No. of cases registered during the year	Total No. of cases	No. of cases Challenged/Charged	No. of cases closed after investigation	No. of cases pending	Remarks
1.	2007	--	10	10	6	4	--	--
2.	2008	--	5	5	2	3	--	--
3.	2009	--	--	--	--	--	--	--
4.	2010	--	2	2	1	--	1	--
5.	2011	1	3	4	2	2	--	--
6	2012	--	--	--	--	--	--	--
7	04/2013	--	--	--	--	--	--	--

STATEMENT SHOWING THE DETAILS OF CASES REGISTERED AND DISPOSED OFF BY THE POLICE UNDER THE SCHEDULED CASTES AND SCHEDULED TRIBES

(PREVENTION OF ATROCITY) ACT, 1989

S. No	Year	No. of cases brought forward	No. of SC cases registered during the year	Total No. of SC cases	No. of SC cases challenged/charged	No. of SC cases closed after investigation	No. of SC cases pending	Remarks
3.	2007	213	1326	1539	682	541	316	As on date 646 cases are under investigation
4.	2008	316	1516	1832	762	715	355	
5.	2009	355	1239	1594	730	594	270	
6.	2010	270	1378	1648	758	531	359	
7.	2011	359	1327	1686	712	404	570	
8.	2012	570	1536	2006	889	491	626	
9.	04/2013	626	509	1135	284	205	646	

STATEMENT SHOWING DISPOSAL OF CASES INVOLVING SCs BY THE SPECIAL COURT SINCE 2007

S. No	Year	No. of cases						Cr. P.C	Still pending on close of year
		Brought Forward	Received	Total	Disposed	Ended in Acquittal	Ended in Conviction		
1.	2007	2016	682	2698	535	466	69	--	2163
2.	2008	2163	762	2915	550	492	58	--	2375
3.	2009	2375	730	3105	449	420	29	--	2656
4.	2010	2656	758	3414	624	574	50	--	2790
5.	2011	2790	712	3502	536	493	43	--	2966
6.	2012	2966	889	3855	479	472	23	--	3376
7.	04/2013	3376	284	3660	198	191	7	--	3462

(b) Cases registered under the section 156(3) of Cr. P.C. in last three years against the SCs in the following table

S. No.	Nature of offence	No. of cases registered during the year					
		2008	2009	2010	2011	2012	04/2013
1.	Murder	--	--	--	--	--	--
2.	Rape	--	--	--	--	--	--
3.	Arson	--	--	--	--	--	--
4.	Grievous Hurt	--	--	--	--	--	--
5.	Other offences under the IPC	47	69	67	43	89	30
6.	Total:	47	69	67	43	89	30

(c) Number of cases referred to the State by the National Commission for Scheduled Castes in following format:-

Year	Reference No. and date of the cases	Action Taken by the State Government and the present status in each case.	Remarks
------	-------------------------------------	---	---------

	referred to by the NCSC	No. of cases registered	No. of cases disposed off	
2008	12	3	9	-
2009	7	3	4	-
2010	43	9	34	-
2011	46	16	29	1 (under process)
2012	85	22	55	8 (under process)
04/2013	19	3	2	14 (under process)

(d) Various steps taken / proposed to be taken to prevent recurrence of crimes :

The guidelines received from the Ministry of Social Justice and Empowerment and Ministry of Home Affairs, Government of India have been circulated to all the District Collectors / Commissioner of Police in the cities / Superintendent of Police in the districts. Guidelines for preventive action were formulated and got circulated through G.O. Ms. No. 2, Adi-Dravidar and Tribal Welfare Department dated 11.01.1994, G.O Ms. No. 140, Adi-Dravidar and Tribal Welfare Department dated 18.06.1993, Govt Lr. No. 7233 / PA-1 / 2009-2 dated 15.06.2009 from the Chief Secretary to Government, Govt. of Tamil Nadu and D.O. Lr. No. 17316 / PA / 2009-1 of the Principal Secretary to Govt, AD & TW Dept. dated 15.09.2009. The police force in Tamil Nadu is fully sensitized to the problems faced by the people belonging to the Scheduled Castes and Scheduled tribes. The police force in Tamil Nadu is kept on high alert on the issues affecting the members of Scheduled Castes and Scheduled tribes by the Social Justice & Human Rights Unit. The developments are closely monitored and action taken to ensure justice to the members of Scheduled castes.

➤ In the identified atrocity prone area SCs/STs peoples are being given police security immediately. Also, the other community front runners have been severely warned and are being watched to avoid any untoward incidents happened. Their arms have been seized and on the other hand the suppressed SCs/STs people being allowed to have the same if they are have it already.

➤ The basic amenities required in the atrocity prone areas are being provided on a war footing.

- The Addl. Director General of Police and Deputy Inspector General of Police, Social Justice and Human Rights is also visiting all the Commissionerates / Districts to review the cases to issue Specific directions to the District Superintendents of Police and Commissioners of Police to ensure prompt and proper action in cases pertaining to atrocities against the Scheduled Tribes.
- The DGP conducts quarterly review and issues instructions.

(e) Special Cell / Police Station been set up :

In each District / Commissionerate, a unit of Social Justice and Human Rights with a strength of an Inspector of Police, 1 Sub-Inspector of Police, 3 Head Constables, 2 Police Constables is functioning under the direct control of the City Commissioner of Police / District Superintendent of Police. The Social Justice and Human Rights units are declared as Police Stations and their work in respect of enforcement of PCR Act, 1955 and the Scheduled Castes and Scheduled Tribes (POA) Act, 1989 is monitored by the District Superintendent of Police, Range Deputy Inspector General of Police, Zonal Inspector General of Police and the Additional Director General of Police, Law and Order at the State level. Besides this, the case progress is monitored by the Addl. Director General of Police, Social Justice and Human Rights.

(f) Survey / study conducted into crimes / atrocities prone and sensitive areas

Survey by the police department into the crime / atrocity prone areas has been a regular feature in Tamil Nadu. The following norms are in force from the year 1994 :-

- i A village is considered atrocity prone, if in a mother village or its hamlets, 3 or more true cases are reported within a period of 3 successive calendar years.
- ii A village is also considered atrocity prone, if even one case of heinous offence, caste oriented tension/clash is reported.
- iii Atrocity prone villages identified will be declared 'highly sensitive' in nature, if even one case involving heinous offence such as murder, rape, arson or grievous hurt is reported.
- iv Atrocity prone villages are kept in the active list for a period of 2 years from the last reported case and then transferred to the dormant list for further period of 3 years. During the dormant period, if any case is reported it will be brought back to atrocity prone village.

As per the above norms, 186 villages have been identified as 'Atrocity prone' and 210 villages as 'Dormant Atrocity Prone' during the year, 2013. Villages are surveyed by the Staff of Social Justice and Human Rights Units in the districts and brought to the notice of Superintendent of Police and District Collector for taking precautionary and preventive measures to avoid any untoward incidents / clashes between the Schedule Castes and Non Scheduled Castes. A Statistical Inspector in every unit and a Sociologist at the Headquarters help in conducting survey.

(g) Functioning of the Special Courts, set up under Section 14 of the SCs and the STs (POA) Act, 1989.

In G.O Ms.No 436, Home (Courts-II) Department 10.03.1997, Special Courts have been created for speedy disposal of cases registered under Scheduled Castes/Scheduled Tribes (Prevention of Atrocities) Act and Protection of Civil Rights Act. 4 Special Courts have been set up on 18.3.1997 at following District Headquarters for speedy disposal of cases registered under SCs/STs (POA) Act and PCR Act.

Sl. No.	Name of the Head Quarters	Jurisdiction over the Districts
1.	Trichy	Trichy Commissionerate and Trichy District.
2.	Thanjavur	Thanjavur, Nagapattinam and Thiruvarur
3.	Madurai	Madurai Commissionerate and Madurai
4.	Tirunelveli	Tirunelveli Commissionerate, Tirunelveli, Thoothukudi and Kanyakumari.

These 4 courts cover 8 districts and 3 Commissionerates. In G.O Ms. No. 219, Home Department, dated 29.01.1990, in the remaining districts the existing Sessions Courts are designated as Special Courts and empowered to try the cases under POA Act and PCR Act. The progress of trial in all the Special Courts is satisfactory and steps are being taken to expedite trials.

(h) Appointment of Special Public Prosecutor to conduct the cases of atrocities on SCs/STs in the Special Courts (Section 15 of POA Act) :

At present, there are 27 Special Public Prosecutors in the following districts ó 1) Chennai City 2) Thiruvallur 3) Kancheepuram 4) Villupuram 5) Cuddalore 6) Vellore 7) Tiruvannamalai 8) Salem 9) Namakkal 10) Krishnagiri 11) Dharmapuri 12) Coimbatore 13) Erode 14) The Nilgiris 15) Trichy 16) Pudukottai 17) Karur 18) Perambalur 19) Ariyalur 20) Thanjavur 21) Dindigul 22) Theni 23) Madurai 24) Virudhunagar 25) Ramanathapuram 26) Sivagangai 27) Tirunelveli. In the remaining districts the existing Public Prosecutors are designated as Special Public Prosecutors and are looking after the requirements.

(i). Machinery set-up at the State, district and local level to deal with the crimes

State Level:

The Addl. Director General of Police and Deputy Inspector General of Police, Social Justice & Human Rights, Chennai monitor the enforcement of the SCs/STs (POA) Act, 1989 cases and supervise the functioning of the SJ & HR Units. The Social Justice and Human Rights Headquarter Office is functioning at the Director General of Police Office complex, Mylapore, Chennai ó 4. They have been provided with necessary vehicles.

The Addl. Director General of Police, Social Justice and Human Right has been provided with necessary back up staff including one Economist (vacant from April 2009) and one Sociologist (for research and analysis) 1 P.A. to Admin., 2 Superintendents, 6 Assistants, 3 Typists, 6 Office Assistants, 2 Driver Head Constables.

Zonal Level:

11 Supervisory Squads each headed by the Deputy Superintendent of Police with the supporting staff and one Driver Police Constable with a Jeep each at Chennai, Kancheepuram, Villupuram, Vellore, Salem, Coimbatore, Trichy, Thanjavur, Madurai, Ramanathapuram and Tirunelveli districts in Tamil Nadu and all zonal offices are functioning in Government buildings attached with District Police Office.

District Level:

The SCs/STs (POA) Act, 1989 is being enforced by the Police Stations in Tamil Nadu and monitored by the 37 Social Justice & Human Rights Units located at each of 37 district

headquarters with a jeep. Each unit headed by an Inspector of Police and consisting of 1 Sub-Inspector of Police, 3 Head Constables, 2 Police Constables are aiding in prevention and detection of cases. For collection of statistical information concerning the SCs/STs (POA) Act, 1989, one Statistical Inspector is attached to each Unit. Statistical Inspector is being assisted by the Staff of SJ & HR Units.

(j). Details of monetary relief provided to the number of Scheduled Caste victims of atrocities during the last five financial year from 2005 – 2006 to 2012 – 2013.

Under the Sec.12 (4) (POA) Rules, 1995, provisions have been made under for providing relief in cash or kind or both to the victims of the Atrocities, their family members and dependents.

(Rs. in Crores)

Sl.No.	Year	Cases sanctioned	Relief to victims	Amount sanctioned
1	2005	618	996	1.53
2	2006	646	1087	1.54
3	2007	656	1160	1.69
4	2008	739	1190	1.50
5	2009	732	1225	1.47
6	2010	580	1435	1.75
7	2011	770	1600	2.41
8	2012	652	1120	1.89
9	4/2013	186	342	0.70

The State Government has been making necessary provision in the budget for Rs.2.25 crores annually for this purpose.

(k) Time for providing relief to the victim from the date of registering the FIR.

In case of murder, 75 % of the relief amount is being disbursed after conduction of autopsy, in case of disability (100%), 50 % of the relief amount is being disbursed on the date of registering the FIR, in case of rape or molestation, 50 % of the relief amount is being disbursed after medical examination and in other cases, average time taken to provide the relief from the date of registering the FIR is 60 to 90 days.

(l) Allocations and the expenditure from the State Plan and Central Assistance under the Centrally Sponsored Schemes for implementation of PCR Act, 1955 and SCs/STs (POA) Act, 1989 during the last five financial years 2005 – 2006 to 2009 – 2010.

(Rs. in lakhs)

Year	Expenditure
2005-06	439.73
2006-07	480.64
2007-08	560.02
2008-09	739.68
2009-10	841.41
2010-11	936.81
2011-12	1007.06
2012-13	1119.86

(m) Caste sensitive areas:

Survey by the police department into the crime / atrocity prone areas has been a regular feature in Tamil Nadu.

The following norms are in force from the year 1994.

- (a) A village is considered atrocity prone, if in a mother village or its hamlets 3 or more true cases are reported within a period of 3 successive calendar years.
- (b) A village is also considered atrocity prone, if even one case of heinous offence, caste oriented tension/clash is reported.
- (c) Atrocity prone villages identified will be declared 'highly sensitive' in nature, if even one case involving heinous offence such as murder, rape, arson or grievous hurt is reported.
- (d) Atrocity prone villages are kept in the active list for a period of 2 years from the last reported case and then transferred to the dormant list for further period of 3 years. During the dormant period, if any case is reported it will be brought back to atrocity prone village.

As per the above norms, 186 villages have been identified as 'Atrocity prone' and 210 villages as 'Dormant Atrocity Prone' during the year, 2013. Villages are surveyed by the Staff of

Social Justice and Human Rights Units in the districts and brought to the notice of Superintendent of Police and District Collector for taking precautionary and preventive measures to avoid any untoward incidents / clashes between the Schedule Castes and Non Scheduled Castes. A Statistical Inspector in every unit and a Sociologist at the Headquarters help in conducting survey.

After identifying the sensitive areas the staff of Social Justice and Human Rights routinely visit these areas and take preventive and precautionary measures to avoid any recurrence of offences.

(n) Functioning of the State and District Vigilance Committee meeting :

In the state level vigilance committee meeting the following suggestions are submitted by the committee members.

Year	Date of meetings of the State Level Vigilance Committee	Decisions taken and action taken on the decisions	Date of meetings of the District Level Vigilance Committee	Decisions taken and action taken on the decisions.
2008-09	--	--		The Decisions taken in the District Vigilance Committee by the committee members has been followed by the Chairman / Member Secretary of the Committee
2009-10	--	--		
2010-11	03.11.2010	<ol style="list-style-type: none"> 1. Separate colleges for SC /ST students should be started. 2. Relaxation should be given for 2% EMD amount to the SC / ST Contractors. 3. The Subsidy loan sanctioned by the TAHDCO should be given to the beneficiaries only through the TAHDCO not by the banks. 	Meeting dates of the District Level Vigilance Committees are available in Page number 146.	

		REPLY Action is being taken to implement the suggestion of the committee members.		in order to take action on the decision.
2011-12	--	---		
2012-13	21.06.2012	Necessary action is being taken on decision taken during the meeting.		

Bonded Labour

Survey / study been conducted on the incidents of bonded labour :

A survey was conducted in Tamil Nadu with the help of Non Governmental Organisations in 1996-97 and also with the help of other sources and identified 39,706 bonded labourers in the State.

Re-Survey of Bonded Labours, 2008-09

After 10 years from the Survey conducted, the Government have decided to take up a fresh survey of Bonded Labour in all districts. Hence the Government vide G.O. (Ms) No. 28, AD&TW Department, Dated 16.03.2007 have ordered to conduct a complete *Re-Survey* of Bonded Labour throughout the State by involving Non-Governmental Organizations. The Government of India has released a sum of Rs.60.00 lakhs for this purpose vide letter No.S/11011/02/2000 BL (Ministry of Labour and Employment), Dated 18.12.2006.

As per the Government Order a detailed Survey was conducted throughout the State. One NGO per district was selected for this work as per the District Collectors' recommendation. The completion Survey Report has been received from 19 Districts. About 12320 Bonded Laborers were identified by the NGOs in 19 districts.

The District Collectors and Revenue Divisional Officers have been instructed to release and rehabilitate the Bonded Laborers with suitable measures.

The Re-Survey has revealed that there is a prevalence of Bonded Labour system in the Brick kiln Industry followed by the Cotton Textile Industries and Rice Mills etc. A new system of advance Bondage System found both in the Brick kiln and Cotton Textile Industries. The Revenue Divisional officers (RDOs) have been strictly instructed to identify and release bonded laborers in their jurisdiction and report the conditions of all these identified bonded labour with their names and addresses so as to enable the District Administration to extend all other benefits to them under various welfare schemes of State Departments.

Steps have been taken to abolish bonded labour system?

The Government of India has also released a sum of Rs.15.00 lakhs for undertaking Awareness Generation Programme and Evaluation Studies in 5 districts viz., Kanchipuram, Thiruvallur, Vellore, Salem and Coimbatore vide Government of India (Ministry of Labour and Employment) letter No.S.11011/2/2000BL, Dated 26.03.2007. The State Government vide G.O.Ms.No.107, Adi Dravidar & Tribal Welfare (ADW-6(1)) Department, Dated 06.09.2007 has sanctioned the above 15.00 lakhs for under taking Awareness Generation Programme and Evaluatory Studies in the above said districts.

The amount has been Re-distributed at the rate of Rs.3.00 lakhs per district and the work is entrusted to the NGO *Development & Education for Workers, Trichy* by all five District Collectors. The completion report is awaited.

Monthly Review Meetings are conducted regularly under the Chairmanship of the Honøble Minister (ADW) or by the Secretary, Adi Dravidar and Tribal Welfare Department/Commissioner of Adi Dravidar Welfare to review the progress achieved under this subject with the District Adi Dravidar and Tribal Welfare Officers. Since April 2010, 4 such review meeting and were held on 10.05.2010, 10.07.2010, 10.08.2010 and 15.09.2010 and One-day work shop on Bonded Labour was held on 26th October 2010 along with National Human Rights Commission, New Delhi at Anna Institute of Management, Chenna-28. All District Magistrates, selected Superintendents of police and Sub-Divisional officers and NGOs were invited to participate in this one-day workshop. Justice B.C.Patel, Honøble Member, National Human Rights Commission and Dr.L.Mishra attended this workshop and participated in the deliberations actively.

No of bonded labours have got relief and rehabilitation during the last few financial years from 2005-2006 to 2009-2010:

Out of 39,706 bonded laborers identified, 14,203 bonded labour released & rehabilitated. 25,503 cases were dropped after verification by the Revenue Divisional Officers. The Special Rapporteur, National Human Rights Commission has directed that such a huge no of dropped cases has to be re-examined. Hence the officials of the Directorate have conducted the re-verification on dropped cases and justified the action of the Revenue Divisional Officers.

However, now the Government has ordered to undertake new survey to enumerate bonded laborers in all districts at the cost of Rs.60.00 lakhs with the help of Non-Government Organisations. The State Government has also ordered to undertake awareness generation measures and evaluation studies in 5 Districts viz., Kancheepuram, Thiruvallur, Vellore, Salem, Coimbatore under Centrally Sponsored Scheme at the cost of Rs.15.00 lakhs.

The details of bonded labourers have got relief and rehabilitation during the last few financial years i.e., from 2007-2008 to 2011-2012 are as follows:

(Rs. in Lakhs)

Year	Total No. of Bonded laborers (Identified)	No. of Bonded laborers got relief	No. of Bonded laborers rehabilitated	No. of bonded laborers who relapsed to the bonded labor system after rehabilitation	Reasons thereof and steps taken to check the same with details
2007-08	401	401	401	Nil	--
2008-09	275	275	275	Nil	--
2009-10	249	249	249	Nil	--
2010-11	364	364	364	Nil	--
2011-12	507	507	507	Nil	--
2012-13	331	331	331	Nil	--

After identification, the bonded Laborers are released immediately by the Sub Collectors / Revenue Divisional Officers, and prosecutions are launched against the employers, and the debts of the released bonded laborers are made extinguished.

Released Bonded Laborers are provided with an immediate relief of Rs.1,000/- each, and "Release Certificate" and then they are sent to their native place, or the place where they wish to go, for the permanent rehabilitation.

Subsequently, they are provided with Rs.19000/- each (Rupees Nineteen thousand only) in cash or in kind as decided by the released bonded laborer. They are provided with sheep units, pottery unit or any other income generating scheme, worth Rs.19000/- by the District Administration where they made settled. **Free house site pattas and houses are also given for the released bonded laborers.**

Enough funds are provided to the District Collectors in advance, for rehabilitating the Released Bonded Laborers.

Scavenging

Scavenging is still continuing in the State Details thereof

The Practice of carrying untreated human excreta is not persisting in Tamil Nadu. As far as Tamil Nadu is concerned, no dry Latrines are available at present.

States of implementation of the Employment of Manual Scavengers and Construction of Dry Latrines (Prohibition) Act, 1993.

The State Government has declared as scavenger free by G.O. (D) 115, Adi Dravidar and Tribal Welfare Department, Dated 17.06.2003 Government have also appointed District Collectors as the Executive Authority under sub section (1) of Section 5 of the Employment of Manual Scavengers and Construction Dry Latrines (Prohibition) Act, 1993 to carry out investigation and to impose penalties on the defaulters in terms of Section 14 of the Act in G.O. NO. 4, Adi Dravidar and Tribal Welfare Department, Dated 4.1.2011.

Steps have been taken to abolish manual Scavenging:

Number of Scavengers identified so far is 35561 of which Rehabilitated are 30693. Under NSLRS scheme 30683 persons were given financial assistance upto 2007-08 with a total

outlay of Rs.74.15 crores, comprising the subsidy amount of Rs.26.68 crores, Margin Money of Rs. 7.56 crores and a Bank Loan of Rs. 39.91 crores.

Under Sanitary Mart Scheme, 1589 sanitary Marts were set up from 2000-01 and 2001-02 at a total cost of Rs.614.80 lakhs, comprising a subsidy of Rs.307.40 lakhs, Margin Money of Rs.92.22 lakhs and NSKFDC Term Loan of Rs 215.18 lakhs.

Under Subamathi Group Scheme, financial assistance for 5244 subamathi group members (scavenger beneficiaries) were given for a total outlay of Rs.2252.95 lakhs, comprising a subsidy amount of Rs.573.47 lakhs with the term loan amount of Rs.1679.58 lakhs.

Under Self Employment Scheme for Rehabilitation of Manual Scavengers(SRMS) scheme, 10352 Scavengers/Dependents were identified and all of them have been rehabilitated with the financial assistance of Rs.3306.10 lakhs comprising a subsidy amount of Rs.1313.06 lakhs with a bank loan of Rs.1993.05 lakhs.

Under the Scavenger Welfare Board scheme till 31.3.2013, 32754 number of membership cards were issued and 1,20,191 members have been enrolled. A sum of Rs.102.73 lakhs has been released to 3913 members as financial assistance under various welfare schemes.

- (1) The identified scavengers and their dependents will be provided with subsidy and loan for undertaking self employment ventures
- (2) The beneficiaries will be given training for skill development.
- (3) The credit will be given by banks, The interest is 4% for woman and 5% for men for projects up to Rs.25,000. Interest is 6% for projects above Rs.25,000.
- (4) If the banks charge higher rate of interest, then the beneficiary is eligible for interest subsidy.

As per the recommendations of the Ministry of Social Justice and Empowerment, Government of India, the State Government has appointed “Commissioner of Municipal Administration” as the State Level ‘Nodal Agency’ to conduct the survey and verification activity to eliminate insanitary latrines and rehabilitation of manual scavenging in Tamil Nadu vide G.O. (Ms.) No. 42, Municipal Administration and Water Supply (MA-2) Dept. dated 27.03.2013.

PUNJAB

Statement showing details of cases registered under different nature of atrocities on Scheduled Caste.

S.No.	Year	No.of cases b/f	No. of cases register during the year	Total no. of cases	Total No. of cases charge sheeted	No. of cases closed after investigation	No. of cases pending	Remarks
1.	2010	35	114	149	75	29	45	
2.	2011	45	97	142	63	33	46	
3.	2012	46	74	120	41	40	39	

Statement showing disposal of cases by the Special Court setup under PCR Act and SCs & STs(POA) Act, 1989.

S.No.	Year	No.of cases b/f	Received	Total	Disposed	Ending in acquittal	Conviction	Pending at the close of year
1.	2010	221	75	296	58	49(84.48%)	09	238
2.	2011	238	63	301	68	51(75%)	17(25%)	233
3.	2012	233	41	274	56	49(87.5%)	07(12.5%)	218

Statement showing details of cases registered under the SC & ST (POA) Act, 1989 and protection of Civil rights Act, 1955

		2010	2011	2012
1.	Murder	05	03	04
2.	Grievous hurt	03	03	01
3.	Rape	20	12	15
4.	Arson	0	0	0
5.	Other IPC offences	0	0	0
a.	Rioting (Sec.147, 148)	06	05	03
b.	Promoting enmity between different groups of (Sec.153)	0	0	0

c.	Wrongful restraint and wrongful confinement(341,352)	09	01	12
d.	CrI. Force & assault(352)	0	0	0
e.	Outraging the modesty at women(354)	04	04	04
f.	Kidnapping & abduction (363, 366)	0	01	01
g.	Kidnapping & abduction (363, 366)	0	01	01
h.	Theft (380)	02	01	0
i.	Robbery(392)	0	02	0
j.	Dacoity (395)	0	0	0
k.	Mischief(420)	01	0	0
l.	CrI. Trespass & house trespass(447, 448)	01	0	01
m.	CrI. Intimation insult annoyance(450)	0	0	0
6.	PCR Act, 1 955	0	0	0
7.	SC/ST(POA) Act, 1989	63	65	33
	Total	114	97	74

HARYANA

Case registered with the police under different nature of atrocities of SC during the period from 01-01-2006 to 31-03-2013.

S.No.	Name of offence	2006	2007	2008	2009	2010	2011	2012	2013(upto 31-3-2013)
1	Murder	03	06	10	03	11	13	14	03
2.	Attempt to murder	03	03	04	02	04	10	12	03
3.	Hurt	07	05	24	23	26	18	15	08
4.	Outrage	16	20	30	25	38	31	38	19
5.	Kidnapping	13	11	26	25	19	22	25	06
6.	Rape	23	30	52	39	43	58	66	31
7.	Threatening	18	15	57	22	30	30	16	04
8.	Rioting	12	14	15	10	15	29	13	05
9.	Arson	0	0	0	01	05	05	04	0
10.	Robbery	02	01	01	01	01	0	09	02

11.	Dacoity	0	0	01	0	0	01	0	0
12.	PCR Act,	0	0	0	0	0	0	0	02
13.	SC/ST(POA) Act	07	05	11	11	29	25	18	0
14.	Other offences	15	08	25	21	44	32	47	10
	Grand Total	119	118	223	183	265	268	277	93

Statement showing disposal of cases of atrocities by the Court during 2012-13 (upto 31-12-2013)

Pending at the beginning of the year	Received	Total	No. of cases withdrawn	No. of cases disposed	Conviction	Ending in acquittal	Acquittal due to compromise	Cased Transferred/Discharge/ FIR quashed	Pending at the close of year
178	173	351	-	142	28	65	48	1 FIR quashed	209

HIMACHAL PRADESH

Cases of atrocities registered & disposed off by the police during 2012

S.No.	Quarter ending	B/F	Registered	Total	CR/UT	Sent to Court	Pending investigation
1.	3/12	47	25	72	08	20	44
2.	6/12	44	28	72	17	16	39
3.	9/12	39	30	69	11	22	36
4.	12/12	36	22	58	11	19	28

Cases of Atrocities in the Court during 2012

S.No.	Quarter ending	B/F	Received	Total	Convicted	Acquittal	Compromise	Pending
1.	3/12	194	20	212	-	07	-	207
2.	6/12	207	16	213	02	09	-	212
3.	9/12	212	22	234	01	06	-	227
4.	12/12	227	19	246	01	04	-	241

WEST BENGAL

STATEMENT SHOWING CASES REGISTERED WITH THE POLICE UNDER DIFFERENT NATURE OF ATROCITIES ON SCHEDULED CASTES UNDER THE SCST (POA) ACT, 1989.

Sl.	Nature of offence	Scheduled Castes					Remarks
		2008	2009	2010	2011	2012	
1	2	3	4	5	6	7	8
1.	Murder						
2.	Grievous Hurt	3	5	9	10	14	
3.	Rape	2	1	2		7	
4.	Arson						
5.	Other Offences	14	16	26	33	59	
(a)	Other IPC	12	15	22	19	47	
(b)	Other POA	2	1	4	14	12	
(c)	PCR						
	Total:	19	22	37	43	80	

STATEMENT SHOWING DETAILS OF CASES REGISTERED AND DISPOSED OFF BY THE POLICE UNDER THE SCHEDULED CASTES AND SCHEDULED TRIBES (PREVENTION OF ATROCITY) ACT, 1989.

Sl.	Year	No. of SC cases brought forward	No. of SC cases registered during the year	Total No. of SC cases	No. of SC cases challenged	No. of SC cases closed after investigation	No. of SC cases pending	Remarks
1	2	3	4	5	6	7	8	9
1.	2008	7	19	26	11	3	7	
2.	2009	12	22	34	18	0	16	
3.	2010	16	37	53	15	2	36	
4.	2011	36	43	79	33	3	43	
5.	2012	43	80	123	62	6	55	

STATEMENT OF SHOWING DISPOSAL OF CASES INVOLVING SCs BY THE SPECIAL COURT DURING YEARS 2009 TO 2012.

Sl.	Year	No. of Cases			No. of Cases			Cr.P.C.	Still pending on close of year
		Brought Forward	Received	Total	Disposed	Ending in Acquittal	Ending in Conviction		
1.	2008	3	11	14	1	1	0	0	13
2.	2009	13	15	28	2	2	0	0	26

3.	2010	26	20	46	1	1	0	0	45
4.	2011	45	29	74	4	2	2	0	70
5.	2012 (Nov)	70	61	131	6	6	0	0	125

Number of Special Courts:

There are 17 (seventeen) special courts have been set up under section (14) of the SCs and the STs (POA) Act 1989 in W.B.

Allocations and the expenditure from the State Plan and Central Assistance under the Centrally Sponsored Schemes for implementation of PCR Act, 1955 and SCs & STs (POA) Act, 1989 during the last five financial years 2007-2008 to 2011-2012.

Year	Total funds received (Rs. In lakh)	Amount spent (Rs.)	No. of SCs beneficiaries	If additional funds required. Details thereof.
2012-13	151.50 (C.A. on 50:50 basis) + 4.445 as arrear = 155.945	105.95 lakh	118+3=121	For 2013-14 Rs. 145 lakh for expenditure proposed.

Situation of Bonded Labour in the State of West Bengal

Since 2005 to 2010, about 408 Bonded Labourers hailing from West Bengal have been identified in other parts of the country. Rs. 55.60 lakh has been released for rehabilitation of 278 bonded labourers. 62 Bonded Labourers from other states were detected in Hooghly in 2005-2006 and all of them were sent back to their respective states of domicile. The Number of SC among them had not been identified separately.

Year	Total no. of Bonded labourers	No. of Bonded labourers got relief	No. of Bonded labourers rehabilitated	No. of bonded labourers who relapsed to the bonded labour system after rehabilitation	Reasons thereof and steps taken to Check the same with details.
2005-06	32	32	28	No Report	N/A
2006-07	89	27	22	No Report	N/A
2007-08	323	88	40	No Report	N/A

2008-09	0	54	50	No Report	N/A
2009-10	0	77	52	No Report	N/A
2010-11	26	0	46	No Report	N/A
Total	470	278	238		

Bonded labours from other State were identified in Hooghly district; they have been repatriated to their respective state. Rs. 55.60 lakh was released for the rehabilitation of 278 bonded labours. Number of SC bonded labours amongst them was not identified separately. Rehabilitation of bonded labour is a Centrally Sponsored Scheme since 1978. Under modified scheme rehabilitation grants have been enhanced to Rs. 20,000/- per bonded labour with effect from 01.05.2000. The expenditure is shared by the Central Government and the concerned State Government on 50:50 basis.

CHAPTER – X

SOME IMPORTANT & SUCCESSFUL CASES

CASES AS RECORDED IN NCSC HQRS.

SERVICE SAFEGUARD WING, NCSC HQRS.

B-15/Tourism-2/2012-SSW-I :

One Scheduled Caste employee working as Sr. Assistant in the ITDC Ltd; represented to the Commission about denial of promotion to the post of Sr. Assistant. The Commission took up this matter and made correspondence with them. After intervention of the Commission, the petitioner's grievance has been redressed by way of issuing promotion orders w.e.f. 21.12.2012 as Sr. Assistant by the ITDC Management.

B-36/Delhi-94/2012-SSW-I :

One Scheduled Caste officer working in IHBAS, Delhi represented to the Commission regarding deprivation for appointment to the post of Joint Director (Admn.) in IHBAS. The Commission took up this matter by calling the report and subsequently held hearings in the matter with the IHBAS Management. After intervention of the Commission the petitioner's grievances has been settled as IHBAS Management issued order of appointment to the petitioner as Joint Director.

O-2/Tele-5/2012/SSW-I :

The officer bearers of SC/ST Employees Welfare Association, Agra has represented to the Commission regarding non providing office accommodation to the Association. The Commission took up this matter by calling report. After intervention of the Commission the BSNL Management settled the petitioner's grievances by providing office accommodation to the Association.

S-29/Rly-21/2012-SSW-I :

One Scheduled Caste employee represented to the Commission about denial of promotion to the post of XEN/DEN in the Northern Railway. The matter was taken up with the Concerned Railway Authorities by calling the report. After intervention of the Commission the petitioner's grievances have been redressed by way of issuing promotion order in favour of the petitioner by the Railway Management.

B-15/Delhi/42/2012-SSW-I :

One Scheduled Caste officer working as Principal in the Government School, Delhi has represented to the Commission about his transfer. The matter was taken up with the Concerned Authority in Education Department by calling the report. After intervention of the Commission the petitioner's grievances have been redressed by way of issuing Transfer order dated 6.7.2012

S-20/Mah.-5/2011-SSW-I :

One Scheduled Caste officer working as Deputy Commissioner in Municipal Corporation, Distt. Thane (Mah.) has represented to the Commission about his harassment by way of illegal suspension and revocation of suspension order. The matter was taken up with the Concerned Authority in Municipal Corporation by calling the report and subsequently held several hearings in the case. After intervention of the Commission the petitioner's grievances have been redressed by way of revocation of suspension order and resuming the charge by the petitioner.

S-3/Agri-2/2009-SSW-I :

One Scheduled Caste officer working as Veterinary Officer in CSWRI, Avikanager (Raj.) has represented to the Commission about his promotion to the post of Veterinary Officer (T-7-8 Grade) from retrospective date of 1997. The matter was taken up with the Concerned Authority in ICAR by calling the report and subsequently held several hearings in the case. After intervention of the Commission the petitioner's grievances have been redressed by way of grant of promotion of T-7 & 8 Grade w.e.f. 18.8.1997.

M-27/Delhi-60/2012-SSW-I :

One Scheduled Caste officer working as a Manager (Tourism) DTTDC, Delhi Government represented to the Commission regarding denial of promotion to the post of Deputy Manager (Tourism) from retrospective date. The matter was taken up with the Concerned Authority in DTTDC, Delhi by calling the report. After intervention of the Commission the petitioner's grievances have been redressed by way of grant of promotion of Deputy Manager (Tourism) w.e.f. 8.12.1995.

Asso-11/Delhi-12/SC2013-SSW-I :

An Officer belonging to Scheduled Caste category working as Professor of Medicine in Medical College, New Delhi represented to the Commission regarding down grading of his ACRs pertaining to the year 2002-03 and denial of promotion to the SAG Grade. The Commission took up this matter with the Concerned Authorities in M/o Health and Family Welfare and subsequently held hearings in the matter to settle the petitioner's grievances. After intervention of the Commission, the Ministry has upgraded the ACRs of the petitioner and his name was included in the panel of SAG Grade by grant of promotion.

O-4/Home-7/2012/SSW-I :

An NGO working in the field of Welfare of Scheduled Caste represented to the Commission about harassment made by the Commandant, Sashastra Seema Bal, against one Scheduled Caste officer. The Commission took up this matter with the Concerned Authority in Sashastra Seema Bal, and subsequently held a hearing to settle the grievances of the Scheduled Caste officer. After intervention of the Commission, the Department redressed the grievances by way of cancellation of transfer order and retention her at desired place.

D-2/Defence-23/2011/SSW-I :

An Officer belonging to Scheduled Caste category working as Joint General Manager in Ordnance Factory Board represented to the Commission regarding down grading of his ACRs pertaining to the year 2008-09 and denial of promotion to the SAG Grade. The Commission took up this matter with the Concerned Authorities in M/o Defence, Deptt. of Defence Production as well as Ordnance Factory Board and subsequently held several hearings in the matter to redress the petitioner's grievances. After intervention of the Commission, the Ministry has upgraded the ACRs of the petitioner and his name was included in the panel of SAG Grade by grant of promotion in SAG Grade from retrospective date.

M-10/Statistics-2/2012/SSW-I :

One Scheduled Caste Officer working in the National Sample Survey Organization (NSSO) represented to the Commission regarding his harassment by way of non payment of

LTC bills. The Commission took up this matter with the Department Concerned and subsequently held hearings in the matter. After intervention of the Commission, the Department i.e. M/o Statistics & Programme Implementation settled the petitioner grievances by way of making payment against pending LTC bill.

Y-1/MP-1/2011/SSW-I :

One Scheduled Caste Officer working as Additional Chief Engineer in Madhya Pradesh State Electricity Board (MPSEB) represented to the Commission regarding denial of promotion to the post of Chief Engineer. The Commission took up this matter with the Department Concerned and subsequently held hearings in the matter. After intervention of the Commission, the Department i.e. MPSEB Management has issued promotion order for the post of Chief Engineer in favour of the petitioner.

M-1/UD-1/2012/SSW-I :

One Scheduled Caste officer working as Deputy Director (Horticulture) in CPWD represented to the Commission regarding denial of promotion to the post of Director (Horticulture). The Commission took up this matter with the Department Concerned and subsequently held hearings in the matter. After intervention of the Commission, the Department i.e. CPWD Organization has issued promotion order for the post of Director in favour of the petitioner.

S-41/Delhi-57/2012/SSW-I :

An Employee belonging to Scheduled Caste community working as Safai Karamchari in Municipal Corporation of Delhi represented to the Commission regarding reinstatement in services. The Commission took up this matter with the Department Concerned and subsequently held hearings in the matter. After intervention of the Commission, the Department i.e. South Delhi Municipal Corporation has reinstated the petitioner services with immediate effect.

R-18/Power-6/2011/SSW-I :

An Employee belonging to Scheduled Caste community working in North Delhi Power Ltd; (NDPL) represented to the Commission regarding his harassment. The Commission took up this matter with the Department Concerned and subsequently held

hearings in the matter. After intervention of the Commission, the Department i.e. NDPL settled the petitioner's grievances.

R-23/Delhi-76/2011/SSW-I :

One Scheduled Caste employee working in Municipal Corporation of Delhi represented to the Commission regarding revocation of his suspension. The Commission took up this matter with the Department Concerned and subsequently held hearings in the matter. After intervention of the Commission, the Department settled the petitioner's grievances by re-instatement of services.

R-39/Rly-42/2009/SSW-I :

One Scheduled Caste Railway Employee has represented to the Commission regarding harassment and denial of promotion to the post of XEN. The Commission took up this matter with Concerned Railway Authorities and subsequently held hearings in the matter. After intervention of the Commission, the Railway considered the petitioner's grievances and granted promotion to the post of XEN.

S-4/CA-1/2013/SSW-II :

A SC captain of Air India submitted a representation regarding non payment of flying allowances and extensive training on Boeing -777 by the Management of Air India. This case was taken up with the Air India Management after intervention of the National Commission for Scheduled Castes. The grievance of the petitioner has been settled.

B-1/UP-3/2011/SSW-II :

One SC Assistant Teacher (Ad-hoc) of a Laxman Prasad Chaturvedi Arya Kanya Inter College, Mathura, submitted a representation and alleged that after working twelve years since, 16.5.1998, the Management of the College terminated his services from 8.11.2011. The case was taken up with Joint Director of Education Agra Mandal. After intervention of the NCSC, the petitioner has been reinstated in the College on Ad-hoc basis.

R-34/UP-50(A)/2011/SSW-II :

A SC lady of Distt. Azamgarh submitted a representation and stated that she applied for the post of Anganwadi Worker in Jahanabad Child Development Project but the CDPO appointed her in the post of Assistant.

The matter was taken up with Distt. Magistrate Azamgarh (UP) and after intervention of National Commission for Scheduled Castes, petitioner was appointed in the post of Anganwari Worker and joined the duty.

K-27/UP-80/2011/SSW-II :

The representative of the Bhartiya Chak Khatik Samaj, brought to the notice of National Commission for Scheduled Castes that Distt. Badaun, Kanpur-Dehat were not issuing SC certificate to the persons of Chak Caste. The case was taken up with Distt. Badaun, Kanpur Dehat and after intervention of the National Commission for Scheduled Caste. The matter has been settled and certificate are being issued to Chuk by the both the District.

J-15/UP-48/2011/SSW-II :

One Assistant Teacher of Sanatam Dhram Inter College, Kankar Khara, Meerut submitted a representation regarding denial of promotion for the post of Lecturer. The matter was taken up with the Director, Secondary Education Govt. of UP. Since, the petitioner was Senior most and eligible for promotion therefore, after intervention of the National Commission for Scheduled Caste, the petitioner was promoted on 18.11.2011

M-26/UP-91/2012/SSW-II :

One SC petitioner submitted a representation and alleged that Department of Commercial Tax, Govt. of UP, Gaziabad has not released his pensionary benefits after his retirement from 31.1.2011. The case was taken up with Commissioner Commercial Tax, UP, Lucknow and after intervention of the NCSC the grievances of petitioner and all dues has been paid have been settled.

M-4/Har.-3/2012/SSW-II :

One Scheduled Castes person submitted a representation in the Commission and alleged that he was reverted to the post of Assistant in June, 2011 from the post of

Superintendent by the Excise and Taxation Department, Government of Haryana. The case was taken up with Taxation and Excise Commissioner, Govt. of Haryana and after intervention National Commission for Scheduled Castes, the petitioner has been promoted to the post of Superintendent w.e.f. 2.4.2013.

R-30/HRD.-20/2013/SSW-II :

One SC Teacher (PET) Navodaya Vidyalaya Samiti, Mewat, Haryana submitted a representation regarding her harassment by the Principle and her transfer to Banswara District. Rajasthan. The case was taken up with Commissioner Navodaya Vidyalaya Samiti. After intervention of the National Commission for Scheduled Caste, it is reported that the petitioner was given a personal hearing by the Commissioner, NVS. She was transferred to the Jawahar Navodaya Vidyalaya, Fatehabad, Haryana, for which she has given her consent.

A-13/CA.-16/2007/SSW-II :

A Traffic Superintendent, Air India Lucknow belongs to SC, submitted a representation to the Commission about his harassment by way of issue charge sheet in subsequently award of punishment. The matter was taken up by the NCSC with Air India. After intervention of the National Commission for Scheduled Castes, the CMD, Air India reviewed the punishment and modified the punishment from major penalty to minor penalty and petitioner was alleageable to get financial benefit and further promotion.

SUCCESSFUL / IMPORTANT CASES ON SERVICE MATTER AS RECORDED IN OTHER STATE OFFICES OF NCSC:

AGARTALA STATE OFFICE:

i) On 4th August,2008 Sri Anil Ch. Das, Secretary, Tripura State Namasudra Social Welfare Association, Agartala had submitted an allegation to the State Office Agartala against the fake SC status of Sri Partha Das, MLA, who elected from the 31 Salgarah Constituency (Reserved for SC) in the Assembly Election in 2008. The State Office sent the matter to the State Level Scrutiny Committee on 6th August, 2008 for verification and to furnish the factual report of the complaint. But the SLSC took more than three years and above to settle the actual caste status of Sri Partha Das, MLA. On 31st July, 2012 the SLSC cancelled the SC certificate of Sri P. Das. Thereafter, Sri Das submitted a write petition to the

High Court against the cancelling procedure of SLSC. However, after long processing during this year the Honøble Court gave judgement against the false SC status of Shri Partha Das.

ii) Shri Sunil Kr. Das, MLD working in the Central Public Works Department, Govt. of India, Agartala. He alleged that three days departmental strike w.e.f 23rd June, 87 was called by the Employees Association of CPWD, New Delhi for several demands of employees. Along with others Sri Das also participated in that three days strike in 1987. Thereafter the CPWD authorities took action and had been awarded øDies Nonø to all the participated employees all over the India. Against the decision of the authority the Employees Association submitted a Write Petition to the Delhi High Court thereafter as well as in the Supreme Court. Both the Courts directed to the authorities concerned to withdraw the øDies Nonø imposed against the employees by the CPWD authorities. In view of the Court direction the CPWD authorities withdraw the øDies Nonø action. But the Authority of Agartala CPWD did not withdraw the Dies Non action against Sri Das even after his several requests. Shri Das submitted a representation to the State office in June,2012.

iii) The State Office sent the matter to the CPWD, Nirman Bhawan, New Delhi for necessary action. The CPWD authority, New Delhi directed to the CPWD, Agartala to withdraw øDies Nonø immediately and regularize the three days service of Shri Das. On 9th October, 2012 through a letter Shri Sunil Das has informed to the State Office that the authority has withdrawn the Dies Non, awarded to him.

iv) Shri Sunil Kr. Das submitted another allegation to the State Office that the Department granted his selection grade w.e.f. 7th April, 1991, on 13th April, 2012. Thereafter four months have already been elapsed but Sri Das has not been provided the arrear of payment for selection grade since 1991. The State Office sent the matter to the CPWD, Agartala. But they did not provide satisfactory reply due to delay process of payment to Shri Das. The State Office further sought some clarifications from them and requested to provide arrear to Shri Das at the earliest. On 9th October, 2012 Shri Sunil Kr. Das has informed to the State Office that the CPWD Authority, Agartala sanctioned his arrear for last 22 years (from 1991) and he got the same.

v) Shri Rampal Singh (SC), Peon of the State Office Agartala alleged that for SC certificate of his sons and daughters he has submitted several applications to the Sub-Divisional Magistrate, Sadar, Agartala since 2009. But the SDM, Sadar rejected his applications on the plea that the SC Sub-Committee of Agartala Municipal Council did not approve his cases. Lastly, in December, 2012 Shri Singh submitted representation to the State Office Agartala for intervention. The State Office sent the matter to the SDM, Sadar and sought the actual reasons for not issuing of SC certificates to Sons and daughters of Shri Rampal Singh.

However, in January, 2013 the SDM, Sadar has issued SC certificates to the sons and daughters of Shri Ram pal Singh.

BANGALORE STATE OFFICE:

File No. 40/06/2012-Ru

The General Secretary, Defence R&D SC/ST Employees Association had forwarded a case of Smt. Puspaha S., Stores Assistant regarding transfer on promotion. After this office intervention her transfer is cancelled.

File No. 45/48/2011-Ru

The Circle Secretary, SC/ST Employees Welfare Association of BSNL had forwarded a case of Shri Krishna N.Moger, SDE, Shimoga regarding transfer and posting in the cadre of SDEs on July, 2011. This office has taken up the case with Chief General Manager, BSNL, Bangalore. The reply received on April, 2012 stated that the officer has retained in Shimoga. After this office intervention his transfer is cancelled.

File No. 44/01/2012-Ru

Representation from Sri C.S.Varadaraj, AAO, BESCO, Ramanagar dated 28.08.2011 to this office regarding non payment of salary due to non sending of Service Register and LPC by the Chamundeswari Electricity Supply Corporation. After intervention of this Commission he informed vide letter dated 7.7.2012 that his problem is solved.

File No. 44/11/2009-Ru

Sri Ramesh, Bellary represented this office on 03.10.2009 regarding appointment of Line man in KEB, Gulbarga Division. On 13.07.2012 reply received from KPCL stated that he has been appointed as Assistant Lineman in Gulbarga.

CHENNAI STATE OFFICE:

File No: 3/12/2012 Rep. :

This Office has received a representation from Shri.C.Arumugam, S/o.(Late) Shri.R.Sameen, No: 3/500, Puducherry Siruvalai Village & Post, Villupuram District in which he has requested for appointment to the post of Member in the District Adi Dravidar Welfare Committee, Villupuram District. The plea of the petitioner was taken up with the District Collector, Villupuram District for consideration on 6.3.2012. The petitioner replied to this Office stating that he was appointed as a Member for the period 2012-14.

F.No: 9/31/2012 Rep.(CG) :

Representation dated 12.6.2012 has been received from Shri.Rameshkumar Sharma, Scientific Officer, IGCAR, Kalpakkam alleging that he was not permitted to pursue higher studies as well as study leave despite having qualified in the GATE examination. The matter was taken up with the Secretary, Department of Atomic Energy, Mumbai and simultaneously with the Director, Fast Reactor Technology Group, IGCAR, Kalpakkam and a reminder was issued vide this Office letter dated 18.7.2012. A reply was received from IGCAR, Kalpakkam stating that he was granted permission for pursuing M.Tech Cours in IIT ó Madras, Chennai in June, 2012 with study leave.

File No: 9/35/2012-Rep. (CG) :

This Office has received a representation dated 18.6.2012 from Dr.L.Ramalingam, Zonal Director, Fishery Survey of India, Port Blair, who is residing permanently at Tuticorin District with the request to consider his posting either at Chennai on transfer or to retain him at Port Blair till the vacancy arises at Chennai. The plea was taken up with the Director General, Fisheries Survey of India, Mumbai vide this Office letter dated 26.6.2012. Thanks letter has been received from the petitioner Dr.L.Ramalingam, Zonal Director, Fisheries Survey of India, Port Blair stating that he has been retained at Port Blair till the next vacancy arises at Chennai.

File No: 9/30/2012-Rep (SG) :

Rrepresentation dated 28.12.2011 from Shri.R.Anthonysamy, S/o.Shri.Rangasamy, Thiruvannamalai Town & District was forwarded by the Head Quarters of National Commission for Scheduled Castes, New Delhi to this Office. The petitioner has alleged that he was not sanctioned suspension allowance. He was working as a scavenger in Thiruvannamalai Municipality. The issue was taken up with the Commissioner, Municipality Administration, Chennai and simultaneously with the District Collector, Thiruvannamalai for taking suitable action. This Office has received a reply stating that Shri.Anthonysamy, Sanitary Worker has been sanctioned suspension allowance of Rs.1,68,540/- .

KOLKATA STATE OFFICE:

File No. 11/5/2012-Gen/OR

Convener, Utkal Malha Jatiya Sangrama Samiti, Kendrapara has represented before the State Office on the NCSC on 21.1.2013 alleging that Tahasildar, Kanika under Kendrapada District, Odisha has stopped issuing Caste Certificates to a particular community named Malhaø due to some unexplained reason. The State Office of the Commission, Kolkata accordingly took up the matter with the district authority promptly. Subsequently, the district authority, Kendrapara has informed that the Tahasildar, Kanika accordingly instructed to issue caste certificates to the persons belonging to Malhaø community and the community people now are getting SC certificates.

File No. 8/36/2012-Gen/WB

Shri Subhas Santra, R/o Vill Nabasan, P.O. / P.S. Bagnan, Dist. Howrah, West Bengal vide his representation dated 13.3.13 has complained that he is a retired man and pension holder through E.P.F.O., Howrah. But his pension was stopped by EPFO since last three months beginning with December, 2012.

The complaint according was forwarded to the P.F. Commissioner, Howrah Division. As per reply subsequently received from the EPFO, Howrah Division, dated 08.4.2013, pension of Shri Santra released and sends to Bank concerned.

File No. 9/12/2012-Gen/WB

General Secretary, 14th April Committee, Kolkata vide their representation dated 02.2.2011 had informed that one Shri Bijoy Biswas, an employee of Kolkata Municipal

Corporation who is eligible for the post of Manager cadre w.e.f. 08.3.2006 has been denied promotion right and people from General Category constantly given promotion to deny legitimate claim of Shri Biswas.

However, upon enquiring about the matter by the NCSC, State Office, Kolkata, the KMC Authority informed that Shri Biswas has been promoted with another SC candidate w.e.f. 08.3.2013.

PUNE STATE OFFICE:

File NO . NCSC/PUNE/31/2012-SSW-III

Commission had received a representation from shri Ravindra Desai regarding non-payment of difference of one increment to him. The matter was taken up with the PMPL authority on 14th FEB 2012 on the basis of which the PMPL had replied that the his demand of increment is not as per rule. The said authorities were called for discussion and wrote to the authority accordingly. On 13th March 2012 and 17/08/2012. Due to commission's intervention the petitioner got his difference of one increment with full arrears.

File NO. NCSC/PUNE/27/2010/SSW -IV

State office Pune received a representation from Shri Bhagwan Bhivarao Pawar, Saswad, Ta. Purandar Distt. Pune on 29.9.201 regarding non-payment of retirement benefits. The commission had taken up this matter with CEO ZP Pune and the Institution on 15-11-2012 and followed up with CEO ZP Pune. The letter from E.O. Pension and Payment Cell dt. 28/9/2012 informed that the pension has been sanctioned to the petitioner.

File No. 3/24/SC/2007-Rep

The Commission had received joint representation from Shri Suresh Bandaji Salwe Clerk Baramati Nagar Parishad Pune on 20.11.2007. The Complaint was regarding non promotion. Commission had taken up this matter with Nagar Parishad Prashashan Sanchalanalaya on 19.12.2007. The matter was taken up with Chief Officer Nagar Parishad Baramati, Pune. The CO Nagar Parishad had vide their letter dt. 22.10.2012 informed that the petitioner was promoted to Group C post and transferred to Bhor Nagar Parishad.

File No. NCSC/PUNE/22/2011/SSW-III

Commission had received a representation from Smt Maya Modhe regarding suspension of the petitioner on caste ground. The matter was taken up with CEO Nashik on

24th Jan 2012. Due to commission's intervention the petitioner got her reinstated in the service.

File No. NCSC/PUNE/26/2011-SSW-III

Commission has received a representation from Shri Anil Gangadhar Jagdhani regarding non providing him a cabin as well as his charge was given to an LDC to him to he had to report. The Office of the Commission had taken up this matter with the CEO Raigarh. The CEO Raigarh intimated that the full charge is given to petitioner and the cabin

File No. NCSC/PUNE/35/2011/SSW-III

The commission had received a representation from Shri Dadaji Veladi r/o Chandrapur who had intimated that he was compulsory retirement was awarded to him in 2009 but he was not given any retirement dues like GP fund and pension is not given. The commission had written CEO. CEO on 23/12/2011 had intimated that the GP fund is given as well as was also given the temporary pension.

THIRUVANTHAPURAM STATE OFFICE:

FILE NO.KL/12/17/2010 (Hqrrs)

Shri Ramakrishnan V, Supervisor, AAI, Trivandrum Airport submitted his grievance petition regarding grant of higher pay scale and designation on implementation of Restructuring Order of AAI. The matter was taken up with the Director, Airport Authority of India, Thiruvananthapuram Airport for necessary action. Further the AAI referred the representation to their Headquarters for decision. After a continuous follow up with the concerned, a reply received from the Assistant General manager (HR), AAI stating that their Headquarters directed them to settle the promotion case of the petitioner as per the amended R & P Regulations.

FILE No. KL/15/O/58/2012

Smt. K. Devaki, Oralisseril Veed, Kottarkavu, MKavelikkara PO, Alappuzha submitted her grievance petition regarding appointment of her son as Secretariat Assistant. We requested to take necessary action to appoint her son under reservation quota.

In this regard, the Secretary to Government Administration (Services A) Department intimated that posting orders have already been issued to petitioner's son.

FILE NO.KL/31/53/2012

Shri K. Biju, working in Vijayamohini Mills, Thirumala submitted his grievance petition regarding reversion of his post. The petitioner states in his representation that he got promotion on 12.3.2011 as Relieving Reserve Officer gave confirmation memo on 29.8.2011 and now reverted back to lower cadre. The matter was taken up with the General Manager, Vijayamohini Mills for corrective action. A final reply received from the concerned, stating that after verification of roster and extant rules the seniority was given to petitioner.

FILE NO.KL/12/19/2012 ó CMIS 123259521000678.

Shri K.P. Kunjumon, higher grade assistant, LIC of India submitted his grievance petition through the General Secretary, South Zone SC/ST Employees Welfare Association, requesting to take necessary action to transfer him under Ernakulam Division. The matter was taken up with the Sr. Divisional Manager, LIC and also followed up the matter over phone with the concerned. In this regard, a final reply received from the concerned stating that they could accommodate the petitioner in north parur branch with the consent of the petitioner and this was possible only because of consistent efforts of the State Office.

KL/12/13/2012(HQrtrs)

Shri Divakaran, President, State Bank of Travancore SC and ST Staff Welfare Association, Thiruvananthapuram submitted his grievance petition, stating that the bank denies eligible promotion to SC/ST employees from subordinate to non-subordinate cadre. The matter was taken up with the General manager, State Ban of Travancore.

Reply received from them was not convincing and the concerned officers were called for a meeting along with the details of selection from subordinate to non-subordinate cadre. During the discussion with the bank officials, it was revealed that without conducting direct recruitment, only the promotion exercise was carried out without following reservation in promotion from subordinate to non-subordinate cadre, also there was no recorded proof to substantiate that the direct recruitment exceeds 75% in non-subordinate cadre.

At the conclusion, the Assistant General Manager agreed in writing that the reservation will be made applicable with retrospective effect from 2006, in the promotion exercise from subordinate cadre to non-subordinate cadre. In addition to the above as many as 44 Back log vacancies that exists in the promotional exercise which was carried out during the year 2006, 2007 and 2011 would also be taken care off in the promotion exercise in the current year.

In this regard, a final reply received from the General manager (HR), State Bank of Travancore, stating that it has been decided to implement the reservation rules of 15% to SC category and 7.5% to Scheduled Tribes category for promotions from subordinate cadre to non subordinate cadre for the years when there was no direct recruitment.

FILE NO.12/21/2012

Smt. Janaki Krishnan, Sub Divisional Engineer, Bharath Sanchar Nigam Limited, Nedumkandom submitted her representation requesting to take necessary action to transfer her to Ernakulam as she has completed her tenure at Nedumkandom (high range area),. Also expressed her difficulty to travel due to ill health.

The matter was taken up with the principal General Manager, Bharath Sanchar Nigam Limited, Ernakulam. As the reply received from them was not convinced by this Office, the concerned officer was called for a meeting along with details of records of all the 12 Officers, who transferred along with the petitioner.

At conclusion of the meeting, the Assistant General Manager (Admn.) and other two officials assured that transfer order to the petitioner to any of the three choices given by her will be issued during the month of March 2013 and the same is given in writing.

KL/31/58/2012

Shri Anil Kumar C.C., Safaiwala, All India Radio, Thiruvananthapuram submitted his grievance petition regarding service atrocity meted out to him by the Engineering Assistance.

The matter was taken up with the Deputy Director General, All India Radio and the Commissioner of Police.

In this regard a reply received from the Deputy Director General, All India Radio, stating that they conducted enquiry through Liaison Officer for SC and ST and after the enquiry the petitioner has withdrawn the given complaint and both the parties agreed to work together cordially.

FILE No.KL/12/25/2010

Shri K. Sanjeevan, Driver HG II, CHC, Muliyar, K, Kasargod submitted his grievance petition requesting to take necessary action to rectify the discrepancy made by the department, while fixing the salary.

The matter was taken up with the District Medical Officer of Health under the instruction to the Secretary, Health and Family Welfare. After the continuous follow up with the concerned and also after the result of the discussion held with the Dy. Director of Health Services, a reply received from them in person stating that the service book of the petitioner was already forwarded to Government for re-fixing 16 years of higher grade. Also intimated that the file sent to finance department for necessary action and action will be taken without any delay after getting the order from the Government.

The Success of making possible to move the file is due to continuous follow up of this Office by sending reminders and also due to the personal discussion with the concerned officer during the meeting.

File No.KL/12/5/2011-SSW

Shri K.C. Suresh, Senior Mechanic and others, National Institute of Technology submitted a joint representation requesting to take necessary action to give promotion to them as the National Institute of Technology is not initiating any action to fill up the vacant posts through promotion.

The matter was taken up with the Director, NIT for corrective action.

After continuous follow up with the concerned, a final reply received from them stating that as per the decision of the Honøble Board of Governors of NIT held on 31.01.2013, all the backlog vacancies reserved for SCs/STs in promotions have been filled up on 1.2.2013 with retrospective effect from the eligible dates.

SOCIO-ECONOMIC DEVELOPMENT

SUCCESSFUL / IMPORTANT CASES

NCSC HQRS.

F.No.16/11/Haryana/2012/ESDW : Petitioner Ms. Sarita Rani got admission in MBBS in year 2003 in Maharishi Markandeshwar University, Mulana (Ambala) and passed her final year MBBS in December, 2009. She had applied for Post Matric Scholarship (PMS) in year 2011 during which her internship was going on for the entire MBBS course because she was not aware about PMS scheme. She applied for Scholarship in the office of District Welfare Officer Ambala and Social Welfare Department Chandigarh. The Scholarship had not been sanctioned till date.

For doing MBBS she has taken an amount of Rs.7 lakh as Education Loan from Oriental Bank of Commerce which has become now Rs. 12 lakhs with interest due to non payment of Scholarship she could not repay the education loan. The Bank was threatening to file a case against her in the High Court of Chandigarh. The petitioner had requested the Commission to intervene the matter and provide relief. The matter was taken up with the DG, Welfare of SC/BC Department, Govt. of Haryana. The payment scholarship had been made and the amount has been transferred in the Bank account of the petitioner.

F. No. 14/55/Har/2012/ESDW : The petitioner Sh. Maghdar Singh, Sarpanch, Village Panchashat, Tatiyana, Distt. Kethal, Haryana brought notice of the Commission that earlier Sarpanch, Sh. Bhupender Singh has allotted 100 Sq. yards plots to 210 Scheduled Castes residents. None of the allottee has ready to construct house on the said plots as the District Administration has not provided any basic facilities like electricity, water supply and Roads etc. He further brought to the notice of the Commission that out of 45 Acre land belonging to the Gram Sabha, 15 Acre land is encroached by the other category peoples.

Due to intervention of the Commission, power connections were provided to the allottees and 15 acre of Samlat land evicted from the encroachers and all the grievances of the petitioner were settled.

F. No. 16/32/Delhi/2011/ESDW : Sh. Pankaj Kumar, belonging to SC category student of M.Sc (statistics), Roll no. 706525, D-109/110, 2nd Floor, Gandhi Vihar, Near Mukharjee Nagar, Delhi-110009. The student in 2008 was declared failed by Delhi University by 82 marks. He applied for revaluation in the following papers:-

		Marks obtained	After evaluation
(i)	XII (Multivariate analysis)	15	15
(ii)	XII (Demography statistical Quality and Reliability) (it is XIII)	7	28
(iii)	XIV (Econometrics and time Series analysis)	24	24
(iv)	XVI (II) (Bayesian inference) (it is XVI (iii))	11	11
(v)	XVII (V) (Advance theory of Experiment designs)	23	20

He again appeared in 2009, but was declared failed. He was declared failed by 21 marks. As per mark sheet he had got same mark in paper XII. Therefore applied for revaluation for paper no. XII, XVI (III), XVII(V), XVIII (VII) in August, 2009. When he went to enquire he was told that he did not appear in paper XII. When he asked for photocopy of the attendance, he was told that it would not be given to him and would be given to the concerned authority only. He was told that result would be given by 12.4.2010 as there was some confusion between new and old course.

He again appeared for annual exam of 2010 starting year from 16.4.2010. On 24.5.2010 on 22.4.2010, he received evaluation of 2009 declaring no change. Again in 2010 he was declared failed.

The University of Delhi furnished its comments vide their letter dated 18.5.2011. A copy of the same was given to the petitioner. He has filed a rejoinder dated 3.10.2011. In the rejoinder Para 2 and 3 of the petitioner does not appear to be proper. The student has not enclosed a photocopy of the 2009 mark sheet which he has received. The reply is yet to be received on the rejoinder filed by petitioner on 3.10.2011

The only bone of contention appears to be when the student has alleged that he appeared in XII (Multivariate Analysis) in 2009 but was told absent, only needs verification. The matter came for hearing on **13.3.2012 at 11.45 A.M** in the Chamber of Honøble Chairman, NCSC with Vice-Chancellor, Delhi University. The petitioner has informed on 12.3.2012 that his M.Sc Statistics result have been declared successfully.

F. No. 16/37/U.P/2012/ESDW

Sh. Gaurav Kumar Verma, petitioner is a student of B.Tech (4th year) IMSE Colleges and also eligible for fee concession and scholarship. His Eight Semester exam was held on 16.5.2012. But Institution/University did not allow him to appear in the said examination due to fee matter. He has deposited Rs. 60,000/- as a tuition fee in the 1st year, 2nd year, 3rd year and 4th year. But the Social Welfare Department reimburse fee of an amount of Rs. 29100/-, Rs. 39,900/-, and Rs. 70,000/- respectively. Petitioner complained many times to the Welfare Department. But nothing happened.

The matter was taken up with the Social Welfare Department Govt. of Uttar Pradesh, but no reply received despite of notice and reminders. Summon issued to Principal Secretary, Social Welfare Department Govt. of Uttar Pradesh to appear on 7.1.2013 at 10.45 A.M.

The payment of the fee has been made to the petitioner in his Bank account. The grievances have been redressed.

F. No. 13/7/Press Clipping/ U.P/2012/ESDW

A News item appeared in the daily Newspaper Dainik Jagran dated 17.11.2012 under captioned 'Mukt Shreni mein Arakshan ke Liye Dharna'. According to the news, some of the students belonging to reserved category demanded that reservation must be provided in the courses in which entrance exams are exempted.

The matter was taken up with the Varanasi Hindu University. The University Authorities informed that demand of the SC/ST students have been accepted by the University and reservation is being provided to the students of reserved category.

SUCCESSFUL / IMPORTANT CASES ON SOCIO-ECONOMIC DEVELOPMENT MATTERS AS RECORDED IN OTHER STATE OFFICES OF NCSC:

AGARTALA STATE OFFICE:

1. Sri Subhas Biswas S/o, Sri Shachindra Ch. Biswas of Barjala, Ward No. 1 of Agartala Municipal Council, submitted a representation to the State Office, wherein he alleged that his next door neighbor Sri Madhusudhan Sutradhar harassing him constantly. The dirty water from the toilet outlet of Sri Sutradhar (Non-SC) is flowing into the house of Sri Subhas

Biswas (SC). Moreover as and when any social ceremony is being held in the house of Sri Sutradhar, all the garbage like after using one time plates, glasses they throw in to the house of Sri Biswas. Several times Sri Biswas requested Sri Sutradhar to take necessary steps in the matter. But Sri Sutradhar did not take any action. Lastly Sri S. Biswas submitted representation to the State Office of the Commission. The State Office took up the matter and forwarded the case to the Agartala Municipal Council, Pollution Control Board and Superintendent of Police of West District for necessary action on the grievances of Sri Biswas. They took prompt action on the Commission's letter. Within two months Shri Biswas informed that his grievances has been solved. His neighbor sifted the toilet point to other side of the house.

2. Another case was received by this office from Shri Jiban Krishna Sarkar of Chandinamura, West Bhubanban, Ward No. 2 of A.M.C., wherein Sri Sarkar alleged that his neighbor Smt. Sandhya Rani Bhowmik made a Kachha latrine just adjacent the boundary of Sri Sarkar's house. As a result, the dirty water from the latrine tank overflowing into the house of Sri Sarkar and polluted his house. Bad smell polluted the air. All the family members of Shri Sarkar are facing a lot of difficulties in this bad climate. The state office took up the matter with competent authorities. They took prompt action on the Commission's letter. Within thirty days Sri Sarkar through an application it is informed to the State Office that his neighbor Smt. Sandhya Rani Bhowmik shifted her latrine tank to another part of her house within fortnight of visit by the AMC and Pollution Control Board.

BANGALORE STATE OFFICE:

File No.46/15/2011-Ru: Representation received from Shri M.Krishna, Secretary, Mother Theresa Education Society on 12.05.2011 regarding sanction of layout for the institution from the Development Authority, Kolar. After intervention of this office Development Authority had replied vide their letter dated 24.01.2012 that they have sanctioned the layout for the institution.

File No.45/91/2011-Ru: Sri Rangaiah (Rangaswamy), Tumkur had submitted a letter during December 2011 regarding to fix a tap for drinking water. After this office intervention, Taluk Panchayat Chikanayakanahalli informed that they have provided water supply to them vide their letter dated 19.06.2012.

File No.45/102/2011-Ru: Smt. Kempakamma, Chakkaragrama, Ramnagar has submitted a representation on 14.12.2011 regarding site dispute. And the reply received on 14.6.2012 stated that she got her licence for construct a house.

File No.45/34/2011-Ru: This office has received a representation on 17.02.2011 from Shri Kumaraiah T.S stating that despite a good rank he has not been selected for Ph.D in Bangalore University. After intervention of this office he had admission in Ph.D.

File No. 46/21/2012-Ru: Smt. Lakshamma has submitted a representation regarding land encroachment on 13.07.2012. Due to this office's intervention the Tahsildar replied vide letter dated 9.10.2012 that the encroachment land has been given to the petitioner.

File No.40/08/2012-Ru: Representation received from Shri Vadivelu, CPWD, Bangalore regarding non repayment of borrowed money. This office has taken up his case with the Additional Director General of Police and both the case had been compromised.

CHANDIGARH STATE OFFICE:

File No. 4-Hry/13/2012

Smt. Toshi w/o Sh. Rambhaj r/o Lakhan Majra, District Rohtak made a representation to this office that she belong to a very poor family but his name has not been included in the BPL list and such she is not able to get benefit schemes of the Govt. for BPL family. Matter was referred to District Authority, Rohtak who vide their letter dated 01-08-2012 and informed that the name of the applicant has been included in the list of BPL.

File No. 4-Hry/23/2012

Sh. Joginder s/o Sh. Amar Singh r/o W.No. 18, Karnal Road, Ambedkar Nagar, Kaithal made a representation to this office alleging that despite of many applications submitted he is not being issued the Ration Card. Matter was referred to District Food & Supply Controller, Rohtak who vide his letter dated 27-09-2012 has informed that a ration card has been issued to Sh. Joginder.

File No. 4-Hry/26/2012

Sh. Brahma s/o Sh. Magha Ram and Sh. Madan Lal s/o Sh. Sukan Lal r/o Village Surewala, Tehsil Uklana, District Hisar represented to this office that their name has not been included in the BPL list. The matter was referred to District Administration, Hisar. Addl.

Deputy Commissioner, Hisar vide his letter dated 18-10-2012 informed that name of both the applicants have been included.

File No. 4-Hry/52/2012

Sh. Krishan Kumar s/o Sh. Bichha Ram r/o Vill. Dandoor, District Hisar in his representation in this office alleged that he has deposited Rs. 6.00 lac in the Hisar Central Cooperative Bank at Bhatla Branch as FD. Bank did not issue him FDR even on application a duplicate FDR was not being issue to him. Matter was referred to MD of the Bank and intervention of this office the matter was sorted out.

CHENNAI STATE OFFICE:

F.No: 8/66/2011 Rep.: Ms.Mathivathani, D/o.Shri.Rajagopal, Hosur, Krishnagiri District represented that she has been denied education loan by Union Bank of India, Hosur for studying B.E course. Her case was taken up with the Branch Manager, Union Bank of India, Hosur Branch, Hosur on 26.9.2011 by this Office. The petitioner vide her letter dated 11.4.2012 informed that she got the education loan from the Union Bank of India and thanked for the efforts taken by this Office.

File No: 6/2/2012 Rep. : Representation has been received from Smt.M.Jeminrani, W/o.Shri.Manoharan, Nagavilagam Village, Nagapattinam District, in which she has requested for house under Indira Awaz Yojana Scheme. The request was taken up with the District Collector, Nagapattinam District on 13.1.2012. The Project Director, Integrated Rural Development Agency, Nagapattinam District has reported that one house to a value of Rs.1,00,000/- has been allotted to Smt.M.Jeminrani under Indira Awaz Yojana Scheme 2011-12 and the work has started.

File No: 1/195/2010 Rep. : Shri.Illayaraja, S/o.Shri.Durairaj, South Street, Karimal Village & Post, Ramanathapuram District represented requesting for proper action in the atrocity case registered in Mudukulathur Police Station, Ramanathapuram District. The case was taken up with the S.P., Ramanathapuram District on 29.4.2010. The case was followed up continuously and the Superintendent of Police, Ramanathapuram District on dated 26.4.2012 informed that four victims of the atrocity were paid monetary relief through the District Collector, Ramanathapuram District.

File No: 8/22/2012 Rep.: On receipt of representation from Shri.T.N.Parasuraman, Maduravoyal, Chennai regarding non-sanction of TAHDCO loan by Indian Bank, Vanagaram Branch to his son Dr.P.Velu Mani, B.D.S., the case was taken up with the Branch Manager, Indian Bank, Vanagaram Branch on 27.3.2012 and followed up on 8.5.2012. The Branch Manager, Indian Bank Vanagaram Branch on 12.5.2012 informed that Dr.Velu Mani was disbursed loan amount of Rs.3,21,000/- and a subsidy of Rs.1,20,360/- on 25.4.2012.

File No: 8/70/2011 Rep.: Shri.V.Elangovan, Jeevanagar, Keelavelur, Nagapattinam District sent a representation to this Office on 12.12.2011 alleging that her daughter is doing her B.Ed Course and was not sanctioned education loan by the Branch Manager, Indian Bank, Keelvelur Branch. The issue was taken up with the Chairman & Managing Director, Indian Bank, Corporate Office, Chennai on 13.12.2011 for appropriate action and subsequently followed it up with the Deputy General Manager, Indian Bank, Education Loan Section, Chennai with the request to sanction loan to Ms.Anjali, daughter of Shri.V.Elangovan to pursue her studies. Finally, this Office received a letter from the Branch Manager, Indian Bank, Keelvelur Branch, Nagapattinam District stating that education loan was sanctioned to Ms.Anjali.

File No: 4/25/2012 Rep. : This Office has received a representation dated 27.6.2012 from Shri.P.T.Thirusangu, Annanagar Western Extension, Chennai with the request for his son's admission into +1 course (Commerce Group) in Government Higher Secondary School, Arumbakkam. With the intervention of National Commission for Scheduled Castes, his son was admitted in the School.

File No: 4/20/2012-Rep. : Representation of Ms.K.Madhuridhika, D/o.Shri.Karuppusamy, No: 28, Bharathi Main Road, N.R.T Nagar, Theni Taluk & District for admission in Class XI (Biology) in Shanthi Niketan Matric School, Theni was taken up with the Principal of that School for consideration on 19.6.2012. The Head Master, Shanthi Niketan Matric School, Theni on 13.6.2012 informed that the petitioner was given admission in XIth Std., Biology group.

F.No: 8/41/2012-Rep.: This Office has received a representation dated 28.3.2012 with the request for sanction of education loan to pursue Medical Course from Shri.Saravanajothi, F/o.Ms.Saranya, Dharmapuri, Puducherry. The matter was taken up with the Chairman & Managing Director, Vijaya Bank, Bangalore and with the Assistant General Manager, Vijaya Bank, Chennai on 3.5.2012. As National Commission for Scheduled Castes, intervened, Ms.Saranya was sanctioned education loan to the tune of Rs.4.00 Lakhs.

F.No: 9/4/2012-Rep. (CG). : Dr.Dilipkumar Suryavanshi, Salem working as Senior Resident in Department of Pathology, JIPMER, Puducherry has alleged that he was meted out repeated harassment in getting M.D (Pathology) Degree by Puducherry University. The issue was taken up with the Director, JIPMER and Superintendent of Police, Puducherry for taking necessary action vide this Office letter dated 8.2.2012 and subsequent reminder on 16.7.2012. Reply has been received from Controller of Examination, Puducherry University, Puducherry stating that M.D. Pathology (Regn.No: 7418831 October, 2001) Degree Certificate was prepared and dispatched through Speed Post on 10.7.2012.

F.No: 4/28/2012-Rep.: Ms.Velankanni and Ms.M.Indu of Nandhiyambakkam, Thiruvallur District has requested for admission in B.Sc (Botany) Course in the Quaid-E-Milleth Government Arts College for Women, Anna Salai, Chennai 600 002. Their request was taken up with the College authorities immediately. Both the petitioners thanked for the efforts taken by the State Office and informed that they got admission in B.Sc.(Botany) course in the College on 31.7.2012

F.No: 8/65/2912-Rep. : Shri.K.Chittibabu, S/o.Shri.Kanakaraj, Rekadahalli Post, Dharmapuri District had represented for non-sanction of education loan by Indian Bank, Pommidi Branch, Dharmapuri District for studying MBBS Course. The case has been taken up with the Zonal Manager, Indian Bank, Zonal Office, Dharmapuri on 23.7.2012. The Zonal Manager, Indian Bank, Dharmapuri vide his reply dated 28.7.2012 informed that the petitioner has been sanctioned education loan.

KOLKATA STATE OFFICE:

File No. 10/3/2012-Gen/OR:

Shri Prem Kumar, State President, Odisha, Akhil Bharatiya Anusuchit Jati Parishad vide his complain dated 13.12.2011 had complained that one Shri Balaram Sa, S/o Shri Takadhar Sa of village/P.O. Haldi, via Muribahal, Dist. Bolangir, Odisha had applied for release of balance loan amount of Rs. 3,00,000/- under PMEGP 2010-11. The entire loan amount Shri Sa would be required for purchase of rice mill machinery which he had planned to set up under PMEGP. But the local Bank Manager of Andhra Bank blocked the amount of Rs. 3,00,000/- due to the reasons best known to him.

Upon receiving the complaint, the matter was taken up with both the State Authority and also with the management of Andhra Bank. Now, as per the report received from Andhra Bank dated 18.3.2013, full loan amount has been paid to Shri Sa to initiate his entrepreneurship.

File No. 10/13/2012-Gen/WB :

Villagers of Bargachhia Anandanagar, P.O. Bargachhia, P.S. Jebipur, Dist. Howrah ó a villages constituted majority with backward class people including SCs, STs, OBCs and Minorities submitted a mass petition dated 22.1.2013 for development of village including bringing electricity etc. The District Magistrate, Howrah accordingly was requested to look into the grievances of the petitioners and take suitable action. The DM, Howrah informed that the village has been selected for next phase of electrification and work will start during current fiscal year.

PUNE STATE OFFICE:

File No. NCSC/PUNE/2/2012/ESDW

The commission's State office had received a representation from the parents of (the students of) Ahilyadevi Kanya School Bhusaval Distric Jalgaon regarding non-payment of the scholarship amount. The matter was taken up with the Director Social welfare And Spl. District Social welfare officer Jalgaon on 12th Feb 2012. On the basis of which the Director Social welfare wrote to the Spl. District social welfare officer why no proposal of these students were submitted in time. The Spl District Social Welfare office had intimated on 29/06/2012 that the proposal of scholarship was not submitted in time and therefore the delay took place. After the commissions intervention said amount was disbursed.

THIRUVANTHAPURAM STATE OFFICE:

FILE NO. KL/E/12/2/12

Shri Rahul Prasad residing at Pokkathil Chirayil, Aiyamanam PO, Kottayam submitted a grievance petition requesting to release the stipend to pursue his studies. The matter was taken up with the Director, SC Development Department for necessary action. After continuous follow up with the concerned, a final reply received from them stating that action has been initiated to clear all the pending claims of the petitioner and the amount towards educational concessions disbursed.

FILE NO.KL/15/O/7/09

Shri Thempamood Sahadevan, Convenor Human Rights Protection, Thiruvananthapuram send a representation regarding the vulnerable condition of pre-matric hostel for girls at Kilimanoor alleged that the hostel authority was not ensuring establishment requirement during the rainy season due to leakage, the inmates are facing lot of difficulty. Considering the veracity of the matter, the Investigator of this Office visited the hostel and a detailed report to improve the establishment and hygienic requirements sent to Director SC Development Department. Accordingly a final reply received from the Director, stating that they have initiated action to complete all the maintenance work of the hostel and also Secretary, Block Panchayath was instructed to take necessary action to install Bio-Gas and telephone connection.

FILE NO.KL/15/O/11/2011

Smt. M.T. Lakshmi, D/o Mookkolathazhathkoran, Mookkolathazh house, SC Colony, Biyyam Kettu, Kanjiramukku PO, Ponnani (Via), Malappuram submitted her grievance petition to include her in BPL List. The SC petitioner states in her representation that she was excluded from BPL by the Panchayat Authority. The matter was taken up with the Deputy Director of Panchayat, Malappuram and the Panchayat Secretary, Manchery Grama Panchayat. In this regard, a final reply received from the Secretary, Marancherry Grama Panchayat stating that they have conducted enquiry into the matter and found that she is eligible to include in BPL List. Also they have initiated action to include her in BPL List.

FILE NO.KL/15/1/2010

Shri Sundaran, Ajakka House, Cherkala, Chengala PO, Kasargod District submitted his grievance representation requesting to demarcate his property from the adjacent one. The matter was taken up with the Revenue Divisional Officer, Kasargod for necessary action.

After a continuous follow up with the concerned, a final reply received from the concerned stating that Taluk Surveyor, Ksargod measured the land and solved the problem

FILE No.KL/E/12/4/12

Kum. Unnimaya, +1 Student, Raja Ravi Varma Higher Secondary School for girls, Kilimanoor, Thiruvananthapuram submitted her grievance petition requesting to release the stipend due to her. The matter was taken up with the Director, SC Development Department, Trivandrum. In this regard, a reply received from the concerned stating that educational concessions upto September 2012 was credited to students account through E-Z Pay Card.

FILE KL.15/20/2010(HQtrr)

Shri Velayudhan, Kariyamparambu Desam, Kizhakummuri Village, Koratti Panchayath, Thrissur District submitted his grievance petition regarding hindrance to the pathway. The matter was taken up with the RDO, Thrissur under the intimation to the District Collector. The matter was followed up by sending reminders. Since this Office has not received the reply after the period of 1 ½ years, this Office was constrained to call the appropriate officer to this office from the Revenue Department alongwith detailed action taken in the matter. In this regard, Additional Tahsildar, Mukundapuram Taluk visited this Office along with the Action Taken Report, stating that they conducted spot inspection and solved the issue in the presence of panchayath authorities and hindrance to pathway is demolished.

During the period December 2012 to January 2013, this Office received 59 Receipts/Representations from SC Petitioners, of which 19 Representations were new representations and accordingly 19 new files were opened for further action. The remaining 40 were pertaining to previous files and some are filed for information only.

During this period 27 files were closed after taking the necessary action and 9 cases were recorded as success and included in the Quarterly Report.

NO.KL/15/15/2010

Smt. Tulasi, Charuvila Putnenveetil, Kottukkal Village, Kollam District submitted her grievance petition, requesting to take necessary action to issue pattayam in her name. The

matter was taken up with the Tahsildar, Kottarakkara under the intimation to the District Collector, Kollam. After continuous follow up with the concerned a final reply received from the Tahsildar Kottarakkara stating that the Pattayam issued to petitioner on 1.8.2012 and the grievance stands redressed.

FILE NO.KL/15/O/1/2011

Smt. Vishalakshi, Kizhakkekkara, Karimpuzha PO, Palakkad District submitted her grievance petition, requesting to take necessary action as the rubber processing unit working near the house pollute the drinking water. The matter was taken up with the District Collector, Palakkad. In this regard, a final reply received from the District Development Officer for SCs stating that the problem was solved and at present no pollution. The petitioner also agreed the same.

FILE NO.KL/15/O/52/2012

This Office received a representation from Shri K. Binu, S/o Kunjucherukkan, Vellalrikunnu Veed, Chappath, Kundappanamood PO, Thiruvananthapuram regarding forceful detention of the vehicle by the another person.

The matter was taken up with the District Police Chief, Thiruvananthapuram Rural for necessary action. In this regard, District Police chief furnished the investigation report carried out by Dy. Superintendent of Police, Neyyattinkara stating that the accused person returned the vehicle after receiving some amount from the petitioner.

KL/15/O/48/2012

A representation received from Shri Karthik and others, Government Post Matric Boys Hostel, Member, Jaimadu, Palakkad submitted a grievance petition regarding request to improve the hostel facilities.

The matter was taken up with the District Development Officer for SCs, Palakkad for necessary action. In this regard a reply received from the District Development Officer for Scheduled Castes stating that they have taken steps to improve the facilities of the hostel such as installation of computers, new water taps and distribution of newspapers etc.

File No.KL/15/O/1/2013

Smt. P.T. Thankamony, Panaparambil, Perincherry PO, Thrissur District, Kerala submitted her grievance petition requesting to waive off the loan taken from the Thrissur district Co-operative bank and also to stop Revenue Recovery temporarily.

The matter was taken up with the Registrar of Co-operative Societies, Thiruvananthapuram for necessary action. Subsequently, a reply received from the Registrar, Co-operative societies, stating that the Joint Registrar, Thrissur District Co-operative Bank was instructed to stop the Revenue Recovery proceedings temporarily and also instructed to give maximum time to repay the loan with all concessions as per rule.

File NO.15/O/47/2011

Shri P. Gangadharan, Chambvoyil, Ragam House, No.38/365, West Hill PO, Calicut submitted his grievance petition requesting to remove the muddy and rainy water, which stagnated at the foot path during rainy season.

The matter was taken up with the Secretary, Kozhikode Corporation for corrective action.

In this case, the Secretary was called for a meeting to discuss the case in detail and he agreed to submit the positive action taken report on this. The Secretary furnished action taken report on this stating that administrative sanction will accord to provide Rs.14,60,000 for work which will connect the Athanikal Road drain also the work has been tendered.

KL/15/O/56/12

Shri Shibu.O, Snehabhavan, Mandapakunnu, Malayamadam, Kilimanoor, Thiruvananthapuram submitted a grievance petition requesting to extend electric connection to his house.

The matter was taken up with the Deputy Chief Engineer, Kerala State Electricity Board, Thiruvananthapuram. In this regard a reply received from the Deputy Chief Engineer, Kerala State Electricity Board stating that the service connection to petitioner has been effected, including it under (RGGVY) Scheme.

KL/15/O/26/12

Shri Lejeesh, S/o Raman, Ethiparammal (H), Thannikkunnu PO, Kombarbazhar, Koodarajni Via, Kozhikode submitted his grievance representation requesting to consider his case for land to landless schemes.

The matter was taken up with the Director, Scheduled Caste Development Department. In this regard, a final reply received from them, stating that the petitioner was considered for the said scheme and the land has been allotted to his in Kozhikode District.

ATROCITIES & PROTECTION OF CIVIL RIGHTS

SUCCESSFUL / IMPORTANT CASES AS RECORDED IN NCSC HQRS.

During the period under Report, the following On-the-Spot enquiries were conducted by a Team from the NCSC Headquarters as per the directions of Hon'ble Chairman, Dr. P.L. Punia.

1. Report on the Spot visit by team of National Commission for Scheduled Castes into the death of two Scheduled Caste workers in Sonipat while cleaning the ETP Manhole of a Private Factory.

On the instruction of Dr. P.L. Punia, Honøble Chairman, National Commission for Scheduled Castes, a team consisting of Sh. M.R. Bali, Consultant & Sh. S.N. Meena, Under Secretary from NCSC, New Delhi and Sh. Rajkumar Chhanena, Director & Sh. R.K. Sharma, Senior Investigator of NCSC, Chandigarh was constituted for on the spot enquiry into this incident. Team visited the place of incidence in District Sonipat on 26-03-2013. Following officers of the State Government assisted the team during the visit.

1. Sh. Pankaj Aggarwal, Deputy Commissioner
2. Sh. Arun Kumar, Superintendent of Police
3. Sh. Jagjiwan, SDM
4. Sh. Rakesh Singh, DSP

Details of the Incidence:

On enquiries from the officer of District Administration it was found that Sh. Rajinder s/o Sh. Surat Singh and Sh. Sanjay s/o Sh. Chandgi were engaged by a private contractor for cleaning of the tank of Den Block Company, Bahalgarh where waste material of the factory are collected. While cleaning the said tank both of these laborers were asked to enter the tank which emitted dangerous/poisonous gases and both of them died after they inhaled these gases. Even at the time of visit of the team to the site of the incidence smell emanating from the tank was unbearable.

Meeting with the Families of the victims:

Team also met the families of the both the victims. They informed the team that no compensation has been paid to them so far. Sh. Rajinder left behind wife and three school going children and Sh. Sanjay left behind wife and four school going children. Family of the deceased Sh. Rajinder was living in a small house sharing the same with his brother. House site belong to the father of the deceased. Family of Sh. Sanjay was living in small single room house which got inheritance out of the property of his father.

Details of the FIR:

Initially no FIR was registered by the police and only action under 174 of the Cr. PC was taken. On 26-03-2013 on the complaint of the family members of victims an FIR No. 71 u/s 304A was registered at P.S. Rai, District Sonapat against Sh. P.K. Jain, M.D., Sh. Chander Parkash, Manager, Sh. Sunil Gaba, Sewerage Incharge, Den Block Company and Sh. Virender, Contractor.

Action Points:

After detailed with Deputy Commissioner, Superintendent of Police and other officers of the District, following suggestions were made:

1. To consider invoking Section 3(i) (vi) of the SCs & STs (POA) Act, 1989 in the FIR.
2. Adequate compensation should be provided to the families of the deceased.
3. After invoking of SC & ST (POA) Act, 1989 in the FIR enhanced compensation should be also provided.
4. Taking into consideration the financial position of the families of the deceased their inclusion in the BPL list should be examined.
5. As a rehabilitation measure, families of the deceased be provided plots/houses/grant under the schemes of the State Government for the welfare of SC and poor people.
6. District Administration to take care of the education of children of the deceased.
7. Immediate arrest of accused so that not pressure is put on the families for compromise.

2. Spot visit report of the Team from NCSC Hqrs. in respect of incidence of murder of a Scheduled Castes person, Shri Prem Chand, Mohalla-Duli, District-Firozabad, Uttar Pradesh

As per the directions of Honorable Chairman, NCSC, a team consisting of Shri Kaushal Kumar, Dy. Director and Shri S.N. Meena, Under Secretary visited Mohalla-Duli, District-Firozabad, Uttar Pradesh to investigate the incidence of murder of a Scheduled Castes person, Shri Prem Chand.

The Team visited the spot of incident and met the neighbours and the only sister of the victim late Shri Prem Chand. It was informed by neighbours namely Smt. Rajkumari, 52 years, Shri Munna Lal, 66 years and others that they saw late Shri Prem Chand on 11/03/2013 coming to his house at around 10.00 P.M. in the night. Soon after his arrival a police van on which Rasulpur Police Station was written came following him in which 7 to 8 police personnel were there. The Police entered the house of victim and started beating him. It was also informed by neighbors that the victim was asking for water and police personnel were also abusing him with caste names. After about half an hour when police party left the house of victim the neighbours saw smoke coming out from the house of the victim. All of them joined together and called the police. The neighbours entered the house and saw that the victim was in burning clothes. The police also came and they took him to the hospital but he was declared brought dead. It was informed to team that Late Shri Prem Chand, 58 years was a electrician by occupation and was having a good moral character. He had some quarrel with a lady on a common public water tape (Submersible) which is located near Mr. Sanjay Chaturvedi's house. The same lady later on made a false complaint of eve teasing with the police. Some of the people claimed that the police has beaten the victim very badly and later on a counter case was register against him.

Meeting with D.M. & S.P.

The team had met the D.M. & Addl. S.P. at Distt. Firozabad Guest House. The S.P. was on leave. The Addl. SP informed that there was a complaint of eve teasing by lady in the locality. The police had gone to the house of victim who was drunk and the police had warned him to be careful in future. The Addl. S.P. informed that a case has been registered under section 323/306 and 3(1) (x) of SCs & STs (POA) Act against the police personnel namely Shri Rakesh Katara, Shri Prem Shanker, Shri Shish Kumar and Shri Vinay Kumar and all of them have been put under suspension. The postmortem of the victim was done by panel of doctors and a videography was also done. A copy of the C.D. was also handed over to the team by the Addl. S.P.

The D.M. informed the team that the late Shri Prem Chand was unmarried and there is no dependent family members available. He has one sister who is married. The Administration is exploring the possibility to give the compensation as per the provisions of POA Act, 1989. The D.M. also informed that an order of Magisterial inquiry has been issued

in this the matter. A copy of order was given to the Team. The D.M. & Addl. SP also assured that a fair and impartial enquiry will be conducted in the matter.

Conclusion:

It is clear from the statement given by neighbourers that the police had entered the house of late Shri Premchand on dated 11/03/2013 at around 10.00 PM in the night and beaten him. After half an hour there was smoke coming out from his house and people called the police and he was taken to the hospital where he was declared dead.

According to Police the late Shri Prem Chand was drunk and a complaint of eve teasing was lodged by a lady with the police. Here the question is that if the petitioner was drunk and he has done eve teasing with some lady as per police version then why he was not arrested and taken to the hospital for medical test. There appears to be a gray area in this case. A Magisterial inquiry has already been ordered to find out the reason of death in this case.

Action Points:

1. The Magisterial Enquiry should be conducted expeditiously to fix responsibility of the police official for beating the victim and not taking the action as per law even if there was a complaint against the victim for eve teasing.
2. Based on Inquiry Report arrest of the culprits should be done immediately.
3. A case of abetment to commit suicide may be registered against the police officials who have beaten the victim and the relevant sections of POA Act, 1989 may also be invoked after the enquiry report is received.
4. If the victim was drunk then why he was not arrested by police and taken for medical test.
5. A fair and impartial investigation must be undertaken and completed on priority.
6. Payment of compensation in this case should be considered & paid as per the provisions of POA Act, 1989.

3. Spot visit report of the Team from NCSC Hqrs. in respect of incidence of gang rape case of a Scheduled Caste lady at Purdeel Nagar, District Hathras, Uttar Pradesh

As per the directions of Honøble Chairman, NCSC, a Team consisting of Shri M.R. Bali, Consultant and Kaushal Kumar, Deputy Director visited District Aligarh and Hathras on 17.1.2013 to investigate the above referred incidence. Summary of the visit is as under:

Visit to Hospital:

The team visited JN Medical College Hospital, AMU Aligarh on 17/1/2013 where victim of the rape, Smt. Munni Devi, aged about 45 years was admitted in ICU Ward and getting treatment. The victim was not in a position to talk. During the visit the Team met the son and other three relatives of the victim and they informed that the treatment / medicines etc. has been provided by the hospital. One local MLA has also given them Rs. 20,000/- for medicine etc.

The Team had a discussion with the CMO and other doctors on duty. They informed that the patient is having very serious head injuries and one operation has been performed by the doctors. The patient was on ventilator till afternoon and she is not in a position to talk she had multiple injuries on the body and her two teeth had been broken. It was inquired by the Team that whether the hospital is having all the facilities to treat the patient or some further referral is required. The doctors informed that the hospital is equipped with necessary medical facilities for providing best possible treatment to the patient. Regarding rape, the doctors informed that the opinion is indefinite. The patient is not in a position to speak presently.

Meeting with Husband of the Victim:

The Team also met the husband of victim who was present with her at the time of incidence. He informed that his house was attacked by 5 to 8 persons in the midnight of 14-15/1/2013. His wife was beaten brutally and his grandson (son of his daughter about nine years old) also had minor injury on the head. According to him, he was tied by attackers on (Charpai). He was satisfied with the police action. He is having 100 sqr. Yards plot in a field where he is living with his family in a hut. He wanted that proper treatment may be provided to his wife, alternative residential plot may be provided and the culprits may be arrested soon.

Meeting with the SP and ADM Hathras:

The Team had a meeting with the SP and the ADM Hathras as DM had gone to Lucknow for some meeting. SP informed that the FIR has been registered and section 395/397 IPC and 3(2) (v) of SCs & STs (POA) Act has been invoked. Two accused, whose names were mentioned in the FIR has been arrested. Some more arrests of those persons, whose names have come forward during interrogations, are being made. She also assured that any need for security to the victim family will be assessed and necessary security provided.

The Team inquired from the ADM the status of payment of compensation and rehabilitation of the victim and her family as per the provisions of POA Act, 1989. He informed that copy of the medical report will be received from the Police Authorities by 18.1.2012 and compensation will be provided to the victim immediately thereafter. He also assured that rehabilitation of the victim family will be considered under some of the exiting schemes of the State Government.

Conclusion:

The motive of attack on the victim is not known to the police even the husband and son of victim were not able to specify the reason of attack. The victim had very severe injuries but as per medical report the opinion on rape is inconclusive. It is very strange that the husband of the victim was not having even a single injury. The police has taken quick action and registered an FIR as per the provisions of IPC and POA Act, 1989. The financial assistance and rehabilitation has to be provided by the District Administration and the ADM has assured to provide both (including a residential plot) very soon at the earliest.

Action Point:

1. The police authorities should take urgent action for arrest of other culprits.
2. The police protection or patrolling at the place of incidence may be provided to create confidence building to the affected family.
3. The District Authorities should give financial assistance and provide alternative residential plot as per the Welfare Schemes of the State.

List of Successful cases of APCR Wing from April, 2012 to March, 2013

1.	Delhi/102/2012-APCR	<p>Shri Brahma Nand, S/o Shri Ram Prasad working as Dy. Officer in BHEL submitted a representation alleging that owner of house Shri Naryan Singh and his family used to make derogatory castiest remarks against them and had stolen the jewellery of his wife, mobile. He further alleged that when his daughter was alone, they forcibly entered the house and assaulted her and took away their jewellery and valuables. The petitioner with her daughter approached to Police to lodge a Police complaint. The Police did not lodge any complaint.</p> <p>With the intervention of NCSC his case was solved and relief was provided to him.</p>
2.	Delhi/9/2012-APCR	<p>Smt. Mangesh Dhillod, W/o Shri J.P. Dhillod, R/o 4/335, Trilok Puri, New Delhi-110091 working as Teacher in Bal Vikas Vidyalaya, 8 Block, Trilok Puri, New Delhi-110091 (an MCD approved school) alleged that the school provided salary which was lesser than the minimum amount fixed by the Government. Her sign were forcibly obtained. The School Management also misbehaved with her and beaten her.</p> <p>After NCSC intervened in this matter, the School Management solved her case.</p>
3.	UP/203/2012-APCR	<p>Shri Manoj Kumar, R/o Village Reewan, P.S. Shivgarh, District Rai Bareilly, Uttar Pradesh was murdered on 25/7/2012 by three persons who picked up quarrel with him. He belongs to a poor family who used to work as a part timer Chaukidar in the tower of Vodafone Company. A Report was lodged with the Police but</p>

		<p>they were not doing anything in this regard.</p> <p>When this commission intervened the case was solved with the following recommendations:</p> <ol style="list-style-type: none"> 1. To provide monetary relief of Rs. 3.75 lakh and rehabilitation. 2. Rehabilitation of wife of deceased person ó widow pension and National Family Scheme. 3. To provide rice, wheat etc. to the family of deceased. 4. Free education and food to the four children of the deceased in the Angwandi Centre in the village.
4.	UP/245/2012-APCR	<p>Shri Balak Ram, S/o late Shri Mahavir Singh, R/o Village Hasanpur, Bhowapur, Koshambi, Tehsil & District Ghaziabad, Uttar Pradesh who purchased a land measuring 800 sqr. meter in 2004 and out of 550 sqr. meter of this land was sold by him. He alleged that on 30.08.2012, the police of Indrapuram PS in connivance of opposite party threatened him to get him involved in a false case and used derogatory remarks and asking for money.</p> <p>The NCSC held a Meeting with the concerned authorities and asked them to provide relief to the Petitioner which was given to him.</p>
5.	UP/191/2012-APCR	<p>Shri Mitthu Lal, S/o Shri Kundan Lal, R/o Village & Post Kamhariya Ghat (Badi Kevtahi), PS Raje Sultanpur, District Ambedkar Nagar, Uttar Pradesh who was working in a private company and his family was staying at his native village. On 12/06/2012, the non Scheduled Castes persons of the village used derogatory remarks against his family members including women and children. They also set on fire his household items.</p>

		The matter was reported to the police but they have not taken any action. The matter was taken up by NCSC with the Police authorities and the matter was solved.
6.	MP/25/2012-APCR	<p>Shri Premchand Guddu, Hon'ble Member of Parliament (Loksabha), R/o 21, Meena Bagh, New Delhi-110011 alleged that he asked for Agenda papers from the District Collector, Ratlam but the Collector insulted him on the caste basis. The Hon'ble MP reported the matter to Dy. SP, Ratlam but no action was taken.</p> <p>The NCSC called the concerned DM and SP for the hearing in the Commission. After detailed discussions and with the intervention of this Commission the matter was solved.</p>

Disposal of atrocity cases of APCR Wing during the year April, 2012 to March, 2013

This Wing during the period from April, 2012 to March, 2013 disposed of 65 numbers of atrocities cases from different parts of India. These cases comprise heinous crimes like murder, rape, arson, loot, grievous hurts etc.

Most of these petitioners come from the rural backgrounds and they tend to hesitate to lodge a complaint with the concerned police. Whenever the atrocities become unbearable they go to the Police Station for lodging complaints against the accused, but the Police Authorities also do not pay any heed to listen to their tale of woes. Then they come to this Commission for the redressal of their grievances. On receiving their complaints, this Wing took up their cases with the concerned Police/Civil Administration Authorities which involved sending of reminders, receiving rejoinders from the Petitioners against the findings of the Police. In most of these cases this Commission observed that even then the Respondents did not give the required results. In order to overcome these shortfalls, hearings of these cases were conducted wherein the chief of the concerned department were

summoned and asked to solve these cases. Accordingly, the under mentioned cases were solved/disposed of:-

Sl. No.	File No.	Name & Address
1.	Uttarakhand/4/2011-APCR	A representation was received from Sh. Karan Bahadur, S/o late Sh. Dhan Bahadur, R/o Nai Basti Claimain Town, District Dehradun, Uttarakhad
2.	UP/319/2011-APCR	Smt. Supriya Singh Adangle w/o Sh. Santosh Singh S/o Sh. Ram Moorat Singh, r/o Sindhu Sagar Society, plot No. 868, room no. D-13, Charkop, Kandivali West, Mumbai, Maharashtra.
3.	UP/80/2012-APCR	Shri Phool Singh, S/o Sh. Gangadeen, R/o Sultanpura Jagir, P.S. Rampura, District Jalaun, Uttar Pradesh
4.	Har/17/2011-APCR	Sh. Sajjan Singh, S/o Sh. Bhana Ram, Vill. & Post Kalanaur, District Rohtak, Haryana
5.	UP/139/2012-APCR	Sh. Narender, Babbal & others, Vill. Jadoda, P.S. Mansurpur, Pargana, Tehsil & District Muzaffarnagar, Uttar Pradesh.
6.	Bihar/5/2012-APCR	Sh. Mehenth Yogender Das, Langtu Das Math, Mubarakpur, Chainpur, P.S. Siswan, District Siwan, Bihar.
7.	UP/31/2012-APCR	Sh. Braham Singh, S/o Harpal Singh, R/o Ramgarh, Gautambudh Nagar.
8.	Delhi/73/2012-APCR	Sh. Gurmeet Singh Wadalia, S/o late Sh. Tirlok Singh, R/o 17 Central Drive, Dlf Chhattarpur Farms, Mehrauli, New Delhi.
9.	UP/250/2011-APCR	Sh. Yogesh Singh, S/o Sh. Virender Singh Sagar, R/o 8/3, Labour Colony, Mohaddipur, District Gorakhpur, Uttar Pradesh.
10.	Delhi/58/2012-APCR	Shri Mehar Chand, R/o 386, Shahpur Jatt, Near Khel Gaon, New Delhi.
11.	UP/151/2012-APCR	Sudharmi, W/o Antdev, R/o Post Nagari Paar, Distt.

- Mau, Uttar Pradesh.
12. UP/131/2012-APCR Shri Ram Chand, S/o Sunder Lal, Post & Vill. Bhikampur, Bulandshehar.
 13. UP/88/2010-APCR Sh. Lalit Kumar Mogha, Type II A/173, Sanjay Gandhi Post Graduate Institute of Medical Sciences, Campus, Lucknow-226014
 14. UP/66/2010-APCR Sh. Hetram Singh, S/o Sh. Dauji Ram, R/o Babugarh Cantt, Tehsil Hapur, Distt. Ghaziabad, Uttar Pradesh
 15. Delhi/18/2012-APCR Shri Pradeep Kumar, S/o late Sh. Babu Lal, Shahdara, Delhi.
 16. Delhi/9/2012-APCR Smt. Mangesh Dhillod, R/o 4/335, Trilok Puri, New Delhi-110091
 17. UP/251/2011-APCR Shri Pheru Prasad, S/o late Sh. Vishwanath, Vill. Sabha Ratnapurwa, Distt. Mehrajganj.
 18. UP/97/2012-APCR Smt. Kalawati Devi & others, Vill. Bhagwanpur, Distt. Gorakhpur.
 19. Delhi/93/2012-APCR Sh. Aarju Aalam, B.A. (Hons.) Hindi Journalism & Mass Communication, R/o Gali No. 1, C-98, Chand Bagh, Delhi-110094
 20. UP/166/2012-APCR Shri Dheer Singh, Vill. Sherpur Pelo, Post Office Mirzapur Paulka, District Saharanpur, Uttar Pradesh
 21. Har/68/2011-APCR Smt. Laxmi Devi, w/o Sh. Lila Ram, R/o Ward No. 1, Near Char Qutub Gate, Vill. & Post Hansi, District Hisar, Haryana
 22. Har/9/2012-APCR Sh. Rajesh, S/o Sh. Raj Kumar, Vill. Bawanikheda, District Bhiwani, Haryana.
 23. HP/3/2012-APCR Sh. Narender Pal & others, Village Manwa, Post Sanora, Tehsil Rajgarh, District Sirmour, Himachal Pradesh.
 24. Delhi/103/2012-APCR Shri Praveen Kumar, S/o Shri Bhagat Ram, R/o 87, Village Sultanpur, Majra, Delhi.
 25. WB/3/2007-APCR Smt. Nupur Sinha, Research Associate, (Psychology) An. S.I. Ankita Apartment, Flat No. 104, Ollabibitala Makla, P.O. Uttarpara, District Hoogly-712245, West

Bengal

26. Delhi/98/2012-APCR Shri Masih Charan Balmiki, S/o Shri C. Lal, C/o Shri Vijay Balmiki, R/o H.No. 1322, Dalhai Mohalla, Bholanath Nagar, Shahdara, Delhi-110032
27. MP/20/2012-APCR Smt. Vanita Unnare, Staff Nurse & others, Community Health Centre, Amla, District Betul, Madhya Pradesh.
28. Har/73/2012-APCR Shri Ved Prakash, S/o Shri Sohan Lal, r/o Amboli, Tehsil & District Jhajjar, Haryana
29. MP/12/2011-APCR Shri Sewa Ram Dhankre, S/o Sh. Babu Lal Dhankre, R/o Machhand Road, Khitoli (Mihona), Ward No. 4, District Bhind, Madhya Pradesh.
30. UP/252/2011-APCR Sh. Dharam Pal, S/o Sh. Chhatrapal, Vill. & Post Khaptihan Kala, P.S. Pailani, District Banda, Uttar Pradesh.
31. Har/34/2012-APCR Smt. Sunil Kumari, Sarpanch, W/o Sh. Kishan Chand, R/o Vill. Bhanguri, Tehsil Hathin, District Palwal, Haryana.
32. UP/120/2012-APCR Amal Singh Jatav, S/o Shri Ram Kishan, Vill. Jisora, District Meerut
33. UP/204/2012-APCR Kumari Rakhi, D/o Shri Vijay Pal Singh, R/o Kawarasi, P.S. Khurja Nagar, District Bulandshehar, Uttar Pradesh
34. UP/209/2012-APCR Shri Hardwari Lal, S/o Shri Mewa Ram, R/o Village Kargaina, P.S. Subhash Nagar, District Bareilly, Uttar Pradesh
35. UP/294/2011-APCR Shri Ran Singh, S/o Shri Mohan Lal, r/o Village Bhatola, Tehsil and District Faridabad, Haryana
36. Har/44/2012-APCR Shri Dhan Singh, S/o Shri Chhajjan Singh & others, R/o Village Dubalu, P.S. Rojkamev, Nooh, District Mewat, Haryana
37. UP/190/2012-APCR Smt. Manju Kumari, W/o Shri Nand Lal, Vill. Lakhni, Mubarakpur, P.S. Kotwali, Ghosi, District Mau, Uttar Pradesh.
38. UP/306/2011-APCR Shri Chhote Lal Pasi, S/o Shri Jai Karan, Village

- Rastipur, P.S. Saraimamrej, Tehsil Handiya, District Allahabad, Uttar Pradesh.
39. Har/37/2011-APCR Shri Karan Singh, S/o late Shri Phula Ram, Vill. Surehati Modiyana, Post Surehati Pilaniya, P.S. Satnali, District Mahendergarh, Haryana
40. UP/63/2012-APCR Shri Kamtu, S/o Shri Ghasitawa, R/o Village Barsada Khurd, District Banda, Uttar Pradesh
41. UP/82/2012-APCR Sh. Vedpal, S/o Sh. Prakasha, R/o Lajpat Rai College Road, Near Kalu Ki Chakki, Kasba & P.S. Thana Bhawan, District Prabhudh Nagar, Uttar Pradesh.
42. UP/208/2012-APCR Shri Bhopal Singh, S/o Shri Shiv Charan, R/o Nangla Shekhu, P.S. Incholi, District Meerut, Uttar Pradesh
43. Har/62/2012-APCR Smt. Dulari, W/o Shri Jawahar Lal, R/o H.No. 1203, Chhapra Colony, Dayal Nagar, District Faridabad, Haryana.
44. J&K/3/2012-APCR Shri Rashpal Singh, HC No. 821190608, HQ Coy. 38 Bn. Smailpur, Samba, Jammu & Kashmir
45. Raj/26/2012-APCR Smt. Krishna, W/o Shri Kalu Ram, R/o Chak Bhejasar, Tehsil Bhadra, District Hanumangarh, Rajasthan
46. UP/64/2012-APCR Shri Ram Kishore, & others, Village Panchayat Jamu, Vikas Khand Kamasin, Tehsil Baberu, District Banda, Uttar Pradesh.
47. UP/144/2012-APCR Shri Lala alias Chander Bhushan & others, Village Usrikheda, Post Sehraua, PS Sohramau, District Unnao, Uttar Pradesh.
48. Raj/18/2012-APCR Shri Satyender Murli, (Journalist) R/o B-98, Saraswati Marg, Bajaj Nagar, Jaipur-302015, Rajasthan.
49. Orissa/11/2011-APCR Shri Moti Lal Tanty, At/Po Sripura, Distt. Jharsuguda, Orissa.
50. Chhattisgarh/2/2012-APCR Smt. Snehlata Meshram, Sneha Cement Works, Hotline Computers, Malviya Nagar Station Road, Durg, Chhattisgarh.

51. Delhi/86/2012-APCR Smt. Usha Devi, R/o 9626, Gali No. 12, Multani Dhanda, Paharganj, Delhi.
52. UP/207/2012-APCR Shri Vijay Singh, S/o Shri Jawahar Singh, R/o Village & Post Abupur, Tehsil Modi Nagar, P.S. Niwadi, District Ghaziabad, Uttar Pradesh.
53. UP/145/2012-APCR Shri Bangali, S/o Shri Katu, Vill. Tikrol, PS Nanota, Distt. Saharanpur.
54. Har/86/2012-APCR Incidence of gang rape of a Scheduled Caste girl at Kalayat, District Kaithal, Haryana.
55. UP/262/2012-APCR Smt. Sarwati, W/o Shri Ram Prakash, Vill. Ohdaripur (Rajapur Sikror), P.S. Saraimeer, District Azamgarh, Uttar Pradesh
56. Raj/2/2010-APCR Shri Ratna, S/o late Shri Latur, R/o Vill. & Post Bairada, Teh. & P.S. Bamanwas, Distt. Sawai Madhopur, Rajasthan.
57. Odisha/1/2013-APCR Shri Mahendra Prasad Dhane, Private Secretary, Office of the Minister, SC & ST Development, Minorities & Backward Classes Welfare, Odisha.
58. Bihar/13/2012-APCR Smt. Rekha Kumar, W/o Shri Anoop Kumar, R/o Mehrani Road, Lala Babu Road, Pehsi Lane, Nai Godam, District Gaya, Bihar.
59. Delhi/35/2012-APCR Shri Kanhaiya Paswan, S/o late Shri Kari Paswan, R/o RZ-276, G/4-A, Inder Puri, New Delhi-110012

**SUCCESSFUL / IMPORTANT CASES ON ATROCITY MATTERS AS RECORDED
IN OTHER STATE OFFICES OF NCSC:**

AGARTALA STATE OFFICE:

(1) In November, 2012 a news has been published in the local news paper that under Kailashahar P.S. one Smt. Gayatri Malakar(SC) of Nayapattan when went to Tilla Bazar to collect subscription for Nari Samity , then one non SC person namely Md. Majnu Khan started using slang language to Smt. Malakar and assaulted her physically, also caused outrage of her modesty. The accused person also took away subscription money, one golden chain from her. He uttered Smt. Malakar as òMali Betiö and Mali community are unsocial and uncultured.

The State Office took up the matter with the S.P. of Unakoti District, Kailashahar and requested to register the case under SC/ST (POA) Act, 1989 as the nature of case relates to atrocity. However the Investigating Officer has been registered the case u/s 3(III)(V)(VIII) of SC/ST(POA) Act, 1989 and u/s 354/379 of IPC. The Addl. S.P. of Unakoti District in his letter it is informed that a previous enmity was going on in between complainant and FIR named accused person on the issue of subscription money. He also informed that during investigation sufficient evidence has not come up against the FIR named accused person to cause arrest him. However the case is pending for further investigation.

(2) One Smt. Tina Das w/o, Sri Shridhari Das of Kumarpara, Bankumari, Agartala submitted a representation to the State Office that on 23rd December, 2012 her 5 years old son Sibam Das was lost. On 5th January, 2013 the dead body of her son has been rescued by the police from the house of her neighbour Sri Pritam Dey (non-SC).

The State Office Agartala forwarded the case to the Police Department for a detailed report of the incident and requested to register the case under SC/ST(POA) Act, 1989. In his letter the Asstt. Inspector General of Police(Pers), informed that the case is under

investigation. He has also informed that the IO has been given instructions to verify the fact of the case for adding appropriate section of law under the SC/ST (POA) Act, 1989. Later on, a press news has been published in the Dainik Sambad on 30th March,2013 that the Police has been submitted the Charge-Sheet to the Court about the murder of Sibam Das, wherein they registered the case under Atrocity Act 1989.

BANGALORE STATE OFFICE:

File No. 49/19/2012-Ru: Smt. Jamuna M, had given representation regarding complaint against one Smt. Roja Rani A.C and her husband Rama Rao C.T. for abusing her caste. This office has taken up the case with the Assistant Commissioner of Police, West Division, Bangalore. The case has been solved on 21.07.2012.

CHENNAI STATE OFFICE:

File No: 1/70/2011 Rep. : On receipt of representation from Shri.S.Janardhanam, S/o.Shri.M.Subramanian, Nimiampatti Village, Vaniyampadi Taluk, Vellore District on alleged atrocity, the case was taken up with the Superintendent of Police, Vellore vide on 8.3.2011. The Superintendent of Police, Vellore on 20.4.2011 informed that a case under Section 147, 234(b), 506(ii) of IPC and Sec.3(i)(x) of the SC/ST (Prevention of Atrocity) Act, 1989 has been registered and investigated. The case was followed up continuously by this Office. The SP, Vellore on 26.3.2012 informed that the victim was paid monetary relief on 12.8.2011.

File No: 1/411/2012 Rep. : Shri.Thangavelu, S/o.Shri.Irulandi of Pallapacherry Village, Kamuthi Taluk, Ramanathapuram District has represented for proper action in the murder of his son (Late) Shri.Palanikumar by Police. The case was taken up with the Superintendent of Police, Ramanathapuram District on 10.10.2011 and followed up on 22.11.2011. The Superintendent of Police, Ramanathapuram District on 3.5.2012 has replied that 5 accused persons were arrested. A sum of Rs.1.75 Lakh had been paid to the victim's family by the District Administration in the case.

File No: 1/279/2011 Rep. : Smt.Parameswari, W/o.Shri.Murugaiyan of Vellalagundam Village & Post, Salem District had represented regarding caste abuse and

threat to his life and atrocities against him by Non-SCs. The matter was taken up with the Superintendent of Police, Salem on 12.7.2011 and reminder was sent on 26.12.2011. The Superintendent of Police, Salem District on 18.4.2012 has intimated that the monetary relief was sanctioned at Collectorate, Salem for a sum of Rs.6,250/-

File No: 1/129/2011 Rep. : Representation dated 22.2.2011 has been received from the Executive Director, Peoples Watch, No.6, Vallabai Road, Chokkikulam, Madurai, alleging that caste based atrocity was meted out on Shri.Sekar, S/o.Shri.Perumal and Shri.Gouri of Illuppakdi, Sivaganga District. The case was taken up with the Superintendent of Police, Sivaganga District for necessary action on 30.3.2011 and followed up with reminder on 19.4.2011. In his reply, the Superintendent of Police, Sivaganga District informed that a case was registered under Cr.No: 166/09 under Sec.294(b), 341 & 323 of IPC read with Sec.3(i)(x) of SC/ST (Prevention of Atrocity Act), 1989 at Poovanthi Police Station. The same was followed up for sanction of monetary relief to the victim. This Office has received a reply stating that the victim was sanctioned a monetary relief of Rs.6,250/- by the District Administration, Sivaganga District.

KOLKATA STATE OFFICE:

File No. 2/23/2012-Gen/OR:

Smt Gurubari Das, W/o Bhimsen Das, R/o Panda Pokhari, P.O. Panasapada, PS Brahamagiri , Dist. Puri, Odisha vide her representation dated 31.10.12 before Honøble Chairman, NCSC when he visited the State of Odisha on 1st November, 2012 (for State Review) and complained that she has been paid very meagerly by the District Social Welfare Authority, Puri as compensation for loss of her articles due to atrocious attack by upper caste people to her and her family members on 09.3.2011. She complained that when article estimated cost of lost articles would be no less than Rs, 1,80,000/-, but the district authority meagerly paid her only Rs. 6,200/- to compensate her loss.

Upon receiving the complaint, the representation was forwarded to District Civil Authority, Puri for appropriate action. Subsequently as per reply received, the District Authority estimated the loss which stood as Rs. 80,000/- out of which, the district administration recommended for payment of Rs. 35,000/- as compensation now. Besides,

under POA Rules, a sum of Rs. 15,000/- also paid apart from the payment of Rs. 6,200/- that was paid earlier.

Some Important Atrocity cases recorded in the State of Odisha

A. Status Report on the press clipping on news item “Rape victims stares at death” published in the Asian Age on 09.01.2012 to SC Girl namely Babina Behera of village Arjunagoda, P.S.-Pipili in the District of Puri.

A detailed factual position was sought by the NCSC State Office, Kolkata from the Collector-cum-District Magistrate, Puri, S.P., Puri and the Home Department, Govt. of Odisha relating to the alleged rape of Babina Behera, Vill-Arjunagoda, P.S.-Pipili in district of Puri. After receipt of information from different sources, the factual position is as follows:-

2. On receipt of the written intimation of Shri Amulya Behera, S/o ó Babuli Behera, Village ó Arjunagoda, Pipili Case No. 10 dtd. 09.01.2012 u/s 341/307/376/506/34 IPC and 3 of SC & ST (POA) Act, the State Govt. of Odisha has been registered.

3. The Collector Puri, Supdt. of Police Puri, the Additional D.G. of Police, HRPC, Odisha, Cuttack were requested vide ST & SC Development Department Letter No.1199 dt.13.01.2012 to enquire in to the matter, give police protection to the family, release of monetary relief to the victims and provide medical treatment to the victim and furnish a compliance report.

4. One Sri Prabir Ku. Das has filed a case before the Honøble High Court of Odisha bearing WP (C) No.586/2011-vrs- state of Odisha& Others for victim SC girl namely Babina Behera D/o Sri Babuli Behera PS-Pipili Dist-Puri. Honøble High Court has directed the CMO Capital Hospital to examine the treatment details if necessary, shift her any other Hospital for better treatment. The Capital Hospital referred the case to SCB Medical College & Hospital, Cuttack and victim was shifted to Cuttack on 11.01.2012. Honøble High Court of Odisha&Honøble OHRC are also monitoring the case.

5. On 09.01.2012 Sri Amulya Behera brother of the victim Babina Behera has intimated in Pipili PS that his sister has been gang raped by four persons & found lying unconscious in a paddy field on 29.11.2011, when she had gone to attend to call of nature. The victim girl was taken into the Govt. Hospital, Pipili by her parents with help of other villagers for treatment. On same day she was referred & taken to Capital Hospital, Bhubaneswar & then to SCB Medical College & Hospital, Cuttack. In this connection Pipili PS No-10 dt.09.01.2012 u/s 341/307/ 376/506/34/ IPC & 3 of SC & ST PA) Act has been registered.

6. On that day one Tractor Driver Sri Tukuna Pradhan shouted that a girl has been lying unconscious in paddy field. So the father of victim girl & other villagers have taken her to Govt. Hospital, Pipili, Capital Hospital, Bhubaneswar & then SCB Medical College & Hospital, Cuttack for treatment to Babina Behera.

7. It is stated that there was a scar mark on her neck. The IIC Pipili had kept the written intimation of Sri Babuli Behera with him but did not register any case. It has also been reported by the SP Puri that IIC, Pipili had visited the spot & gone to SCB Medical College & Hospital to see the victim girl. During subsequent enquiry, the IIC of Pipili Police Station, Mr.Champatiray was found to have committed gross lapses in duty for which he has been terminated from service.

8. On 30.11.2011 Sri Babuli Behera, F/o the victims girl, Ms. Babina Behera gave a written intimation to IIC, Pipili. The IIC Pipili has kept the written intimation of Sri Babuli Behera with him, but did not register any case. It has also been reported by the S.P., Puri that the IIC had visited the spot and gone to the SCB Medical College & Hospital, Cuttack to see the victim girl.

9. ShriAmulya Kumar Champatiray, the then IIC, Pipili PS had, in the mean time, been placed under suspension vide Order No.63/EXE dt.13.01.2012 of DG & IG of Police. Subsequently, he has been dismissed from Government service vide DG & IG of Police vide Order No.93/EXE dt.21.01.2012.

10. Dr. P.L. Punia, Honøble Chairman, NCSC accompanied by Dr. Dibakar Basak, Director, State Office, NCSC, Kolkata visited the spot and directed that the victim girl be admitted to Capital Hospital, Bhubaneswar for treatment & IIC, Pipili to register a case, State Human Rights Commission also intervene and directed the same to the State Govt. for compliance. Accordingly, Sri Amulya Behera, Brother of victim girl filed the FIR, which has been registered as Pipili PS Case No-10 dt.09.01.2012. The state Crime Branch has taken up investigation of this case on 10.01.2012 & registered the case as CID PS Case No.2/2012. Sri RC Sethi, DSP Crime Branch is in super vision of the matter. Three more teams headed by DSP rank Officers are assisting the investigation. A large number of witness including parents of the victims, other relatives & villagers along with doctors who attended to the victim at CHC Pipili, Capital Hospital & SCB Medical College & Hospital, Cuttack have been examined.

11. This being a sensitive matter a judicial inquiry in the matter has been ordered by the Government on 13.01.2012. Honøble Shri Justice, P.K. Mohanty, retired judge of Odisha High Court has been appointed as Commission of Inquiry to enquire into the incident.

The scope of Commission is to enquire into:

- i). The circumstances leading to the incident and developments thereafter.
- ii). The persons responsible for the incident
- iii). The role of police in the discharge of their responsibility
- iv). Any other matter connected with or incidental thereto, as the Commission may consider appropriate including suggestions relating to the above matter.

12. Victim girl is receiving treatment & SCB Medical College & Hospital. All expenses relating to her treatment will be borne by the State Govt. A committee of Head of Departments of Neurology, Neurosurgery, Anesthesiology, Orthopaedics & Psychiatrics of SCB Medical College are taking care of the victim girl. Honøble Odisha High Court and Honøble OHPC are also monitoring the case.

13. One Habildar & four Constables under the supervision of one lady Sub-Inspector have been stationed near the ICU of SCB Medical College & Hospital for adequate security protections to the victims. All four accused persons namely pasia @ Prasant Pradhan, Kala @ Gurna Chandra Swain, Premananda Nayak & Abua @ Sukanta Ku. Pradhan have been arrested & remanded to judicial custody. All the four accused have been medically examined.

14. On requisition of the CID, Crime Branch, Odisha, a medical team from the All India Institute of Medical Science (AIIMS), New Delhi headed by Prof. T.D. Dogra, Prof & Head Department of FM & T along with Dr.Anupauma Raina, Dr. Neeta Singh and Dr.Sanjeev Lalwani visited SCB Medical College & Hospital, Cuttack on 28.01.2012 and examined the victim girl, Ms.Babina Behera. The AIIMS team has also visited the place of alleged occurrence and furnished their report to the CID, Crime Branch. The investigation of the case is in progress.

15. During the course of investigation of the aforementioned case, a prima-facie evidence has been well made out against accused Prasant Pradhan for his prosecution in the court of law for attempt to murder and related offence U/s 341/354/307/506/34 IPC r.w. Section 3 (1) (X)/ 3 (1) (XI)/ 3 (2) (V) SC & ST (PA) Act. But the case for rape is not made out. Further, there is evidence against accused Abua @ Sukanta Pradhan for criminal intimidation and related offence U/s 506 IPC r/w Sec.3 (1) (X) SC & ST (PA) Act. Accordingly, the

Investigation Officer has submitted charge sheet against accused persons Prasant Pradhan and Abua @ Sukanta Pradhan under the above sections of law vide C.S. No.06 dt.10.03.2012 to face their trail in the Court of law. The investigation has been kept open U/s 173 (8) Cr.P.C. to continue further investigation if required.

16. During investigation, role of accused persons Gurna Chandra Swain and Premananda Nayak has not come to light on the incident of 29th morning in spite of meticulous investigation. However, there is evidence of these two persons threatening the family members of the victim in the context of Pipili PS Case No.13/2008, in which these two were charge sheeted. For this threatening, which is not linked to the incident of 29th November,2011 separate FIR vide CID PS Case No.10 dt.28.02.2012 U/s 506/34/IPC/3 (1) (X) of SC & ST (PA) Act has been registered on report of Dy. S.P., Sri R.C. Sethi, (I.O. of CID PS Case No.02 of 2012) and has been investigated. After investigation the I.O. has submitted charge sheet against Shri Gurna Chandra Swain and Shri Premananda Nayak vide C.S. No.07 dated.14.03.2012 U/s 506/34 r.w. section 3 (1) (X) SC & ST (POA) Act.

17. The Collector, Puri in his letter dt.22.01.2012 has intimated that the SDPO, Puri and Tahasildar-cum- Executive Magistrate Pipili to cause joint enquiry in to the incident vide his Letter No.31 dt.12.01.2012 and the Supdt. of Police CID (Crime Branch). Cuttack has also been requested to supply a copy of Medical Examination report of Ku. Babina Behera vide his office letter No.32 dt.13.01.2012. As per the provisions contained in Rule 12 (4) of SC / ST (POA) Rules, 1995 pending receipt of Joint Enquiry Report an amount of Rs.25,000/- has been sanctioned towards payment of 50% of monetary relief in Pipili P.S. Case No.10 dt.09.01.2012 in favour of the atrocity victim.

18. Further an amount of Rs.50,000/- has also been sanctioned in favour of the said victim towards financial assistance and support services to the victim of the alleged rape by the District Criminal Injury and Rehabilitation Board out of District Red-Cross fund. The District Welfare Officer, Puri has been authorized to make payment of the sanctioned money to the family of the victim. On 19.01.2012 the DWO, Puri proceeded to Arjunagoda for payment of monetary relief to the victim family and found none of his family member except his grand-father and grand-mother. Then proceeded to SCB Medical College, Cuttack, where he could see the victim in the ICU with the Superintendent of Medical College, Cuttack. In absence of her father and mother the DWO, Cuttack handed over the two cheques to Sri Amulya Ku. Behera, brother of the victims on 21.01.2012 for necessary expenses in presence of Dr.B.N. Maharana, store Medical Officer, SCB Medical College & Hospital,

Cuttack and Sri Sumanta Bhoi, her relative of Gadaitapokhari of Nimapara Block. The joint inquiry report is awaited.

19. On the representation dt.21.03.2012 of Sri Babuli Behera, father of the victim girl Babina Behera, G.A. Department was requested vide this Department letter No.11583 dt.28.03.2012 for sanction of Rs.100,000/- as financial assistance from Chief Minister's Relief Fund. G.A. Department vide their letter No.454 dt.27.04.2012 have sanctioned Rs.1,00,000/- from Chief Minister's Relief Fund in favour the parents of Babina Behera.

Similarly, on request of Sri Babuli Behera, father of Babina Behera, Revenue & Disaster Management Department has been requested vide this Department letter No.11584 dt.28.03.2012 for providing a piece of homestead land in favour of parents of the victim girl and the response of Revenue & Disaster Management Department has not been received.

(1) House burnt incident committed at Lathor, Khaparakhhol, Dist-Bolangir

The Joint Secretary, Home (Special Section) Department, collector & District Magistrate, Bolangir & S.P. Bolangir were requested vide this Department letter No.6734/SSD dt.03.02.2012 to furnish the factual report alongwith action so far taken to provide appropriate rate of Monetary relief alongwith medical assistance to the victims of Lathor in Bolangir District.

As per report of the Collector & S.P. Bolangir the incidents took place in Lathor under Khaparakhhol P.S. on 22.01.2012. At about 9.30 A.M. Ganesh Suna of Lathor a member of Scheduled caste community went to the Laxmi Cloth Store of Budu Meher, Lathor to purchase pant and shirt and paid Rs.130/- being cost of the wearing apparels. Days Meher and Bharat Meher S/o Gudu Meher detained Ganesh Suna and asked to pay the cost of another shirt which he was wearing. During discussion, there was heated exchange of words between them and Day Meher assaulted Ganesh Suna by means of hanger, being caught hold by Gudu Meher and Bharat Meher. After some time at about 10.30 A.M. Ganesh Suna and five other friends of his community arrived at the shop of Budu Meher and assaulted Daya Meher by means of fist blows. In this connection Khaparakhhol P.S. case No.7 dt.22.01.2012 U/s 341/323/294/506/34/ IPC/3 SC/ST (POA) Act was registered at 11.30 A.M. on the report of Ganesh Suna and Sri L.N.Panda, OPS, SDPO, Patnagarh is Investigating the case.

A counter case vide Khaprakhol PS case No.8 dt.22.01.2012 U/s 452/307/380/341/323/34 IPC was registered at 3 P.M. on the report of JayadevMeher and Inspr. N.Kiro, IIC, Khaprakhol P.S. is investigating the case.

Again at 3.30 P.M. about 50-60 Meher Caste people, supporters of BuluMeher namely DhansinghMeher, JitendraMeher, PrakashMeher, BholaMeher and others being annoyed, went to the market side armed with lathis and forcibly closed the market and went towards Harizanbasti. At about 3.45 P.M. they ransacked the houses of MahendraSuna, MadanSuna and others and set fire to 38 houses of Harijans pouring kerosene and petrol. At that time male members of Harizanpada were absent & only female and children were there.

The agitators did not allow the fire brigade by way of road blocking, pelted stones, damaged the vehicle and forcibly took away the motor pump and exhaust pipe. In this connection Khaprakhol P.S. case No.9 dt.22.01.2012 U/S 147/148/341/332/353/435/427/506/149 IPC/4 PDPP Act/7 CrI. A Act has been registered on the report of PravakarPradhan at 8.30 PM.

The supporters of BuduMeher armed with lathis also obstructed the Executive Magistrate and other officers in duty by chasing them and pelting stones at them. In this connection Khaprakhol PS case No.13 dt.22.01.2012 U/s 147/148/332/353/149/336/506 IPC/7 CrI.A.Act has been registered. The reinforcement of force was made by deputing one platoon of OSAP from Bolangir Reserve at 6.00 P.M. and one more platoon of OSAP Bolangir at 9.00 P.M. One platoon of OSAP of Sonepur district was also mobilized to Lathor by the order of IGP, NR, Sambalpur. The striking force stationed at Titilagarh and Kantabanji were also mobilized to maintain L/O at Lathor. SDPO, Titilagarh, IIC, Kantabanji, and officers of BelpadaP.S.and SDPO, Patnagarh and officers of Patnagarh P.S. were also mobilized to maintain L/O at Lathor. On the report of JitendraSuna, Khaprakhol PS case No.11 dt.22.01.2012 U/s 147/148/436/427/354/506/149 IPC/3 SC/ST (PA) Act and Khaprakhol PS case No.12 dt.22.01.2012 U/s 147/148/436/506/323/427/149/ IPC/3 SC/ST (POA) Act has been registered and under investigation. 52 accused persons belonging to Meher community have been arrested. 193 members of SC have been rescued & kept in temporary Relief Camp in Sri Durgeswari High School, Lathor. About 38 houses were set ablaze. The free kitchen to the victims is still continuing. None has received any serious injury. No causality on either side.

IG of Police, NR, Sambalpur and Addl. S.P. Bolangir reached at Khaprakhol P.S. and S.P., Bolangir proceeded to Lathor who followed on the heel to control the situation. IGP, NR, Sambalpur instructed the Police Officers to pick the strategic points of the town and cause the arrest of persons involved in the arson and violence. Also the police flag marched at regular intervals in village Lathor. Collector and District Magistrate, Bolangir visited Lathor along with Emergency Officer and distributed relief materials in the same night i.e. 22/23rd night out of the District Red Cross Fund.

The accused persons including Ghasiram Agrawal, Jagannath Agrawal, Subash Agrawal and Ratan Lal Agrawal shown in the FIR as main culprits are absconding from their houses soon after the occurrence. NBWs for arrest of the above named accused persons have been obtained from the Court of SDJM, Patnagarh and the IIC, Khaprakhol PS has been entrusted for due and timely execution of the NBWs. Further notice U/S 82 & 83 Cr PC has already been issued by the Court of SDJM, Patnagarh in Khaprakhol PS Case No.11/2012, dated.22.01.2012 with one month time for surrender of accused persons failing which their properties shall be attached by the Court Case Diaries have been updated by SDPO, Patnagarh in the above case. S.P., Bolangir has supervised all atrocity cases and released S. Notes with instructions to the SDPO, Patnagarh to update the C.Ds in all other atrocity cases and submit compliance for early closure of the cases. Raids are frequently conducted to apprehend the remaining absconding accused. But the main, accused persons have obtained anticipatory bail from Honøble High Court & have already been bailed out. Other accused persons have also surrendered in the court & have got bail. The charge sheet has already been filed in all seven cases before the SDJM, Patnagarh by 24.03.2012.

Temporary closure of the Country Liquor Shop of Lathor was made for a period of 15 days vide Order No.81, dt.18.02.2012 of the District Collector, Bolangir and further extension of the same for a period of 15 days was made from time to time. Now the petrol pump and Liquor Shop have been closed as the owners of the said establishments are named in the FIR who allegedly supported Meher community people in such violent incidence.

A peace committee has been constituted with 15 members including Sub-Collector, Patnagarh as its head and 5 members of SC Community and 5 members from non SC Community with effect from 25.01.2012 to work for restoration of peace normally in village

and around Lathor. As the situation does not appear to be normal, U/s 144 Cr.P.C. continues to be in force, The School and Banks are functioning as usual.

A meeting of peace committee was held in Khaprakhol at 4.30 P.M. in Khaprakhol Block Office on 25.01.2012. It was attended by District Collector, S.P., ADM, Addl. S.P., Sub-Collector, Patnagarh, SDPO, Patnagarh and leaders of both SC and non SC community.

Order U/S 144 Cr.P.C. has been promulgated w.e.f. 25.01.2012 for restoration of peace and public tranquility. One Platoon of police has been stationed at Lathor round the clock from the date of occurrence.

Relief measures taken :

1. 193 SC victims are kept in a temporary relief camp at Sri Durgeswari High School & provided free kitchen from 22.01.2012 & continuing.
2. Biscuits & dry food, blankets, drinking water have also been provided to the victims.
3. Financial assistance @ Rs. 1.00 Lakh per family has been distributed to 31 SC families (whose houses have been burnt) in shape of cheque from Chief Minister's Relief Fund.
4. Initially Rs.25,88,250/- was sanctioned for payment of monetary relief to the victim families under SC & ST (POA) Act on 09.02.2012 including loss of property. Out of which 40 Nos. of victim families have been sanctioned with Rs.25,000/- each towards monetary relief as envisaged U/R 12 (4) of the POA Rules,1995 through A/c Payee Cheques on 14.03.2012. The balance amount towards monetary relief out of Rs.60,000/- as per the revised norms has also been disbursed in the meantime to the 31 victims families. Towards injury and insult, monetary relief to the extent of 25% of the amount of Rs.60,000/- as provided under rule 12 (4) of the aforesaid rules has also been paid in shape of A/c payee cheques to 11 victim families as envisaged U/S 3 (1) (ii) & 3 (1) (x) of the said Rules.
On account of outrage of modesty of the SC Women, 5 victim persons have been paid with Rs.50,000/- each towards monetary relief as envisaged under Rule 12 (4) of SC and ST (POA) Rules,1995 read with Section 3 (1) (xi).
5. Three platoons of OSAP & One platoon of APR force have been deployed to protect victim families and to restore law & order situation.
6. One platoon of APR force camped at Lathor for protection of the victims.
7. Clothes and utensils for the victims have been provided out of Red Cross Fund.
8. Free Medical Check-up has also been done by deputing Doctors.

9. For providing brick/stone masonry house to the house burnt families at Lathor, a sum of Rs.65.10 lakh has been sanctioned and released to the Collector, Bolangir @ Rs.2.10 lakh each (as per the plan & estimate submitted by the Collector). The said amount has been placed with the BDO. Khaprakhol, and out of 31 houses, the construction work has already been started for 15 houses. Out of which 5 Nos. at Roof Level, 3 Nos. at Lintel Level, 4 Nos. at Plinth Level and 3 Nos. at Foundation Level. In case of other 16 houses, it is stated that all the houses are in one patch without boundary demarcation/ boundary stone which raised dispute among victims while demolishing the old houses to start new houses. This hindered the process for sometime and the victims are pursued to resolve the issue mutually and amicably to eliminate future litigation. All out efforts are being made to complete the construction work before the coming monsoon.

10. A sum of Rs.20,000/- has also been released in favour of the Principal, Panchayat +2 College, Lathor to provide stitched uniform dresses and study materials to all the college students belonging to SC victim families. Regarding supply of Text Books to the College students, the Principal has been directed to supply the same to the students concern. Further, the DWO has requested the Principal, Higher Secondary School (SSD), Malpada and the Headmaster of Sahajpani, Ashram School to accommodate the College/ School students belonging to SC Victim families in their Hostels to continue their study. Registrar, Sambalpur University, Deputy Secretary, Board of Secondary Education, Odisha, Zonal Office, Sambalpur and Secretary, Council of Higher Secondary Education, Odisha, Bhubaneswar have been moved for supply of application forms for obtaining duplicate Educational Certificates by the Collector Bolangir.

11. Text Books and study materials to the school students from Class-I to X have been provided to the students belonging to the victim families through D.I. of Schools, C.I. of Schools and DPC, SSA.

B. House burnt case of village Kamadhenukote under Sadar Block of Dhenkanal District

The Collector & District Magistrate, Dhenkanal and SP Dhenkanal was requested vide this Department letter No.7953 dt.16.02.2012 to enquire in to the matter and furnish a detailed report alongwith action taken report to this Department and furnished the enquiry report & action taken report to this Department vide their Letter No.979 dt.14.02.2012. It is found from the Joint report that one Pratap Swain a Sarapanch candidate of Dhira Patna G.P.

was defeated by one ManoramaPuhan (winning candidate) with the margin of 40 votes. Being aggrieved and suspecting the SC People who were the cause of his defeat, Sri Pratap Swain & his 150 supporters namely BenudharMohanty, JhariPradhan etc. all of village Kamadhenukote, PS-SadarDist-Dhenkanal allegedly set fire to the straw thatched houses of SC families on 12.02.2012 in between 6.00 A.M. to 7.00 A.M.

Due to fire incident, 21 families have been affected who lost everything. The District Administration have deployed the police force by withdrawing from election duty to protect the weaker section of the society. Initially two platoons and two sections of OSAP were campaigning at Kamdhenukote to restore normalcy and peace in village.

The SP, the A.D. M, the S.D.P. O, the Sub-Collector, the DWO and the Tahasildar, Dhenkanal visited the village on that day within 3 hours of the incident. The Collector, Dhenkanal also visited the affected village within 24 hours of the incident.

On the report of Bichi Naik S/o-Sudam Naik, GaneswarNaik S/o-Late Fagu Naik, GobindaNaik S/o-Late Hari Naik, Manas Naik S/o-Late Mulia Naik & Niranjana Naik S/o Mulia Naik, all of village Kamadhenukote the Sadar PS/Dist-Dhenkanal, 7 cases have been registered vide P.S. case No-60 dt.12.02.2012, No-61 dt.12.02.201, No-62 dt.12.02.2012 No.63 dt.12.02.2012 & No.64 dt.12.02.2012 U/S 147,148,436,354,323,294, 307, 435, 149 IPC, Section 3 SC & ST (POA) Act. Sadar PS case No. 73 dt. 14.02.2012 U/s. 147/148/323/436/307/506/149/IPC/ 3SC &ST(POA) Act,1989 & Case No. 74 dt.14.02.2012 U/s.147/148/323/436/506/149IPC/3 SC &ST (POA) Act, 1989. The Charge sheet has already been filed in all 7 cases.

In aforesaid cases 19 accused persons namely (1) Kanu @ Kish Barik, Nuagaon, (2)Sri Hira @ Director @ BarunBarik, Nuagaon, (3)Sri Khageswar Rout, Kamadhenukote, (4)NrusinghJethi, (5) JagannathMohanty, (6) Pratap Kumar Rana, (7) MinaketanJethi, (8)Abhimanyu Swain,(9) BijayMohanty,(10) Susa@ Sushanta Kumar Mohanty, (11)Sarangadhar Rout,(12) RanjitKanjia, (13) PabitraBehera @ Kaukhia, (14) BatakrushnaPradhan, (15)Sukanta Kumar Mohanty,(16) JanmejayaMohanty, (17) KhirodJethi, (18) Gopinath Jena and (19) Bichitrananda Swain have been arrested & forwarded to judicial custody u/s 147/ 148/ 436/ 354/ 323/ 294/ 435/ 307/ 395/ 506/ 149 IPC/Sec. 3(i)(vii)(x)(xv)(2)(iii)(iv)(v) SC&ST(POA) Act,1989. The other 7 accused persons are absconded & steps are being taken to arrest the remaining accused person. Prayer has been made in the court of SDJM, Dhenkanal for issue of NBW as well as order of proclamation and attachment u/s 82&83 Cr.P.C. which is awaited.

Relief measure taken:

1). A sum of Rs.2,10,000.00 has been disbursed on 13.02.2012 to 21 fire affected families @ Rs.10,000/- each out of District Red Cross Fund to mitigate their immediate grievances.

2) The Collector, Dhenkanal in his letter No.500 dt.28.02.2012 has furnished the joint enquiry report assessing the loss of properties of 21 victim families to the tune of Rs.12,15,000/-. Rs.12,15,000/- has immediately been allotted to the Collector, Dhenkanal on 01.03.2012 for payment of monetary relief to 21 atrocity victim families.

3) A sum of Rs. 21 lakhs as compensation has been disbursed to 21 dalit victims @ Rs. 1,00,000/- each out of Chief Minister's Relief Fund.

4) An amount of Rs.18,90,000/- @ Rs.90,000/- i.e. twice the unit cost of IAY house, has also been sanctioned on 25.02.2012 in favour of 21 victim families of Kamadhenukote in Dhenkanal District and the amount has been sent to the Collector, Dhenkanal in shape of Bank Draft on 20.03.2012. The B.D.O., DhenkanalSadar Block has already started the construction work in respect of all 21 victim families. All out efforts are being made to complete the construction work before coming monsoon.

5). 45 nos. of Sarees, 45 nos. Lungies, 45 Nos. of Towels, have been distributed among the affected families.

6). 25 sets of utensils (Dekchi&Karei) have also been distributed to the affected families as their utensils were damaged during the fire.

7) 25 sets of utensils (Thali& Gina) have been distributed to the affected families.

8). 25 pieces of tarpolines have been provided for immediate temporary shelter for the affected families.

9). 65 nos. of Blankets have been distributed to them by other institutions.

10). The 11 Nos. of school going children were provided with Dresses and N.T. Books. All the affected students are also sitting for Annual Examination for the year 2012.

11). Chuda, Rice &Jaggery have been provided to the affected families.

12). Free cooked foods have been organized in a common kitchen for a period of two months which has been started from 12.02.2012 and continued till 13.04.2012.

13). 5(five) nos. of temporary shelters with electrification have been constructed in the Dalit Bustee for immediate use by the fire victims.

14). On the approval of the Special Relief Commissioner, Odisha Bhubaneswar 15 days free cooked food have been provided w.e.f 12.02.2012 and continuing. Besides, as per request of Collector, Dhenkanal vide his letter No.499 dt.28.02.2012, a sum of Rs.30,450/- has also been allotted to continue free kitchen for the 21 victim families for another 45 days.

15). Presently, one platoon of O.S.A.P. along with officers is camping at village Kamadhenukote to prevent re-occurrence of such atrocity. The situation is quite normal now.

16). In order to arrest principal accused Pratap Swain and his close associates one team headed by SI Jahangir Mohammed is camping at Bhubaneswar as per the information deducted from Mobile tracking regarding the presence of accused persons. Principal accused Pratap Kumar Swain surrendered before the Court of S.D.J.M. Dhenkanal on 10.06.2012 as per the orders of Honourable High Court, Odisha vide B.L.A.P.L. Case Nos.4870/2012, 4871/2012, 4872/2012, 4873/2012, 4874/2012, 4892/2012 and 4413/2012 and released on the same day. In respect of accused Golekha Rout @ Gokula Rout, steps are being taken U/S. 82/83 Cr.P.C. to compel his appearance/ surrender in the court. Including Pratap Kumar Swain total accused persons charge sheeted in all the seven cases :- 21 accused arrested + 63 accused persons surrendered + 1 accused absconder-85.

17). The loan application of 20 fire affected victims has been sponsored to Neelachal Gramya Bank, Sankarpur under Bankable Income Generating Scheme of OSFDC programme vide letter No. 518, dt.23.02.2012 of the BDO, DhenkanalSadar. The B.M has already sanctioned the loan and part payment has been made and subsidy @ Rs.10,000/- per each family has also been released by the District Manager OSFDC, Dhenkanal.

18). Director, Dr.Ambedkar Foundation, New Delhi has been requested to provide financial assistance to the 21 dalit families @ Rs.1.00 lakh each vide letter No.1081 dtd.04.05.2012 of Collector, Dhenkanal.

19). Two number of Projects i.e. Renovation of Khadia Tank & Construction of Bridge in village Kamadhenukote have been started under MGNREGS to provide wage employment to affected victims.

20). Anganwadi Centre has been shifted to ShabarSahi which is very nearer to Dalit Bustee.

C. Press Clipping regarding house burnt cases of village- Kalahandipada, Dist-Rayagada & Rehabilitation of the affected 50 families

The factual report of the house burnt case of village Kalahandipada of Rayagada District as reported by the S.P./ Collector, Rayagada is that the inhabitants of various states working

in J.K. Paper Mill, Rayagada under Chandili PS and most the labours, casual workers and outside tribals are residing in different colonies. Kalahandipada colony comprising of 500 families and among them approximately 70 SC families of Kalahandi District have been residing in the colony since long. On the other hand, about 200 families of ST community are residing in the village Bada Chandili. On 28.03.2012 three youths of Kalahandipada namely (1) Prakash Sika, (2) Asik Suna and (3) Debarchand Chhatriya while passing through SPT colony Prakash Sika pelted stone to one Susrita Pedanti (13) S.T. minor girl of village Bada Chandili while drying wet cloths in front of her brother's quarter. On this her brother Balajee Pedanti protested against such activity of the Kalahandipada youth and there was exchange of hot words between them. Subsequently in the evening at about 5 P.M. when Balaji Pedanti returned back to home from duty 10 to 15 youths of Kalahandipada assembled in front his house and tried to attack him but he escaped and went to village- Bada Chandili and informed the villagers regarding the overact of Kalahandipada people. On getting this information about 60 persons of Bada Chandili led by Rama Chandra Pedanti and Rajesh Miniaka rushed to Kalahandipada to challenge the eve teasers but while in the process of argument between Kalahandipada and BadaChandili groups near SPT colony the Kalahandipada youths suddenly assaulted Rama Pedanti, Rajesh Miniaka and AyanaMiniaka of BadaChandili. Being injured the BadaChandili villagers returned to their village. After local medical treatment shifted the injured persons to Visakhapatanam (A.P.) for treatment. On receipt of the information Chandili Police intervened in the matter and immediately arrested 8 (Eight) culprits of Kalahandipada in the same night. In spite of this the villagers of Bada Chandili organized a meeting over the issue along with nearby villagers of S.T. community laid by Nabina Bidika. On 29.03.2012 at about 09:30 A.M. the villagers of Bada Chandili and Sana Chandili more than 500 assembled at Durgapuja ground armed with lathi and deadly weapons with an intension to take revenge on Kalahandipada people. They are prevented by the local police, but the unruly mob ignoring the less strength of Police forces and disobeying the Police they forcibly entered into the Kalahandipada, Bhatipada and Nuapada colony and damaged the huts / quarters, destroyed households articles, burnt one motor cycle and roofs /furniture etc. Due to less strength of officers and force, they concentrated for rescue and save the life of inhabitants of Kalahandipada for which there was no casualty in the accident. On receipt of the information about the incident the Police officers and forces arrived under the charge of Addl. S.P., Rayagada immediately intensified police patrolling, blocking and

picketing at strategic points of the entire Kalahandipada, Bhatipad, NuapadaChandili and J.K. Pur area.

In connection with the above incident three cases has been registered vide Chandili P.S. Case No. 44 dated 28.03.2012 U/S 147/ 148/ 341/ 326/ 307/ 294/ 506/509/149 IPC registered against the people of Kalahandipada on the written report of Nabina Bidika of Bada Chandili. In this case, 8 persons were arrested and forwarded to the court. On the written report of Pitambar Bag Chandili P.S. Case No. 45 dated 29.03.2012 U/S 147/ 148/ 427/ 436/ 452/ 380/ 354/ 323/ 294/ 506/ 149 IPC has been registered against the villagers of Bada Chandili and Sana Chandili. In this case 9 persons of BadaChandili were arrested and forwarded to the court. Besides, this Chandili P.S. Case No.61 dated 02.05.2012 U/S 354/384/307 IPC has been registered on the written report of S.I. M. Behera of Chandili P.S. against Rama Pedanti of Bada Chandili. The accused Rama Pedanti was arrested and forwarded to the Court. Under the initiation of Police the district administration intervened and peace committee was formed.

Overall, there was no major incident or serious law and order till date in the J.K. Paper Mill area. The Paper Mill is running peacefully without any disturbance. Though labours of all over India working in the J.K. paper Mill and residing in different colonies. The above incident took place between only the S.C. people of Kalahandipada and S.T. people of Bada Chandili due to personal ill feeling and political rivalry. However the situation is under control. Police is patrolling and picketing in the area which brought peace in the area. The affected people (approximately 900) were provided with a free kitchen at Chandili Gram Panchayat from date 29.03..2012 to 31.03.2012 and compensation and rehabilitation assistance have been provided to 245 people ranging from Rs. 1000/- to Rs. 2625/- each amounting Rs. 6,10,500/- out of Chief Minister's Relief fund. Further the Govt. in General Administration Department, Odisha, Bhubaneswar has sanctioned Rs. 23,28,000/- out of Chief Minister's Relief Fund towards compensation and rehabilitation assistance to the victims of Kalahandipada group clash in Rayagada district.

PATNA STATE OFFICE:

(i) An incident of gangrape of a Sch. Caste girl in Chhoti kewai village under Shahjehanpur P.S. of Patna district was occurred on 25-12-2012. The Police registered Shahjahanpur P.S. case No. 62/2012 dated 25.12.2012 u/s 363/366/376 IPC and 3 (1)(xi)/ 3 (1)(xii) of the

SC/ST(POA) Act. 1989 against there named accused. The State Office of the Commission at Patna conducted spot enquiry into the case on 29-12-2012 and suggested to add Sec. 3(2)(v) of the SC/ST (POA) Act, 1989 in the case and to complete the investigation of the case within the time limit prescribed in the SC/ST (POA) Rules, 1995 and payment of the financial assistance accordingly. The Police submitted Charge-Sheet vide No. 1/2013 dated 22-1-2013 u/s 363/366/376 IPC and 3(1)(xi)/3(1)(xii)/3(2)(v) of the SC/ST (POA) Act. 1989 against all named accused. Financial Assistance of Rs. 60,000/- has been paid to the victim.

(ii) An incident of arson, beating of inmates and damage to property in the Sch. Castes Govt. Welfare Hostel, Arrah in Bhojpur district was occurred on 1-6-2012. Dr. Rajkumar Verka, Honøble Vice Chairman, National Commission for Sch. Castes, Govt. of India, New Delhi visited the Welfare Hostel, Arrah on 24-7-2012 and enquired into the case. It was suggested for assessment of loss of property of the Welfare Hostel and belongings of inmates, to complete investigation of the case immediately, arrest of the accused and payment of compensation to the Sch. Castes inmates of the welfare hostel. The Police registered Bhojpur (Nawada) P.S. Case No. 143/2012 dated 1-6-2012 u/s 147/148/149/436/332/323/307/427 IPC, 3/4 Damage to Public Property Act and 3(1)(ii)(v)(x)(xv)/3(2)(iii)(iv) of the SC/ST (POA) Act. 1989 against 100 unknown accused persons. The police arrested six accused and submitted Charge-Sheet against them vide No. 221/2012 dated 4-8-2012 and further investigation was in progress. The financial relief to 351 inmates had been paid.

(iii) An incident of burning of 10 Sch Castes huts and beating of SC persons in Ahwar Majharia village under Mufassil P.S. of West Champaran district was occurred on 23-12-2012. The incident took place to dispossess the Sch. Castes persons from their allotted land. The Police registered Bettiah Mufassil P.S. Case No. 682/2012 dated 23-12-2012 u/s 148/149/341/323/337/435/436/504 IPC and 3(1)(v)(vii)(x)/3(2)(iii)(iv) of the SC/ST (POA) Act. 1989 against 23 named and 15 unknown accused persons. The State office of the Commission at Patna conducted spot enquiry into the case on 28-12-2012 and suggested to arrest the accused and to restore possession of Sch. Caste persons to their allotted land. The Police arrested three accused persons. Further, investigation of the case was in progress.

(iv) Two Sch. Castes girls sustained acid burn injury thrown on them on 21-10-2012 in Chhitnawan Mushahari village under Maner P.S of Patna district. The police registered

Maner P.S. Case No. 312/2012 dated 22-10-2012 u/s 324/307/34 IPC and 3(1)(x) SC/ST (POA) Act, 1989 against unknown accused. The State Office of the Commission at Patna conducted spot enquiry into the case of 27-10-2012 and suggested to add section 3(2)(v) of the SC/ST (POA) Act, 1989, to arrest the accused, to complete the investigation within the time limit and for payment of financial assistance. The police arrested two accused and submitted Charge-Sheet vide No. 259/2012 dated 22-12-12 u/s 326/307/34 IPC and 3(1)(x)/3(2)(v) of the SC/ST (PoA) Act, 1989 against the accused. The victim girls paid financial relief of Rs. 1.20 lakh each and provided with free treatment in the PMCH, Patna.

(v) An incident took place is Nawada P.S. and Ara Nagar P.S of Bhojpur district in which 14 Sch. Castes persons were died due to drinking of poisonous liquor. It took place from 7-12-2012 to 9-12-2012. The Police registered Nawada P.S. case No. 353/2012 dated 7-12-2012 u/s 409/420/120(B)/272/273/304.328 IPC, 47(A) Excise Act and 3(2)(v) of the SC/ST (POA) Act, 1989 against 5 named and other unknown accused persons. The police arrested 5 named and 6 non-FIR accused. The State Office of the Commission at Patna conducted spot enquiry into the case on 18-12-2012 and suggested to provide financial assistance to the deceased family, free education to wards of the deceased family and establishment of drug de-addiction centre.

PUNE STATE OFFICE:

File NO. NCSC/PUNE/3/2012-APCR-II

The Commission's State Office Pune had received a representation from Shri. Kiran Alhat regarding encroachment on his land. The matter was taken up with the Comm. of Police Pune and Commissioner Pune Municipal Corporation on 2nd Feb 2012. Due to commission's intervention the possession of the said land was given to the petitioner.

File NO. NCSC/PUNE/43/2010/APCR-I

The Commission had received a representation from Nitesh Bahule Pune on 26/11/2011. The complaint was regarding raped of a minor girl.. Commission visited personally to DCP and forced to invoke POA 3(i)(xi) and 3(2)(v) and invoked by the police.

File No. NCSC/Pune/32/2009/APCR-I

The Commission had received a representation from Shri S.L. Waghmare and ku. Rekha Waghmare r/o Pimpri Pune on 14.9. 2009. The complaint was regarding harassment, and caste abuse and threat to kill. The Commission had taken up this matter with Addl DGP Mumbai, and C P Pune on 16/09/2009 and follow up time to time. ACP Pimpri had informed vide their letter 1109/2010 dtd. 20/4/2010 that the comment of Directorate of Prosecution, Maharashtra Rajya suggested to invoke to sections of SC/STs POA act 1989 and accordingly invoked the section 3(ii)(v).

File No. NCSC/PUNE/23/2008/APCR-I

State office had received a representation on 15.10.2008 of Smt. Dharmshila Wankhede, Nagpur by Shri Pundalikrao Shamkuwar, worker of Dalit Vikas Parishad, Nagpur. The complaint was regarding the Institute owner had molested and abused on caste name. The FIR was registered under IPC sections only. The Commission had taken up this matter with Commissioner of Police, Nagpur. Due to intervention by the Commission, Police Superintendent, Nagpur, Rural informed their letter dated 25.05.2009 that the accused person have been arrested and section 3(i) (xi) of SCs/ STs POA act 1989 was invoked. The Spl Distt. Welfare Officer Nagpur also informed vide their letter dated. 17.08.2009 that Rs. 25,000/- has been granted vide financial assistance.

File No. NCSC/PUNE/2/2009/APCR-II

State office had received a representation from Shri Lakshman Gyanoba Kamble, At Adhmari, Ta. Mohal, Distt. Solapur on 16.02.2008. The complaint was regarding high caste community would like to encroach his land. The opposite party had beaten up him, his family members The police officials had denied to register FIR. The Commission had taken up this matter with District Collector and S.P. Solapur on 16.02.2009. Due to intervention of the Commission Asst. Police Superintendent, Solapur Rural informed vide his letter dated 25.05.2009 that the accused person have been arrested and section 3(i) (v) (10) (11) (15) of SCs/STs POA Act 1989 was invoked.

File No. NCSC/PUNE/25/2008/APCR-I

State office had received a representation from Shri Manohar Shankar Thorat Pisore Ta. Srigonda, Distt. Ahamadnagar on 11.11.2008. His brother has been murdered. The FIR

has been registered at Srighonda Police Station but not any action has been taken by the police officials.

The Commission had taken up this matter with S.P. Ahamadnagar for action as well as with Distt. Social Welfare on 28.11.2008. Due to commission's S.P. Ahamadnagar informed vide his letter dated 07.05.2009 that POA Act 3(i)(x) and 3 (2) (v) has been invoked.

THIRUVANTHAPURAM STATE OFFICE:

FILE NO.KL/31/13/2012

Shri Dharmaputran residing at Sarppamadathi Veed, Maryathuruthur PO, Kottayam district submitted his grievance petition. The petitioner requested this office to take necessary action to enquire into the matter as the accused person abused him by calling his caste name in connection with some money lending matter. The matter was taken up with the District Police Chief, Kottayam with a request to investigate into the matter and take necessary action as per the provisions of SC/ST POA Act. During the course of investigation, the accused person agreed to give back the money to the petitioner and matter solved and sorted out between the parties.

FILE NO.KL/15/O/20/2012(HQtrs)-Atrocity

Shri K.K. Chandran, Mangalappilli Veed, Kavanadu, Mala PO, Thrissur submitted his grievance petition through NCSC Headquarters. The petitioner requested this office to take necessary action to demarcate the burial ground for SCs as the accused persons were trying to encroach it illegally. The matter was taken up with the District Collector, Thrissur and District Police Chief, Thrissur for necessary action. The Tahsildar reported that action has been initiated to survey the property. The burial ground is declared as SC burial ground and Rs.10 lakh sanctioned for its development from the Block Panchayath.

FILE NO.KL/31/76/11

The Office of NCSC, Thiruvanthapuram had received a representation from Smt. K.L. Sudha, V.S. Bhawan, Perungadavila, Neyyattinkara, Thiruvananthapuram. The petitioner requested this office to take necessary action as the accused person abused her family by

calling their caste name, threatened to kill them and disturb their land property by encroaching illegally. The matter was taken up with the Superintendent of Police, Thiruvananthapuram Rural with a request to take necessary action as per the provisions of SC/ST POA Act. It was informed by the Police that the case was booked under Section 3(i)(xi) of SC & ST POA Act and proceeding the investigation.

FILE NO.KL/9/1/2012 Res

A press item appeared in the Hindu, dated 8.3.12 stating that M.S. Bindu Vasudev, SC Teacher, who was facing caste discrimination for standing up against the school decision against dalit boy. The matter was taken up with the Superintendent of Police, Ernakulam Rural and the Director, Higher Secondary Education. In this regard, a reply received from the District Police Chief, Ernakulam Rural which states that a case booked under Section 3(i)(x) of SC & ST POA Act and also charge sheeted.

FILE NO.KL/31/53/2012

Smt. K.P. Radhamani residing at FACT Quarters, Udyogmandal PO, Ernakulam submitted her grievance petition regarding land matter which lead to atrocity. The matter was taken up with the District Police Chief, Ernakulam Rural for necessary action as per the provisions of SC/ST POA Act. The investigation report received from the Police reveals that the investigation was carried out by Dy. Superintendent of Police, Aluva and the case registered under Section 3(i)(v)(x) of SC/ST POA Act and chargesheeted.

FILE NO.KL/31/31/2010(HQtr)

Smt. R. Valsala, Rajendra Bhawan, Kanaka Nagar, Nanthencode, Kowdiar submitted her grievance petition, requesting to enquire into suspicious death of her son. The matter was taken up with the District Police Chief, Ernakulam Rural for necessary action as per the provisions of SC/ST POA Act. The Police furnished the investigation report, carried out by the Dy. Superintendent of Police that the case was registered under Section 3(i)(x) of SC/ST POA Act.

FILE NO KL/31/36/2012

Shri Murukan, S/o Govindan, Marangattuparambil Veed, Allapra PO, Orna, Perumbavoor submitted his grievance petition regarding atrocity. The matter was taken up with the District Police Chief, Ernakulam Rural. In this regard, a reply received from the District Police Chief, Ernakulam Rural stating that the case was registered under Section 3(i)(2) of the SC/ST POA Act and chargesheeted.

KL/31/5/2012

Shri Ms. Sheeba, Omana Sadanam, Kulathoor, Kazhakootam forwarded her grievance petition through Kerala Dalit Federation, Trivandrum District Committee regarding Atrocity. The matter was taken up with the District Police Chief, Trivandrum Rural for necessary action as per the provisions of SC/ST POA Act 1989. A reply received from the District Police Chief, stating that the case was booked under Section 3(i)(xi) of SC/ST POA Act and chargesheeted.

FILE No.KL//31/69/2012

Ms. Thulasi, D/o Jayashankar, C/o Vatsala, Vallikkattuparambil, Anakkara PO, Anakkara, Palakkad regarding atrocity. She stated in her representation that the accused person cheated her by promising her to marry.

The matter was taken up with the District Police Chief, Palakkad for necessary action as per the provisions of the SC/ST POA Act 1989. In this regard, a reply received from them stating that the case was registered under Section 3(i)(xi) of SC and ST POA Act and is being investigated by Dy. Superintendent of Police.

KL/31/71/2012(HQrtrs)

Smt. Kunjumol Rajan, Chulapparambil, Pazhayakulleppalam Bhagam, 35th Mile, Kokkagar Panchayat, Peermade Taluk, Idukki District submitted her grievance petition, requesting to take necessary action into the atrocity as the accused person abused her by calling abusive words and torturing mentally.

The matter was taken up with the District Police Chief, Idukki requesting to take necessary action as per the provisions of SC/ST (POA) Act.

In this regard, District Police Chief, Idukki furnished the investigation report stating that the case was registered under section 3(i)(ii) of SC/ST POA Act and enquiry is going on.

CHAPTER – XI

MAJOR IMPEDIMENTS

The National Commission for Scheduled Castes referring to 36th Report (14th Lok Sabha) of the Parliamentary standing Committee on Welfare of Scheduled Castes & Scheduled Tribes has incorporated certain issues in the last Report for the year 2011-12 elaborating and identifying deterrent issues that are preventing the Commission to discharge its Constitutional duties. As those issues are still persisting, the Commission reiterates the same in the present Report also. Some of the issues are as under:

I. Strength of the NCSC

The Committee stated that the NCSC has enormous responsibility to investigate and monitor all matters under the Constitution or under any other law or under any order of Government. However, the strength of the Commission is not adequate to cater to the needs and problems of Scheduled Caste (SC) population spread all over India. Inquiring into specific complaints of deprivation of rights itself is a vast responsibility. Deprivation of rights in the form of atrocities against SCs, suppression of their civil rights as also deprivation of their service rights are some of the matters which require to be inquired into objectively by visiting the places of occurrence of such incidents to have the first hand knowledge and information.

The Committee, therefore, recommended that the strength of the Commission should be increased suitably with a view to assigning each member specific subjects such as atrocities, socio-economic development, service matters, etc. so that he may give his undivided attention to find a favourable solution to the problems/difficulties being faced by the distressed SC people.

In its reply, the Ministry of Social Justice and Empowerment rejected the recommendation stating that the current members are adequate.

In its comments to the reply of the Ministry of Social Justice & Empowerment, the Committee asserted that the duties assigned to the Commission are extremely demanding and hence emphasized on the necessity to enhance the strength of the Commission accordingly. The functions *inter-alia* include the Commission acting as a quasi-judicial authority while investigating cases referred to in sub-clauses (a) and (b) of Clause-5, to

participate and advise on the planning process of socio-economic development of the SCs and to evaluate the progress of their development under the Union and any State. However, the Committee are dismayed about the manner in which reply is given by the Government by just mentioning about the Constitutional provisions, without taking into account the quantum and importance of each of the duties and responsibilities assigned to the Commission and the resultant enormity of the work volume. While reiterating their earlier recommendation, the Committee further recommended that the number of members of the Commission should be increased from the present five to at least seven.

II. Financial autonomy: Give the same status as Election Commission or Union Public Service Commission

The Committee also unequivocally stated that financial autonomy is indispensable for the functioning of the NCSC. The Committee regretted that the *Commission does not have full autonomy in regard to financial and administrative matters and has no powers in matters relating to creation of posts, re-appropriation of funds from one head to another; purchase of vehicles; and permitting officers of the Commission to participate in Seminars, Conferences or Training abroad*.

The Committee further expressed dismay at the fact that the Commission, which has been given statutory status and powers of the Ministry of Central Government in certain matters, has to project its requirements to the Ministry of Social Justice and Empowerment for provision to be made in Budget Estimates.

In its reply, the Ministry informed the Committee that the proposal for separate Demands for Grants for NCSC has also not been agreed to by the Ministry of Finance (Department of Expenditure). At present, NCSC has only Budget Head within the Demands for Grants for Ministry of Social Justice and Empowerment. The Ministry of Finance stated that the same practice is followed with regard to the National Human Rights Commission which forms part of the Demands for Grants of Ministry of Home Affairs.

In its further comments, the Committee stated that when it was decided to bifurcate National Commission for Scheduled Castes and Scheduled Tribes, it was never envisaged that NCSC would function as a part of the Ministry of Social Justice and Empowerment. If it

was so, there was no need to bifurcate the erstwhile Commission into two separate statutory bodies. It could have continued to function as a non-statutory body as earlier. NCSC would not be able to work fearlessly and independently unless it is given independence in its day to day working by allowing it to decide on its own administrative, financial and legal matters.ö

The Committee further stated, öThe Constitutional responsibility conferred upon the NCSC provided under the Article 338(5), 338(6) and 338(7) demands autonomy of its functioning from the Government. Since the Commission has to assess and report on the functioning of various Executive functionaries vis-à-vis the implementation of various welfare measures etc., there arises a necessity for complete autonomy including financial autonomy and a separate demand for grants. It is seen that unlike the Finance Commission there is no Constitutional provision conferring upon the NCSC the financial independence by way of treating its expenditure as öChargedö. Therefore, the Committee are of the view that necessary steps in this regard be initiated by the Government to insert a provision in the Constitution.ö

On a related issue pertaining to the öSeparate Demands for Grantö, the Committee stated that öonly limited administrative and financial powers have been given to the NCSC by making it a part of Ministry of Social Justice and Empowermentö. The Committee, therefore, recommended that öfull administrative and financial powers should be given to NCSC so that it may not remain dependent on the Ministry of Social Justice and Empowerment for every piece of proposal having financial implications. The NCSC is an independent statutory body and it has every right to have its own Demand for Grants in a realistic manner. Keeping in view the magnitude of the functions and duties assigned to NCSC, the Committee also recommend that a fresh proposal should be sent to Ministry of Finance for creating a separate Demand for Grants for NCSC on the lines of other constitutional bodies such as Election Commission, Union Public Service Commission, etc. as it is essential for the independent functioning of the Commission. The Committee may also be apprised of the outcome within three months.ö

In its action taken report, the Ministry stated that the issue of separate Demand for Grants for the Commission was taken up by Secretary, NCSC, with Secretary, Department of Expenditure, Ministry of Finance vide his D.O. letter dated 4.12.2006. However, Secretary, Department of Expenditure vide his D.O. letter dated 15.1.2007 did not agree to the request.

Secretary, NCSC vide his D.O. letter dated 15.6.2009 sent fresh proposal to Secretary, Department of Expenditure for creation of separate Demand for Grants for the Commission.

The Committee stated that it expects the Ministry to pursue the matter hard with the Ministry of Finance, so as to bring in a separate Demand for Grants for the Commission in the Budgetary Demands at the earliest. If separate demand of Grants for the NCSC is accepted, it will have positive implications for the effectiveness of all the NHRI's in India.

III. Power to issue interim orders

The Committee noted the dichotomy between the duty, to inter alia, investigate all matters relating to the safeguards provided to SCs and to enquire into specific complaints with respect to the deprivation of rights and safeguards of the SCs and powers of the NCSC. While investigating such matters, or making inquiry in specific complaints, NCSC enjoys powers of a civil court, trying a suit under clause (8) of the Article 338 of the Constitution, it is limited to that of summoning and enforcing attendance of any person, call for production of any document and examine evidence on affidavits but has no judicial power unlike other civil courts. The Ministry and the NCSC stated that the role of Commission is as an advisory body.

The Committee stated that the NCSC has been made toothless and ineffective by not empowering it with the authority to issue binding orders/judgments. This is a deliberate strategy not to empower the Commission to issue orders on its inquiry/investigation. Therefore, the Committee reiterated their recommendation that necessary steps be initiated to empower the NCSC accordingly.

IV. Power of Apex Body not entrusted with the NCSC

The National Commission for SCs has been shown as an "Apex Body" in the website of the Cabinet Secretariat. As per the Government of India policy, the Apex Bodies formulate guidelines, dos and don'ts, etc. for the purpose the organization has been declared as Apex Body. For instance, the DOEACC (Department of Electronic Accreditation of Computer Courses), has been declared as an Apex Body which is engaged in updating global industry relevant to computer education, AICTE and UGC have been made Apex Bodies for Technical/Professional Education and Higher Education respectively. Similarly MCI has been declared as Apex Body for health education. The National Commission for SCs,

however, not been entrusted with any of such power and authority so far and continue as appendage to the Ministry of Social Justice.

V. Denial of Recommendations that are passed by the Commission:

As per Clause (8) of Article 338 of the Constitution, the Commission shall, while investigating any matter referred to in sub-clause (a) or enquiring into any complaint referred to in sub-clause (b) of clause (5), have all the powers of a Civil Court trying a suit and particular in respect of the following matters, namely,

- (a) Summoning and enforcing the attendance of any person from any part of India and examining him on oath;
- (b) Requiring the discovery and production of any document;
- (c) Receiving evidence on affidavits;
- (d) Requisitioning of any public record or copy thereof from any court of office;
- (e) Issuing commissions for the examination of witnesses the documents;
- (f) Any other matter which the President may, by rule, determine.

It has been however, noted that in a number of cases when the Commission summons Public Authority to discuss petitions received from Scheduled Castes petitioners, then such Public Authority approach the Court of Law and seek 'stay' or 'exemption' from appearance before the Commission. This hampers the process of investigation and result in incurring avoidable expenditure on litigation by the Public Authority as well as the Commission. In order to stop such litigation, Government should issue appropriate instructions to all Central / State Public Authorities to not file any case in the Court of Law to avoid their appearance before the Commission.

VI. Power of the Civil Court:

Power of the Commission as a Civil Court trying a suit under Clause (8) of Article 338 of the Constitution is limited to that of summoning and enforcing attendance of any person, call for production of any documents and examine any evidence on affidavit, but no judicial powers like that of a Civil Courts whose orders are enforceable and binding on the parties in the case. Therefore, necessary amendment should be made in the Constitution of India to make orders / recommendations of the Commission enforceable and bindings on the parties.

CHAPTER-XII

RECOMMENDATIONS ON IMPROVEMENT OF WORKING CONDITIONS AND STRENGTHENING OF NATIONAL COMMISSION FOR SCs

ON ADMINISTRATION OF NCSC MATTERS

1. Conferring the regular Status of Civil Court:

Regarding conferring status of 'Civil Courts' under Article 338, it has been envisaged 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 the role of the NCSC as a civil court is limited to that of summoning and enforcing attendance of any person including examination of witnesses under oath and examining documents and has no judicial power as other civil courts. The limited role of NCSC as civil court has also been observed by the Apex Court of India in the case of All India Overseas Bank SC and ST Employees Welfare Association and others Vs. Union of India & Others 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 Committee therefore, is of the view that the Commission has been placed in an uncertain position as on one hand the Commission has been given power to investigate matters as civil court but on the other, its recommendations are treated as advisory in nature. The Committee, therefore, recommends that the Constitution should be amended in such a manner that recommendations of the NCSC should be considered by the concerned authorities as mandatory. The Commission should functions with greater judicial powers on the line of powers of a civil court so that provisions under the Acts and Rules are better implemented.

2. Initiation of appointing process for new Commission

It has been often noticed that after completion of tenure of three years, Ministry takes relatively longer period to appoint another new Commission. In order to obviate the void in the working of the Commission, either the system should be as such that Members keep on coming and going after completing tenure or designated in advance so that there is no vacuum.

3. Increased strength of Members in the Commission:

The Commission has observed that the work related to welfare of Scheduled Castes has been increased with the population growth of Scheduled Castes from 16.23% in 2001 to 17.64 % (Estimated) in 2011. In view of increase of SC population, five Member Commission is insufficient to keep an eye on pan India welfare activities on Scheduled Castes. The Commission therefore, strongly recommends that the present strength of the Commission should be increased with a view to assigning each member with a specific job so that s/he may give his undivided attention to find a favourable solution to the problems/difficulties being faced by the distressed SC people.

4. Conferring Status of CVC/EC/CIC to NCSC:

The Commission though, has got sufficient power under Article 338 of the Constitution. Nevertheless, it has been viewed that the Commission should be empowered further like the Chief Election Commission of India or Central Information Commission. The Committee is of the strong view that since NCSC has been constitutionally given an independent mandate to safeguard the interest of SCs, it should have an independent entity and powers so that it need not to depend on other Ministries/Departments like MSJE.

5. Power of Apex Body not entrusted with the NCSC :

The National Commission for SCs has been shown as an "Apex Body" in the website of the Cabinet Secretariat. As per the Government of India policy, the Apex Bodies formulate guidelines, dos and don'ts, etc. for the purpose the organization which has been declared as Apex Body. For instance, the DOEACC (Department of Electronic Accreditation of Computer Courses), has been declared as an Apex Body which is engaged in updating global industry relevant to computer education, AICTE and UGC have been made Apex Bodies for Technical/Professional Education and Higher Education respectively. Similarly MCI has been declared as Apex Body for health education. The National Commission for SCs, however, not been entrusted with any of such power and authority so far and continue as appendage to the Ministry of Social Justice. The Commission, therefore, strongly recommends for declaring the NCSC as "Apex Body" for all the matters related to welfare of Scheduled Castes.

6. Regarding Budget Provisions:

The National Commission for Scheduled Castes found it difficult to manage its scheme of affairs with meager non-plan allocation. It is felt that necessary amount require to be infused in the plan schemes under the budget head of the National Commission for Scheduled Castes separately. In this regard it may be mentioned that 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. Drawing a comparison, it has been observed that the Constitutional body like UPSC, CAG, EC - which are Constitutional bodies, and the Planning Commission, which is a non-Constitutional body are drawing their funds from the respective head as charged expenditure and not as voted expenditure. Since National Commission for Scheduled Castes is also a Constitutional body set up under Article 338 of the Constitution and was given power of the Department of the Government of India vide S.No. 15 under Ministry of Home Affairs in the Schedule II of the DFP Rules, 1978, the expenditure incurred for the activities of the Commission are continued to clubbed under the Ministry of Social Justice and Empowerment which is a voted expenditure. The same though advocated by the Planning Commission recommending separate budget provision for National Commission for Scheduled Castes under a separate Demand for Grants instead of being part of the Demand for Grants of the Ministry of Social Justice & Empowerment vide their O.M. No. H-11011/1/2006-BC dated 23.11.2006 but so far, nothing has happened. The Committee, therefore, strongly feels that the budget for NCSC should be shown under a separate Demand for Grants instead of being a part of the Demand for Grants of the Ministry of Social Justice & Empowerment.

7. Regarding Office accommodation:

The Committee has noticed that the present office infrastructure at 5th Floor, Loknayak Bhawan, New Delhi of the NCSC is inadequate and location of the NCSC office is also not easily accessible as the office located far from both the railways stations namely, New Delhi Railway Station and Old Delhi Railway Station. Main bus terminals namely, ISBT Kashmere Gate or Saraikale Khan are also far off from the place where the NCSC at present located. This caused a major hindrance to the poor Scheduled Castes who often visit office from all nook and corners seeking justice. A separate building like Ambedkar Bhawan may be constructed where besides Commission's Headquarters, Ambedkar Foundation, NSFDC may exist.

8. Regarding corresponding increase of staff strength:

The Committee has farther observed that with the increase of population and awareness amongst the Scheduled Caste people, the work pressure in the Commission has increased significantly. However, keeping in view of increased work load, number of staff in the Commission has not increased on the contrary has been allowed to dwindle as no recruitment made due to ban imposed by the Finance Ministry and other reasons as well. The problem of short number of staff also compounded with the division of erstwhile National Commission for Scheduled Castes and Scheduled Tribes (NCSCST) to NCSC and NCST as implementation of the Constitution (65th amendment) Act, 1990 through which the NCSCST has been divided, the Government of India also abolished 31 posts of the National Commission for Scheduled Castes and Scheduled Tribes, thereby causing a heartburn in both the Commissions. The Committee therefore, is of the opinion that appropriate number of staff considering the volume of work, should be sanctioned by the Ministry in consultation with the Ministry of Finance. Till the time, the Commission however, can outsource some routine complaint related jobs so that the interest of Scheduled Castes is not compromised. The Committee also recommends for a work study by the Staff Inspection Unit, DoP &T for scientific assessment of staff requirement. Promotions to the officers and staff especially in the State Offices should be followed periodically so that stagnation and migration is curtailed.

9. Regarding opening of new set ups/upgradation of existing offices:

Due to bifurcation of NCSCST, a vast area comprising substantial percentage of Scheduled Castes population now left with no choice but to send their grievances by posts which also consume considerable time. For instance, if a Scheduled Castes subjected to caste discrimination in Madhya Pradesh, she/he require to send representation to the NCSC Hyderabad Office which is located about 1200-1500 Kms. away from her/his place. Similarly if a Scheduled Castes living at Orissa she/he requires to send representation to Kolkata which is again a distant place. Therefore, the proposal mooted by the Commission to open up eight new more offices and upgrading four State Offices to the level of Directorø from the present level of Dy Directorø office, need to be taken up at appropriate stage and expedited.

Recommendations on Service Safeguards

1. National Commission for Scheduled Castes recommends that a conclusive SRD should be undertaken with sincerity, clarity and determined meticulous planned operations and should be completed in one to three years for SCs and STs, so that at the end of the drive,

the percentage of SCs and STs in each cadre becomes equal to the prescribed percentages in every cadre at every level.

2. The National Commission for Scheduled Castes recommends that there is a need to reconsidered the earlier decision and purview of reservation needs to be extended in post and services above the lowest grade of Group 'A' of all scientific and technical in nature as a number of qualified and experiences candidates belonging to SCs are available in these field.

3. It has been observed that generally departments do not apply reservation in appointment in casual workers, daily rated staff and work charge posts. Therefore, at the time of their regularization the reservation is not provided. Therefore, Commission recommends that in all these posts the reservation should be applied at the time of filling up the above posts on temporary basis.

4. National Commission for Scheduled Castes recommends that the Government of India should release the grand-in-aid to the NGOs who are implementing reservation policy.

5. During the review of implementation of reservation policy in various Ministries/ Department/ PSUs, the National Commission for SCs noticed that no Liaison Officer were appointed or SC/ST Cell was not constituted despite clear instructions have been issued by the DoPT. Therefore, National Commission for SCs recommends that all the Government Sector should follow the instructions of the DoPT regarding appointment of Liaison Officer and constitution of SC/ST Cell. It is also recommended that special training should also be imparted to the Liaison Officer to implement the reservation orders in the department. The Liaison Officer should also be made accountable for implementation of reservation policy in the department.

6. The NCSC has already recommended that the Central Civil Service (Recognition of Service Associations) Rules, 1993 needs to be changed and steps may be taken to the recognise Scheduled Caste Welfare Association as also recommended by the Commission in its last previous Annual Reports.

7. As the 'The Scheduled Castes, Scheduled Tribes and Other Backward Classes (Reservation in Post and Services) Bill is pending for last nine years and NCSC feels that the

Bill is very significant for implementation of reservation policy and to give justice to reserve category employees, it reiterates its stand to introduce the Bill "The Scheduled Castes, Scheduled Tribes (Reservation in post and services). The Commission, therefore, recommends that amendment in Constitution may be made to give reservation in promotion and Bill may be introduced in the Parliament so that interest of SCs are safeguarded.

8. The National Commission for Scheduled Caste has made following recommendations on issue of migration of SCs which is as under:-

a) New born States/UT i.e. Chhattisgarh, Jharkhand, Uttrakhand & Chandigarh should accept/ borrow list of "Scheduled Castes" from the mother States in to and issue caste certificate after due verification as per established procedure. This would be in line with the judgment delivered in the case of Ajay Kumar by the High Court of Uttrakhand at Nanital.

b) In the case of UTs, the migrant SC/STs from other UTs should be issued caste certificates. This would be in line with in the decision of the Supreme Court in the case of S.Pushpa and decision of Delhi High Court in the case of Deepak Kumar.

c) Persons who migrate to a new state/UT from other state should be issued caste certificates after they have lived in the new state/UT for a minimum period of 10 years as permanent residents, provided the names of the castes/tribes are common in the schedules of the state of origin as well as of the state/UT to which the person migrates. Ten years period is considered sufficient and necessary for an outsider to become eligible as a bonafide resident because after some time they get identified as untouchables and are treated as such in the new state/UT.

d) If some state finds that there is justification for inclusion of some castes/tribes of migrants, which do not find mention in their schedules and there are sufficient number of people, who come on migration, their caste/tribes can be included in the schedule of migrated states after following the general process meant for inclusion of new castes/tribes in the schedule of a state/UT. RGI would be involved in this process as usual

e) Name of all to whom caste certificates will be issued should be placed on a special site on the internet so that anybody can object to irregularly issued certificates.

f) NCT of Delhi has a unique status, where the scope and opportunities for education/employment are quite large resulting in flocking of Scheduled Castes cutting across the state barriers and any move to deprive them of the legitimate claim to avail

Constitutional benefits would surely scuttle the process of holistic development of the community in particular and the country in general. Therefore, it is desirable to extend the benefit of reservation to the Scheduled Castes bonafide residents in NCT of Delhi, while retaining the reservation level of 15% for Scheduled Castes as admissible at the national level. Bonafide residents would include a migrant from other UT or state residing in Delhi for at least 10 years. The 2012 Judgment of Delhi High Court in Deepak Kumar case which favours SC/STs should be implemented immediately.

g) The crisis which arose due to the verdict pronounced in Subhash Chandra case by a smaller bench of Honøble Supreme Court on 4.8.2009 in WP (Civil) No. 507 of 2006 need to be clarified by the Ministry of Law & Justice and Ministry of Home of Home Affairs in view of the recent judgment dated 17.08.2012 of Honøble High Court of Uttarakhand on 13 writ petitions filed by Sh. Ajay Kumar and Others v/s State of Uttarakhand and others for issuance of Caste Certificate for SC/ST/OBCs in Uttarakhand after Uttar Pradesh is bifurcated and State of Uttarakhand and Judgment of High Court of Delhi dt. 12.09.12 in 10 writ petitions of Sh. Deepak Kumar and Others v/s District Session Judge- Delhi and Ors, UOI and Ors, Delhi Jal Board and Anr, so that a considered view is communicated to all the states and the Govt. orders modifying its earlier order dt. 18.11.82 and 6.8.84 are issued by the Home Ministry without any loss of time.

9. The Commission recommends re-framing of the conditions of All India Judicial services and keeping provisions of reservation in it to be given to SC / ST candidates.

10. Reservation in Defence Services should be extended for Sc /ST. This area is the one which may provide many more opportunities to SC / ST population.

11. Reservation in Private Sector should be made a legal binding by entering into a agreement with the Government / Public Sector and Private Sector in MOU at the time of dis-investment. The Government should not transfer the public money, invested in public sector, to a third party without protective rights of SCs & STs. Reservation in Private sector should be extended by way of amendment of the Constitution and placed in the 9th Schedule of the Constitution.

12. Backlog vacancies should be filled up in All Central Ministries / Departments / States and UTs and its PSUs as per DoPT orders. This should be done in a time bound manner so that more SC candidates get employment.

13. Outsourcing of work meant for Group C (including erstwhile Gr. D) employees is gross violation of reservation policy. This practice should be stopped forthwith and regular employment should be made to man these vacant posts. Similarly employment should contract should be done away with immediately.

Recommendations on Economic Development

There were newspapers reports that funds to the tune of Rs 571 crore for SCSP over the period from 2006 to 07 to 2009-10 have been illegally used for Commonwealth Games by NCT of Delhi. When an explanation for this was called, it was stated about the cosmopolitan nature of Delhi where SCs resides with general population and hence the scope for separate use of funds for SCs is limited. It was opined by the NCSC, however, for the migrant SCs who live in JJ cluster funds could be utilized under divisible sector.

2. There should be a sanction of the Parliament on the lines of MNAREGA on mission mode through a Parliament Act for SCP not the present system of through OM or Circular by the Planning Commission.

3. Enactment of Law to regulate SCP with provision of punishment, both imprisonment and fine, depending on gravity of offence, to violators thereof. All officials (irrespective SC/non-SC) in-charge of implementations or enforcement should be held responsible for failures & defaults. Non compliance of Government Order should attract SC/ST POA Act, 1989.

4. Constitution of Statutory National and State Authorities for Development of SCs within a year. National Scheduled Castes Development Authority (NSCDA) should be there with single window system of SCP funds for effective utilization for the exclusive programmes/projects on need based basis.

5. since, 1979 ó SCP fund accrued (as the same is not divertible and lapsable) should be set aside with the M/o SJ&E and then transferred to the NSCDA.
6. The Central Tripartite Committee should be revived (NCSC Planning Commission and Ministry).
7. The CAG to do the review audit of SCP since 1979 and report to Parliament as it was part of Planned and budgeted economic development of the SCs.
8. SCP funds should be spent for the beneficiary oriented schemes, purchase of land for distribution among SC families, education, housing & sanitary, drinking water, health, service safeguards skill development through Coaching Centres and Vocational Training Centers & protection under PCR & POA Act 1989 through National Scheduled Caste Development Authority (NSCDA).
9. Income ceiling should not be there for SC/ST as Supreme Court also make it clear on many occasions that there is no creamy layer among SC/ST. So removal of income criteria/limits for eligibility under the various Socio-economic and educational schemes for SCs is necessary.
10. There should be 35% subsidy on loans which bears > 4% DRI without any incomes limit as the same is available for farmer loans.
11. The SCSP can be gainfully utilized for the upliftment of Scheduled Castes like Residential Schools in every district, Hostels for College Boys and Girls in every district, reimbursement of Self-Financing Course and College Fee, 100% residential colony for SCs with ownership, coaching centers for UPSC, Railways, Banking and State Public Service Commission, Working Women Hostels, Financing the whole fee for CA/ICWA, Law, Medical and Engineering Courses, Pilot Courses, PHC, Land Purchase and distribution to every Landless SC families as per the Governments Committee recommendation and over all Human Development Index Development.

12. It is felt that keeping in light, the Planning Commission, Government of India guidelines and Constitutional provisions, State and Union Territories concerned are duty bound to adhere to the guidelines in letter and spirit.

13. The NGOs are also involved in the identification, release and rehabilitation of bonded labourers. All the District Collectors of A.P have been requested to computerize the particulars of all the Bonded Labourers identified, released and rehabilitated, village wise and mandal.

14. It is suggested that the other States also should do similar exercise and the data should be accessible through net.

15. In respect of Health care Services, the example of Tamil Nadu is very good. It can be replicated by other states. Other States be asked to emulate this. Especially in states where there is large family with more maternal and child mortality due to frequent births like UP, M.P, Bihar and Rajasthan needs to emulate this.

Working of Hostels

16. The Govt. of Tamil Nadu has not conducted any survey on the working of SC hostel. The State Govt. can be asked to conduct survey on the working of these hostels to know its viability. Other States/UTs which have also not undertaken any survey on the working of the SC Hostels may also conduct regular surveys to know its practical working.

17. In Gujarat, the less allocation under SCSP and from the allocation less utilization has been projected. The Govt. should fully utilize the allocation made under SCSP as the Scheduled Castes are the marginalized sections of the society.

18. So far Maternal and infant Mortality Rate is concerned any survey undertaken to identify the causes for this mortality among SCs. The number of children born to such parents and the gaps between those children. Whether any special steps taken to promote family Planning and incentive provided. Any counseling provided for small family norms with minimum 5 years gap so that infant Mortality Rate is to the minimum. The Govt. of Gujarat should take extra initiative in this regard.

19. No study has been done to know the manner of utilization of SCA to SCP in West Bengal. However, the State is planning for it. The study may focus on major activities to which SCA is allocated and the number of SC beneficiaries. Any lacuna in the functioning of this scheme with suggestion for improvement. There should be periodical studies by states/UTs on the manner of utilization of SCA

20. The flow of funds under SCSP except the plan period 2006-07, 2007-08 and 2008-09 has been very less as compared to the population percentage of SCs in the State of West Bengal i.e 23%. The Govt. of India guidelines for allocation of fund under SCSP in accordance with the population of SCs in the State has to be strictly followed.

21. It is further observed from the table that from the SCSP outlay the utilization of SCSP has been very less.

22. Self-employment programme under SCP run by the West Bengal SC/ST Development and Finance corporation is not being implemented successfully as the banks are not releasing loan portion of the project cost to the beneficiaries Only grant in aid portion are releasing.

23. One of the most common observations of the State offices during the field visits is the fact that, the bulk of the expenditure is done in either in the last quarter or in the last 05 months. This results in faulty works expenditure so done for the sake of spending and also large scale poor quality works which ultimately are certified by the Engineers at the local level. In fact the SCP expenditure chart will reveal the same. In fact the GOI Ministry of finance had already instructed all concerned to stick to the limits and also asked the Internal Financial advisors to monitor and return the Unspent amount as well. This instruction is not being heeded. A strict compliance coupled with a threat of endorsement in the ACR of the concerned H.O.O or HOD responsible to a great extent will improve the situation, rather than exception. Honøble chairman may kindly instruct the State on this issue with a threat as well.

24. As per National family health survey 2005-06, Child Mortality rate among scheduled Castes in the state of Punjab is 16.00 as compared to 6.80 among the total population. The State Govt. should find out the reasons for such high mortality rate among the Children belonging to SC category and come out with solution to this problem.

25. In case of admission in Colleges and Schools, prescribed percentage i.e. 16% is not allotted to SC Students, only 8% reservation is allotted to the SCs in the State of Odisha.

26. In SC concentrate villages in Odisha drinking water, electricity facilities are not available

Recommendations on Educational Development

1. The comparison between SCs /STs on the one hand, and non-SC/ST population on the other, would have given a better picture of the inequality in literacy position among SCs.

2. It is suggested that in the same manner, the students belonging to Safai Karamchari in Gujarat can also be given this privilege, in case they get 50% or more marks from standard Xth onwards.

3. In view of the grievances relating to scholarships meant for SC students, it is recommended that UGC may issue guidelines to all its Universities to incorporate in its Broucher for admission that the eligible SC students should submit their scholarship form for the academic year by February for processing scholarship to SC students each year. This may also be incorporated in the official website of UGC.

4. In case it is exclusively general drop-out position excluding (SC,ST&SEBC), then it can be analysed if there is considerable gap in drop-out rate between SCs on one hand and general on the other hand. To reduce drop out rate various types of scholarships and free text books are given to students belonging to SC category.

5. In West Bengal Orientation programmes are being organized periodically / regularly under SSA for the teachers, Community leaders, Panchayat functionaries MTA Members for the elementary education of all the children including SCs.

6. All Stake Holders are encouraged to monitor the scenario of dropout and preparing action plan accordingly.

7. Visit to a place of educational interest. Science Museum etc for making learning process joyful among marginalized children including SC students are being undertaken on behalf of the school authorities.

8 Text Books, Mid Day Meals and uniform for the girls are timely distributed [to check the drop out of the students including SC.

9. Facilities of classroom teaching are being designed to check the drop out including SC students.

10. Awareness programmes are being taken by the MTA/MC/ Panchayat Members among the parents of the SC children.

11. Child Tracking System for out of School Children is being introduced.

12. Environment of the existing schools is being improved both physically and socially

13. There is problem of drop out among mainly Day Scholars. State Govt. has suggested for hostels attached to schools to arrest the drop-out.

It has also suggested for vocational training to make it employment oriented to attract students.

14. With regard to reimbursement of fee it is suggested that at the time of admission zero fee should be charged in Govt. Colleges. An experiment can be made on Pilot project basis in some top private college for Zero fee admission. For example, in top five private engineering colleges based on full admission, Zero fees should be charged from SCs students and the amount reimbursement by the Govt. Likewise some medical and IIMs can also be experimented on the same basis. The criteria should be on the basis of seats of SCs filled immediately in the past five years or so in Private Colleges.

15. The State Govt. of West Bengal initiative for training by TCS and absorption by companies in IT and others are good. To encourage quality education it has given 500 S.C. Students Rs. 5000/- plus certificate of Merit under the Dr. B.R. Ambedkar Meha Puraskar. Other states may also consider on this line.

16. In view of the grievances relating to scholarships meant for SC students, it is recommended that UGC may issue guidelines to all its Universities to incorporate in its Broucher for admission that the eligible SC students should submit their scholarship form for

the academic year by February for processing scholarship to SC students each year. This may also be incorporated in the official website of UGC.

Recommendations with regard to SC/ST (POA) Act, 1989

In order to make the SCs/STs (POA) Act, 1989 a stringent measure, a committee was formed by this Commission which critically examined the existing provisions of this Act and suggested changes for enhancement of its efficacy. The proposal was sent to the M/o Social Justice & Empowerment for consideration, as under:-

Sections under POA, Act	Existing Provisions	Recommendations
<p>3(1)(i) to (xiv) Force to drink undrinkable. Wrongful occupation Various other offences</p>	<p>Imprisonment (6 months - 5 years) with fine. Occurrence of crime in public view</p>	<p>imprisonment for a term not less than 7 years Extendable to life imprisonment with fine upto Rs. 1 Lac but not less than Rs. 25000/-. 3(1)(ix) "In the public view" to be replaced with "anywhere" and the word "intention" should be removed. 3(1)(xiii) The word "public resort" to be replaced with "anywhere."</p>
<p>3(2)(i) Gives or fabricate false evidence leads to punishment of capital nature.</p>	<p>Imprisonment for life and with fine, in case of false evidence leads to execution, punishable with death.</p>	<p>Imprisonment for life and with fine with Rs. 1 Lac, but not less than Rs. 25000/-.</p>
<p>3(2)(ii) Gives or fabricate false evidence leads to imprisonment (7 years or upwards).</p>	<p>Imprisonment not less than 6 months but upto 7 years or upwards, and with fine.</p>	<p>Imprisonment not less than 2 years and upto 7 years and with fine (> Rs.25000/-, < 1 Lac)</p>

3(2)(iii) Committing mischief by fire / explosive intending to damage property.	Imprisonment not less than 6 months but may extend to 7 years with fine.	Imprisonment not less than 2 years and upto 7 years and with fine (> Rs.25000/-, < 1 Lac)
3(2)(iv) Committing mischief by fire / explosive intending to damage building / worship places etc.	Imprisonment for life and with fine.	Imprisonment for life, and with fine (> Rs.25000/-, < 1 Lac) plus full payment against the damaged property.
3(2)(v) Offence under IPC Act punishable with imprisonment for 10 years or more.	Imprisonment for life and with fine.	Imprisonment for life and with fine (> Rs.25000/-, < 1 Lac)
Section 4 Public servant not being the member of SC / ST willfully neglects duty.	Imprisonment not less than six months which may extend to one year.	Imprisonment for life and with fine not less than 2 years which may extend to 5 years and fine >Rs. 25000/-. [The word " is not being a Scheduled Castes or Scheduled Tribes" to be replaced with "anyone.õ
Section 5 Person already convicted under POA, Act and subsequent second offence.	Imprisonment not less than one year, but may extend to punishment provided for the offence.	Imprisonment for not less than 2 years extendable to life term with fine (> Rs.25000/-, < 1 Lac)
Section 8 Crime recorded under II of POA, Act. By an act of abetment.	Abetment of Crime in sequel of old disputes.	Abettor's trial as accused.

<p>Section 10 - 13 Extermment</p>	<p>Extermment period for Ö 2 years Any person contravening an order of the Special Court made under Section 10 of the Act shall be punishable with imprisonment for a term which may extend to one year and with fine.</p>	<p>Extermment period for Ö 3 years Any person contravening an order of the Special Court made under Section 10 of the Act shall be punishable with imprisonment for a term which may extend to three years and with fine (> Rs.25000/-, < 1 Lac)</p>
<p>Section 14 Speedy trial</p>	<p>Setting of District Court / Court of Session to be declared as Special Court</p>	<p>Also setting of Special Courts for SCs.</p>
<p>Section 17 Action by District level officers</p>	<p>DM/ SDM/ Executive Magistrate to take necessary action in face offence likelihood.</p>	<p>Prompt action to be taken and also report to higher authorities with details of steps taken.</p>

Order Recommendations on Atrocity Related Issues

1. "Instead of DSP/SSP being the Investigating Officers should be replaced with an Inspector exclusively designated for this task."
2. "The Relief Amount for Rape, Murder and grievous hurt etc. should be enhanced to minimum Rs. 10 lakhs."
3. "Not being SC/ST willingly to be replaced with 'Anybody'."

A draft Cabinet Note on the bill for amendment on POA Act, 1989 was received vide Memorandum No. 11020/8/2012-PCR (Desk) dated 4/4/2013 in the National Commission for Scheduled Castes and the Commission has retreated its above recommendations to the Ministry of Social Justice & Empowerment for inclusion.

4. District level Vigilance and Monitoring Committees (with DM & SP) should analyze atrocities in different categories.

- (a) When medical report has established the crime:-
 - (i) Murder,
 - (ii) Rape, and
 - (iii) Grievous hurt.
 - (b) Arson, crime established on physical verification, and
 - (c) Other Cases.
5. Analysis should cover
- (A) Existing conviction rate and cause of failures therein. (more so important as all investigations are done by Dy. SP rank officer only).
 - (B) Failure by prosecution setup,
 - Remedial steps can be taken based on above analysis as under:-
 - (a) Immediate and substantive grievance redressal on fresh application by SC aggrieved, resulting in non-occurrence of atrocity.
 - (b) Control over issue/renewal of arm licence. Cancellation or Non-renewal to offenders under this Act.
 - (c) Change of Public Prosecution with an inter-district analysis.
 - (d) Effect for raising conviction rate, specially in case of murder, rape and grievous hurt, with
 - Bench marking of conviction rates,
 - Ensuring speedy trial (with a ceiling of 6 months)
 - Increased monetary compensation to prosecution witnesses
 - Entries in APARs of Public Persecutors before Judicial Court
- Early payment of financial relief to victims and upward revision of rates therefore
 Similar analysis should also be done by State Level Committee as well. For example,
 Murder is established by police investigation.

6. Present system of payment involves:

- (a) 75% payment (of Rs.2 lakhs in against FIR) immediately and balance.
- (b) 25% only after conviction / Court Judgment (Which often takes years).

It should be changed as under:

- (a) 75% immediately as at present (on medical report), and
- (b) 25% with filing of charge sheet before judicial Courts. (That is after police investigation establishes crime occurrence).

(c) For witnesses, there is provision of payment of some allowances besides traveling expenses. (In Gujarat in many districts it is Rs.50/-+ Travel Cost).

(d) It should be raised to 150% of MGNREGA wage/strictly at present minimum wages level (Rounded off to next higher multiple of Rs.50/-.) This would ensure better attendance of witness and increase conviction rate (in many States it is about 2-3 %).

(e) Govt. of India Ministry of Social Justice & Empowerment, Dr. Ambedkar foundation (DAF), provides additional financial compensation, over and above what State pays. (Refer presentation of DAF). This should be ensured positively and monitored in District and State level Vigilance Committee Meeting.

(f) State level conviction rate is much less than 10%, which is not acceptable at all. Conviction rate bench marking should be as under:-

In case of Murder and Rape	- 75%
Grievous hurt	- Minimum 50%
Arson & others	- Minimum 25%

(g) An effort should be made by police to ensure proper investigation, duly based by an analysis of case of conviction failures.

(h) This needs to be monitored closely by the State Level setup as well.

(i) On line registration of FIR which attracts SC/ST (POA) Act, 1989.

(j) Entry in ACR of Investigation Officer (IO) who ensures conviction of cases registered under POA Act which should help individual IO in carrier progression.

By Speed Post

Toll Free No. 1800 11 8888

Phone No. 011-24694365

Fax No. 011-24624731



Government of India

National Commission for Scheduled Castes

(Constitutional body set up under Article 338 of the Constitution of India)

No. 3/2/2007 - APCR

5th floor, Loknayak Bhawan

Khan Market, New Delhi-110003

Date: 11/04/2013

To

The Joint Secretary,
M/o Social Justice & Empowerment,
Department of Social Justice & Empowerment,
Shastri Bhawan,
New Delhi-110001.

(Kind attention: Ms. Ghazala Meenai, Joint Secretary)

Sub: - Amendments in the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989.

Madam,

I am directed to refer to your Office Memorandum No. 11020/8/2012-PCR (Desk) dated 4/4/2013 enclosing therewith a copy of draft Note for the Cabinet on the above subject and to say that the concurrence of the National Commission for Scheduled Castes is conveyed to the Draft Cabinet Note.

2. However, it is stated that the Commission has sent its recommendations on the proposal for amendments in the POA Act, 1989 to M/o Social Justice and Empowerment, vide DO of even number dated 11/11/2011 and dated 13/12/2011 which are reiterated (copies enclosed).

This issues with the approval of the Competent Authority.

Encls: As above.

Yours faithfully,

SD/-
(Kaushal Kumar)
Dy. Director